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:

Section 1. Legislative findings and intent. The legislature finds that:

a. According to a 2020 report by the Women's Media Center there are 64,000-75,000 missing Black women and girls across the United States.

b. Cases involving Black women and girls often do not receive the attention they need and there are often barriers to families reporting a loved one, such as mistrust of police, and racial disparities in how disappearances are tracked.

c. The tens of thousands of Black women and girls who are missing include abductees, sex trafficking victims, and runaways. Black women and girls exist at the intersection of racism and sexism, and often face worse health, wealth, housing, education, and employment outcomes.

d. Black girls comprise over 40% of domestic sex trafficking victims in the United States.

e. Missing Black girls are often categorized as runaways and there are treatment disparities with their cases.

f. According to a 2020 report by the Sovereign Bodies Institute, a nonprofit, indigenous-led research organization, at least 2,306 missing Native American women and girls have gone missing in the last 40 years in the United States, about 1,800 of whom were killed or vanished.

g. Systemic vulnerability and compounding suppressions have resulted in mass amounts of disappeared indigenous peoples, with the National 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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are victims of sex trafficking identify as American Indian, Alaska Native, or First Nations.

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

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

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

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

c. The task force shall:

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

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

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

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

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

(vi) identify major traffic hubs, highways, and resource extraction sites that lead to or are responsible for the facilitation of the abduction of BIPOC women and girls; and

(vii) create a state-wide awareness campaign.

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

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

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