



General Assembly

Amendment

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LCO No. 10021



Offered by:

SEN. KISSEL, 7th Dist.

SEN. MINER, 30th Dist.

To: Subst. Senate Bill No. 1059

File No. 616

Cal. No. 348

(As Amended by Senate Amendment Schedule "A")

"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."

1 Strike subsection "(i)" of section 1 in its entirety and renumber the
2 remaining subsections and internal references accordingly

3 Strike section 2 in its entirety and insert the following in lieu thereof:

4 "Sec. 2. Section 18-96b of the general statutes is repealed and the
5 following is substituted in lieu thereof (*Effective July 1, 2022*):

6 (a) As used in this section:

7 (1) "Administrative segregation status" means the Department of
8 Correction's practice of placing an [inmate] incarcerated person on
9 restrictive housing status following a determination that such [inmate]

10 incarcerated person can no longer be safely managed within the general
11 [inmate] incarcerated person population of the correctional facility;
12 [and]

13 (2) "Isolated confinement" means confinement of an incarcerated
14 person in a cell, alone or with others, for more than sixteen hours per
15 day; and

16 [(2)] (3) "Restrictive housing status" means the designation of an
17 [inmate] incarcerated person by the Department of Correction that
18 provides for closely regulated management and separation of such
19 [inmate] incarcerated person from other [inmates] incarcerated persons.

20 (b) The Department of Correction shall publish on its Internet web
21 site (1) the formula for calculating an [inmate's] incarcerated person's
22 mental health score, [and] (2) a description of any form and phase of
23 housing employed at any of its correctional facilities for [inmates on
24 restrictive housing status] incarcerated persons held in isolated
25 confinement, (3) any report pursuant to subsection (g) of this section,
26 and (4) data used in such report in a downloadable, sortable format.

27 (c) The Department of Correction shall at least annually submit to the
28 Criminal Justice Policy and Planning Division established under section
29 4-68m a report containing as [aggregated] disaggregated and
30 anonymized the following data:

31 (1) The number of [inmates on restrictive housing status] incarcerated
32 persons in isolated confinement in this state's correctional facilities, as
33 of the first day of each of the twelve months preceding the date of the
34 submission of the report [. The department shall report and
35 disaggregate such data based on an inmate's age, gender identity,
36 ethnicity, mental health score as calculated by the department, if any,
37 and the form and phase of housing in which such inmate is held on
38 restrictive housing status] and the total number of persons subjected to
39 isolated confinement during the twelve months preceding the date of
40 submission of the report;

41 [(2) The number of inmates on administrative segregation status who
42 have spent the following cumulative durations of time on
43 administrative segregation status:

44 (A) One to fifteen days;

45 (B) Sixteen to thirty days;

46 (C) Thirty-one to one hundred eighty days;

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

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

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

50 (G) One thousand ninety-six to one thousand four hundred sixty
51 days;

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

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

56 (J) Two thousand one hundred ninety-one to two thousand five
57 hundred fifty-five days;

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

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

62 (M) Three thousand two hundred eighty-six to three thousand six
63 hundred fifty days; and

64 (N) More than three thousand six hundred fifty days;

65 (3) For each correctional facility, the number of inmates who, during

66 the twelve months preceding the date of the submission of the report,
67 spent more than fifteen days, cumulative, on administrative segregation
68 status. The department shall report and disaggregate such data based
69 on an inmate's age, gender identity, ethnicity, mental health score as
70 calculated by the department, if any, and the form and phase of
71 restricted housing in which such inmate is held; and]

72 (2) A list of unique individuals in the custody of the department in
73 the twelve months preceding the date of the submission of the report
74 subjected to any form of isolated confinement. The list shall include the
75 following information for each person: Age, gender identity, ethnicity,
76 reason for placement in isolation, total number of days spent in isolated
77 confinement in the previous calendar year, total number of days spent
78 in isolated confinement over the course of the entire period of
79 incarceration, specific restrictive housing status, if any, and mental
80 health score as calculated by the department, if any;

81 (3) A list of unique individuals in the custody of the department in
82 the twelve months preceding the date of the submission of the report
83 subjected to restraints. The list shall include the following information
84 for each person: Age, gender identity, ethnicity, total number of hours
85 spent in restraints in the previous calendar year, specific restrictive
86 housing status, if any, and mental health score as calculated by the
87 department, if any;

88 (4) The number of incidents, broken down by correctional facility, for
89 each of the following in the previous calendar year and categorized as:

90 (A) Suicides;

91 (B) Attempted suicides;

92 (C) Self-harm;

93 (D) Use of force by staff members against incarcerated persons;

94 (E) Assaults by incarcerated persons on staff members; and

95 (F) Assaults between incarcerated persons;

96 (5) The number of incarcerated persons subjected to more than
97 seventy-two hours of isolated confinement in the previous calendar year
98 as categorized by the following periods of time:

99 (A) Up to fifteen days;

100 (B) Sixteen to thirty days;

101 (C) Thirty-one to seventy-nine days; or

102 (D) Eighty or more days; and

103 ~~[(4)]~~ (6) Actions taken by the department during the twelve months
104 preceding the date of the submission of the report to minimize reliance
105 on administrative segregation status and to mitigate the harmful effects
106 of administrative segregation status on [inmates] incarcerated persons,
107 staff members and the public.

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

110 (e) Not later than January 1, ~~[2019]~~ 2021, the Commissioner of
111 Correction shall study and submit a report, in accordance with the
112 provisions of section 11-4a, to the joint standing committee of the
113 General Assembly having cognizance of matters relating to [the
114 judiciary] corrections regarding the use and oversight of all forms and
115 phases of housing for [inmates] incarcerated persons on restrictive
116 housing status.

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

120 (g) The Department of Correction shall not subject any incarcerated
121 person to isolated confinement because of the incarcerated person's
122 race, creed, color, national origin, nationality, ancestry, age, marital

123 status, domestic partnership or civil union status, affectional or sexual
124 orientation, genetic information, pregnancy or breastfeeding status, sex,
125 gender identity or expression, disability or atypical hereditary cellular
126 or blood trait.

127 [(g)] (h) Within available appropriations, the [Department of
128 Correction] department shall provide training to employees of the
129 department who interact with [inmates] incarcerated persons
130 concerning the following:

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

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

133 (3) De-escalation techniques for safely managing individuals with
134 mental illness;

135 (4) Consequences of untreated mental illness;

136 (5) The long and short-term psychological effects of being on
137 administrative segregation status; [and]

138 (6) The recognition of and techniques for mitigating trauma and
139 vicarious trauma; and

140 [(6)] (7) De-escalation and communication techniques to divert
141 [inmates] incarcerated persons from situations that may lead to the
142 [inmate] incarcerated person being placed on administrative
143 segregation status.

144 [(h)] (i) Within available appropriations, the Department of
145 Correction shall take measures to promote the wellness of employees of
146 the department who interact with [inmates] incarcerated persons. These
147 measures may include, but need not be limited to:

148 (1) Employee assistance programs;

149 (2) Development and use of strategies to prevent and treat trauma-
150 related effects on employees;

- 151 [(2)] (3) Peer support programs; and
- 152 [(3)] (4) Stress management training."