

March 17, 2020

Hon. Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Hon. Andrea Stewart-Cousins
Majority Leader, New York State Senate
188 State Street LOB - Room 907
Albany, NY 12227

Hon. Carl Heastie
Speaker, New York State Assembly
New York State Capitol Room 349
Albany, NY 12227

Dear Governor Cuomo, Senate Majority Leader Stewart-Cousins and Assembly Speaker Heastie:

As faith leaders, it is often our role to stand up for the vulnerable and to buoy those who may find themselves encountering the full force of crisis. We now feel compelled to stand up for justice, and voice our absolute opposition to any changes to New York's pre-trial bail statute. Our collective moral compass demands we choose people's dignity over politics.

In the face of the global COVID-19 crisis, halting all efforts to rollback the new bail law has become even more urgent. [Jails are extremely vulnerable to COVID-19 outbreaks](#) due to unsanitary conditions, cramped quarters, and a prevalence of pre-existing conditions. But the public health risk extends far beyond those who are incarcerated given the large number of people who cycle in and out of jail on a regular basis (many jail stays are 2-3 days). Bail law rollbacks will result in increased pretrial incarceration, which is immoral, and will worsen the spread of Coronavirus and place more New Yorkers' lives at risk. Across the country, steps are being taken to reduce arrests and incarceration in the face of this pandemic, not increase it, and New York must follow this model.

[Research](#) on this issue further informs us about human nature and the caging of the spirit: The harm of confinement damages people long after their liberty is restored. Every removal from a home, a job, a loved one, or an education, no matter how brief, leads to lasting struggles.

In the face of misleading and sensationalist headlines, lawmakers are currently discussing changes that would back away from the promise they made to New Yorkers to dramatically reduce pretrial jailing and race-and-wealth based incarceration. The proposals under consideration, including the Senate Democratic Conference's [recent proposal](#), would not only expand the use of pretrial incarceration, but also entrench the racial bias that has destroyed any semblance of fairness that might be present in our system.

The initial reforms passed by the legislature go a long way toward dismantling New York's legacy of division and racial bias, and we now see the measure helping ordinary New Yorkers and their communities. The law has protected tens of thousands of people who would have otherwise been sitting in cages, denied the opportunity to embrace their children, provide a meaningful living, or even get much-needed treatment. There has been much fear-mongering and misinformation in recent weeks, but the stories of the people who have benefited from this reform remain unheard, unseen - and, it seems, unconsidered by many state elected officials. As people of faith, we are witnesses as to how pretrial expansions have preserved the dignity of our community. We believe in the preservation of a presumption of innocence that grants people an opportunity to prepare strong cases for their innocence and maintain stability in their day-to-day lives.

It therefore falls to us to speak out in support of the new pretrial reforms and to ask that they be allowed to move forward, without revisions or rollbacks. We cannot accept knee-jerk changes that would expand bail-eligible charges or insert judicial discretion into the process, to rely on skewed estimations of "dangerousness" or biased so-called "risk assessments" that have historically been used to discriminate against low-income people and people of color. These constructs further entrench the racial discrimination that has harmed our Black and Brown communities for generations, building upon an understanding of "dangerousness" that itself has been informed by this nation's long [legacy of racism and discriminatory policies](#). No one can predict what another person will or will not do, and entertaining this fallacy in a manner that results in disproportionate confinement of those most likely to be targeted by the criminal justice system is both intellectually and morally wrong.

The result of a rollback would be a dramatic expansion of the number of people jailed without ever having been found guilty of a crime. It would ensure the continued mass incarceration of communities of color. And it would bring about a system even worse than the one that cost Kalief Browder and so many other innocent people their lives. As faith leaders who have seen the value of these vital reforms firsthand, we now feel compelled to speak out against moral cowardice, and call upon our state's leadership to stand with the community they claim to serve.

