

Prohibition Party of New York Response to Governor Andrew Cuomo's 2020 State of the State Address
January 10, 2020

On January 8th, 2020, Governor Andrew Cuomo delivered his annual state of the state address, laying forth his own understanding of the condition of the state, and his proposals of what he would like to see in the coming year. In the interest of advancing a productive discourse as to the condition and future of the state of New York, we of the Prohibition Party of New York will put forward a response to Governor Cuomo's address; in which, we will evaluate his statements and proposals, and counter by articulating our own vision and proposals for the state.

Prior to the beginning of Cuomo's speech there were a number of opening speakers. Among those was Rev. Phil Turner, who delivered an invocation. In it, he claimed that the governor is "concerned with the welfare and safety of every sector of our population". If only this were the case. But unfortunately, various policies and actions advanced by his administration in the past and present suggest otherwise. Perhaps the governor does believe he is concerned with the welfare and safety of all sectors of the population, but is severely misguided as to what is in the public interest. But in terms of the conditions and effects of his policies and actions, he has shown a general indifference to the lives, safety, and wellbeing of New Yorkers. Time and again, he has pursued misguided policies which have been detrimental to the lives and wellbeing of New Yorkers, and on various occasions has failed to take important steps to deal with important problems facing the state. If the governor truly cares about the lives and safety of New Yorkers, then he should come to realize the error of his ways, and change his approach. He should end his support for the alcohol industry, stop his misguided efforts to legalize the sale of recreational marijuana, take serious steps to combat the problems of alcohol and other drugs, take serious steps to combat corruption, and take serious steps to improve education, infrastructure, and economic development.

Governor Cuomo has proposed that the state take action to ban fentanyl analogues. That is, substances which are chemically similar to fentanyl, which could be used as a substitute for fentanyl or altered to make fentanyl, but under current law are technically not illegal. Indeed, the state legislature should pass a law banning fentanyl analogues. The Cuomo has also proposed expanding state treatment programs for dealing with opioid addiction. In general, the state should expand its efforts to treat opioid addiction, as well as prevention and treatment efforts for drug use in general.

Governor Cuomo has proposed increasing state efforts to crack down on retailers who illegally sell tobacco products to minors. He has also proposed that the state should ban the sale of flavored nicotine vaping products, and ban vaping advertising aimed at youth. Indeed, the state should expand measures to combat the tobacco industry in all forms.

While Governor Cuomo has made some sensible proposals for addressing fentanyl and tobacco, he has unfortunately put forward some very misguided and regressive proposals in regards to alcohol and marijuana. Governor Cuomo continues his support for the alcohol industry and continues to engage in efforts to weaken state laws restricting the alcohol industry. Governor Cuomo wants to make it legal to sell alcohol in movie theaters, he wants to weaken the state's tied house laws which restrict connections between alcohol manufacturers/wholesalers and alcohol retailers, he wants to severely weaken state restrictions on colleges instructing students on how to produce alcohol, he wants colleges

to be able to get in the business of selling alcohol produced by students, and he wants to exploit colleges as a means of producing a workforce for the alcohol industry.

Governor Cuomo fundamentally misunderstands the problem of alcohol and the alcohol industry. Alcohol is a toxic substance, which is detrimental to the mental and physical health of users. It causes a wide variety of illnesses and injuries, including brain damage, organ failure, and several forms of cancer. Scientific and medical research has shown that any level of alcohol use is damaging to health. Alcohol kills over 88,000 Americans a year, and over 3 million people a year worldwide. Alcohol kills more people and produces a larger amount of addiction than all opioids combined. Alcohol use is a major factor in many instances of crime, particularly violent crime. Alcohol use fuels drunk driving. Alcohol use contributes to increased rates of spousal abuse, child abuse, and child neglect. Alcohol is the most common rape drug in cases of sexual assault. Alcohol is a public health problem. The alcohol industry not only produces and sells this harmful product to consumers, but only promotes its use, and works to undermine efforts to inform the public about its harms. The alcohol industry is fueling this public health crisis. By weakening state restrictions against the alcohol industry and using the state government to promote its growth, Cuomo and his coconspirators are actively working to make the problem worse.

Cuomo falsely claims that growing the alcohol industry will help grow the state's economy. But in reality, it is harming it. Our state loses over 16 billion dollars a year due to the social, medical, and economic damages caused by alcohol. That includes treating alcohol induced illnesses, the financial lost caused by alcohol caused deaths, lost worker productivity, the damages caused by drunk driving, the costs of other alcohol fueled crime and violence, and many other damages. The state loses 4 times as much money from the damages caused by alcohol then it gets from the alcohol industry. Many of these damages end up having to be paid by the state and local governments. And since the amount of money that the alcohol industry pays in taxes is no where near the amount of money the state spends in dealing with the problems caused by alcohol, the average taxpayer ends up having to pay higher taxes to cover the cost. The alcohol industry does not help the economy. The alcohol industry makes our state sicker, poorer, and more highly taxed. And expanding the alcohol industry only makes it worse.

