S T A T E O F N E W Y O R K

7822--A

2015-2016 Regular Sessions

I N A S S E M B L Y

May 27, 2015

Introduced by M. of A. WALKER, O'DONNELL -- read once and referred to the Committee on Correction -- recommitted to the Committee on Correction in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law, in relation to an annual report of department of statistics

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 29 of the correction law is amended by adding a new subdivision 5 to read as follows:

5. A. ON OR BEFORE THE THIRTY-FIRST DAY OF MARCH, TWO THOUSAND SEVENTEEN, AND EVERY YEAR THEREAFTER, THE COMMISSIONER SHALL PROVIDE AN ANNUAL REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE MINORITY LEADER OF THE SENATE, THE MINORITY LEADER OF THE ASSEMBLY AND THE CHAIRS OF THE SENATE CRIME VICTIMS, CRIME AND CORRECTION AND ASSEMBLY CORRECTION COMMITTEES ON INMATE MORTALITY INVESTIGATIONS CONDUCTED BY THE DEPARTMENT. SUCH REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO: FACTORS SUCH AS CAUSE OF DEATH AND CIRCUMSTANCES SURROUNDING DEATH, AGE OF INMATE, SENTENCE AND TIME SERVED, GENDER, RACE AND ETHNICITY OF INMATE, COMMITMENT OFFENSE, FACILITY AND TIME SERVED IN FACILITY IN WHICH DEATH OCCURRED, LOCATION OF DEATH WITHIN THE FACILITY OR OUTSIDE HOSPITAL AND A STATEMENT AS TO WHETHER OR NOT SUCH INMATE WAS IN RECEIPT OF SPECIALIZED CARE OR TREATMENT OR IN DISCIPLINARY CONFINEMENT, WHETHER SUCH INMATE WAS RETRIEVED BY NEXT OF KIN OR BURIED ON PRISON GROUNDS, AND ANY OTHER SUCH DATA AS THE DEPARTMENT SHALL DEEM RELEVANT. SUCH REPORT SHALL INCLUDE AN ANALYSIS OF ANY APPARENT TRENDS AND COMPARISON TO HISTORIC STATISTICAL DATA RELATING TO INMATE MORTALITY.

B. FOR ALL DEATHS THAT RESULT FROM SUICIDE OR OTHER CATEGORIES OF INMATE DEATH A DETAILED PRELIMINARY REPORT SHALL BE PROVIDED TO THE

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

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RECIPIENTS OF THE ANNUAL REPORT LISTED IN THIS SECTION WITHIN SEVEN DAYS THAT SPECIFIES THE NAME OF THE INMATE AND THE CIRCUMSTANCES OF HIS OR HER DEATH, THE STATUS OF THE INVESTIGATION INTO SUCH DEATH, AND WHETHER ANY OTHER INMATES, STAFF OR OFFICERS INVOLVED IN THE CIRCUMSTANCES THAT RESULTED IN THE DEATH OF THE INMATE WERE INJURED, SERIOUSLY INJURED OR SEVERELY INJURED REQUIRING OUTSIDE HOSPITALIZATION, OR IF ANY OTHER SUCH PERSON HAS BEEN SUSPENDED, DETAINED OR REFERRED FOR PROSECUTION. UPON COMPLETION OF ITS INVESTIGATION THE DEPARTMENT SHALL ISSUE A FINAL REPORT TO SUCH RECIPIENTS.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.