

STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 21-1

WHEREAS, the Constitution of the State of Connecticut and the Constitution of the United States dictate that the State should deliver a standard of treatment of incarcerated people consistent with evolving community standards; and

WHEREAS, the United Nations' Nelson Mandela Rules provide that isolated confinement of 22 hours or more per day may not be used for a period exceeding fifteen days, and that isolated confinement may be used only in exceptional cases and only as a last resort; and

WHEREAS, states around the country have acted through legislation or administrative policy to reduce the use of isolated confinement and eliminate prolonged isolate confinement;

WHEREAS, national and international nongovernmental organizations recommend alternatives to use of isolated confinement as a population management tool; and

WHEREAS, the State of Connecticut has taken substantial steps to reduce the use of isolated confinement by, among other steps, closing Northern Correctional Institution; and

WHEREAS, the Department of Correction administers all jails and prisons in the state; and

WHEREAS, reducing the use of isolated confinement and eliminating prolonged isolated confinement can produce better outcomes for incarcerated people and the staff responsible for their supervision; and

WHEREAS, increased opportunities for contact visits will keep incarcerated people connected to their families and communities, and reduce recidivism rates by helping people to flourish after reentering the community; and

WHEREAS, reducing the use of in-cell restraints will ensure the highest respect for the human dignity of incarcerated people;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT**:

1. As used in this Order:

- a. "Disciplinary status" means a status in which restrictions are imposed on an incarcerated person due to such person's behavior, either pending or following a disciplinary hearing;
 - b. "Extraordinary circumstances" means a serious incident resulting in a lockdown of a substantial portion of a correctional facility;
 - c. "General population" means any status other than a restrictive status program;
 - d. "Isolated confinement" means confinement of an incarcerated person in a cell, alone or with others, for twenty or more hours per day;
 - e. "Prolonged isolated confinement" means isolated confinement for more than fifteen consecutive days or more than thirty days in any sixty-day period; and
 - f. "Restrictive status program" means a Department of Correction program other than disciplinary status with restrictive rules involving multiple phases with progressively increased privileges, including, but not limited to, administrative segregation, chronic discipline, and security risk group.
2. By September 1, 2021, the Department of Correction shall guarantee that, outside of extraordinary circumstances, incarcerated persons in the general population shall be held in isolated confinement only due to disciplinary status.
3. By October 1, 2021, the Department of Correction shall guarantee that, outside of extraordinary circumstances:
 - a. Any incarcerated person in isolated confinement shall have a meaningful opportunity to be out of such person's cell for two hours each day; and
 - b. No person shall be held in prolonged isolated confinement due to disciplinary status.
4. By December 1, 2021, the Department of Correction shall guarantee that, outside of extraordinary circumstances:
 - a. Incarcerated persons, including those in restrictive status programs, shall be held in isolated confinement only due to disciplinary status;
 - b. No person shall be held in prolonged isolated confinement.
5. By October 1, 2021, the Department of Correction shall make policy changes to limit the use of isolated confinement on members of vulnerable populations to the greatest extent possible. For the purposes of this paragraph, "member of a vulnerable population" means a person who:
 - a. Is under eighteen years of age, or sixty-five years of age or older;
 - b. Has a mental health needs score of four or five;
 - c. Has a developmental disability, as defined in section 17b-28;
 - d. Has a serious medical condition that cannot be effectively treated in isolated confinement;
 - e. Is pregnant, is in the postpartum period, or has recently suffered a miscarriage or terminated a pregnancy; or
 - f. Has a significant auditory or visual impairment.

6. By October 1, 2021, the Department of Correction shall report on steps taken and to be taken to increase access to contact visits for incarcerated persons.
7. By October 1, 2021, the Department of Correction shall report on steps taken and to be taken to decrease the use of in-cell restraints.

This order shall take effect immediately.

Dated at Hartford, Connecticut, this 30th day of June, 2021.



Ned Lamont
Governor

By His Excellency's Command



Denise W. Merrill
Secretary of the State

