

NY prison guard convicted in man's fatal beating

Victim's son calls for changes to prison system

REUTERS

NEW YORK – A jury convicted a former New York correctional officer of murder in the fatal beating of an inmate late last year while acquitting two other former guards in the killing, which prompted Gov. Kathy Hochul to order sweeping prison reforms.

The three state correctional officers involved in the beating death of Robert Brooks, which was captured on bodyworn cameras, stood trial in Utica, New York, while six others pleaded guilty and were sentenced earlier this year.

On Oct. 20, the jury found David Kingsley guilty of second-degree murder and first-degree manslaughter. His fellow correctional officers, Mathew Galliher and Nicholas Kieffer, were acquitted of both murder and manslaughter charges.

Hochul said she was disappointed by the acquittals.

The jury found David Kingsley guilty of second-degree murder and first-degree manslaughter.

“I am deeply committed to the changes we are making to ensure that New York State’s correctional facilities are safe for all who enter – employees, the incarcerated, visitors and volunteers alike,” Hochul, who ordered sweeping prison reforms after Brooks’ death, said in a statement. Lawyer Kevin Luibrand, who represented Galliher, one of the acquitted guards, said his client “was wrongfully accused of serious crimes.” “The video recordings shown to the jury established that he intervened to try and help Mr. Brooks and his actions were distorted by the government so as to accuse him of committing crimes,” Luibrand said in a statement.

Lawyers of Kingsley and Kieffer did not immediately respond to requests for comment.

Brooks, a 43-year-old Black inmate, had been imprisoned since 2017, serving a 12-year term on an assault conviction. He died on Dec. 10, hours after he was beaten at Marcy Correctional Facility in Marcy, about 50 miles east of Syracuse in upstate New York.

Video released by New York Attorney General Letitia James after the incident showed Brooks, his hands and feet in restraints, being punched and kicked by several corrections officers, most of whom appeared to be white.

After the verdict, Robert Brooks Jr., the dead man’s son, said that indicted guards “were part of a rotten system, doing what state officials have allowed them to do,” according to a statement quoted by the New York Times.

“Today, the jury made the right decision in finding David Kingsley guilty of murder. While it was hard to see Matthew Galliher and Nicholas Kieffer be given a pass, it highlights the need for systemic change,” Brooks said.

After Robert Brooks' death, Hochul appointed a new permanent superintendent for the facility and expedited \$400 million in funding to install fixed cameras in all state prisons and distribute more body-worn cameras for corrections officers.

The New York governor also ordered an outside firm to conduct a review of the culture, patterns and practices of all state prisons, and an expansion of an anonymous whistleblower hotline for state prisons. She is also increasing funding for a group that provides independent monitoring and oversight of prisons.

Two months after Brooks' murder, another inmate, 22-year-old Messiah Nantwi, was beaten to death in nearby Mid-State Correctional Facility. Ten prison guards were charged in connection with that beating.