



NEW YORK STATE SENATOR

Michael Gianaris

One Year After Ahmaud Arbery's Killing, Senate Deputy Leader Gianaris Introduces Bill To End Citizen's Arrests

MICHAEL GIANARIS February 24, 2021

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



NEW YORK – Senate Deputy Leader Michael Gianaris introduced new legislation ([S.3183A](#)) to end citizen's arrests, the practice that led to Ahmaud Arbery's death in Georgia one year ago this week.

"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.”

Senator Gianaris worked on this legislation with Georgia State Representative Carl Gilliard, who has authored a similar measure in his home state where Ahmaud Arbery was killed.

Georgia Representative Carl Gilliard said, "Repealing citizen's arrest sends a message to Ahmaud Arbery's family, and all those who are seeking justice. Citizen's arrest is a historic anachronism, and the time to put it away is upon us. I am pleased to work with Senator Gianaris, and leaders across this country, who are working to do the right thing."

The legislation is being sponsored in the state Assembly by Assembly Member Pamela J. Hunter.

Assembly Member Pamela J. Hunter said, “Citizen’s arrest is a long outdated and unnecessary practice that must be removed from law to prevent future tragedies. 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.

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 Georgia, Florida, and South Carolina.

RELATED LEGISLATION

2021-S3183A

- 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

January 28, 2021

In Assembly Committee

Sponsored by **Michael Gianaris**

Do you support this bill?