



Department of Corrections and Community Supervision

KATHY HOCHUL
Governor
DANIEL F. MARTUSCELLO III
Commissioner

Fiscal Year 2027 Public Protection Budget Hearing

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Testimony of Daniel F. Martuscello III, Commissioner

Good morning, Chair Krueger, Chair Pretlow, and members of the Legislature. I am Daniel Martuscello, Commissioner of the Department of Corrections and Community Supervision. It is my honor to discuss Governor Hochul's Executive Budget as it relates to the Department.

The past year has been one of the most challenging for the Department and in my career. We witnessed the horrific murders of two people under our care and a twenty-two-day illegal job action that threatened the safety and security of everyone in our institutions. The criminal prosecutions of the staff charged in connection with the murders have proceeded expeditiously, with additional prosecutions forthcoming. I am grateful to the investigators and prosecutors for bringing those individuals swiftly to justice. While we successfully ended the strike, we face many challenges as we continue to recover and stabilize operations. I want to thank the staff that worked around the clock to keep our facilities and communities safe and the National Guard personnel who continue to support us. It is our responsibility to restore trust in the Department through our actions and a commitment to transparency and accountability.

Thanks to the Governor and Legislature, the Department received significant resources to position us for future success. We deployed body-worn cameras to all security staff and continue to pursue the installation of fixed cameras. The Department's Office of Special Investigations has expanded, improving investigations into serious misconduct and criminal activity. We are engaged with external, independent experts to assess the culture and staffing within our facilities and are implementing a holistic safety model at two facilities, which will be expanded statewide. These reviews will be objective and transparent, helping to improve our policies and practices and lead to better outcomes. By embracing a people-centered approach that preserves the dignity, respect, and humanity of all people, we are working toward a brighter future for the Department.

Building on this momentum, we instituted our Recover, Recruit, and Rebuild initiative to stabilize staffing levels and develop future leaders. Financial incentives and expanded eligibility requirements

have greatly enhanced our recruitment and retention efforts. Thanks in large part to the resources provided by the Governor and Legislature, we have seen improvement in our recruitment numbers, with a 155 percent increase in people taking the correction officer exam, a 64 percent increase in appointments, and a 43 percent increase in graduates.

As we increase staffing, we will continue to re-open programming and visitation, both of which are critical to the success of the population. Despite our challenges, I am very proud to have instituted free phone calls and a free bus program to support family reunification. Removing these barriers helps incarcerated individuals and their families maintain connections that are vital to rehabilitation.

Recently enacted legislation authorized the Department to designate additional programs for which Merit Time and Limited Credit Time Allowance may be granted. I am pleased to report that we added nineteen new programs under this expanded authority, which provides a strong incentive for individuals to engage in programming and supports their return to the community.

I have prioritized safety and security within our correctional facilities and set violence reduction goals, resulting in a 14 percent reduction in assaults on staff and 11 percent reduction in assaults on incarcerated individuals, with more aggressive goals set for this year. We have also seen a 42 percent reduction in excessive force allegations. To achieve progress and reach our goals, we will continue to leverage de-escalation and interpersonal communication skills, expand progressive programs, and support family communication and reunification.

We have deployed new technology to reduce contraband, including legal mail screeners, body scanners, and expanded use of K-9s. As we reduce pathways for contraband to enter our facilities, we see new threats emerge, such as drones. The Executive Budget includes legislation to restrict drones over critical infrastructure, including correctional facilities, and expands law enforcement's capacity to respond to credible drone threats. I am grateful to the Governor for providing the Department and our law enforcement partners with the tools we need to combat this evolving security risk.

Through our participation in the national Reentry 2030 initiative, we are prioritizing the provision of personal documents and enrollment in Medicaid. In 2025, 93 percent of eligible individuals received or requested their birth certificate, 78 percent received or requested their Social Security card, and 77 percent enrolled in Medicaid prior to release.

The Department continues to promote public safety through effective community supervision, while safely reducing the parolee population. In just five years, the number of people under community supervision has been cut in half, from approximately 35,400 in 2020 to 17,300 in 2025. This remarkable decline has enabled us to focus our efforts on individuals at higher risk of violent crime through focused deterrence and gun interdiction. At the same time, New York has attained a nation-leading recidivism

rate of 20 percent, marking three years of the lowest recidivism rates in the state's history. This is something we should all be proud of and talk about more.

The Omnibus Corrections Reform Act of 2025 will build on the steps we have taken to improve safety, accountability, and transparency in the correctional system. We have taken immediate action to implement the applicable provisions and are in the planning stages to enact the remaining provisions in accordance with the law.

As we move forward, I am committed to promoting a safe and secure environment for all those who work, live, and visit our facilities and providing supportive supervision in the community. There will be challenges ahead, but we are committed to prioritizing people while remaining focused on our mission. I am confident that together we will not only succeed in our recovery efforts, but we will build back better and stronger thanks to the hard work and dedication of our employees, continued support from Governor Hochul and the Legislature, and being guided by the belief that people can change.

Thank you for the opportunity to testify before you today. I would be happy to answer any questions you may have.