

New York state budget—millions for the rich, lengthy jail time for the poor

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12 April 2022

An overall agreement on the New York state budget for fiscal year 2023, totaling \$220 billion, was announced late Thursday. It must still be given final approval by the Legislature. The deal was reached between Democratic Governor Kathy Hochul and the state Legislature, both houses of which are controlled by the Democrats, nearly a week past an April 1 deadline. It contains a hodgepodge of provisions that do little to disguise the reactionary direction of the state's ruling class in a period of mounting crisis.

The budget's components, a number of which are not clearly budgetary, include a combination of the reinforcement of police/judicial repression of the working class, largesse for the capitalist elite, and underfunding of social programs, all in the context of rising inflation, a new wave of the COVID-19 pandemic, and the escalating US-NATO war against Russia in Ukraine, which could lead to a nuclear holocaust.

Hochul, the former lieutenant governor who replaced Andrew Cuomo last year as governor after the latter was forced to resign from office based on a dubious #Me Too witch hunt, is now running for governor in her own right, and needs to prove her reliability to the ruling class in running the state, which is home to the world's financial nerve center—Wall Street.

Portrayed in the bourgeois press as a struggle between so called “moderate” and “progressive” wings of the Democratic Party, the budgetary process constituted nothing more than an “intramural scrimmage,” in the cynical words employed by former president Barack Obama under slightly different circumstances.

A combination of higher than expected tax revenues and federal COVID-19 relief funding will provide an \$8 billion increase over the 2022 budget. However, far from using the additional resources to meaningfully address the devastating consequences of the pandemic, not to mention the unprecedented levels of inequality that have continued to grow in recent years, the political establishment's priorities include the strengthening of judicial powers aimed at suppressing the working class, along with boondoggle projects and tax cuts for the wealthy.

As part of the national push by the ruling class to build up the state's repressive forces as class tensions increase, both the Republicans and the great majority of Democrats, including New York City's new mayor, Eric Adams, have been working to whip up a right-wing frenzy over an increase in gun violence that occurred during the pandemic. This campaign seeks to frame the increase not as a tragic consequence of the social tensions generated by the social crisis and the ruling class's criminal mismanagement of the disease, but rather as due to New York's 2019 bail reform legislation. This included slightly less draconian bail requirements, thus permitting a

somewhat greater number of defendants to remain free prior to trial.

Hochul wants to increase the number of offenses for which cash bail would be required. She also advocates that judges be permitted to assess the “dangerousness” of a defendant in deciding whether the posting of a bail bond should be required, a “reform” that has been heavily promoted by the Republicans. The effect would be to reduce the number of defendants who can be released on their own recognizance pending trial, which can last for many months, especially due to delays caused by the pandemic.

This would increase the number of primarily lower-income individuals who are sent to Rikers Island, the largest jail complex in the United States, where three men have already died this year, for such minor offenses as subway fare evasion. It would, in effect, further criminalize poverty and do nothing to address the already existing gross social inequality that has been sharply exacerbated by the pandemic. Hochul is pushing this as part of a tough-on-crime agenda in tandem with Adams.

The contention that the increase in gun violence, which is a real phenomenon, is due to the previous, quite modest bail reform is exposed as a fabrication by the simple fact that such increases have occurred in many places across the country, coincident, as in New York, with the pandemic, but without the concomitant bail reform. Instead, this issue, along with a number of other law-and-order actions, such as the clearing of homeless people from the subways in New York City, is being used to divert attention from the real criminals who are responsible for the devastation wrought by the profits-before-lives policy of the ruling class with regard to COVID-19, which continues to kill a dozen New Yorkers every week.

In another retrenchment aimed at weakening defendant's rights, the requirement known as discovery, which mandates that the prosecution turn over all relevant evidence to lawyers representing the defendant within a specified period of time, has been loosened, effectively weakening the ability to mount a comprehensive defense.

Indicative of the devastation wrought by the pandemic, a recent report by the New York State Department of Health found that 4,965 drug overdose deaths occurred in the state in 2020 and there were more than 91,000 nationwide, a grim new record. This parallels a similar rise across the country, and these deaths are clearly, at least in large part, “deaths of despair.” However, unlike gun violence, which can easily be portrayed as a law-and-order issue, requiring more police and stricter judicial enforcement, these deaths more overtly illustrate societal dysfunction and are, therefore, less amenable to simplistic, right-wing “dog whistle” politics, and are not addressed in the budget.

Workers are being driven back to unsafe jobs by economic blackmail in the interest of business in order to maintain the flow of profits. At the same time, the availability of affordable, safe child care is far below the need, placing parents in an impossible contradiction. The miserably low pay for child care workers has created a crisis of staffing. Many child care facilities have closed. Nonetheless, the budget allocation to support the provision of such services is grossly inadequate.

