



# House of Representatives

General Assembly

**File No. 390**

February Session, 2026

Substitute House Bill No. 5477

*House of Representatives, April 2, 2026*

The Committee on Government Oversight reported through REP. DATHAN of the 142nd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE WELL-BEING OF EMPLOYEES OF THE DEPARTMENT OF CORRECTION AND PERSONS WHO ARE INCARCERATED IN CORRECTIONAL INSTITUTIONS.***

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

1 Section 1. Section 18-81cc of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2026*):

3 (a) As used in this section, "sexual abuse" has the same meaning as  
4 provided in 28 CFR 115.6, as amended from time to time. Any agency of  
5 the state or any political subdivision of the state that incarcerates or  
6 detains adult or juvenile offenders, including persons detained for  
7 immigration violations, shall [, within available appropriations,] adopt  
8 and comply with the applicable standards recommended by the  
9 National Prison Rape Elimination Commission for the prevention,  
10 detection and monitoring of, and response to, sexual abuse in adult  
11 prisons and jails, community correctional centers, juvenile facilities and  
12 lockups.

- 13 (b) Such standards include, but are not limited to:
- 14 (1) Zero tolerance of sexual abuse or written or verbal threats of  
15 sexual abuse;
- 16 (2) Contracting with other entities for the confinement of inmates or  
17 detainees;
- 18 (3) Inmate or detainee supervision;
- 19 (4) Heightened protection for vulnerable inmates or detainees;
- 20 (5) [Limits to cross-gender] Privacy limits on viewing and searches of  
21 individuals who have a gender identity that differs from the inmate's  
22 assigned sex at birth;
- 23 (6) Accommodating inmates or detainees with special needs;
- 24 (7) Hiring and promotion decisions;
- 25 (8) Assessment, [and] use and implementation of monitoring  
26 technology, to ensure there are no areas that are not subject to video  
27 surveillance, unless otherwise prohibited by law;
- 28 (9) Evidence protocol and forensic medical examinations;
- 29 (10) Agreements with outside public entities and community service  
30 providers, including, but not limited to, for purposes of ensuring access  
31 to crisis and emotional support services and ongoing mental health  
32 support and treatments;
- 33 (11) Agreements with outside law enforcement agencies for purposes  
34 of conducting investigations;
- 35 (12) Agreements with the prosecuting authority;
- 36 (13) Employee training;
- 37 (14) Volunteer and contractor training;

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- 38 (15) Inmate education;
- 39 (16) Detainee, inmate, attorney [,] and contractor [and inmate worker]  
40 notification of agency's zero-tolerance policy;
- 41 (17) Specialized training: Investigations and internal administrative  
42 investigations;
- 43 (18) Specialized training: Medical and mental health care, including  
44 trauma-informed methods of care for victims of sexual abuse;
- 45 (19) Screening for risk of victimization and abusiveness;
- 46 (20) Use of screening information for inmate classification,  
47 management and treatment;
- 48 (21) Inmate or detainee reporting;
- 49 (22) Exhaustion of administrative remedies;
- 50 (23) Inmate access to outside confidential support services or legal  
51 representation with no interference from the Department of Correction;
- 52 (24) Third-party reporting;
- 53 (25) Staff and facility or agency head reporting duties;
- 54 (26) Reporting to other confinement facilities;
- 55 (27) Staff first responder duties;
- 56 (28) Coordinated response;
- 57 (29) Agency protection against retaliation;
- 58 (30) Duty to investigate;
- 59 (31) Duty to intervene;
- 60 [(31)] (32) Criminal and administrative agency investigations;

- 61        [(32)] (33) Evidence standard for administrative investigations;
- 62        [(33)] (34) Disciplinary sanctions for staff, including, but not limited  
63 to, for any delay in investigating;
- 64        [(34) Disciplinary] (35) Graduated disciplinary sanctions for inmates  
65 who are the aggressor for which the agency has substantiated  
66 allegations against the inmate who is the aggressor;
- 67        [(35)] (36) Referrals for prosecution for staff-on-inmate, inmate-on-  
68 inmate or detainee-on-detainee sexual abuse;
- 69        [(36)] (37) Medical and mental health screenings: History of sexual  
70 abuse, assault, trauma and victimization;
- 71        [(37)] (38) Access to emergency medical and mental health services;
- 72        [(38)] (39) Ongoing medical and mental health care for sexual abuse  
73 victims and abusers;
- 74        [(39)] (40) Sexual abuse incident reviews;
- 75        [(40)] (41) Data collection;
- 76        [(41)] (42) Data review for corrective action;
- 77        [(42)] (43) Data storage, publication, and destruction; and
- 78        [(43)] (44) Audits of standards.
- 79        (c) The agency head of any agency of the state or the chief elected  
80 official or governing legislative body of any political subdivision of the  
81 state that incarcerates or detains juvenile offenders shall, annually, not  
82 later than January fifteenth, certify its compliance with the provisions of  
83 subsections (a) and (b) of this section to the Criminal Justice Policy and  
84 Planning Division within the Office of Policy and Management.
- 85        Sec. 2. (NEW) *(Effective July 1, 2026)* The Commissioner of Correction  
86 shall ensure that all incidents of sexual abuse or sexual assault that  
87 occurred within a correctional institution are investigated and such

88 investigation is completed not later than thirty days after the report is  
89 received by any employee or contractor of the Department of  
90 Correction. Not later than October 1, 2026, and quarterly thereafter, the  
91 Commissioner of Correction shall report, in accordance with the  
92 provisions of section 11-4a of the general statutes, any such incidents  
93 that were not reported within thirty days after the incident occurred or  
94 where the investigation of such report was not completed within thirty  
95 days, to the joint standing committees of the General Assembly having  
96 cognizance of matters relating to the judiciary and government  
97 oversight.

