

CORRECTIONS

Public Benefits for Inmates

HB 07-1369 (*Enacted*)
Continu Inmate Application Assistance

Sexual Assault in Penal Institutions

HB 07-1093 (*Enacted*)
Sexual Assaults in Penal Institutions

Public Benefits for Inmates

House Bill 07-1369, concerning the continuation of application assistance for inmates, deletes the repeal of a section of statute that requires:

- the Department of Corrections and the Department of Health Care Policy and Finance to assist and expedite the application process of an inmate for Medicaid or Supplemental Security Income (SSI) prior to release from custody; and
- the Department of Human Services to provide education concerning SSI to inmates.

Sexual Assault in Penal Institutions

House Bill 07-1093 requires the Department of Corrections (DOC) and the Division of Youth Corrections (DYC) to develop and implement programs targeting the prevention of sexual assault in adult and juvenile correctional facilities. The programs must:

- require disciplinary action for correctional employees who fail to report incidences of sexual assault;
- require the Inspector General to submit the findings of a sexual assault investigation to the district attorney with jurisdiction over the facility in which the incident occurred;
- prohibit retaliation and disincentives for reporting sexual assaults;
- provide reasonable and appropriate measures to ensure the safety of the victim of a sexual assault by separating the victim from the assailant;
- ensure the confidentiality of sexual assault complaints and the protection of inmates and juveniles who make such complaints;
- provide emergency medical care for sexual assault victims;
- provide to all inmates and juveniles educational materials relating to sexual assault, including information about prevention, treatment, reporting, and counseling;
- provide training to DOC and DYC mental health professionals and correctional employees who have direct contact with inmates or juveniles regarding treatment and methods of prevention and investigation;
- provide confidential mental health counseling for victims;
- monitor victims for mental health consequences stemming from the assault; and

- require the termination of a correctional employee who engages in a sexual assault or sexual conduct with an inmate or juvenile.

The bill also requires investigations of sexual assault to be conducted by individuals who are trained in the investigation of sex crimes. Annual reports must be submitted by DOC and NYC to the federal Bureau of Justice regarding instances of prison rape and the prevention programs.