The state should not allow movie theaters to sell alcohol. Companies should not poison their customers with toxic products like alcohol. And we don't another social space promoting drinking, and by result likely facilitating increased rates of drunk driving. We should instead by increasing restrictions of alcohol sales, and working to expand the amount of alcohol-free social spaces for families and those who do not drink. Weakening Tied House laws would only serve to increase the power and influence of alcohol companies. Our colleges are meant to educate, develop, and uplift its people. They are not meant to be used as places for facilitating the exploitation, harm, and degradation of people. Our colleges shouldn't be turned into breweries and our students shouldn't be treated as a product to be sold off to the alcohol industry. On the contrary, the state should ban any SUNY college, CUNY college, or college receiving state funding from operating any alcohol production program.

Last year, Governor Cuomo and his coconspirators attempted to legalize the sale of recreational marijuana in the state. After rising opposition from doctors, law enforcement members, and many members of the public, the state legislature rejected the effort. This year, Governor Cuomo is once again making another misguided attempt to legalize the sale of recreational marijuana. Governor Cuomo ignores the growing body of medical and scientific researching the negative effects of marijuana use on

the brain and body. He ignores the fact the states which have legalized the sale of marijuana use have seen increasing rates of marijuana use among children and have seen increasing rates of drugged driving accidents. He ignores the fact that states that have legalized the sale of recreational marijuana have ended spending far more money dealing with the problems caused by legal marijuana than they have gained in revenue from it. The state of Colorado loses 4 times the money it receives. And he ignores the general reality that whenever a state has allowed companies to sell a drug for recreational use (whether it be alcohol, tobacco, marijuana, et cetera) that it has resulted in increased drug use, greedy corporations openly promoting its use, a decline in public health due to illnesses and injuries resulting from such use, and increased costs in terms of social, medical, and economic damages. From the standpoint of public health, wellbeing, and safety, legalization is a failure. Hopefully sensible members of the public will continue to voice their opposition to Cuomo's misguided effort and the legislature will once again reject his efforts.

They should also reject Cuomo's misguided idea of hijacking state colleges and state funds to promote marijuana. Again, colleges are supposed to be used to education and uplift. They are not a tool for the Governor to help out the corrupt businesses that donate to his campaign. The governor should stop to sell off the futures of students to his corporate donors, and start to look out for the public interest.

Governor Cuomo has proposed closing the intoxication loophole in the state's rape law. Under current state law, there is a loophole a person having sex with someone who is too drunk to consent is not automatically considered rape. As a result, it allows accused of rape in such cases to try to claim that consent when a victim is too impaired to effectively defend against attack, and thus potentially avoid being convicted of rape. Thus, the governor is calling for the legislature to pass a law removing this loophole. This change should be made. Rapists should not be able to walk free because they used alcohol (the most common date rape drug) as an instrument to help enable them to commit rape.

Governor Cuomo has proposed updating state laws regarding the online activity of registered sex offenders, to require them to disclose the screen names for their online accounts to the Division of Criminal Justice Services, and establish criminal penalties for sex offenders misrepresenting themselves online. Indeed, the state should take stronger efforts to combat sexual predators and work to prevent them from using the internet as a means of targeting children.

Governor Cuomo spoke about the need to make changes to the state's system of funding for schools. Indeed, there are flaws in the state's system of finance, which result in the systemic underfunding of many schools, particularly in upstate school districts and lower income school districts. The state should take steps to help ensure that all schools are adequately funded. This is a long-standing problem, which the Cuomo Administration has long failed to adequately address. Hopefully this year the state will take significant step to improve the situation.

Governor Cuomo has once again bragged about this Excelsior program (a program which provides some additional funding to some college students for covering tuition costs). While this program has helped some students in the state, and is a step towards expanding college affordability, Cuomo has had a tendency to make exaggerated statements about the program. In this speech his statements were more accurate as compared to his exaggerated claims last year. Unfortunately, he failed to use the opportunity to press for further reforms that would help make college education more affordable, such as expanding the state's TAP program.

Governor Cuomo spoke about the supposed improved economic conditions in the state. To some extent, he is correct that there is data to indicate that the state has seen some job growth and reductions in unemployment in recent years, he underplays some of our challenges. Many of the communities across the state have experienced decreasing populations. Decreasing populations have led to reduced consumer bases and tax bases, making it more difficult for many communities to maintain and attract businesses, to maintain enough jobs for residents, and finance important public services. While there are some signs of some millennials moving to the state, the state is still seeing some of the largest net outward migrations in the country, and more steps will be needed in order to solve the problem. In addition, the state's economic development programs have in various cases been plagued by corruption, mismanagement, and poor planning. Stronger efforts need to be taken to improve our state's economic development efforts.

