

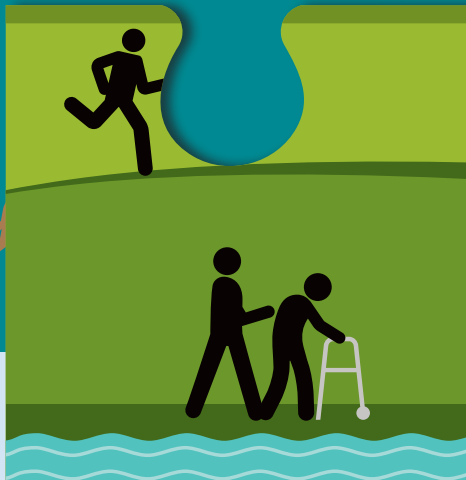
New York State Black, Puerto Rican, Hispanic, & Asian Legislative Caucus

The People's Budget BUDGET EQUITY XXXI

Assemblywoman Michaelle Solages, Chair



Building Resilient Communities



Assemblywoman Karines Reyes, Caucus Budget Co-Chair
Senator Zellnor Myrie, Caucus Budget Co-Chair



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**Message from the Caucus Chair
Assemblymember Michaëlle C. Solages
SFY 2023-2024**

I am honored, as Chair of the New York State Black, Puerto Rican, Hispanic, and Asian Legislative Caucus, to present: The People’s Budget – Budget Equity XXXI: Building Resilient Communities.

With a membership of 76 lawmakers, the Caucus is the largest of its kind in the nation. Through our individual and collective efforts, the Caucus remains instrumental in advancing policies focused on equity for the marginalized and the forgotten. It is our mission to continue the legacy of our founders and remain a voice for the marginalized people of New York State.

The Caucus will continue to leverage its power on behalf of Black, Latino, and Asian New Yorkers so that we can enact new, bold, and innovative policies that provide for a just transition from fossil fuel, housing preservation measures aimed at protecting financially vulnerable individuals, raising the minimum wage for all, and a fair tax system that does not overburden the working and middle class.

Each year, our members organize our spending and policy goals for the state and present it to our partners in government to highlight the imperative needs of Black, Latino, and Asian New Yorkers. We can and must effectuate generational change to tackle the systemic inequities and disparities that plague our society. Let this document continue to be a blueprint. We thank you for your engagement and hope to see you on the front lines building a more prosperous and resilient state.





**Message from the State Budget Subcommittee Chairs
Senator Zellnor Y. Myrie and Assemblymember Karines Reyes
SFY 2023-2024**

It is our pleasure to share with the Governor, our colleagues, and our fellow New Yorkers the 2023-24 People’s Budget: Building Resilient Communities. This year, we have the opportunity to make substantial investments in our communities’ economic, environmental, and social empowerment. The 2023-24 People’s Budget reflects the combined efforts and voices of a broad spectrum of residents, community organizations, lawmakers, and not-for-profit groups who together are united in ensuring our budget process leaves no New Yorker behind, regardless of their race, age, gender, ethnicity, sexual orientation, economic circumstances, or ZIP code.

The People’s Budget seeks to build an inclusive and thriving New York where the needs of overlooked communities are centered. From taking on the climate catastrophe and addressing our state’s affordability crisis, to improving public safety and continuing to make New York a leader in criminal legal reform, this budget offers real policy ideas that would strengthen communities across our state. This year is a perfect opportunity to rethink the tired policymaking that has defined our state budget process, and in its place pursue a more inclusive process that truly involves regular New Yorkers in determining their government’s priorities.

Budgets are a reflection of our values. More than simply numbers on a balance sheet, the state budget is a roadmap to a more inclusive, equitable and just New York State. From Brentwood to Brooklyn to Buffalo, this budget proposes significant investments and policy changes that will empower communities and clearly position New York as a national progressive leader. We are grateful to all who took part in the collaborative process that created this strong, focused, and necessary statement of our shared priorities and values.

We join the New York Black, Puerto Rican, Hispanic, and Asian Caucus in thanking you for taking the time to review this year’s People’s Budget and encourage you to make your voice heard as your elected representatives begin the monumental process of determining our state’s spending and policy priorities for the next year. The 2023-24 People’s Budget offers a plan for the future that New Yorkers can be proud of, and we look forward to advocating for its passage during this legislative session.





ACKNOWLEDGEMENTS

We would like to express special appreciation to all the Caucus members, legislative staff, advocates, and everyday New Yorkers who have contributed to this publication. Without their talents and commitment, this would not have been possible.

Joshua Joseph, Caucus Executive Director

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We thank all New Yorkers for their continued advocacy to improve the quality of our state. Their efforts greatly contributed to the content of this document.



BUDGET HIGHLIGHTS: FINANCIAL PLAN

- **All Funds Spending:** The Executive Budget estimates All Funds Spending for State Fiscal Year (SFY) 2023-24 of \$227.0 billion, an annual growth of 2.4 percent.
- **State Operating Funds Spending:** The Executive estimates total State Operating Funds disbursements of \$125.2 billion in SFY 2023-24, reflecting an annual growth of 2.0 percent.
- **General Fund Spending:** The Executive estimates General Fund disbursements in SFY 2023-24 of \$106.9 billion, for an annual growth of \$12.4 billion or 13.2 percent.
- **Current General Fund Budget Surplus:** The Executive proposal projects a budget surplus of \$8.7 billion in SFY 2022-23, as a result of continued growth in tax receipts and downward revisions to estimated disbursements.
- **Out-year Budget Gaps:** The Executive estimates budget gaps of \$5.7 billion in SFY 2024-25, \$9.0 billion in SFY 2025-26, and \$7.5 billion in SFY 2026-27.
- **General Fund Closing Balance:** The Executive estimates the SFY 2023-24 General Fund closing balance will be \$34.7 billion, a decrease of \$2.4 billion from the current fiscal year.
- **General Fund Reserves:** The Executive Budget also includes language that would increase deposits in Rainy Day reserves from 15 to 20 percent of State Operating Funds spending.



The People's Budget: *BUDGET & REVENUE*



Since the start of the Pandemic, City Harvest has distributed over 300 million pounds of food, mostly fresh produce, to a network of over 400 food pantries. Our citywide network of food programs serves well over 2.4 million New Yorkers who lack the income to afford the cost of food, housing, transportation, childcare and medical expenses in our City; over 80 percent of these New Yorkers are BIPOC families.

Food insecurity is a clear racial equity issue. As a food bank that has tirelessly fought to keep food on the plate for millions of New Yorkers, we know far too well that charitable food programs cannot end hunger without effective public policy. Census data demonstrated that food insufficiency dipped when new relief programs were distributed to families, and, inversely, food pantry visits increased when economic relief programs expired. As families continue to face the reality of 40-year high inflationary food prices, it is important that we do not make the mistake of disinvesting in efforts that protected so many families from falling deeper into poverty.

Jerome Nathaniel, Director of Policy and Government Relations



Reform the Estate Tax, or Tax Inherited Income

Like capital gains, many wealthy people make their money not from going to work, but from inheriting enormous sums of money from their family. Currently, in New York, a person can gain \$5 million in one year through inheritance and pay no tax on it. State tax policy must focus on mitigating economic inequality. Intergenerational wealth accumulation is one of the main sources of long-term inequality and must therefore be directly addressed by the tax law. New York currently has an estate tax, which imposes a tax on the total assets of a deceased person. However, the current estate tax rate is very low, ranging from 5% to 16%, and it only applies to estates worth more than \$5.85 million. This is one of the highest estate tax exemptions in the country, having steadily skyrocketed from \$300,000 prior to 2000.

An effective inheritance tax is particularly critical for addressing the racial wealth gap. In order to effectively tax intergenerational wealth transfers, we need a comprehensive system of taxes on estates, inheritances, and gifts. This proposal lowers the estate tax threshold, with progressive marginal tax rates (as specified in the above summary) applying to estates worth more than \$750,000. The Caucus supports reforming the system for taxing inherited wealth by changing the estate tax rates and brackets, introducing a gift tax, and introducing a tax on inherited income, both as a source of funding for general governmental purposes and in order to help reduce racial and economic inequality.

Personal Income Tax

Prior to the 2008 financial crisis, New York’s Personal Income Tax (PIT) was flat for all income earned above \$40,000. To fill budget gaps created by the ensuing recession, the legislature created two higher tax brackets on income above \$300,000 and \$500,000. For the FY 2023-2024 budget, the Caucus supports an increase in the rates for the “millionaire” brackets (for about \$1 million, \$5 million, and \$25 million in annual income), and the restoration of the \$500,000 tax bracket.

Capital Gains on a Mark-to-Market Basis

The Institute on Taxation and Economic Policy (ITEP) estimates that New Yorkers with more than \$30 million in assets collectively hold more than \$3 trillion in unrealized capital gains — 46 percent of their total wealth. Much of this wealth will not be taxed under current law, largely due to the step up in basis rules that eliminate taxable gain when assets are passed on to one’s heirs at death. The Caucus calls for a tax on capital gains on a mark-to-market basis. This tax is necessary to address the growing wealth inequality crisis and to raise the necessary funds to fill budget gaps and to fully fund the programs New York State needs.

Rainy Day Fund

While it is imperative that the Executive make immediate investments into the state’s social infrastructure to promote more positive outcomes for New Yorkers, it remains important for the state to set aside a rainy-day fund in preparation for a potential fiscal downturn.



Long-Term Capital Gains

Capital gain is profit from the sale of assets such as stocks and bonds, real estate, intellectual property, or artwork. New York taxes capital gains at the same rates as all other income from other sources. The federal tax code, however, provides a significant tax break for long-term capital gains. While the top federal tax rate on individual income is 37 percent (and was 39.6 percent prior to the 2017 Tax Cuts and Jobs Act), the top federal tax rate on long-term capital gains is just 20 percent. According to the Tax Policy Center, in 2019 over 75 percent of all long-term capital gains went to the top 1 percent of earners, and only 6 percent of all long-term capital gains went to the bottom 80 percent of earners. The Caucus calls for raising tax rates on long-term capital gains for high earners; the tax system would better target wealth inequality.

New York’s Pass-Through Entity Tax (PTET)

The wealth of the ultra-rich generally takes the form of business holdings, whether through privately or publicly owned corporations or through “pass-through” businesses such as partnerships and LLCs. Taxing business profits is thus an important policy tool for both reducing inequality and raising revenue. Currently, this tax is 100 percent rebated, bringing in no additional revenue. The tax is not designed to raise revenue, but rather to work around the federal limitation of the state and local tax deduction, and it overwhelmingly benefits the wealthy. According to the Institute on Taxation and Economic Policy (ITEP), 85 percent of the benefit of the state and local tax deduction in New York State goes to the top 5 percent of income earners.

Digital Ad Tax

The pandemic made the richest people in the country even richer while working families were pushed to the brink of hunger and eviction. As we begin to recover, one thing couldn’t be clearer: we need to dramatically expand funding for public services that can support working families and make sure that corporations pay their fair share. There’s a policy solution that lets us do both: a tax on Big Tech digital advertising. Corporations like Amazon and Facebook make huge profits on digital ads but evade taxes on those profits. All the while, they continue to fuel gentrification, hike housing rates, underpay their workers, and hurt Black and Brown communities.

In Maryland, Massachusetts, West Virginia, Texas, Montana, Connecticut and New York, communities are fighting back to demand Big Tech pay up by passing digital advertising taxes to fund affordable housing, public education, public university tuition and more. The Caucus calls for a digital ad tax to raise \$1.2 billion annually for our state.

Profit-Shifting of Multinational Corporations

The Caucus advocates for an increase in the amount of Global Intangible Low-Taxed Income (GILTI) includible in the state corporate tax. GILTI is a provision of the 2017 Tax Cuts and Jobs Act that targets the profit-shifting of multinational corporations by taxing unusually high profits in overseas jurisdictions.



BUDGET HIGHLIGHTS: ENVIRONMENT, AGRICULTURE AND ENERGY

- **Environmental Protection Fund (EPF):** The Executive proposal includes \$400 million for the EPF, comprised of \$54.3 million for solid waste programs, \$114.2 million for parks and recreation, \$186.9 million for open space programs, and \$44.7 million for climate change programs.
- **Clean Water, Clean Air, and Green Jobs Environmental Bond Act:** The Executive proposes 265 additional FTE positions across five state agencies to begin implementing the Environmental Bond Act approved by the voters in November of 2022.
- **Climate Leadership and Community Protection Act (CLCPA):** The Executive proposes Article VII legislation that would: prohibit fossil fuel equipment and building systems in new construction beginning in 2025 and to phase out the sale and installation of fossil fuel heating equipment in existing buildings beginning in 2030; initiate the development of a Cap-and-Invest Program; and authorize New York Power Authority (NYPA) to develop renewable energy generation projects.
- **Energy Affordability:** The Executive proposal includes a \$200 million capital appropriation to support the EmPower Plus program to help low-income families retrofit their homes to make them more energy efficient. Additionally, the Executive proposes a \$200 million appropriation for the Department of Public Service for the Energy Affordability Program.
- **State Superfund Program:** The Executive proposal continues to fully fund the State's Superfund Program with a \$100 million appropriation, including support for the Environmental Restoration Program.
- **Clean Water Infrastructure:** The Executive proposal includes \$430 million, an increase of \$46.5 million, for the Clean Water State Revolving Fund, reflecting increased federal aid through the Infrastructure Investment and Jobs Act (IIJA). The Executive also proposes \$500 million for water infrastructure programs, for a total of \$5 billion in appropriations.
- **State Parks:** The Executive proposal includes capital funding of \$200 million in New York Works funding for state parks.



