

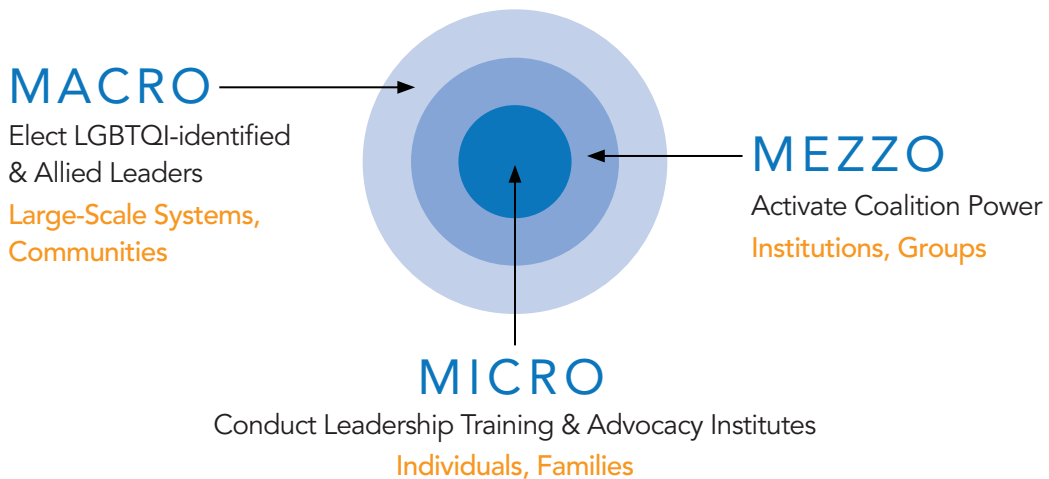
Equality New York (EQNY) is an advocacy organization that unites and amplifies the social and political voices of the LGBTQI communities throughout New York State. EQNY is the largest LGBTQI statewide coalition with 70+ organizations & 5,500 members & counting. Our coalition is led by a 35-person advisory council composed of LGBTQI leaders around the state.

EQNY's state-wide policy platform focuses on five (5) key domains that affect LGBTQI individuals disproportionately in New York State. In each domain we have identified different statewide strategies that include legislation and budget items that will lead to advancing the lives of all LGBTQI New Yorkers and their families.

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|--|---|----------------|---|---|
| 1 | 2 | 3 | 4 | 5 |
| Bodily Autonomy
& Reproductive
Justice | Disability Justice
& Mental Health
Access | Racial Justice | Transgender, Gender
Non-Conforming,
& Non-Binary Equity | Youth, Families &
Aging Communities
Protections |

We advance equality and justice for all New Yorkers and their families, by using an ecological lens for implementing all programs and services.

OUR APPROACH



Bodily Autonomy & Reproductive Justice

Equality New York believes all LGBTQI New Yorkers can and should self-determine what they do with their bodies. Bodily autonomy and reproductive justice does not just focus on rights, but seeks meaningful equality. The framework we use encompasses work for access to health care more broadly, as well as access to resources, freedom from racial discrimination, police violence, and other oppressions.

POLICY PRIORITIES

Promote Comprehensive Sex Ed in Schools S2584 (Brouk) / TBD (Nolan)

This bill requires that comprehensive, age-appropriate, medically accurate sex education be taught in public schools.

Comprehensive Sex Education is a rights-based approach that seeks to equip young people with the knowledge, skills, attitudes and values they need to determine and enjoy their sexuality—physically and emotionally, individually and in relationships. It is important that young people navigate the difference between gender and sex; exploring gender roles and attributes; society’s changing norms and values; gender bias, stereotypes and inequality (including self-stigmatization).



4% of LGBT youth in middle school & high school report having any positive discussion of LGBT people or issues in their health classes.

Decriminalizing Sex Work Bill S3075 (Salazar) / A849 (Gottfried)

This bill relates to the decriminalization of sex work; repealer.