98       Sec. 3. (*Effective from passage*) On or before July 1, 2026, the  
99 Commissioner of Correction shall submit a plan for the training of  
100 correctional officers concerning the use of body scanning machines to  
101 the joint standing committees of the General Assembly having  
102 cognizance of matters relating to the judiciary and government  
103 oversight. Any such plan shall ensure that such training is implemented  
104 not later than January 1, 2027.

105       Sec. 4. Section 53a-71 of the general statutes is repealed and the  
106 following is substituted in lieu thereof (*Effective October 1, 2026*):

107       (a) A person is guilty of sexual assault in the second degree when  
108 such person engages in sexual intercourse with another person and: (1)  
109 Such other person is thirteen years of age or older but under sixteen  
110 years of age and the actor is more than three years older than such other  
111 person; or (2) such other person is impaired because of mental disability  
112 or disease to the extent that such other person is unable to consent to  
113 such sexual intercourse; or (3) such other person is physically helpless;  
114 or (4) such other person is less than eighteen years old and the actor is  
115 such person's guardian or otherwise responsible for the general  
116 supervision of such person's welfare; or (5) such other person is in  
117 custody of law or detained in a hospital or other institution, the actor is  
118 employed by or contracted with the hospital or institution or an agency  
119 of the state and the actor has supervisory or disciplinary authority over  
120 such other person; or (6) the actor is a psychotherapist and such other

121 person is (A) a patient of the actor and the sexual intercourse occurs  
122 during the psychotherapy session, (B) a patient or former patient of the  
123 actor and such patient or former patient is emotionally dependent upon  
124 the actor, or (C) a patient or former patient of the actor and the sexual  
125 intercourse occurs by means of therapeutic deception; or (7) the actor  
126 accomplishes the sexual intercourse by means of false representation  
127 that the sexual intercourse is for a bona fide medical purpose by a health  
128 care professional; or (8) the actor is a school employee and such other  
129 person is a student enrolled in a school in which the actor works or a  
130 school under the jurisdiction of the local or regional board of education  
131 which employs the actor; or (9) the actor is a coach in an athletic activity  
132 or a person who provides intensive, ongoing instruction and such other  
133 person is a recipient of coaching or instruction from the actor and (A) is  
134 a secondary school student and receives such coaching or instruction in  
135 a secondary school setting, or (B) is under eighteen years of age; or (10)  
136 the actor is twenty years of age or older and stands in a position of  
137 power, authority or supervision over such other person by virtue of the  
138 actor's professional, legal, occupational or volunteer status and such  
139 other person's participation in a program or activity, and such other  
140 person is under eighteen years of age; or (11) such other person is placed  
141 or receiving services under the direction of the Commissioner of  
142 Developmental Services in any public or private facility or program and  
143 the actor has supervisory or disciplinary authority over such other  
144 person.

145 (b) Sexual assault in the second degree is a class C felony or, if the  
146 victim of the offense is under sixteen years of age, a class B felony, and  
147 any person found guilty under this section shall be sentenced to a term  
148 of imprisonment of which [nine months] two years of the sentence  
149 imposed may not be suspended or reduced by the court.

150 Sec. 5. Section 53a-73a of the general statutes is repealed and the  
151 following is substituted in lieu thereof (*Effective October 1, 2026*):

152 (a) A person is guilty of sexual assault in the fourth degree when: (1)  
153 Such person subjects another person to sexual contact who is (A) under

154 thirteen years of age and the actor is more than two years older than  
155 such other person, or (B) thirteen years of age or older but under fifteen  
156 years of age and the actor is more than three years older than such other  
157 person, or (C) physically helpless, or (D) less than eighteen years old  
158 and the actor is such other person's guardian or otherwise responsible  
159 for the general supervision of such other person's welfare, or (E) in  
160 custody of law or detained in a hospital or other institution, the actor is  
161 employed by or contracted with the hospital or institution or an agency  
162 of the state and the actor has supervisory or disciplinary authority over  
163 such other person; or (2) such person subjects another person to sexual  
164 contact without such other person's consent; or (3) such person engages  
165 in sexual contact with a dead human body; or (4) such person is a  
166 psychotherapist and subjects another person to sexual contact who is  
167 (A) a patient of the actor and the sexual contact occurs during the  
168 psychotherapy session, or (B) a patient or former patient of the actor and  
169 such patient or former patient is emotionally dependent upon the actor,  
170 or (C) a patient or former patient of the actor and the sexual contact  
171 occurs by means of therapeutic deception; or (5) such person subjects  
172 another person to sexual contact and accomplishes the sexual contact by  
173 means of false representation that the sexual contact is for a bona fide  
174 medical purpose by a health care professional; or (6) such person is a  
175 school employee and subjects another person to sexual contact who is a  
176 student enrolled in a school in which the actor works or a school under  
177 the jurisdiction of the local or regional board of education which  
178 employs the actor; or (7) such person is a coach in an athletic activity or  
179 a person who provides intensive, ongoing instruction and subjects  
180 another person to sexual contact who is a recipient of coaching or  
181 instruction from the actor and (A) is a secondary school student and  
182 receives such coaching or instruction in a secondary school setting, or  
183 (B) is under eighteen years of age; or (8) such person subjects another  
184 person to sexual contact and (A) the actor is twenty years of age or older  
185 and stands in a position of power, authority or supervision over such  
186 other person by virtue of the actor's professional, legal, occupational or  
187 volunteer status and such other person's participation in a program or  
188 activity, and (B) such other person is under eighteen years of age; or (9)

189 such person subjects another person to sexual contact who is placed or  
190 receiving services under the direction of the Commissioner of  
191 Developmental Services in any public or private facility or program and  
192 the actor has supervisory or disciplinary authority over such other  
193 person.

194 (b) Sexual assault in the fourth degree is a class A misdemeanor or, if  
195 the victim of the offense is under sixteen years of age, a class D felony.