The People's Budget:

CLIMATE ACTION, ENVIRONMENTAL JUSTICE, AND ENERGY



My name is Daniel Atonna. I live in the City of Poughkeepsie, which rests along the beautiful Hudson River. I grew up playing on the waterfront, having picnics and skipping stones. Poughkeepsie is part of the Hudson 7, one of seven mid-Hudson municipalities that draws drinking water from the river. Every summer, Waryas Park on the waterfront is the site of dozens of community events that bring people of all backgrounds together. Our fate is tied to the river. The river gives, but it also has the power to take away. According to NY's Department of Environmental Conservation the Hudson could rise 2 to 4 feet by 2080, and up to 6 feet by 2100. The higher the river is, the more at-risk we are for severe flooding when it rains. The quality of our drinking water will also be impacted because as the river changes so does the chemical composition of the water. These changes will hurt lower-income people and communities of color the most. The city I love could be destroyed by the river I love.

The reason for the river's rise is climate change. Human activity, like burning fossil fuels, is releasing more greenhouse gasses into the atmosphere. These gasses trap in heat from the Sun. This causes the average global temperature to rise. Global warming melts the ice caps and heats the water. When oceans and rivers heat up, the water expands. This is why the Hudson River is rising. Some of this is irreversible, but there is still time to stop the worst of climate change. Our legislators in Albany must pass the New York Build Public Renewables Act (BPRA) so that our state's existing public power utility, the New York Power Authority, can build publicly-owned utility-scale renewable energy projects all across the state. We cannot rely on the private sector to build renewable energy projects fast enough to stop the burning of fossil fuels. I applaud the Black, Puerto Rican, Hispanic & Asian Legislative Caucus for supporting BPRA. Please pass BPRA in January to protect Poughkeepsie and everyone else in this state. Thank you.



Climate and Community Protection Fund (CCPF)

New York State has one of the most ambitious laws in the country to slash greenhouse gas emissions and direct program benefits to historically disadvantaged communities. Unfortunately, the law has not yet been funded so that it may be fully implemented. The Caucus is advocating for the creation of a Climate and Community Protection Fund (CCPF) as a method of establishing dedicated funds and accounts within the NYS budget to finance the work of implementing the Climate Leadership and Community Protection Act (CLCPA).

Environmental Justice Advisory Group

At the end of 2019, New York State passed the important Environmental Justice Law, which is part of the CLCPA. This law will create a permanent Environmental Justice Advisory Group in the Department of Environmental Conservation, giving impacted communities a seat at the table. This advisory group is critical to ensuring that CLCPA is fully and authentically realized, yet the deadline has passed for instating the Environmental Justice Advisory Group. The Caucus calls for the full establishment and functioning of this advisory group, which will gauge and assess compliance with environmental justice policies.

New York Build Public Renewables Act (BPRA)

The New York Power Authority (NYPA), the largest public power utility in the country, is the lowest-cost electricity supplier in the state, and hydropower (a renewable resource) represents 70 percent of all its production. But there are major restrictions on what NYPA can do — for instance, NYPA legally is currently not allowed to own or build new utility-scale renewable energy projects, nor is it allowed to directly sell energy to individual households. This is a huge barrier to increasing renewable energy and keeping down energy costs. The Caucus supports the New York Build Public Renewables Act as a method of reaching the goals outlined in the Climate Leadership and Community Protection Act (CLCPA).

Increasing the Environmental Protection Fund (EPF)

The Caucus urges an increase in funding for the EPF as we work towards a goal of \$500 million by 2025. In particular, we urge the increase of the environmental justice line in the EPF, to ensure that frontline communities are receiving tangible environmental health benefits.

Lead Poisoning Prevention through Local County Health Departments

According to the World Health Organization, a child reaching 10 micrograms faces developmental toxicity, or permanent damage, due to lead exposure. The United States Center for Disease Control recently changed their "blood lead levels of concern" from 10 to 5 micrograms, so that taking action at 5 micrograms can help families address the cause of exposure before the permanent effects of this preventable health condition are realized. The Caucus calls for increasing the budget of Local County Health Departments from \$14 million to \$50 million to support the existing and additional counties within the Childhood Lead Poisoning Primary Prevention Program.



Increased Staffing for Relevant Climate Action Agencies

For New York to meet the goals of the CLCPA, as well as protect clean water and clean air, and efficiently administer key programs that protect our environment and public health, there must be an increase in staffing in key New York State agencies. We urge an investment in our state environmental agencies by increasing staffing levels putting them on the path to restoration to their 2008 levels, including:

- Authorizing a total of 3,300 Full-time Employees (FTEs) at the Department of Environmental Conservation (DEC)
- Authorizing a total of 2,300 FTEs at Office of Parks, Recreation and Historic Preservation
- Authorizing the addition of 10 FTEs at the Department of Agriculture and Markets
- Authorizing an increase of several hundred FTEs in the Department of Health.

In addition, the Caucus calls for the inclusion of a Tribal Affairs Liaison in the Office of Renewable Energy Siting within the Department of Environmental Conservation (DEC) to ensure the state is working collaboratively with the sovereign tribal nations

Ending Fossil Fuel Subsidies

New York State spends over \$1.5 billion every year on fossil fuel related tax expenditures, as well as an unknown sum on economic development tax expenditures that incidentally support the use of fossil fuels, distorting the market and subsidizing the emission of greenhouse gases that drive the climate crisis. Some of these tax expenditures may serve a compelling public interest such as offering heating assistance to low-income New Yorkers. However, a significant proportion of the spending serves to prop-up outdated industries or reward energy inefficiencies leading to a double cost to taxpayers - once for the direct tax expenditure and again for the environmental damage resulting from the continued burning of fossil fuels. The Caucus supports a repeal of these expenditures.

Low-Income Home Energy Assistance Program

The Caucus calls for an additional \$500 million in funding for the Low-Income Home Energy Assistance Program (LIHEAP), particularly requiring the Office of Temporary and Disability Assistance (OTDA) to allocate the expanded funding to the Cooling Assistance Program to subsidize summer utility bill costs for low-income customers. This initiative will make a significant impact on getting New York State to the commitment of capping energy burden at 6% for all households.

Combating PFAS & Other Emerging Contaminants

The Caucus supports the proposal for a \$25 million program funded through DEC to assist local municipalities and water systems that serve at-risk communities to test and filter PFAS and other emerging contaminants.



Gas Transition & Affordable Energy

New York urgently needs to align its regulation and oversight of gas utilities with the climate and equity mandates established by the CLCPA. New York's current public service law is not compatible with the CLCPA. The Public Service Law (PSL) promotes gas system expansion by establishing a gas utility obligation to serve any customer upon request while providing that existing customers subsidize new service connections, all of which move the state away from the important climate justice directives and binding emissions limits in the CLCPA.

To meet the CLCPA's bold climate and equity mandates, New York will need to drastically reduce gas use. This poses a particular challenge for gas utilities because their business models are currently premised on expanding not contracting - gas infrastructure and services. Allowing the tension between the public service law and the CLCPA to go unaddressed will significantly delay achievement of the CLCPA mandates while dramatically exacerbating affordability and equity challenges. Low-income New Yorkers will suffer the most if the state fails to properly plan for the inevitable contraction of the gas system, as they will be among a shrinking group of customers burdened with the cost of maintaining an increasingly obsolete distribution network. The Caucus supports efforts to ensure that state regulation and oversight of gas utilities provides for the equitable achievement of the climate justice and emission reduction mandates set forth in the Climate Leadership and Community Protection Act.

Survey of Climate Change and Adirondack Lake Ecosystems (SCALE)

The survey will provide a comprehensive assessment of Adirondack lakes, guiding our state in reducing asthma-causing pollutants, reducing carbon emissions and achieving climate justice. This survey will support the critical work of researchers that have protected our air for decades and leverage substantial research infrastructure and expertise. Consortium partners include leading scientists and water resource managers from universities, not-for-profits, and state and federal agencies. The Caucus calls for \$3 million as a second installation towards the 3-year project.

NYS Children's Environmental Health Centers

The NYS Children's Environmental Health Centers, aka "NYSCHECK", serve to prevent, diagnose, and treat environmentally related conditions for families across New York State. As the first state-based model for pediatric environmental health services in the country, New York now has dedicated pediatric champions across the state working together to protect and promote children's health and the environment. The Caucus supports an increase in funding to the New York State Children's Environmental Health Centers (NYSCHECK) by \$1 million to \$5 million in funding.



Protect Forests to Fight Climate Change

New York’s forests play an essential role in sequestering climate-altering carbon from our air. The fight for climate justice extends beyond communities of color that bear the brunt of climate change impacts. To achieve climate justice, New York must better protect and manage public and private forests to meet the goals set forth in the Climate Leadership and Community Protection Act. The Caucus supports an updated conservation easement program and forest tax law incentives to incentivize carbon sequestration.

The Timbuctoo Pipeline – A Summer Climate and Careers Institute

The Adirondack Park is a national treasure, one that will play a central role in New York’s effort to combat climate change. The fight for climate and social justice demands that as we fight climate change, we better connect the Adirondack Park with communities disproportionately affected by climate change. We should celebrate that New York’s Adirondack Park was a cradle of the early civil rights movement, dating back to the mid-1800s. Timbuctoo was the site of an early black suffrage settlement, one of twelve known settlements in the Adirondacks that enabled 3,000 black men to meet the property requirements granting them the right to vote in New York. The Timbuctoo Pipeline will connect youth to opportunities at the intersection of climate science and green careers, preparing them for the threats and opportunities we face in the 21st century.

This program is a systemic partnership between CUNY and SUNY institutions, with the goal of collaborating on the design, development and hosting of an annual Summer Climate and Careers Institute dedicated to introducing climate science and advocacy. This will help to create an exploration of intersectional careers and address systemic issues of access to the Adirondack Park from an equity and justice perspective. The Caucus supports an investment of \$2.1 million for this program.



BUDGET HIGHLIGHTS: HEALTH

- **Medicaid Global Cap:** The proposed Executive budget reflects the revised Medicaid Global Cap metric enacted in the SFY 2022-23 budget to be indexed on the five-year rolling average of the CMS Medicaid Spending Annual Growth rate. The Executive proposes a \$1.36 billion or 6.3 percent increase to Department of Health (DOH) Medicaid spending in SFY 2024. The Executive budget proposes a series of Medicaid actions to close a \$756.7 million deficit the DOH Medicaid program in SFY 2023-24.
- **Pharmacy Benefit Carve-Out:** The Executive proposes to implement the transition of the Medicaid pharmacy benefit from managed care to fee-for-service, for a state savings of \$410 million. The Executive would utilize \$368 million in savings to offset losses to 340B program participants.
- **Medicaid Rate Reimbursement Increases:** The Executive includes \$167 million to provide a five percent rate increase for nursing homes and assisted living providers.
- **Managed Long-Term Care (MLTC) Reform:** The Executive proposes to reform MLTC partial capitation plans and to competitively procure managed care organizations to achieve a state savings of \$65 million. Additionally, the Executive proposes to end supplemental funding to managed care quality pools, for a savings of \$111.8 million.
- **Comprehensive Health Insurance for Consumer Directed Personal Assistance Program (CDPAP) Workers:** The Executive proposes to discontinue wage parity for CDPAP workers, for a savings of \$124 million in SFY 2024-25. Additionally, the Executive proposal would provide for a state-funded supplemental health insurance premium assistance to offset the elimination of wage parity in CDPAP.
- **Essential Plan:** The Executive proposes to improve Essential Plan coverage by increasing reimbursement rates for healthcare providers, increasing funding for health plans, reducing cost sharing to move closer to parity with Medicaid, and expanding the pregnancy and postpartum benefit to all women whose incomes fall between 138 and 250 percent of the federal poverty level (FPL).
- **Capital:** The Executive proposes \$1 billion in capital investment for the next round of the Statewide Health Care Facility Transformation Program, including \$500 million for IT infrastructure.



BUDGET HIGHLIGHTS: MENTAL HYGIENE

- **New Investment:** The Executive proposes \$1 billion in capital and operating assistance for mental health and community-based services consisting of \$890 million for residential beds, \$90 million for outpatient and inpatient services, as well as other initiatives.
- **Cost of Living Adjustment (COLA):** The Executive proposes adding a 2.5 percent COLA to increase wages for voluntary Mental Hygiene providers. For the Mental Hygiene agencies, it would be a total of \$188.6 million for (Office People With Developmental Disabilities (OPWDD), Office of Mental Health (OMH) and NYS Office of Addiction Services and Supports (OASAS.)
- **Minimum Wage:** The Executive proposal would include an additional \$38 million for minimum wage increases for staff at voluntary not-for-profits licensed under OPWDD, OMH and OASAS.
- **Statewide Ombudsman Program:** The Executive proposal includes \$2 million in funding to create an ombudsman program to provide independent advocates for service recipients
- **Investment in Opioid Addiction Services:** The Executive proposal would continue investments in various initiatives to address the opioid crisis based on the recommendations provided by the Opioid Settlement Fund Advisory Board into SFY 2023-24.
- **Children’s Mental Health Programs Expansion:** The Executive proposal includes an additional \$12 million in funding to support the HealthySteps Program and Home-Based Crisis Intervention (HBCI) teams. In addition, \$10 million in funding is provided to create school-based clinics and \$5 million for High Fidelity wrap-around supports.



