

For Immediate Release

Press Contacts:

Alexander Bryden, JustLeadershipUSA

Cell: 908.400.7056; alexander@justleadershipusa.org

SURVIVORS OF NEW YORK STATE'S JAIL CRISIS AND ADVOCATES STATEWIDE PEN
LETTER TO GOV. CUOMO:

"YOUR PROMISE TO END CASH BAIL MUST RESULT IN DECARCERATION."

**More than 100 Groups Statewide Demand that New York Lead the Country by Passing
Bail Legislation that Eliminates Wealth & Race-Based Incarceration**

December 5, 2018 – In a tremendous show of unity statewide, 130 organizations from New York City to Buffalo, have signed onto an Open Letter to Governor Cuomo published in the New York Daily News today, highlighting principles for bail overhaul in 2019. Directly impacted people, grassroots organizations, public defenders, civil rights and civil liberties groups, faith leaders and justice advocates call on the Governor to be a national leader and enact bail reform that decarcerates jails across the state.

Building on Governor Cuomo's commitment to end cash bail, the coalition advocates for bail legislation that results in a vast decrease in the number of people incarcerated pretrial, an end to wealth and race-based jailing and true due process protections. According to advocates:

- On any given day last year, over 16,000 New Yorkers sat in jail pretrial, overwhelmingly because they could not afford bail.^[1]
- In September, Governor Cuomo [called for an end to cash bail](#). While advocates applaud his commitment to action, they are united in the belief that **decarceration must be the central priority of the Governor's bail reform efforts.**
- New York has a powerful opportunity to end the pretrial jailing crisis without replacing the current unjust system with racially-biased risk assessments, mass community surveillance, or expansive "preventative" detention.
- Any bail legislation must protect the presumption of innocence, guarantee pretrial liberty for the greatest number of people, and eliminate racial and economic injustice.

Organizers of the open letter said the following:

"As a person who spent 11 months in the Nassau County jail pretrial, I know the tremendous harm of New York's current bail system, said **Marvin Mayfield, member of JustLeadershipUSA and leader of the #FREEnewyork Campaign**. I also know the tremendous power of this statewide movement for justice, evident in the 130+ organizations signed onto this letter and united in a demand for bail legislation that

eliminates wealth and race-based jailing and vastly reduces the number of people incarcerated pretrial. We appreciate Governor Cuomo's commitment to bail reform and urge him to enact legislation that decarcerates jails across the state. In 2019, Governor Cuomo and the New York State Legislature have a historic opportunity to overhaul bail and end a system of mass pretrial incarceration. Directly impacted people and advocates across the state will work tirelessly for these outcomes.

"As someone building grassroots power in communities targeted by mass criminalization, as well as a person directly impacted by New York's "justice" system, I've experienced first-hand the problems with our bail system: it discriminates, causes trauma, and deprives people of their right to pretrial liberty, says **Quintin Cross, Lead Organizer for the Hudson Valley Chapter of Citizen Action of New York**. 'Reforming around the edges' of this unjust system will only result in the continued criminalization and mass jailing of Black, Brown, and low-income communities. That is why we expect bail legislation to meet the standards of this letter and transform the pretrial system. We expect Governor Cuomo and the New York State Legislature to stand with us and take swift and meaningful action."

"The results of the November election present an opportunity to make New York the progressive leader in criminal justice reform in the nation, especially on the issue of bail," says **Marie Ndiaye, Supervising Attorney of the Legal Aid Society's Decarceration Project**. "With Governor Cuomo's commitment to reform and his leadership, we can actually implement the changes necessary to end mass pretrial detention and the race based disparities plaguing our system. We look forward to working with everyone in Albany to see the principles laid out in this letter turned into legislation."

"Ending money bail is important because the wealth-based system oppresses people who are unable to pay, allows for-profit bail bondsmen to enrich themselves off other people's suffering and acts as a tax on people's families who lose their savings and even their homes trying to bail their loved ones out of jail. It's not right," says **Roger Clark, Community Leader of VOCAL-NY**. Governor Cuomo must do everything in his power to ensure that the criminal injustice system becomes more fair – this means removing prosecutor's ability to use money bail, pre-trial incarceration and weak discovery laws to coerce guilty pleas but also eliminating racial disparities and ensuring that everyone actually gets their day in court."

"Communities across the State are uniting their voices to end mass incarceration," says **TJ Shivers, member of New York Communities for Change**. This letter represents the rallying cry of impacted communities. Together, we are urging the Governor to not only end cash bail, but to bring innocent people home with their families. We urge Governor Cuomo to stand up for real justice this legislative session."

"Our justice system is riddled with prejudice and disproportionately affects people of color and people who live in poverty, says **Donna Lieberman, Executive Director of the New York Civil Liberties Union (NYCLU)**. Governor Cuomo and our State Legislature must work together to seize the opportunity to go beyond ending our unjust cash bail system by

enacting meaningful reform to significantly decrease the number of people in New York jails.”

"New York’s current bail system leads to the incarceration of tens of thousands of people pretrial, violating the bedrock protection of “innocent unless proven guilty,” says **Mohini Sharma, Lead Organizer of Metro Justice**. “We fight for legislation that allows New Yorkers to await trial and fight their cases at home, with their family, and without losing their jobs.”

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^[1] Department of Criminal Justice Services (DCJS), “Jail Population Report,” http://www.criminaljustice.ny.gov/crimnet/ojsa/jail_pop_y.pdf (2017).