



General Assembly

Substitute Bill No. 459

February Session, 2022



**AN ACT CONCERNING THE CORRECTION ADVISORY COMMITTEE,
THE USE OF ISOLATED CONFINEMENT AND TRANSPARENCY FOR
CONDITIONS OF INCARCERATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 18-81jj of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 [(a) For the purposes of this section, "ombudsman services" includes
4 (1) the receipt of complaints by the ombudsman from persons eighteen
5 years of age or younger in the custody of the Commissioner of
6 Correction regarding decisions, actions, omissions, policies, procedures,
7 rules or regulations of the Department of Correction, (2) investigating
8 such complaints, rendering a decision on the merits of each complaint
9 and communicating the decision to the complainant, (3) recommending
10 to the commissioner a resolution of any complaint found to have merit,
11 (4) recommending policy revisions to the department, and (5)
12 publishing a quarterly report of all ombudsman services activities.

13 (b) The Commissioner of Correction shall hire a person to provide
14 ombudsman services and shall annually report the name of such person
15 to the joint standing committee of the General Assembly having
16 cognizance of matters relating to the Department of Correction in
17 accordance with the provisions of section 11-4a. In addition to the

18 executive assistant positions authorized under subdivision (10) of
19 section 5-198, the commissioner may hire an executive assistant to carry
20 out the duties of this section.

21 (c) Prior to any person eighteen years of age or younger in the custody
22 of the Commissioner of Correction obtaining ombudsman services, such
23 person shall have reasonably pursued a resolution of the complaint
24 through any existing internal grievance or appellate procedures of the
25 Department of Correction.

26 (d) All oral and written communications, and records relating to such
27 communications between a person eighteen years of age or younger in
28 the custody of the Commissioner of Correction and the ombudsman or
29 a member of the ombudsman's staff, including, but not limited to, the
30 identity of a complainant, the details of a complaint and the
31 investigative findings and conclusions of the ombudsman shall be
32 confidential and shall not be disclosed without the consent of the
33 person, except that the ombudsman may disclose without the consent
34 of the person (1) such communications or records as may be necessary
35 for the ombudsman to conduct an investigation and support any
36 recommendations the ombudsman may make, or (2) the formal
37 disposition of a person's complaint when requested in writing by a court
38 that is hearing such person's application for a writ of habeas corpus that
39 was filed subsequent to an adverse finding by the ombudsman on such
40 person's complaint.

41 (e) Notwithstanding the provisions of subsection (d) of this section,
42 whenever in the course of providing ombudsman services, the
43 ombudsman or a member of the ombudsman's staff becomes aware of
44 the commission or planned commission of a criminal act or a threat to
45 the health and safety of any person or the security of a correctional
46 facility, the ombudsman shall notify the Commissioner of Correction or
47 a facility administrator of such act or threat and the nature and target of
48 the act or threat.

49 (f) If the Commissioner of Correction has a reasonable belief that a

50 person eighteen years of age or younger in the custody of the
51 commissioner has made or provided to the ombudsman an oral or
52 written communication concerning a safety or security threat within the
53 Department of Correction or directed against an employee of the
54 department, the ombudsman shall provide to the commissioner all oral
55 or written communications relevant to such threat.]

56 (a) There is established the Correction Advisory Committee that shall
57 consist of nine members. Such members shall be appointed as follows:

58 (1) One who is directly impacted, appointed by the Senate
59 chairperson of the joint standing committee of the General Assembly
60 having cognizance of matters relating to the Department of Correction;

61 (2) One who has expertise in law, specifically the rights of
62 incarcerated persons, appointed by the House chairperson of the joint
63 standing committee of the General Assembly having cognizance of
64 matters relating to the Department of Correction;

65 (3) One who has a demonstrated interest in advancing the rights and
66 welfare of incarcerated persons, appointed by the president pro tempore
67 of the Senate;

68 (4) One who has a demonstrated interest in advancing the rights and
69 welfare of incarcerated persons, appointed by the speaker of the House
70 of Representatives;

71 (5) One who has expertise in the provision of mental health care to
72 incarcerated persons or formerly incarcerated persons, appointed by the
73 minority leader of the Senate;

74 (6) One who has expertise in the provision of medical care to
75 incarcerated persons or formerly incarcerated persons, appointed by the
76 minority leader of the House of Representatives; and

77 (7) Three who are appointed by the Governor, one of whom has
78 expertise in corrections and two of whom are directly impacted.

