CFLJ REMARKS TO THE ALBANY COMMON COUNCIL, 05/17/21

For nearly a year we’ve all struggled with the issue of tear gas. After witnessing highly disturbing events and behaviors of officials across the country and in our own city, the Center for Law and Justice is RESOLUTE that this Common Council must pass Local Law C. I give you five reasons: morality, responsibility, urgency, solidarity, and authority.

FIRST: THERE IS NO MORALITY IN OUR POLICE DEPARTMENT USING WEAPONS OF WAR AGAINST ITS CITIZENRY. Tear gas, which causes immediate and long-lasting harm, has actually been banned as a weapon of war. It is immoral for the Albany Police Department to tear gas its citizenry.

SECOND: THE COMMON COUNCIL HAS A RESPONSIBILITY TO REMOVE WEAPONS OF WAR FROM THE DISCRETION OF PEOPLE UNDER STRESS. The Mayor’s Office and the Police Chief repeatedly state how stressed the APD is due to understaffing. As noted by several Council Members, people under stress exercise bad judgment. The Mayor, under stress, likened Albany’s peaceful protestors to the deadly Insurrection at the Capitol. Any proposed amendments to Local Law C that give discretion to use tear gas to a stressed police department should not be considered.

THIRD: THERE IS AN URGENCY TO BAN TEAR GAS TO MOTIVATE THE APD TO ADOPT HUMANE DE-ESCALATION TOOLS. Many injuries during recent protests, including the Insurrection at the Capitol and the South Station police sweep, were due to inadequate preparation by police authorities. City officials have shown little inclination to pursue less harmful de-escalation techniques as long as they have weapons of war to fall back on.

FOURTH: THE PEOPLE OF ALBANY ARE IN SOLIDARITY OVER THIS BAN. Council Members in last week’s Caucus noted the overwhelming community support for this ban. The Center has never seen our community more in solidarity than it is now over the need for a ban on tear gas.

FIFTH: THE COMMON COUNCIL, ELECTED EXCLUSIVELY BY THE MEMBERS OF YOUR VERY OWN NEIGHBORHOODS, MUST NOT SURRENDER YOUR AUTHORITY TO THE MAYOR. The erosion of community policing under the current APD administration has caused a spiraling down from a “guardian” approach to a “warrior” mentality. There is a sense of “us versus them” in the manner in which the APD handles protestors. The Mayor has steadfastly rejected requests for a meeting made by ALBANY protestors, people of OUR city, YOUR constituents. The Mayor will not hear the people, so it is up to you to speak for them. If you vote against proposed Local Law C because you anticipate the Mayor will veto it, you will surrender the Council’s authority to the Mayor. In so doing, you will surrender the power of Albany’s people, YOUR CONSTITUENTS, to the Mayor. The Mayor did not appoint you --- your people ELECTED you to represent THEM.

Instead of contemplating how to use weapons of war against our fellow citizens, we should direct our attention to fostering public safety through renewed community trust in those charged with protecting them --- including the Common Council. I IMPLORE you, as duly elected representatives of the people of Albany, to ban the use of tear gas against the very people who sent you here. There can be no giving in. Do that which you were sent here to do. You MUST ban the use of tear gas TONIGHT.