



NEW YORK STATE SENATOR

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A New Response for a Statewide Crisis: Why Daniel's Law Matters Now

SAMRA G. BROUK April 17, 2025



When someone is in a mental health crisis, a badge and a gun usually escalate it. Too often in New York State, our first responders to mental health emergencies are law enforcement officers who are put under impossible situations.

Daniel's Law (S3670/A4617) was introduced in the New York State Legislature to offer a better option: a compassionate, evidence-based crisis response system built on peer support and consent-based care. By empowering localities to develop their own crisis response systems,

Daniel's Law also implements change that incorporates the unique needs and challenges of our state's urban, suburban, and rural areas.

As Chair of the Senate Mental Health Committee, I (Sen. Samra Brouk) have spent years listening to the experiences of families, community members, and experts who all agree: our mental health response is broken—and it tragically and disproportionately affects our Black and Brown New Yorkers. Daniel's Law is a solution that sends trained crisis professionals, instead of police officers, to support people in their most vulnerable moments and get them the help they need.

I (Assemblyman Kwani B. O'Pharrow) bring the perspective of both a former NYPD Detective and a military veteran. During my time as a member of NYPD, I responded to calls involving individuals in the midst of severe mental health crises—scenes that were unpredictable, emotionally charged, and often unsafe for everyone involved, including the officers. I know firsthand that law enforcement are not trained to be social workers or mental health professionals. We ask too much of them, expecting them to de-escalate complex situations without the proper tools, extensive training, or support to do so safely and effectively. It's unfair to them, and it's dangerous for the individuals in crisis. Safety is always a top priority—but safety starts with the right response.

As an attorney and legislator, I (Assemblyman Landon Dais) believe that public safety must always be balanced with civil rights and due process. As a New Yorker who lives in the Bronx and uses the subway and buses, I see mental illness firsthand. I understand how it can scare New Yorkers, especially when we see cases of mentally ill individuals attacking people in the subway. The easy thing to do is to throw anyone who looks mentally ill into a jail cell and forget about them, but that is not an answer. That is not something New Yorkers should accept. In fear, we can be tempted to eliminate people's rights in the name of safety. But we can't make that mistake. We must ensure that in our efforts to respond to crisis, we do not

repeat the mistakes of past overreaches—like recent federal actions that led to a Maryland man being wrongfully deported to El Salvador. He was not undocumented. He was not a criminal. He was not a gang member. He was failed by a system that prioritized punishment over facts. Daniel’s Law protects us from these failures by ensuring that the response to mental illness remains rooted in dignity and legality.

This isn’t about ideology. It’s about common sense. Daniel’s Law would take pressure off police departments, provide communities with the support they desperately need, and ensure that no one loses their life by making a call for help.

New York must lead. The crisis is statewide—and so must be the solution. Let’s pass Daniel’s Law and build a system that treats mental illness with care, not cuffs.

(Op-ed originally published in Empire Report by State Senator Samra Brouk, Assemblyman Kwani B. O’Pharrow, and Assemblyman Landon Dais, Esq.— Members of the New York State Black Legislative Task Force.)