



Substitute Senate Bill No. 459

Public Act No. 22-18

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:

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 Section 18-81jj of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

(b) The Commissioner of Correction shall hire a person to provide ombudsman services and shall annually report the name of such person to the joint standing committee of the General Assembly having cognizance of matters relating to the Department of Correction in

Substitute Senate Bill No. 459

accordance with the provisions of section 11-4a. In addition to the executive assistant positions authorized under subdivision (10) of section 5-198, the commissioner may hire an executive assistant to carry out the duties of this section.

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

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

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

Substitute Senate Bill No. 459

the act or threat.

(f) If the Commissioner of Correction has a reasonable belief that a person eighteen years of age or younger in the custody of the commissioner has made or provided to the ombudsman an oral or written communication concerning a safety or security threat within the Department of Correction or directed against an employee of the department, the ombudsman shall provide to the commissioner all oral or written communications relevant to such threat.]

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

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

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

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

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

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

(6) One who has expertise in the provision of medical care to

Substitute Senate Bill No. 459

incarcerated persons or formerly incarcerated persons, appointed by the minority leader of the House of Representatives; and

(7) Three who are appointed by the Governor, one of whom has expertise in corrections, one of whom has expertise in medication in a correctional setting and one of whom is directly impacted.

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

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

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

(2) After such hearing, each appointing authority shall confirm or withdraw such authority's appointment or appointments. Any appointing authority who withdraws an appointment shall, not later than ten days after such withdrawal, submit a new letter to such joint

Substitute Senate Bill No. 459

standing committee of the General Assembly designating a different appointment or appointments, which shall initiate the hearing and approval or withdrawal process pursuant to subdivision (1) of this subsection and this subdivision for such appointment or appointments.

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

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

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

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

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

(i) Any committee member shall be indemnified and represented by

Substitute Senate Bill No. 459

the Attorney General pursuant to section 5-141d.

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

(1) Submit a list of candidates for Correction Ombuds for the Governor's consideration, pursuant to subsection (k) of this section;

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

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

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

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

(l) Not later than thirty days after receiving the list submitted under subsection (k) of this section, the Governor, with the approval of the General Assembly, shall appoint a person qualified by training and experience as the Correction Ombuds. If at any time any of the

Substitute Senate Bill No. 459

candidates withdraw from consideration prior to confirmation by the General Assembly, the designation shall be made from the remaining candidates on the list submitted to the Governor. If, not later than thirty days after receiving the list, the Governor fails to designate a candidate from the list, the candidate ranked first shall receive the designation and be referred to the General Assembly for confirmation. If the General Assembly is not in session, the designated candidate shall serve as acting Correction Ombuds and be entitled to the compensation, privileges and powers of the Correction Ombuds until the General Assembly meets to take action on said appointment.

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

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

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

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

Substitute Senate Bill No. 459

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

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

(C) Receiving communications from persons in the custody of the Commissioner of Correction regarding decisions, actions, omissions, policies, procedures, rules or regulations of the department;

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

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

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

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

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

(b) Notwithstanding any provision of the general statutes, the

Substitute Senate Bill No. 459

Correction Ombuds shall act independently of any department in the performance of the office's duties.

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

(d) The General Assembly shall annually appropriate such sums as necessary for the payment of the salaries of the staff and for the payment of office expenses and other actual expenses incurred by the Correction Ombuds in the performance of the Correction Ombuds' duties. Any legal or court fees obtained by the state in actions brought by the Correction Ombuds shall be deposited in the General Fund.

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

(f) All oral and written communications, and records relating to such communications between a person in the custody of the Commissioner of Correction and the Correction Ombuds or a member of the Office of the Correction Ombuds staff, including, but not limited to, the identity of a complainant, the details of the communications and the Correction Ombuds' findings shall be confidential and shall not be disclosed without the consent of such person, except that the Correction Ombuds may disclose without the consent of such person general findings or

Substitute Senate Bill No. 459

policy recommendations based on such communications, provided no individually identifiable information is disclosed. The Correction Ombuds shall disclose sufficient information to the Commissioner of Correction or the commissioner's designee as is necessary to respond to the Correction Ombuds' inquiries or to carry out recommendations, but such information may not be further disclosed outside of the Department of Correction.

(g) Notwithstanding the provisions of subsection (f) of this section, whenever in the course of carrying out the Correction Ombuds' duties, the Correction Ombuds or a member of the Office of the Correction Ombuds staff becomes aware of the commission or planned commission of a criminal act or threat that the Correction Ombuds reasonably believes is likely to result in death or substantial bodily harm, the Correction Ombuds shall notify the Commissioner of Correction or an administrator of any correctional facility housing the perpetrator or potential perpetrator of such act or threat and the nature and target of the act or threat.

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

(i) In the performance of the responsibilities provided for in this

Substitute Senate Bill No. 459

section, the Correction Ombuds may communicate privately with any person in the custody of the commissioner. Such communications shall be confidential except as provided in subsections (e) and (f) of this section.

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

(k) The name, address and other personally identifiable information of a person who makes a complaint to the Correction Ombuds, information obtained or generated by the Office of the Correction Ombuds in the course of an investigation and all confidential records obtained by the Correction Ombuds or the office shall be confidential and shall not be subject to disclosure under the Freedom of Information Act, as defined in section 1-200 of the general statutes, or otherwise except as provided in subsections (f) and (g) of this section.

