

STATE OF NEW YORK

7014

2025-2026 Regular Sessions

IN ASSEMBLY

March 18, 2025

Introduced by M. of A. TAPIA -- read once and referred to the Committee on 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:

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

3 § 500-q. Surveillance, recording, and investigations. 1. Definitions.
4 For the purposes of this section, the following terms shall have the
5 following meanings:

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

8 (b) "Recording request" means a formal request for access to surveil-
9 lance camera footage made by legal representatives, prosecutors, defend-
10 ants, or their counsel, relevant to any investigation or legal proceed-
11 ing involving a covered facility.

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

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

23 (c) Each covered facility shall ensure that all surveillance footage
24 captures clear visual evidence of activities within such covered facili-

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

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1 ty. Each covered facility shall perform regular assessments and improve-
2 ments to camera placement and functionality to ensure complete coverage.
3 If at any time, a covered facility becomes aware of any non-functioning
4 cameras, any areas which are not fully covered by cameras, or any other
5 barrier to reviewing all relevant video footage of any area, such issues
6 shall be documented, investigated and actions shall be taken to remedy
7 the problems that led to incomplete camera coverage or unavailable
8 camera footage.

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

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

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

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

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

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

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

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

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

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

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

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

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

54 7. Accountability and review. (a) The office of the state inspector
55 general shall conduct annual audits of covered facilities to ensure

1 compliance with this section. The findings of such audits shall be
2 submitted to the legislature and the governor's office.
3 (b) The results of the audits conducted under paragraph (a) of this
4 subdivision, including any penalties assessed, shall be made available
5 to the public through an annual report.
6 § 2. This act shall take effect one year after it shall have become a
7 law. Effective immediately, the addition, amendment and/or repeal of any
8 rule or regulation necessary for the implementation of this act on its
9 effective date are authorized to be made and completed on or before such
10 effective date.