79 (b) For purposes of subsection (a) of this section, "directly impacted"
80 means (1) a person who was previously incarcerated within a facility
81 operated by the department and is no longer under probation or any
82 supervision by the department, or (2) a family member of a person
83 described in subdivision (1) of this subsection or of a person who is in
84 the custody of the Commissioner of Correction.

85 (c) All appointments to the committee, including vacancy
86 appointments which shall be filled by the appointing authority having
87 the power to make the original appointment, shall be made as follows:

88 (1) Not later than thirty days after the effective date of this section or
89 after any vacancy, each appointing authority or any such authority
90 filling a vacancy shall submit a letter designating such authority's
91 appointment or appointments to the joint standing committee of the
92 General Assembly having cognizance of matters relating to the
93 Department of Correction. Such joint standing committee shall post
94 such letters on its Internet web site. The Senate and House chairpersons
95 of such joint standing committee shall schedule a public hearing of such
96 proposed appointments to be conducted not later than forty days after
97 the effective date of this section, or ten days after the submission of a
98 letter in the case of a vacancy.

99 (2) After such hearing, each appointing authority shall confirm or
100 withdraw such authority's appointment or appointments. Any
101 appointing authority who withdraws an appointment shall, not later
102 than ten days after such withdrawal, submit a new letter to such joint
103 standing committee of the General Assembly designating a different
104 appointment or appointments, which shall initiate the hearing and
105 approval or withdrawal process pursuant to subdivision (1) of this
106 subsection and this subdivision for such appointment or appointments.

107 (d) The chairpersons of the Correction Advisory Committee shall be
108 the members appointed pursuant to subdivisions (1) and (2) of
109 subsection (a) of this section. Such chairpersons shall schedule the first
110 meeting of said committee, which shall be held not later than sixty days

111 after the effective date of this section.

112 (e) Each committee member shall serve a four-year term, except that
113 each initial term shall run for four years from February 1, 2023. Each
114 committee member may serve up to two terms. In the event of a vacancy
115 appointment, the member appointed to fill the vacancy shall serve the
116 remainder of the original member's four-year term and may be
117 reappointed for up to two more terms.

118 (f) Each member shall serve without compensation but shall, within
119 available appropriations, be reimbursed for necessary expenses that
120 such member may incur through service on the Correction Advisory
121 Committee.

122 (g) Each member shall, not later than ten days after the first meeting
123 of the Correction Advisory Committee in which such member
124 participates, take an oath of office to diligently and honestly administer
125 the affairs of said committee. The oath shall be administered by a
126 chairperson of said committee.

127 (h) A majority of the members appointed to the Correction Advisory
128 Committee shall constitute a quorum, which shall be necessary for the
129 committee to conduct business. A majority vote of the members present
130 shall be required for action of the committee.

131 (i) The state of Connecticut shall protect and hold harmless any
132 committee member from financial loss and expense, including legal fees
133 and costs, if any, arising out of any claim, demand or suit for damages
134 resulting from acts or omissions committed in the discharge of the
135 member's official duties pursuant to this section which may constitute
136 negligence but which acts are not wanton, malicious or grossly
137 negligent as determined by a court of competent jurisdiction.

138 (j) The Correction Advisory Committee shall perform the following
139 functions:

140 (1) Submit a list of candidates for Correction Ombuds for the

141 Governor's consideration, pursuant to subsection (k) of this section;

142 (2) Review the actions of the Correction Ombuds pursuant to section
143 2 of this act;

144 (3) Meet not less than quarterly to bring matters to the Correction
145 Ombuds' attention and to consult on the Correction Ombuds' services,
146 findings and recommendations; and

147 (4) Convene semiannual public hearings to discuss the Correction
148 Ombuds' services, findings and recommendations.