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

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

Substitute Senate Bill No. 459

Correction Ombuds' findings and recommendations.

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

(a) As used in this section:

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

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

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

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

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

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

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

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

(B) For all incarcerated persons in the general population, four and a

Substitute Senate Bill No. 459

half hours per day, on and after October 1, 2022; and

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

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

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

[(2)] (10) "Restrictive housing status" means [the designation] any classification of an [inmate] incarcerated person by the Department of Correction that [provides for] requires closely regulated management and separation of such [inmate from other inmates.] incarcerated person from other incarcerated persons, including, but not limited to, administrative segregation status, punitive segregation status, transfer detention status, administrative detention status, security risk group status, chronic discipline status, special needs status and protective custody status;

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

(12) "Use of force" means the use of physical force or deadly physical force, as defined in section 53a-3, by a department employee to compel compliance by an incarcerated person. Use of force includes, but is not

Substitute Senate Bill No. 459

limited to, the use of restraints, chemical agents, canines or munitions or forcible extraction from a cell, other than in response to a psychiatric emergency.

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

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

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

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

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

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

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

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

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

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

Substitute Senate Bill No. 459

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

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

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

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

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

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

(g) The department shall not impose a lockdown upon an entire correctional facility or part of a correctional facility for purposes of training department staff for more than twenty-four cumulative hours during any thirty-day period.

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

Substitute Senate Bill No. 459

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

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

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

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

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

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

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

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

Substitute Senate Bill No. 459

submission of the report;

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

[(A) One to fifteen days;]

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

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

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

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

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

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

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

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

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

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

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

Substitute Senate Bill No. 459

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

(C) Sixty-one to ninety days; and

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

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

(A) Suicides by incarcerated persons;

(B) Attempted suicides by incarcerated persons;

(C) Self-harm by incarcerated persons;

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

(E) Assaults and fights between incarcerated persons;

(4) [Actions taken by the department during the twelve months preceding the date of the submission of the report to minimize reliance on administrative segregation status and to mitigate the harmful effects of administrative segregation status on inmates, staff and the public.] Monthly reports showing the total number of incarcerated persons against whom the department has used force, including use of the following:

(A) Chemical agent devices;

Substitute Senate Bill No. 459

(B) Full stationary restraints;

(C) Deadly physical force;

(D) In-cell restraints;

(E) Less than lethal munitions;

(F) Lethal munitions;

(G) Medical restraints;

(H) Physical force;

(I) Therapeutic restraints;

(J) Cell extraction; and

(K) Canines;

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

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

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

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

Substitute Senate Bill No. 459

each employer.

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

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

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

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

- (1) The recognition of symptoms of mental illness;
- (2) The potential risks and side effects of psychiatric medications;
- (3) De-escalation techniques for safely managing individuals with mental illness;
- (4) Consequences of untreated mental illness;
- (5) The long and short-term psychological effects of being on administrative segregation status; and
- (6) De-escalation and communication techniques to divert inmates from situations that may lead to the inmate being placed on administrative segregation status.

Substitute Senate Bill No. 459

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

- (1) Employee assistance programs;
- (2) Peer support programs; and
- (3) Stress management training.]

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

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

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

(b) The Office of Governmental Accountability shall provide personnel, payroll, affirmative action and administrative and business office functions and information technology associated with such functions for the following: The Judicial Review Council established under section 51-51k, Judicial Selection Commission established under section 51-44a, Board of Firearms Permit Examiners established under section 29-32b, Office of the Child Advocate established under section 46a-13k, Office of the Victim Advocate established under section 46a-13b, [and] State Contracting Standards Board established under section 4e-2 and Office of the Correction Ombuds, established under section 2 of this act. The personnel, payroll, affirmative action and administrative and business office functions of said offices, commission, council and

Substitute Senate Bill No. 459

boards shall be merged and consolidated within the Office of Governmental Accountability.

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

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

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

(a) (1) There shall be a Governmental Accountability Commission, within the Office of Governmental Accountability established under section 1-300, as amended by this act, that shall consist of [six] seven members as follows: (A) The executive director of the Judicial Review Council established under section 51-51k, or the executive director's designee; (B) the chairperson of the Judicial Selection Commission established under section 51-44a, or the chairperson's designee; (C) the chairperson of the Board of Firearms Permit Examiners established under section 29-32b, or the chairperson's designee; (D) the Child Advocate appointed under section 46a-13k, or the advocate's designee; (E) the Victim Advocate appointed under section 46a-13b, or the advocate's designee; [and] (F) the chairperson of the State Contracting

Substitute Senate Bill No. 459

Standards Board established under section 4e-2, or the chairperson's designee; and (G) the Correction Ombuds appointed under section 18-81jj, as amended by this act, or the Correction Ombuds' designee, provided no person serving as a designee under this subsection may be a state employee. The Governmental Accountability Commission shall select a chairperson who shall preside at meetings of the commission. Said commission shall meet for the purpose of making recommendations to the Governor for candidates for the executive administrator of the Office of Governmental Accountability pursuant to the provisions of subsection (b) of this section, or for the purpose of terminating the employment of the executive administrator.

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

Approved May 10, 2022