STATE OF NEW YORK

7312

2025-2026 Regular Sessions

IN SENATE

April 9, 2025

Introduced by Sen. SALAZAR -- 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 requiring institutions and local correctional facilities to adhere to certain surveillance, recording and investigation standards

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

Section 1. The correction law is amended by adding a new section 500-q to read as follows:

§ 500-q. Surveillance, recording, and investigations. 1. Definitions. For the purposes of this section, the following terms shall have the following meanings:

(a) "Covered facility" means an institution or local correctional facility.

(b) "Recording request" means a formal request for access to surveillance camera footage made by legal representatives, prosecutors, defendants, or their counsel, relevant to any investigation or legal proceeding involving a covered facility.

2. Comprehensive camera coverage. (a) All covered facilities in the state shall be required to install, operate, and maintain surveillance cameras sufficient to capture the activities and movement of all persons within each such covered facilities, with the exception of the interior of cells, showers, and toilet areas and areas being used exclusively to provide medical treatment to individuals in private settings. For each area in which there is not fixed camera coverage of the interior of such area, cameras shall be installed, operated, and maintained which capture the ingress and egress of such areas.

(b) Surveillance cameras installed in covered facilities shall capture both audio and visual evidence.

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

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(c) Each covered facility shall ensure that all surveillance footage captures clear visual evidence of activities within such covered facility. Each covered facility shall perform regular assessments and improvements to camera placement and functionality to ensure complete coverage. If at any time, a covered facility becomes aware of any non-functioning cameras, any areas which are not fully covered by cameras, or any other barrier to reviewing all relevant video footage of any area, such issues shall be documented, investigated and actions shall be taken to remedy the problems that led to incomplete camera coverage or unavailable camera footage.

(d) Fixed surveillance cameras in covered facilities shall operate continuously for twenty-four hours a day.

3. Comprehensive body worn camera usage. (a) All staff of covered facilities shall wear body worn cameras during the entirety of each shift in any location where, and at any time when, incarcerated people are permitted to be or are present. Such body worn cameras shall capture both video and audio.

(b) Covered facility staff shall document use of body worn cameras in activity logs and access the video management system to identify any unusual activity, including all uses of force, that occurred during each shift. Any time when a body worn camera was turned off, and the reason, shall be identified in such log and in the video management system.

(c) Covered facility staff shall upload videos by inserting the body worn camera into the appropriate docking station to so upload and recharge the battery. All body worn camera footage shall be uploaded at the end of each shift.

4. Retention. All surveillance recording footage captured under this section shall be preserved for a minimum of six months. If there is an allegation or report of any staff misconduct or rule violation, surveillance recording footage from the time period of such incident shall be preserved for a minimum of five years.

5. Access to recordings. (a) Surveillance recordings from covered facilities captured under this section shall be provided upon request by any of the following parties:

(i) legal counsel for detainees, and incarcerated individuals, upon consent of the incarcerated individual subject of the alleged abuse; and

(ii) prosecutors or defense counsel involved in relevant legal proceedings where such recordings are to be used for the purposes of such proceedings.

(b) All requests for surveillance footage shall be responded to within ten business days. Failure to respond within such timeframe shall result in automatic penalties under subdivision six of this section.

(c) Covered facilities shall make best efforts to redact or obscure the faces of persons other than the subject of the alleged abuse and the alleged perpetrator in response to requests for surveillance footage.

(d) Surveillance footage relevant to any complaint, investigation, or legal proceeding shall be preserved for a minimum of five years from the date of such complaint or incident.

6. Penalties and enforcement. (a) For each instance in which a covered facility fails to install or maintain adequate camera coverage, such coverage facility shall be fined ten thousand dollars per violation.

(b) For each failure to provide requested footage within the timeframe specified under paragraph (b) of subdivision five of this section, the covered facility shall be fined five thousand dollars per day until such requested footage is provided.

7. Accountability and review. (a) The office of the state inspector general shall conduct annual audits of covered facilities to ensure compliance with this section. The findings of such audits shall be submitted to the legislature and the governor's office.

(b) The results of the audits conducted under paragraph (a) of this subdivision, including any penalties assessed, shall be made available to the public through an annual report.

§ 2. This act shall take effect one year after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.