149 (k) Not later than eighty days after the effective date of this section or
150 not later than sixty days after any vacancy in the position of Correction
151 Ombuds, the Correction Advisory Committee shall solicit applications
152 for such position and meet to consider and interview the most qualified
153 candidates who are residents of this state for such position. Said
154 committee shall select not fewer than three and not more than five of the
155 most outstanding candidates, publish the names of such selected
156 candidates on said committee's Internet web site and hold a public
157 hearing allowing testimony from members of the public concerning the
158 selected candidates. Said committee shall submit to the Governor a list
159 of selected candidates. Such list shall rank the candidates in the order of
160 committee preference.

161 (l) Not later than thirty days after receiving the list submitted under
162 subsection (k) of this section, the Governor, with the approval of the
163 General Assembly, shall appoint a person qualified by training and
164 experience as the Correction Ombuds. If at any time any of the
165 candidates withdraw from consideration prior to confirmation by the
166 General Assembly, the designation shall be made from the remaining
167 candidates on the list submitted to the Governor. If, not later than thirty
168 days after receiving the list, the Governor fails to designate a candidate
169 from the list, the candidate ranked first shall receive the designation and
170 be referred to the General Assembly for confirmation. If the General
171 Assembly is not in session, the designated candidate shall serve as

172 acting Correction Ombuds and be entitled to the compensation,
173 privileges and powers of the Correction Ombuds until the General
174 Assembly meets to take action on said appointment.

175 (m) The person appointed as Correction Ombuds shall serve for an
176 initial term of two years and may serve until a successor is appointed
177 and confirmed in accordance with this section. Such person may be
178 reappointed for succeeding terms.

179 (n) Upon any vacancy in the position of Correction Ombuds and until
180 such time as a candidate has been confirmed by the General Assembly
181 or, if the General Assembly is not in session, has been designated by the
182 Governor, the Associate Correction Ombuds, as designated by the
183 Correction Advisory Committee, shall serve as the acting Correction
184 Ombuds and be entitled to the compensation, privileges and powers of
185 the Correction Ombuds until the General Assembly meets to take action
186 on said appointment.

187 Sec. 2. (NEW) (*Effective July 1, 2022*) (a) (1) There is, within the Office
188 of Governmental Accountability established under section 1-300 of the
189 general statutes, as amended by this act, the Office of the Correction
190 Ombuds for the provision of ombuds services. The Correction Ombuds
191 appointed pursuant to section 18-81jj of the general statutes, as amended
192 by this act, shall be the head of said office.

193 (2) For purposes of this section, "ombuds services" includes:

194 (A) Evaluating the delivery of services to incarcerated persons by the
195 Department of Correction;

196 (B) Reviewing periodically the procedures established by the
197 department to carry out the provisions of title 18 of the general statutes
198 and evaluating whether such procedures conflict with the rights of
199 incarcerated persons;

200 (C) Receiving communications from persons in the custody of the
201 Commissioner of Correction regarding decisions, actions, omissions,

202 policies, procedures, rules or regulations of the department;

203 (D) Conducting site visits of correctional facilities administered by
204 the department;

205 (E) Reviewing the operation of correctional facilities and
206 nonemergency procedures employed at such facilities. Nonemergency
207 procedures include, but are not limited to, the department's use of force
208 procedures;

209 (F) Recommending procedure and policy revisions to the
210 department;

211 (G) Taking all possible actions, including, but not limited to,
212 conducting programs of public education, undertaking legislative
213 advocacy and making proposals for systemic reform and formal legal
214 action in order to secure and ensure the rights of persons in the custody
215 of the commissioner. The Correction Ombuds shall exhaust all other
216 means to reach a resolution before initiating litigation; and

217 (H) Publishing on an Internet web site operated by the Office of the
218 Correction Ombuds a semiannual summary of all ombuds services and
219 activities during the six-month period before such publication.

220 (b) Notwithstanding any provision of the general statutes, the
221 Correction Ombuds shall act independently of any department in the
222 performance of the office's duties.

223 (c) The Correction Ombuds may, within available funds, appoint
224 such staff as may be deemed necessary. The duties of the staff may
225 include the duties and powers of the Correction Ombuds if performed
226 under the direction of the Correction Ombuds.

