

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL AND
HUMAN RIGHTS

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October 26, 2022
Start: 11:28 a.m.
Recess: 1:10 p.m.

HELD AT: 250 Broadway - Committee Room,
14th Floor

B E F O R E: Nantasha N. Williams
Chairperson

COUNCIL MEMBERS:

Rita C. Joseph
Christopher Marte
Kristin Richardson Jordan
Rafael Salamanca, Jr.
Inna Vernikov

A P P E A R A N C E S (CONTINUED)

Jumaane Williams
Public Advocate

Jennifer Jones Austin
Racial Justice Commission Chair

Harold Miller
Executive Director

Sideya Sherman
Mayor's Office of Equity Commissioner

Jimmy Pan
Policy Director RJC

Francesca Perrone [sp?]
Hispanic Federation

SERGEANT AT ARMS: Good morning and welcome to the hearing on Civil and Human Rights. At this time, we ask could you please place phones on vibrate or silent mode. Thank you for your cooperation, Chair. We're ready to begin.

CHAIRPERSON WILLIAMS: Good morning. My name is Nantasha Williams, and I serve as the Chair on the Committee of Civil and Human Rights. I'd like to thank everyone for joining us for this hearing today on the Racial Justice Commission, also known as the RJC, and its related ballot measures. With the next election only 13 days away, this hearing will give us an important opportunity to understand the proposals on our ballots this year. Structural racism is not a new phenomenon, especially to those who are victims of it. Though marginalized groups have long suffered injustices, events in recent years have made it apparent that we cannot let this cycle created by oppressive systems continue. BIPOC and other marginalized groups have been set up to fail by these systems. Yesterday at the equity summit, it was a current theme that, you know, these systems aren't broken. These systems are designed exactly how they were meant to be. The formation of the

Racial Justice Commission was a step toward righting these wrongs. The Racial Justice Commission was tasked with conducting a public outreach campaign where they met with community leaders, organizations, stakeholders and members of the public affected by these inequities to determine which patterns of inequity are most prevalent. They released an interim report in October 2021 where they identified six main patterns. They continued on to a second round of reach after which a final report was released in December of 2021. Based on their research and testimony received, they have proposed three ballot measures for New Yorkers to vote on this year's general election. Today we'll learn more about these proposals and the process undertaken to determine how they will benefit those affected by racial inequity. I'd like to thank committee staff as well as my staff for their work on putting this hearing together, as well as my colleagues that have joined us to discuss the long-term solutions we cannot use to root out structural racism and increase equity within our great city. I said not use, I mean we can use to root out structural racism and increase

equity within our great city. And with that, I'll turn to Public Advocate Jumaane Williams.

PUBLIC ADVOCATE WILLIAMS: Thank you, Madam Chair. As mentioned, my name is Jumaane Williams, Public Advocate of the City of New York. Thank you and the members of the Committee on Civil and Human Rights for holding this hearing and allowing me the opportunity to provide a statement. I'd also like to thank the Racial Justice Commission for all the work they've done this far to ensure that all New Yorkers are informed by the ballot measures and are encouraged to vote. Of course, thank you Chair Austin Jones and Executive Director Harold Miller and the staff and the entire commission that was there. Some great folks. I do want to shout out to Joanne Yoo [sp?] who was a member of my transition committee and Kay Bane [sp?] who was my brother from another since college. He was actually a part of the problem. It's just been great to see him grow, first as my Legislative Director and Budget Director to Commissioner and doing great work on gun violence. But we had a lot of great memories there. It does great work for the City. For nearly three years the COVID-19 pandemic has exacerbated and exposed the

racial inequities that have continued to impact New York City. While all New Yorkers have been affected by the pandemic, data shows that communities of more color have been hit the hardest economically, socially, and health-wise. At the same time, violence and hate crimes have worsened and reinforced the racism that remains present in our city. The system has been structured to marginalize people on the basis of race across all areas of life. I hope we can all work together to create a more just and equitable city for New Yorkers. In preparation for this upcoming election, it is very important that New Yorkers remember to turn over the ballot, as we will be voting on three ballot measures. The Racial Justice Commission based these measures on community engagement input. They spoke to community leaders and expressed by conducting public meetings where they would record all the information that there's given and turn them into proposed charter changes. After obtaining all this data, they published an in-depth report that include the final three measures they are pushing towards the path of racial equity and justice, and I'm proud to have provided a testimony myself. New Yorkers will have the chance

to vote for measures that will help to dismantle structural and institutional racism. The first ballot measure is an add-- to add a statement of ballots [sic] to guide the government. The subject matter of this preamble will be used as a guideline for what the City government must fulfill and how they must exist it-- execute their duties.

Currently, New York City Charter does not have a preamble. This implement the City government will have to follow the core values and vision that New Yorkers have determined. Second ballot measure is to establish a Racial Equity Office Planning Commission. During the Racial Justice Commission, they found that many New Yorkers and leaders have expressed that there have always been a lack of prominence in racial equity in regards to city decision making and policies. The creation of a Racial Equity Office is required to all-- is required to work with all city agencies in training and provide assistance with them on racial equity. It's for the Racial Equity Plan. This will require the Mayor to create a citywide planning agencies to create agency-specific plans every two years. This would include the goals and strategies for improving racial equity and justice

and the creation of a Commission on Racial Equity. The last ballot [inaudible] is to measure the true cost of living. This requires the city government to create a true cost of living measure to attract how much the actual cost in New York City of meeting essential needs which include food, childcare, housing. The calculation will not include any sort of additional assistance whether it's public or private. This way it will always-- it will allow for an accurate result on making the decision of creating a new policy. The city is also required to report annually on this measure. We have a duty to rework the codification of our city's charter to address the persistent racism and equality and inequity. It is about time to address the barriers black, indigenous, Latinx, Asian, Pacific Islander, Middle East, and all people of more color in New York City faced on a daily basis, as well as additional barriers faced by LGBTQ and disabled people of color, anti-Semitism, islamophobia just to name some. If these proposals pass, we will be able to move towards and equitable and just city. This will bring new opportunities to those who have unfortunately been negatively impacted for generations. I hope as a city we can move

forward with these proposals after this upcoming election. And while I'm always glad we're making sure that we're inclusive of everyone which we need to be. Apparently the further you are away from being an affluent white male, the tougher you will have it. But I always want to make sure we lift up the very unique anti-black racism that has persisted for a very long time. It's important that we keep that as part of the conversation. Thank you so much. Appreciate it.

CHAIRPERSON WILLIAMS: Thank you, Public Advocate. I just want to acknowledge my colleagues that are here, Council Member Richardson Jordan, Joseph, and Marte who was here earlier.

COMMITTEE COUNSEL: Thank you, Chair Williams. Good morning and welcome. My name is Jayce Regenapathy [sp?] and I am Counsel to the Committee on Civil and Human Rights. Before we begin testimony today, I would like to remind everyone that is joining us via Zoom that you will be on mute until you are called on to testify. I will be calling on public witnesses to testify after the conclusion of the Administration's testimony and Council Member questions. So please listen carefully for your name

to be called. Council Members, you will be called on for questions after the full panel has completed their testimony. Please note for the purposes of this hearing, we will be allowing the second round of questioning. And for public witnesses, once your name is called, if you are joining via Zoom, a member of our staff will unmute you and the Sergeant at Arms will give you the go-ahead to begin, so please listen out for that. I will now swear in the Administration. We will now call representatives of the Administration to testify. We will be hearing testimony from the Racial Justice Commission and we'll have the Mayor's Office of Equity available for questions. Panelists, can you please raise your right hands? Do you affirm to tell the truth, the whole truth and nothing but the truth before this committee and to respond honestly to Council Member questions? Thank you.

CHAIR JONES AUSTIN: The Commission is not-- it's not part of the Administration of the City of New York. It was appointed by the Mayor, but it's an independent body.

COMMITTEE COUNSEL: No problem, we still have to swear you in to testify.

CHAIR JONES AUSTIN: No, no, I understand, but you-- I wanted to be clear, because we're not the Administration. So you're swearing in the Administration. Just wanted to--

COMMITTEE COUNSEL: No problem. We can swear in the Racial Justice Commission and the Mayor's Office of Equity. Do you affirm to tell the truth, the whole truth and nothing but the truth before the committee and respond honestly to Council Member questions?

CHAIR JONES AUSTIN: Yes.

COMMITTEE COUNSEL: At this time, Chair Jones Austin, you may begin.

