



Monroe County Legislature

YVERSHA M. ROMÁN
President

August 19th, 2026

To the members of the Monroe County Legislature,

After several days of various conversations with many of you, conversations with the law department, and the formal letters sent by both Rachel and the Republican Caucus, I am providing written responses so that we are all on the same page, and that each of you has the information moving forward.

I do want to thank you for your questions and concerns regarding the New York State Commission of Correction's report concerning the death of Brian Harmon.

Because of the seriousness of Mr. Harmon's death and the findings contained in the Commission's report, I feel that the Legislature should have a clear understanding of the report, the Commission's recommendations, and the Legislature's responsibilities and authority.

I also believe it is important that we distinguish between what is known, what has been provided to me, and what remains to be determined.

When I initially read the Commission's final report, I reviewed the findings and the actions identified throughout the report. I also noted that the report referenced outstanding follow-up and verification by the Commission, including that the Commission would verify the corrective actions and revised policies at a later scheduled health-services evaluation. Combined with my understanding that the Legislature had previously authorized the PrimeCare contract, including the applicable renewal options, with the fourth year authorized at an amount not to exceed \$13,565,430.72. In light of the existing contract authorization, the privileged nature of the report, and the outstanding follow-up actions identified by the Commission, I felt it was necessary to await the completion of the SCOC's evaluations and then obtain formal legal guidance before determining what legislative action was appropriate.

Due to current concerns, I began communicating with the Law Department regarding this matter on Thursday, August 13, 2026. I have sought out clarification regarding the Commission's directive, the scope of the Legislature's authority under Correction Law §501, the County Charter, and the appropriate process for conducting an independent inquiry. Neither the report nor Corrections Law sections 47(1)(d) and 501 provide a timeframe in which the inquiry must take place. Those statutes also don't refer to or require an inquiry at all. Section 47(1)(d) simply states that the Commission may "make recommendations [...]."

However, due to the recent concerns outlined by many of you, I am seeking a remedy to move forward as quickly as possible.

With respect to the Republican Conference letter and your specific questions:

1. I do not have the exact date on which I first opened the Commission's December 17, 2025 report; it was emailed to my yversha.roman@gmail.com account on

December 18th. To date, there has been no other communication with the Commission regarding the email sent. About mid-January, after the budget, conversations of re-organizing and the holidays, I started to review its content.

2. I likewise do not want to speculate on the exact date I personally became aware of the specific "Actions Required" language. It was around that same time in January 2026.
3. Neither the report nor Correction Law §501 provides any direction or guidance on what an inquiry should or could look like, nor does it provide a timeline. I have consulted our Law Department regarding the appropriate authority and process for the Legislature to conduct the review contemplated by the Commission. I have not independently made a determination regarding PrimeCare's fitness because the scope of that determination and the Legislature's authority to make it need to be established.
4. I cannot speak for how the report was received, circulated, or handled by other County offices. I can confirm that this report was sent only to my Gmail; no communication was sent to any other .gov email associated with my office, nor was a hard copy sent to my home or government office. Furthermore, there is a cover letter not shared in the redacted version addressed to Sheriff Baxter that states the following: *"You should be aware that some of the medical and/or mental health information contained herein may be prohibited by law from secondary dissemination. Therefore, you should check with your county attorney or other legal advisor prior to releasing any information contained in this report or its attachments, if any."* I'd also like to share that at no time, was I ever directed to share this report with the legislature; no CC to the body either. At this time, I have also been advised not to share.
5. My comments to the Democrat and Chronicle should be understood in the context of the information available to me, the outstanding follow-up information I was expecting as cited within the report, our authority as a legislative body, and the need to determine the proper legislative process. I do not believe it would be appropriate to characterize this as a unilateral decision on my part to disregard a State directive, as I intended to lead an inquiry at a later time. I am seeking clarification from the Law Department regarding the Legislature's authority, contract renewals, the appropriate timing and procedure for any inquiry. From these conversations, it appears the inquiry may still be too early in the process, but that does not mean we can not and should not start the process.
6. The renewal was exercised pursuant to an existing renewal provision authorized by Resolution 397 of 2022 and did not come back before the Legislature for a new vote. I am seeking information regarding how the Commission's report and its directive were handled in relation to that renewal. I had no part in the decision to renew, as we all unanimously authorized the contract with extensions and granted that authority to the Sheriff.
7. No Legislative inquiry has been conducted or initiated to date. The report does not prescribe the timing of an inquiry or what an inquiry looks like, and, as is the case now, we are waiting on additional information to ensure we have what is necessary to start an inquiry. This was due in part to my understanding of the report saying the SCOC would verify the corrective actions at a later scheduled health-services evaluation. It was my opinion that no review or inquiry should occur until that information and review are completed and provided.
8. No, I am not aware of any inquiry that has been completed and that I can present as satisfying the Commission's recommendation regarding PrimeCare's fitness. That is precisely why I am seeking clarification regarding the appropriate process and authority for moving forward. Correction Law § 45 gives the Commission its broader regulatory and oversight authority to make recommendations to this honorable body.

9. I understand that the language in the report is "shall" and "*actions required*," which have caused concerns and confusion.
10. I believe the Legislature's responsibilities should be carried out through a process grounded in law, appropriate legislative procedure, and sufficient information. I do not believe it would be responsible to make a determination regarding the fitness of a medical provider without first understanding the Commission's authority, the Legislature's authority, obtaining the relevant information, and allowing for appropriate legal review. I remain committed to ensuring those questions are addressed and that we move forward with an inquiry. I expect that as we move forward, our role will be more clearly defined.
11. There is no timeline for completion noted in the report, no failure in duty prescribed by the commission, and there are serious questions about what our actual authority is in this situation.
12. My immediate focus is on determining the appropriate process for the Legislature to address the Commission's directive and on identifying the resources we might need to make available to us to thoroughly assess PrimeCare's fitness. I understand that some Legislators want to create an internal process without guardrails, yet we cannot allow that, out of respect for the life of Mr. Harmon, the taxpayers of Monroe County, and the County of Monroe. My initial recommendation is to move forward with a 3rd-party investigation into the fitness of Prime Care.

I will continue to work towards determining whether the review should be undertaken by the full Legislature or a committee, what authority the President or the majority of the Legislature has to initiate such a review, what information may appropriately be requested from the Sheriff's Office and PrimeCare, and what legal protections may apply to medical records, peer-review materials, and other information. Once those questions are answered, I believe the Legislature can collectively determine the appropriate next steps. The care of the individuals in our custody remains at the forefront of every decision I make about this inquiry.

The Legislature should and will address the inquiry requested by the Commission's findings in a manner that is thorough, fair, bipartisan, and consistent with our legal authority. At the same time, I do not believe it is appropriate to prejudge the outcome of an inquiry.

I will continue working with the Law Department and the appropriate County offices to obtain the information and legal guidance necessary to determine the proper legislative process moving forward. I anticipate providing further guidance within the next few days and remain committed to working with the entire Legislature to see that this inquiry is conducted appropriately. I hope this helps to answer some of the outstanding questions and provides some guidance for a path forward.

Sincerely,



Yversha Román