The decriminalization of prostitution and related acts can be viewed through many lenses, including: labor rights, sexual freedom, bodily autonomy, gender justice, racial justice, gay rights, transgender rights, and criminal justice reform. Sex workers’ rights is all of these things – and sits at the intersection of so many critical social justice movements. Supporting people who engage in sexual labor is a natural fit for LGBTQI rights. Many sex workers identify as queer, and a disproportionate number of transgender women engage in sex work. Cisgender and transgender women who identify as Black, Indigenous, and People of Color (BIPOC) bear a disproportionate brunt of enforcement of New York laws criminalizing sex work, and the adverse consequences that follow. And police mistreatment of LGBTQI people, especially Black and Latinx LGBTQI people, is a persistent problem.

Citations can be found at www.equalityny.org/policypriority/

TBD* = Bill numbers have yet to be reintroduced for 2021-2022. Bill numbers will be updated as they are reintroduced.

Disability Justice & Mental Health Access

Equality New York (EQNY) believes that disability justice is integral to LGBTQ justice. EQNY will fight for disabled LGBTQI New Yorkers from a “nothing about us without us” perspective. This especially includes psychiatric and intellectual/developmental disabilities.

POLICY PRIORITIES

Develop a bill to ban conversion therapy on adults under guardianship

This bill would ban the use of conversion therapy on those over the age of 18 and under legal guardianship.

The current New York State conversion therapy ban forbids conversion therapy on minors under 18. However, it leaves out adults who are under a guardianship because of a mental or intellectual disability. They could be currently forced into conversion therapy. The District of Columbia recently passed such a ban and is the only jurisdiction to do so. New York State would be the second entity and first state to pass this legislation.

Develop a bill to help discontinue the use of police and other armed officers in mental responses

This bill would stop the abusive force used by police and armed officers in mental response throughout New York State.

A majority of people shot by law enforcement nationally are disabled, often with mental illness. Currently, armed law enforcement is untrained to deal with anyone experiencing a mental health crisis. Inadequate training or understanding of mental health leads to police violence. We must pass reform requiring unarmed crisis personnel to be the response to mental health crises.

Further data collection on Kendra’s Law and involuntary commitments based on LGBTQ identity

This change will enhance and support better data collection on Kendra’s Law.

We know that outpatient commitments due to mental illness authorized under Kendra’s Law are racially biased and impact disproportionately New Yorkers of color. We need to know more about whether LGBTQ people are being disproportionately targeted by the mental health court system.



Kendra’s Law (New York Mental Hygiene Law § 9.60) allows courts to order certain individuals with serious mental illness to stay in treatment for up to a year while continuing to live in the community.

Save the 340B Safety Net

This budget request will reverse the April 1, 2021 Medicaid pharmacy benefit carve-out from managed into a fee-for-service model.

The Medicaid drug carve out will be a huge cutback for organizations and hospitals who serve those with low income and living with HIV/AIDS. HIV/AIDS has historically, and still to this day, disproportionately affected the LGBTQI community. Tens of millions in 340B savings will be stripped from the trusted HIV providers. In the midst of a pandemic, it must be seen as thoroughly unreasonable to take away life saving services and surely will be delaying the advancement and progress made through the End the AIDS Epidemic (ETE).

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Racial Justice

Equality New York believes that we must use an anti-racist framework when working within the movement to advance LGBTQI rights. Our racial justice legislative strategy is grounded in three objectives: (1) building cross-movement solidarity with coalitions and campaigns that center commitments to racial equity and reparative justice in policy solutions; (2) partnering with established advocacy coalitions that are Black, Indigenous, and People of Color (BIPOC) led and center the voices of those most impacted by the existing policy failures; and (3) Amplifying powerful intersectional stories of BIPOC LGBTQ New Yorkers.

POLICY PRIORITIES

Marijuana Regulation and Taxation Act - MRTA S854 (Kreuger) / A1248 (People-Stokes)

This bill relates to the legalization of adult-use recreational cannabis.

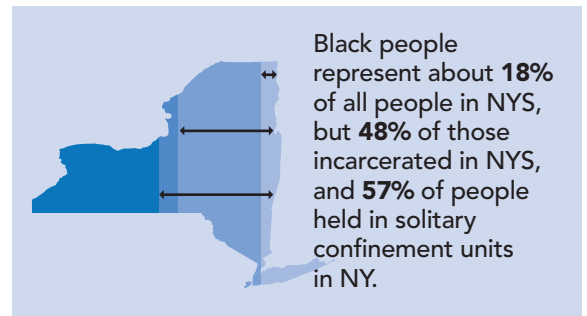
The LGBTQI community, especially those identifying as BIPOC, have been historically over policed, often through the discriminatory enforcement of marijuana laws. This has resulted in a large number of LGBTQI New Yorkers with arrests and convictions that limit their ability to get a job, attend college, or receive social support. This new framework will decrease the amount of arrests and convictions for LGBTQI New Yorkers and establish an important foundation to address the harm caused by the war on drugs.

