

## MEMORANDUM OF SUPPORT

### REQUIRE COLLABORATION BETWEEN LAW ENFORCEMENT AGENCIES IN MISSING PERSONS CASES

A.8412A Anderson/S.7591 Sanders

The New York State Coalition Against Domestic Violence (NYSCADV) urges the New York State Legislature to pass this legislation, which requires collaboration between law enforcement agencies in missing persons cases and provision of support services to relatives of missing persons.

Effective communication between law enforcement agencies, victims, victim support networks, and the public is critical in missing persons cases, especially when the missing person has a history of experiencing domestic violence. Yet currently there is no mechanism that requires timely and effective communication between law enforcement agencies, causing investigation delays and mounting grief for families of the missing person.

Destini Smothers had a history of experiencing domestic violence. She went missing in November 2020, after a “heated argument” with her boyfriend, with whom she shared children, in Queens. Her body was found in the back of the family car several months later in March 2021. Before going missing, Ms. Smothers and her partner lived in Troy, NY, where there was an established pattern of violence known to law enforcement. Yet, her missing persons case was not initiated by law enforcement until she had been missing for nine days. Between the time Ms. Smothers 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 regarding the investigation.

The case also uplifted the insufficient, irregular and insensitive treatment of families in missing person’s cases. Ms. Smothers’ family knew there was a real potential that harm had befallen their loved one, but felt law enforcement was not taking their concerns seriously, communicating effectively with them, or providing support. This legislation definitively requires relatives of missing persons to be considered under the Fair Treatment Standards for Crime Victims

#### **NYSCADV urges passage of A8412/S7591 which:**

- requires collaboration between state police, every police agency in the state, every district attorney and other qualified agencies in missing person cases through the development and implementation of a uniform plan detailing such collaboration;
- ensures law enforcement agencies do not presume that persons between the ages of 19 and 64 are not missing;
- ensures individuals whom law enforcement reasonably suspects might be involved in the missing person’s disappearance, who has been convicted of a family offense or is subject to an order of protection in favor of the missing person would not receive information pertaining to the investigation; and
- extends all fair treatment standards and supportive services to relatives of the missing person and expands the list of appropriate services to include trauma informed intervention, emotional support, mental health services and more.

#### **ABOUT NYSCADV:**

Established in 1978, NYSCADV is designated by the U.S. Department of Health and Human Services as the information clearinghouse, primary point of contact, and resource center on domestic violence for the State of New York. NYSCADV is responsible for supporting the development of policies, protocol, and procedures to enhance domestic violence intervention and prevention and also provides education and technical assistance to the network of primary-purpose domestic violence service providers statewide.

**For more information, contact: Joan Gerhardt, Director of Public Policy and Advocacy, 518.482.5465**

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