STATE OF NEW YORK

4028

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

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

AN ACT to amend the correction law, in relation to requiring the disclosure of video footage related to the death of an incarcerated individual involving a correctional officer

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

Section 1. Legislative intent. The legislature finds and declares that transparency and accountability in correctional facilities are essential to maintaining public trust. This act seeks to promote accountability and deter misconduct by requiring the timely disclosure of video footage related to the death of incarcerated individuals involving correctional officers to the attorney general's office of special investigations.

§ 2. The correction law is amended by adding a new section 22-b to read as follows:

§ 22-b. Disclosure of video footage related to the death of incarcerated individuals involving correctional officers. 1. Definitions. As used in this section, the following terms shall have the following meanings:

(a) "Correctional facility" shall mean any facility operated by the department, a local correctional facility as defined in subdivision sixteen of section two of this chapter, including but not limited to Rikers Island.

(b) "Video footage" shall include, but not be limited to, recordings from fixed cameras, body-worn cameras, handheld devices, or any other recording equipment maintained or used by correctional staff within correctional facilities.

2. Duty to disclose. The department and any local correctional facility shall disclose to the attorney general's office of special investigation any video footage that such office deems to be related to the death of an incarcerated individual. This shall include any case in

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

LBD04536-02-5

which the attorney general's office of special investigation determines the death involves a correctional officer.

3. Timeframe for disclosure. Such video footage shall be disclosed within seventy-two hours of the occurrence of the death.

4. Redactions and exceptions. (a) No redactions shall be made to the video footage before it is disclosed to the attorney general's office of special investigation. The attorney general's office of special investigation shall maintain the confidentiality of all video footage and will determine redactions pursuant to its published video release policy.

(b) Disclosure may be delayed only if the attorney general's office of special investigation certifies that such disclosure would compromise an ongoing criminal investigation or prosecution. Such delay shall not exceed ninety days without additional certification.

§ 3. This act shall take effect immediately.