

# OFFICE OF FISCAL ANALYSIS

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<http://www.cga.ct.gov/ofa>

sSB-1059

AN ACT CONCERNING THE OFFICE OF THE CORRECTION OMBUDS, THE USE OF ISOLATED CONFINEMENT, SECLUSION AND RESTRAINTS, SOCIAL CONTACTS FOR INCARCERATED PERSONS AND TRAINING AND WORKERS' COMPENSATION BENEFITS FOR CORRECTION OFFICERS.

As Amended by Senate "A" (LCO 10009)

Senate Calendar No.: 348

## ***OFA Fiscal Note***

### ***State Impact:***

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 22 \$</b>	<b>FY 23 \$</b>
Correction, Dept.	GF - Cost	0.5-1.0 million	2.2-4.4 million
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	0.2-0.4 million	0.9-1.8 million
Governmental Accountability, Off.	GF - Cost	482,826	496,951
State Comptroller - Fringe Benefits <sup>2</sup>	GF - Cost	194,451	200,285
Correction, Dept.	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

***Municipal Impact:*** None

### ***Explanation***

The bill makes various changes regarding the laws that govern the Department of Correction (DOC) and results in the impact listed below.

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.3% of payroll in FY 22 and FY 23.

<sup>2</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.3% of payroll in FY 22 and FY 23.

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**Section 1** expands the correction ombuds program to include all inmates in DOC custody and relocates the program to the Office of Governmental Accountability (OGA) resulting in a cost to the OGA. To meet the requirements of the bill the OGA will have to hire one ombudsman and six supporting staff resulting in a cost of \$677,277 in FY 22 and \$697,235 in FY 23 (costs include salary, other expenses, and fringe benefits).

The current ombuds program is only for juvenile inmates (less than 35 inmates are under 18) and the bill expands this to the entire DOC population, which is 8,965 inmates as of 4/23/21.

**Section 2** requires increased supervision of isolated inmates, decreases the use of restraints, and allows inmates to receive at least 6.5 hours of out of cell time per day which results in a cost to DOC. To meet the requirements of this section the DOC will have to hire between 44-88 additional correction officers for a cost of \$0.8-1.5 million in FY 22 and \$3.2-\$6.3 million in FY 23 (costs include salary, other expenses, and fringe benefits).<sup>3</sup>

**Section 2** also requires a physician and therapist to conduct a physical examination and mental health evaluation within 24 hours of placing an inmate in isolated confinement resulting in a potential cost to DOC. Physicians and therapists typically work first-shift, Monday-Friday at DOC facilities and are on-call all other times. To the extent this section results in more medical staff being on-call in order to perform evaluations there is a potential cost to the state.

Senate "A" makes various changes resulting in the elimination of the revenue loss in the underlying bill and a reduction to the cost and the potential cost to the DOC, described below.

- The amendment removes the requirement that each inmate receive two free sixty-minute phone calls per week which

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<sup>3</sup> These changes take effect in FY 23, but a quarter year of salary is needed in FY 22 to train the new correction officers. The cost assumes each DOC facility will add one to two additional correctional officer posts for the first and second shifts.

removes the \$7.8 million revenue loss to the Department of Emergency Services and Public Protection, Judicial Department, and the DOC. This also reduces the annual cost to the DOC by \$5.7 million.

- The amendment removes the requirement that the DOC provide free writing and postage supplies to inmates which reduces the cost to DOC in the underlying bill by \$400,000 per year.
- The amendment removes the requirement that physician and therapist evaluations occur before an inmate is placed in isolation and allow examinations to be conducted within 24 hours which reduces the potential cost to the DOC in the underlying bill. Physicians and therapists typically work first-shift, Monday-Friday at DOC facilities and are on-call all other times.
- The amendment removes sections 4-8 which eliminates the potential cost to the DOC if correction officers met the conditions and applied for workers compensation benefits for post-traumatic stress injuries.

The amendment also makes various technical changes which result in no fiscal impact to the state.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

*The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*