227 (d) The General Assembly shall annually appropriate such sums as
228 necessary for the payment of the salaries of the staff and for the payment
229 of office expenses and other actual expenses incurred by the Correction
230 Ombuds in the performance of the Correction Ombuds' duties. Any

231 legal or court fees obtained by the state in actions brought by the
232 Correction Ombuds shall be deposited in the General Fund.

233 (e) In the course of investigations, the Correction Ombuds shall rely
234 on a variety of sources to corroborate matters raised by incarcerated
235 persons or others. Where such matters turn on validation of particular
236 incidents, the Correction Ombuds shall endeavor to rely on
237 communications from incarcerated persons who have reasonably
238 pursued a resolution of the complaint through any existing internal
239 grievance procedures of the Department of Correction. In all events, the
240 Correction Ombuds shall make good faith efforts to provide an
241 opportunity to the Commissioner of Correction to investigate and to
242 respond to such concerns prior to making such matters public.

243 (f) All oral and written communications, and records relating to such
244 communications between a person in the custody of the Commissioner
245 of Correction and the Correction Ombuds or a member of the Office of
246 the Correction Ombuds staff, including, but not limited to, the identity
247 of a complainant, the details of the communications and the Correction
248 Ombuds' findings shall be confidential and shall not be disclosed
249 without the consent of such person, except that the Correction Ombuds
250 may disclose without the consent of such person general findings or
251 policy recommendations based on such communications, provided no
252 individually identifiable information is disclosed. The Correction
253 Ombuds shall disclose sufficient information to the Commissioner of
254 Correction or the commissioner's designee as is necessary to respond to
255 the Correction Ombuds' inquiries or to carry out recommendations, but
256 such information may not be further disclosed outside of the
257 Department of Correction.

258 (g) Notwithstanding the provisions of subsection (f) of this section,
259 whenever in the course of carrying out the Correction Ombuds' duties,
260 the Correction Ombuds or a member of the Office of the Correction
261 Ombuds staff becomes aware of the commission or planned commission
262 of a criminal act or threat that the Correction Ombuds reasonably
263 believes is likely to result in death or substantial bodily harm, the

264 Correction Ombuds shall notify the Commissioner of Correction or an
265 administrator of any correctional facility housing the perpetrator or
266 potential perpetrator of such act or threat and the nature and target of
267 the act or threat.

268 (h) Notwithstanding any provision of the general statutes concerning
269 the confidentiality of records and information, the Correction Ombuds
270 shall have access to, including the right to inspect and copy, any records
271 necessary to carry out the responsibilities of the Correction Ombuds, as
272 provided in this section. The provisions of this subsection shall not be
273 construed to compel access to any record protected by the attorney-
274 client privilege or attorney-work product doctrine or any record related
275 to a pending internal investigation, external criminal investigation or
276 emergency procedures. For purposes of this subsection, "emergency
277 procedures" are procedures the Department of Correction uses to
278 manage control of tools, keys and armories and concerning department
279 emergency plans, emergency response units, facility security levels and
280 standards and radio communications.

281 (i) In the performance of the responsibilities provided for in this
282 section, the Correction Ombuds may communicate privately with any
283 person in the custody of the commissioner. Such communications shall
284 be confidential except as provided in subsections (e) and (f) of this
285 section.

286 (j) The Correction Ombuds may apply for and accept grants, gifts and
287 requests of funds from other states, federal and interstate agencies, for
288 the purpose of carrying out the Correction Ombuds' responsibilities.
289 There is established within the General Fund a Correction Ombuds
290 account which shall be a separate nonlapsing account. Any funds
291 received under this subsection shall, upon deposit in the General Fund,
292 be credited to said account and may be used by the Correction Ombuds
293 in the performance of the Correction Ombuds' duties.

294 (k) The name, address and other personally identifiable information
295 of a person who makes a complaint to the Correction Ombuds,

296 information obtained or generated by the Office of the Correction
297 Ombuds in the course of an investigation and all confidential records
298 obtained by the Correction Ombuds or the office shall be confidential
299 and shall not be subject to disclosure under the Freedom of Information
300 Act, as defined in section 1-200 of the general statutes, or otherwise
301 except as provided in subsections (f) and (g) of this section.