The proposed plan would provide an 80 percent subsidy for the cost of child care to low-income families, those whose incomes do not exceed 300 percent of the ridiculously low federal poverty line, especially in urban areas like New York City. Under the new guideline, a family of four earning about \$83,000 would qualify for free child care. Moreover, the \$7 billion allocation, spread over three years, is based on the ludicrous assumption that only 15 percent of eligible families would actually participate. In addition, undocumented families, who compose a significant portion of the state's population, including an estimated 5,000 children, and are among the most highly exploited section of the workforce, are not even eligible.

Another indication of the gross social and economic inequality that has been exacerbated by the pandemic, which has impacted a large portion of New York's population and is belittled or ignored in the proposed budget, is housing and homelessness. There are 50,000 homeless individuals in New York City's shelters, including more than 15,000 children. All told nearly 100,000 New Yorkers experience homelessness on any given day.

Mayor Adams' solution is to mount a campaign to destroy homeless encampments and evict their occupants. The new budget does no better. Legal Aid Society Supervising Attorney Judith Goldiner said of the budget, "It's pretty dreadful." "The governor decided to-go drinks [take out from bars] and a stadium in Buffalo were more important than housing the homeless and marginalized New Yorkers."

One factor in the growth of the homeless population is the high costs of home heating and electricity, which have increased sharply during the pandemic and are likely to go even higher due to the war in Ukraine. An estimated 330,000 New York residential customers, one in five, are behind on paying their utility bills by at least two months, with a total shortfall of \$1.7 billion. Many more are nearing the brink. The American Association of Retired Persons (AARP) in New York, and the Public Utility Law Project estimate that a minimum of \$500 million is needed to meet immediate needs, which will otherwise lead to increased indebtedness and possibly service shutoffs. The new budget includes only about \$300 million for this purpose.

While growing numbers of New Yorkers are being driven toward poverty, public resources are being employed to further enrich the already wealthy. Emblematic of the "business-friendly" policy of the Hochul administration is the proposed massive state contribution to funding the construction and operation of a new stadium for the Buffalo Bills football team, whose home is the city of Buffalo, in western New York. This giveaway of public funds is being promoted by Hochul for what happens to be her home town.

The public contribution is reported to include \$600 million from the state, another \$250 million from Erie County, plus \$400 million from Seneca Nation of Indians gaming proceeds. The Buffalo Bills franchise is owned by billionaire Florida residents Terry and Kim Pegula, who will contribute a comparatively miserly \$550 million, less than a third of the total, while reaping untold financial benefits from the construction of the new stadium, predominantly at

taxpayers' expense. Independent assessments project that cost overruns and operating expenses will likely push the taxpayer "contribution" even higher. The total public cost has been described as the "largest NFL stadium subsidy in history."

This deal exemplifies the corrupt practices for which New York state government is notorious. In recent years, several high government officials have been convicted of egregious self-dealing. In an effort to project a new, "clean" image, shortly after taking office Hochul announced a non-binding conflicts-of-interest policy under which she promised to recuse herself from state business in which her husband was involved.

In fact, Hochul's husband is an executive at Delaware North, the company which has held the concessions contract for the current stadium during the past 30 years, placing him in a strong position to benefit from the construction of the new stadium. Nevertheless, in what would seem an egregious violation of her own policy, the governor did not recuse herself but was prominently involved in the negotiation and promotion of the deal for the new stadium.

Even aside from this glaring personal conflict of interest, spending such a large sum of public money on a boondoggle project that provides support to the millionaire owners of a professional sports team is an insult to the millions of New Yorkers whose living standards are being severely impacted by the pandemic and now surging inflation.

The new budget confirms once more that the Democratic Party is the bitterest enemy of the working class. This apparently comes as a surprise to the New York City chapter of the Democratic Socialists of America (DSA). In a statement issued on Friday, the pseudo-left DSA states that, "The NYS budget fails working people, jeopardizes public safety, fails to take action on climate, and stalls job growth." The DSA states that "Social movements, unions, left organizations, and progressive elected officials set out a bold agenda for New York to invest in an economic strategy that could provide equitable growth over the long term." It then whines that, instead, the Democratic Party-crafted budget serves as a giveaway to the rich and fails to address the needs of the majority.

There are currently seven members of the DSA in the New York Legislature: two in the Senate and five in the Assembly. Their job, in a state government entirely controlled by this party of Wall Street, is to keep workers tied to big business. The toothless criticisms are designed to maintain the fiction that the Democrats can be pressured to move to the left. The new budget once again proves the opposite. Only a party completely independent of the Democrats, the trade unions and all of their apologists can mobilize the working class to fight for a socialist program.



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