

STATE OF NEW YORK

5088

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

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

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

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

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

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

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

26 c. The task force shall:

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

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

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

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

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

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

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

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

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

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