



NEW YORK STATE SENATOR

Jeremy Cooney

On the Heels of Robert Brooks' Tragic Killing at Marcy, Senator Cooney Announces New Legislation to Ensure Swift Justice in Cases of Abuse at NYS Correctional Facilities

JEREMY COONEY January 27, 2025

| ISSUE: **CORRECTIONAL FACILITIES, ATTORNEY GENERAL**



Senator's Bill Would Allow Attorney General To Appoint Independent Attorneys, Paving The Way For Quicker, More Efficient Investigations

(ROCHESTER, NY) - Today, **Senator Jeremy Cooney (D-Rochester)** announced new legislation he introduced ([S1291](#)) that would allow the Office of the NYS Attorney General to appoint a special, independent investigator in cases involving death by a state corrections officer in

New York. In cases involving potential conflicts of interest within the Attorney General's office, this would allow for thorough investigations to take place without handing the case over to local district attorneys. The Senator's bill comes after the tragic killing of his 43-year old Greece, NY constituent, Robert Brooks, at Marcy Correctional Facility in December 2024.

"My priority is swift justice for Robert Brooks," said **Senator Cooney**. "I fully believe that the Attorney General made the correct decision in this case to recuse herself to avoid legal delays, but we must put more tools in her toolbox in case a tragedy like this ever occurs in our state again. Justice is about accountability for Robert, but it's also about making sure we are ready to fully investigate and prosecute these cases quickly and without bias."

The Attorney General's Office of Special Investigation (OSI) was created to investigate deaths caused by police officers and corrections officers, changing previous rules that handed these cases over to county district attorneys. In the case of Robert Brooks, the Attorney General's office was already responsible for defending multiple of the corrections officers in separate incidents due to their status as state employees. To avoid potential legal delays based on this conflict of interest, the Attorney General recused herself from the case, handing it over to the District Attorney in neighboring Onondaga County.

The Senator's bill would allow the Attorney General to appoint an independent attorney should similar conflicts of interest arise in future cases of abuse leading to an individual's death. This is limited to incidents involving persons in state custody at state correctional facilities. This qualified counsel would be able to investigate without the case having to be sent back to a local district attorney, ensuring a comprehensive investigation without the potential for local bias.

###