

NYS Joint Legislative Hearing | May 14, 2025

On Safety, Transparency, and Accountability in NYS Prisons

Oral Testimony of Anthony Dixon

Good afternoon, Honorable Members of the New York State Legislature. Thank you for the opportunity to offer testimony on what I believe to be one of the most urgent civil rights issues of our time and the next generation: How people in prisons are treated.

My organization, the Parole Preparation Project, has submitted documentation detailing the alarming brutality and chaos that unfolded during the 2025 illegal 13-week strike inside DOCCS facilities. I urge you to review these materials with the seriousness and sober attention they unequivocally demand.

Today, I am before you not as the Deputy Director of the Parole Project, but a formerly incarcerated person who served 32 years in prison—someone who knows firsthand the entrenched abuse and systemic failures that define New York State’s prison system.

In 1990, I was a plaintiff in a landmark racial discrimination lawsuit, *Santiago v. Miles*, filed against the New York State Department of Corrections and Community Supervision (DOCCS). The suit challenged racially discriminatory practices in Elmira prison in three critical areas: the placement of individuals in solitary confinement, assignment to the most desirable and highest-paying job programs, and eligibility for preferred housing in the honor block. We prevailed on all claims, marking a significant legal victory against institutional racism within New York’s prison system.

However, the victory came at a high cost. While testifying in the case, six of us were brutally beaten by 40 correctional officers in a retaliatory attack and given 5 years in solitary. That assault led to a separate civil rights lawsuit that ultimately resulted in a monetary settlement three years later. That second lawsuit exposed the violent lengths to which prison guards would go to avoid accountability at all cost and silence those who dare speak out.

These experiences sharpened my understanding of NYS prison culture and continue to drive my advocacy for decarceration, parole justice, and the full dignity of those impacted by incarceration. I testify today not only on my own behalf, but on behalf of the tens of thousands of currently and formerly incarcerated individuals who have endured the brutality and institutional betrayal that define New York’s prison system and lay bare the systemic rot at the core of DOCCS.

I’m prepared to speak to the following critical issues:

1. Massive Accountability Failure:

- **Racial Targeting by over 200 Officers.** Evidence from the [Inspector General's office](#) in 2022 confirms systemic racism, with more than 200 DOCCS employees issuing 50 or more misbehavior reports exclusively against non-White individuals, including over 100 who targeted Black or Hispanic individuals alone. These “disparities,” the report found, “were not confined to only a few facilities, nor were they confined to ‘a few bad apples’ among DOCCS employees in any given facility.” Yet these state employees remain unnamed, unpunished, and free to carry out racial targeting behind prison walls.¹

This failure underscores DOCCS’s deep disregard for the safety and humanity of those in its custody. Had this level of racial targeting been directed at incarcerated Jewish people—or any other politically protected group—it would have sparked immediate public outrage, national attention, and decisive action. The silence here reveals whose lives the system deems expendable. I demand this body to speak about this issue openly and forcefully.

Brutal Prison Guards Returned to Post. Between January 2010 and April 2022, DOCCS filed 5,642 disciplinary cases against its own staff—more than one per day for over 12 years. During that time, the state spent tens of [million](#)s in taxpayer dollars to settle 161 lawsuits involving correctional officer brutality. These cases include an officer who struck a handcuffed man 35 times—breaking his baton; guards at Attica who beat a man so severely he needed 13 staples in his scalp; and another group who assaulted a man with mental illness from face to groin—he died by suicide the following day. In at least three additional deaths, DOCCS didn’t even investigate. Of the 161 settled brutality cases, only six officers were fired. The rest remained in uniform—still salaried, still armed with authority, and still in direct contact with more than 30,000 people in DOCCS custody.²

- **The case of Robert Brooks,** a 43-year-old incarcerated man at Marcy Correctional Facility, exemplifies the lethal cost of leaving uniform personnel in close contact with people incarcerated. In December 2024, Brooks was lynched by over 14 correctional officers—an assault captured on body camera footage. Investigations later revealed that several officers involved, including the ringleaders, had documented histories and open cases of abuse that had gone unpunished for years.

In sum, for more than a decade—even after settled lawsuits, documented brutality, and clear evidence of racial targeting—DOCCS has repeatedly reinstated known abusers, placing them back in the same prisons, housing units, and, in some cases, within arm’s reach of the very individuals they assaulted. Despite having authority to reassign these officers to non-contact roles—such as tower duty, perimeter patrol, desk work, relocations that involved restrictions to

¹[Racial Disparities in the Administration of Discipline in New York State Prisons](#), Nov. 2022. Disciplinary infractions are routinely weaponized to deny parole, clemency, Family Reunion visits, work release, prison transfers, resentencing, Second Look reviews, and other vital release opportunities.

²[In New York Prisons, Guards Who Brutalize Prisoners Rarely Get Fired](#), May 19.2023.

gate posts alone—DOCCS chose the most dangerous option: Putting the fox back in the henhouse. It is inexcusable that this pattern of institutional complicity continues in the current administration. I urge you to hold DOCCS leadership accountable and end this practice immediately.

2. Body Cameras Undermined by Design

New York State has [over a half billion dollars](#) in body-worn and fixed camera systems within its correctional facilities, with the stated goal of enhancing transparency and accountability to prevent brutality and abuse—both against staff and those in custody.³ However, this investment has largely failed to achieve its intended purpose. Across DOCCS facilities—including Coxsackie, Upstate, and Five Points—correctional staff routinely disregard camera mandates without facing disciplinary consequences. The absence of a standardized policy, enforcement mechanisms, and meaningful accountability has rendered the system de facto ineffective.