The People's Budget: *HEALTH & MENTAL HYGIENE*



I am angry—angry that Fair Pay for Home Care was not fully funded in New York’s budget in January 2022. And angry that the small pay increase that *was* approved won’t solve New York’s severe shortage of home care workers. This crisis has forced me to go without much-needed assistance every weekend. I have found myself in the hospital twice because of a lack of care. I need home care because I’m a 32-year-old disabled person with Spinal Muscular Atrophy.

I can’t live without home care workers. They help me get washed up, dressed, and into my chair. They clean my home, travel with me, and so much more. Without them, I’d be forced to return to a nursing facility; I fought hard to get out of there—for good reason.

Living in an institution was traumatic; I had no autonomy. I needed to live according to *their* schedules and policies. I witnessed violence, abuse, and neglect towards disabled people on a regular basis. I advocated fiercely for home- and community-based services, long term services, and support. Now I find that those resources are being ripped from under me like a rug, and I’m falling.

Jensen Caraballo (he/him) is a disability rights activist and a member of the Community Advisory Board at The Kelsey and Urban Institute. He also works as the Assistive Technology Loan Marketing Coordinator at the National Disability Institute. He is a 32-year-old Queer and Disabled person of color born in Guayama, Puerto Rico. Jensen is passionate about dismantling ableism and firmly believes that all lives are worth living with dignity and respect.



Health

New York Health Act

The Caucus supports the passage of the New York Health Act which would create a single-payer health care system for all New Yorkers regardless of age, income, employment, or documentation status.

Coverage for All

Unfortunately, many Americans with immigrant status are not eligible for Affordable Care Act benefits, leaving more than 400,000 immigrant New Yorkers to remain without coverage. This can create significant costs and challenges for the New York State Health Care System, as care is often only sought out and paid for in emergency settings and individuals are unable to seek care for potentially preventable conditions and diseases, which directly impacts them and the communities in which they live and work. The SFY 2022-23 budget included language expanding Medicaid to provide coverage to undocumented individuals age 65 or older. The Caucus is calling on the state to extend health benefits to New Yorkers regardless of their immigration status, which will make health care providers more financially sound and better equipped to provide high-quality care to anyone without insurance.

Removing the Medicaid Global Cap

The 2011 state budget imposed a percentage cap on Medicaid spending growth as proposed by the former Governor's Medicaid Redesign Team. The cap is calculated on an annual basis based upon the overall health care inflation rate seen over the past decade. For budgets, changes have been made, such as moving some expenditures out from under the cap and putting other expenditures back under it. The SFY 2022-23 Budget made revisions to the cap to increase transparency, however, the basic policy of a Medicaid Cap remains. The Caucus is calling for the removal of the Medicaid global cap.

Indigent Care Pool Funding/ Safety Net Hospitals

The redistribution of indigent care pool funding is important to better target support to safety net hospitals which provide services to persons who are uninsured, under insured, or covered through Medicaid. In addition, the Caucus advocates for a targeted increase in Medicaid reimbursement to reverse decades of disinvestment in safety net hospitals that provide essential healthcare services to a largely marginalized population of New Yorkers. Medicaid reimbursement to safety net hospitals providing care to New Yorkers should be increased to equitable levels, equivalent to the average commercial rate for the region to better reflect the market rate for services provided by all hospitals. Moreover, the Caucus supports prioritizing the distribution of Statewide Healthcare Facility Transformation Funds appropriated in SFY 23 to those safety-net hospitals without access to capital.



Medical Debt

The Department of Health distributes over a billion dollars annually in indigent care pool (ICP) funding to public and voluntary hospitals throughout the state. As a condition of receiving ICP funding, the law requires hospitals to offer free or discounted care to uninsured low- and moderate-income patients. Recent studies and news stories have documented that some hospitals are pursuing extraordinary collection actions and lawsuits against patients who live in neighborhoods that are disproportionately low-income or have a high percentage of people of color, furthering the income and racial inequality. The Caucus is advocating to require hospitals to use a uniform financial assistance policy and application as a condition of participation in the indigent care pool fund (ICP) and to expand the eligibility and protections available through financial assistance.

Nurse Family Partnership

In New York State, the Nurse Family Partnership (NFP) is a proven approach to promoting the health and well-being of vulnerable families. As a result, NFP nurses have continued to deliver the program and meet clients' needs throughout the COVID-19 pandemic. As gaps in prenatal and postpartum care have emerged during the pandemic, NFP has played a crucial role in filling these gaps in care through regular telehealth visits and ongoing communication with clients. NFP nurses were able to identify medical issues and complications and assisted with getting the medical care that families needed. The Caucus supports a continuation of funding for the NFP program.

Fair Pay for Home Care

Fair pay for home care invests heavily in home and community-based long-term support and care services to help resolve the home care workforce crisis, which has worsened over the past decade, and was exacerbated by the COVID-19 pandemic. This measure will respond to the home care workforce crisis by providing for much-needed living wage increases for these essential workers. Furthermore, it would establish a minimum wage and provider reimbursement for home care workers based at 150 percent of the regional minimum wage. The Caucus calls for full implementation of a living wage increase for essential workers.

Diversity in Medicine

Ensuring diversity in the physician workforce is a key component to improving health outcomes in communities of color. There is a wealth of research demonstrating that diverse physicians and racially concordant health care providers result in better outcomes. A recent study even showed that Black infant mortality rates were cut in half when the treating physician was Black.¹ Diversity in the physician workforce is critical in New York State, and the Caucus supports \$2 million in funding to sustain the program.

Preserving the 340B Program

The Caucus supports preserving the programs that are funded by the 340B program to ensure they may continue to render services to Black, Latino, Asian, and working-class New Yorkers.



Home Care Worker Protections

Home care workers in New York are essential to maintaining the daily well-being and long-term care of older adults and people living with chronic health conditions or disabilities. Home care workers and personal care aides are among the fastest-growing occupations in the state. New York State employs more than 210,000 home care workers and they rank as NYC's single largest occupational group. The demand for home care workers will only accelerate with a growing aging population. The statistics also show that these workers are predominantly women of color. It is increasingly apparent that many employers require their home care workers to work mandatory 24-hour shifts to care for people approved for around-the-clock care. Home care workers report that they are often required to work 24-hour shifts consecutively in a week. Studies have shown that prolonged periods of wakefulness (17 hours without sleep) can significantly impair hand-eye coordination, decision-making skills, and memory. The Caucus supports protecting home care workers from 24-hour shifts in order to safeguard the health, safety and general well-being of home care workers and their families, as well as care recipients, consumers and the public.

Community Health Advocates (CHA)

Community Health Advocates is a free helpline and network of 27 agencies to resolve any problems accessing the health care and coverage they need. The Caucus advocates for \$5.234 million in funding for CHA in FY24 to meet an increase in demand for services because of two policy changes: (1) CHA's helpline number being listed, since April 2022, on all Medicaid notices of adverse determination; and (2) the end of the Public Health Emergency that could potentially result in the avoidable risk of hundreds of thousands of New Yorkers losing Medicaid, putting them at health and economic risk and disrupting the healthcare system.

Safer Consumption Services Act

The Safer Consumption Services Act (SCS Act) allows local health districts and the New York State Department of Health to authorize community-based organizations to operate as safer consumption spaces (SCS), in which people can legally consume previously purchased illicit drugs with supervision from trained staff.

State Medicaid Coverage of Self-measured Blood Pressure (SMBP)

Strong scientific evidence shows that self-measured blood pressure (SMBP) monitoring, also known as home blood pressure monitoring, plus clinical support helps people with hypertension lower their blood pressure. Cardiovascular Disease (CVD) is the leading cause of death, and stroke is among the leading causes of disability, with high blood pressure, or hypertension, among the most important risk factors leading to CVD. In New York State (NYS), an estimated 4.9 million people, or 31.7% of the adult population, have been diagnosed with Hypertension. The Caucus supports state Medicaid coverage of self-measured blood pressure monitoring.



Diabetes

The Caucus is calling for a statewide \$30 cap on insulin, decreasing the cap on cost sharing from \$100 per month to \$30. This is in line with other states who are also addressing access to affordable insulin, including California and Connecticut. It is essential that New York State address the importance of affordable insulin so individuals can properly medicate themselves and avoid any unnecessary complications incurred due to exorbitant and unsustainable insulin costs.

Coverage for Asthma Treatment

Asthma is a chronic pulmonary obstructive disease that can significantly limit an individual's quality of life, and even result in death. In 2015, an estimated 1.5 million adults and 400,000 children had asthma in New York State. As disparities in asthma among those most marginalized in our society continue to grow, it is essential that New York State address ways to mitigate asthma and its harmful effects.

The Caucus calls for the establishment of a statewide asthma management and control program to coordinate the efforts of individuals, families, health care providers, schools, and community-based organizations to benefit New Yorkers. The purpose of this program would be to promote asthma disease management in the state and provide education to those who suffer from asthma, their families, providers, and the public. The Department of Health shall be tasked with studying the prevalence of asthma in the state, behavioral and environmental triggers of asthma, an assessment of case management to meet the needs of patients, among other factors that will assist officials in addressing and mitigating asthma. It is essential that New York State take steps to effectively track the disease and better understand its causes and triggers to give informed care to those families and individuals who need it the most

Maternal Mortality

Historically excluded and low-income communities in the United States are at disproportionately higher risks of poor birth outcomes, maternal mortality and other pregnancy-related complications. On April 13, 2022, the New York State Department of Health released a report titled, New York State Report on Pregnancy Associated Deaths in 2018, detailing the state of maternal health affairs in the state. According to the report, from 2016-2018, New York improved to 23rd in the United States with a maternal mortality rate of 18.1 deaths per 100,000 lives versus the rate of 24.4 between 2008-2010. While the decreased rate is noticeable, Black pregnant people experienced pregnancy-related deaths four to five times more compared to non-Hispanic or white pregnant people. The Caucus calls for increased funding to directly address the racial disparities in maternal health.



Reproductive Freedom Equity Fund

The Reproductive Freedom Equity Fund would create a mechanism to drive grant funds to improve abortion access in New York. Under this program, the NYS Department of Health would issue grant funding for which abortion providers and non-profit organizations that facilitate access to care are eligible to apply.

In recent years, states have continuously restricted access to abortion, effectively banning abortion in some parts of the country. Between navigating legal requirements and delays, affording the cost of care and travel, and managing associated costs such as childcare, lodging, and lost wages, abortion access in the U.S. is already in a perilous position. Bans on abortion are clear displays of discrimination and systemic racism, with the impacts of these actions harming Black, Indigenous, and other people of color, people with disabilities, people in rural areas, young people, undocumented people, and people having difficulty making ends meet. New York must be a leader in the fight for abortion justice. The Caucus supports \$50 million in state funding towards this goal.



Mental Hygiene

Maternal Mental Health

Mothers experience maternal mental health disorders such as depression and anxiety during the perinatal period—one year before and up to two years after a pregnancy. Combatting these issues should be a priority of New York State, especially when Black women experience a higher prevalence of maternal mental health conditions. Rates among Black women for postpartum depression and postpartum anxiety are especially concerning. In tandem with higher rates of conditions, black pregnant persons see their conditions and issues largely underreported, and unaddressed. The following initiatives aim to combat these systemic issues:

Doula Initiative

A doula is a trained, non-clinical professional who provides physical, emotional, and informational support to a pregnant person before, during, and after childbirth. Studies have shown that this type of personalized support for pregnant persons improves the birth experience and the physical and psychological outcomes for mother and baby, and can have a positive impact on the well-being of a whole family

- The Caucus supports a state work group to address Medicaid reimbursement rates and other criteria related to the Doula profession.
- The Caucus supports a statewide Community Doula directory to connect qualified doulas with Medicaid patients.

Monetary Maternity Support

The Caucus is advocating establishing a state-funded program to provide all birthing persons \$1,000 a month for the duration of their pregnancy and one year thereafter postpartum. Financial support to prepare and care for a child in this crucial time will have immense cascading benefits for both the mother and the child.

Daniel's Law

In the continued remembrance of the life of Daniel Prude, Daniel's Law will ensure a community-based, non-police, monitored and planned statewide response framework to better serve anyone in New York State experiencing a mental health or substance abuse crisis. The upcoming changes to Daniel's Law will amend the mental hygiene law, in relation to establishing the state-wide advisory emergency and crisis response council to service plans and provide support regarding the operation and financing of high-quality emergency and crisis services for persons experiencing a mental health or substance use crisis.



Youth Mental Health

Recent events like the pandemic have highlighted that youth mental health is at an all-time crisis point that needs immediate and bold remedies. To that end, the Caucus is advocating for the following proposals:

- School Counselors/Social Workers/Psychologists Study - increase the number of school counselors, school social workers and school psychologists across New York.
- Youth Telehealth - Establish a telehealth initiative to offer up to five, free mental health services to eligible youth.
- Black Youth Suicide Prevention Task Force - Establish a black youth suicide prevention task force to examine, evaluate, and determine how to improve the mental health and suicide prevention rates for New York's Black youth ages 5 through 18.



