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We Must Do More to Defend Black Lives, Advocates Say to Albany

New Yorkers Celebrate Key Wins, But More Is Needed to End Criminalization of Black, Brown and Immigrant Communities

ALBANY, NY -- As this unusual July legislative session comes to a close, the [Justice Roadmap](#) -- a coalition of immigration and criminal justice advocates fighting to reverse the long history of criminalization of Black and brown New Yorkers -- released the following statement:

“We celebrate the passage of legislation that will protect New Yorkers from ICE’s aggressive practice of targeting immigrants at New York State courthouses (**Protect Our Courts Act**), end the unjust suspension of drivers’ licenses for inability to afford fines and fees (**Driven By Justice**), help keep incarcerated parents close to their children (**Proximity Bill**), create additional oversight in state prisons (**Prison Oversight Act**) and protect contact tracing data from being accessible to police and immigration enforcement (**Contact Tracing Confidentiality**).

“However, we are dismayed that the legislature has once again failed to act on several critical pieces of legislation that are central to protecting the freedom of Black and Brown people across the state. New Yorkers will continue to suffer because of Albany’s failure to pass:

- **HALT Solitary Confinement Act** which would end the torture of isolated confinement in prisons and jails;
- **Elder Parole** which would allow elders in New York State prisons to be considered for parole after serving 15 years;
- **Fair and Timely Parole** which would provide a meaningful parole review focused on who a person is today;
- **The Repeal #WalkingWhileTrans Ban**, which would repeal Penal law 240.37, or loitering for the purpose of engaging in a prostitution offense;
- **Marijuana Regulation and Taxation Act**, which would remove marijuana as a justification for law enforcement targeting and reinvest tax revenue in the communities hardest hit by the war on drugs and COVID-19.

“Directly impacted New Yorkers and allied advocacy organizations will continue to push for the [Justice Roadmap](#) and the transformative change needed to protect people targeted at the intersection of the criminal legal and immigration systems. During a speech in the Senate chamber, Majority Leader Andrea Stewart Cousins recognized the legacy of U.S Representative John Lewis and said that he did not stop and he was not patient in his fight for racial justice. Likewise, we will not stop and we will not be patient. We will continue to call on the state legislature to live up to its mandate to represent and protect *all* New Yorkers”

Individual Organizations said the following:

“New York’s legislature must not lose sight of the devastation wrought on Black New Yorkers by the full system of mass criminalization and state violence from policing to courts, jails and prisons,” said **Marvin Mayfield, Statewide Organizer at Center for Community Alternatives**. “While we celebrate the passage of the Protect Our Courts Act, Driven By Justice, Contact Tracing Confidentiality, among others, we are not done. In our fight to defend Black lives, we demand that the legislature pass the HALT Solitary Confinement Act to end this torture behind bars, pass Elder Parole and Fair and Timely Parole to end death-by-incarceration of Black elders, repeal the “Walking While Trans Ban” to protect Black and brown trans women from harassment by the police, and the full slate of Justice Roadmap legislation. We mourn the death of Kalief Browder, Layleen Polanco, Leonard Carter and all those who have died at the hands of racist state violence behind jail or prison walls. In their names, we commit to the struggle to dismantle the carceral state and build the power of our communities. We call on New York’s legislature to do the same.”

Jose Saldana, Director of the Release Aging People in Prison Campaign, said, “During a time when the world is rising up against racial injustice, our state lawmakers disappointed us yet again. They didn’t do anything to end the torture of solitary confinement, release elders from prison, or stop the the abuse that Black trans people face on the streets every single day. Their inaction will have devastating impacts on Black and Latinx people, families, and communities. The legislature should return to Albany immediately and take a real stand for racial justice.”

“Audre Lorde said ‘There is no such thing as a single-issue struggle because we do not live single-issue lives.’ Black and Brown trans women and people do not care about just one single bill. We care about all of the bills that will help our communities said **TS Candii, lead organizer of the Repeal Walking While Trans Ban Coalition**. We are thankful to the New York State Assembly and Senate for passing important bills and we know that we are not done. If Black Lives Matter, all Black Lives must matter. We must end the criminalization of our people and demand that Albany pass the HALT Solitary Confinement Act, the Elder Parole Act, the Fair and Timely Parole Act, the Marijuana Regulation and Taxation Act and we must Repeal the #WalkingWhileTrans Ban. End Stop and Frisk 2.0 for Black and Brown women!

