

STATE OF NEW YORK

4266--A

Cal. No. 506

2023-2024 Regular Sessions

IN SENATE

February 7, 2023

Introduced by Sens. WEBB, MARTINEZ, RAMOS, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Women's Issues -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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.

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

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

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

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

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

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

30 c. The task force shall:

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

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

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

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

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

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

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

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

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

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