



# ASSEMBLYMEMBER LINDA B. ROSENTHAL



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Dear Neighbor:

I hope this newsletter finds you and your loved ones safe, healthy and well.

During this difficult time, we have all endured tremendous uncertainty, anxiety and loss, some more so than others. As COVID-19 ravaged the State, we New Yorkers confronted a series of new and unique challenges head on. In the blink of an eye, we abandoned our schools, workplaces, and in some cases, our homes, to ensure our own safety and that of others. We hunkered down for what would become months of quarantine, staying away from even our closest friends and family. Many contended with intense loneliness, others the chaos of working from home partnered with increased childcare and educational responsibilities. Still others lost businesses and jobs. And in the worst cases, they lost loved ones, to a relentless disease that at times felt like it would never loosen its grip on our beautiful city.

The days were long, and the months of responsible quarantine have been longer. Against the backdrop of constant sirens and a sadness that enveloped the City, we New Yorkers banded together – a small community in a big city – to take care of each other and do what needed to be done.

We stayed home, even when it was hard. We checked in on neighbors and went grocery shopping for those who were too old or sick to do it themselves. We formed mutual aid circles on our blocks to deliver meals, packages, medicine and more. We stayed connected and helped to ease the strain of loneliness and fear.

And though things have begun to return to some sense of normal, we continue to sacrifice for others – by remaining physically distant and wearing face coverings.

Our first responders and essential workers were stretched beyond any humane limits, and they met unprecedented challenges every day to keep us safe. They reminded us, day after day, that real heroes don't wear capes, they wear uniforms and drive delivery trucks or clean buildings. We are in forever in their debt.

Even as we saw a City come together like almost never before, COVID-19 has exposed systemic inequalities that have plagued our City and so many others for generations. These inequities made Black and brown communities more vulnerable to COVID-19 and more likely to experience negative consequences as a result of it. We have seen that the people who were least able to afford a financial hit were the ones most likely to experience it. And we see that the social safety net designed to keep people from falling off the cliff is in tatters, unable to deliver essential goods and services.

Now, with millions unemployed, the City is facing a homelessness crisis of epic scale. Hundreds of thousands of people may lose their homes and join the ranks of New York's forgotten homeless population unless we take dramatic, decisive and necessary action to avert it.

We did not arrive at this moment by accident. Years of shortsighted, often expedient policy decision-making has ensured that the only development that has occurred on the West Side with any regularity is luxury development.

There are more than 80,000 homeless New Yorkers, and many low-income families and individuals have been living in unsafe or substandard conditions, doubled and tripled up. New York City simply does not have enough affordable housing. This is a reality illuminated by the fact that the City has resorted to placing thousands of homeless individuals in empty hotels around the City, including on the West Side.

We have shortchanged other areas of government to help provide big landlords and wealthy developers with handouts. COVID-19 has forced a reckoning.

No, this crisis did not happen by accident, but we have the power to change it.

We have a clear choice: we can continue to balance the budgets on the backs of New York's most vulnerable, hardworking families or we can ask New York's ultrawealthy, the multimillionaires and billionaires in our ranks to pay a little more – their fair share – to make sure that New York City remains the most spectacular place to live in the world. We can end the handouts to corporate giants, and use those resources to fund housing, healthcare, education and more.

It's about priorities, and New York has been long overdue for a priority resetting. That's why I joined a coalition of more than 100 of my colleagues to demand that we consider passing a variety of revenue raisers, including my bill to tax multimillionaires and direct the revenue to education funding to protect our students and teachers.

As always, I will continue to fight for you. My staff and I are here to help you navigate the new normal or handle ever-present issues. Please call or email my office today for help with a problem, to share your opinion, express a concern or just to talk.

Sincerely,

Linda B. Rosenthal  
Member of Assembly – 67 AD

## Assemblymember Rosenthal Introduces New Bill to Require Absentee Ballots to be Mailed, Without Request, to Every Eligible Voter

At its best, the Board of Elections (BOE) often struggles to administer elections and manage the vast infrastructure necessary to enable voters to cast their ballot and participate in the democratic process. The COVID-19 virus placed unprecedented strains on the BOE that contributed to mass confusion and disorganization in the days and weeks leading up to the June 23 primary.

My office, and many others, heard from worried constituents who faced numerous issues in attempting to vote. Some never received an absentee ballot application, others never received the absentee ballot they requested, some were unsure about the date by which ballots needed to be returned, and when voting in person some were not provided with two ballots – one for the presidential primary contest and another for any local primary contests.