196 Sec. 6. (NEW) (*Effective July 1, 2026*) (a) Not later than January 1, 2027,  
197 the Department of Correction shall enter into a contract with a provider  
198 to establish and maintain a confidential crisis hotline for correction  
199 officers and persons who are incarcerated in a correctional institution to  
200 call to report incidents of sexual violence. Not later than October 1, 2026,  
201 the department shall issue a request for proposals for purposes of  
202 selecting a provider outside of the department for such hotline. The  
203 department shall ensure that persons who are incarcerated can access  
204 such hotline at no charge, with no time limit, and confidentially without  
205 the supervision of, or permission from, any employee of the Department  
206 of Correction.

207 (b) Upon establishing such hotline, the department shall inform all  
208 existing correction officers of such hotline and thereafter shall inform  
209 any correction officers upon hiring of such hotline. The department shall  
210 post posters in each correctional institution to inform persons who are  
211 incarcerated how to access such hotline.

212 Sec. 7. Section 18-96a of the general statutes is repealed and the  
213 following is substituted in lieu thereof (*Effective October 1, 2026*):

214 (a) When assessing and subsequently providing mental health  
215 services to any inmate confined in a correctional facility of the  
216 Department of Correction who has been diagnosed with a mental illness  
217 by a psychiatrist licensed pursuant to chapter 370, and such psychiatrist  
218 has informed the department that such inmate is currently diagnosed  
219 by such psychiatrist to be a danger to himself or herself or others, the  
220 department shall consider the diagnosis of such psychiatrist in order to



221 appropriately assess such inmate and provide individualized, clinically  
222 appropriate and culturally competent mental health services to treat  
223 such inmate's condition.

224 (b) (1) The Department of Correction, in consultation with the  
225 Department of Mental Health and Addiction Services, [may] shall  
226 develop a program for custodial staff members to receive not less than  
227 [four hours and not more than eight] ten hours of training on mental  
228 health issues each year. Within available appropriations, such training  
229 shall include, at a minimum: (A) Prevention of suicide and self-injury;  
230 (B) recognition of signs of mental illness; (C) communication skills for  
231 interacting with inmates with mental illness; and (D) alternatives to  
232 disciplinary action and the use of force when dealing with inmates with  
233 mental illness. Such program shall be offered: (i) Commencing on July  
234 1, 2009, to all custodial staff members at one or more correctional  
235 facilities designated by the Commissioner of Correction; (ii) on and after  
236 July 1, 2010, to all custodial staff members at one or more additional  
237 correctional facilities designated by the commissioner; and (iii) on and  
238 after July 1, 2011, to all custodial staff members at one or more additional  
239 correctional facilities designated by the commissioner. On and after  
240 January 1, 2027, such program shall also include trauma-informed  
241 interventions and practices.

242 (2) On and after [October 1, 2018] January 1, 2027, in addition to the  
243 requirements of subdivision (1) of this subsection, all custodial staff  
244 members at each correctional facility of the Department of Correction in  
245 which female inmates are confined [may, within available  
246 appropriations,] shall receive not less than four hours and not more than  
247 eight hours of training on gender-specific and trauma-related mental  
248 health issues faced by female inmates, including, but not limited to, the  
249 effects of sexual violence.

250 (c) Before the planned release of any inmate diagnosed with a mental  
251 illness as provided in subsection (a) of this section from a correctional  
252 facility, the Department of Correction shall collaborate with the Judicial  
253 Department, the Department of Social Services and the Department of

254 Mental Health and Addiction Services, as deemed necessary and within  
255 available appropriations, to assist such inmate in obtaining housing,  
256 mental health treatment services, any public benefits for which the  
257 inmate is eligible and employment counseling upon the inmate's  
258 release.

259 (d) On February first of each year, the Commissioner of Correction  
260 shall submit a report to the joint standing committees of the General  
261 Assembly having cognizance of matters relating to the judiciary, public  
262 health and appropriations and the budgets of state agencies, in  
263 accordance with the provisions of section 11-4a. Such report shall set  
264 forth (1) the number of inmates who have been determined to require  
265 mental health services during the previous calendar year, and (2) a  
266 description of program services provided by the Department of  
267 Correction and, if applicable, its contracted health services provider.

268 Sec. 8. Section 18-81 of the general statutes is repealed and the  
269 following is substituted in lieu thereof (*Effective October 1, 2026*):

270 The Commissioner of Correction shall administer, coordinate and  
271 control the operations of the department and shall be responsible for the  
272 overall supervision and direction of all institutions, facilities and  
273 activities of the department. The commissioner shall establish rules for  
274 the administrative practices and custodial and rehabilitative methods of  
275 said institutions and facilities in accordance with recognized  
276 correctional standards. The commissioner shall establish, develop and  
277 maintain noninstitutional, community-based service programs and  
278 ensure that advocates from crisis centers from the region where each  
279 correctional institution is located have access to persons who are  
280 incarcerated to provide such services. The commissioner shall be  
281 responsible for the supervision of persons released on parole by the  
282 Board of Pardons and Paroles. The commissioner shall be responsible  
283 for establishing disciplinary, diagnostic, classification, treatment,  
284 vocational and academic education, research and statistics, training and  
285 development services and programs throughout the department.  
286 Subject to the provisions of chapter 67, the commissioner shall appoint

287 such professional, technical and other personnel as may be necessary for  
288 the efficient operation of the department. The commissioner shall  
289 organize and operate interinstitutional programs for the development  
290 and training of institution and facility staffs. The commissioner shall  
291 provide for the services of such chaplains as are necessary to minister to  
292 the needs of the inmates of department institutions and facilities. The  
293 commissioner shall, within available appropriations for such purpose,  
294 arrange for provision of legal assistance of a civil nature to indigent  
295 inmates of department institutions and facilities and legal  
296 representation for such inmates before administrative boards where  
297 permitted or constitutionally required.

