



Legislation Text

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Res. No. 420

Resolution calling on the New York State Legislature to pass S.7404/A.8961 and the Governor to sign such legislation into law, which would amend the New York State Executive Law in order to strengthen the State's efforts to find missing people, which includes both children and adults.

By Council Members Miller, Barron, Chin, Gentile, Gibson, Johnson, Koo, Levine, Mendez, Richards, Rodriguez, Cohen and Ulrich

Whereas, Every year many aggrieved family members seek the assistance of the police to locate a loved one by filing a missing person report; and

Whereas, In New York City, the New York City Police Department's current procedure requires an immediate investigation of a person reported missing who fits certain criteria, among them, someone who is: (i) under 18 years of age or above 65 years old, (ii) mentally or physically impaired, (iii) disabled, (iv) absent in a "unique/unusual" case; or (v) absent under circumstances indicating unaccountable or involuntary disappearance; and

Whereas, If a person does not fit into one of the enumerated categories, an immediate investigation is not required; and

Whereas, According to the Federal Bureau of Investigation ("FBI"), approximately 661,593 persons went missing in 2012; and

Whereas, Although the majority of missing cases are children, according to the FBI, 164,266 out of the 661,593 persons who went missing in 2012 were adults; and

Whereas, There are many examples of missing adults for which a rapid and collective response when they first went missing was warranted, and may have helped return the missing person home safely; and

Whereas, In one such case, Lamont Dottin went missing on October 18th, 1995 in Queens, New York; and

Whereas, Lamont's mother, Dr. Arnita Fowler, searched for her son and sought assistance from the police shortly after he went missing; and

Whereas, According to radio station WFUV, the police would not file a missing person report when his mother first reported him missing because Mr. Dottin was 21 years old, ; and

Whereas, By the time police filed a missing person report, Lamont's unidentified body had been found and transported to Potter's field cemetery where the poor and unknown are buried; leaving his mother to search for him for five more years until she found out that his body was found shortly after she first reported him missing; and

Whereas, In an effort to strengthen New York's procedures and protocols regarding missing people , Senator James Sanders and Assembly Member William Scarborough introduced S.7404 and A.8961, respectively, also known as Lamont Dottin's Law; and

Whereas, S.7404/A.8961 would require the Division of Criminal Justice Services to confer with the Division of State Police and other relevant agencies to create and implement a uniform plan for searching for missing persons; and

Whereas, The plan would require that once a police officer, peace officer or police agency verifies a report of a missing person vital information needed to search for the missing person such as their name and their description and would be transmitted over the police communication system to local, state, and federal agencies; and

Whereas, However, the plan would provide an exemption making it optional to transmit such information if doing so might put the person or the investigation in danger; and

Whereas, Under Lamont Dottin's law, there will no longer be a presumption that persons between the ages of 19 and 64 are not missing; and

Whereas, The law would expand the missing and exploited clearinghouse database to include adults;  
and

Whereas, The law would also require morgues in the state and pauper cemeteries to establish and maintain computerized data on all identified and non-identified persons; and

Whereas, Furthermore, the law would require police departments to create a new position for a missing person specialist who would be responsible for meeting with the missing person's family, provide training to officers and work closely with the police department's missing person unit; and

Whereas, New York State should ensure that all missing people, regardless of age, are searched for expeditiously and reunited with their loved ones; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass S.7404/A.8961 and the Governor to sign such legislation into law, which would amend the New York State Executive Law in order to strengthen the State's efforts to find missing people, which includes both children and adults.

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