The disarray at the BOE, partly a product of the circumstances but also a result of mismanagement and inadequate funding and staffing, disenfranchised countless voters. People told me this was the first election they had ever missed in a lifetime of voting, and they were distraught.

To cure some of the confusion, I have introduced legislation to require the BOE to send every eligible voter a ballot, with a postage-paid return envelope. Voters should not have to ask to exercise their constitutionally protected right to vote nor pay to do so. Five states, Colorado, Hawaii, Oregon, Utah and Washington, already use this system. Mailing every eligible voter a ballot will reduce opportunities for error on the part of the Board and confusion on the part of the voter.

## Providing Relief to New Yorkers During COVID-19

When COVID-19 hit, the New York State Legislature, like just about every industry in the State, was forced to conduct proceedings virtually. When the New York State Assembly reconvened via Zoom to hold Legislative Session to pass a package of COVID-19 relief bills, I was proud that four of my bills were among the several dozen we passed.

As the sponsor of the Child Victims Act (CVA) when it finally became law in 2019 after a 13-year-long struggle, I was thrilled to pass the bill to extend the CVA lookback window by one year. The CVA extended the statute of limitations in criminal and civil child sexual abuse cases, and it opened a one-year window during which previously time-barred cases could be brought. Even before COVID-19, survivors of childhood sexual assault needed more time to file a case within the window. Many were struggling to find an attorney to take their case, while others grappled with the emotionally difficult decision to come forward after years of suffering in silence.

Then, COVID caused the courts to close statewide. Courts were only accepting filings in essential matters, and matters under the CVA window were not considered essential. Survivors were losing months as the time continued to run. Though a variety of executive orders and court orders have attempted to clarify the rights of survivors within the window, they have only created legal confusion and uncertainty. Legislation was needed to clarify the rights of survivors and restore the time they lost within the window.

Because people could not leave their homes, telehealth became a necessity and also exploded in popularity. A new law I passed closed a legal loophole that made it difficult for people with impaired vision to participate in telehealth medical visits.

In addition, I passed a law to ensure that people were not denied unemployment insurance during the state of emergency as a result of forfeit penalties. Forfeit penalties are applied to individuals who the New York State Department of Labor (DOL) believes may have previously collected unemployment benefits using misleading statements. If an individual were to seek unemployment benefits again within a two-year period, existing forfeit penalties would be counted against their benefits, deducting 25% of their weekly benefits for each penalty assessed. As a result, many New Yorkers who had lost their job because of COVID-19 were having their unemployment benefits significantly reduced or taken away altogether.

After hearing from desperate New Yorkers who were struggling to pay their rent and put food on the table because they were being denied their full unemployment benefits, I introduced legislation to prevent DOL from imposing forfeit penalties during this pandemic.

I was shocked to learn that the New York State Office of Addiction Services and Supports (OASAS) was not included among dozens of other agencies on the State's Disaster Preparedness Commission. This Commission is tasked with developing emergency plans that are capable of being implemented quickly in the event of an actual emergency.

The opioid crisis was a public health emergency before COVID-19 struck. Like every other aspect of life, COVID-19 turned the addiction services community on its head. The State's failure to include OASAS on the Commission exposed vulnerable New Yorkers already struggling with substance use disorder to unreasonable risk of harm.

We have already seen a dramatic increase in overdose deaths statewide. Staff at opioid treatment programs (OTPs) were not provided with lifesaving PPE, like masks or gloves. It took months for the City and State to have medication assisted treatment (MAT) drugs safely delivered to people in isolation, leaving those in recovery struggling without access to MAT. Naloxone was difficult to get statewide, in- and outpatient group programs were disrupted in every county and people in life-threatening withdrawal were turned away from hospitals without referrals to treatment programs where their symptoms could be compassionately managed.

Had OASAS been included on the Commission, I would like to think that the agency would have had a plan in place to respond to these exigencies. But without a seat at the table, people struggling with SUD and their families have been

treated as an afterthought. The oversight demonstrates the low priority the State assigns to New Yorkers who struggling with SUD. I am proud to have been able to correct this oversight in advance of future pandemics.

While my staff and I have been working around the clock since the early days of the pandemic to help constituents and their families navigate this new normal and connect them with lifesaving services and benefits, it is vital that we pass additional legislation to guarantee protections to renters, small businesses and so many others who have been hurt by this crisis.

### Important Voting Information

We face a historic November General Election, and it is more important than ever that every eligible voter can cast their ballot safely and securely. I was proud to cosponsor and vote in favor of legislation to allow no-excuse absentee voting for the upcoming election. With this new law in place, any person who wishes to vote by absentee ballot because of COVID-19 concerns can mark the box entitled "temporary illness and disability" on their application and be provided with an absentee ballot. We also passed legislation to allow New Yorkers to begin requesting absentee ballots immediately and to ensure that ballots without a postmark received on November 4th are still counted.