Humane Alternatives to Long-Term Solitary Confinement Act - HALT

S1757 (Sepulveda) / A2277 (Aubry)

This bill restricts the use of segregated confinement and creates alternative therapeutic and rehabilitative confinement options.

The use of solitary confinement is inhumane and must be banned in New York State prisons and jails. In addition to this bill, we call for ending solitary confinement in another bill we champion, the Gender Identity Respect and Safety Act. The use of extended isolated confinement is often used under the guise of keeping Transgender, Gender Non-Conforming and Non-Binary (TGNCNB) people safe, but is used as a punishment for those already experiencing increased risks of physical violence and emotional harm in prisons and jails that are inconsistent with their gender identity.



Protecting the Rights of Juveniles During Interrogation Act S2800 (Bailey) / A5891 (Joyner)

This bill amends procedures required for the custodial interrogation of children to provide additional protections and for taking juveniles into custody

LGBTQI BIPOC youth are some of the most vulnerable members of our society. They are more likely to be arrested and interrogated by the police due to racial profiling and other discriminatory policing practices and require special care to ensure that their Constitutional rights are protected when they are involved in the criminal legal system. Police misconduct during interrogation happens too frequently and without the right safeguards young people can be taken advantage of and subjected to severe trauma.

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Transgender, Gender Non-Conforming, & Non-Binary Equity

Equality New York believes that Transgender, Gender Non-Conforming, & Non-Binary (TGNCNB) New Yorkers must be centered in all policy and system change. Historically, TGNCNB people have been left behind when prioritizing the LGBTQI agenda. The platform focuses on health, identity, and dignity as fundamental rights afforded to all New York residents, inclusive of the right to access housing, education, employment and protection against crime without bias, discrimination or harassment.

POLICY PRIORITIES



Repealer Walking While Trans S1351 (Hoylman) / 3355 (Paulin)

This bill would repeal New York's archaic, unfairly-applied statute on loitering for the purpose of engaging in prostitution.

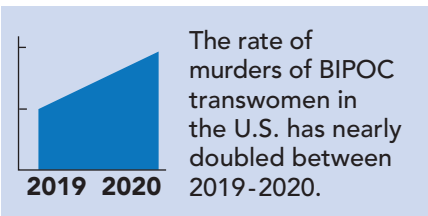
Transgender women who identify as Black, Indigenous, and People of Color (BIPOC) are disproportionately targeted for arrest because of their identity. This has made life more dangerous for the TGNCNB community. After someone is arrested under this penal code they are subject to experiencing horrific forms of violence by police, correction officers and other inmates. We must end this barbaric law which targets TGNCNB people now.



According to the New York State Division of Criminal Justice Services, 152 people — 80% women — were arrested under the law in 2018: 49% were Black, and 42% were Latinx.

Gender Identity Respect Dignity and Safety Act S2809 (Sepulveda) / A691 (Rozić)

This bill requires state and local correctional facilities to house TGNCNB individuals consistently with their gender identities; ensures that correctional officers and staff address people by their names and pronouns; guarantees people access to commissary items, clothing, and other materials that are consistent with their gender identities; and establishes a right to be searched by officers of the same gender identity. The bill will also enable people to opt-out of being housed consistently with their gender identity if they have overriding safety concerns.



The New York State criminal justice system often refuses basic rights to TGNCNB individuals who are incarcerated. TGNCNB people face much higher rates of discrimination, violence, lost opportunity, and the lack of access to basic needs. This bill will ensure that TGNCNB individuals are housed consistent with their gender identity, referred to by their name and pronouns even if they don't have legal paperwork, and given access to gender affirming items.

The Hate Crimes Analysis and Review Act S70 (Hoylman) / A2230 (Reyes)

This bill ensures that New York State collects and reports data on the sexual orientation, gender identity and racial or ethnic identity of victims and alleged perpetrators.

