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Contact:
Press Office
press@legal-aid.org

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Legal Aid Calls on Governor Hochul to Sign Essential Legislation

(NEW YORK, NY) – The Legal Aid Society calls on Governor Kathy Hochul to sign multiple pieces of essential legislation that have already been approved by the New York State Legislature. These laws will drastically improve the lives of clients across the Civil, Criminal Defense, and Juvenile Rights Practices at The Legal Aid Society and those of New Yorkers at large.

“The New York State legislature passed a number of essential bills this past session which still require the Governor’s signature to become law,” said **Janet Sabel, Attorney-in-Chief and CEO of The Legal Aid Society**. “The Governor can demonstrate her commitment to equal justice for all New Yorkers by enacting these critical pieces of legislation.”

The following legislation has been passed and should be enacted immediately:

Civil

- **Help address the homelessness crisis by increasing the maximum rent subsidy available to keep low-income New York tenants in their homes.** Bill A8009/S6573 would increase the maximum benefit available under the Family Homelessness and Eviction Prevention (FHEPS) program to the Section 8 levels from the current low rates, which will save many New York families with young children from being evicted.
- **Critical consumer law reform that would reduce interest rates on civil judgments.** This legislation, A6474/S5724, will reduce interest rates on civil judgments against

consumers from 9% to 2% and apply the same 2% rate retrospectively to the unpaid portions of any consumer debt judgments entered prior to the bill's effective date. This will enable many more New Yorkers to repay debts during these difficult economic times and remedy a hardship that has a disproportionate impact on communities of color.

Criminal Defense

- **Less Is More Act.** The Less is More Act, A5576/S1144, eliminates the use of incarceration for most technical violations of parole, while capping jail sentences for other non-criminal offenses at 30 days. It creates an earned credit system for those fulfilling their conditions of release. And it provides bail as an option for those accused of violating parole, so they can maintain employment and family ties while resolving their parole matter.
- **Medication Assisted Treatment (MAT) in Prisons and Jails.** MAT, A1795/S2161B, will allow incarcerated individuals therapeutic access to all three FDA-approved medications for Opioid Use Disorder (OUD), including methadone and buprenorphine, medications which are proven to reduce overdose rates associated with opioid use and are widely acknowledged as the standard of care for OUD. MAT is particularly important in custodial settings, where people are more vulnerable to fatal outcomes upon release.
- **START (Survivors of Trafficking Attaining Relief Together) Act.** The START Act, A459/S674, empowers courts to vacate a range of criminal convictions that stem from a person's experience as a victim of sex trafficking or labor trafficking.
- **Poor Person Relief on Appeals Matters.** This bill, A5689/S1279, will streamline the assignment of appellate counsel for clients appealing their convictions, thereby saving scarce time, money, and resources and providing enhanced access to justice.
- **Second-Look Youthful Offender.** This legislation, A6491/S5749, would enable a person who was initially denied youthful offender treatment and has not been convicted of a crime for at least five years since their sentence to apply to the sentencing court for renewed consideration.

Juvenile Rights

- **Raise the Lower The Age.** This legislation, A4982/S4051, would end the arrest and prosecution of children under the age of 12, except those charged with homicide. New

York currently sets its minimum age for arrest and prosecution of children as juvenile delinquents at age 7, the second-lowest age set by statute in the country. New York should not subject elementary school age children to the trauma of arrest and prosecution because they cannot understand or effectively participate in the proceedings against them. The needs of young children and their families are best addressed through other systems.

- **Preserving Family Bonds** This bill, A6700/S6537, would give Family Court judges the discretion to order visitation or contact between a child and their family of origin after their parents have had their parental rights terminated when it is in the child's best interest. Even when a birth parent is unable to safely care for their child, the child may benefit from some form of contact with the birth parent or sibling post-adoption.
- **No Shackles in Court Rooms.** This legislation, A7796/S6498, would prohibit the indiscriminate use of shackles on children in Family Court. The use of mechanical restraints is likely to prejudice the judicial factfinder, interfere with a youth's ability to consult with counsel and participate in court proceedings, and can lead to humiliation and trauma for the youth.
- **Foster Care Reentry.** This bill, A7681/S7179, would clarify that all youth who have exited foster care between the ages of 18 and 21 would be eligible to reenter care if they are unable to survive independently, regardless of what circumstances led to their initial placement in foster care. The bill would also enable certain youth who were discharged from foster care when 16 or 17 years old to reenter foster care if they are homeless or at risk of homelessness. Long-term costs will be reduced because fewer youth who have experienced foster care will become dependent on the social safety net into adulthood.
- **Execution of Warrants in Delinquency Cases.** This legislation, A7601/S7172, would ensure that children are not held in detention solely because the statute does not authorize vacatur of a Family Court warrant by an accessible magistrate when the Family Court is closed. It would eliminate disparity by ensuring that youth who appear in Family Court are afforded the same procedures as youth who appear in the Youth Parts.
- **Violation Charges in Delinquency Cases.** This bill, A7706/S7171, would correct a provision in New York's Raise the Age law that wrongfully subjects children under 16 to responsibility for violations, and also ensures appropriate outcomes for 16 and 17-year-olds who are charged with violations in Family Court, so that they are not harmed by the Raise the Age Law.

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org