BUDGET HIGHLIGHTS: EDUCATION

- **General Support for Public Schools (GSPS):** The Executive proposes \$34.5 billion in total GSPS for the 2023-24 School Year (SY), an increase of \$3.1 billion or 10 percent over SY 2022-23, which includes a \$232 million increase in expense-based aids.
- **Foundation Aid:** The Executive provides a total of \$24.1 billion in Foundation Aid, which is a \$2.7 billion increase supporting the final year of the three-year phase-in of the Foundation Aid formula.
- **Tutoring:** The Executive would require certain school districts to spend an aggregate \$250 million in Foundation Aid on enhanced tutoring programs for students in grades 3-8.
- **Prekindergarten:** The Executive proposes a \$125 million increase in full-day prekindergarten including a \$100 million as-of-right allocation to districts and \$25 million in competitive grants.
- **Nonpublic Schools:** The Executive Budget provides \$193 million in state support to reimburse nonpublic schools for state-mandated costs, which is a \$1.9 million decrease from SY 2022-23, and caps the state's liability to nonpublic schools. Additionally, the Executive provides \$70 million for nonpublic STEM programs, an increase of \$12 million.
- **Charter Schools:** The Executive Budget proposes eliminating the regional cap on charter schools and to permanently authorize the reissuance of any charter originally issued to a charter school that closed after July 1, 2015 due to surrender, revocation, termination or non-renewal.
- **Special Education:** The Executive Budget provides \$2.5 million for the State Education Department to study and design a new rate-setting methodology in order to streamline tuition rates for special education service providers, with recommendations presented to the Division of Budget by July 1, 2025.



BUDGET HIGHLIGHTS: HIGHER EDUCATION

- **Operating Support for the State University of New York (SUNY) and City University of New York (CUNY):** The Executive Budget provides \$100 million in recurring operating support, which will provide \$60 million to SUNY state-operated campuses and \$40 million to CUNY senior colleges. Additionally, \$53 million for full-time faculty is continued for both SUNY and CUNY.
- **SUNY Transformation Funding:** The Executive includes several one-time funding proposals to expand enrollment and access to SUNY campuses. These include:
 - \$200 million for a digital transformation and IT infrastructure;
 - \$200 million in capital funding for new research buildings, laboratories and instruments at SUNY Stony Brook and Buffalo; and \$75 million for other initiatives that support innovation and address workforce needs.
- **State-Matching Fund for Endowment Contributions:** The Executive proposes a matching fund for contributions made to the endowments of SUNY's four university centers, providing \$1 for every \$2 of private contributions made to the endowment funds of the university centers.
- **Community College Funding Floor:** The Executive Budget would maintain the community college funding floor at 100 percent of prior year funding, preventing a \$138 million decline in support.
- **SUNY and CUNY Tuition:** The Executive Budget authorizes annual tuition increases for CUNY senior colleges and SUNY state-operated campuses by the lesser of the Higher Education Price Index or three percent and allows the tuition for SUNY's university centers to rise an additional six percent annually. This is projected to generate \$97 million in new support for SUNY and \$31 million for CUNY in the 2023-24 Academic Year (AY).
- **Opportunity Programs:** The Executive proposal would provide \$197 million to fund higher education opportunity programs administered by CUNY, SUNY and private colleges, a \$6 million decrease from SFY 2022-23.



The People's Budget:

EDUCATION & HIGHER EDUCATION



A 2017 report released by the Education Trust New York, *See Our Truth*, reported that while Latino and Black students made up 43% of statewide enrollment, only 16% of educators were Latino and Black, and only 24% of principals and 33% of assistant principals were Latino and Black. More than 115,000 Latino and Black students attended schools with no teachers of the same race or ethnicity. Further, Latino and Black students outside of the Big 5 school districts were nearly 13x more likely to have no exposure to an educator of the same race or ethnicity.

With the pandemic, rising school budget cuts and the severe shortage of educators and mental health staff entering the field, we are seeing an exacerbation of lacking representation and delivery of culturally and linguistically responsive supports for the most marginalized students. New York must make the necessary investments to 1) strengthen the educator pipeline for future educators of color, mental health staff, and bilingual educators; 2) Improve recruitment and hiring practices in school districts; and 3) Increase focus on retention, support, and career advancement of educators and support staff of color.

Danielle Demuse, Committee for Hispanic Children and Families



Education

Foundation Aid Funding/ Class Sizes

The Caucus supports the full funding of Foundation Aid with a phase-in plan. New York's students have been shortchanged for decades. Ensuring a sound, basic education is not a choice for the state government, it is a moral responsibility and, as the courts have said, also a constitutional requirement. New York State must continue to fulfill the promise of CFE and fully fund the Foundation Aid for schools.

Appropriately Resourcing State Aid Oversight & Monitoring

The Office of Education Finance collects and reviews tens of thousands of data points annually to calculate and pay nearly \$30 billion in state funds to districts across the state. The State Aid Office is not staffed sufficiently to perform these tasks. Currently, the State Aid Office has eight professional staff responsible for reviewing all aid claims, three professional staff responsible for making thousands of payments to districts totaling billions of state funds, and three professional staff responsible for all data used in state aid claims and calculations.

The Office of Education Finance comprises two units: State Aid and Fiscal Analysis. The State Aid Office's primary function is to calculate aid payments to districts per the education law and other state laws. As part of this function, the unit maintains a large data collection process where thousands of points of data are collected annually from each district as well as many other units and state agencies. This data must be processed appropriately and reviewed for accuracy. Much of the review and processing is automated by computer programmed checks. Much cannot be automated, and where automated checks exist, staff are needed to review district explanations for relevance, engage with districts that are uncertain on how to report data, and take a deeper dive than automated checks are capable of. The Caucus supports \$1.85 million for staffing needs.

Supporting the Blue Ribbon Commission on Graduation Measures

This Commission will review research, practice, and policy to gather input from statewide stakeholders on diploma requirements to ensure all students have access to multiple graduation measures. The funding request would support project management costs and event costs associated with the statewide Commission meetings. The Caucus supports \$200,000 in funding (annually for 2 years).

My Brother's Keeper

In 2016, New York led the way by becoming the first state in the nation to sign My Brother's Keeper into law. The program has been instrumental in providing new pathways and opportunities to young men of color. The Caucus supports a continuation of \$18 million in state funding to support the My Brother's Keeper program.



Creating Culturally Responsive-Sustaining Education Resources

The Caucus supports funding to curate, compile, and publish a set of racially and culturally inclusive education resources to support teaching and learning, using an interdisciplinary approach in the major subject areas and an additional \$50,000 in 2023-2024 to finalize the work that goes beyond the 2023-2024 fiscal year: Funds would be used to engage consultants, to act as a project manager tasked with oversight over the creation of the curricular guidance product including gathering and analyzing the data collected. NYS educators and content experts would form a workgroup to propose, review, critique, and recommend available education resources that can be used in grades K-12 to bolster existing curricula to address the goal of racial and cultural inclusion. A final published annotated resource document would be posted on the Department's website for use by the entire state. These activities are supplemented by the larger (Diversity, Equity, Inclusion) DEI initiatives outlined below. We support \$250,000 towards creating culturally responsive sustaining education resources.

Increase Teacher Diversity

According to the 2019 NYSED report titled "Educator Diversity Report," New York's student of color population is 50 percent. The racial and ethnic composition of the teacher workforce does not reflect the diversity of the student population. Teachers of color are underrepresented statewide. Access to a racially and culturally diverse teacher workforce is beneficial for all students, particularly for students of color, who often thrive in classrooms led by teachers who share their racial and cultural backgrounds. The Caucus supports \$5 million towards enhancing teacher diversity.

Early Childhood Education

Early care and learning programs, beginning from birth to kindergarten, provide the foundation children need to be successful both as students and as adults. Decades of research has established that children in low-income communities and at-risk children benefit the most from high-quality child-care programs and pre-Kindergarten. In New York State, we have made progress in several areas at a very slow pace. Outside of New York City there are still almost 80,000 children without access to full day pre-K.

Quality pre-kindergarten for every child is a strategy that is proven to work from decades of research. Pre-K programs are critical in helping to close the achievement gap as well as to arm children with the skills and tools necessary to succeed as adults. In Long Island, for example, the vast majority of high-needs children lack access to full day pre-K programs. Long Island is an area with stark socioeconomic differences, with school districts that are racially segregated and overwhelmingly low income. Investing at least \$150 million in expanding quality full day pre-K across New York State would benefit the high-need districts in Long Island and across the state.



Enhancing Oversight of Pre-K Programs

The Office of Early Learning oversees \$970 million in the State's investment into pre-K as well as the registration and renewals of Voluntary Registered Nursery Schools and Kindergartens. This currently includes 626 districts, 12 agencies, and three BOCES. Since 2019, the Office of Early Learning has received an additional \$120 million in pre-K funding to administer 143 new districts to oversee, with no additional staff to get this important work completed. This has caused a delay in getting funds to the districts in a timely manner and prevents important pre-K oversight work and program visits from occurring. As the Caucus advocates for a universal pre-K system statewide, it is crucial that NYSED offices have the financial support needed for quality assurance. The Caucus supports a \$1.9 million allocation to help address the staffing needs in the Office of Early Learning.

Healthy School Meals for All

New York State must establish and fund a permanent, statewide Healthy School Meals for All program that provides school breakfast and lunch at no cost to all students in schools participating in the National School Lunch Program. This policy would expand access to free school meals for an estimated 726,000 students statewide, ensuring meal program access for all students regardless of where they live or their household income. Providing school meals at no cost to all students is a proven strategy to reduce food insecurity, improve mental and physical health, alleviate stigma and administrative barriers to meal access, and support local food purchasing. As food insecurity disproportionately impacts Black and Latinx households, the Caucus advocates for Healthy School Meals for All as a meaningful step to advance racial equity in health and education.

Supporting our State-Owned Schools & Native American Students

The health and safety of students is of utmost importance. The annual amount appropriated for the capital needs of the state-owned schools - the State Schools for the Blind and Deaf, the Tuscarora Nation School, the Onondaga Nation School, and the St. Regis Mohawk School - has long been insufficient to meet the need, as it has been capped at \$3.4 million for many years. Local education agencies (LEAs) are allowed to use their federal education stimulus funds for health and safety capital projects. However, the 2021-2022 enacted budget did not provide an allocation of such funding to the state-owned schools, which serve some of the neediest students in New York State, to cover the cost of HVAC and other improvements to ensure the safety of the students attending these schools. While capital costs at state-owned schools are an eligible use of State Educational Agency (SEA) federal stimulus reserve funds, the enacted 2021-2022 state budget fully allocated these funds for other purposes. The Caucus supports \$40.5 million for Capital Funding and \$196,920 for staffing in the Office of Native American Education.



Improving Justice System Education Opportunities and Outcomes for Youth

When youth must be confined, detention and placement settings provide an opportunity to re-engage them in their education and future and to reset their trajectory. Educational programs also need the flexibility to design developmentally appropriate, culturally relevant, engaging individual education plans that may include, for example, credit recovery, special education services, career and technical education, access to career. The Caucus supports \$6.1 million towards improving justice system education opportunities and outcomes for youth.

Positive Learning Collaborative (PLC)

The Department of Education created PLC in 2012 to help educators improve school culture by moving away from punitive disciplinary systems that relied heavily on suspensions. For nearly a decade, PLC has successfully used social-emotional strategies, evidence-based training, and healing practices to overcome systemic barriers that hinder learning and turn schools into joyful communities in which to learn and grow. Reliance on suspensions in 40 PLC schools declined by 46% over the last 10 years and student surveys gauging positive climate increased by over 50%. PLC's team of clinicians and public-school educators including social workers, counselors, psychologists, and behavioral specialists works with a school's existing staff to build on their existing strengths and integrate a multi-tiered model of best practices. The Caucus is requesting \$2 million to sustain this vital program.

Increasing State Aid for Library Construction

Libraries are community institutions that provide wrap-around services that go beyond their mission statements. We must fully recognize their role in working class communities, and provide the structural support needed for libraries to continue providing vital services and resources to New Yorkers. The Caucus supports an increase of \$11 million in funding to better ensure that all New Yorkers continue to have access to state-of-the-art libraries.

Continuing Access to the NYS Summer School of the Arts

State funding to ensure that NYSSSA can remain available to all eligible students regardless of financial need and to reduce the negative balance in the Cultural Education account. The Caucus supports \$2 million to ensure continual access to the NYSSSA.

School Gardens and Green Spaces for Learning

The Caucus is advocating for a state investment in school gardens and green spaces for learning in public elementary and secondary schools, especially schools serving disinvested communities of color with limited access to open green spaces. Garden education has been shown to improve academic performance, especially in science and math; increase feelings of safety and healing from trauma; and improve healthy eating attitudes and behaviors. The Caucus support \$2 million in new state funding to provide grant funding to schools.



Enhancing Supports and Services for Postsecondary Success of Students with Disabilities

In May 2017, the New York State Education Department's Advisory Council on Postsecondary Education for Students with Disabilities recommended, and the Board of Regents adopted, a proposal to work with representatives from the higher education sectors to develop a proposal to provide enhanced supports and services to identified students with disabilities in New York State degree-granting colleges and - universities there are currently over 77,000 - to ensure that all of our students can succeed in their postsecondary education. For FY 2023-24, the Caucus supports \$15 million in funding to provide resources, accommodations, and faculty and staff training.

