

Dear Central Congregants,

We are writing to share with you the wonderful news that the New York State Governor, Assembly, and Senate enacted historic criminal justice reform in our State in budget legislation on April 1. We are part of a group of New York’s largest faith-based organizations that have worked tirelessly for two years toward this happy day. We are members of different faiths. We are clergy and lay leaders. We are New Yorkers who are part of diverse communities committed to creating a more just and compassionate New York State. And we are partners in the repair of our criminal justice system, in the dismantling of racism, and in the fight against mass incarceration.

Central Synagogue, Trinity Church Wall Street, and Congregation Beth Elohim have worked together this year, traveling to Albany to meet with our elected officials, sharing strategy, meeting with Governor Cuomo’s chief counsel and criminal justice staff, DA Vance, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie’s office, and more, to raise a moral voice on the urgent need for meaningful bail reform and pre-trial justice in New York State. At this moment of pause in the legislative cycle, we write to you, our congregations, with one voice, to celebrate what we have been part of winning, to be clear about that which has yet to be won, and to look into the future together.

We are taught in the Talmud that to save one single life, it is as if we have saved an entire world. That is the impact, many times over, of the bail, discovery, and speedy trial reforms that were enacted into law.

Instead of languishing in a jail cell for months or years just for being too poor to pay for their freedom, most individuals accused of misdemeanors and non-violent felonies will await trial at home with their families. Parents will return to their children, to homework help, to presence, to hugs, to stability. A child will see her father or mother go to work every day and earn the money to provide for them food, shelter, and clothing. A family or a community will have all of its members together. A person will dress with dignity and not just in prison clothing. An accused individual will meet with their lawyer, learn their rights, understand the charges against them. Each one will not have to take a deal just to get out of jail, pleading guilty and earning themselves a criminal record. Staying just one night in jail can destroy a life.

The new legislation also guarantees that accused people will gain access to evidence in their case before they are asked to plead guilty. And it encourages, but doesn't mandate, judges and prosecutors to expedite the often glacially slow process of justice. Partially eliminating cash bail in NY State, and passing discovery and speedy trial reforms in one package will ultimately lead to the release and protection of tens of thousands of individuals, saving not just their own lives, but also their entire world, making it possible to tell new stories about who they are and who their families might be for generations to come.

We are taught in Proverbs: Do not exploit the poor because they are poor and do not crush the needy in court. The poor are among the most vulnerable inside a criminal justice system where money can purchase freedom and here, our work is not yet done.

Our goal was to completely eliminate cash bail from New York's criminal justice system. Yet for most people accused of violent crimes, cash bail will continue to be an option for judges to impose. And some will be eligible to be held without bail or a chance for release. Further, the law will fall short of guaranteeing robust due process to people who may end up in jail through bail or pretrial detention decisions. As long as it is true that a person who is poor and one who is wealthy can commit the same exact crime and one walks free until trial while the other sits in a jail cell for lack of resources, then NY will have a two-tiered justice system which punishes the poor just for being poor.

We were reminded through our work on this issue that when we speak theoretically about the intricacies of the law, it is easy to forget that a person who is accused of a crime is *innocent* until proven guilty. And that even a person who *is* found guilty of committing a crime is also the victim of a great deal of suffering, leading them to this moment. And so we choose to see this issue as we are called to – through a love for humanity and the lens of our shared traditions.

We are taught in the book of Genesis that every human being is created in the image of God. In our own pews sits the victim of a crime, the accused of a crime, the perpetrator of a crime. In our own pews sit people with broken hearts, with dreams to be fulfilled or destroyed. In our own pews sits the full potential of every sacred life, all worthy of God's love, our love, and a fair and equal treatment under the law.

And so we celebrate the tremendous victories achieved this week in NY's criminal justice system which honor freedom, the presumption of innocence, and the dignity of life. And we commit ourselves to continuing our work together as people of faith toward ending wealth-based detention for all people accused of crimes, decarcerating our jails, dismantling the racism in our system, and affirming the need for a justice system that lifts up life.

In these ways, we pray that we may be witness to an end to mass incarceration in our state and ultimately in our country. May our continued work together help make visible God's divine spark in every human being.

Sincerely,

Rabbi Stephanie Kolin and the "Central in Action" Leadership Team, Central Synagogue

Reverend Winnie Varghese, Trinity Church Wall Street

Rabbi Rachel Timoner and the Congregation Beth Elohim Dismantling Racism Team, Congregation Beth Elohim