



## Respect and Dignity for All: Make the Road New York's 2019 State Policy Platform

As the largest not-for-profit democratic immigrant organization in New York State, with more than 23,000 members, MRNY is uniquely positioned to identify and address pressing community needs. Through its network of community centers in New York City, Long Island and Westchester, MRNY employs a multi-faceted approach to supporting immigrant and low-income New Yorkers, providing a full range of legal, educational and survival services. By the end of June 2019, when the legislature wraps up session, immigrants and working-class people of color need and demand driver's licenses for all, real rent control statewide, and the following other critical priorities:

### 1. PROTECT IMMIGRANT NEW YORKERS FACING ATTACKS FROM WASHINGTON

*The Trump administration has declared war on immigrant communities. Trump has acted to end Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status (TPS), while also ramping up efforts to criminalize immigrants and separate families. Any interaction with the criminal justice system, including minor driving violations, can become a pretext for detention and deportation. New York must act to:*

- **Restore Driver's Licenses for All** (A3675 Crespo | S1747 Sepulveda) – New York currently prevents hundreds of thousands of otherwise-qualified New Yorkers from obtaining a license because of immigration status. This puts many people who *must drive* to work, to take kids to school, or to the doctor, at risk of traffic stops leading to arrest and deportation. New York must restore access to driver's licenses for all, thus creating a reliable revenue stream and enhancing public safety by allowing drivers to obtain insurance.
- **Ensure Immigrant Healthcare Access** – As the Trump Administration is ending Temporary Protected Status (TPS) for thousands of New Yorkers, New York must offer state-funded Medicaid to TPS holders who are losing their protection by enacting (A03316 | S01809). We **must also ensure funding for the Safety Net Hospitals and Indigent Care Pool funding**. The legislature should work with the Governor to distribute cuts more equitably. We oppose any additional transition period for hospitals to implement the new indigent care pool allocation formula. And we urge reform to the sequencing of the allocation of Disproportionate Share Hospital Funds so that true safety net hospitals draw these funds before wealthier private hospitals. MRNY supports the H+H/Community Coalition proposal from the ICP workgroup.
- **Protect immigrant visitors to Courthouses with the Protect Our Courts Act** (A02176 Solages | S00425 Hoylman) to prevent civil arrests and detentions by ICE inside and near New York courthouses. The Act would require law enforcement officers to present a valid judicial warrant before carrying out a civil arrest of any victim, defendant, witness, or loved one accompanying their family member to court.

### 2. CLOSE RENT STABILIZATION LOOPHOLES & EXTEND RENT PROTECTIONS STATEWIDE

*Since 1994, we have lost nearly 300,000 units of affordable housing. Five million New Yorkers have no rent protections whatsoever. Every tenant in New York, no matter where they live, deserves the same basic protections. In 2019, New York State's protections for rent-stabilized tenants – commonly known as the rent laws – will expire, creating a crisis but also a moment to strengthen and expand tenant protections.*

- **Eliminate the vacancy bonus** (S185 | A2351), **Make preferential rents permanent** (S2845A | A4349), **and eliminate permanent rent hikes caused by MCI's** (S3693 | A6322) **and IAI's** (S3770 | A6465): Currently landlords of rent stabilized units receive an "eviction bonus" – the ability to raise rents 20% if

they evict tenants. We must eliminate the perverse incentive to harass or push lawful tenants out. Preferential rent abuse is also facilitating gentrification and the eviction of long-term tenants. The state must limit preferential lease renewal increases to the same percentage increase allowed for standard lease renewals. Upgrading building systems (MCI's) and Individual apartment finishes (IAI's) are also responsible for the cost of rent rising dramatically. MCI and IAI reforms must be passed to ensure these loopholes aren't used as a pretext for permanent rent hikes.

- **Pass new “good cause” eviction legislation to bring renters’ rights to tenants in smaller buildings and in manufactured home communities** (S2892 Salazar | A5030 Hunter): Rent stabilization only applies to buildings with 6 or more units. But more and more, large corporate landlords are buying up smaller buildings, and tenants who live in them face escalating rents and displacement. As the housing affordability crisis seeps out of New York City and into the suburbs, it is imperative that we bring rent relief to smaller buildings as these residents increasingly come under threat of displacement. Good cause eviction would bring the right to a renewal lease at limited rent increases set by a local price index to all tenants.

### 3. END THE SCHOOL-TO-PRISON PIPELINE

- **Pass the Safe and Supportive Schools Act** (A1981 Nolan | S0767 Montgomery) to end harsh and ineffective school disciplinary practices that are disproportionately impacting youth of color and students with special needs. Outside of New York City, Black students are 10% of all students but 31% of all students suspended. In NYC, Black students are 23% of all students, but 50% of those suspended. Students with disabilities are more than 2 times as likely to be suspended. Black and Latinx students make up 42% of all students, but account for 71% of all students referred to law enforcement. New York’s antiquated and racially biased school discipline policies are pushing marginalized students out of school and into the criminal justice system. Passage of this bill would ensure that school districts implement codes of conduct limiting the use of out of school suspensions as a disciplinary response to minor infractions, reduce loss instruction time, and encouraging the use of restorative justice and positive alternatives to suspensions.

