



Legislation Text

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Res. No. 734-A

Resolution calling on the Governor to sign S.8415/A.8871, known as the Prison Reform Omnibus Bill

By Council Members Brewer, Banks, Joseph, Brannan, Louis, Riley, Krishnan, Nurse, Williams, Ayala, Sanchez, Feliz, Hanif, Hudson, Stevens, Gutiérrez and Restler

Whereas, Independent oversight of New York State correctional facilities is exceedingly challenging and the entities responsible for overseeing and examining these facilities are subject to limitations that complicate investigations and disciplinary actions; and

Whereas, *The Marshall Project* has found abuse and misconduct at these facilities to be rampant and largely without remedy, owing at least in part to outdated and wholly inadequate disciplinary policies that rarely result in sufficient punitive action against misconduct, thereby allowing abuse to persist; and

Whereas, Reports indicate on December 10, 2024, Robert Brooks, incarcerated at New York's Marcy Correctional Facility, died after being beaten by multiple corrections officers in the presence of supervisors and medical staff, none of whom intervened; and

Whereas, The Onondaga County Medical Examiner ruled Robert Brooks's death was a homicide; and

Whereas, Governor Hochul moved to fire the staff involved in Robert Brooks's death and four former State corrections officers were charged with second-degree murder for their roles in the attack; and

Whereas, Prior to Robert Brooks' death, the Correctional Association of New York (CANY)-New York State's independent prison oversight body-reported rampant physical, verbal, and racialized abuse at the Marcy Correctional Facility, as well as numerous other concerns around grievances, material conditions, environmental issues, medical and dental healthcare, mental health, and provision of services; and

Whereas, CANY's report recommended that the New York State Department of Corrections and Community Supervision (DOCCS)-the state's administrator of the prison and parole system-Office of Special Investigations

(OSI) and the State Inspector General’s Office further investigate their findings; and

Whereas, DOCCS’ initial response to the report highlighted existing programs and education options offered by Marcy, and asserted that allegations of abuse from staff are “investigated thoroughly and taken very seriously” and the prison is “an example of why New York is a leader in the correction field”; and

Whereas, Despite DOCCS’s assertions, CANY’s report combined with the death of Robert Brooks and at least two pending lawsuits of individuals incarcerated at Marcy describing alleged assaults from correction officers indicate systemic abuse at Marcy Correctional Facility; and

Whereas, Reports of abuse and misconduct and lack of disciplinary action are not unique to Marcy Correctional Facility, and advocates stress that Robert Brooks’ death is not a singular event; and

Whereas, Reports indicate on March 1, 2025, 22-year-old Bronx resident Messiah Nantwi was fatally beaten by a group of state correction officers at Mid-State Correctional Facility, just down the road from Marcy Correctional Facility; and

Whereas, Governor Hochul moved to fire the corrections officers involved in Nantwi’s death and 10 corrections officers were criminally charged for their roles in the attack; and

Whereas, Although the cases of Robert Brooks and Messiah Nantwi resulted in criminal charges and disciplinary action against staff, that outcome is not typical in cases of alleged staff misconduct in State corrections facilities; and

Whereas, *City and State* found over 260 deaths in the past 25 years in New York State prisons with causes that were not sufficiently reported; and

Whereas, Another investigation from *The Marshall Project* that looked at 290 cases of abuse or concealment of abuse over the last 15 years at multiple New York correctional facilities found that only 10 percent of officers in those cases were fired; and

Whereas, *The Marshall Project’s* investigation also uncovered a complete lack of disciplinary actions by the corrections department in many abuse cases, including cases where incarcerated individuals were left

severely injured or dead; and

Whereas, Although CANY is designed to investigate and report on New York State prison conditions, the treatment of incarcerated persons, and administrative practices, their ability to carry out these responsibilities is restricted due to the provision of a 72 hour advance notice before inspecting a correctional facility, making it impossible for CANY to conduct an unannounced inspection; and

Whereas, The lack of adequate disciplinary action in response to cases of abuse and misconduct in New York correctional facilities and the horrific deaths of Robert Brooks and Messiah Nantwi underscore the need to strengthen transparency, accountability and oversight across DOCCS; and

Whereas, In June 2025, the New York State Senate passed S.8415, sponsored by State Senator Julia Salazar, and the New York State Assembly passed companion bill A.8871, sponsored by Assembly Member Erik Dilan, also known as the Prison Reform Omnibus Bill, herein as (the Omnibus Bill) or (the Bill), which consists of ten prison oversight and accountability bills; and

Whereas, the Omnibus Bill includes several critical reforms, such as mandating comprehensive audio and video surveillance in common areas of correctional facilities, with retention periods of one year or five years if tied to misconduct or litigation; and

Whereas, the Omnibus Bill would require prompt notification to the next of kin following an incarcerated individual's death and mandate public notice on the DOCCS website within 24 hours of notification; and

Whereas, the Bill would require autopsy reports for people who die in DOCCS custody to include photographs, x-rays, and other relevant documentation reviewed by the medical examiner to ensure full transparency; and

Whereas, the Bill would improve oversight over DOCCS by expanding the State Commission of Correction-the entity responsible for regulating State correctional facilities-from 3 to 9 members including formerly incarcerated individuals, public health professionals, and civil rights advocates; and

Whereas, the Bill would expand CANY’s authority to conduct independent, unsupervised inspections, speak privately with incarcerated individuals and staff, and access quarterly data from DOCCS; and

Whereas, the Bill would extend the time frame for incarcerated individuals to file civil claims for harm suffered in custody to three years after their release; and

Whereas, the Bill would require correctional facilities to turn over unredacted video footage related to any death involving correctional officers to the Attorney General’s Office of Special Investigation within 72 hours of the death; and

Whereas, the Omnibus Bill would require DOCCS to report data quarterly to the Legislature and Governor on complaints, investigations, staffing, and enforcement actions handled by the Office of Special Investigation; and

Whereas, the Bill would direct the State Commission of Correction to investigate the causes of deaths in custody over the past decade and make recommendations for systemic reform; and

Whereas, the Omnibus Bill would provide a framework for separating prosecution and civil defense roles within the Attorney General’s office and allows the appointment of independent prosecutors when conflicts arise; and

Whereas, The deaths of Robert Brooks and Messiah Nantwi emphasize the terrifying reality of the New York State correctional system, where abuse and misconduct run rampant and staff perpetrating this violence are not held accountable for their actions; and

Whereas, Moving forward from these atrocities requires significant reforms to ensure that claims of abuse are taken seriously and oversight is strengthened; and

Whereas, Enacting the Prison Reform Omnibus Bill would codify significant changes to incident reporting, investigative powers, facility monitoring and oversight, public notice of deaths in custody, data collection and transparency, stationary camera installation and coverage, and independent monitoring access within the state’s prison system; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Governor to sign S.8415/A.8871,
known as the Prison Reform Omnibus Bill.

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11/18/2025
RLB/NM