

STATE OF NEW YORK

5599

2023-2024 Regular Sessions

IN SENATE

March 8, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

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

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

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

3 5. a. On or before the thirty-first day of March, two thousand twen-
4 ty-four, and every year thereafter, the commissioner shall provide an
5 annual report to the temporary president of the senate, the speaker of
6 the assembly, the minority leader of the senate, the minority leader of
7 the assembly and the chairs of the senate crime victims, crime and
8 correction and assembly correction committees on inmate mortality inves-
9 tigations conducted by the department. Such report shall include, but
10 not be limited to: factors such as cause of death and circumstances
11 surrounding death, age of incarcerated individual, sentence and time
12 served, gender, race and ethnicity of incarcerated individual, commit-
13 ment offense, facility and time served in facility in which death
14 occurred, location of death within the facility or outside hospital and
15 a statement as to whether or not such incarcerated individual was in
16 receipt of specialized care or treatment or in disciplinary confinement,
17 whether such incarcerated individual was retrieved by next of kin or
18 buried on prison grounds, and any other such data as the department
19 shall deem relevant. Such report shall include an analysis of any appar-
20 ent trends and comparison to historic statistical data relating to
21 incarcerated individual mortality.

22 b. For all deaths that result from suicide or other categories of
23 incarcerated individual death, a detailed preliminary report shall be
24 provided to the recipients of the annual report listed in this section

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

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1 within seven days that specifies the name of the incarcerated individual
2 and the circumstances of his or her death, the status of the investi-
3 gation into such death, and whether any other incarcerated individuals,
4 staff or officers involved in the circumstances that resulted in the
5 death of the incarcerated individual were injured, seriously injured or
6 severely injured requiring outside hospitalization, or if any other such
7 person has been suspended, detained or referred for prosecution. Upon
8 completion of its investigation the department shall issue a final
9 report to such recipients.

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