



June 11, 2019

**Memorandum of Support for Legislation to
Repeal 50-a [A2513](#)-O'Donnell/[S3695](#)-Bailey**

The **Correctional Association of New York** submits this memorandum in support of passage of legislation to repeal Civil Rights Law 50-a, specifically **A2513-O'Donnell/S3695-Bailey**. A full repeal of Civil Rights Law 50-a is crucial toward improving transparency and accountability across police and corrections departments in New York State. The repeal of this law would shed much needed light on police and correction officer misconduct and discipline, and it would help address the systemic lack of accountability for these public servants who engage in a broad range of misconduct that harms New Yorkers.

The Correctional Association of New York is the only independent, nonprofit organization that is legislatively authorized to conduct oversight on New York State's 54 prisons. We report our findings directly to the legislature, while also informing the public and advocating for positive change.

Civil Rights Law 50-a prevents public disclosure of "personnel records" of police officers, firefighters and corrections officers, even if those records reflect misconduct. In the last few years, CRL 50-a has been broadly applied by police and corrections departments and expanded through court interpretations. It has been used to hide from public view a wide breadth of material, including the outcomes of disciplinary trials, misconduct complaints made to civilian oversight agencies like the Civilian Complaint Review Board (CCRB) in New York City, and even misconduct documents that have been redacted to remove any identifying information. There are already robust privacy protections built into existing FOIL and FOIA laws, which would protect personal information, such as officers' home addresses, etc.

Without a full repeal of Civil Rights Law 50-a, survivors of police and correction officer brutality, and families impacted by police and correction officer violence, would not have access to information regarding whether an officer faced a disciplinary process and what the outcome of that process was.

The Correctional Association of New York, therefore, urges the legislature to pass [A2513/S3695](#) and repeal NYS CRL 50-a this year.

If you have further questions, please contact CANY at pmiller@correctionalassociation.org