This failure stems from the flawed rollout plan outlined in [DOCCS Directive #4943](#), which governs the use of body-worn cameras. The directive lacks a clear implementation timeline, does not mandate camera usage, and imposes no meaningful consequences for non-compliance. Instead, it allows each facility to create its own rules, lacks centralized enforcement, and gives officers complete control over when cameras are activated. The directive has no teeth. It protects DOCCS, not the incarcerated individuals it claims to safeguard.

As a result, in many prisons, these taxpayer-funded devices sit unused in storage closets, collecting dust—while abuse, misconduct, and excessive force continue unchecked and unrecorded. The unintentional recorded death of [Robert Brooks](#) at Marcy Correctional Facility is a tragic example of the cost of this negligence. When officers believe they are not being watched, the outcome is tragically predictable. Rather than preventing abuse, the directive gives the green light to reduce this potentially life-saving tool to mere window dressing.

Even when cameras are worn, we are learning in real time that they are often deliberately obstructed—covered with jackets, aimed at the floor, or turned off during critical incidents. This pattern of obstruction is a clear refusal to accept accountability and lends credence to the most serious allegations of abuse behind prison walls. Additionally, there is no oversight when individuals are transported off prison grounds—precisely when they are most vulnerable.

3. The Manufactured “Staffing Crisis”

Over the past 11 years, New York State has cut its prison population in half—yet its prison budget has surged to [\\$3.5 billion](#), [the second highest in the country](#). In 2024, NYS maintained a

³ Body cameras support evidence collection, prevent and resolve complaints, and strengthen accountability and transparency.

1-to-2 staff-to-incarcerated ratio exceeding the 1-to-4 average⁴ Even under current conditions of 1-to-3 ratio, New York remains one of the most heavily staffed prison systems in the country. Yet we are constantly being told DOCCS is understaffed.

So, what's the real problem? It's not money—DOCCS is well-funded. It's not staffing numbers—New York already has one of the highest staff-to-incarcerated-person ratios in the country. Suggestions to consider lowering the minimum hiring age for prison guards from 21 to 18 to address the so-called shortage is misguided.

In 2023, Inspector General report exposed rampant abuse in DOCCS: though correction officers make up just 15% of the state workforce, they file 44% of all workers' comp claims—two-thirds unrelated to any contact with incarcerated people. Correction officers in DOCCS, under their labor contract, can take up to six months of fully paid leave for injury without using any of their accrued sick or vacation time. Unlike police, they aren't required to stay home or see state-approved doctors while on leave. This lack of oversight has created an incentive for abuse—officers keep all their earned time off and collect full pay, making workers' compensation essentially a no-strings-attached paid vacation.

The result? Fraud schemes like “couples comp,” where spouses coordinate leave. According to the New York State Inspector General's 2023 report, DOCCS has experienced significant staffing challenges due to high numbers of correction officers on workers' compensation leave. On December 26, 2022, eight DOCCS facilities had over 10% of their security staff out on workers' compensation leave, with three facilities exceeding 17% .

Inspector General Lang has urged lawmakers to act: require oversight, mandate medical verification, and hold officers accountable. Until then, taxpayers will keep footing the bill for a scam that undermines safety, justice, and basic human dignity behind bars. This must be done.

If New York wants safer, more functional prisons, it must end the culture of impunity and enforce real accountability. That starts with closing the workers' comp loopholes, auditing abuse, and putting oversight above union appeasement.

4. DOCCS Defiance of the HALT Act

Since the 2021 enactment of the HALT Solitary Confinement Act, DOCCS has persistently defied its mandates. Instead of ending prolonged isolation and banning its use for vulnerable groups—including those with mental illness, the elderly, and minors—DOCCS has rebranded solitary as “keeplock,” “therapeutic separation,” or “behavioral units,” allowing the same harmful conditions to continue.

⁴ On Focus News, State by state ranking. August 2024.

A [New York Focus investigation](#) found over 1,000 people placed in isolation for infractions not eligible under HALT, many held beyond the legal 15-day limit. Even more egregiously, people explicitly protected by HALT—especially the elderly, minors, and individuals with mental health needs—continue to be subjected to months or even years of isolation, as documented in a [2024 AMNY report](#). These violations compound racial disparities, with Black and Latino individuals disproportionately targeted.

The [2023 New York State Inspector General's report](#) confirmed that DOCCS's "renaming of solitary confinement units has allowed continued use of conditions functionally identical to solitary confinement in violation of HALT's core provisions."

Solitary confinement has been shown to worsen mental illness, raise suicide risk, and destroy any chance of rehabilitation—directly undermining DOCCS's mission to prepare people for release ([American Psychological Association, 2012](#)). The hypocrisy is staggering: after staging an illegal strike, retaliating against incarcerated people, and contributing to the brutal death of Robert Brooks, staff are now lobbying for greater authority to inflict punishment.

As the [New York Daily News editorial board](#) rightly stated, rolling back HALT won't make prisons safer—it will simply reward DOCCS's lawbreaking. Until full compliance is achieved, with independent oversight and enforceable accountability, any attempt to weaken HALT must be rejected. **HALT is the law—and it's time DOCCS obeyed it.**