



NEW YORK STATE SENATOR

Gustavo Rivera

## State Senator Gustavo Rivera and Assemblymember Latoya Joyner's Legislation to Notify The Next of Kin of the Death of An Incarcerated Individual Becomes Law

GUSTAVO RIVERA November 29, 2016

| ISSUE: **CRIMINAL JUSTICE, NOTIFICATION OF NEXT OF KIN**

State Senator Gustavo Rivera announced that legislation S5427A/A7500A, which he co-authored with Assemblymember Latoya Joyner, has been signed into law by Governor Andrew Cuomo.

This bill will require the Department of Corrections and Community Supervision (DOCCS) to answer questions family members or other designated representative have regarding the circumstances surrounding the death of an incarcerated individual and to provide such person with an original preliminary death certificate. This legislation passed the New York State Assembly on March 28 and the New York State Senate on June 14.

"I commend Governor Cuomo for signing this bill into law in an effort to make it easier for the family of a deceased incarcerated individual to navigate this bureaucratic process as they cope with the loss of their loved one," said State Senator Gustavo Rivera. "This law will not only ensure that many New York families are able to maneuver through this complicated and burdensome process in a timely and compassionate manner, but also it represents an essential step in creating a more efficient and just criminal justice system."

Every year, approximately 150 incarcerated individuals die while in the care, custody and control of DOCCS. Unfortunately, the process the family of a deceased incarcerated individual has to undergo to gain information about their loved one is filled with obstacles. On average, families who have lost a loved one while in prison might have to wait from 12 to 18 months until a full investigation is completed. This law will then help these families avoid uncertainty and properly begin their grieving process.

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#### RELATED LEGISLATION

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### 2015-S5427A

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Provides for the notification of the next of kin of the death of an inmate

May 14, 2015

Senate Floor Calendar

Sponsored by **Gustavo Rivera**

Do you support this bill?