298       Sec. 9. (*Effective from passage*) The Institute for Municipal and Regional  
299 Policy at The University of Connecticut, in consultation with the  
300 Criminal Justice Policy and Planning Division within the Office of Policy  
301 and Management, shall conduct a staffing assessment study of  
302 custodial, program and administrative employees of the Department of  
303 Correction and recommend strategies to improve the management and  
304 administration of the department and facility operations with a goal of  
305 (1) identifying the appropriate staffing ratio relative to the number of  
306 correctional institutions and centers and inmates and community  
307 correction supervision programs and supervised population, (2)  
308 reducing costs related to overtime, incidents of employee injury and the  
309 rate of employee absenteeism, (3) improving employee health and job  
310 satisfaction, and (4) aligning with correctional best practices. Not later  
311 than January 1, 2027, the Institute for Municipal and Regional Policy  
312 shall submit a report of its findings and recommendations, in  
313 accordance with the provisions of section 11-4a of the general statutes,  
314 to the joint standing committees of the General Assembly having  
315 cognizance of matters relating to the judiciary and government  
316 oversight.

317       Sec. 10. (NEW) (*Effective from passage*) (a) The Commissioner of  
318 Correction shall jointly develop with the Institute of Municipal and  
319 Regional Policy at The University of Connecticut a plan to phase in the  
320 correctional culture change initiative for all current and new employees.

321 Such plan shall include, but need not be limited to, the following  
322 elements: (1) Streamlining core responsibilities of staff and promoting a  
323 supportive work environment to reduce burnout and enhance morale,  
324 (2) implementing dynamic security principles to cultivate positive staff-  
325 to-persons who are incarcerated individual relationships, leading to a  
326 reduction in incidents and a safer environment, (3) introducing and  
327 managing programs and activities that mirror life outside of prison,  
328 improving the overall atmosphere and preparing persons who are  
329 incarcerated for reintegration into society, and (4) assessing and  
330 supporting the progress of persons who are incarcerated, particularly  
331 those with a history of problematic behavior, through targeted  
332 interventions and resources. Not later than January 1, 2027, the  
333 Department of Correction shall submit a preliminary plan to the joint  
334 standing committees of the General Assembly having cognizance of  
335 matters relating to the judiciary and government oversight, in  
336 accordance with the provisions of section 11-4a of the general statutes.

337 (b) The plan developed pursuant to subsection (a) of this section shall  
338 include, but need not be limited to: (1) Training for all new employees  
339 at the Department of Correction training academy, (2) in-service  
340 training for current and future employees, (3) reduction in the use of  
341 lock-down procedures as a management tool, (4) reduction in the rates  
342 of employee absenteeism, overtime and injury, (5) policies and  
343 procedures for improving outcomes for the Department of Correction  
344 employees and persons who are incarcerated, and (6) ongoing process  
345 and outcome evaluation and assessment.

346 (c) Not later than January 1, 2028, and annually thereafter until  
347 January 1, 2032, the Commissioner of Correction and the Institute for  
348 Municipal and Regional Policy shall report on the implementation and  
349 outcomes of the correctional culture change initiative to the joint  
350 standing committees of the General Assembly having cognizance of  
351 matters relating to the judiciary and government oversight, in  
352 accordance with the provisions of section 11-4a of the general statutes.

353 Sec. 11. (NEW) (*Effective October 1, 2026*) (a) As used in this section:

354 (1) "Person who is incarcerated" means a person in the custody of the  
355 Department of Correction and confined in a correctional institution;

356 (2) "Correctional institution" means a prison or jail under the  
357 jurisdiction of the Department of Correction;

358 (3) "Detainee" means a person who is under the age of twenty-one  
359 years and detained in a juvenile facility under the jurisdiction of the  
360 Department of Correction or the Judicial Branch;

361 (4) "Sexual contact" means any contact with the intimate parts of a  
362 person for the purpose of sexual gratification of the actor or for the  
363 purpose of degrading or humiliating such person or any contact of the  
364 intimate parts of the actor with a person for the purpose of sexual  
365 gratification of the actor or for the purpose of degrading or humiliating  
366 such person;

367 (5) "Sexual abuse" means any sexual contact between a person who is  
368 incarcerated or a detainee and an employee of the Department of  
369 Correction, regardless of such person's or detainee's ability to consent;  
370 and

371 (6) "Sexual assault" means any act that constitutes a violation of  
372 section 53a-70b of the general statutes, revision of 1958, revised to  
373 January 1, 2019, or section 53a-70, 53a-70a, 53a-71, as amended by this  
374 act, 53a-72a, 53a-72b or 53a-73a of the general statutes, as amended by  
375 this act.

376 (b) Any Department of Correction employee who, while acting in  
377 such employee's official capacity, witnesses another Department of  
378 Correction employee use what the witnessing employee objectively  
379 knows to be sexual abuse or sexual assault toward a person who is  
380 incarcerated or a detainee shall intervene and attempt to stop such other  
381 employee. Any such witnessing employee who fails to intervene and  
382 attempt to stop such sexual abuse or sexual assault may be prosecuted  
383 and punished for the same acts in accordance with the provisions of  
384 section 53a-8 of the general statutes as the employee who sexually

385 abused or sexually assaulted a person who is incarcerated or a detainee.

386 (c) Any employee who witnesses an incident of sexual abuse or  
387 sexual assault described in subsection (b) of this section shall report, as  
388 soon as is practicable, such incident to the Department of Correction.  
389 Any employee required to report such an incident who fails to do so  
390 may be prosecuted and punished in accordance with the provisions of  
391 sections 53a-165 to 53a-167, inclusive, of the general statutes.  
392 Immediately upon receiving such a report, the Commissioner of  
393 Correction shall report such incident to the nearest local law  
394 enforcement agency having jurisdiction over the incident.

