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STATEMENT: Empire Justice Center CEO Kristin Brown Shares Highlights of the 2021 Legislative Session

The 2021 legislative session was both challenging and rewarding. Challenging because the pandemic made it harder to organize and interact with colleagues and legislators. Rewarding because we achieved major victories for low-income and marginalized New Yorkers in spite of the challenges.

On the funding front, all the programs we administer benefiting low-and-moderate income New Yorkers received at least level funding. These programs include the Disability Advocacy Program (DAP) for very low-income disabled people, the Homeowner Protection Program (HOPP) for homeowners facing foreclosure, the Liberty Defense Program for immigrants facing removal proceedings, and the Consumer Health Advocates (CHA) program for people coping with medical debt and unfair healthcare care decisions. We are also especially grateful to Majority Leader Andrea Stewart-Cousins for supporting our immigration work in Yonkers.

A project close to my heart during this session is the pilot Tenant Defense Program in Rochester. Senators Sean Ryan, Samra Brouk, Jeremy Cooney and the rest of the Rochester delegation fought for funding to allow all Rochester-area legal services organizations to provide representation for low-income tenants facing housing instability. This is the first step towards a large scale right-to-counsel program in New York state.

Empire Justice Center also led efforts in helping to pass several pieces of policy legislation affecting thousands of low-income and marginalized New Yorkers:

- **Passing the Gender Recognition Act.** In collaboration with the Transgender Legal Defense & Education Fund (TLDEF) and a robust coalition of advocates, Empire Justice Center worked with Senator Brad Hoylman and Assemblymember Daniel O'Donnell pass the New York State Gender Recognition Act (S.4402/A.5465). The measure is a comprehensive bill that will create streamlined and privacy-protective processes for

transgender and nonbinary New Yorkers to update and obtain accurate identification documents. Our Policy and Communications Manager, Eòghann Renfroe, who was a lead advocate on the bill put it this way: “This bill is not just about securing documents that reflect our identities as transgender, nonbinary, or intersex people, it’s about securing our safety, our housing, our education, our health – in all the situations and places where that little ID card or scrap of paper is between us and what we need to survive and thrive.”

- **Fixing New York’s broken part-time unemployment system**, which was one of the worst in the nation. Until the passage of the measure, New York’s system was especially punishing for 600,000 low-income part-time workers. The current system disincentivizes part-time work by taking away almost all unemployment benefits when a person works just a few hours per week spread out over three or four days. The measures that passed under Senator Jessica Ramos and Assemblymember Al Stirpe’s leadership (S.7148/A.7959 and S.1042/A.2355) — will revamp New York’s partial unemployment system by reducing unemployment benefits based on actual earnings the worker receives from part-time employment, instead of number of days-worked. In addition, the law also requires the New York State’s Department of Labor to implement an immediate interim fix by allowing workers to work up to 10 hours a week without reduction in part-time unemployment benefits, up from the current 4 hours.
- **Passing a bill to improve the benefits sanctions process (again)**. The legislature passed for a second time a measure that would provide a more fair and efficient process for public benefits recipients to respond to sanctions violations allegations. The measures (S.0668/A.3227) were championed by Senator Rachel May and Assemblymember Pamela Hunter’s in 2019, then vetoed by the Governor, and passed in this session under their leadership again. Currently, New Yorkers outside of New York City who receive public assistance who miss as little as a single day of work can face an automatic suspension of benefits for up to six months due to the existing “sanctions process.” Many people who are subjected to sanctions do not have the resources necessary to pursue a successful appeal. Those who do request a hearing remain sanctioned for months unless they have requested their hearing within ten days, resulting in hardship and homelessness. This bill also carries special meaning for Empire Justice Center because it gives protections to people in rest of the state the same protections New York City recipients already have, and this bill carries the imprint and hard work of our Senior Attorney Don Friedman, who passed away in 2020. We have strong hopes that the Governor will sign the measure into law this time.
- **Repealing the unfair lien on public benefits recipients**. We helped repeal current laws that require applicants for public assistance who own homes to give a mortgage to the county as a condition for eligibility for public assistance. The measure was championed by Senators Roxanne Persaud and Liz Krueger and Assemblymember Linda Rosenthal during the budget negotiations process. New York was the last state in the nation to require homeowners to give a mortgage on their homes in exchange for receiving

welfare benefits, perpetuating an endless cycle of poverty and hardships. The repeal is effective April 1, 2022.

- **Reducing interest rates on civil judgements for consumers.** We are also very proud to have been part of New York for Responsible Lending's effort in passing (A.6474/S.5727). The measure will reduce interest rate on civil judgements against consumers from 9% to 2%.
- **Language access in Monroe County.** At the local level, Empire Justice advocates under Marlene Cortés' leadership helped pass a law that created a coordinator position for access to language. As a direct result of the position, the Monroe County Executive is now providing weekly Covid-related updates in Spanish. We are grateful for support from then County Legislator Yversha Román and Legislator Linda Hasman.

Much work remains in the immediate future:

- As a public interest law firm for low-income New Yorkers, we are committed to passing measures that will provide legal representation to immigrants in immigration cases regardless of status in all of New York state.
- Access to language is a priority for Empire Justice Center. We are glad to see S.5236 pass the Senate under Senator Kennedy's leadership, and look forward to working with Assemblymember Joyner and advocates to getting it passed in the Assembly and signed by the Governor. This measure requires documents and forms to be provided in the twelve most common non-English languages based on census data.
- We are also working to restore small monthly supplemental payments to elderly and disabled New Yorkers, including non-parent caregivers, who are eligible for Supplemental Security Income (SSI). Measure A.7528 already passed the Assembly under Social Services Chair Linda Rosenthal's leadership, and we look forward to getting it passed in the Senate (S.7035) with Senator May and the leader.

I am so proud and grateful to our Empire Justice Center staff, coalition colleagues, and legislative champions including Assemblymembers Helene Weinstein, Linda Rosenthal, Dick Gottfried, Danny O'Donnell, Jeff Dinowitz, Al Stirpe, Harry Bronson, Sarah Clark, Catalina Cruz, Jen Lunsford, Demond Meeks, Latoya Joyner, Chuck Lavine, Jessica González-Rojas, Speaker Heastie and their hardworking staff, as well as Assembly Central Staff.

In the Senate, we are truly grateful to Leader Andrea Stewart-Cousins, Senators Brad Hoylman, Jessica Ramos, Sean Ryan, Samra Brouk, Roxanne Persaud, Jeremy Cooney, Liz Krueger, Kevin Thomas, Brian Kavanagh, and their dedicated staff, as well as Senate Central Staff.

We find meaning in our work in making the law work for all New Yorkers. Thank you for your commitment and interest in our work.

To find out more about Empire Justice Center, visit our website, www.empirejustice.org.

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Empire Justice Center is a statewide, multi-issue, multi-strategy, public interest law firm focused on changing the “systems” within which poor and low-income families live. Empire Justice protects and strengthens the legal rights of people in New York State who are poor, disabled or disenfranchised through: systems change advocacy, training and support to other advocates and organizations, and high quality direct civil legal representation. Empire Justice has offices in Albany, Rochester, Yonkers, White Plains and Central Islip on Long Island.