302 (l) No state or municipal agency shall discharge, or in any manner
303 discriminate or retaliate against, any employee who in good faith makes
304 a complaint to the Correction Ombuds or cooperates with the Office of
305 the Correction Ombuds in an investigation.

306 (m) Not later than December 1, 2023, and annually thereafter, the
307 Correction Ombuds shall submit a report, in accordance with section 11-
308 4a of the general statutes, to the joint standing committee of the General
309 Assembly having cognizance of matters relating to the Department of
310 Correction regarding the conditions of confinement in the state's
311 correctional facilities and halfway houses. Such report shall detail the
312 Correction Ombuds' findings and recommendations.

313 Sec. 3. Section 18-96b of the general statutes is repealed and the
314 following is substituted in lieu thereof (*Effective July 1, 2022*):

315 (a) As used in this section:

316 (1) "Administrative segregation status" means the Department of
317 Correction's practice of placing an [inmate] incarcerated person on
318 restrictive housing status following a determination that such [inmate]
319 incarcerated person can no longer be safely managed within the general
320 [inmate] population of the correctional facility; [and]

321 (2) "Commissioner" means the Commissioner of Correction;

322 (3) "De-escalation" means attempting to defuse a crisis without the
323 use of force;

324 (4) "Department" means the Department of Correction;

325 (5) "Grievance" means a formal complaint filed by any incarcerated
326 person with the internal grievance system or the department;

327 (6) "Incarcerated person" means a person confined and in the custody
328 and care of the commissioner, including persons in pretrial,
329 presentencing or post-conviction confinement;

330 (7) "Isolated confinement" means any form of confinement of an
331 incarcerated person within a cell, except during a facility-wide
332 emergency, lockdown or for the purpose of providing medical or mental
333 health treatment, with less than the following time out of cell:

334 (A) For all incarcerated persons, four hours per day, on and after July
335 1, 2022;

336 (B) For all incarcerated persons in the general population, four and a
337 half hours per day, on and after October 1, 2022; and

338 (C) For all incarcerated persons in general population, five hours per
339 day, on and after April 1, 2023;

340 (8) "Lockdown" means the enforced detainment of all incarcerated
341 persons within such persons' cells imposed upon an entire correctional
342 facility or part of such facility, other than for the purpose of
343 administrative meetings;

344 (9) "Medical professional" means (A) a physician licensed under
345 chapter 370; (B) a physician assistant licensed under chapter 370; or (C)
346 an advanced practice registered nurse, registered nurse or practical
347 nurse licensed under chapter 378;

348 [(2)] (10) "Restrictive housing status" means [the designation] any
349 classification of an [inmate] incarcerated person by the Department of
350 Correction that [provides for] requires closely regulated management
351 and separation of such [inmate from other inmates.] incarcerated person
352 from other incarcerated persons, including, but not limited to,
353 administrative segregation status, punitive segregation status, transfer

354 detention status, administrative detention status, security risk group
355 status, chronic discipline status, special needs status and protective
356 custody status;

357 (11) "Therapist" means any (A) physician licensed pursuant to
358 chapter 370 who specializes in psychiatry; (B) psychologist licensed
359 pursuant to chapter 383; (C) an advanced practice registered nurse
360 licensed pursuant to chapter 387; (D) clinical social worker or master
361 social worker licensed pursuant to chapter 383b; or (E) professional
362 counselor licensed pursuant to chapter 383c; and

363 (12) "Use of force" means the use of physical force or deadly physical
364 force, as defined in section 53a-3, by a department employee to compel
365 compliance by an incarcerated person. Use of force includes, but is not
366 limited to, the use of restraints, chemical agents, canines or munitions
367 or forcible extraction from a cell, other than in response to a psychiatric
368 emergency.

369 [(b) The Department of Correction shall publish on its Internet web
370 site the formula for calculating an inmate's mental health score and a
371 description of any form and phase of housing employed at any of its
372 correctional facilities for inmates on restrictive housing status.]

373 (b) The department shall not hold any person under eighteen years
374 of age in isolated confinement.

375 (c) Any use of isolated confinement shall maintain the least restrictive
376 environment necessary for the safety of incarcerated persons and staff,
377 and the security of the facility.

