**Memorandum in Support: NASW NYS/NYC supports the passage of the NY State End Health Professionals' Complicity in the Torture of Detained or Incarcerated Individuals Act of 2025 (S7865/A2826)**

The National Association of Social Workers is the professional organization for social workers across the country. The New York State and New York City chapters (NASW-NYS/NYC) are responsible for advocating for the nearly 62,000 licensed social workers in the State as well as their clients. NASW-NYS/NYC strongly supports Assembly and Senate bill A2826/S7865. Passage of this bill would prohibit New York State licensed health professionals, such as doctors, nurses, and social workers, from participating in the torture of incarcerated persons, or from being complicit in such conduct. It also ensures a means by which health professionals can refuse any order to directly or indirectly participate in torture, a safe mechanism by which they and anyone who witnesses torture can report it, and a requirement for follow-up on such reports.

The violations of human rights that are consistently occurring on Rikers’ Island has created a renewed urgency to pass this vital legislation, especially in the wake of horrific cases such as the death of Robert Brooks and Messiah Nantwi, who were killed in a medical unit as nurses stood idly by.

Social workers in the setting of Rikers Island have begun to come forward as they have witnessed the atrocities occurring within, such as a widespread practice called “deadlocking,” where inmates are isolated in their cells for 24 hours a day for weeks or months at a time. The denial of medication, showers, sunlight, and human contact that these individuals experience is undoubtedly torture, and NASW NYS/NYC condemns the practice of deadlocking.

Brutality and abuse of incarcerated individuals in New York State prisons and jails is undeniable and pervasive. The physical and psychological consequences of such treatment can be severe, permanent, and even fatal.

These incidents highlight the fact that corrections-based health professionals are at the front line of identifying torture and abuse of power. While the ethical and professional obligations of health staff to report may seem obvious, the reality is far more complicated. In some cases, medical staff are expected to turn a blind eye, treating the injured without documenting or reporting the origin of those injuries. Staff working in correctional facilities can also be subject to workplace coercion, intimidation, and fear of reprisal, causing them to remain silent.

These actions not only go against health providers’ professional values and ethics, such as the Social Work Code of Ethics, but also widely accepted principles of medical ethics—such as the Declaration of Tokyo, the UN Principles of Medical Ethics, and guidance from the American Medical Association, which make clear that participation in or tolerance of torture or degrading treatment is a serious ethical violation.

Prohibiting NY State licensed health professionals from engaging in or being complicit with the torture and improper treatment of incarcerated persons and requiring them to report such abuse will enable and empower staff to uphold their codes of ethics. Furthermore, this legislation will protect and promote the health and safety of incarcerated persons as well as facility staff, while strengthening both the morale and professionalism of facility staff and public trust.

For all of the above reasons, the NASW-NYS Chapter enthusiastically supports A2826/S7865.

Signed,

The National Association of Social Workers, New York State and New York City Chapters



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