



NEW YORK STATE SENATOR

Michael Gianaris

## Senate Deputy Leader Gianaris, Assembly Member Hunter Applaud Georgia's Citizen's Arrest Overhaul

MICHAEL GIANARIS April 1, 2021

| ISSUE: **CITIZEN'S ARREST, BLACK LIVES MATTER, CRIMINAL JUSTICE REFORM, POLICING, AHMAUD ARBERY**



NEW YORK – Senate Deputy Leader Michael Gianaris and Assembly Member Pamela J. Hunter are hailing Georgia's overhaul of its citizen's arrest law after the February 2020 murder of Ahmaud Arbery during a would-be citizen's arrest. The two New York legislators have authored legislation ([S.3183A/A.6054](#)) to repeal New York's citizen's arrest law.

“Citizen’s arrests are a dangerous and historically abused practice that should not be allowed to continue,” said **Senate Deputy Leader Michael Gianaris**. “It’s past time to end laws like this that have been used by racists to advance their bigoted goals. I am pleased Georgia has led the way and look forward to New York enacting our repeal soon.”

“Georgia is making the right move in correcting the longstanding injustice of citizen’s arrest. While events in Georgia inspired citizen’s arrest reform, there is no reason it should stop there,” said **Assembly Member Pamela J. Hunter**. “As we work towards completing the New York State budget, I look forward to working to get our own reform passed during the remainder of the legislative session.”

Citizen’s arrest laws allow untrained individuals to apprehend alleged suspects. Existing New York State law allows private individuals to arrest someone without a warrant for any crime, at any time of the day. In some circumstances, these individuals do not even need to inform the prospective arrestee of the reason for performing the arrest. Private individuals are also currently authorized by law to use "such physical force as is justifiable" to effectuate the arrest, posing a significant danger to New Yorkers.

Juvenile suspects are subject to similar citizens' arrest provisions. Currently, anyone under the age of sixteen may be taken into custody by a private person for committing an act that would subject an adult to a similar arrest. Juveniles do not need to be informed of the reason for being taken into custody.

In addition to Georgia, efforts to repeal citizens' arrest laws like these are currently underway in Florida and South Carolina.

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#### RELATED LEGISLATION

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## 2021-S3183A

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Abolishes citizens arrests; repealer

January 28, 2021

In Assembly Committee

Sponsored by **Michael Gianaris**

Do you support this bill?