395 (d) The Department of Correction may not take any retaliatory  
396 personnel action or discriminate against such employee who intervenes  
397 in an incident of sexual abuse or sexual assault pursuant to subsection  
398 (b) of this section or reports such incident pursuant to subsection (c) of  
399 this section because such employee made such report and such  
400 intervening or reporting correctional employee shall be protected by the  
401 provisions of section 4-61dd of the general statutes or section 31-51m of  
402 the general statutes, as applicable.

403 (e) The Department of Correction shall create and maintain a record  
404 detailing any incident of sexual abuse or sexual assault (1) reported  
405 pursuant to subsection (c) of this section, or (2) otherwise made known  
406 to the department during which a department employee sexually  
407 abused or sexually assaulted a person who is incarcerated or detained.  
408 Such record shall include, but not be limited to: The name of the  
409 employee, the time and place of the incident, a description of what  
410 occurred during the incident and, to the extent known, the names of the  
411 victims and witnesses present at such incident, the results of any  
412 investigation conducted and any corrective action taken by the  
413 department.

414 (f) Not later than February 1, 2027, and annually thereafter, the  
415 Department of Correction shall prepare and submit a report concerning  
416 incidents described in subsection (e) of this section during the preceding  
417 calendar year to the Criminal Justice Policy and Planning Division

418 within the Office of Policy and Management. Such report shall include  
 419 the records described in subsection (e) of this section and shall be  
 420 submitted electronically using a standardized method and form  
 421 disseminated by the division. The standardized method and form shall  
 422 allow compilation of statistics on each incident of sexual abuse or sexual  
 423 assault, including, but not limited to, (1) the race and gender of the  
 424 alleged victim of the sexual abuse or sexual assault, provided the  
 425 identification of such characteristics shall be based on the observation  
 426 and perception of the employee, (2) the number of times such victim was  
 427 sexually abused or sexually assaulted, and (3) any injury suffered by  
 428 such alleged victim. The Department of Correction shall, prior to  
 429 submission of any such report pursuant to this subsection, redact any  
 430 information from such report that may identify a minor, witness or  
 431 victim.

432 (g) The Office of Policy and Management shall, within available  
 433 appropriations, review incidents of sexual abuse or sexual assault  
 434 reported pursuant to subsection (f) of this section. Not later than  
 435 December 1, 2027, and annually thereafter, the office shall report, in  
 436 accordance with the provisions of section 11-4a of the general statutes,  
 437 the results of any such review, including any recommendations, to the  
 438 Governor and the chairpersons and ranking members of the joint  
 439 standing committees of the General Assembly having cognizance of  
 440 matters relating to the judiciary and government oversight.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	18-81cc
Sec. 2	<i>July 1, 2026</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>October 1, 2026</i>	53a-71
Sec. 5	<i>October 1, 2026</i>	53a-73a
Sec. 6	<i>July 1, 2026</i>	New section
Sec. 7	<i>October 1, 2026</i>	18-96a
Sec. 8	<i>October 1, 2026</i>	18-81
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section

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Sec. 11	October 1, 2026	New section
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**Statement of Legislative Commissioners:**

In Section 10(a), "program" was changed to "plan" for consistency, in Section 10(b)(3), "procedures" was added for clarity, in Section 10(c), "Department" was changed to "Commissioner" for consistency, in Section 11(b), "employee" was changed to "witnessing employee" and "attempt to stop" was added for clarity, in Section 11(b) and (e) to (g), inclusive, references to "sexual contact" were deleted as duplicative of the definition of "sexual abuse" in said section, and in Section 11(c) to (e), inclusive, "incident" was changed to "incident of sexual abuse or sexual assault" for clarity.

**GOS**      *Joint Favorable Subst.*



The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do 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.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Correction, Dept.	GF - Cost	12,392,826 to 22,392,826	2,192,826
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	719,239	719,239
UConn	GF - Cost	100,000	None
Correction, Dept.	GF - Potential Cost	Minimal	Minimal
Policy & Mgmt., Off.	GF - Potential Cost	Potential	Potential

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill results in the fiscal impacts described below.

**Section 1** requires the Department of Correction (DOC) to ensure, with certain limitations, there are no areas in its facilities that are not subject to video surveillance, which results in a cost to DOC of \$10.2 million to \$20.2 million dollars in FY 27. DOC will need to hire a consultant to assess each facility's current video technology capabilities and identify any shortfalls, resulting in a cost of \$200,000 in FY 27. The purchase and installation of additional cameras in its facilities is

<sup>1</sup> The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active hazardous duty employee fringe benefit cost is 50.54% of payroll in FY 27.

estimated to cost \$10 million to \$20 million in FY 27.<sup>2</sup>

**Section 2** requires DOC to ensure that all incidents of sexual abuse or assault are investigated and completed within thirty days of the report, resulting in an annual cost of \$639,873 to DOC and \$308,230 to the State Comptroller - Fringe Benefits beginning in FY 27. To meet the investigation timeframe required by the bill, DOC will need to hire five Correctional Captains and two Correctional Lieutenants to conduct these investigations.<sup>3</sup> Additionally, equipment and training costs for these positions are not expected to exceed \$30,000 annually.

**Section 4** increases the mandatory sentence for the felony of second-degree sexual assault, which results in a potential cost to DOC for incarceration. On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300.<sup>4</sup>

**Section 7** requires DOC to develop a program for custodial staff members to receive not less than ten hours of training on mental health issues each year, resulting in a cost of about \$1,552,953 to DOC and \$411,010 to State Comptroller - Fringe Benefits beginning in FY 27.

An estimated 4,000 DOC custodial staff members will be required to attend an additional six hours of training annually, resulting in approximately 24,000 additional hours of overtime. The average hourly rate for overtime is \$52.73,<sup>5</sup> and the estimated fringe benefit rate for hazardous duty overtime is 21.6%.

To facilitate this training, DOC will need to hire a supervising clinician, a clinical social worker, and a professional counselor,<sup>6</sup>

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<sup>2</sup> There are 13 active correctional facilities. This estimate assumes that each facility will require the installation of about 150 to 300 additional cameras, at approximately \$5,000 per camera.

