

March 19, 2020

Hon. Andrew Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Dear Governor Andrew Cuomo,

On March 9, 2020, you announced that New York State would begin to mass-produce its own line of hand sanitizer products, promising the production of 100,000 gallons per week to fight the Coronavirus outbreak.<sup>1</sup> While you extolled *NYS Clean* as an instrument of the State to promote public health at no cost to New Yorkers, you omitted the cost to public health and dignity for the workers charged with its mass production: the incarcerated New Yorkers at Great Meadow Correctional Facility.

Last year, you voiced support for increasing the wages paid to incarcerated New Yorkers.<sup>2</sup> We demand that you act on your sentiment and address the reality of modern-day slavery in NYS prisons by paying incarcerated workers minimum wage. We urge you to start by using your funding power under the declared State of Emergency to pay incarcerated workers charged with lifesaving work during this public health crisis fair wages. We also demand that you continue to pay incarcerated workers through potential work interruptions that might result from the Coronavirus pandemic.

We are alarmed that the labor of our fellow New Yorkers at Great Meadow and incarcerated workers across our state who produce essential goods and provide critical services for the State for pennies an hour are being exploited without adequate compensation and often under the threat of punishment – including solitary confinement.

The production of *NYS Clean* is just the latest example of New York's abuse of incarcerated labor. The State's legislatively-mandated reliance on Corcraft ensures that the products

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<sup>1</sup>[https://twitter.com/NYGovCuomo/status/1237034894771064832?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetemb ed%7Cwterm%5E1237034894771064832&ref\\_url=https%3A%2F%2Fwww.cnbc.com%2F2020%2F03%2F09%2 Fnew-york-is-making-hand-sanitizer-with-prison-labor.html](https://twitter.com/NYGovCuomo/status/1237034894771064832?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetemb ed%7Cwterm%5E1237034894771064832&ref_url=https%3A%2F%2Fwww.cnbc.com%2F2020%2F03%2F09%2 Fnew-york-is-making-hand-sanitizer-with-prison-labor.html)

<sup>2</sup> <https://gothamist.com/news/cuomo-says-he-supports-raising-wages-ny-state-prisoners-who-earn-65-cents-hour>

manufactured and services rendered by incarcerated workers permeate every New Yorker's life. Last summer, you announced a revenue raising initiative that required millions of New Yorkers to order new license plates, failing again to acknowledge the workers at Auburn Correctional Facility that would be manufacturing them for pennies per hour. In fact, you often turn to incarcerated workers to aid the State's critical infrastructure. Incarcerated workers also manufacture the furniture in our public schools and universities, the garbage cans on our street corners, and the eyeglasses worn by Medicaid recipients.

Yet, the wages incarcerated workers are paid – as low as just \$0.10 per hour – remain unchanged since 1993, a rate set by your father, Governor Mario Cuomo. Meanwhile, the State earns revenues upwards of \$65 million a year through Corcraft, and the labor of incarcerated workers is used to artificially minimize Corrections' operations costs. Amid the COVID-19 pandemic, it is clear that the State continues to prioritize profit over people.

We write today as a broad coalition of criminal justice and workers' rights advocates and labor organizations committed to the belief that the labor of incarcerated people is no less valuable than yours or mine. Yet, while minimum wage spans between \$11.80 and \$15.00 across our state for people on the outside, incarcerated workers make what amounts to slave wages. That's because, unsurprisingly, New York's current system of penal labor has its genesis in the state's Reconstruction-era Black Codes. The State profits by recreating punishment systems that disproportionately impact Black and Latinx New Yorkers.

Only by meaningfully increasing wages for incarcerated people and ending forced labor can we begin to respect the humanity and dignity inherent in each person. Incarcerated New Yorkers are our brothers, our sisters, our grandmothers, our cousins, and our neighbors; accordingly, we believe that each and every person inside must be paid fairly when they choose to work, and must not be forced to work at the risk of solitary confinement and other coercive measures. In this time of crisis especially, we must ensure that incarcerated people receive fair wages that can provide access to communication and critical commissary items, while alleviating pressure from families and communities who now face joblessness, houselessness, and hunger due to the measures taken by the State to prevent Coronavirus spread.

The undersigned organization implore you to use your powers during this State of Emergency to bring dignity to incarcerated workers, who you often tap to protect and serve our residents at the

most critical times, by paying them real wages and ending forced labor. We also support the introduction and enactment of legislation in 2020 to give all workers the freedom to choose to work, to grant them the right to be paid a meaningful wage, and to deprioritize Corcraft as a preferred status vendor for state and local agencies.

We encourage you to stand with us, and with New York's incarcerated workers who continue to labor on behalf of the State, in solidarity on behalf of the health and wellbeing of their families.

Signed,

*Worth Rises*

*The Legal Aid Society*

*Color of Change*

*Adhikaar*

*Alliance of Families for Justice*

*Association of Legal Aid Attorneys (UAW Local 2325)*

*The Bronx Defenders*

*Brooklyn Community Bail Fund*

*Brooklyn Defender Services*

*Center for Community Alternatives*

*Center for Popular Democracy*

*Citizen Action of New York*

*College & Community Fellowship*

*Communications Workers of America (District 1)*

*Community Service Society of New York*

*Correctional Association of New York*

*CUNY Law Formerly Incarcerated Law Student Advocacy Association*

*CUNY National Lawyers Guild*

*Deskovic Foundation*

*Fines and Fees Justice Center*

*Flushing Workers Center*

*Fordham Law Workers' Rights Advocates*

*Fordham National Lawyers Guild*

*It Could Happen To You*

*Justice and Unity for the Southern Tier*  
*JustLeadershipUSA*  
*Katal Center for Health, Equity, and Justice*  
*LatinoJustice PRLDEF*  
*Legal Action Center*  
*National Economic & Social Rights Initiative*  
*National Employment Law Project*  
*Neighborhood Defender Service of Harlem*  
*New York Civil Liberties Union*  
*New York Communities for Change*  
*New York County Defender Services*  
*New York Legal Services Coalition*  
*NYCOSH*  
*One Fair Wage*  
*Parole Preparation Project*  
*Prisoners' Families Anonymous*  
*Release Aging People in Prisons (RAPP Campaign)*  
*Queens Defenders*  
*Truth Pharm*  
*Unchained*  
*Urban Justice Center*  
*WESPAC Foundation*  
*Worker's Justice Project*  
*WNYCOSH Worker Center*  
*VOCAL-NY*  
*Youth Represent*

Cc:

Hon. Andrea Stewart-Cousins  
Majority Leader, New York State Senate  
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Albany, NY 12247

Hon. Carl Heastie  
Speaker, New York State Assembly  
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