Expand Student Access to Career and Technical Education (CTE)

The Caucus supports efforts to provide access to high quality career and technical education (CTE) to advance student learning and expand New York State's economy. For FY 2023-24, we urge an investment of \$1.4 million for 14 staff to manage increased volume of CTE program approvals.

Capital Needs of the Indigenous and State Operated Schools

The Caucus supports efforts by SED to ensure that the health and structural needs of Indigenous and State Operated Schools are met as required by the state's constitution. To that end, we support the following investments:

- \$250,000 to conduct Building Condition Surveys (BCS) every five years at the Elementary Schools located in Tuscarora, St. Regis, and Onondaga and the School for the Deaf and the School for the Blind; capital funding provided on a rolling model based on the maximum cost allowance (MCA) to provide an annual amount of funding, linked to current building square footage and enrollment; and funding for each school to meet immediate health and safety needs:
 - Tuscarora Nation School - \$6.6 million
 - Onondaga Nation School - \$11.2 million
 - St. Regis Mohawk Nation School - \$2.3 million
 - Rome School for the Deaf - \$3 million
 - Batavia School for the Blind - \$4.47 million



Higher Education

A New Deal for CUNY & SUNY

A \$1.7 billion investment, over 5 years, for the SUNY and CUNY systems will fund free tuition for the public university systems, the hiring of more full-time faculty, the establishment of a faculty to student ratio, the hiring of more counselors and mental health professionals, and the creation of a capital plan for the public university systems. The Caucus is advocating for a New Deal for CUNY and SUNY, in order to establish new pathways for social mobility

Supporting NYS Access and Opportunity Programs

The Caucus is calling for a \$11.1 million increase for the state's higher education opportunity programs, which are available to students attending college and provide access to higher education to students who might not otherwise be able to attend college. Those programs include, the Arthur O. Eve Higher Education Opportunity Program (HEOP), the Science and Technology Entry Program (STEP), the Collegiate Science and Technology Entry Program (CSTEP), and the Liberty Partnerships Program (LPP)

Improving the Educator Certification Process

The State Education Department has made noted efforts to improve the current teacher and school building leader certification review process time frames including, but not limited to: a technology modernization project to maximize automation of the certification process, improving self-service conveniences for applicants, increasing staffing levels in the Office of Teaching Initiatives (OTI). The Caucus urges the Executive to provide access to the entire \$8 million prior year balance to fund and support NYSED's goal of improving the educator certification process.

Enhancing Supports and Services for Postsecondary Success of Students with Disabilities

The Caucus supports funding a \$13.09 million grant program to support the reasonable accommodation needs and services for individuals with disabilities enrolled at degree granting institutions of higher education.

Foster Youth College Success Initiative

Over the past seven years, the Foster Youth College Success Initiative (FYCSI) has helped approximately 2,000 students primarily with a foster care background attend more than 100 different public and private colleges in New York State. The Caucus is requesting an allocation of \$10 million in the FY 2023-2024 budget, which will assist foster youth, orphans, and wards of the court to apply, attend, and graduate from higher education institutions in the State. These funds make achieving a higher education obtainable for our students.



BUDGET HIGHLIGHTS: HUMAN SERVICES

New York Housing Compact: The Executive Budget includes proposals to build up to 800,000 units of housing over the next 10 years through local housing targets, changes to local zoning laws, and various real property tax incentives.

Housing Infrastructure Support and Planning Funds: The Executive proposes a \$250 million Infrastructure Support Fund and \$20 million Planning Assistance Fund to assist localities in the creation of new housing production statewide.

Migrant Services and Assistance: The Executive proposes \$1 billion in funding to assist with the costs associated with providing services to asylum seekers in New York City.

Child Care: The Executive proposal includes language to increase income eligibility for subsidized child care from 300 percent of the Federal Poverty Level (FPL) to 85 percent of the state median income.

Minimum Wage: The Executive proposes legislation to index the state minimum wage based on inflation metrics determined by the Consumer Price Index. Under this proposal, annual increases could be capped or paused under certain economic circumstances.

Foster Care Agency Support: The Executive proposal includes \$17 million in financial support for medical staff and mental health services for foster care youth.

Public Assistance: The Executive Budget proposal includes legislation that would modify work requirements for recipients who are enrolled in post-secondary education, and also allow a one-time six-month income disregard for recipients after job entry.

Human Services Cost of Living Adjustment (COLA): The Executive proposes a 2.5 percent COLA for human services agencies.



The People's Budget:

HOUSING



My name is Yolanda Torres, and I'm a member of Community Voices Heard. In my community, I see building after building bought and sold, and each time tenants lose out. I live in the 71st assembly district, which is 86% renters. 78.4% of renters in my district are Black, Latinx, or Asian. 47.8% of renters are rent-burdened. This is a problem that is decades in the making, starting even before government-sanctioned red-lining, but continuing to this day. The people in my neighborhood have never had the stability and wealth-building that comes from being able to own.

Our elected leaders need to stand on the side of racial justice and housing justice and give New York communities of color a real opportunity to purchase and own their homes.

In the past two years, rents have skyrocketed. Too many people can no longer afford their rent. Members of the community have moved to different states because they can pay their rent, despite working hard. Investors have swooped in to make profits by buying buildings and raising rents. Yet, the conditions in our buildings don't get better.

We need more opportunity to become homeowners, while making sure homes stay affordable permanently. Tenants must have a real opportunity to band together and purchase their buildings when an owner wants to sell, and we need help to do that from Community Land Trusts. In turn, Community Land Trusts need funding to acquire more land and buildings and ensure permanent affordability, and provide assistance to residents who want to purchase.

Yolanda Torres
New York, NY 10031



Create a State Voucher System (HAVP)

New York State must fund the Housing Access Voucher Program (HAVP), which will provide a rental voucher to households that are homeless or at risk of losing their homes. Similar to Section 8, HAVP would require recipients to pay 30 percent of their income toward rent, with the remaining costs covered by the voucher, up to 110 percent of Fair Market Rent. HAVP would provide critical assistance to families unable to enroll in Section 8 due to issues of capacity or immigration status. Not only would HAVP generate savings from reduced shelter costs, but it would also ensure that families are not forced through the eviction court process and into the shelter system. Statewide, approximately 92,000 people are homeless. The New York City homeless population has increased over 10 percent since January, and the increase in migrant families arriving from the Southern border has further exacerbated this chronic housing crisis. The end of the eviction moratorium, high rents, income instability, and the lack of a comprehensive plan to address the housing crisis have all contributed to the surge in families entering shelter. No family – including those with mixed immigration status - should be forced to spend months in shelters or experience the traumatic housing eviction process. The Caucus supports \$250 million to create the HAVP.

Fair Housing Enforcement

In May of 2020, Enterprise Community Partners and The New York State Office of the Attorney General launched Eliminating Barriers to Housing in New York (EBHNY), a two-year, \$4.5 million statewide pilot program aimed at eliminating systemic housing discrimination based on race, national origin, disability, source of income, and other federal, state and local protected classes. The program funded six Qualified Fair Housing Organizations (QFHOs) that are operating as full-service fair housing organizations across the State through December 2022. The Caucus is calling for the state to invest a minimum of \$7.5 million to Division of Housing & Community Renewal’s Fair Housing Testing Program beginning in the SFY 2023-2024 budget. This will allow the six QFHOs to continue at their current level of service and support community-based organizations to build capacity in parts of the state not currently served by the program.

Housing Our Neighbors with Dignity Program

The Caucus acknowledges the need for building more affordable and supportive housing in the state. We must ensure that communities of color who experience higher rates of rent burden, homelessness and reside in neighborhoods that have lower vacancy rates are accommodated. That is why the Legislature allocated \$100 million in each of the last 2 enacted budgets to fund the conversion of distressed hotels and commercial properties to create more housing for those in need. The Caucus supports a \$1 billion allocation to continue supporting the program’s work of bringing more housing justice to New Yorkers.



Fair Representation in Court

Every year, at least 80 percent of the civil legal needs of low-income New Yorkers go unmet. According to the Brennan Center, fewer than 20 percent of low-income families with civil legal needs can obtain the services of counsel to help them gain access to the courts. As we continue to experience a foreclosure crisis and an affordable housing crisis in New York, we must ensure that our most vulnerable populations are receiving proper representation when they cannot afford to obtain such representation on their own.

Reduction in the Homeless Population

Homelessness does not represent the failures of individuals and can often find its origins in the absence and inaccessibility of social and economic support. The Caucus will continue to work aggressively to reduce homelessness across New York. Communities throughout the state have seen significant increases in homelessness, and the Caucus intends to help develop resources and initiatives that, in their diversity, provide multi-layered solutions to the problem.

In New York State, the New York City Housing Authority (NYCHA) along with other public housing authorities must work proactively to target their local homeless populations. While there was a strong commitment of funds in previous fiscal years to be put towards homeless housing, more work needs to be done. The Caucus advocates for increased funding for current homeless housing programs.

Public Housing Support

Public housing developments are home to some of New York's most vulnerable populations including seniors and families with young children. Across New York State, our public housing is in disrepair, putting over 600,000 people at risk of lead paint exposure, mold, and other environmental toxins. Public housing developments are regularly without heat and hot water. Residents suffer from non-working elevators, leaks, and infestations. Prior to the administration of Governor George Pataki, New York State provided funding for public housing. It should do so once again to remedy the damage caused by years of disinvestment.

The Caucus supports including \$10 billion in the budget for emergency capital improvements and operating expenses at NYCHA developments, including at least \$3.4 billion in capital funds for SFY 2023 (baselined annually thereafter) and at least \$2.8 billion in operating funds to increase the size of its Capital Projects Division (to allow NYCHA to commit 100 percent of currently allocated capital funds as well as additional capital funds included here), and an additional \$2 billion for public housing outside of New York City in the state of New York. We also request the state allocate these funds to public housing authorities directly for emergency repair projects identified in consultation with the legislators whose districts include public housing developments rather than through the Dormitory Authority of the State of New York.



Wi-Fi Access for Homeless Shelters

As the scarcity of housing and lack of affordability continue with little abatement, we have seen rates of homelessness increase in recent years. The added burden of the COVID-19 Pandemic forcing students to remote learning showed the elevated difficulty faced by homeless families due to the lack of Wi-Fi access at homeless shelters.

According to the New York City Department of Social Services, most of the 450 homeless shelters in the City do not provide Wi-Fi for residents. For the estimated 114,000 children who live in shelters in New York City, being unable to access the internet has made remote learning inaccessible. There are countless accounts of students who received laptops from the New York City Department of Education but had no access to Wi-Fi. The Caucus supports the inclusion of a state program requiring funding for all local social service districts to provide internet access for all individuals residing in temporary housing in their district. That includes, but is not limited to, family shelters, adult shelters, domestic violence shelters, runaway and homeless youth shelters, and safe houses for refugees. This can be achieved via expanding New York's ConnectALL program, an existing \$1.4 billion initiative to expand broadband access throughout the state, to include temporary housing sites in their operations and targeting.

Communities First

The Executive didn't include the funding needed to meet the heightened demand from a wave of foreclosures brought on by the pandemic and the end of New York State foreclosure moratorium January 15, 2022. The Caucus therefore requests for an additional 40 million allocation in the SFY 2023 Budget to ensure that New York meets the increased needs for these services, and \$40 million for the two years after that as case loads increase with the ending of the foreclosure moratorium. HOPP is a well-established network of 89 not-for-profit housing counseling and legal services organizations that have been providing foreclosure prevention services and preventing deed theft in communities in every county of the state for over ten years. Fiscal support for HOPP is critical not only because the program meets the needs of homeowners in foreclosure but it's critical in helping the state fight the growing racial wealth gap in our communities.

Communities First leverages New York State's existing network of housing counselors and legal services providers to revitalize neighborhoods and keep New Yorkers from homelessness, crushing debt, and displacement. Since the creation of the Homeowner Protection Program (HOPP) in 2012, Communities First has prevented over 22,500 foreclosures and served more than 95,000 New Yorkers statewide.



Condo/Co-op Abatement

More than 320,000 cooperative and condominium homeowners received an average tax break of \$1,890 in FY 2019 but benefits to luxury homeowners far exceed this average. The top 10 percent of the abatement, going to 32,000 luxury homeowners, represents \$172 million in tax breaks. The top 10 tax abatements range in value from \$35,000-45,000 per unit. The cost of this tax break has increased at an annual rate of 7 percent until last year when it grew by 16 percent, driven by luxury condos previously developed under 421-a. This trend is expected to continue in upcoming years. Reforming the abatement now will contain growing costs for New York City, while making investments necessary to preserve public housing. This proposal would reinstate the New York City condominium and cooperative tax abatement, excluding dwelling units whose billable assessed value is \$200,000 or greater.

Foster Care Independent Living

With regard to New York's youth, the child welfare laws enable youth to remain in foster care up to age 21. For those youth who choose to do this, they are not ever able to receive the housing subsidy, as it has been interpreted to end at age 21. These youth never get the opportunity to avail themselves of the child welfare housing subsidy, which would otherwise be an important support for these young adults as they first learn to live on their own, pay rent, and support themselves. The federal government has recognized the value of enabling youth to remain in foster care through age 21 (rather than 18) and in 2008 passed the Fostering Connections to Success Act, which extended federal reimbursement for foster care up to age 21. Other states are now beginning to follow New York's lead in this area. Extending the child welfare housing subsidy through age 24 would be in line with this practice and best support young people through age 21 and beyond. The Caucus supports increasing the rent subsidy payable to a foster child living independently from \$300 a month to \$725 a month.