CHAIR JONES AUSTIN: Thank you very much. Good morning Chair Williams and members of the Committee on Civil Rights and Human Rights. Good morning specifically to Council Member Joseph, Council Member Richardson Jordan. And also, good morning to you Public Advocate Williams. We are very glad to be here. My name is Jennifer Jones Austin and I am the Chair of the New York City Racial Justice Commission. In addition, I am CEO of FPWA, an anti-poverty policy and advocacy organization based here in New York City. The Commission's Vice Chair is

Henry Garrido, Executive Director of DC37, and there are nine additional Commissioners, K. Bain, Ana Bermudez who is with us today, Fred Davie, Lurie Daniel Favors, Darrick Hamilton, Chris Kui who also is here with us, Yesenia Mata, Phil Thompson, and JoAnn Yoo. I'm also joined at this hearing by Executive Director Harold Miller, and Commissioner staff-- Commission staff, forgive me, Melanie Ash our General Counsel, Jimmy Pan, Director of Policy, and Sam Scanton, Deputy Director of Policy. And also at the table with us is the New York City Commissioner of Equity, Sideya Sherman. The Racial Justice Commission which is a charter revision commission appointed by the former Mayor Bill de Blasio is the first of its kind in the City and the first of its kind in the nation. The three ballot questions that we have presented to New York City voters are the first of their kind in the nation and in the City. These three ballot questions will give New Yorkers the chance to decide the future of their own city. They are designed to promote equity and justice for all New Yorkers the chance to decide the future of their own city. They are designed to promote equity and justice for all New Yorkers. I want to thank you

Chair Williams for giving the Commission the opportunity to provide a contextual understanding of these proposals, why and how they came to be, and how the Commission intended them to lay the foundation for a brooding structural racism here in New York City. Racism in our city, as in the rest of America is baked into our institution, society, and culture norms from education to housing to the criminal legal system. We know the history of our city is deeply entangled with the legacies of slavery, colonialism and segregation. Indeed, the very founding of our city was through the removal and displacement of the original Lenape people from this land. Since the 17th Century, financial gains from the displacement of indigenous persons and the forced labor of enslaved Africans were foundational to the City's prosperity. Racialized hierarchy became the justification for these atrocities and subsequent violence, segregation, and disinvestment. Today, structural racism continues to define our reality. We know that there are great racial disparities in New York City based upon health, wealth, and other indicators of well-being. Those disparities are a reflection of the legacy of structural racism. For

example, almost 100 years ago, red-lining and inequitable development pushed BIPOC communities and other low-income community to the margins in our society. BIPOC meaning black, indigenous and other persons of color. And today, we see that many of those same red-lined New York City neighborhoods were hit hardest by COVID-19. These same neighborhoods continue to suffer through disinvestment, segregated schools, and worse health outcomes. These patterns that reverberate today are part of our city's past, but they don't have to be our future. For as long as there's been injustice in our city, there have been people of all backgrounds speaking out and fighting for something better. For hundreds of years New York City has been a geographical center in the struggle for freedom. Our city has become home-- has been home to countless thinkers, leaders, artists, and everyday people who challenged us to live up to our values. But for their work, struggle, and imagination, we would not be here today. The tragic killings of George Floyd, Breonna Taylor, and Ahmaud Arbery shocked the conscience of our nation and ignited protests nationwide demanding a long over-due reckoning with systemic and structural racism in our

country and city. The pandemic also highlighted the pervasive nature of structural racism and social determinants of health, how they led to worse outcomes among BIPOC New Yorkers, not just from COVID-19, but also in adverse health outcomes over the full course of their lives. The summer of 2020 was a bleak reminder that structural racism is a matter of life and death. The grief and rage of New Yorkers of all backgrounds was a call to action. As the City dealt with these crises, these symptoms of structural racism, dealing with [inaudible], then Mayor Bill de Blasio believed that it could be time for an unprecedented approach. He convened the Racial Commission and tasked it with examining the City's foundational law and formulating changes that it would uproot structural racism. The Mayor appointed a diverse group of 11 Commissioners with deep experience representing communities of color and decades of advocacy, program, and policy experience both inside and outside of city government. The Commission had a new opportunity to investigate why decades of policy and programming has failed to close the gaps experienced by marginalized communities of color and to examine the structures and foundations

of our city government. The Commission began its ambitious mission by speaking to as many people as it could. The Commission heard from people across the City and across the nation who are experts, experts in their own lives, in the stories of their communities, in their subject matter and academic discipline or in the ways our foundations needed to be changed. The Commission held in-person meetings across the five boroughs during the pandemic when few other entities were doing so and held virtual meetings for those who could not be present on-site. It opened online portals for people to submit ideas and spoke with leaders across agencies and government. And I should add, not just New York City government, the City of New York, but also the State and even at the national level, the federal level. The Commission sought stories to understand the effects of structural racism and sought big ideas to reverse the tide. We heard many hundreds and hundreds, thousands and thousands of data points, as well as ideas that people had to fix this policy or that policy. But we promise to deliver a manageable number of ballot proposals that New York City voters could easily understand. It wouldn't be fair to

voters to put hundreds of policy tweaks [sic] on the ballot. Moreover, the Commission's theory of change was to address root causes. We sought to address a structural problem with structural solutions. So, upon listening to these many stories and ideas, the Commission identified six patterns of inequity that have plagued the City for decades and for centuries. These six patterns were: one, inequity in quality services that promote social and emotional wellbeing. Two, inequity in work, advancement and wealth building. Three, inequity within and across neighborhoods that inhibit thriving individuals, families and communities. Four, marginalization and over criminalization of BIPOC persons and communities. Five, inequity in representation in decision-making, and six, lack of enforcement and accountability of government and entities. It became clear that our city charter did not address these systemic patterns of inequity in a systematic way. While there may be policies and even laws to address the symptoms of these patterns and tackle them down the stream, the city government doesn't have at its core a foundation for doing so. In this way, we risk perpetuating these inequities. Policy and practice

and program alone cannot get the city moved and out of structural racism. If it is to build it into its foundation, we must change the laws. With that in mind, the Commission arrived at three ballot proposals designed to establish a new foundation through aspiration, action, and accountability. To begin--

CHAIRPERSON WILLIAMS: [interposing]
Chair?

CHAIR JONES AUSTIN: Like me to stop?
Okay.

CHAIRPERSON WILLIAMS: No, no, so if you want to-- because we have a lot of questions. Well, not a lot. [inaudible] questions on the ballot proposals, so maybe you could hold the following sections and you can incorporate them in the answers that we have--

CHAIR JONES AUSTIN: [interposing] Good deal.

CHAIRPERSON WILLIAMS: for the questions. And I don't know if you want to skip to the commonly received questions and conclusion or just go to the conclusion?

CHAIR JONES AUSTIN: Why don't we-- you know, if you'd like we could talk about the commonly received-- whatever you would prefer [inaudible] Chair. You tell me what to do.

CHAIRPERSON WILLIAMS: I think you can mention the commonly received questions--

CHAIR JONES AUSTIN: [interposing] Okay.

CHAIRPERSON WILLIAMS: And then the conclusion and then we'll ask you tons of questions on the ballot proposals themselves.

CHAIR JONES AUSTIN: Good deal. Thank you. So we had been for the last several months since the ballot proposals were voted out by the Commission in December of 2021. We've been talking with New Yorkers, having community conversations. We've engaged in social media. We've done a lot of public outreach with institutions across the City of New York, and what we have heard over the course of these last several months are questions that center sometimes on cost for proposals, particularly the cost of the new office. And while the proposed Charter amendment does not have a specific budget, we estimate that the cost of staffing for the core functions of the office to be under 10 million. Now,

what I want to point out is that that is 10 million out of a more than 100 billion dollar budget. That is one-tenth of one percent of the New York City budget, the citywide expense budget. the Commission's intent behind the proposed racial equity infrastructure is that if we do this, in some ways it's preventive in nature, and so what that would do is mitigate downstream impacts, thereby having the potential to actually save the City money in the long-run. We've also heard about the-- I should add that, you know, from our perspective we believe that the cost of implementing the proposal will be more than offset by the savings that are generated. There's been a recent McKenzie [sp?] study that has estimated that the racial gap here in America could close if we focused on racial equity. It could close, you know, the racial wealth gap and that we could grow our gross domestic product between one trillion and 1.5 trillion by the year 2028. The point being that if we invest in racial equity, we could actually grow the GDP, grow our economy and racial equity actually pays for itself and helps us to grow as a nation. And I just add that that doesn't account for the savings that we would

