

## **SCOC one-pager for 2025 - rough draft**

*Will have graphics added and many other changes*

*This is not yet an official/adopted JJN document.*

### **Reforming the State Commission of Correction (SCOC) through the SCOC Reform/Expansion Bill A5709A (Gallagher) = S5877A (Salazar)**

#### Why does the SCOC matter?

When institutions with great power operate in secrecy and with little accountability, we wonder, to use an ancient phrase, “Who will watch over the guards?” Applied to county jails in New York State, the SCOC is supposed to do the watching, preventing abuses and ensuring accountability.

The SCOC has enormous authority. It writes and enforces the state regulations under which jails operate. It can order changes in jail practices and policies. It can even close a jail that does not follow its orders. It can inspect jails at any time and see all the documents it wants.

#### Is the SCOC watching over the county jails in a meaningful way?

No. For example:

- It constantly gives jails “variances,” meaning permission to violate even the weak regulations written by the SCOC. E.g., allowing jails to make all visits non-contact.
- It publishes information on jail deaths only after years-long delays and with huge redactions.
- It criticizes bad jails, but doesn’t force them to better respect the human rights of the people they incarcerate
- It turns down about 98% of the grievances that get appealed to it.

#### What is the problem, and how can it be solved?

All three members of the SCOC are currently appointed by the Governor. Until a few months ago, every commissioner has been a carceral professional, usually a former sheriff. In consequence, the SCOC is basically an instrument of sheriffs and county jails and an advocate for their interests.

A change in leadership and control of the SCOC - having a commission with a majority of pro-reform members - is essential to giving it the desire to effectively watch over the guards.

The SCOC reform and expansion bill will add 6 new members, all likely to want to use the huge powers of the SCOC to ensure the human rights and dignity of people held in the jails. Specifically:

- Two new members will be nominated by the Correctional Association of New York, which currently inspects state prisons but not jails, and is an advocate for carceral transparency and accountability.
- The other four will be appointed by the legislature, with specifications so that one will be formerly incarcerated, one will have experience in prisoner rights litigation or criminal defense, and one each will have a background in mental health and public health.

Bottom line: the SCOC badly needs reform so that it will do good rather than harm. No reform is possible without new commissioners attuned to the needs and human rights of jail residents. The SCOC Reform / Expansion bill will accomplish this purpose, and deserves your support