

Legal Justice

We seek a humane legal system that engages communities and promotes fairness, equity and compassion.

Prejudice within the legal justice system is often overlooked, woven as it is into legislation, the judicial process, and policing. Its impact is profound. The intersection of racism, misogyny, and socioeconomic inequality in the criminal and civil legal systems catastrophically affects New York women and girls—especially those who are Black, Latinx, Indigenous, gender-expansive, undocumented, or disabled. We must aim to address the inequalities that have so profoundly influenced their lives; in doing so, we further justice for all. **We need to say her name.**

We pay particular attention to the oppressions Black women, girls, and their communities face due to the enduring legacy of 400 years of unjust treatment in America. The brutalization, murder, incarceration, and unequal punishment of Black people is so pervasive and frequent that America has become desensitized to it. We are witnessing modern-day “lynchings” that are no different in kind to those of years past. They manifest due to over-policing in Black and Brown communities, insufficient legal representation for marginalized people, greater funding for prosecution entities than defense entities, and more. The reach of systemic prejudice cannot be underestimated. Unjust incarceration, for example, can trigger a wave of collateral consequences that range from the loss of child custody and housing to the loss of jobs and student loans.

While the breadth of harm marginalized people endure usually remains hidden from the public eye, this is a unique time in history. Systemic forms of oppression are colliding with the COVID-19 pandemic, and the result is a painful unearthing of overlooked injustices in our legal system. The cries for reform ringing in our streets are echoed across the country—and we must respond. During this pandemic, we have seen political will and public funds harnessed in unprecedented ways to respond to a health crisis. We propose that the same commitment and range of resources be employed to eradicate racism, misogyny, and socioeconomic inequality in our legal justice system. We call on all participants in the system, including the prosecution, the defense, judges, police, social workers and others to expose and address prejudice wherever it is found. We seek a humane legal system that engages communities and promotes fairness, equity and compassion.

RECOMMENDATIONS

- + **Avoid incarceration and limit collateral consequences**, such as loss of child custody, jobs, and the right to vote.
- + **Embrace trauma-informed, community-led solutions to end the incarceration of women and girls**, including access to vocational training and higher education.
- + **Eliminate mandatory minimum sentences**, which disregard mitigating factors.
- + **Decriminalize homelessness**: end inhumane policies, which are particularly cruel during this pandemic.
- + **Provide incarcerated New Yorkers a fair wage for their labor**; the average is \$.65.
- + **Ensure due process** for undocumented immigrants.
- + **Equalize funding** for public defense and family advocacy to funding for prosecution and policing.
- + **End policing as we know it.**
- + **Establish fair and higher financial eligibility criteria for indigent (family advocacy & criminal defense) legal representation** and services to serve more low-income families.
- + **In the era of COVID-19, protect prisoners' health rights** and **ensure technology adjustments don't roll back the rights** of criminal defendants and in family court.
- + **Stop abuse and ensure adequate medical care in prisons** by strengthening oversight.
- + **Require ongoing racial and gender bias training for all personnel in the criminal and civil legal systems**, including police, court personnel, lawyers, judges, and others.
- + **Mandate law school curricula on racism and gender bias** in the legal system.
- + **End the War on Drugs.**