



MAKING THE STATE COMMISSION OF CORRECTION ACCOUNTABLE TO ITS MANDATE

THE SCOC MUST ADDRESS DANGEROUS AND DEADLY CONDITIONS IN JAILS AND PRISONS ACROSS NEW YORK

When a person is incarcerated in New York, the conditions of confinement must meet basic constitutional requirements. But across the state – from Buffalo to New York City, from Greene County to Suffolk County – many jails and prisons are plagued by human rights abuses and routine constitutional violations.

The State Commission of Correction (SCOC) is an independent body mandated with the constitutional authority to ensure that correctional facilities across New York – all local jails and state prisons – are “**safe, stable and humane**.”¹ But for more than 20 years, the SCOC has consistently failed to meet its responsibility.²

Since 2021, **Assemblymember Emily Gallagher** has proposed legislation to fix the SCOC by bringing greater accountability so that it meets its mandate with regards to jails and prisons throughout the state. ([S. 856](#))-[Salazar](#) / ([A.2315](#))-[Gallagher](#).

In response to the demands from directly impacted people and community groups to address the crisis unfolding in correctional facilities across New York, the New York State Senate and Assembly passed an omnibus corrections oversight bill, [S.8415 \(Salazar\)/A.8871 \(Dilan\)](#), which consists of ten prison oversight and accountability bills. Section H of the omnibus bill includes ([S. 856](#))-[Salazar](#) / ([A.2315](#))-[Gallagher](#), which overhauls the SCOC, the watchdog agency with investigative and oversight powers over every jail and prison in the state.

THE STATE COMMISSION ON CORRECTIONS MUST BE OVERHAULED:

The horrific killings of Robert Brooks and Messiah Nantwi at Marcy and Mid-State Correctional Facilities highlight the deadly conditions incarcerated people face in state prisons.

Local jails across New York are also sites of terrible conditions, gross mismanagement, and extreme violence. In New York City, the Rikers Island jail complex has a long and well-documented history of torture, abuse, violence, and a lack of safety for both incarcerated people and staff. The jails in Erie, Nassau, Albany, Greene, Dutchess, and Onondaga counties, and many others, consistently put incarcerated people at grave risk of harm.³

The SCOC has wide-ranging power to hold jails and prisons in compliance, by conducting inspections, obtaining information from correctional staff, examining DOCCS documentation and medical records, issuing subpoenas, and more. The commission also has the power to shut down correctional facilities found to be out of compliance with maintaining a “safe, stable, and humane” environment for people incarcerated there.⁴

But for decades, the SCOC has failed to meet its mandate “to provide a safe, stable and humane” correctional system. In 2006, a state comptroller’s audit found that in the 1990s, due to funding and staffing reductions, the commission stopped its longstanding practice of regularly inspecting jails and prisons.⁵



An investigation by New York Focus reviewed over 200 SCOC jail inspection reports from 2018 to 2023 and found that major problems drag on unresolved for years, contributing to a growing problem of violence, assaults, and deaths in those facilities.⁶

Intervention by federal court underscores failures of the SCOC to meet its mandate: The SCOC's inaction has led to dire consequences, most vividly on Rikers Island. In 2018, the commission released a report about the worst jails in the state: Rikers topped the list because of severe leadership failures, a host of regulatory violations, and perilously unsafe conditions for incarcerated people and staff. The report concluded that "it is now time for the Commission to examine steps to expeditiously close Rikers and to ensure that the constitutional rights of inmates and staff are protected."⁷ **But seven years later, the SCOC has taken no further action and conditions at Rikers continue to deteriorate.** At least 45 people have died in the New York City jail system since Eric Adams became mayor in 2022.⁸

In May 2025, a federal judge they will appoint a remediation manager, more commonly known as a court-ordered receiver, to address the constitutional violations incarcerated people face and act on stalled reforms at Rikers. By definition, the federal court's actions show that the SCOC is failing to meet its mandate. Had the SCOC met its responsibilities, – and, for instance, followed through on its 2018 report – the federal court might not need to intervene.

SOLUTION

Section H of the omnibus corrections bill will expand and diversify the State Commission of Correction to ensure it meets its oversight mandate:

-  **Expanding the Number of Commissioners:** The bill adds six new commissioners to the SCOC (expanding it from three to nine), distributed among the governor, the state senate, the state assembly, and the Correctional Association of New York (CANY), an independent oversight organization. The governor would retain three appointments, and the Senate, Assembly, and CANY would each select two commissioners.
-  **Diversifying Appointments:** The appointments would guarantee diversity in background, requiring commissioners who have experiences in public health, behavioral health care, indigent legal defense, prisoner's rights litigation, and formerly incarcerated individuals.

This legislation can activate and strengthen the commission to fulfill its constitutional mandate and take urgent action to address the life-threatening conditions at jails and prisons across New York State – including shutting down those facilities that fail to meet basic constitutional standards.

ACTION

**WE URGE GOVERNOR HOCHUL TO
SIGN THE PRISON OVERSIGHT
OMNIBUS BILL – WHICH INCLUDES
S.8415 (SALAZAR)/A.8871 (DILAN)
-- INTO LAW.**

For more information and to get involved in efforts to reform the State Commission of Correction, please contact Yonah Zeitz at yonah@katalcenter.org or 347-201-2768.

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REFERENCES

1 NYS Commission on Correction. "About the Commission of Correction." New York State. <https://scoc.ny.gov/about-commission-correction>

2 Eliza Fawcett. "This Agency Is Supposed to Monitor Jails. Is Anyone Monitoring It?" New York Focus. December 18, 2023. <https://nysfocus.com/2023/12/18/new-york-jail-prison-correction-scoc>

3 NYS Commission on Correction. "About the Commission of Correction." New York State. <https://scoc.ny.gov/about-commission-correction>

4 Eliza Fawcett. "This Agency Is Supposed to Monitor Jails. Is Anyone Monitoring It?" New York Focus. December 18, 2023. <https://nysfocus.com/2023/12/18/new-york-jail-prison-correction-scoc>

5 Eliza Fawcett. "This Agency Is Supposed to Monitor Jails. Is Anyone Monitoring It?" New York Focus. December 18, 2023. <https://nysfocus.com/2023/12/18/new-york-jail-prison-correction-scoc>

6 Fawcett, "This Agency Is Supposed to Monitor Jails."

7 New York State Commission on Correction, The Worst Offenders Report, 3.

8 Sam McCann and Erica Bryant. "Fifth Confirmed Jail Death in 2024 Brings New York City's Total to 33 Under Mayor Adams." Vera Institute of Justice. August 21, 2024. <https://www.vera.org/news/nyc-jail-deaths>