Neighborhood Preservation Coalition of New York State (NPCNYS)

The Neighborhood Preservation Coalition of New York State (NPCNYS) provides capacity-building technical assistance, training, and timely information about housing and community development resources to 140 NPCs. NPCNYS assists with preparing HCR applications, annual reports, and Grants Gateway compliance.

NPCNYS provides proposal development and submissions for the following state agencies HCR, OTDA, and DEC. They also recommend best practices for tracking and reporting all housing activities by incorporating public health practices into their housing work. Other strategies include enhancing their technical assistance programming to include targeted training seminars to better support the nonprofit business model through succession planning, outreach, and fundraising. The Caucus supports continued funding for NPCNYS.



The People's Budget:

HUMAN SERVICES

A Livable Wage for Human Services Workers

New York must establish a living wage for all State government-contracted human services workers at a rate no less than \$21 an hour, providing pay comparable with government employees holding similar nonprofessional job titles in the human services agencies.

The Caucus also supports establishing a wage and benefit schedule for all government-contracted human services workers to put them on an equal footing with comparable City and State employees. Once established, these compensation benchmarks would be incorporated into all contracts, along with funding to support career advancement and promotion opportunities. The City and State should phase in funding increases to achieve full compensation parity, and immediately establish a reserve for recruitment and retention to stabilize the contracted human services workforce. Moreover, an automatic annual COLA should be incorporated into all human services contracts, not as a substitute for comparable pay but to ensure that pay parity is maintained on a continuing basis. We support a 8.5 percent COLA for workers on New York State contracts, and a COLA pegged to the consumer price index increase for Human Services Programs including previously omitted OTDA programs (STEHP, NYSHP) and expanded to all titles funded under the contracts.

Universal Maternal & Infant Home Visiting Services

Universal maternal & infant home visiting will positively affect families and communities historically impacted by systemically inequitable medical practices and economic conditions. Targeting New York's most marginalized, this initiative will close the racial and economic care-gap that has led to higher rates of maternal and infant mortality. Poverty, poor mental and physical health, high juvenile crime rates, adverse childhood experiences, and poor academic performance are prevalent within disadvantaged communities due to systemic inequities built into policy, such as unequal access to healthcare and education.

These services are not readily available to all enrolled persons covered by insurance. This service is aimed at improving outcomes in one or more of the following: child health and development, school readiness, family financial self-sufficiency, maternal health, positive parenting, reducing adverse childhood experiences, reducing family violence, and reducing crime. This will be achieved through education, promotion of positive interaction between mother and newborn to influence growth and development and offering other guidance to mothers that otherwise would be difficult to afford. The Caucus advocates for an allocation of \$175 million in support of this program.



The Universal Child Care Act

New York’s childcare infrastructure is in crisis: many parents have no access to affordable or quality care and many childcare providers earn below the minimum wage. Decades of treating and funding childcare as a private service rather than vital public infrastructure has left the system on the verge of collapse. Although some piecemeal approaches and temporary solutions have kept New York’s childcare system on life support, many childcare centers have already been forced to close, and parents are struggling to access the childcare they need. Today, where childcare is still available, it is largely due to a dramatically underpaid workforce overwhelmingly made up of women—especially Black women and women of color—who are paid wages that leave the majority in or near poverty. The COVID-19 pandemic has only made matters worse, making plain the many weaknesses of our childcare system

The demands of parents and providers for meaningful action on childcare have been ignored for far too long. We saw the extraordinary damage this has caused, and we know that the industry is on the verge of collapse. New York cannot afford to continue to ignore this or to meet it with another band-aid solution. In order to address the crisis on the scale it requires, we need to pass the Universal Child Care Act and move towards a childcare system that is universal, like our public-school system, and which pays our childcare workers at parity with our public-school educators. This will require \$5 billion in this year's budget, including \$3 billion to guarantee childcare subsidies for high-quality and culturally responsive childcare, \$1 billion towards child care workforce stabilization, \$600 million for a transitional reimbursement rate while we transition towards a system that compensates for the actual cost of child care, and \$400 million for child care infrastructure development.

Quality Child Care Workforce Compensation Program

The Caucus supports the creation of a Quality Child Care Workforce Compensation Program. The economics of childcare are such that market forces alone will never be able to adequately fund high-quality care and wages for the sector. For our system to survive, government intervention is required to offer competitive compensation to childcare professionals. Modeled after similar initiatives in Washington, D.C. and New Mexico, this wage enhancement program would offer significant and sustained wage supplements to all licensed and registered providers in New York State as an interim strategy while the NYS Child Care Availability Task Force develops a compensation scale and structure.

Moreover, New York should also follow the lead of New York City and establish a state-funded, statewide Excluded Families Child Care Subsidy program to provide childcare subsidies to immigrant families whose children are barred from accessing federal Child Care and Development Block Grant (CCDBG) subsidies on the same terms as all other families. All New York families need and deserve childcare in all corners of the state.



Procurement Commission

The state must commit to transformative human services programs, which mean those services that are designed in partnership with providers and communities to get at the root cause of the issues. To do so, New York must undertake a rethinking of the entire procurement system. A start of such an effort would be creating a Procurement Commission that redesigns the procurement system.

The Caucus supports the creation of a Procurement Commission to: focus on clients and outcomes as the well-being of communities that nonprofits serve in how programs are designed and implemented, encourage continuity and competition so that nonprofits of all sizes have access to government contracts, guarantee timely payments that cover the full cost of services so that the sector can focus on delivering high quality programs without the threat to sustainability, create consistency and transparency in processes across all contracting agencies which are currently not aligned in their expectations, communication, and procurement protocols with providers, and support racial and social equity and leverage funding as a direct response to community needs and conditions that produce injustice.

Violence Interrupters

The Community Violence Intervention Act that was adopted as part of the 2021-22 state budget included \$10 million to hospital-based violence intervention programs and community-based violence interruption programs and dedicated 10 percent of New York's federally funded Victims of Crime Act funding to these groups in future years. These programs provide a credible, non-police response to gun violence, and have a remarkable track record of success in the communities most vulnerable to gun violence. The Caucus supports the inclusion of \$50 million in capital funding in the FY 2023-2024 budget towards this goal.

Social/Child Welfare Funding

The former Governor's adherence to a two percent spending cap has had a chilling effect on social welfare agency spending in New York. In the last fiscal year, the Office of Children and Family Services (OCFS) and the Division of Human Rights (DHR) saw the largest decreases in state operating funds. Since 2011, all agencies have seen significant decreases, but OCFS, DHR, and the Division of Homes and Community Renewal (DHCR) have seen the largest decreases at 38 percent, 51 percent, and 36 percent, respectively. Funding reported for social welfare agencies has fluctuated since 2011 with some financing and some accounting changes, but overall funding is decreasing for these agencies

Additionally, The Caucus calls for this year's budget to reauthorize child welfare funding (Social Service Law §153-k), which sunsets on June 30, 2022, and to restore funding for children and family preventative services at the statutorily required 65 percent/35 percent reimbursement rate to counties.



Fair Futures

The Caucus supports an increase in the age of eligibility for the Child Welfare Services reimbursement for New York City from age 21 to 26. This would allow New York City to provide more resources to foster youth, using the Fair Futures model, who currently age out of the system and have high rates of poverty and lower career prospects than their peers.

Domestic Violence Funding Remodeling

The Caucus supports the following funding model for Domestic Violence (DV) services: (1) Restructuring funding from the per-diem “head in bed” model to support DV survivors’ individual needs and desires and broadening the range of services and options available to them; (2) Integrating funding for residential and non-residential DV services to ensure DV survivors are able to access a variety of services and programs; (3) Establishing and relying on state funding instead of Temporary Assistance for Needy Families (TANF) as the primary funding stream for DV services in order to truly comply with Violence Against Women Act (VAWA) and Family Violence Prevention and Services Act (FVPSA) provisions; (4) Reducing administrative burdens placed on DV programs; and, (5) Enabling DV programs and DV survivors to determine when a survivor is ready to leave emergency shelter.

Nutrition Assistance Programs

No child or vulnerable adult experiencing hunger should lack access to sustenance, particularly fresh and healthy food. Accordingly, it is critical to strengthen food access and security programs by continuing and increasing funding for programs including, but not necessarily limited to Nourish New York, Wellness in Nutrition (WIN), the Hunger Prevention and Nutrition Assistance Program (HPNAP), SNAP Outreach Program, and the Nutrition Outreach and Education Program (NOEP). Maintain funding of \$4.2 million for the Nutrition Outreach and Education Program (NOEP), New York’s largest SNAP outreach, education and application assistance program.

Automatic Enrollment for SCRIE

Currently, several counties in New York State have established Senior Citizen Rent Increase Exemption (SCRIE) programs. These programs help many low- to moderate-income seniors remain in their apartments by assisting them in paying their yearly rent increase if they are spending more than a third of their monthly income on rent. This is done through providing the renter's landlord with a property tax abatement for the cost of the increase. Programs like SCRIE serve a vital purpose for all seniors who qualify, but many eligible seniors do not know about the program and are unable to reap its benefits, due to lack of outreach. The Caucus requests the inclusion of language authorizing localities and municipalities that have these programs to auto-enroll eligible seniors.



Naturally Occurring Retirement Communities

Naturally Occurring Retirement Communities (NORCs) and Neighborhood Naturally Occurring Retirement Communities (NNORCs) coordinate a broad range of health and social services to help older residents remain in their homes.

Preserving and expanding the NORC program across New York State is essential to keeping our aging population healthy, active, and social beyond the medical programs that support seniors in our communities. In 2017, New York State Office for the Aging (NYSOFA) pledged to fund three new NORC programs in an RFP they later withdrew. We cannot allow this to happen again, and we must ensure that NORC programs receive funding in the coming year. We must also introduce ongoing stable funding for this program and other older adult services.

Our state has a rapidly aging population. N/NORC programs afford older adults a sense of independence and familiarity associated with community-based programs that are irreplaceable. N/NORCs are vital to New York's aging population and act as preventative care, keeping our seniors at home and in their communities and helping the state maintain its designation as an age-friendly state.

The Caucus supports the continued support for N/NORCs and their services by further investing an additional \$1 million in the budget, for a total of \$9.055 million for the program.

Legal Representation for Wrongfully Denied/Terminated Federal Disability Benefits

Signed into state law in 1983, the Disability Advocacy Program (DAP) provides legal representation to low-income disabled New Yorkers whose federal Supplemental Security Income (SSI) or Social Security Disability (SSD) benefits have been wrongly denied or terminated. In December 2017, The U.S. Government Accountability Office reported that Social Security claimants with legal representatives were nearly three times more likely to be awarded benefits as those without. DAP saves the state millions of dollars in avoided public assistance costs by helping disabled New Yorkers receive federal benefits. To protect our neighbors with disabilities, the Caucus calls for at least \$1.5 million from the Legislature in addition to the Executive's proposal.

Families First Transition Fund

The Family First Prevention Services Act (FFPSA), signed into law in early 2018, represents a fundamental shift in the national approach to child welfare. Recognizing the importance of family in child development, federal law now emphasizes the importance of both keeping children safely with their families whenever possible and ensuring that children are in family-based care when foster care becomes necessary. In order to ensure that FFPSA implementation is effective, New York State and its counties must be proactive: the state should prepare now by improving policies and practices to recruit, retain, and strengthen foster and kinship families, and evaluate its current use of residential care. The Caucus supports an allocation of \$7.5 million over the next three years to adequately fund this effort.



Opportunities for a Better Tomorrow

Founded in 1983, Opportunities for a Better Tomorrow (OBT) has served New York City residents by empowering youth and adults from low-income communities through job training, education, employment, and immigration services. The Caucus supports allocating \$500,000 to expand resources for OBT alumni so that they can build wealth, confront NYC's affordability crisis, and secure jobs with higher pay and benefits. By building out their alumni network, providing ongoing career and college counseling and support, and incorporating financial empowerment programming into alumni meetings, OBT can better address structural economic injustice across New York.

Community & Family Reinvestment Act (CFRA)

The Caucus supports amending the Social Services Law 131-a to grant a six-month 100 percent earned income disregard to individuals who, due to securing work as the result of participating in a post-secondary educational or training program, would otherwise become ineligible for benefits. The resulting loss of various benefits at the very moment that someone is re-entering the workforce is ill-timed.

The Community & Family Reinvestment Act (CFRA) is an opportunity to transform child welfare by centering families and fully funding multiple tiers of prevention. Racism, sexism, and classism are woven into the child welfare system in New York, and even though there have been significant and impressive decreases in the number of children in foster care, the rates of Black, Latinx, and Indigenous children in care compared to white children is alarming and must be addressed. The Caucus calls for the implementation of CFRA, which is composed of 4 main components: (1) Restore the child welfare funding statute to 65/35 cost share structure between the state and counties; (2) Create a primary prevention fund, where all allocated resources are used for primary prevention to ensure families do not encounter the child welfare system; (3) Remove the Kinship Guardianship Assistance Program from the Foster Care Block Grant and fund it separately at \$25 million; and (4) Increase the child welfare housing voucher from \$300/month to \$725/month to support reunification and independent living.