“NY’s recent primaries showed that New Yorkers are voting out legislators who do not champion and defend legislation that reduces the reach of the carceral state,” **Lucas Sanchez, Deputy Director, New York Communities for Change**. “By failing to act on these critical pieces of legislation that are central to protecting the freedom of Black and Brown people across the state, the current legislature is failing the communities they claim to represent and these voters will hold them accountable.”

Mizue Aizeki, Deputy Director of the Immigrant Defense Project, said, “At a time where the country is grappling with the legacy of centuries of systemic oppression, we applaud our elected officials in Albany for passing bills this week that acknowledge how visible injustice can be in hindsight: people should not be excessively punished for not being able to pay traffic tickets; parents should not be locked up far away from their children; everyone should have equal access to courts; prisons need more oversight; and people’s personal information should be protected from police. But the many bills that await passage in the Justice Roadmap reveal that

the system of racialized perpetual punishment persists. We must also end the clear injustice of solitary confinement, a rigid and unfair parole system, discriminatory policing of Black and brown trans people, and more. We will continue to call for the full slate of bills in the Roadmap platform, and organize for electeds to see these issues for what they are: moral principles plain to anyone who is willing to open their eyes and fight back against oppression."

Roger Clark, member of VOCAL-NY and the #HALTsolitary Campaign, said: "While it is positive that the legislature passed Protect Our Courts, the Proximity Bill, the Prison Oversight Act, and others, we can not comprehend why the legislature has once again failed to address the racist torture and death happening behind bars. Our fellow New Yorkers are being tortured and killed by the state, and the legislature has the power to stop it. There can be no more excuses. The next time the legislature meets this year, they must pass the HALT Solitary Confinement Act, Elder Parole, Fair and Timely Parole, and more.

"For decades, we've seen the harms of over-policing up close in our work to end the marijuana arrest crusade in New York. Legalizing cannabis is necessary to reduce the decades of unjust, racist targeting of communities of color in New York, and we remain committed to seeing legalization focusing on equity and community reinvestment passed in New York," said **Melissa Moore, New York State Director at Drug Policy Alliance**. The regulation of marijuana in our state must be centered in economic and racial justice now more than ever, because we know the same communities targeted by drug enforcement are the same ones with the least access to healthcare, the ones grappling with decades of the economic toll from criminalization, with low wages, unstable housing, and the ones losing jobs and loved ones at the same time. The creation of a diversified and equitable industry that supports New York-based small businesses and farmers will be imperative and the communities that are on the frontlines of this crisis -- in addition to the legacy of harmful enforcement -- must be the center of our rebuilding effort."

"We are very thankful for the legislation passed this week that will help the many whose lives have intersected with, and been impacted by, the legal system," said **Phil Miller, Correctional Association of New York**. "But there is so much more that needs to be done, and we urge the legislature to repeal the Walking While Trans Ban and pass the HALT Solitary Confinement Act and Elder Parole, among the many other initiatives that would help so many people. As Assemblymember Alicia Hyndman said yesterday during session, 'it's always the right time to do the right thing.' That time is right now."

"Several bills that passed this week in Albany, like Protect Our Courts and Driver's License Suspension Reform, are important steps in our fight to dismantle systems of oppression that disproportionately impact Black and Brown New Yorkers," said **Isabelle Leyva, Organizer with the New York Civil Liberties Union**. "We are grateful to the sponsors, and to impacted communities and advocates across the state for their tireless work. As this week's legislative session comes to a close, we stand with our communities and partners in saying that there is much work left to be done to address the harms inflicted by the criminal legal system. We are steadfast in our demands for the state to repeal the Walking While Trans Ban, and pass the MRTA, the HALT Solitary Confinement Act, Fair and Timely Parole, and Elder Parole."