378 (d) If holding an incarcerated person in isolated confinement, the
379 department shall:

380 (1) Not later than twenty-four hours after initiating the process of
381 holding such person in isolated confinement, ensure that a medical
382 professional conducts a physical examination and a therapist conducts
383 a mental health evaluation of such person;

384 (2) Ensure regular monitoring to ensure such person's safety and
385 well-being, including a daily check-in from a therapist;

386 (3) Continue de-escalation efforts when applicable and appropriate
387 to the situation; and

388 (4) Provide to such person access to the following:

389 (A) Reading materials, paper, and a writing implement;

390 (B) Not less than three showers per week; and

391 (C) Not less than two hours out of cell per day, including at least one
392 hour for recreational purposes.

393 (e) Placement of an incarcerated person in isolated confinement shall
394 be subject to the following:

395 (1) The department may place a person in isolated confinement only
396 after consideration of less restrictive measures;

397 (2) No person may be placed in isolated confinement for longer than
398 necessary and no more than fifteen consecutive days or thirty total days
399 within any sixty-day period, after which period, such person shall be
400 released from isolated confinement; and

401 (3) No person may be placed in isolated confinement based on the
402 same incident that was previously used as the basis for such placement.

403 (f) No person may be held in isolated confinement for protective
404 custody, except that isolated confinement may be used while the
405 department is determining whether protective custody status is
406 appropriate. The department shall limit the time period for such
407 determination to not more than five business days.

408 (g) The department shall not impose a lockdown upon an entire
409 correctional facility or part of a correctional facility for purposes of
410 training department staff for more than twenty-four cumulative hours

411 during any thirty-day period.

412 (h) Not later than January 1, 2024, the department shall report, in
413 accordance with the provisions of section 11-4a, to the joint standing
414 committee of the General Assembly having cognizance of matters
415 relating to the Department of Correction and the Criminal Justice Policy
416 and Planning Division established under section 4-68m concerning
417 measures taken by the department to address the following:

418 (1) The frequency, cause and duration of lockdowns;

419 (2) The presence of persons with serious mental illness or
420 developmental and intellectual disabilities in isolated confinement or on
421 restrictive housing status;

422 (3) Efforts to increase the time an incarcerated person spends outside
423 of such person's cell;

424 (4) The provision of therapeutic and other pro-social programming
425 for persons on restrictive housing status;

426 (5) The use of in-cell restraints; and

427 (6) Fostering cooperation and engagement with the Correction
428 Ombuds pursuant to section 2 of this act and the Correction Advisory
429 Committee established pursuant to section 18-81jj, as amended by this
430 act.

431 [(c)] (i) The [Department of Correction] department shall [at least]
432 annually on or before January first submit to the Criminal Justice Policy
433 and Planning Division established under section 4-68m a report
434 containing, [as aggregated] in a disaggregated and anonymized format,
435 the following data, which shall be broken down by facility and the age,
436 race and sex of incarcerated persons included in the data:

437 (1) The number of [inmates on restrictive housing status] incarcerated
438 persons in isolated confinement in this state's correctional facilities, as

439 of the first day of each of the twelve months preceding the date of the
440 submission of the report [. The department shall report and
441 disaggregate such data based on an inmate's age, gender identity,
442 ethnicity, mental health score as calculated by the department, if any,
443 and the form and phase of housing in which such inmate is held on
444 restrictive housing status] and the total number of persons subjected to
445 isolated confinement during the twelve months preceding the date of
446 submission of the report;

447 (2) The number of [inmates on administrative segregation status who
448 have spent the following cumulative durations of time on
449 administrative segregation status] incarcerated persons who were in
450 isolated confinement for more than fifteen cumulative days in the
451 previous calendar year as categorized by the following periods of time:

452 [(A) One to fifteen days;]

453 [(B)] (A) Sixteen to thirty days;

454 [(C)] (B) Thirty-one to [one hundred eighty] sixty days;

455 [(D) One hundred eighty-one to three hundred sixty-five days;

456 (E) Three hundred sixty-six to seven hundred thirty days;

457 (F) Seven hundred thirty-one to one thousand ninety-five days;

458 (G) One thousand ninety-six to one thousand four hundred sixty
459 days;

