



NEW YORK STATE SENATOR

Samra G. Brouk

Senator Samra Brouk, Chair of the Senate Mental Health Committee, Introduces “Daniel’s Law” to Ensure that New Yorkers in Crisis Get the Help They Need

SAMRA G. BROUK February 4, 2021

| ISSUE: **DANIEL'S LAW, MENTAL HEALTH**

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ROCHESTER, NY - Senator Samra Brouk (SD-55), Chair of the Senate Committee on Mental Health, has introduced Daniel’s Law, a comprehensive piece of legislation that outlines how New Yorkers experiencing a mental health breakdown and/or substance abuse crisis can better be served by a public health response that maximizes consent-based care and minimizes the role of law enforcement and the use of force against an individual.

Daniel’s Law would empower the New York State Department of Health to create a new statewide mental health response council and local mental health response units. These new mental health response units would offer a more comprehensive and secure way to answer the mental health and substance abuse crises in our communities with safety, care and compassion.

The legislation is named after Daniel Prude, a Black man whose encounter with police in Rochester while he was experiencing a mental health crisis resulted in his death. Had more compassionate, appropriate care been provided in that moment, Daniel would not have ended up lying naked in the street with a spit hood over his head on a freezing winter night. The Senator and Assemblymember Harry Bronson have introduced the bill in their respective houses with the full support of the Monroe County Democratic state delegation to ensure that no one else in the state endures what Daniel Prude did.

The purpose of this legislation:

- To promote the public health, safety, and welfare of all citizens by broadly ensuring a public health-based response to anyone in New York experiencing a mental health or substance abuse crisis
- To offer and ensure the most appropriate response to, treatment of, and transport of individuals experiencing crisis due to mental health conditions or substance use, and
- To de-escalate crisis situations so that as few New Yorkers as possible experience nonconsensual transport, use of force, or criminal consequences as a result of mental health or substance abuse crisis.

The full text of the legislation can be found [here](#).

Senator Samra Brouk, SD-55, Mental Health Committee Chair: “Our community has seen twice in the past six months that police officers are not equipped to handle individuals experiencing a mental health crisis. In September, we learned of Daniel Prude’s death on a freezing March night, and then, just last weekend, we saw another egregious example of police violence, when a nine-year-old girl in distress was handcuffed and pepper sprayed. Our current system for supporting community members in crisis is broken. We need to provide people with care and treatment, not push more members of our community into jails and prisons. As the Chair of the Mental Health Committee, it is incumbent upon me to end this cycle of violence and brutalization. Daniel’s Law will provide essential, compassionate mental health services for those in our community who need them most.”

Assemblymember Harry Bronson, AD-138: “Time and time again, we’ve seen the police response to a mental health emergency escalate the situation, leading to unnecessary violence and even death. The tragic death of Daniel Prude last year and the recent pepper spraying of a 9-year-old child have rightly outraged our communities and shown that real change is needed to prevent more tragedies like these from occurring. This legislation will help ensure our most vulnerable friends and neighbors are directly connected to trained mental health professionals who will treat them with compassion at their time of need.”