experience if we address through racial equity negative health outcomes, crime related outcomes, educational attainment outcomes, labor inefficiencies, and other downstream [inaudible]. We heard from-- not so much from New Yorkers, but we heard sometimes from the media about the generality of these proposals. Some people said-- some said they wanted them to be more specific, perhaps to address specific policy gaps that contribute to disparate outcomes. We stated just a short while ago that the Commission was laser-focused on making structural changes and resetting foundational values. Essentially, we try to create an overarching framework for doing the work on a continual basis. We focused on a whole, like kind of the whole of New York City government. That was the approach we took to racial equity, and instead of offering hundreds of policy solutions to many different issues, we sought to put in place a system and a structure to help the City make fairer and more just policy and program decisions on a going forward basis and in perpetuity. Lastly, I just want to say at this particular time-- actually, there are two points that I'll touch upon. We heard about these proposals perhaps creating a

private right of action, and left and right people beginning to sue the City, individual lawsuits being brought against the City. These proposals expressly do not create private right of action. We made sure of that. They do not create an avenue for plaintiff seeking monetary damages to sue the City. They cast a vision to help inform and guide government in policy and decision-making. They do not-- they do not-- they were written in such a way that they would not allow for a private right of action. And then I also just want to recognize and our Public Advocate spoke to this point that they do not center specifically on black New Yorkers. We understand and we acknowledge-- as a black woman I understand. I've lived. I just don't have to acknowledge but I've lived the experience of being a black here in America. And so I want to acknowledge the reality of the hurt that black Americans feel, and we know that we have been greatly impacted and continue to be impacted and sometimes disparately by structural racism. That was at the core of our work. We know that the root of structural racism in this country and in this city is anti-blackness. Without a doubt, the experiences of black New Yorkers were at the

forefront of our thinking that went into these proposals. But we also know that other persons of color have also experienced racism and inequity, and we believed that if we are a multi-racial and a multi-diverse group of people here in New York City, and the Commission itself being multiracial and multi-diverse, that we needed to attack these issues with a multiracial approach. We needed to look at uprooting structural racism as a whole. And so the work of the Commission was deeply grounded in cross-racial solidarity and a broad, expansive, and intersectional understanding of racial justice and the intersectional issues that [inaudible]. We heard and we felt the pains of the Latin-x community and the Asian community and about specific issues to women of color, to people with disabilities, to the LGBTQ+ community, to immigrants and many more. Many of these persons and their struggles are rooted in the very same structures. Our task was to reimagine the structure that would promote racial and equity justice of all kinds for everybody, and as a result we centered on the antithesis to racism, inclusivity, even while recognizing that it is black communities and indigenous persons that are born and continue to

bear the most horrific injustices of our history.

And so there are some who suggest that we-- that our existing anti-discrimination laws are sufficient to eliminate racism within and among our institutions, rendering these ballot measures unnecessary. I want to highlight that the Commission heard repeatedly from New Yorkers and experts in the field alike that despite our laws and our programs being race-neutral on their face. Their impact continues to entrench and perpetuate disparities. Consistent with that testimony, the ballot proposals reflect the commission's determination that neutrality will not reverse structural racism. We believe that for laws, policy, and programs to undo racism embedded into our foundation and status quo that our laws have to be proactive in reducing the six patterns that we identified. And so I want to thank you, Chair, committee members and our public advocate for the invitation to speak on the Commission's work and the ballots questions. We're now engaged in the campaign. We will be through Election Day to inform 5.5 New York City voters about these ballot questions. We're not telling people how to vote on our proposals as a commission, but we're trying to

empower them with education to make an informed decision, and you'll see that we'll be on TV, radio, billboards in your communities. We're partnering with trusted community-based organizations throughout the boroughs. We thank you for this opportunity for you all to help renew the word to all New Yorkers. Thank you so much for this opportunity.

CHAIRPERSON WILLIAMS: Thank you. I will start with a few questions on the Racial Justice Commission itself. So, RJC was first formed in March of 2021 and released its initial report in October of that same year. The Commission's final report was released in December 2021. Could you share with us the selection criteria and process for selecting the members of RJC?

CHAIR JONES AUSTIN: Indeed. So, just to be, you know, very specific, the Mayor of New York City announced during the pandemic that we was centering on the experiences of communities of color that had been greatly impacted by COVID. He had already convened a taskforce on racial inclusion and equity in this City of New York, and it was actually led by our now Commission of Equity for the City of New York Sideya Sherman. But he appreciated again,

that we needed to focus on the structural inequities, structural laws, and to look at the City charter.

He reached out to me and told me that he was creating this commission, asked me if I would engage with him and in this work. I agreed to it and then he told me that he wanted me to serve as Chair of the

Commission. And then we went about the work of

identifying a co-chair, appreciating that Henry

Garrido [sp?], Executive Director DC37, has-- as a

Executive Director, long focused on the experience of

communities of color, and that DC37 is heavily

comprised of persons of color, of all races and

ethnicities, but largely the main people of color

here in New York City. We agreed that he should be

the Vice Chair, and he agreed to do so. And then we

went to the-- got about the-- we went about the work

of identifying people throughout the City of New

York, people who have long committed themselves

whether working in government or outside of

government, working in community-based organizations,

working as agitators, sometimes working as advocates,

sometimes working alongside government. But people

of the community who really have been taking up the

issues of the community as it concerns long-standing

1 systemic inequities. And so we engaged with these New
2 Yorkers. We made sure that we had representation
3 from the Asian community, from the community of
4 people of Hispanic origin, and for persons of African
5 descent. We made sure that the committee was also
6 diverse with respect to identities, you know, whether
7 it be, you know, orientation, gender identity,
8 whether it be, you know, race and ethnicity. We've
9 wanted a committee, a commission that was diverse.
10 The Mayor decided-- I'll just make this a point of
11 note. The Mayor decided that we've long heard from
12 Caucasian persons about how they would run these, the
13 city and these issues, and he made a very express
14 decision that he wanted the commission to be led and
15 moved by Commissioners with lived experience when it
16 comes to racism.

18 CHAIRPERSON WILLIAMS: Thank you. I know
19 you mentioned how you all went about gathering
20 information to reduce the draft report and the final
21 report. So could you give us more of an insider's
22 perspective on how you sort of synthesized all that
23 you heard? I know you held quite a few sort of
24 hearings across the City.

CHAIR JONES AUSTIN: The conversations with New Yorkers over the course of, I guess it was about maybe five months, four or five months, was very compelling. People came out. We had elected officials come out. We had persons who, you know, maybe never had testified before or come before a body convened by an Administration official, to share their experiences. We heard people share with us what it was like to walk the streets of New York and be harassed by police officers. We've heard people talk about their experiences trying to get a better educational opportunity for their children. We heard people talk about working in city government and being overlooked for hirings and promotions, receiving like outstanding performance evaluations, but still not receiving an audience when it came to getting a raise or promotion. We heard people talk about their lived experience in public housing. We heard people talk about, you know, lack of-- not-- the inability to secure licenses to become vendors of services, the inability to, you know, receive a contract from the City of New York, and so much of what they shared was rooted in racism and we could see it. What really grabbed me, especially when we

1 talked with experts, people who are working on
2 policies and programs, sometimes working in and with
3 government, sometimes working outside of government.
4 People who were brought in as thought leaders both
5 here in New York City and also outside of New York
6 City. Very often people share their experiences, and
7 when they offer solutions, they talk more about
8 programs, policies, and I'm just going to share that
9 what had helped me to appreciate is that we as a
10 nation have actually-- this is my take-- have-- we've
11 been conditioned to believe that we can only think
12 and sometimes like put forward solutions within the
13 lines. Like, these are the lines that have been
14 drawn. This is the box. And so we've been taught
15 let's just put forth another program. Let's just put
16 forth another policy. And the Commission realized,
17 no, we've got to change the foundations so that we
18 can think, reimagine something greater than what is,
19 because if we keep doing the policy work, yes, we're
20 going to have to do more policies, but if the policies
21 are based on the laws as they currently are, we're
22 just going to stay in that space. And so it was a
23 great exercise in hearing from people, hearing their
24 thoughts, hearing their pains, but then also the work
25

of translating their pain into real structure of change.