High quality and inclusive data collection allows us to have a better understanding of LGBTQI experiences in New York State. This bill will add information on sexual orientation, gender identity, and racial/ethnic identity. By collecting, analyzing, and reporting out information regarding hate crimes with these additional data points, it will help us best protect and serve the LGBTQI community.

Gender Recognition Act S4402 (Hoylman) / A5465 (O'Donnell)

This bill would create an X gender marker for New York identity documents as well as a streamlined, non-stigmatizing, and privacy-protective process for transgender, gender non-conforming, and non-binary New Yorkers to change the names and gender markers on their identity documents.

Streamlining the process of legal name and gender changes on documentation for TGNCNB individuals is key to minimizing discrepancies. This measure will help decrease violence towards TGNCNB people, ease the transitioning process, affirm our TGNCNB community, and more accurately reflect one's gender on legal documents.

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Youth, Families & Aging Communities Protections

Equality New York (EQNY) believes we must protect our LGBTQI youth, families and aging community as they are some of the most vulnerable members of our community. EQNY is committed to protecting the rights of our community throughout all phases of their lives.

POLICY PRIORITIES

GENDA Implementation in Schools S369 (Hoylman) /A840 (Gottfried)

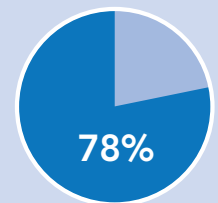
This bill requires schools to adopt policies and procedures that ensure that schools and their employees treat students consistently with their gender identities or expressions, including by correctly using students' names and pronouns; ensuring that students can participate in single-sex activities and use the single-sex spaces most consistent with their gender identities; and making sure that students' records accurately reflect their gender.

Transgender, Gender Non-Conforming, and Non-Binary (TGNCNB) students are routinely misgendered and denied equal opportunities in educational settings. While some large New York school districts have policies to ensure equal participation for all young people without regard to gender identity and expression, many school districts do not even within large school districts adherence to existing policies can be inconsistent. Affirming schools empower TGNCNB students and help their academic performance and social integration.

Develop a New York State "Every Child Deserves a Family Act" bill patterned off draft federal legislation

"Every Child Deserves a Family Act" would require non-discrimination in federally funded adoption and foster care services, for pre-adoptive, adoptive and foster parents and children and youth in foster care. We propose spending a year researching how other states have approached the issue, interviewing youth in foster care, holding public forums, and engaging the community generally.

Discrimination on the basis of sexual orientation and gender identity has no place in the provision of adoption and foster care services. New York law has led the country in access to the courts on these important family building modes, however some providers continue to impose obstacles on LGBTQI potential parents. LGBTQI youth in foster care are more vulnerable still to discrimination from agencies, social workers, and foster/adoptive parents. Agencies and county social services departments should be provided with resources outlining legal and practical changes required to ensure equitable treatment of young people in their custody.



78% of LGBTQI youth were removed or ran away from a foster placement because of the foster parents' intolerance of their sexual orientation or gender identity.

LGBTQI-inclusive Curriculum S1929 (Jackson)/ A808 (O'Donnell)

This bill would bring classroom materials into alignment with Core Curriculum Content Standards by ensuring that students receive diverse instruction in history and the social sciences, which will cultivate respect towards minority groups, allow students to appreciate differences, and acquire the skills and knowledge needed to function effectively with people of various backgrounds.

LGBTQI inclusive curricula benefit students of all sexual orientations and gender identities in several key areas. Students gain an unbiased and more thorough understanding of the LGBTQI community while learning how to promote acceptance. Students receive validation of their experiences, sexual orientations and gender identities and find a safe space to express their opinions and values.

Greatest Social Need S78 (Hoylman)

This bill will amend the elder law, in relation to clarifying the meaning of the phrase "greatest social need" for purposes of the administration of programs under the federal Older Americans Act of 1965.

In 2012, the US Department of Health and Human Services, Administration on Aging, issued new guidance on the definition of the term "greatest social need," giving states the discretion to include "individuals isolated due to sexual orientation and gender identity" and other at-risk populations. By legislatively making this designation, LGBTQI elders and older people living with HIV will no longer have to avoid services or care for fear of not being treated and cared for as their true selves.



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