### 4. Decriminalize Communities and Increase Police Transparency and Accountability

- **Repeal NYS CRL Section 50-a** (A2513 O’Donnell | S767): Civil Rights Law 50-a (CRL 50-a) has created a broad mechanism for concealing crucial information about law enforcement conduct, including records of substantiated misconduct, from the public. New York’s 50-a statute is the most restrictive, in the nation, in spite of robust privacy protections that have been built into existing FOIL and FOIA law. 50-a must be repealed to provide much-needed transparency on police discipline in New York State, and help address the systemic lack of accountability for officers’ who engage in misconduct.

- **Enact Special Prosecutor Legislation** (A1601 | S2574) to codify and strengthen Executive Order 147 - Pass legislation that provides the Attorney General’s office with jurisdiction in all cases of police killings and deaths in police custody, memorializing and strengthening EO147. The bill, if enacted, would help to ensure fair and thorough investigations and – when warranted – effective prosecutions in tragic incidents that the criminal justice system has historically failed to address. It would help to aid New York families in securing justice for the unjust deaths of their loved ones at the hands of police or in police custody, and advance police accountability and equal justice.

- **Repeal Penal Law 230.47 (A654 Paulin | S2253 Hoylman)**: Section 240.37 –“Loitering for the purpose of engaging in a prostitution offense”– causes irreparable harm to Transgender, gender non-binary, gender-expansive and queer communities of color in New York, particularly transgender woman of color because it gives the police excessive discretion and emboldens biased policing. MRNY members have shared stories about being arrested for merely standing outside, speaking to one another, or walking from the subway to their home. Section 240.37 is particularly harmful because of possible immigration consequences that can lead to deportation as a result of biased policing.

- **Vacate all charges against survivors of sex-trafficking (Gottfried | Ramos & Salazar):** Survivors of sex trafficking in our communities continue to be charged with activities that traffickers have compelled them to engage on. New York State law currently allows vacating charges related to prostitution from their record when they have been as a result of trafficking; however, it does not apply for other charges that could be given as a result of being in a coercive environment. These charges have a detrimental impact on TGNCIQ communities of color because it can trigger potential immigration consequences that can lead to deportation, despite them surviving to trafficking and exploitation.
- **Decriminalize people in the sex trade industry (Gottfried & Niou | Ramos & Salazar):** People who trade sex or who identify as sex workers, whether as a form of survival or as a choice have historically been harassed and criminalized by the police. The communities that are the most impacted are Black trans women and undocumented trans women, not only because of a criminal record that continues to bar them from access to opportunities, but also that can result in deportation. The comprehensive decriminalization bill will repeal penal codes that harm people in the sex trades while preserving anti-trafficking laws that protect survivors (especially minors) and hold exploiters accountable.

## 5. ReClaim our Democracy from Billionaire Donors: #FairElections & Voting Rights

- **Fair Elections:** To ensure that all New Yorkers' voices are heard in our political process, particularly in the face of the enormous sums spent by real estate and hedge fund tycoons to control our state, New York must adopt comprehensive campaign finance reforms that include a public financing system for all state and legislative races. The Commission created in the budget must be constituted quickly with expert and independent thinkers who are fully committed to a strong public financing (small-dollar matching) system, and ensure robust input from communities across the state.
- **Voting rights:** New York must swiftly adopt automatic voter registration (S1278 Gianaris) to continue New York's progress toward letting New Yorkers vote and modernizing New York's antiquated election systems. The state should also fully restore parolees' voting rights.

## 6. Make the promise of a \$15 minimum wage real by passing the EmPIRE Worker Protection Act (S1848 Hoylman | A2265 Joyner) to help enforce wage theft laws.

Immigrant workers are at particular risk now that many employers feel they can threaten immigrants with impunity. First, the NYS Department of Labor (DOL) is under-resourced, and nearly all of its funding comes from the federal government. Second, corporations' use of forced arbitration agreements is compelling workers to waive their right to go to court if they face illegal exploitation. The EmPIRE Worker Protection Act extends the DOL's reach by allowing workers and advocates to step in and represent the public, bringing actions to hold law-breaking employers accountable, and helping to fund the NYS DOL.

## 7. Mandate an economy-wide shift to renewable energy: Pass the Climate and Community Protection Act (A3876 Englebright | S2992 Kaminsky):

Climate change is one of the gravest challenges facing our country. In response, we must pass the most ambitious and far-reaching climate bill that cuts greenhouse gas pollution from all sectors of the economy, protects communities and workers on the front lines of climate change, ensures that jobs in the new energy economy conform with fair labor standards, and requires all state government decisions to align with climate and equity policies.

### FOR ADDITIONAL INFORMATION

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