

STATE OF NEW YORK

8453

2025-2026 Regular Sessions

IN ASSEMBLY

May 16, 2025

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

AN ACT in relation to directing the hiring of an independent investigator to investigate correctional facilities in the state; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. For the purposes of this act, the following terms shall
2 have the following meanings:

3 (a) "Correctional facility" shall have the same meaning as defined by
4 section 2 of the correction law.

5 (b) "Independent investigator" means the independent investigator
6 chosen pursuant to section two of this act.

7 § 2. The comptroller shall, through a request for proposal process,
8 hire an independent investigator, upon joint approval by the governor,
9 the temporary president of the senate, and the speaker of the assembly.
10 The independent investigator shall be a corporation, partnership, limit-
11 ed liability company, or other entity chosen from the private sector.
12 The purpose of the independent investigator shall be to investigate all
13 42 correctional facilities in the state to identify any negative poli-
14 cies and practices existing at such correctional facilities.

15 § 3. The independent investigator shall have the power and authority
16 to:

17 (a) conduct investigations in accordance with its purpose as estab-
18 lished under section two of this act;

19 (b) consult with any organization, government entity, or person in the
20 performance of its duties under this act;

21 (c) direct the department of corrections or any correctional facility
22 in the state to grant the independent investigator access to the depart-
23 ment of corrections or any such correctional facility or records there-
24 of; and

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

LBD11980-02-5

1 (d) conduct interviews with employees of the department of corrections
2 or any correctional facility in the state, or any incarcerated individ-
3 uals held at any such correctional facilities.

4 § 4. The independent investigator shall demonstrate impartiality,
5 ethical conduct, thoroughness, professionalism, and accurate documenta-
6 tion of all activities during the performance of all duties under this
7 act.

8 § 5. Upon completion of a thorough investigation as required under
9 this act, the independent investigator shall submit a report to the
10 governor, the temporary president of the senate, the speaker of the
11 assembly, and the commissioner of corrections and community supervision,
12 that shall include the findings and any recommendations of the independ-
13 ent investigator.

14 § 6. This act shall take effect immediately and shall expire upon the
15 submission of the report as required under section five of this act;
16 provided, however, that the commissioner of corrections and community
17 supervision shall notify the legislative bill drafting commission upon
18 the submission of such report in order that the commission may maintain
19 an accurate and timely effective data base of the official text of the
20 laws of the state of New York in furtherance of effectuating the
21 provisions of section 44 of the legislative law and section 70-b of the
22 public officers law.