460 (H) One thousand four hundred sixty-one to one thousand eight
461 hundred twenty-five days;

462 (I) One thousand eight hundred twenty-six to two thousand one
463 hundred ninety days;

464 (J) Two thousand one hundred ninety-one to two thousand five
465 hundred fifty-five days;

466 (K) Two thousand five hundred fifty-six to two thousand nine
467 hundred twenty days;

468 (L) Two thousand nine hundred twenty-one to three thousand two
469 hundred eighty-five days;

470 (M) Three thousand two hundred eighty-six to three thousand six
471 hundred fifty days; and]

472 (C) Sixty-one to ninety days; and

473 [(N)] (D) More than [three thousand six hundred fifty] ninety days;

474 (3) [For each correctional facility, the] The number of [inmates who,
475 during the twelve months preceding the date of the submission of the
476 report, spent more than fifteen days, cumulative, on administrative
477 segregation status. The department shall report and disaggregate such
478 data based on an inmate's age, gender identity, ethnicity, mental health
479 score as calculated by the department, if any, and the form and phase of
480 restricted housing in which such inmate is held; and] incidents broken

481 down by month during the previous calendar year in the department's
482 facilities categorized as:

483 (A) Suicides by incarcerated persons;

484 (B) Attempted suicides by incarcerated persons;

485 (C) Self-harm by incarcerated persons;

486 (D) Assaults by incarcerated persons on staff members; and

487 (E) Assaults and fights between incarcerated persons;

488 (4) [Actions taken by the department during the twelve months
489 preceding the date of the submission of the report to minimize reliance
490 on administrative segregation status and to mitigate the harmful effects
491 of administrative segregation status on inmates, staff and the public.]
492 Monthly reports showing the total number of incarcerated persons

493 against whom the department has used force, including use of the
494 following:

495 (A) Chemical agent devices;

496 (B) Full stationary restraints;

497 (C) Deadly physical force;

498 (D) In-cell restraints;

499 (E) Less than lethal munitions;

500 (F) Lethal munitions;

501 (G) Medical restraints;

502 (H) Physical force;

503 (I) Therapeutic restraints;

504 (J) Cell extraction; and

505 (K) Canines;

506 (5) Grievances filed by incarcerated persons, broken down by month,
507 including the number of grievances filed, dismissed, affirmed or
508 otherwise resolved;

509 (6) Programs offered to incarcerated persons, including the program
510 title and a brief description of the program, the number of spots
511 available in each program and the number of persons enrolled in each
512 program as of the first of each month;

513 (7) Internal department work assignments held by incarcerated
514 persons, including the work assignment title, the daily wage paid and
515 the number of such persons in each position as of the first of each month;
516 and

517 (8) External jobs held by incarcerated persons working for outside
518 employers, including the job title, hourly wage paid, the number of such
519 persons in each position as of the first of each month and the name of
520 each employer.

521 [(d) The department shall not hold any person under eighteen years
522 of age on administrative segregation status.

523 (e) Not later than January 1, 2019, the Commissioner of Correction
524 shall study and submit a report, in accordance with the provisions of
525 section 11-4a, to the joint standing committee of the General Assembly
526 having cognizance of matters relating to the judiciary regarding the use
527 and oversight of all forms and phases of housing for inmates on
528 restrictive housing status.]

529 [(f)] (j) The provisions of [subsections (a) to (d), inclusive, of] this
530 section do not apply to any [inmate] incarcerated person described in
531 subsection (a) of section 18-10b.

532 [(g) Within available appropriations, the Department of Correction
533 shall provide training to employees of the department who interact with
534 inmates concerning the following:

535 (1) The recognition of symptoms of mental illness;

536 (2) The potential risks and side effects of psychiatric medications;

537 (3) De-escalation techniques for safely managing individuals with
538 mental illness;

539 (4) Consequences of untreated mental illness;

540 (5) The long and short-term psychological effects of being on
541 administrative segregation status; and

542 (6) De-escalation and communication techniques to divert inmates
543 from situations that may lead to the inmate being placed on
544 administrative segregation status.

545 (h) Within available appropriations, the Department of Correction
546 shall take measures to promote the wellness of employees of the
547 department who interact with inmates. These measures may include,
548 but need not be limited to:

549 (1) Employee assistance programs;

550 (2) Peer support programs; and

551 (3) Stress management training.]

