

STATE OF NEW YORK

5088--A

2023-2024 Regular Sessions

IN ASSEMBLY

March 2, 2023

Introduced by M. of A. REYES, ANDERSON, CARROLL, GONZALEZ-ROJAS, EPSTEIN, GLICK, L. ROSENTHAL, SIMON -- Multi-Sponsored by -- M. of A. BRAUNSTEIN -- read once and referred to the Committee on Governmental Operations -- 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
8 disappearances are tracked.
- 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. Missing Black girls are often categorized as runaways and there are
16 treatment disparities with their cases.
- 17 f. According to a 2020 report by the Sovereign Bodies Institute, a
18 nonprofit, indigenous-led research organization, at least 2,306 missing
19 Native American women and girls have gone missing in the last 40 years
20 in the United States, about 1,800 of whom were killed or vanished.
- 21 g. Systemic vulnerability and compounding suppressions have resulted
22 in mass amounts of disappeared indigenous peoples, with the National
23 Congress of American Indians finding that an estimated 40% of women who

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

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1 are victims of sex trafficking identify as American Indian, Alaska
2 Native, or First Nations.

3 h. Families of Native American women and girls who have gone missing
4 across the country report a lack of cultural awareness, systemic racism
5 and sexism, and express frustration that their cases are not pursued.

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

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

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

27 c. The task force shall:

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

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

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

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

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

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

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

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

49 e. On or before two years after the effective date of this act, the
50 task force shall submit to the temporary president of the senate, the
51 speaker of the assembly, the minority leader of the senate and the
52 minority leader of the assembly a report containing its findings and
53 recommendations. Such reports shall be made available to the public.

54 § 3. This act shall take effect on the sixtieth day after it shall
55 have become a law and shall expire and be deemed repealed three years
56 after such date.