BUDGET HIGHLIGHTS: ECONOMIC DEVELOPMENT

- **Belmont Park Racetrack:** The Executive proposal includes \$455 million for the renovation of the Belmont Park Racetrack, to be repaid to the state by the New York Racing Association.
- **Workforce Development:** The Executive provides up to \$180.4 million to support new workforce development efforts, extending a \$350 million workforce development initiative that began in the SFY 2022-23 Enacted Budget.
- **Regional Economic Development Council (REDC):** The Executive proposes \$225 million to support a new round of REDC awards.
- **Downtown Revitalization Initiative (DRI):** The Executive provides \$100 million for a new round of DRI grant awards.
- **NY Forward Program:** The Executive proposes up to \$100 million to support the equitable recovery of rural and smaller communities, with a focus on developing shovel-ready implementable projects. The program functions similarly to the DRI and works in partnership with REDCs and the Department of State (DOS).



The People's Budget:

LABOR & ECONOMIC DEVELOPMENT



For New York gig workers, Labor Day is not a three-day weekend or a chance to bargain hunt for good sales. It's time to raise our voices and demand that policymakers address an urgent crisis facing workers across the state: the minimum wage. In 2022, when \$15 barely buys three cartons of eggs, it's clear that our current minimum wage is no longer high enough. It shouldn't be this way, which is why workers across New York State are supporting efforts to raise the wage and ensure that no one is left behind ever again.

I'm a house cleaner in Flatbush, and I've seen the impact of a \$15 minimum wage first-hand. There's been a lot of talk about prices going up — I see it every day, when I have to decide between buying new shoes or back-to-school clothes for my sons. Because of how expensive things have gotten, my two children and I share our Flatbush apartment with two other families. There is no feeling worse than having to explain to my kids why we can't afford to buy meat, or why we can't go shopping for clothes and a backpack together. But the truth is, it's never been easy to make ends meet on my paycheck. If I lose work for even a day, I fall further behind. In order to pay my bills, I rely on family and friends to lend me money and watch my kids after school. Even so, I'm still two months behind on rent, and I have no clue how I will ever pay it back. Without a raise, there's no chance I'll be able to provide for my kids on my own. Our politicians need to do something about this. They know that workers are struggling, and it's time to fight for the people who got them elected.

This fight isn't just about putting more cash in workers' pockets. It's about standing up for our basic rights. We deserve more than starvation wages. We deserve a chance to thrive. This Labor Day, I'm asking our elected officials to honor the millions of workers who would benefit from a higher minimum wage – myself included -- by passing this essential legislation.

Garcia is a house cleaner and mother of two in Brooklyn and a supporter of the Raise Up New York



New York State Public Bank

This proposal would establish a State of New York Public Bank to use public funds for the public good and increase access to credit and capital in underbanked and/or economically disadvantaged communities. A public bank is a financial institution created by the state for a "public benefit" of the community. The Bank of North Dakota, founded in 1919, is currently the only public bank that exists in the United States. Since 2010, 28 states have passed legislation to establish a public banking taskforce or to create a public bank in their state. The State of California enacted a law in 2019 allowing municipalities to form a public bank.

The Caucus advocates for a New York Public Bank for the purpose of achieving cost savings, strengthening local economies, supporting community economic development, and addressing infrastructure and housing needs for localities.

New York Public Banking Act

The Caucus advocates for the creation of a safe and appropriate regulatory framework for municipalities seeking to establish public banks. This would allow the Department of Financial Services (DFS) to issue special-purpose public bank charters. A public bank is a financial institution created by a city, county, town or village for a "public benefit" of the community. The public bank could exist in communities that have little to no access to banking services. The public bank could fund local projects at a reduced cost, generate profits for local government, and create low-cost credit/loans to small businesses, MWBEs and/or student loans to low-income families.

Minimum Wage

In New York State, roughly one million workers--16.4% of New York State's workforce--earn the minimum wage. Beginning in 2012, the nationwide Fight for Fifteen movement publicized the inadequacy of the minimum wage and in part led state lawmakers to gradually increase the minimum wage in New York. New York City reached a \$15 minimum wage in 2019, and the rest of downstate attained a \$15 minimum wage in 2021. The upstate minimum wage is currently \$14.20 and will increase each year according to inflation and other indicators as determined by the commissioner until it reaches \$15. Historically, yearly gains in inflation have decreased the value of the minimum wage, chipping away at workers' purchasing power and leading to hardship for many. Increases in minimum wage historically have not occurred each year in New York State. Each year that inflation increases and wages at the bottom do not, workers in the lowest-paying positions struggle to pay bills, feed their families, and access transportation. Across the state, minimum wage workers are disproportionately women and people of color, groups which also face significant barriers to advancement. The Caucus calls on the state to join more than a dozen other states that have tied minimum wage to inflation.



Unemployment Bridge Program

After the creation of a first-in-the-nation \$2.1 billion fund that reached more than 131,000 workers excluded from unemployment and Pandemic Unemployment Assistance, the Legislature and Governor must now ensure permanent inclusion in the unemployment system for all. The Caucus urges the inclusion of this proposal in the enacted budget to establish a permanent unemployment insurance program in New York State that can be accessed by excluded workers who currently contribute to social safety net programs but are excluded from traditional unemployment insurance. \$800 million will create the first ever Unemployment Bridge Program, which will provide up to \$1200/month in economic support to workers ineligible for unemployment. Prime beneficiaries will be undocumented immigrant workers, cash economy workers, freelancers and other types of excluded workers. This program can serve up to 50,000 people a month. Additionally, this program can be funded with revenue generated from the implementation of a digital ad tax.

Small Business and Nonprofit Rent Relief and Support

For many small businesses and nonprofits, rent payments, even in a favorable economic climate, present a burden. During the unprecedented economic downturn caused by the COVID-19 pandemic, these tenants are suffering as a result of state mandates, forcing them to close and/or curtail their operations. The Caucus supports tax credits to local and small businesses and a federal and state legal services program to support small businesses and nonprofits.

Black Farmers United of New York State

The Caucus is calling for a \$30 million allocation to Black Farmers United of New York State. In the current budget proposal, there is a \$100,000 allocation to support Black Farmers across New York State. This is in juxtaposition with the expenses of programs and services needed to support capacity building, training, and advocacy for farm and food businesses owned by people of color in New York State. Institutional and structural racism have led to inequitable access to agriculture and food – this is resulting in ongoing health conditions and difficulties with quality of life for Black consumers as well as farmers, whose numbers have depleted in New York- leaving only 139 out of over 50,000 New York farmers. This funding would support:

- Northeast Farmers of Color Land Trust in accessing 1,490 acres of land for farmers of color
- Improved data collection to identify who and where our state Black farmers are
- Development and permanency of Black-led urban farms
- Creation of a certificate program with salaries and scholarships to train new Black farmers
- Black guest-, migrant and undocumented farmworkers becoming business-owning “producers”
- Alternative access to operational capital via the Black Farmer Fund
- Provisional licensing for outdoor cannabis cultivation that prioritizes black growers

Our proposed investment in Black Farmers United will help ensure that New Yorkers are building and living in safe and healthy communities.



BIPOC Artist Funding

New York's working artists and performers are uniquely vulnerable during the COVID-19 pandemic. This is especially true for artists of color, who are underpaid and often expected to build their career on the promise of exposure instead of remuneration. These recent hardships, combined with structural and economic inequality, prevent artists of color from contributing their talents to our communities. The Caucus recommends additional investment to the New York Council of the Arts for a new grant program focused on commissioning BIPOC artists and institutions across the state for public art projects.

Empire State Licensing Act

The Caucus is advocating for access to professional licensing for New York's undocumented individuals. State and City fees and taxable revenue will provide crucial cash flow to our fiscally struggling governments. Similar bills passed in Nevada and New Jersey provided undocumented immigrants a feasible pathway toward sustainable jobs and careers.

Community Hiring State Legislation

Community hiring will be crucial in driving economic recovery in economically disadvantaged communities that are predominantly communities of color. The City and State of New York have enormous purchasing potential that it should leverage to prioritize residents from historically underserved communities for job opportunities, like how New York City has expanded opportunities for M/WBEs. However, the state generally prohibits local governments from requiring that entities benefiting from procurements and other transactions hire low-income individuals or residents of economically disadvantaged communities. Thus, we urge the creation of the Office of Community Hiring and Workforce Development and recommend the authorization for the office to establish a community hiring program to provide employment opportunities for low-income New Yorkers and New Yorkers residing in economically disadvantaged regions.

Liability for Unpaid Unemployment Insurance

Under current law, the Department of Labor can hold corporations, sole proprietors, and some partners liable for unpaid UI contributions, but does not have authority to hold officers of such corporations or members of LLCs individually liable. Based on historical patterns, approximately \$35 million per year in unpaid UI contributions is assigned inactive collection status due to the inability to collect from out-of-business corporations, LLCs, and partnerships who abandon their debt. The ability to collect against corporate officers, members or managers of limited liability companies, and certain partners would significantly decrease this amount and have a positive effect on the UI Trust Fund. Extending this liability would serve as a deterrent against unscrupulous employers who evade paying their fair share of UI contributions by closing a business and setting up a new corporation, limited liability company, or partnership.



Employment and Training Opportunities

The Consortium for Worker Education (CWE) provides essential training and workforce development programs that have had a positive impact on 43,000 workers throughout New York City. With training programs providing industry-recognized credentialing that leads to living-wage jobs in the fields of transportation, A/C refrigeration, systems maintenance, health care, advanced computer programming and the building trades, CWE is an essential resource, and the Caucus supports continued funding to increase credentials.

Wage Theft

The Caucus calls for the well-resourced effort to eliminate wage theft in our state. We can support and protect workers who report wage theft by substantially increasing penalties for retaliation, including revoking the right of exploitative employers to do business, and by adequately staffing the NYS Department of Labor (DOL). Moreover, the agency should be resourced to allow it to investigate the full 6-year statute of limitations period for all workers.

Minority and Women Business Enterprises

In the State of New York, we continue to make impressive strides to increase economic opportunity and equality for women and diverse communities of color. With a population where nearly 18 percent identify as African American, more than 18 percent identify as Latino, and over 51 percent identify as women, New York has an incredible opportunity to diversify representation and increase access when it comes to doing business in the state. Moreover, there are tremendous opportunities to increase the number of contracts, capital, and resources to our minority and women owned businesses.

Community Development Financial Institutions

The Caucus supports a commitment of at least \$25 million for a first-in-the-nation state Community Development Financial Institutions (CDFI) Fund. The CDFI Fund would invest in low- and moderate-income neighborhoods not adequately served by mainstream banks. Data has shown that CDFIs are powerful tools and better equipped to serve communities of color and other underserved communities than traditional large banking institutions. In a two-month period, eligible PPP CDFIs providers (303 CDFIs) made 106,113 PPP loans. This amounted to \$7.4 billion in loans. By comparison, the largest PPP lender, JPMorgan Chase, with \$2 trillion in total assets and approximately nine times the size of the entire CDFI industry, made only four times the amount of PPP loans that CDFIs did. With appropriate funding and supportive policy, CDFIs can successfully create an accessible bridge to recovery for small businesses in underserved communities that traditional banking institutions cannot reach with their current services and business models.



Increasing Reimbursement Rates for Highway Repair

Over the last 50 years, the state has delegated responsibility to municipalities to maintain state highways within city borders. The current reimbursement rate covers only 55 percent of the actual costs that municipalities throughout the state bear for the cost of highway maintenance, which includes, among other items, guide rail and fence repair, impact attenuator repair, and pothole maintenance. This maintenance is essential for a safe ride on our highways. Since 1987, the state has reimbursed cities at a rate of 85 cents per square yard of pavement, with no adjustments for inflation. Cities throughout the state would benefit from raising this rate to one dollar and 77 cents per square yard, a rate reflecting the Consumer Price Index (CPI) increase. The Caucus supports increasing the reimbursement rate to keep it in line with inflation and indexing the rate annually to CPI.

Reclassifying Certain Claimants in the Workers' Compensation Law

Workers' Compensation boards are currently mandated to provide extreme hardship benefits to recipients whose household incomes are less than 75 percent of an average weekly wage upon termination of the disability benefits. Extreme hardship can be applied for within a year of workers' compensation recipient's benefits being extinguished. The workers' compensation board currently defines extreme hardship as the inability to meet household bills considering the injured worker's income as well as that of other household members. The Caucus supports efforts that make it easier for a worker to earn extreme hardship by redefining lost wage-earning capacity at 50 percent instead of 75 percent. This will be especially helpful to workers who are older who might opt into their social security benefits earlier without a larger worker compensation benefit package.

NYS Working Families Tax Credit

The Caucus supports a newly proposed NYS Working Families Tax Credit (WFTC), which would streamline the state Earned Income Tax Credit (EITC) and Empire State Child Tax Credit (CTC) to provide working families with increased support while lessening the additional cost to the state. The NYS WFTC fills many of the gaps of the current state EITC and CTC, such as: including children 0 - 4 years of age, including families regardless of citizenship status, and eliminating the phase-in, allowing those with the lowest income to receive the largest credit

The proposed system would also increase the credit provided to all families by: increasing the maximum credit to \$1,500 per child, providing a \$500 credit per child regardless of income, and eliminating the cap on the number of children eligible to receive a credit. Additionally, the new NYS WFTC would be paid out quarterly, providing families with four payments per year instead of one lump sum annually. With the new system, families with one to three children would receive on average \$1,090 more than they currently do. Those without children who qualify for the state EITC would continue to receive that benefit.