CHAIRPERSON WILLIAMS: I appreciate that, and I appreciate the reimagining language. It reminds me of lots of conversations that I've had with friends about being imaginative, and sometimes when we talk about racial equity work, it's exactly what you said, we sort of have our idea of what we've been talk, what we've seen in society, our experiences, and so we try to sort of manipulate what exists. It takes a lot of imagination to think of a different world, to think of a city that has different laws. So I appreciate the Commission's efforts to sort of reimagine and not just stick with what we have, but figure out a way to challenge the structure itself.

CHAIR JONES AUSTIN: May I just add there?

CHAIRPERSON WILLIAMS: Yeah, of course.

CHAIR JONES AUSTIN: Just on that point. You know, one of the things that struck us also is that never before have we had the opportunity as a people to write ourselves, people of color, to write ourselves into the laws of this land. And so I think

that itself was just for some people, like, could we really do this? It's never been done before, not just in New York City, but not in the nation. That everyday New Yorkers get to reimagine and see themselves in the laws of this land, laws that were written without people of color in mind.

CHAIRPERSON WILLIAMS: Yes, I quoted you at our rally earlier in saying those similar words. So, absolutely. The other question I have is what kind of outreach or education have you done to inform New Yorkers about the ballot proposals ahead of this years' election?

CHAIR JONES AUSTIN: So, if I may, Chair, I'm going to turn the mic to our Executive Director Harold Miller who is leading the campaign efforts.

EXECUTIVE DIRECTOR MILLER: Thank you, Chair. Again, I'm Harold Miller, Executive Director for the Commission, and I work around educating New Yorkers. [inaudible] began last year, actually, you know, when we were, you know, receiving input from New Yorkers about, you know, how they imagined racial equity moving forward with ballot measures. We went out to communities around the City, held meetings, held info sessions, and we carried that same energy

1 into the new year where we worked with community-
2 based organizations to help us engage with their
3 constituents around, you know, these ballot measures
4 and how we can actually communicate it in language
5 that they're understood. We focused on multilingual
6 campaign targeting all New Yorkers citywide,
7 particularly communities that were less likely to
8 flip the ballot. Our ads, our subways, TV, radio are
9 in community ethnic media. They're in 14 different
10 languages. We have attended over, you know, 30
11 events. I feel like I do three events a night, you
12 know, at this point. Over the last several months
13 our commissioners have been fantastic in going out
14 and engaging with New Yorkers, you know, whether
15 we're in Flatbush one night, whether we're in
16 Rosedale another night. We have been going out to
17 engage with communities about the ballot measures and
18 making sure that folks have a good understanding of
19 it. We also recruited over 160 volunteers to help
20 with phone banking, poll site education. They've
21 gone out to spread the word. They're going to cover
22 subways and use social media channels as well to help
23 us, you know, continue to have deep reach. And you
24 know, our fellow elected officials have been
25

fantastic as well in helping to spread the word,
hosting meetings, hosting town halls and such to
engage with their constituents as well. So, we're--
you know, have our hands in many different places to
engage with New Yorkers across the board.

CHAIRPERSON WILLIAMS: Thank you. Before
I go to ballot proposals and/or the Mayor's Office of
Equity, do my colleagues-- do you have any questions
specific to Racial Justice Commission itself?

CHAIRPERSON JOSEPH: Good morning. I
just have one small question. Thank you so much for
the work that you do. Where does this trickle down
into public school education. As the Chair of
Education we talk about how segregated New York City
schools are. How does that work in going to impact
New York City schools?

CHAIR JONES AUSTIN: so, let's first
begin with the appreciation that it was once said by
a former Chancellor within the last 10 years quoted
on the record at the new school for saying, "I'm
centered on creating--" I want to go back about 15
years, but I'm not going to call the -- the
Chancellor's name, but the Chancellor said, "We're
centering on creating a-- not a great school system,

but a system with great schools." When you have a system with great schools, that means that not every child is necessarily going to get the highest quality education. And when we appreciate that here in New York City, that where you go to elementary school largely determines where you will go to middle school, and where you go to middle school largely determines where you can go for high school. We have to reset the foundation. We have to look at each and every community and state that children should have the greatest quality education possible in every school, not just in some schools but in every school. and so what this would look like if we are able to achieve an Office of Racial Equity that's on a continual basis looks at every city office, every city agency, every mail office including the Department of Education using data, key data points, key indicators, looking at the disparities that persist in education and educational outcomes, from one school, one community and to the next. It will help us to appreciate what more need be done in certain of our communities where the educational outcomes are just trailing so, so far behind in maybe more of our-- some of our affluent communities. And

then looking at the resources that need to be applied to help children get to a better place.

Additionally, I believe that if we do that, then maybe we won't need remediation on the other side for so many of our children who are graduating from high school not prepared to be engaged. Commissioner, is there more that you would add.

COMMISSIONER SHERMAN: Yeah, I mean, not much more to add. I think one of the goals of the ballot measures and, you know, which would be executed by the Office of Racial Equity is really focused on supporting every city agency to create really clear equity plans, right, that are tied to outcomes, that are publicly accountable, that are measurable, and there's a two-year lead time to that process, and that would not only include engagement with a new external Racial Justice Commission that's continuing this work, but also with the many advisory boards and bodies that those agencies have as well. So that work ideally would start as soon as possible, and I think that's a-- and certainly is aligned with the direction of, you know, our current Administration as well, too. And so ideally that, you know, under-- there's already a commitment, right, to

begin to build out that infrastructure, but by what's proposed in the ballot measures that would make it a requirement for the City moving forward for any Administration.

COUNCIL MEMBER RICHARDSON JORDAN: So, thank-- so, I too want to thank you for the work that you're doing. I think addressing racial injustice is so important, and I appreciate the spirit of the Commission and the spirit of the ballot measures, and I've been telling district residents to vote for them. But I wanted to ask if there was any specific look, especially on the quantitative data side at city budget and at funding and about how budget is distributed in the City, and if also with the Office of Racial Equity, if there's any specific look at budget dollar's and the racial inequality that is related to how we distribute budget in the city.

CHAIR JONES AUSTIN: So, I will begin and then I may ask our Director of Policy to speak a little bit more to this, but I think I may because maybe I'll cover it all and he may feel that there's not more that need be added. So, let me first begin with the fact that the Office of Management and Budget would also be an agency that we'd have to look

1 at when we-- if the Office of Racial Equity budget
2 were to pass, the requirement that the City create
3 biannually a racial equity plan. The Office of
4 Management and Budget would bet yet another agency
5 who-- that would be under scrutiny. So let's begin
6 there, and so like how it distributes money where
7 it's going to be taking a look at. The second thing
8 that I'll add is that these-- the plan would be, you
9 know, would actually be released contemporaneously or
10 to coincide to align with the New York City budget
11 process. And so we would be looking to ensure that,
12 you know, that agencies in mayoral offices are
13 building out plans that then are supported with New
14 York City dollars. And then thirdly I'll add that
15 when looked at what next. There was a centering on
16 maybe at some point we would also look at how do we
17 score the budget to make sure that it aligns with the
18 goals of the plan.

19
20 COUNCIL MEMBER JOSEPH: And potentially
21 look at the budget within-- you know, because you
22 talk about shaking the foundation. So potentially a
23 look at the budget, you know, within government as
24 well, you know. Our district offices have the same
25 budget but districts like mine certainly deal with

far more constituent service cases than say districts on, you know, the Upper East Side or what have you. Yet, we have the same council budget.

CHAIR JONES AUSTIN: Yes, if I may add, one of the things that we are very hopeful for is, just as you're having the hearing today, that if these proposals pass, that the City Council would be continually engaged in looking at the buildout, the implementation of these proposals. There will be a lot of work over the coming months to look at these-- you know, how do we build out these plans, and what-- you know, what indicators we are paying attention to. And so I appreciate you raising that point, Council Member, very much.

CHAIRPERSON WILLIAMS: Thank you. Now, I'll turn it over to some questions about the ballot proposals. The Racial Justice Commission has submitted three ballot proposals for the November ballot. These proposals are multi-faceted and would amend the City Charter by adding to the Preamble, establishing new government entities in measuring the cost of living. Could you tell us what inspired the first ballot proposal and what impact you anticipate it would have on systematic racism in the City?

