



Legislative Testimony  
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**Written Testimony Supporting Senate Bill 1110,  
An Act Concerning Inmate Claims That are Filed  
With the Office of the Claims Commissioner**

Senator Winfield, Representative Stafstrom, and distinguished members of the Judiciary Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of Senate Bill 1110, An Act Concerning Inmate Claims That are Filed with the Office of the Claims Commissioner.

The ACLU-CT protects the rights of all people, including people who are incarcerated. We therefore support this bill, which would allow people who are incarcerated or people suing on their behalf to obtain files that relate to their claim for death or permanent injuries suffered while incarcerated. These files include all personnel, protocol or policy review, medical files, medical reviews, corrective action plans or summary reports in the possession of the Department of Corrections. This would allow the person suing to have all the materials and information necessary to build a good case.

The ACLU-CT supports the right of any person, including people who are incarcerated, to be able to fairly and adequately defend themselves and pursue justice in the judicial system. According to a U.S. Department of Justice Bureau of Justice Statistics report, 72 people died in Connecticut state and federal prisons from suicide, drug or alcohol intoxication, accidents, or homicide between 2001 and 2014. Without the information that would be provided to claimants under this bill, it would be very difficult, if not impossible, to build an effective case. This is particularly true where the person who was incarcerated has died or is disabled and potentially unable to provide all relevant details to their legal representation.

When someone becomes incarcerated within the state prison system, that system becomes responsible for ensuring their safety and wellbeing. This bill is important to ensuring that people who are incarcerated are being treated well and that wrongful death cases are properly pursued.

For these reasons, we encourage the committee to ensure that people who are incarcerated and people suing on their behalf actually benefit from the bill's provisions by changing the

word “may” in lines 23 and 28 to “shall.” This would make these provisions mandatory and thus more effective. With these changes, a person who is incarcerated or a person suing on their behalf would receive the necessary materials to build their case and the Claims Commissioner would adopt rules of procedure necessary to carry out the provisions of this bill.

We strongly encourage the committee to amend the bill to make its provisions mandatory and to support Senate Bill 1110.