STATE OF NEW YORK

2510--A

Cal. No. 382

2025-2026 Regular Sessions

IN SENATE

January 21, 2025

Introduced by Sens. SALAZAR, CLEARE, GOUNARDES, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the county law, in relation to requiring autopsy reports to include photographs, microscopic slides, and post-mortem x-rays taken by, at the direction of, or reviewed by the person performing the autopsy

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

Section 1. This act shall be known and may be cited as the "Terry Cooper autopsy accountability act".

§ 2. Subdivision 5 of section 674 of the county law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

5. Notwithstanding section six hundred seventy of this article or any other provision of law, the coroner, coroner's physician or medical examiner shall promptly perform or cause to be performed an autopsy and to prepare an autopsy report which shall include a toxicological report and any report of any examination or inquiry with respect to any death occurring within [~~his or her~~] **such coroner's, coroner's physician's or medical examiner's** county to an incarcerated individual of a correctional facility as defined by subdivision three of section forty of the correction law, whether or not the death occurred inside such facility. **For the purposes of this subdivision, in addition to anything else required by law, an autopsy report shall include all photographs of the body, microscopic slides, and post-mortem x-rays taken by or at the direction of the person performing the autopsy, and all photographs, microscopic slides, and post-mortem x-rays reviewed by the person performing the autopsy in the course of their examination or in the**

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

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course of their diagnosis of the cause of death and the means or manner of death.

§ 3. Subdivision 6 of section 677 of the county law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

6. Notwithstanding section six hundred seventy of this article or any other provision of law, the coroner, coroner's physician or medical examiner shall promptly provide the [~~chairman~~] chairperson of the correction medical review board and the commissioner of corrections and community supervision with copies of any autopsy report, toxicological report or any report of any examination or inquiry prepared with respect to any death occurring to an incarcerated individual of a correctional facility as defined by subdivision three of section forty of the correction law within [~~his or her~~] their county; and shall promptly provide the executive director of the justice center for the protection of people with special needs with copies of any autopsy report, toxicology report or any report of any examination or inquiry prepared with respect to the death of any service recipient occurring while [~~he or she~~] such person was a resident in any facility operated, licensed or certified by any agency within the department of mental hygiene, the office of children and family services, the department of health or the state education department. If the toxicological report is prepared pursuant to any agreement or contract with any person, partnership, corporation or governmental agency with the coroner or medical examiner, such report shall be promptly provided to the [~~chairman~~] chairperson of the correction medical review board, the commissioner of corrections and community supervision or the executive director of the justice center for people with special needs, as appropriate, by such person, partnership, corporation or governmental agency. For the purposes of this subdivision, in addition to anything else required by law, an autopsy report shall include all photographs of the body, microscopic slides, and post-mortem x-rays taken by or at the direction of the person performing the autopsy, and all photographs, microscopic slides, and post-mortem x-rays reviewed by the person performing the autopsy in the course of their examination or in the course of their diagnosis of the cause of death and the means or manner of death.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all autopsies conducted on or after such date.