<sup>3</sup> The annual starting salaries for these positions are \$91,775 and \$75,499, respectively.

<sup>4</sup> Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these expenses would only be realized if a unit or facility opened.

<sup>5</sup> Overtime is paid out at time and a half.

<sup>6</sup> The annual starting salaries for these positions are \$99,806, \$86,261, and \$86,261, respectively.

resulting in an annual cost of \$272,328 to DOC and \$137,635 to the State Comptroller – Fringe Benefits beginning in FY 27. Equipment for this additional training is not expected to exceed \$15,000 annually.

**Section 9** results in a one-time cost to UConn of \$150,000 in FY 27. It requires the Institute for Municipal and Regional Policy (IMRP) at UConn to conduct a staffing assessment of DOC employees. As the IMRP does not have expertise in this area, it is anticipated the Institute would need to hire a consultant.

**Section 11** results in a potential cost to the Office of Policy and Management (OPM) to the extent an additional staff member is required to meet the reporting requirements beginning December 1, 2027. Any cost is dependent on the number and complexity of incidents reported under the bill.

The remaining sections of the bill do not result in a fiscal impact as the affected agencies have the capacity and expertise to meet the requirements of these sections.

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

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of sexual abuse or sexual assault investigations, the number of second-degree sexual assault offenses, the number of custodial staff requiring training, and the number and complexity of incidents reported to OPM.

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**OLR Bill Analysis****sHB 5477*****AN ACT CONCERNING THE WELL-BEING OF EMPLOYEES OF THE DEPARTMENT OF CORRECTION AND PERSONS WHO ARE INCARCERATED IN CORRECTIONAL INSTITUTIONS.***

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#### § 8 — DOC COMMISSIONER’S DUTIES

Requires the commissioner to ensure that advocates from crisis centers from the region where each correctional institution is located have access to provide these non-institutional, community-based services to inmates

#### § 9 — DOC STAFFING ASSESSMENT STUDY

Requires UConn’s Institute for Municipal and Regional Policy (IMRP), in consultation with CJPPD within OPM, to conduct a staffing assessment study of DOC’s custodial, program, and administrative employees

#### § 10 — CORRECTIONAL CULTURE CHANGE INITIATIVE

Requires the DOC commissioner to jointly develop with IMRP a plan to phase in a correctional culture change initiative for all current and new employees and submit a preliminary report to the legislature by January 1, 2027

#### § 11 — WITNESSING EMPLOYEES

Requires DOC employees who witness another DOC employee commit sexual abuse or sexual assault to intervene in certain circumstances; sets incident investigation and reporting requirements; establishes employer retaliation protections

### BACKGROUND

#### **SUMMARY**

This bill makes various changes to laws addressing sexual abuse and sexual assault in prison. A section-by-section analysis is shown below.

EFFECTIVE DATE: October 1, 2026, except the provisions on the (1) Department of Correction (DOC) commissioner’s investigation of sexual abuse and sexual assault and the confidential crisis hotline are effective July 1, 2026 (§§ 2 & 6); and (2) commissioner’s report on body scanning machine training, the DOC staff assessment study, and the correctional culture change initiative are effective upon passage (§§ 3, 9 & 10).

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**§ 1 — PRISON RAPE ELIMINATION**

*Requires, rather than authorizes, certain state agencies and political subdivisions to adopt and comply with the applicable standards recommended by the National Prison Rape Elimination Commission and adopts the federal definition of sexual abuse for these purposes*

Current law requires, within available appropriations, any state agency or political subdivision that incarcerates or detains adult or juvenile offenders, including detainees with immigration violations, to adopt and comply with the applicable standards recommended by the National Prison Rape Elimination Commission to prevent, detect, monitor, and respond to sexual abuse in adult prisons and jails, community correctional centers, juvenile facilities, and lockups. The bill applies this requirement regardless of available appropriations. It also specifically adopts the federal definition of “sexual abuse,” which includes sexual abuse of an inmate, detainee, or resident by (1) another inmate, detainee, or resident or (2) a staff member, contractor, or volunteer.

***National Standards Related to Prison Rape Elimination***

Current law requires covered agencies to adopt and comply with certain commission standards. The bill makes changes to how some of these standards apply. It:

1. expands the zero tolerance of sexual abuse standard to include written or verbal threats of sexual abuse;
2. adds privacy limits on viewing and searches of inmates who have a gender identity that differs from their assigned sex at birth;
3. adds vulnerable inmates to the standard for heightened protection for vulnerable detainees;
4. specifies that the purpose of the monitoring technology standard is to ensure there are no areas that are not subject to video surveillance, unless the law otherwise prohibits it, and applies the standard to implementing these technologies, in addition to assessing and using them;

5. specifies that the standard for agreements with outside public entities and community service providers includes agreements to ensure access to crisis and emotional support services and ongoing mental health support and treatments;
6. specifies that the standard for agreements with outside law enforcement agencies is for the specific purpose of conducting investigations;
7. adds internal administrative investigations to specialized investigations training;
8. specifies that specialized training for medical and mental health care includes trauma-informed care methods for sexual abuse victims;
9. specifies that the use of screening information is for inmate classification, management, and treatment;
10. restricts DOC interference with inmate access to outside confidential support services or legal representation;
11. adds a standard on the duty to intervene;
12. specifies that disciplinary sanctions for staff include sanctions for any delay in investigating;
13. replaces the standard for disciplinary sanctions for inmates with a standard for graduated disciplinary sanctions for inmates who are the aggressor and for which the agency has substantiated allegations;
14. adds staff-on-inmate and inmate-on-inmate sexual abuse to current law's standard on prosecution referrals for detainee-on-detainee sexual abuse; and
15. adds history of sexual assault, trauma, and victimization to the standard on medical and mental health screenings, which under current law only includes sexual abuse.

