



New York State Coalition Against Sexual Assault

Working for a World Without Violence.

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NYSCASA Statement in Support of “Destini Smothers’ Law” Bill A8412 (Anderson) and “Purple Alert” Bill A8492 (Anderson)/S7562 (Salazar)

Open lines of communication between law enforcement, victims and their families, and the public are often necessary during ongoing investigations into cases of missing persons. This transparency is essential for conducting speedy and complete investigations and providing for the safe rescue of the missing person(s), who may be victims of domestic violence and sexual assault.

Assemblymember Khaleel Anderson’s proposed bill, Destini Smothers’ Law (A8412), would address the issue of law enforcement neglect and bias in investigating missing persons’ cases and ensure that families of missing persons receive much-needed support. The bill would require the New York State Division of Criminal Justice Services to implement and maintain a uniform plan for collaboration between law enforcement agencies in missing persons’ investigations that clearly identifies the role of various agencies in the investigation and what actions they will take. The bill would require law enforcement agencies to assess whether the missing person is or has been the victim of domestic violence. The bill would amend New York Law to include family members and loved ones of missing persons as crime victims, enabling families and relatives of missing persons to access crime victim services, including trauma-informed intervention, emotional support, and mental health care. The bill would also require law enforcement agencies to routinely notify relatives of missing persons of the status of the investigation.

The bill is inspired by Destini Smothers, a victim of domestic violence. Destini went missing on November 3, 2020, after what has been described as a “heated argument” with her intimate partner in Queens. Her body was found in the back of her car in Queens several months later on March 10, 2021. Before going missing, Destini and her intimate partner lived in Troy, which necessitated communication between the New York Police Department and the Troy Police Department. The case was not taken by law enforcement until Destini had been missing for nine days. Between the time Destini went missing and when she was found, her family reported major issues in communication between law enforcement agencies in Troy, New York City, and New York State, as well as a lack of urgency and willingness to engage her family. This bill will halt preventable tragedies such as this one, and will therefore save many lives.

The “Purple Alert” bill, A8492 (Anderson)/S7562 (Salazar), would establish a “Purple Alert” system to create further transparency with the public and promote the safe rescue of missing persons who are victims of domestic violence. Law enforcement agencies will be able to notify the public of missing victims of domestic violence using the unified resources of multiple state agencies, including the NYS Division of Criminal Justice Services and the NYS Department of

Transportation. This measure is also long overdue and underscores the importance of open lines of communication in the investigation and safe rescue in cases of missing persons.

Both pieces of legislation would allow for more support to families and loved ones of the missing person(s) by requiring collaboration between law enforcement agencies in missing person investigations, providing support for relatives of such missing persons, and increased transparency with public information regarding the missing person(s), especially regarding circumstances of domestic and intimate partner violence.

The New York State Coalition Against Sexual Assault (NYSCASA) fully supports both pending bills, and we thank Assemblymember Anderson and Senator Salazar for their persistent advocacy and for taking initiative in addressing domestic violence and sexual assault on these levels. NYSCASA will continue to assist Assemblymember Anderson and Senator Salazar's offices in any way we can to make sure these two measures become state law.