



Substitute Senate Bill No. 89

Public Act No. 26-10

AN ACT UPDATING PRISON RAPE ELIMINATION STANDARDS.

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

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 Section 18-81cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2026*):

(a) Any executive branch agency of the state or any political subdivision of the state that incarcerates or detains adult or juvenile offenders, including persons detained for immigration violations, shall, within available appropriations, [adopt and] comply with the [applicable standards recommended by the National] standards of the Prison Rape Elimination [Commission] Act, 34 USC 30301 et seq., in effect as of January 1, 2024, for the prevention, detection and monitoring of, and response to, sexual abuse in adult prisons and jails, community correctional centers, juvenile facilities and lockups.

(b) Such standards include, but are not limited to:

(1) Zero tolerance of sexual abuse;

(2) Contracting with other entities for the confinement of inmates or detainees;

(3) Inmate or detainee supervision;

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- (4) Heightened protection for vulnerable detainees;
- (5) Limits to cross-gender viewing and searches;
- (6) Accommodating inmates or detainees with special needs;
- (7) Hiring and promotion decisions;
- (8) Assessment and use of monitoring technology;
- (9) Evidence protocol and forensic medical examinations;
- (10) Agreements with outside public entities and community service providers, including, but not limited to, for purposes of ensuring access to crisis and emotional support services and ongoing mental health support and treatments;
- (11) Agreements with outside law enforcement agencies, including, but not limited to, agreements for the purpose of conducting an investigation;
- (12) Agreements with the prosecuting authority;
- (13) Employee training;
- (14) Volunteer and contractor training;
- (15) Inmate education;
- (16) Detainee, attorney, contractor and inmate worker notification of agency's zero-tolerance policy;
- (17) Specialized training: Investigations and internal administrative investigations;
- (18) Specialized training: Medical and mental health care, including trauma-informed methods of care for victims of sexual abuse;

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- (19) Screening for risk of victimization and abusiveness;
- (20) Use of screening information;
- (21) Inmate or detainee reporting;
- (22) Exhaustion of administrative remedies;
- (23) Inmate access to outside confidential support services or legal representation;
- (24) Third-party reporting;
- (25) Staff and facility or agency head reporting duties, including, but not limited to, mandatory transmission to the Office of the Correction Ombuds of a copy of any report or complaint of a sexual assault;
- (26) Reporting to other confinement facilities;
- (27) Staff first responder duties;
- (28) Coordinated response;
- (29) Agency protection against retaliation;
- (30) Duty to investigate;
- (31) Duty to intervene;
- [(31)] (32) Criminal and administrative agency investigations;
- [(32)] (33) Evidence standard for administrative investigations;
- [(33)] (34) Disciplinary sanctions for staff;
- [(34)] (35) Disciplinary sanctions for inmates;
- [(35)] (36) Referrals for prosecution for detainee-on-detainee sexual

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abuse;

[(36)] (37) Medical and mental health screenings: History of sexual abuse;

[(37)] (38) Access to emergency medical and mental health services;

[(38)] (39) Ongoing medical and mental health care for sexual abuse victims and abusers;

(40) Immediate and ongoing access to sexual assault crisis services;

[(39)] (41) Sexual abuse incident reviews;

[(40)] (42) Data collection;

[(41)] (43) Data review for corrective action;

[(42)] (44) Data storage, publication, and destruction; and

[(43)] (45) Audits of standards.

(c) The agency head of any executive branch agency of the state or the chief elected official or governing legislative body of any political subdivision of the state that incarcerates or detains juvenile offenders shall, annually, not later than January fifteenth, certify its compliance with the provisions of subsections (a) and (b) of this section to the Criminal Justice Policy and Planning Division within the Office of Policy and Management.

(d) Not later than January 1, 2027, and annually thereafter, the Commissioner of Correction 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, concerning the following: (1) Training provided to department staff concerning compliance with the Prison

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Rape Elimination Act, 34 USC 30301 et seq., in effect as of January 1, 2024; (2) the number of reports of sexual assault against a person who is incarcerated or staff of the department and the types of sexual assault reported; and (3) how many of such reports were investigated and the outcome of each such investigation.

(e) The Commissioner of Correction shall, not later than January 1, 2027, adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of subsections (a) and (b) of this section.

Sec. 2. Subsection (a) of section 18-81qq of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2026*):

(a) (1) There is, within the Office of Governmental Accountability established under section 1-300, the Office of the Correction Ombuds for the provision of ombuds services. The Correction Ombuds appointed pursuant to section 18-81jj shall be the head of said office.

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

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

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

(C) Receiving communications, including telephone calls and electronic mail from persons who are incarcerated, who shall be permitted to make such telephone or electronic mail communications free of charge, regarding decisions, actions, omissions, policies, procedures, rules or regulations of the department;

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(D) Conducting announced or unannounced site visits of correctional facilities administered by the department, without restrictions on such visits, including during periods when a facility is locked down or experiencing a facility-wide emergency, provided the department may restrict access to a portion of a facility in an emergency situation for the duration of the emergency. For the purpose of this subparagraph, a situation or event constituting an emergency shall be determined by the commissioner or the commissioner's designee, to be a situation constituting a significant risk to the safety or security of the facility, or the health, safety or security of department staff or persons who are incarcerated, or an event that significantly compromises the operations of the facility;

(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 is not authorized to institute litigation;

(H) Conducting surveys by sending or distributing during facility visits, confidential written and electronic communications or questionnaires to persons who are incarcerated or employees of the Department of Correction concerning conditions of confinement, working conditions or other subjects within the scope of the duties of the Office of the Correction Ombuds, without prior approval of the

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department. Such persons who are incarcerated or employees shall be permitted to complete and return to said office such surveys either in written format or electronically. No survey may be sent or distributed to an employee of the Department of Correction, unless the Correction Ombuds previously made such survey available for review and comment by the bargaining units representing such employees;

(I) 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; [and]

(I) Receiving and reviewing each (i) copy of any report or complaint of a sexual assault transmitted to the Office of the Correction Ombuds pursuant to section 18-81cc, as amended by this act, or (ii) report or complaint of a sexual assault made directly to the Office of the Correction Ombuds; and

[(J)] (K) Evaluating the provision of health care services, including, but not limited to, medical care, dental care, mental health care and substance use disorder treatment services, to persons who are incarcerated by the Department of Correction.

Governor's Action:

Approved May 7, 2026