In addition, I was pleased to vote in favor of legislation to provide for automatic voter registration. New York joins the ranks of 19 other states and the District of Columbia, which automatically register eligible voters when they have interactions with certain state and local agencies, such as the New York State Department of Motor Vehicles.

Even with these steps to enhance safe access to the ballot, we face real threats to our elections process. New York State's primary election process was marred by disorganization and delay, and now deliberate disruptions to the United States Postal Service have the potential to cause even further chaos.

In light of the high stakes nature of the upcoming election and the confusion surrounding it, it is important that you make a plan early about how and when you intend to vote. Once you do, please encourage others to do the same.

Here is some important General Election Voting information. Please be sure to check back in with my office or your local Board of Elections for the most up-to-date information.

**General Election:** The General Election will be held on November 3, 2020. Polls will be open from 6 am – 9 pm and a list of polling locations will soon be available on the New York State Board of Elections website.

**Early Voting:** The Early Voting period for the November General Election will be Saturday, October 24, 2020-Sunday, November 1, 2020. Early voting polling locations and hours will be available at the New York State Board of Elections website.

**Absentee Voting:** You may print out an application for an absentee ballot now by visiting <https://www.elections.ny.gov/NYSBOE/download/voting/AbsenteeBallot-English.pdf> or by calling 866-VOTE-NYC. You should return by mail, fax or in person the application to your local Board of Elections office. The New York City Board of Elections will begin mailing out absentee ballots on September 18, 2020.

The online application for an absentee ballot is available at <https://vote.nyc/page/absentee-voting>

**Voter Registration:** You may register to vote or change your voter registration online at <https://voterreg.dmv.ny.gov/MotorVoter/>

You may request a paper application be mailed to you at <https://www.elections.ny.gov/VoterRegSite/VoterRegistration> or call 1-800-FOR-VOTE

Applications must be postmarked no later than October 27, 2020.

## 2020 Census Get Counted NYC

The decennial Census is a constitutionally mandated enumeration to get an accurate count of every single resident of the United States for the purposes of apportioning the House of Representatives. This year, the usually nonpartisan process has been turned upside down by the COVID-19 pandemic, but it has also been subverted by outlandish attempts by the president to limit who may respond, shorten deadlines and create chaos. As of now, the deadline to complete the Census has been moved to September 30, 2020, a month earlier than was previously announced, but a lawsuit has been filed contesting that curtailed timeframe. Billions of dollars in federal funding for schools, health care and other vitally important programs and services along with Congressional representation rests on getting a complete and accurate count. New York was already concerned about an undercount before COVID-19; the pandemic has made the job of Census takers that much more difficult. The Citywide response rate is currently well below the national average, and our area is well below the 2010 response rate.

At a time like this, when it feels like the whole world is burning, we need to fight for a greater voice in Washington, DC. Unless our response rate improves, New York will lose two downstate Congressional seats. And, an undercount of this magnitude guarantees that we will lose billions in federal funding. New York State and City are already struggling through one of the most financially difficult times in our nation's history, and we must do all that we can to ensure that we leave no federal money on the table.

We all have the capability and responsibility to participate in this process. By completing the 2020 Census we will see to it that New York has the leadership and resources it needs to continue to be properly represented. And if you have completed the 2020 Census already, thank you! Now please encourage your friends, family members, and anyone you encounter to do the same. Stand up and be counted! Visit <https://2020census.gov/> today!



*On a near-weekly basis, I hosted virtual town hall meetings over Zoom with my colleagues in government to keep you up-to-date on our work to manage the COVID-19 public health and economic crisis. Shown here is a screen grab of the West Side Town Hall I hosted with Congressman Jerry Nadler, New York City Comptroller Scott Stringer and State Senator Brian Benjamin. We were joined by special guest New York State Attorney General Tish James. The panel was moderated by Deputy Director for Administration and External Affairs at NYU McSilver Institute for Poverty Policy and Research, Rose Pierre-Louis.*

## Devastating Cuts to Drug & Alcohol Treatment Providers Already Taking a Toll

COVID-19 is a public health and economic crisis of unprecedented proportions. New York State, and states across the country, are grappling with how to plug COVID-created holes in the economy in the absence of sufficient federal bailout funds.

As the Chair of the Assembly Committee on Alcoholism and Drug Abuse, I am particularly concerned about significant cuts to drug and alcohol treatment providers. The State has been withholding 20% of funds due to nonprofit providers of services to New Yorkers. Shockingly, the counties receiving funding through the New York State Office of Addiction Services and Supports (OASAS) for drug and alcohol treatment programs were facing a whopping 31% withholding in state funding, until I and advocates intervened.

