

STATE OF NEW YORK

8347--A

2021-2022 Regular Sessions

IN ASSEMBLY

October 20, 2021

Introduced by M. of A. REYES, SIMON, ANDERSON, EPSTEIN, CARROLL, GONZALEZ-ROJAS, FERNANDEZ, GLICK, L. ROSENTHAL -- Multi-Sponsored by -- M. of A. BRAUNSTEIN -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to establish a task force on missing women and girls who are black, indigenous and people of color; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Legislative findings and intent. The legislature finds
2 that:
- 3 a. According to a 2020 report by the Women's Media Center there are
4 64,000-75,000 missing black women and girls across the United States.
- 5 b. Cases involving black women and girls often do not receive the
6 attention they need and there are often barriers to families reporting a
7 loved one, such as mistrust of police, and racial disparities in how law
8 enforcement treat disappearances.
- 9 c. The tens of thousands of black women and girls who are missing
10 include abductees, sex trafficking victims, and runaways. Black women
11 and girls exist at the intersection of racism and sexism, and often face
12 worse health, wealth, housing, education, and employment outcomes.
- 13 d. Black girls comprise over 40% of domestic sex trafficking victims
14 in the United States.
- 15 e. Law enforcement often categorize missing black girls as runaways
16 and fail to treat their cases with urgency.
- 17 f. According to a 2020 report by the Sovereign Bodies Institute, a
18 nonprofit, indigenous-led research organization, at least 2,306 missing

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 Native American women and girls have gone missing in the last 40 years
2 in the United States, about 1,800 of whom were killed or vanished.

3 g. Systemic vulnerability and compounding suppressions have resulted
4 in mass amounts of disappeared indigenous peoples, with the National
5 Congress of American Indians finding that an estimated 40% of women who
6 are victims of sex trafficking identify as American Indian, Alaska
7 Native, or First Nations.

8 h. Families of Native American women and girls who have gone missing
9 report a lack of cultural awareness, systemic racism and sexism, and
10 widespread apathy by law enforcement and express frustration that their
11 cases are not pursued.

12 i. There is not comprehensive state or federal data about missing and
13 murdered Native Americans. Advocates argue that poor record keeping,
14 racial misclassification, adverse relationships between tribal govern-
15 ments and outside law enforcement have led to an underreporting of
16 cases.

17 § 2. a. There is hereby established a task force on missing women and
18 girls who are black, indigenous and people of color (BIPOC). Such task
19 force shall be composed of the commissioner of the office of family and
20 children's services, the commissioner of the division of criminal
21 justice services, the superintendent of state police, or the designees
22 of such commissioners and superintendent. Additional members shall be
23 appointed as follows, two shall be appointed by the temporary president
24 of the senate, two shall be appointed by the speaker of the assembly,
25 one shall be appointed by the minority leader of the senate, and one
26 shall be appointed by the minority leader of the assembly. Members shall
27 be representative of the communities experiencing this crisis, including
28 directly impacted individuals, reflect the diversity of New York state,
29 and have experience in cultural competency.

30 b. Task force members shall receive no compensation for their services
31 but shall be reimbursed for actual and necessary expenses incurred in
32 the performance of their duties.

33 c. The task force shall:

34 (i) develop policy changes that will work to address the lack of care
35 and concern for missing and murdered BIPOC women and girls with New York
36 state governmental agencies, including identifying policies to ensure
37 first responders are culturally competent;

38 (ii) advance the knowledge of communities on the severity of BIPOC
39 women and girls who are missing and murdered;

40 (iii) ensure BIPOC communities are educated and trained on the
41 prevention, protection, and protocols relating to missing BIPOC women
42 and girls as it relates to social media;

43 (iv) develop a strategy to collect statistics, demographics, surveys,
44 oral histories, and data analysis;

45 (v) recommend preventive programming and ideas to advance the safety
46 of women and girls, including policies that address the overlapping
47 forms of oppression faced by BIPOC women and girls;

48 (vi) identify major traffic hubs, highways, and resource extraction
49 sites that lead to or are responsible for the facilitation of the abduc-
50 tion of BIPOC women and girls; and

51 (vii) create a state-wide awareness campaign.

52 d. In carrying out the duties of the task force, such task force shall
53 seek public input by holding public hearings in each region of the state
54 and accepting public input in writing.

55 e. On or before two years after the effective date of this act, the
56 task force shall submit to the temporary president of the senate, the

1 speaker of the assembly, the minority leader of the senate and the
2 minority leader of the assembly a report containing its findings and
3 recommendations. Such reports shall be made available to the public.
4 § 3. This act shall take effect on the sixtieth day after it shall
5 have become a law and shall expire and be deemed repealed three years
6 after such date.