Governor Cuomo proposed enacting a new program to help facilitate the repairing of natural environments throughout the state. He stated that he planned on holding a public vote for the plan. Indeed, protecting the environment our state is important to protecting the quality of life of people and ensuring the long-term economic prosperity of our state. So, his proposal may be something to consider.

Governor Cuomo spoke about the importance of developing the state's infrastructure. He made several proposals for various infrastructure development projects across the state. Now generally, the state should work to further improve its infrastructure. But as to the governor's specific proposals, it will be important to look into the details to see how feasible they would be.

Governor Cuomo proposed passing a law requiring elected public officials in the state, making over \$100,000 to publicly disclose their taxes. Indeed, it would be interesting to see what officials may be personally receiving financial benefits from corporations and special interests. Though, Governor Cuomo has a history of ethics reform proposals at state of the union addresses and not following up to get them passed.

Governor Cuomo failed to address how a group of political elites hijacked the state commission that was designing a plan for public financing of elections, and used it to rewrite state ballot access laws in a way that would cause most of the current state recognized parties to lose statewide ballot access, would make it almost impossible for those parties to regain ballot access, would make it vastly harder for independents to get statewide ballots, and removing most of your options from the ballot. Those changes were anti-democratic and attack on the political freedom of all New Yorkers. The state legislature failed to take action from stopping these changes from taking effect. While they could still reverse those changes, there isn't much time to do so, before it starts to cause serious damage to our state's elections. Multiple minor parties have already started suing the state, challenging that the commission did not have the power to change state election laws, and that the changes violate the state constitution. Hopefully these lawsuits will succeed, and the state's old ballot access laws will be restored.

Governor spoke about how are state is facing problems with hate and social division. This included things such as a general rise in the number of hate crimes, an increasing number of anti-Semitic attacks, a series of incidents involving the KKK and various white-supremacist groups in the state, and increasingly extreme animosity and division between those of differing political views. Indeed, these outbreaks of hate and division are a problem and a danger to health of our republic. We must work to

uphold and promote the principles of equality and protection of the human rights of all New Yorkers. We must also work to move our state towards a healthier political discourse.

Having responded to the governor's statements, let us turn to our own vision and proposals.

The Prohibition Party of New York puts forward a vision of good government, based in moral principle, ethical public service, and advancing the public wellbeing. To this end we put forward the following proposals.

End state support for the alcohol industry in all forms. That includes prohibiting state agencies from being used to support the alcohol industry or its products, eliminating all special tax cuts that were given to the alcohol industry, prohibiting state money from being used to support any alcohol manufacturing or selling business, and restrengthen state restrictions on the alcohol industry.

Have the state seriously address alcohol as a social and public health problem. That includes expanding prevention and education efforts (including the promotion of teetotalism), expanding support for reformatory efforts and rehabilitation treatment, holding the alcohol industry legally liable for the damage caused by its products, increasing restrictions on the alcohol industry, and working towards the eventual abolition of the alcohol industry. Likewise, expand efforts to combat tobacco, other intoxicating drugs, and gambling.

In the coming year, we must work to prevent Cuomo and his conspirators from weakening state restrictions on the alcohol industry, and work to once again defeat their misguided attempt to legalize more drugs. In the last year, there was progress toward a bill to significantly expand addiction prevention and treatment programs for alcohol and other drugs. Let us work toward getting a bill passed this year. Let us work to build on progress from last year, and further expand state restrictions on tobacco products.

We must must to further advance the principles of equality, justice, and the protection public wellbeing in our society. We should work to enact stronger state ethics laws and increase anti-corruption efforts. We must stand in defense of our state's electoral system. We must work to end the unconstitutional changes to our states ballot access laws, either may action in the legislature, or by striking them down in court.

Our state should work to take stronger actions to combat sexual predators. In addition to fixing the intoxication loophole in the state's rape law, we should grant an immediate extension to the lookback window granted in the child victims act. We should then work towards abolishing the statute of limitations for rape and the sexual abuse of children. We must also take stronger actions to prevent and combat domestic violence by enacting measures such as passing Britany's law.

We should work to expand opportunities and improve services for those in the state living with disabilities.

We should reform the state's economic development efforts, to embrace an effective holistic approach to economic development. Reform the state's fiscal system, to have the state take greater responsibility for its expenses and reduce the burden of property taxes. And take further actions to protect the environment and advance renewable energy.

We should reform our education system to improve the quality of education and ensure adequate funding for all schools. We should expand TAP and other financial aid efforts, and work towards a system where all New Yorkers have a reasonable opportunity to a debt free education at any of the state's public and non-profit independent colleges, universities, and vocational schools.

We welcome those who wish to help build a better future for New York to join us in our effort to seek positive reforms for our state, and to stand for moral principle, public wellbeing, and progress, against the regressive forces of greed and permissivism, who seek to drag down our state for their own selfish gain. As William Jennings Bryan had said, "The humblest citizen of all the land, when clad in the armor of a righteous cause, is stronger than all the hosts of error." Let us work to build a better future for the people of New York state.