CHAIR JONES AUSTIN: So, you may have to cut me off, Chair, because when I talk about these proposals I get quite excited. I will share with you that when the Commissioners began unpacking the Charter, one of the things that struck us first is that there was no Preamble, no statement of values to guide government in its policy making, in its programming in how it doles out services, you know, nothing to guide us to center on who are we and what we believe as a people. How do we value those New Yorkers, residents? What do we think of people whether they are the more affluent in our city or there are those who have the least resources? What guides us in thinking about New Yorkers, regardless of how they show up as individuals all worthy of what New York City has to offer? And so we determined that we need it as we begin this work, a guiding vision. And as I said to the Chair on another occasion, you know-- this is a nation that was rooted-- essentially we say that we are a nation where there is no religion that everybody has to subscribe to, but we know that there's a Christianity base. And so if you look to the Bible, the Bible says where there's no vision people perish. New York

City does not have a Preamble that articulates a vision of what we believe we are and who we are. I heard it said by Khary Lazarre-White, a-- the Executive Director of a community-based organization Brotherhood Sister Sol, that if New York has a Preamble that New Yorkers vote upon, it says what we believe, that we believe we are a multiracial democracy where everybody has value and everybody has worth, and we're going to live into a city where everybody regardless of who they are, who they love, where they live should have access to a quality education, healthcare, the opportunity to earn a living and fair wage, the opportunity to walk the streets of New York City without fear of being looked upon as not, you know, being-- you now, being worthy of being in certain places and spaces. So we believe that we needed to lay down a foundational value structure and system for the City of New York and that it could serve as a guidepost for law makers for government officials as they build our policy and programs for them to live into, to have something to use as their baseline. That's how we decided to do it.

CHAIRPERSON WILLIAMS: [inaudible] The next question I have is, how does the office created by the second ballot proposal work following the establishment of the Mayor's Office of Equity? So if you can talk more about how you would-- or how that office would be implemented? I'm guess it would fall under the Mayor's Office of Equity. I know we have cost, 10 million dollars. Do you think it's duplicative? So, any detailed information you want to give about the office that would be created if the second ballot proposal were to pass?

CHAIR JONES AUSTIN: Absolutely. So first, I just-- I can't express my appreciation enough to our Mayor Adams for having created the office of equity. We have to remember that it exists by Executive Order, and you know, Executive Orders can be undone. They can be turned over, and so it was felt by the Commission that it would be a good thing to establish this office in perpetuity and to do so by changing the Charter. Understanding that it's been 400+ years since we've experienced and lived racism here in this city and in the nation, and so we're not going to undo it in just one Mayoral Administration. The office, if passed, if this-- if

measure passes would sit within the Mayor's Office.

Now that it does give the Mayor discretion to figure out how he wants to set it up, how this Mayor wants to set it up. The office would really have to be in existence in full swing by 2024. We appreciate that the racial equity plan that would be produced by this office needs some time to develop the, you know, the implementation schedule plan to figure out what are the indicators to hire staff to come on board to help figure out how to move throughout the City and to work with every city agency and mayoral office. we would have-- the Mayor would appoint a Chief Equity Officer, but right now it would all sit within the Office of Equity under our Commissioner Sideya Sherman, and the thinking here is that it is going to build on the work that has already been done by Commissioner Sideya Sherman and by the office, but it's also going to be an organization that is going to emphasize efficiency and working directly with commissioners, but we know that there's got to be some work to change policies and programs, but there's also got to be some work to change attitudes, values, and beliefs to help set policy and program. Commissioner Sherman, would you like to add?

COMMISSIONER SHERMAN: Sure. Yeah, just to build on that, I think, you know, as we've been building up the Office of Equity, we've done so really with an understanding of what's on the ballot, right, an existing commitment within this Administration to begin to build that infrastructure. so, to Jennifer's point, to Chair Austin's point, in the-- in addition to, you know, programs and initiative and a number of efforts that are coming out of the office, there's already work happening to really do the deep planning that's required to understand what the technology needs will be, the staffing needs, knowledge and development, culture change work, all of the infrastructure that'll be necessary to really make sure that not only the City is able to deliver these plans in two years and have this infrastructure, but that it's meaningful, it's impactful, and the City has done the necessary work to make sure that it actually benefits New Yorkers.

CHAIR JONES AUSTIN: And I'll just quickly add just to be more specific. The Office of Racial Equity would be doing the work of disaggregating data and just building on Council Member Richardson-Jordan questions. It would be

centered on disaggregating data by race and ethnicity and other intersectionalities [sic]. Then additionally, looking at neighborhoods, going neighborhood by neighborhood and looking at the disparities that exist and that persist, and then building plans accordingly.

CHAIRPERSON WILLIAMS: Thank you. The third ballot proposal would measure the true cost of living in the City. Can you please explain more about why the current cost of living measurement is not sufficient?

CHAIR JONES AUSTIN: So the current cost of measurement is two-fold. There is one cost of measurement that is citywide and it's nationwide. It is the federal poverty measure which is used to determine who is poor here in America, and that measure says that a family poor living anywhere in America, anywhere, needs just \$27,750 to not be poor. It says that a family of three, one adult and two children, needs just \$22,000 to not be poor. Additionally, it says that one individual living anywhere in American needs just \$12,000 to not be poor. That federal poverty measure is used to help set wages and help to determine eligibility for

income support, childcare subsidies, transportation subsidies, housing subsidies, support for food assistance, Medicaid-- the list goes on and on. Here in New York City we adopted a supplemental poverty measure that actually takes a look at when you use the federal poverty measure and then you examine who is eligible for these subsidies that I just mentioned, what is the gap that still remains. So, the supplemental poverty measures that, you know, there's someone who is above the federal poverty level or maybe is at federal poverty level that's receiving a childcare subsidy, maybe receiving a housing subsidy. But still when you-- you know, what is the gap? Is there a gap in terms of what they actually need to live? The challenge that we have here is that if we're using either one of these measures, the problem that we're having is that we're not actually measuring true cost and dignity. And what I mean by that is why should we believe that certain people should have to live perineally [sic] on subsidies? Why should we be looking at what it costs to just get by and not really be centered on what people really need to actually live. And so we felt that it was important here in New York City to being to measure

what people actually need to live, to use that as our basis, to look at one another, has worthy [sic], to look at work, whatever type of work we're doing as work that is worthy. We have here in New York City people who are working fulltime jobs, sometimes working two jobs and they can't make ends meet. So why don't we begin there? What does it cost to actually live? And then use that to determine what fair wages may look like, to help set government decision-making around what we believe are fair wages or what we believe are fair by way of supports to close the gap. Help people not just get by, but actually get ahead. That's why we establish this measure. And I'll just quickly add, this is a measure that every New Yorker can live into. Every New Yorker can understand and appreciate, because truthfully all New Yorkers, you know, whether they've-- I should say not all New Yorkers, but many New Yorkers whether they be persons who identify as white, as black, as of Asian descent, Hispanic origin. There are many New Yorkers regardless of race ethnicity who are struggling to make ends meet, so they can identify. But I'll quickly add, when you live in a nation where black women earn 64 cents on

the dollar while working fulltime jobs, women of Hispanic origin earn 56 cents on the dollar for what a white man earns, I should add. This measure really hones in and appreciates how not really accurately capturing and calculating the true cost of living, and then using that to inform policy-making can impact people of color disproportionately. When you appreciate that women of color, and especially black women, are the primary and sole bread winders in their households, and that black women, the most educated segment of our society-- when you look black women on the whole and you look at how within the black female body, that black women are the most educated and that a black woman only earns as much as a white man, when she has a Master's degree. Let me back up. When she has a Bachelor's degree she's about equal with a white man with a high school diploma. It's only when she has a Master's degree and a white man has an Associate degree, that she's earning just a little bit more. We have to look at the true cost of living, because it's affecting her and her family. It's why one in four black children lives in poverty compared to less than one in 10

white children. We have to focus on the true costs of living.

CHAIRPERSON WILLIAMS: Thank you for that. Before we go to the Mayor's Office of Equity, and ask a little bit more questions about the ballot proposals, just wanted to open it up to my colleagues if you have any questions about the ballot proposals specifically. Okay. You're welcome. The other question I have goes back to the office that would be created. If you could tell us your vision for the agency and citywide equity plans, what information do you expect them to contain, and how do you envision these plans being used by the City? So, I know you've mentioned equity plans, but you know, what are we looking at when we're creating these equity plans, and then how will we then implement the plans that are being created?

