



Legislative Testimony
765 Asylum Avenue, First Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

Written Testimony on Senate Bill 666, An Act Concerning Workers' Compensation Benefits for Certain Mental or Emotional Impairments and Mental Health Care for Correctional Staff, Emergency Medical Staff and Dispatchers

Senator Kushner, Representative Porter, Ranking Members Sampson and Arora, and distinguished members of the Labor and Public Employees Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony on Senate Bill 666, An Act Concerning Workers' Compensation Benefits for Certain Mental or Emotional Impairments and Mental Health Care for Correctional Staff, Emergency Medical Staff and Dispatchers.

At the ACLU-CT, we know that prisons are not healthy places for anyone in them. This is not just true right now, in the midst of a global pandemic, but at all times. Because of prison conditions, prisons are places where physical illnesses, like Hepatitis C,¹ HIV/AIDS,² tuberculosis,³ and, yes, COVID-19,⁴ are able to spread quickly among both the people incarcerated there and the people working there.⁵ The Connecticut Sentencing Commission conservatively estimates that more than 28% of people incarcerated have mental health problems requiring treatment,⁶ while

¹ Kelan Lyons, "Federal judge: Prison Hepatitis C lawsuit will advance." CT Mirror, Aug. 7, 2019, *available at* <https://ctmirror.org/2019/08/07/federal-judge-prison-hepatitis-c-lawsuit-may-advance/>.

² Center for HIV Law & Policy, "Prisons and Jails," *available at* <https://www.hivlawandpolicy.org/issues/prisons-and-jails>.

³ Centers for Disease Control and Prevention, "Tuberculosis: Correctional Facilities," *available at* <https://www.cdc.gov/tb/topic/populations/correctional/default.htm>

⁴ David McGuire & Melvin Medina, "If CT prisons and jails were a town, they'd have the highest COVID-19 infection rate in the state." ACLU of Connecticut, Apr. 21, 2020, *available at* <https://www.acluct.org/en/news/if-ct-prisons-and-jails-were-town-theyd-have-highest-covid-19-infection-rate-state>.

⁵ Cyrus Ahalt, "The pandemic exposes the shared fates of the jailed and the jailer." The Appeal, Apr. 3, 2020, *available at* <https://theappeal.org/the-pandemic-exposes-the-shared-fates-of-the-jailed-and-the-jailer/>.

⁶ Michael Chase, Alex Tsarkov, & F.V. Augur, "Memorandum on Mental Health Care Need Classifications in Connecticut's Incarcerated Population." Connecticut Sentencing Commission, Jul. 7, 2020, *available at* <http://ctsentencingcommission.org/wp-content/uploads/2020/07/Mental-Health-Memo.pdf>.

corrections staff has higher rates of mental illness than the overall population.⁷ Mental illness is not the only mental health concern; trauma is incredibly common and a source of great suffering for incarcerated people and employees alike.⁸ In addition, research has shown that prison itself can exacerbate and cause mental illness among incarcerated people.⁹ Because of systemic racism, incarcerated people are more likely to be Black or Latinx than white,¹⁰ meaning that these effects have a racially disparate impact.

The fact that prisons are unhealthy places is evident in the mere existence of this bill. Senate Bill 666 recognizes that limiting workers' compensation for employees of the Department of Correction (DOC) to physical injuries does not begin to encompass all of the ways that a person can be harmed by their experience working inside the system of mass incarceration. Those effects are real for DOC employees – but they are even more pervasive and harmful for the people incarcerated in DOC facilities. Because of the many harmful effects that come from supporting mass incarceration, day in and day out, it is likely that DOC employees should indeed receive additional workers' compensation benefits. But for Committee members who support this bill, we encourage you to consider how many more resources are needed for the mental and physical effects of mass incarceration on the people who are actually incarcerated, who do not get to clock out every day and return home. The mental and physical strains that mass incarceration places on all caught in its maw – employees and imprisoned people alike – all deserve attention and funding. If you support this bill, as we suggest you do, you should support resourcing the well-being of incarcerated people as well.

⁷ “The psychological effects of being a correctional officer.” National Police Support Fund, Jul. 31, 2019, *available at* <https://nationalpolicesupportfund.com/psychological-effects-of-being-a-correctional-officer/>.

⁸ *See id.*; *see also* Emily Widro, “No escape: The trauma of witnessing violence in prison.” Prison Policy Initiative, Dec. 2, 2020, *available at* <https://www.prisonpolicy.org/blog/2020/12/02/witnessing-prison-violence/>.

⁹ “United States: prolonged solitary confinement amounts to psychological torture, says UN expert.” United Nations Human Rights Office of the High Commissioner, Feb. 28, 2020, *available at* <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25633&LangID=E>.

¹⁰ *See* Prison Policy Initiative, “Connecticut Profile,” *available at* <https://www.prisonpolicy.org/profiles/CT.html>.