STATE OF NEW YORK

6640

2025-2026 Regular Sessions

IN ASSEMBLY

March 6, 2025

Introduced by M. of A. ZINERMAN -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to correctional officer conduct and penalty for maltreatment of an incarcerated individual

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "correctional abuse accountability act".

§ 2. Section 137 of the correction law is amended by adding a new subdivision 5-a to read as follows:

5-a. (a) If a department correctional officer is involved in the serious injury, harm, or other maltreatment, as provided for in subdivision five of this section, of an incarcerated individual, such officer shall be removed immediately and placed into a different position within the department in which the officer shall have no direct contact with any incarcerated individual.

(b) If a department correctional officer is charged with involvement in the homicide of an incarcerated individual, such officer shall be placed on leave during the course of the department's investigation. If the officer is found to have been involved in the homicide, such officer's employment with the department shall be terminated immediately.

(c) No provision of this subdivision shall be interpreted as shielding such an officer from civil or criminal action. Department investigation need not be completed or have implicated the officer before a civil or criminal action may be commenced.

§ 3. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD09229-02-5