



NEW YORK STATE SENATOR

Michael Gianaris

Senate Passes Deputy Leader Gianaris' Bill To End New York's Destructive Citizen's Arrest Law

MICHAEL GIANARIS June 1, 2023

| ISSUE: **CITIZEN'S ARREST, AHMAUD ARBERY, JUSTICE**



[Video of Gianaris' Floor Speech Here](#)

ALBANY, N.Y. – Senate Deputy Leader Michael Gianaris announced the Senate passed his [legislation \(S.167/A.507\)](#) to end citizen's arrests in New York. Senator Gianaris first introduced his citizen's arrest repeal legislation in the wake of the killing of Ahmaud Arbery, a young man murdered in Georgia by two White individuals trying to effect a citizen's arrest in their neighborhood. Companion legislation is sponsored by Assembly Member Pam Hunter.

“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.”

“Citizen’s arrest is a long outdated and unnecessary practice that must be removed from law to prevent future tragedies,” said **Assembly Member Pamela J. Hunter**. “Many of those who attempt these arrests have no formal training and needlessly instigate confrontations based on prejudice and misinformation. I look forward to working with Senator Gianaris on this legislation so that New York may continue to lead in securing these critical criminal justice reforms.”

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. The proposal would not affect a people’s ability to defend themselves or others from harm.

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.

Efforts to repeal citizens' arrest laws like these are currently underway in several states and recently enacted in Georgia.

RELATED LEGISLATION

2023-S167

-
- 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
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Abolishes citizens arrests; repealer

December 29, 2022

In Assembly Committee

Sponsored by Michael Gianaris

Do you support this bill?