Sincerely,

Alaina McCreary	Reformed, Presbyterian, and Methodist Churches Ecumenical Youth Group	Delmar, NY
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Bishop Colette Carter	Alliance of Communities Transforming Syracuse	Syracuse, NY
Bishop Stephon Donaldson	River of Life Community Church	Rochester, NY
Brenda Berkman	Chair, NYC Presbytery Justice Ministries Committee	New York, NY
Brent B. Bleier	Syracuse Peace Council	Syracuse, NY
Cantor Vera Broekhuysen	Temple Emanu-El	North Andover, MA
Chaplain Kim Eliano	Second Baptist Church	Baldwin, NY
Cheryl Avery	RocACTS/Trinity Emmanuel Presbyterian Church	Rochester, NY
Deacon Paulino Juarez-Ramirez	Office of Life, Justice & Peace/Catholic Arch	Los Angeles, CA
Dr Stephen Q. Shafer, Warden	Trinity Episcopal Church	Saugerties NY
Dr. Diane Steinman	NYS Interfaith Network for Immigration Reform	Forest Hills, NY
Elaine Troy, Chair of Trustees	First United Methodists Church	Schenectady, NY
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Imam Anas Shaikh	Islamic Organization of the Southern Tier	Johnson City, New York
Lisa Enders Tunstall	McCarty Memorial Christian Church	Los Angeles, CA
M. Bruce McKay	Retired UCC Pastor	Buffalo, NY
Maria Ivette Alfonso	St. Vincent de Paul	Albany, NY
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Mr. Richard Lopez Jr.	Manhasset Quaker Monthly Meeting	Manhasset, NY
Mr. Jerry Rivers	R-F Church of Christ/ NACCE	Roosevelt, New York
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Rabbi Becky Silverstein		Boston, MA
Rabbi Charles Feinberg	Interfaith Action for Human Rights	Washington, DC
Rabbi Daniel Kirzane	Oak Park Temple	Oak Park, IL
Rabbi Darby Leigh	Kerem Shalom	Concord, MA
Rabbi David Greenstein		
Rabbi Dorothy Richman	Makor Or: Jewish Meditation	Albany, CA
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Rabbi Douglas E. Krantz		Townsend, DE
Rabbi Dr. Chava Bahle		Suttons Bay, MI
Rabbi Drorah Setel	Temple Emanu-El	Rochester, NY
Rabbi Ellen Jaffe-Gill	Tidewater Chavurah	Virginia Beach, VA
Rabbi Emma Kippley-Ogman		St. Paul, MN
Rabbi Esther Lederman	Temple Micah	Arlington, VA
Rabbi Guy Austrian	Fort Tryon Jewish Center	New York, NY

Rabbi Jeff Foust	Spiritual Life Center at Bentley University	Waltham, MA
Rabbi Jeremy Kridel	Machar: The Washington Congregation for Secular Humanistic Judaism	Washington, DC
Rabbi Jessica Kate Meyer	The Kitchen	San Francisco, CA
Rabbi Jill Jacobs	T'ruah: The Rabbinic Call for Human Rights	National
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Rabbi Jonah Rank	Kehilat HaNahar	New Hope, PA
Rabbi Judy Cohen-Rosenberg		
Rabbi Lev Meirowitz Nelson	T'Ruah: The Rabbinic Call for Human Rights	Brooklyn, NY
Rabbi Mackenzie Zev Reynolds		Brooklyn, NY
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Rabbi Michael Tevya Cohen		Dallas, TX
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Rabbi Nate DeGroot		Detroit, MI
Rabbi Ora Weiss	Restorative Judaism	Newton, MA
Rabbi Paula Marcus	Temple Beth El	Aptos, CA
Rabbi Raachel Jurovics	YAVNEH: A JEWISH RENEWAL COMMUNITY	RALEIGH, NC
Rabbi Rachel Kahn-Troster	T'ruah: The Rabbinic Call for Human Rights	National
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Rabbi Sharon Kleinbaum	Congregation Beit Simchat Torah	New York, NY
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Sister Honora Kinney	Sisters of Saint Joseph	Albany, NY
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Sister Janet Korn	Sisters of Mercy	Rochester, NY
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The Rev. Joseph Parrish	Christ the King	New York, NY
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