



NEW YORK STATE SENATOR

Kathleen A. Marchione

# **Senator Kathy Marchione's legislation requiring a study of staffing ratios at State Office of Children and Family Services facilities to help ensure safety and security of public employees passes the State Senate**

[Kathleen A. Marchione](#)

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Albany, NY – Senator Kathy Marchione (R,C,I,Reform-Halfmoon), Chair of the Senate’s Local Government Committee, announced the State Senate’s passage of her legislation requiring a study of staffing ratios at State Office of Children and Family Services (OCFS) facilities to provide proper staffing levels and ensure the safety and security of dedicated public employees working at the facilities. Senator Marchione’s legislation passed unanimously during today’s Senate Session by a vote of 61-0.

Senator Marchione’s legislation, Senate Bill S.4574A, would amend the State’s Executive Law, creating a study by the Commissioner of OCFS regarding staffing levels with specific attention to staffing when incidents involving the misconduct of a resident occur. The annual study by the OCFS Commissioner will focus on the ratio of non-administrative staff to residents in their facilities and must be delivered to the state Legislature on the first of each year. The study also must detail the number of facility employees who are out of work on workers’ compensation.

The legislation was introduced in response to a spate of violent attacks on staff in facilities under OCFS, particularly at the Brookwood Secure Center, which is located in the 43rd Senate District represented by Senator Marchione. In December 2016, Charles Kisembo, an aide at the Brookwood Secure Center, was brutally attacked by a resident with a blunt object and had to be hospitalized due to the severe nature of his injuries. Mr. Kisembo was treated for brain swelling and received 20 stitches from the vicious assault. There are many other instances of staff oftentimes alone with residents being attacked.

With the creation of a new annual report regarding staffing and issues with residents for facilities operated by the OCFS, Senator Marchione’s bill would give the state Legislature valuable insights into the critical staffing levels of OCFS. The study also will provide useful data about incidents involving residents to better ensure the safety and security of the dedicated public employees working at these facilities.

“I introduced my legislation in response to the brutal assault that happened to Mr. Kisembo – a vicious attack that never should have occurred. I personally met with representatives of Brookwood Secure Center, and OCFS, and voiced my serious concerns over the assault on Mr. Kisembo, reports of ongoing violence at the facility, the urgent need for proper staffing levels and new measures to ensure the safety and security of the dedicated staff who work there,” Senator Marchione said.

“My legislation establishes a detailed study to give the state Legislature more information about current OCFS staffing levels to ensure safer workplaces. The goal is to make certain that dedicated, hard-working employees like Charles Kisembo and others are not subjected to a workplace that is understaffed, unsafe, and thus poses a danger to workers. We have to take positive, proactive steps such as this study to help protect the hard-working public employees like Mr. Kisembo, and all the dedicated public servants working at OCFS facilities,” Senator Marchione said.

The Assembly companion measure for Senate Bill S.4574A is Assembly Bill A.6903A, sponsored by Assemblyman Anthony Brindisi (D-Utica). The Assembly version passed the Assembly by a vote of 141-2 on June 6, 2017. As the legislation has now passed the Senate and Assembly, it will be delivered to the Governor.

###

## **related legislation**

### **[2017-S4574A](#)**

- 
- Introduced
    - In Committee Assembly
    - In Committee Senate
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate

- - Passed Assembly
  - Passed Senate
- Vetoed By Governor
- Signed By Governor
- 

[Creation of a study by the commissioner of the office of children and family services regarding staffing levels](#)

February 17, 2017

Senate Floor Calendar

Sponsored by [Kathleen A. Marchione](#)

Do you support this bill?

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Aye

Nay