**Compliance Certification**

Under existing law, unchanged by the bill, the head of any state agency or the chief elected official or governing legislative body of any of the state's political subdivisions that incarcerates or detains juvenile offenders must, annually by January 15, certify compliance with the above provisions to the Criminal Justice and Policy Planning Division (CJPPD) within the Office of Policy and Management (OPM).

**§ 2 — DOC'S INVESTIGATION OF SEXUAL ABUSE AND SEXUAL ASSAULT**

*Requires the DOC commissioner to ensure that all sexual abuse or sexual assault incidents that occur within a correctional institution are investigated, and to report the investigations to the legislature quarterly*

The bill requires the DOC commissioner to ensure that all sexual abuse or sexual assault incidents that occur within a correctional institution are investigated. The investigation must be completed within 30 days after an incident report is received by a DOC employee or contractor.

Starting by October 1, 2026, the commissioner must report quarterly to the Government Oversight and Judiciary committees any (1) incident that was not reported within 30 days after it occurred or (2) investigation of a report not completed within 30 days.

**§ 3 — BODY SCANNING MACHINE TRAINING**

*Requires the DOC commissioner to report to the legislature on a plan to train correctional officers on using body scanning machines*

By July 1, 2026, the bill requires the DOC commissioner to report to the Government Oversight and Judiciary committees on a plan to train correctional officers on using body scanning machines. Under the bill, the plan must ensure that the training is implemented by January 1, 2027.

**§§ 4 & 5 — SECOND- AND FOURTH-DEGREE SEXUAL ASSAULT**

*Specifies that 2nd and 4th degree sexual assault apply when the actor is employed by or contracted with the hospital or institution or an agency of the state, and increases the mandatory minimum sentence for 2nd degree assault to two years*

**2nd Degree Sexual Assault**



Under current law, one of the ways in which a person can commit 2nd degree sexual assault is when he or she engages in sexual intercourse with another person who is in legal custody or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim. Under the bill, the actor must also be employed by or contracted with the hospital or institution or an agency of the state.

Under current law, 2nd degree sexual assault is a class C felony or, if the victim is under age 16, a class B felony, with a mandatory minimum sentence of nine months. The bill increases the mandatory minimum sentence to two years.

#### **4th Degree Sexual Assault**

Under current law, a person is guilty of sexual assault in the 4th degree when he or she subjects another person to sexual contact who is in legal custody or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim. Under the bill, the actor must also be employed by or contracted with the hospital or institution or an agency of the state.

Under the law, unchanged by the bill, 4th degree sexual assault is a class A misdemeanor or, if the victim is under age 16, a class D felony. By law, a class A misdemeanor is punishable by up to 364 days in prison, a fine up to \$2,000, or both. A class D felony is punishable by up to 5 years in prison, a fine up to \$5,000, or both.

#### **§ 6 — CONFIDENTIAL CRISIS HOTLINE**

*Requires DOC to contract with a provider to establish and maintain a confidential crisis hotline for correction officers and inmates to call to report sexual violence incidents*

By January 1, 2027, the bill requires DOC to contract with a provider to establish and maintain a confidential crisis hotline for correction officers and inmates to call to report sexual violence incidents. Under the bill, by October 1, 2026, the department must issue a request for proposals to select the provider, who must be outside the department. Inmates must be able to access the hotline confidentially without cost, time limit, or the supervision of, or permission from, any DOC

employee.

When the hotline has been established, the department must inform all existing correction officers and any new officers upon hire of it. The department must also post posters in each correctional institution to inform inmates how to access the hotline.

## **§ 7 — CUSTODIAL STAFF MEMBERS TRAINING ON MENTAL HEALTH ISSUES**

*Requires rather than allows DOC, in consultation with the Department of Mental Health and Addiction Services, to develop a program for custodial staff members to receive annual training on mental health issues, and makes it a 10 hour per year minimum requirement*

The bill requires, rather than allows as under current law, DOC, in consultation with the Department of Mental Health and Addiction Services, to develop a program for custodial staff members to receive annual training on mental health issues. Under current law, this training must be from four to eight hours each year. The bill increases this training requirement to at least 10 hours per year.

Under existing law, within available appropriations, the training program must include:

1. suicide and self-injury prevention,
2. recognition of signs of mental illness,
3. communication skills for interacting with inmates with mental illness, and
4. alternatives to disciplinary action and the use of force when dealing with inmates with mental illness.

The bill expands this by requiring the training program to also include trauma-informed interventions and practices, starting January 1, 2027.

Current law also establishes an eight-hour training requirement on gender specific and trauma-related mental health issues faced by female

inmates. Starting January 1, 2027, the bill requires, rather than allows, DOC custodial staff where female inmates are confined to receive this training and requires it to include the effects of sexual violence.

### **§ 8 — DOC COMMISSIONER’S DUTIES**

*Requires the commissioner to ensure that advocates from crisis centers from the region where each correctional institution is located have access to provide these non-institutional, community-based services to inmates*

Under existing law, one of the commissioner’s duties is to establish, develop, and maintain non-institutional, community-based service programs. The bill expands this by requiring the commissioner to ensure that advocates from crisis centers from the region where each correctional institution is located have access to provide these services to inmates.

### **§ 9 — DOC STAFFING ASSESSMENT STUDY**

*Requires UConn’s Institute for Municipal and Regional Policy (IMRP), in consultation with CJPPD within OPM, to conduct a staffing assessment study of DOC’s custodial, program, and administrative employees*

The bill requires IMRP, in consultation with CJPPD within OPM, to conduct a staffing assessment study of DOC’s custodial, program, and administrative employees.