BUDGET HIGHLIGHTS: PUBLIC PROTECTION

- Gun Involved Violence Elimination (GIVE) Program: The Executive Budget provides \$18.2 million in additional funding to GIVE for a total of \$36.4 million.
- Youth Employment Program: The Executive Budget provides \$37 million in additional state funding for youth employment programs operating in GIVE jurisdictions.
- Expand Enhanced Parole Supervision Program: The Executive Budget provides \$7.4 million in additional funding to establish a Supervision Against Violent Engagement (SAVE) Program and expand the state's response to gun violence among the parolee population in GIVE jurisdictions.
- Reentry Services: The Executive Budget includes \$7.7 million in additional funding to reduce repeat or further offenses by meeting the behavioral, health, employment and educational needs of individuals returning to their communities after incarceration.
- Alternatives to Incarceration: The Executive Budget includes \$15.7 million in additional funding to support Alternatives to Incarceration (ATI) programs, for a total of \$31.4 million.
- Pretrial Services: The Executive Budget provides \$20 million for pre-trial services.
- Expand Community Stabilization Units: The Executive Budget includes \$12.8 million in additional funding to support Community Stabilization Units.



The People's Budget:
CIVIL RIGHTS & CRIMINAL JUSTICE



"I am still suffering the consequences of my conviction 22 years later, despite all that I have done to give back to my community. I have been turned away from jobs, denied promotions and rejected from housing programs because of my two-decade old record. I am not alone—there are more than 2 million New Yorkers who have conviction records and face the same barriers years later. We deserve better, and it is time for New York to end this system of perpetual punishment. I urge lawmakers to pass the Clean Slate Act."

-- Melinda Agnew, community leader with Center for Community Alternatives



Racial and Ethnic Impact Statements

Historically, minorities are overrepresented in New York's correctional population, as racial disparities occur at every stage of the criminal justice system. While the state of New York has effectively reduced the total prison population through the adoption of alternative-to-incarceration programs and other forms of diversion, the racial disparities in the correctional population remain an indefatigable aspect of the justice system.

A plausible cause of the continued racial disparities is the enactment of sentencing laws without review of the potential impact on minority populations. Race-neutral legislation can disparately and negatively affect minority groups in practice, regardless of intent. New York State can remedy this through requiring racial and ethnic impact statements.

COVID-19 has magnified disparities in healthcare, employment, housing, and food security throughout New York State. Due to the disproportionate impacts policies may have on people of color, the Caucus supports the inclusion of racial impact statements in New York's legislative and rule-making process. Several states, like Connecticut, New Jersey, Colorado, Iowa, and Oregon all require racial impact statements for certain subject matters or circumstances, but New York should lead the nation by requiring impact statements for all legislation and rulemaking to avoid doing more harm to communities of color and promote equity.

The Caucus supports a model that would require all bills, amendments, and rules to be accompanied by a racial impact statement which includes an estimate of the impact of the bill on racial and ethnic minorities, the basis for the estimate, and a prohibition against passing bills that increase racial or ethnic violations.

Clean Slate

Once an individual's "debt to society" is paid, justice demands that the individual not be punished further in connection with employment, housing, obtaining credit, and many additional areas essential for successful participation in one's community.

This Act will provide such individuals with a Clean Slate to move on with their lives and not be punished in perpetuity. It aims to end perpetual punishment by requiring the expungement of certain records subject to a variety of conditions and exceptions, making it illegal and a violation of Human Rights to unlawfully disseminate any information that has been expunged. The Caucus will continue to advocate for this critical measure.

Liberty Defense Project

The Caucus supports the allocation of \$35 million, from its current \$12 million investment in immigration legal services to strengthen existing programs like the highly successful New York Immigrant Family Unity Project and other critical immigration legal services programs. This will ensure ongoing support for existing clients and expanded coverage for immigration benefits like citizenship, DACA, temporary protected status, family reunification, and holistic social services to ensure stability and success for immigrant communities.



Parole Reform

Reentry reform must address how people accused of violating parole are adjudicated. The fact remains that people accused of violating conditions of their parole are contributing to mass incarceration in New York prisons and local jails. Many people under parole supervision in New York are returned to prison, and most of those people are re-incarcerated on technical violations, not rearrest. People accused of violating parole are the only population seeing a growth in numbers in New York City jails.

True reentry reform must, at the very least, include shortening parole terms overall, incentivizing good behavior by allowing people to earn accelerated discharge, creating a high legal threshold for jailing people on parole for minor offenses and expedite their hearings, and not jailing people for technical violations. For this reason, the Caucus supports the passage of Elder Parole as well as the Fair and Timely Parole Act, which would require the Board of Parole to release people to community supervision when their period of incarceration has finished unless they pose a clear threat to public safety. Moreover, the Caucus supports eliminating the \$30 parole fee parolees are required to pay once a month.

End Predatory Court Fees

Fees (or surcharges) are extra costs that the government attaches to every conviction — even traffic tickets and minor infractions. They can total hundreds of dollars (not including the amount of any fine imposed). Individuals are often required to pay fees on top of a fine, or in many cases, even when the judge decides not to impose a fine at all. These court fees are explicitly intended as revenue raisers; they function as a form of regressive taxation on New Yorkers that are often the least able to afford them. Predatory fines and fees encourage policing-for-profit, criminalize poverty, and endanger Black and brown lives. New Yorkers deserve to live without fear of lifelong debt and poverty, and they deserve a fair, transparent government. The Caucus is calling for an end to New York’s predatory court fees.

Expand Funding for Parental Representation Cases

The Caucus advocates for New York State to invest \$28 million in parental representation. Despite decades of research, hearings and reports describing the crisis in family court representation, New York has failed to protect families. There is a disproportionate impact that family separation has on Black, Brown, Indigenous and immigrant children and families. The Caucus should act now by assuring parents facing these racially disparate and harsh systems have an attorney and other resources to protect their families from unwarranted separation and prevent unnecessary removal of children from their families and cultures

Immigration Rapid Response Services

The Caucus supports \$10 million to help meet immediate needs of newly arrived immigrants and immigrant communities in crisis, including legal screenings, referrals, know your rights, and volunteer trainings.



Access to Representation Act

The Caucus supports the Access to Representation Act, accompanied by a \$55 million investment to implement its first year, which will ensure a right to counsel for all immigrants facing deportation in New York, provide stable funding for immigration legal services, and ensure there are skilled immigration legal services teams in areas of need across the state. Unlike people facing criminal charges, people facing deportation are not guaranteed legal representation, although deportation can result in permanent separation from one's family or community and the forced return to dangerous or deadly conditions in another country. No one should have to defend themselves against trained attorneys without a lawyer. Passage of the Access to Representation Act is needed to support strong communities, economic stability, and fairness and dignity.

Expand Language Access

Executive Order 26, which directed executive branch state agencies to provide language assistance services (translation and interpretation) to people of Limited English Proficiency (LEP), has greatly expanded language accessibility to New Yorkers, providing crucial access to critical government services and social programs. The Caucus supports the codification and expansion of E.O. 26 to ensure all residents can receive and understand the crucial support programs and policies implemented to support their communities.

Transgender and Non-Binary Wellness and Equity Fund

In the FY 23 adopted budget, a \$1 million investment was given via legislative initiative funding for Transgender and Non-Binary serving nonprofits across the state. Notwithstanding, a program bill named in honor of Mexican American Transgender Icon from Jackson Heights, Lorena Borjas, was passed by the legislature, creating a historic Transgender and Non-Binary Wellness and Equity Fund. On the day of the 2022 Pride March, Governor Hochul signed the bill into law and announced her support to include an additional \$2 million dollars towards the newly created Equity Fund. This is the first time in New York State history that funding will be carved out specifically for Transgender and Non-Binary serving nonprofits. To sustain support for this initiative, the Caucus calls for a fully funded \$15 million statewide Transgender and Non-Binary Wellness and Equity Fund over a multi-year period. Additionally, we are call for the inclusion of the Lorena Borjas Transgender and Non-Binary Wellness and Equity Fund in the FY 24 executive budget.

Prisoners' Legal Services

Since 1976, PLS has played a vital role in making New York prisons safer and more humane. Their work has resulted in positive changes in prisoners' attitudes and behavior and has promoted constructive policy and programmatic modifications within DOCCS. PLS' work has also benefited the state Attorney General's Office and state and federal court judges by providing professional legal representation. The Caucus recommends that PLS be allocated a combined \$4 million from the legislature in the SFY 2023-24 budget.



Increasing Prisoner Wages and Providing Free Services

Although some inmates receive money from their families, many others are entirely dependent upon the money they earn from their prison work assignments. The money that they earn goes in part to pay restitution and court fees and in part to buy commissary purchases or catalog purchases like ethnic food supplies, books, personal hygiene items and other necessities or small luxuries or gifts for their children or other family members. Even though wages are low, they act as a real incentive for the inmate population to engage in productive activities. The Caucus supports raising the base wage for inmates to \$1.20 - \$10 a day and ensuring prisoners get biannual raises for adequate performance, in addition to providing those not participating in a work or program assignment due to age or frailty be paid \$1.00 per day, adjusted every 5 years for cost of living. In addition to increasing worker wages, the Caucus supports efforts that would allow incarcerated individuals to send up to 10 electronic mail letters a day, at no charge. Inmates should have the right to contact their families, at no personal cost.

Wrongful Conviction Reform (Article 440)

New York State ranks third in the nation in numbers of wrongful convictions. Our state also has an extremely high rate of plea bargaining- 98 percent of felony cases in our state resolve by plea agreements, not trial. Yet people who plead guilty have the lowest rates of exonerations because there are so many structural barriers to exoneration after a guilty plea, even when those pleas are falsely made under coercion and duress. The Caucus supports efforts to amend Article 440 of the Criminal Procedure Law, which governs post-judgement motions, to provide people previously convicted of crimes the opportunity for meaningful review to ensure redress for wrongful convictions, including in cases where the person pled guilty. Additionally, we are calling for at least \$10 million in state funds to help the judicial system handle any influx of new applications for relief.

Fair Access to Victims' Compensation Funding

Under current law, the Office of Victims Services (OVS) uses strict criteria to determine if a crime victim is eligible for compensation funding. Among these criteria, victims must file a police report, cooperate with law enforcement and prosecutors, provide evidence of physical injury and meet other standards. For multiple reasons, these criteria represent an onerous barrier to many victims, particularly Black and Brown people, immigrants, LGTBQ+ people, victims of sexual or intimate partner violence, victims of police violence, and others, who are often reluctant to interact with law enforcement. As a result, claims from these most commonly victimized groups are frequently denied. Victims' compensation funding represents a lifeline to victims of crime, covering hospital and burial expenses, temporary housing and replacement locks. The Caucus supports legislation that will simplify these onerous requirements and enable more victims to receive the compensation to which they are entitled.



Treatment Not Jails

New York must finally begin to address the root causes of criminal legal system involvement. The Treatment Not Jail Act will level the field of judicial diversion and create steps toward ending the criminalization of mental health challenges and functional impairments in New York. Treatment Not Jail will create parity in the system for all vulnerable populations who need support and opportunity, and promote public safety by opening avenues of appropriate, individualized treatment where there are now only pathways to incarceration. New York's treatment courts currently receive a budget of between \$15,000,000 - \$16,000,000 per year. Thus, the Caucus supports an additional budget allocation of \$15,000,000, which should help to accommodate the training and bureaucratic adjustment required to implement this initiative, as well as the expected influx of new eligible participants. While this effort comes with an up-front cost, there will be significant cost-savings in the long run. According to the Office of Court Administration, for every \$1 invested in treatment courts, the state produces \$2.21 in benefits. This savings is especially urgent in New York City, where taxpayers spend over \$556,000 per year for the incarceration of a single individual.

Enfranchisement

Under current New York law, individuals who are on parole are prohibited from voting. There are about 30,000 people on parole at any given time in New York; and both here and across the country, the criminal disenfranchisement laws disproportionately impact people of color. Nearly three-quarters of New Yorkers on parole are Black or Latino. One out of every 24 Black voters in New York is disenfranchised; and this policy is firmly rooted in historical racism, dating back to a 19th century statute.

Additionally, New York law does allow individuals on probation to vote. There is no reason for this distinction between probation and parole. This distinction has caused widespread confusion among formerly incarcerated people and elected officials, leading to de facto disenfranchisement when individuals who are permitted to vote think that they are not. The former Governor recently took a big step towards fixing this problem by using his pardon power to restore voting rights to thousands. But that process is an administrative burden, incomplete, and subject to change at the discretion of future governors. It is time to simplify the process by codifying the former Governor's order, and to remove the racist vestiges of Reconstruction and Jim Crow era policies.

Same Day Voter Registration

The Caucus supports legislation which would authorize individuals qualified to register to vote, and who have missed the deadlines for voter registration prior to an election, to complete a conditional voter registration and cast an affidavit ballot which would then be canvassed when such registration was deemed eligible and valid by the board of elections. This would give thousands of individuals who would otherwise be ineligible to vote on election day, or during early voting, the opportunity to vote.