While we wait for Congress to finally pass the HEROES Act, providers will be forced to reduce their services, and some will be forced to close. There is simply no way for these organizations to absorb this magnitude of withholding and continue delivering services, not with their margins. And the consequence of that is people struggling with substance use disorder will die.

COVID-19 has placed an inordinate strain on the State's finances, but balancing the books cannot come at the expense of people's lives. No one denies that cutting funding in the behavioral health sphere will lead to tragic outcomes. We can and must do better in New York State. Raising revenue by asking those who can afford it to pay a bit more must definitely be on the table.



*Maria Guzman, Harborview Terrace Resident Association President, and I distributed face coverings and hand sanitizer to building residents.*

## Securing Kosher Food at Our Emergency Grab-and-Go Sites

To help provide meals to food insecure New Yorkers and their families when the COVID-19 pandemic hit, the City of New York set up emergency grab-and-go sites that operate in public school buildings. Despite the Upper West Side being home to a large population of Jewish New Yorkers who keep kosher, the grab-and-go sites in our area did not offer kosher meals. Ensuring that all New Yorkers have access to food is paramount, especially now, but having food that matches people's requirements is also crucial.

After hearing from residents who did not have access to appropriate food choices, I advocated for the City to provide kosher meals at a central grab-and-go site. There is now one, located at PS 75, Emily Dickinson, 735 West End Avenue. Kosher food had been made available at grab-and-go locations in neighborhoods in Brooklyn and Queens and others have vegetarian and halal selections.

The City will continue to provide grab-and-go food until at least September 9, 2020. The sites are open Monday through Friday from 7:30 am to 1:30 pm.

## Helping Small, Local Businesses & Workers

In addition to wreaking havoc on our public health system, COVID-19 has been financially devastating for many people and businesses. Tens of thousands of New Yorkers have lost their jobs and hundreds upon hundreds of non-essential businesses have been forced to shutter.

Our small, local businesses didn't merely create character in our community, though they did that with creativity and class, they powered our economy and helped thousands of New Yorkers put food on the table to feed their families. We must do all that we can to ensure that when it is safe to begin reopening our economy, these businesses can come back, even stronger than before.

The West Side and many other neighborhoods across the City were already experiencing an increase in vacant storefronts before COVID-19, as we watched so many of our beloved mom and pop shops close up and leave holes in our streetscape and our hearts. I have and will continue to advocate aggressively for no- and fewer-strings attached relief for our small businesses.

*New York City Comptroller Scott Stringer and his son Max, area elected officials, representatives from Manhattan's Community Board 7, the Columbus Avenue BID, local restaurateurs and I went on a walkthrough of Columbus Avenue to discuss ways to safely, effectively and quickly open bars, restaurants and retail establishments on the Upper West Side.*



*I joined Lincoln Center for the Performing Arts and the Food Bank for New York President and CEO Leslie Gordon to distribute food boxes to 500 families on the Upper West Side. I distributed face coverings and hand sanitizer as well.*



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## Securing the Privacy of Your Health Records

New York State has hired and trained people to act as disease detectives. These contact tracers identify and provide support to anyone who may have been exposed to a COVID-19 positive person. Robust contact tracing efforts will help us to maintain a flattened disease curve by identifying and stopping potential disease outbreaks before they occur. This activity is essential to our collective health and safety, but many Americans report that they are suspicious of contact tracing apps and efforts. One recent survey found that 75% of Americans believe that COVID-19 technology responses have put their privacy at risk.

These concerns are not unfounded. Recently, it was discovered that major software companies downloaded contact tracing software on users' phones without their knowledge or permission. Though the app was not enabled, this incident raises serious privacy concerns. We all have a vested interest in ensuring that our confidential health data remains so, and that once it is collected by local health departments to help slow to spread of

COVID-19, that it is used only to manage the immediate public health emergency.

In order to ensure that contact tracing efforts are effective, people must be able to trust that their information is protected. I have introduced new legislation to establish broad privacy protections for health information collected by digital contact tracing apps. Once the bill becomes law, it will ensure that proper precautions are taken to ward against breach, and that information collected cannot be used for advertising or marketing purposes, and cannot be shared or sold to third parties without the express consent of the owner of the information. A global pandemic should not provide a reason for our personal, highly sensitive health information to be sold or shared in any way. This legislation will provide peace of mind to all New Yorkers and will ensure that contact tracers are more successful in collecting the best health information from the most people.