Legislation Details (With Text)

File #:	Res 0081-2014	**Version:**	*	**Name:**	Establish child-sensitive arrest policies and procedures. (A.1507/S.1416)
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Title: Resolution calling on the New York State Legislature to pass and the Governor to sign A.1507/S.1416, which would establish child-sensitive arrest policies and procedures.

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
2/26/2014	*	City Council	Introduced by Council	
2/26/2014	*	City Council	Referred to Comm by Council	
12/31/2017	*	City Council	Filed (End of Session)	

Res. No. 81

Resolution calling on the New York State Legislature to pass and the Governor to sign A.1507/S.1416, which would establish child-sensitive arrest policies and procedures.

By Council Members Williams and Rosenthal

Whereas, Witnessing an arrest can have a severe psychological impact on a child, which could lead to emotional distress such as anxiety, confusion, anger, and sadness; and

Whereas, Most children do not talk about their experience and may develop negative associations of law enforcement or figures of authority as a result of their traumatic experience; and

Whereas, According to a 2010 report on arrest protocols, when examining the relationship between witnessing arrests and elevated symptoms of post-traumatic stress, children who witnessed the arrest of someone in their household and had a parent who was recently arrested were 72% more likely to have elevated post-traumatic stress symptoms than children who did not have an arrested parent and had never witnessed an arrest; and

Whereas, In an effort to prevent post-traumatic stress symptoms in children, A.1507, sponsored by Assembly Member Joseph R. Lentol and currently pending in the New York State Assembly, and companion bill S.1416, sponsored by State Senator Velmanette Montgomery and currently pending in the New York State Senate, seek to amend the New York State Executive Law and the Criminal Procedure Law, in relation to developing and instituting child-sensitive arrest policies and procedures; and

Whereas, A.1507/S.1416 would amend the New York State Executive Law by requiring the superintendent of the New York State Police, in consultation with the New York State Office of Child and Family Services and the New York State Division of Criminal Justice Services, to maintain and disseminate written policies and procedures regarding child-sensitive arrest practices; and

Whereas, These policies would include, but are not limited to (i) inquiring whether an arrestee is charged with the care or custody of a child; (ii) allowing for the arrangement of temporary care for the child; (iii) education on how witnessing violence causes emotional harm to children and how law enforcement can minimize the impact of such harm; and (iv) information on the availability of access to community-based providers of crisis intervention, child protection, and other resources that could aid the child; and

Whereas, A.1507/S.1416 seeks to amend the New York State Criminal Procedure Law by requiring that State and local law enforcement officers who are arresting an individual inquire at the time of the arrest whether the individual is a parent, guardian, or person legally charged with the care or custody of a minor child who may be at risk as a result of the arrest; and

Whereas, A.1507/S.1416 would help to minimize child trauma and out of home placements, as well as help prevent the development of negative associations with law enforcement or figures of authority; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass and the Governor to sign A.1507/S.1416, which would establish child-sensitive arrest policies and procedures.

WJH
Res. 1772/2013
2/5/14

LS 458/2014