CHAIR JONES AUSTIN: So, the first thing I want to share is, you know, there's been a lot of talk over the course of the last many years about DEI, diversity, equity and inclusion. And the approach that has been taken very often, the nation over, is to center on people at the table, people of color being at the table, and I've heard somebody

refer to that as now DEI 1.0. If we have a person of color at the table, oh, now the world is much better. But what we've found is that just bringing somebody to the table doesn't necessarily change the way business gets done, right? And it's not to disparage people who are now at the table, but if we're not looking at the products that are developed, the policies that are built out, the programming that is done, the budgets that are [inaudible]. Then it's just having people at the table. what the Office of Racial Equity and specifically these racial equity plans, city agency by agency, mayoral office by Mayoral Office are intended to do is to look at not just who's at the table, but how this city does what it does. To begin by looking at what has been the experience. We have to create a baseline. We have to first go in and measure what these disparities, the disproportionality looks like when it comes to educational outcomes and then how those educational outcomes are informed by the existing policies and programs, what health outcomes look like and how they're informed by the existing policies and programs. What does it look like when we're talking about garbage being picked up and the streets being

1 plowed? You know, when we put up-- you know-- what
2 potholes were filled? How many potholes are there in
3 communities of color, and how long does it take to
4 fill a pothole? What does it look like when we've
5 got calls to police officers that something is
6 happening in a community, you know, that we've got,
7 you know, noise and we've got pollutants in the air?
8 What is the response of the Department of
9 Environmental Protection and how does that look
10 different? Does that look differently for more
11 affluent communities and lower income communities
12 with people of color? And so first we'd look at the
13 baseline using data, disaggregated data, and then
14 we'd look at neighborhood by neighborhood, and these
15 plans would go in. Take a look at the policies and
16 programs. What we're centering on is design, impact-
17 - I'm sorry, implementation and impact. Very often
18 we don't look at what happens until after the fact,
19 and so we've got to use the data disaggregated and
20 look at the data and then look at what that tells us.
21 Where have we kind of come up short? Has it been in
22 design? Has it been in implementation? Has it been
23 in impact? And then change the policies and the
24 programs using again key data points and key
25

1 indicators to develop a new plan, and then holding
2 ourselves accountable to it. So the plans would be
3 developed, and then in the off-years, the City of New
4 York would be required to report out their efforts
5 towards moving the needle. The other thing I want us
6 to appreciate is that we're not just talking about
7 bringing those neighborhoods, those communities,
8 those communities of color up by like you know, one
9 basis point and then saying that we're done and we're
10 good to go. But really looking at what is the
11 standard at the more-- you know, like if we want to
12 say the communities where we do not see a greater
13 disproportionate impact based on and looking at
14 communities of color. But what do we need to do to
15 bring everybody up to an equitable level. Is there
16 more that we should add?

18 COMMISSIONER SHERMAN: Yeah, just to
19 build on Chair Jones Austin's point, I think that
20 ideally these should be planned, that in partnership
21 with the Commission, community external stakeholders
22 where we understand what these disparities are and
23 we're collectively defining what better off actually
24 means, right? And then we are building out a strategy
25 to get there and holding all of us and the city in

particular accountable to that, and we're measuring it on regular basis. The other thing I would add, while these plans would be designed at the, you know, at the agency level, they should intersect, right? Everyone's job is climbing [sic], right? Everyone-- it is everyone's job to focus on education, housing, all of the equity domains in our city. it's not any one agency's responsibility, and so you know, the goal should not only be to support agencies and creating these plans but to provide a framework so that we're all collectively working toward these same objectives and every agency also understands where their work fits in to those collective goals. So, a lot of planning to do to get there, but I think that that will be important so that we actually get to the root cause and really see that impact over time.

CHAIR JONES-AUSTIN: If my-- may I just quickly add. People sometimes ask us whether or not these proposals need to be voted, you know, voted up or down on the whole. Can you vote for one independently? Can you vote for two and not one? Yes, you can vote for one. You can vote for two, you can vote for all three. But they are designed to work together. If we have a Preamble that sets forth

a vision with guidelines that speaks to what a multiracial democracy looks like, what that looks like in everyday, you know, access again to healthcare and education. Then a racial equity plan would be, you know, informed by that vision, by that statement of values, and then the true cost of living helps to also bear that out.

CHAIRPERSON WILLIAMS: Thank you.

Something you said reminded me of a previous hearing that we've had. So we also have oversight over the Commission on Civil and Human Rights, and some of the things we talk about with that particular sort of quasi-independent body is sort of enforcement of city agencies. So, while we're asking different agencies to create the equity plans that we're working with them to create equity plans and then of course, we hope that they actually implement the equity plan. What type of accountability is there? And I think this is just like an ongoing question because how do we, outside of the Council bringing in agencies and providing oversight, what type of oversight mechanism have you been thinking about to really hold agencies accountable for implementing I'm sure the many things that will come out of these equity plans.

CHAIR JONES AUSTIN: So, Chair, appreciate your question, and if I may just quickly share with you-- what you're voicing is the sentiment of many New Yorkers who've been long disadvantaged. So what will this do? Will this really accomplish anything? And the first thing I share with people when I hear that is if we can begin to change the laws, that is a start. We don't have laws that say that all people are equal and entitled to what those who are more affluent may-- and are of the, you know, of the white race. We don't have those laws that everybody is equal and entitled. We have to begin there, but then we have to do the work of ensuring that these laws have teeth and they have impact. And so what we've sought to do first and foremost is to build a commission as part-- and the second proposal would allow for-- would establish a commission in perpetuity, that we would be responsible for being the checks and balances on the city of New York, on the Mayor's Office to ensure adherence to these-- you know, the buildout, the implementation of these proposals. This commission would be comprised of everyday New Yorkers, persons with lived experience who are supported to be in the space, bringing their

whole selves to the conversation and ensuring that whatever plans come forward reflect the experience of every day New Yorkers. Secondly, the work of the Mayor's Office would have to be reported out. In the off-years, the racial equity plan would have to be updated every two years, and in the off-years, they would have to be a public report released to all New Yorkers, that helps all New Yorkers to appreciate what New York City is doing to abide by their racial equity plan. So that's another checks and balances and a point of accountability. In the proposal we also provide that the Comptroller's office would have an auditing function to make sure that the plans are being adhered to. And then fourthly, what is my fervent hope-- and let me just add that I'm so glad that you mentioned the City Council's role, because we're so hopeful that you don't step away, and we know that you won't step away. Fifthly, New York City has an opportunity here. If New York City votes for these proposals, they've expressed their desire, and so what we would be looking for New York City to do is to show up and hold the City of New York accountable.

CHAIRPERSON WILLIAMS: Thank you. I appreciate that. If we can go back to the last-- the third proposal around cost of living. I know you so eloquently explained why we are not currently capturing true cost of living, but if you could be more specific or focus in on a portion of your report that mention that public assistance is currently included and leads to inaccurate calculation. So if you could explain to us why public assistance should be removed from the calculation?

CHAIR JONES AUSTIN: so here's the deal. Let's put it to you this way. If we-- just trying to figure out how to best bring this home in the most [inaudible] way. There are many New Yorkers who get to move about this city, the nation over, freely and independently. Make it very basic. When some of us go into the grocery, we get to pick and choose what we're going to feed our children and our families. When we look to where we're going to live, we get to decide, you know, whether we want to be in this community or in another community, and that's be we have the income that allows us to make those decisions. We're not wholly, solely dependent upon subsidies to persist. When we use a supplemental

poverty measure, it says we're okay as a people, as a society with-- we're resigned. So some people just are going to have the government decide how they get to live or how they have to live, sometimes for all of their lives and for their children's lives. Is that fair? And especially we appreciate that here in New York City and across the nation that disproportionately it is people of color who have to live like that. Is that allowing them to live with dignity? So if we use a measure that says okay, well, if we just add all of these subsidies, they're okay. They're better than okay. If we don't look at-- but what does it really mean to have the same freedoms and the opportunities? What does it cost to have the same opportunities and freedoms? Then we're just going to be living in to this structural system that was willfully, intentionally created by undercounting the number of people who can't make it just on their gross income alone. We are living into a system that is willful and intentionally racist and biased, and we shouldn't be doing that. It deprives. It is economic deprivation, and it deprives people of the right that many others have to make decisions for themselves, to be heard and to be seen, and that's

1 why I believe personally and as I serve on this
2 Commission, that if we begin to measure the true cost
3 of living, then we're going to look at all people.
4 We're going to look at work as having value,
5 regardless of whether or not you are, you know,
6 somebody who's working in the spaces of law, and
7 you're earning, you know, several hundred thousand
8 dollars. Or you're working frankly as a Legal Aid
9 attorney and maybe not enough, making enough to make
10 ends meet. Whether you are a childcare provider, you
11 know, working in our community-based organizations or
12 whether you are, you know, a-- somebody running a
13 hedge fund that all work has value and worth and we
14 need to be seen and not be resigned to certain people
15 because of their professions and the colors of their
16 skin, having to be dependent on income supports to
17 make ends meet.