"New Hour applauds these needed and important measures taken to end the carceral system's subjugation of women, mothers and families. As formerly incarcerated women leaders, we now urgently demand HALT Solitary Confinement Act, Fair and Timely Parole and Elder Parole are prioritized as men and women's lives behind bars depend on these reforms," states **Serena Liguori, New Hour Executive Director**

"Worth Rises stands with the formerly incarcerated advocates and allied organizations that worked tirelessly to see critical criminal justice measures pass in 2020. However, these bills alone do not address the six decades of over-policing, mass criminalization, and concurrent disinvestment in Black and Brown communities across New York. As advocates, we continue to work in solidarity with communities that have been systematically brutalized by the legacies of slavery and Jim Crow that now undergird the criminal legal system. We demand the legislature pass the full slate of Justice Roadmap legislation," said **Megan French-Marcelin, Worth Rises, Director of Campaigns**

"For so long, we have seen racist, oppressive systems criminalize New Yorkers simply because of where they're from, what they look like and how much money is in their pockets. The Drivers License Suspension Reform and Protect Our Courts acts will help protect the freedom and rights of immigrants and BIPOC New Yorkers who have been unjustly terrorized and targeted by the criminal punishment and immigration systems. But the fight continues. There is still tremendous work left to be done to *completely* dismantle the systems that enable racist state violence against our neighbors in the community and behind bars," said **Zoë Adel, Advocacy and Communications Manager, Brooklyn Community Bail Fund.**

"This week, Albany made history by passing key bills like the Protect our Courts Act---a piece of legislation that is critical to ensuring due process for our immigrant communities and all New Yorkers, but there's still much more to be done," said **Anu Joshi, VP of Policy, New York Immigration Coalition.** "We thank our bill sponsors, advocates and allies for their tireless work to ensure that the courts cannot continue to be used as another front in the Trump administration's attacks on immigrant New Yorkers. However, our immigration and criminal justice systems have a long history of conspiring against the most vulnerable amongst us --low-income New Yorkers of color and we will continue our fight for fairness, humanity and justice in all these systems, with the Roadmap to Justice coalition, until we win."

"New York is finally beginning to reckon with the massive systemic harm and structural racism of our immigration and criminal legal systems," said **Justine Olderman, Executive Director of The Bronx Defenders.** "We applaud the Legislature for passing important reforms that will help protect immigrant New Yorkers from courthouse arrests at the hands of ICE; end driver's license suspensions based on the inability to pay traffic fines or appear at traffic hearings; ensure that contact tracing is not weaponized against immigrant communities or communities of color; and help protect New Yorkers from experiencing some of the devastating consequences of contact with the criminal legal system. Still, our work is not done. We urge the Legislature to pass the entire Justice Roadmap platform and end the torture of isolated confinement in prisons and jails;

release aging prisoners; provide meaningful parole review; ensure marijuana justice; and repeal laws that allow for discriminatory gender-based policing. For too long, lawmakers have neglected to take meaningful action to uphold the dignity and humanity of our incarcerated Black, Brown, and marginalized neighbors and loved ones. This is the moment to lead by example and acknowledge and address some of the gravest harms caused by our system."

"The passage of the Protect our Courts Act, Driven By Justice Act, Prison Oversight Act and legislation to keep incarcerated parents close to their children as well as measures protecting contract tracing data from law enforcement is a huge step forward for justice in New York State," said **Tina Luongo, Attorney-in-Charge of the Criminal Defense Practice at The Legal Aid Society**. "However, this does not supplant the need for Albany to follow through on other critical measures including HALT Solitary, parole reform, marijuana legalization and repealing the Walking While Trans ban. We urge lawmakers to take up these bills immediately when the Legislature reconvenes next month."

"We commend the legislature for passing several bills that advance equity and justice for New Yorkers, and for their children and families including Protect our Courts, Driven by Justice, and the Proximity Bill," said **Tanya Krupat, Director, Osborne Center for Justice Across Generations**. Young people have been traveling to Albany for years advocating for the Proximity bill, sharing their stories of not seeing their parents for years due to distance and urging electeds to keep their parents closer to them so they could visit. We call on the Governor to sign these important bills into law and we call for more and urgent action on the many bills that advance justice that did not pass. We need to end the torture of solitary confinement, release older people from prison, reform our parole system, and repeal the Walking While Trans law. The hundreds of thousands of children in NY State whose parents, grandparents, and family members are incarcerated are counting on our State leaders to act."

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