552 (k) The department shall publish on its Internet web site the formula
553 for calculating an incarcerated person's mental health score and any
554 report pursuant to subsection (i) of this section.

555 Sec. 4. Section 1-300 of the general statutes is repealed and the
556 following is substituted in lieu thereof (*Effective July 1, 2022*):

557 (a) There is established the Office of Governmental Accountability.
558 The executive administrator of the office shall serve as the
559 administrative head of the office, who shall be appointed in accordance
560 with the provisions of section 1-301, as amended by this act.

561 (b) The Office of Governmental Accountability shall provide
562 personnel, payroll, affirmative action and administrative and business
563 office functions and information technology associated with such
564 functions for the following: The Judicial Review Council established
565 under section 51-51k, Judicial Selection Commission established under
566 section 51-44a, Board of Firearms Permit Examiners established under
567 section 29-32b, Office of the Child Advocate established under section
568 46a-13k, Office of the Victim Advocate established under section 46a-
569 13b₂ [and] State Contracting Standards Board established under section
570 4e-2 and Office of the Correction Ombuds, established under section 2
571 of this act. The personnel, payroll, affirmative action and administrative
572 and business office functions of said offices, commission, council and
573 boards shall be merged and consolidated within the Office of
574 Governmental Accountability.

575 (c) The executive administrator may employ necessary staff to carry
576 out the administrative functions of the Office of Governmental
577 Accountability, within available appropriations. Such necessary staff of
578 the Office of Governmental Accountability shall be in classified service.

579 (d) Nothing in this section shall be construed to affect or limit the
580 independent decision-making authority of the Judicial Review Council,
581 Judicial Selection Commission, Board of Firearms Permit Examiners,
582 Office of the Child Advocate, Office of the Victim Advocate, [or the]
583 State Contracting Standards Board or Office of the Correction Ombuds.
584 Such decision-making authority includes, but is not limited to, decisions
585 concerning budgetary issues and concerning the employment of
586 necessary staff to carry out the statutory duties of each such office,
587 commission, council or board.

588 Sec. 5. Subsection (a) of section 1-301 of the general statutes is
589 repealed and the following is substituted in lieu thereof (*Effective from*
590 *passage*):

591 (a) (1) There shall be a Governmental Accountability Commission,
592 within the Office of Governmental Accountability established under
593 section 1-300, as amended by this act, that shall consist of [six] seven
594 members as follows: (A) The executive director of the Judicial Review
595 Council established under section 51-51k, or the executive director's
596 designee; (B) the chairperson of the Judicial Selection Commission
597 established under section 51-44a, or the chairperson's designee; (C) the
598 chairperson of the Board of Firearms Permit Examiners established
599 under section 29-32b, or the chairperson's designee; (D) the Child
600 Advocate appointed under section 46a-13k, or the advocate's designee;
601 (E) the Victim Advocate appointed under section 46a-13b, or the
602 advocate's designee; [and] (F) the chairperson of the State Contracting
603 Standards Board established under section 4e-2, or the chairperson's
604 designee; and (G) the Correction Ombuds appointed under section 18-
605 81jj, as amended by this act, or the Correction Ombuds' designee,
606 provided no person serving as a designee under this subsection may be
607 a state employee. The Governmental Accountability Commission shall

608 select a chairperson who shall preside at meetings of the commission.
609 Said commission shall meet for the purpose of making
610 recommendations to the Governor for candidates for the executive
611 administrator of the Office of Governmental Accountability pursuant to
612 the provisions of subsection (b) of this section, or for the purpose of
613 terminating the employment of the executive administrator.

614 (2) The commission established under subdivision (1) of this
615 subsection shall not be construed to be a board or commission within
616 the meaning of section 4-9a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	18-81jj
Sec. 2	<i>July 1, 2022</i>	New section
Sec. 3	<i>July 1, 2022</i>	18-96b
Sec. 4	<i>July 1, 2022</i>	1-300
Sec. 5	<i>from passage</i>	1-301(a)

JUD *Joint Favorable Subst.*

APP *Joint Favorable*