19 CHAIRPERSON WILLIAMS: Thank you. I just
20 have one more final question before I turn some
21 questions to the Mayor's Office of Equity. I know
22 that the Commission put forth these three ballot
23 proposals, but you have tons of other wonderful
24 ideas, lots of them I love very much and have already
25 put in some legislation for them, but if you could

just talk about some of those other recommendations. I just think it would be good to get on the record. If there's anything you want to highlight. It doesn't have to be specific, but I just want to give you the opportunity to, for the record, talk about some of the other very important recommendations that you all have in addition to the ballot proposals that'll be on the ballot this November.

CHAIR JONES AUSTIN: I'm going to turn-- let me first begin. I'm going to ask Jimmy Pan to join us, the Director of Policy, but I want to share with you first what we-- as we were doing this work, we appreciated that there were many issues that fell outside of the Charter of the City of New York where we could not move, issues that concerned the state, issues concern-- that concern that Federal Government. We also appreciated that there were issues that were raised that we-- honestly did not have the time to engage in, but we felt that they needed to be centered on. So, Mr. Pan, if you speak to a few of those that'd be great.

DIRECTOR PAN: So, I want to start by saying that some of the avenues in which the Commission sees work being possible going forward is

actually built into the ballot measures themselves.

So ballot measure two, for example, mentions anti-

marginalization work that the Office of Racial Equity

could carry forth. So, what is anti-marginalization

mean? So, our theory of changes that actually

agencies need to be proactive in undoing the policies

and programs and actions that have historically

oppressed communities. And so some of how that

occurs today--

CHAIRPERSON WILLIAMS: [interposing]

Sorry, Jimmy.

DIRECTOR PAN: [interposing] Yeah, I need

to be sworn in.

CHAIRPERSON WILLIAMS: Yeah, you know,

official stuff.

DIRECTOR PAN: I was kind of looking to

see if--

COMMITTEE COUNSEL: Thank you. Do you

affirm to tell the truth, the whole truth and nothing

but the truth--

DIRECTOR PAN: [interposing] Yes.

COMMITTEE COUNSEL: before this committee

and answer all Council Member questions honestly?

DIRECTOR PAN: Yes.

2 COMMITTEE COUNSEL: Go ahead.

3 DIRECTOR PAN: Thank you. And some of
4 the anti-marginalization work that voters can vote on
5 that the Commission has recommended that the office
6 take on would be, for example, looking at wage and
7 occupational segregation, which I know this committee
8 has focused on. Looking at equitable hiring within
9 the City's workforce, which has to, you know, involve
10 gathering data and looking at, you know, how people
11 are being promoted or retained in the City. Limiting
12 the use of criminal history and background checks
13 except where necessity is demonstrated, you know,
14 someone as having a fair chance, but I know the
15 Council is in conversation now about expanding some
16 of those avenues. Identifying and employing
17 alternatives to punitive enforcement across all
18 agencies. Making sure that services, information and
19 decision-making for all New Yorkers is available
20 regardless of language ability, education, time
21 availability, or expertise. So, when we say things
22 like plain language or language justice, concepts
23 which are actually built into ballot measure number
24 two, these are things that this Council, the
25 Administration can pull upon. And prioritizing

resources and services into neighborhoods with [inaudible]. We spoke about how the racial equity plans are going to measure neighborhood disparities and identify neighborhoods with the greatest need, but there also could be policy put into place. Truly think about how we are not just siting shelters, siting subway stations, but also where we're siting hospitals, where we're siting schools, where we're siting services neighborhoods need. And so even within the ballot measures, there's these opportunity themselves. I want to mention two things right off the top, and if I more time I'll go to more of the road map. You know, this Commission highlighted a strong desire for the City to look at reconciliation. Reconciliation involves public naming and acknowledgement of past harms and traumas, a recognition of responsibility in causing the conditions that created those harms, and actions to repair relationships and social bonds. And we know that the City is divided. We know that the nation is divided. We know reconciliation is a chance for the City to undertake public apology and take reparative actions to those who were harmed. So, the Preamble, which is ballot measure number one for us, is one

step that we can use to begin that reconciliatory process. There's an acknowledgement of harms within that ballot measure, but there could be something more formal that the city takes on, you know, formal body to examine which things it needs to reconcile and how-- and the many forms of reconciliation it can do so. Number two on the top of our list going forward is reparations. There's a lot of discussion now about reparations at the federal level. It's about bringing justice to those who have been impacted by the most severe injustice. Thinking about monetary or material compensation, and some municipalities have begun that, and there's modest programs that have begun target reparations, for example, the housing context and other contexts. California has a Reparations Taskforce that has begun. And we know that full reparations for black and indigenous Americans will have to happen on the federal level just due to the nature of the scope that that requires. But we think that there's steps that the local government could begin to take, for example, examining historical harms neighborhood by neighborhood, looking at redlining, looking at disinvestment in those neighborhood, and committing

to prioritizing investments where that harm has been documented and found. So those are two things that the Commission has put in what it's called the Racial Justice Road Map, and there are many more that I could go through, but I don't want to be insensitive to time.

CHAIRPERSON WILLIAMS: Thank you. No, I appreciate those, especially the reconciliation and recognition one. I hope I don't get in trouble for saying this, but I was listening to the radio and they were talking about the debate for the Florida gubernatorial race, and they said that Desantis was talking about like critical race theory and I think larger part why we want to even incorporate critical race theory and just actual American history, not some other fabrication, but what actually took place here is because it is a place of reconciliation and recognition and for our children to get that at an early age show that's already sort of embedded in their psyche. And apparently he said that the land was not stolen, it was conquered, and that you know, white-- young white students should not be seen as the oppressors and black students shouldn't be seen as the oppressed, and I was just like this is so

horrible, because it speaks to sort of-- I don't want to say misinformation. It is misinformation, but it speaks to what I think our society has conditioned itself in terms of not acknowledging, not reconciling in real true ways, and I do believe in addition to changing the actual laws and doing more programs and policies, but changing the actual laws, at the very least, we have to acknowledge what has taken place, because it's-- like, it's like the truth will set you free. So I appreciate that, and I thank you for mentioning those other components in your roadmap, because while the ballot proposals are amazing, the road map goes even deeper to how we can really get to a place of equity in our city. Is there anything else you'd like to add before I turn my questions over the Mayor's Office of Equity?

CHAIR JONES AUSTIN: I would just quickly say, Chair, that-- what is-- just building on the points that you just raised, that this is a moment where, as I said when I first began, we can-- we can begin as a city to reset the foundation, and whereas before when this Charter was written it did not, just as the laws of the land across this nation did not consider persons of color to be equal, to be included

in the laws as they were being drafted. We have this opportunity now. And if the City of New York, I should say New York City chooses to act to bring about these proposals that have been passed, it would provide the opportunity to recast a vision and create a society beginning here in New York where everybody is valued and the lives of everybody matters.

HAROLD MILLER: What I would like to say is that the work of racial equity, moving forward in this country, will have to be done on a local level. We can't depend on federal governments. A lot of state governments may be tepid to, you know, step in and do, you know, this work, and so it's up to municipalities, and in New York we have this opportunity to lead the way and not only with the commission work, but what we do after decisions made on these ballot measures that we have this opportunity as a city to set a tone of what we can do around equity and justice for all New York-- for all people. And so having conversations like this, having hearings, and having discussions around equity is important so we can engage more New Yorkers. you know, part of the reason why we are running such an aggressive education campaign because the day after I

1 want New Yorkers to stay engaged and be able to hold
2 the City accountable to, you know, what we do from
3 here on equity, assuming the ballot measure is
4 passed, you know, how the implementation process
5 look. You know, if it doesn't pass, then what's
6 next? You know, because we definitely heard there's
7 a desire to address racial equity in our city, and so
8 the day after the work continues for us, and it
9 continue to, you know, challenge all of us like what
10 direction do we go in, what kind of city do we strive
11 to be. And so we put forth these ballot questions as
12 a-- not necessarily a starting point. I don't like
13 to use the word starting point, but as a marker of
14 where we need to go as a city, and it's up to New
15 Yorkers to decide if these three questions are the
16 direction we want to go in, but bigger than that it's
17 like how do we actually address inequities that we
18 face in the city moving forward.