### **Goals**

Under the bill, IMRP and CJPPD must recommend strategies to improve the department’s and facility operations’ management and administration with the following goals:

1. identifying the appropriate staffing ratio relative to the number of correctional institutions, centers, inmates, community correction supervision programs, and supervised population;
2. reducing costs related to overtime, incidents of employee injury, and the rate of employee absenteeism;
3. improving employee health and job satisfaction; and
4. aligning with correctional best practices.

**Reporting Requirement**

The bill requires IMRP to report its findings and recommendations by January 1, 2027, to the Government Oversight and Judiciary committees.

**§ 10 — CORRECTIONAL CULTURE CHANGE INITIATIVE**

*Requires the DOC commissioner to jointly develop with IMRP a plan to phase in a correctional culture change initiative for all current and new employees and submit a preliminary report to the legislature by January 1, 2027*

The bill requires the DOC commissioner to (1) jointly develop with IMRP a plan to phase in a correctional culture change initiative for all current and new employees and (2) by January 1, 2027, submit a preliminary report on it to the Government Oversight and Judiciary committees.

**Plan Elements**

The plan must include the following elements:

1. streamlining core responsibilities of staff and promoting a supportive work environment to reduce burnout and enhance morale;
2. implementing dynamic security principles to cultivate positive staff-to-inmate individual relationships, leading to a reduction in incidents and a safer environment;
3. introducing and managing programs and activities that mirror life outside of prison, improving the overall atmosphere, and preparing inmates for reintegration into society; and
4. assessing and supporting the inmates' progress, particularly those with a history of problematic behavior, through targeted interventions and resources.

**Phase-In Plan Components**

Under the bill, the plan to phase in the initiative must include the following:

1. training at the DOC training academy for all new employees;
2. in-service training for current and future employees;
3. reduction in using lock-down procedures as a management tool;
4. reduction in employee absenteeism, overtime, and injury;
5. policies and procedures to improve DOC employees' and inmates' outcomes; and
6. ongoing process and outcome evaluation and assessment.

### **Reporting Requirements**

The bill requires the DOC commissioner and IMRP to report on the initiative's implementation and outcomes to the Government Oversight and Judiciary committees, starting by January 1, 2028, and annually until January 1, 2032.

### **§ 11 — WITNESSING EMPLOYEES**

*Requires DOC employees who witness another DOC employee commit sexual abuse or sexual assault to intervene in certain circumstances; sets incident investigation and reporting requirements; establishes employer retaliation protections*

#### **Employee's Duty to Intervene**

The bill requires DOC employees who, while acting in their official capacity, witness another DOC employee use what the witnessing employee objectively knows to be sexual abuse or sexual assault toward a person in DOC's custody and confined in a correctional institution ("person who is incarcerated") or a person under age 21 at a DOC or Judicial Branch juvenile facility ("detainee") to intervene and attempt to stop the abuse or assault. Under the bill, a "correctional institution" is a DOC prison or jail.

The bill also makes any witnessing employee who fails to intervene and attempt to stop the abuse or assault criminally liable for the acts of the employee who sexually abused or sexually assaulted the victim.

**Sexual Abuse and Contact.** Under the bill, "sexual abuse" is any sexual contact between a person who is incarcerated or a detainee and a

DOC employee, regardless of the person's or detainee's ability to consent. "Sexual contact" is any contact (1) with the intimate parts of someone for the actor's sexual gratification or to degrade or humiliate the person or (2) any contact of the actor's intimate parts with someone for the actor's sexual gratification or to degrade or humiliate the person.

**Sexual Assault.** Under the bill, "sexual assault" is any act that constitutes 1st, 2nd, 3rd, or 4th degree sexual assault, 1st degree aggravated sexual assault, 3rd degree sexual assault with a firearm, or sexual assault in a spousal relationship.

### ***Employee's Incident Report***

Under the bill, any employee who witnesses a sexual abuse or sexual assault incident must report it to DOC as soon as is practicable. Anyone who is required to report but fails to do so may be prosecuted and punished for the crime of hindering prosecution. The DOC commissioner must report this immediately to the nearest local law enforcement agency that has jurisdiction over the incident.

### ***DOC Retaliation Against Employee Prohibited***

The bill prohibits DOC from taking any retaliatory personnel action or discriminating against an intervening or reporting employee. The employee must be protected under statutes that protect whistleblowers and employees who disclose or report certain activities of their employer, as applicable.

### ***DOC's Record of Incidents***

DOC must create and maintain a record detailing any reported sexual abuse or sexual assault incident or any incident the department knows about involving a DOC employee sexually abusing or sexually assaulting a person who is incarcerated or detained.

The bill requires the record to include: the employee's name; the time and place of the incident; a description of what occurred during the incident; to the extent known, the names of the victims and witnesses present at the incident; the results of any investigation; and any corrective action taken by the department.

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**DOC's Incident Report to CJPPD**

DOC must report to OPM's CJPPD annually, starting by February 1, 2027, on the above incidents during the preceding calendar year. The report must include the records described above and be submitted electronically using a standardized method and form the division must distribute. Before submitting the report, the bill requires DOC to redact any information that may identify a minor, witness, or victim.

**Standardized Method and Form.** The standardized method and form must allow compilation of statistics on each sexual abuse or sexual assault incident, including the following:

1. the alleged victim's race and gender (however, the identification of these characteristics must be based on the employee's observation and perception);
2. the number of times the victim was sexually abused or sexually assaulted; and
3. any injury the alleged victim suffered.

**OPM's Incident Review and Report**

The bill requires OPM to, within available appropriations, review sexual abuse or sexual assault incidents reported under the bill. Starting by December 1, 2027, the office must annually report the results of any review, including any recommendations, to the governor and the Government Oversight and Judiciary committees' chairpersons and ranking members.

**BACKGROUND****Related Bill**

SB 89, favorably reported by the Judiciary Committee, also makes changes to align state law with the Federal Prison Rape Elimination Act.

**COMMITTEE ACTION**

Government Oversight Committee

Joint Favorable Substitute

Yea 11 Nay 1 (03/17/2026)