19 CHAIRPERSON WILLIAMS: Thank you. I
20 appreciate that. I always say people vote and then
21 go back to sleep. And so, you know, we want them to
22 vote and we want them to stay awake and stay engaged,
23 and I'm sure there might be some questions that you
24 answer in reference to the Mayor's Office of Equity
25

as well, because it sort of goes back and forth between RJC and some of the ballot proposals. But Mayor Eric Adams established a Mayor's Office of Equity in Spring 22. According to their website, the office will help foster a fairer more equitable city through policy practices and programs across all city agencies and systems. I love that it says systems in addition to agencies. Additionally, the website indicates that MOE's intersectional approach includes the Commission on Gender Equity, the Racial Justice Commission, the Pay Equity Cabinet, the Unity Project, the Young Men's Initiative, and the Taskforce on Racial Inclusion and Equity. In light of this broad swath of entities that fall under MOE, please explain the structure and background of the Mayor's Office of Equity.

COMMISSIONER SHERMAN: Thank you, Chair Williams, and thank you so much for having this hearing and having an opportunity to have this type of discussion. So, as you shared, the Office of Equity was established this spring, you know, really with the goal of also bringing together a number of existing equity-focused functions in the City. So this brought together the Taskforce on Racial

Inclusion and Equity which I previously had the honor to lead, along with the Racial Justice Commission team, the Commission on Gender Equity, YMI, along with the Pay Equity Cabinet which is new and formed under the previous Administration, but is being activated during this Administration. You know, the goal of the Office of Equity is broad, right, to help foster a more fair and equitable city, but the way in which we've organized our work is really through five pillars: policy, systems, programs, engagement, and culture change and practice. A lot of our initial work has really focused on, you know, some deep planning in anticipation also of what is envisioned in the ballot measures, and also just standing up a new office, but at the same time rolling out real programs and initiatives that can reach New Yorkers in real time. So, earlier this spring we were really proud to announce the expansion of universal college savings for all students, right? So if you enter kindergarten and you're in a DOE or a charter school, you now have a New York City scholarship account that's linked to a 529, and not only is this supporting the opportunity gap, but was really seen as a way to address the racial wealth gap. In the

spring we also rolled out an investment that supporting the LGBTQ+ community with a specific focus on BIPOC-led organizations, transgender-led organizations. There are seven new programs and initiative that will come online from that. Pretty soon there are some other investments around mental health support and wellness within BIPOC communities, as well as some of the Legacy programming that already existed from the Young Men's Initiative, for instance. So, a lot of those, those programs and initiatives, are still rolling out, but at the same time we're starting that planning work that was described. You know, the Taskforce on Racial Inclusion and Equity offers a great foundation for the work that's taking place under the Office of Equity. You know, the taskforce similar the RJC emerged during a great time of urgency, a time where the disparities in our city were even more compounded and further exposed. The taskforce brought together city agency leaders. We analyzed disparities by neighborhood, drove resources to specific neighborhoods, and so we're lifting up that work to one, further analyzes the disparities that we see in our city across domains that are not specifically

1 tied to the pandemic-- bring agencies together again
2 to really focus on how we drive resources and
3 investment to communities to address disparities, and
4 then really beginning to build out the work the
5 agencies will need at the individual level so that
6 they can get to a place where everyone has not only
7 these equity plans, but that they are really
8 interconnected.
9

10 CHAIRPERSON WILLIAMS: I love that. So,
11 similar to kind of the conversation we were having
12 specific to how do you hold agencies accountable,
13 could you tell us the scope of your oversight?

14 COMMISSIONER SHERMAN: Sure. So, I think
15 that, you know, in what's proposed for the ballot
16 measures, Chair Jones Austin sort of spoke to the
17 accountability, whether it's from the Comptroller or
18 the Council, as well as within city government, I can
19 speak to the carrot [sic] a little bit more too,
20 right? So, you know, I think one thing that, you
21 know, is an important role of our offices-- and I
22 think particularly when we get to a place where these
23 racial equity plans-- that these are plans that one,
24 tied to the Administration's priorities, but also
25 would then tie to budget priorities, right? So, you

know, as important as it is to hold agencies accountable, it's also important to make sure that resources are tied to the commitments that they have, right? And so these plans also need to speak to the ways in which we allocate resources over time, and we saw that during the pandemic. When we identified those 33 priority neighborhoods, over 380 million dollars of resources and investments were driven to those communities because they were lifted up as a priority. Our office will also serve as a convening body, right? Setting forth a blueprint around these equity goals and disparities, and then really serving as the agency that's supporting all of our counterparts in reaching those goals. The ballot measures would provide more formal oversight roles, right, that go beyond what exists in our current Executive Order, but all of the Commission's and our office have a number of requirements around annual reporting and accountability measures as well, too, that not only report on the projects and initiatives that we're directly leading, but also the work that we have underway with agencies.

CHAIRPERSON WILLIAMS: Thank you. So, aside from the final three ballot proposals

recommended, we know that there are some additional recommendations by way of the Road Map, so is your office considering implementing any of those recommendations outside of the ballot proposals?

COMMISSIONER SHERMAN: sure. So, policy is a pillar of, you know, the way in which we're organizing our work. I have the great pleasure of sitting right next to Harold and Jimmy on a daily basis. So, you know, a number of the initiatives that have been outlined in the Road Map are certainly avenues of work that we certainly have on consideration and would consider as we start to build out a policy platform across the office. You know, I would also add that some of the initiatives, the policy proposals that are within the Road Map align to some of the work that we already do. As I shared, the Pay Equity Cabinet is part of the Office of Equity. The Pay Equity Cabinet has a specific goal to address occupational segregation and gaps within pay within municipal workers. There's funding that the Office of Equity put towards the Cabinet to actually complete an analysis to make some recommendations to the City for that work, and so a lot of that is actually moving forward and is

certainly aligned to the policy recommendations that are within the Road Map.

CHAIRPERSON WILLIAMS: Thank you. So, are there any proposals that were not in the report that your office or any other entity might be pursuing around equity?

COMMISSIONER SHERMAN: Great question. I mean, I think, you know, across the Administration, you know, there are a number of equity-focused efforts whether it's, you know, within our Office of Environmental Jus-- Climate and Environmental Justice at the Health Department, a number of city agencies that have these types of efforts underway. You know, when we led the Taskforce on Racial Inclusion and Equity, we also had an opportunity to make recommendations to the Commission, and some of those recommendations included what's reflected here. There were also some recommendations around how the City can better support social cohesion and community engagement so that it's less transactional. We've been really proud in partnership with the Civic Engagement Commission to help roll out and support community-based coalitions for instance so that we're starting to support on-the-ground infrastructure

within neighborhoods beyond the individual engagement that city agencies have with-- across initiatives to really make sure that that infrastructure is there, but I would say across the Administration there are a number of efforts, you know, whether it's the investment that's happened in childcare or some of the upstream interventions that are focused on gun violence prevention to have solutions that are focused on communities of color and that neighborhoods that are experiencing the greatest disparities.

CHAIRPERSON WILLIAMS: Thank you. You talked a little bit about this. You mentioned that you're currently sort of crafting and preparing for the ballot proposals to pass. So if you could share if you have a timeline of implementation and enforcement. And other question that I have as I'm just listening to you and I know you were running the Taskforce on Racial Inclusion and Equity, if proposal two passes in November, do you foresee like the consolidation between like that taskforce and what would be sort of codified as the Racial Justice Commission? How would those two entities that fall under your catchment-- how do you feel about what I

just said, and then if there's any timeline or implementation again for enforcement around creating this office?

COMMISSIONER SHERMAN: Sure. So the ballot proposals also include-- also codify the taskforce as an entity within the City, and so-- and then would have a Chair, right? So those would change the structure of the taskforce a little bit as well. So, I think what we would need to do is really reconcile all the work that's happening right now, but the work that's happening right now is in preparation to be able to implement in that way. And so there's already a commitment for the City to implement in this direction. I think the question is, right, whether it gets codified, you know, by the voters. And so you know, the size, the size of staff, what we're called, all of the entities, I think that that would still-- there's two years to get to that place, and obviously about a year for a draft plan that the City would have to share, but the actual work in building out the functionalities is the direction that we've been working towards and I think, you know, there's a pretty specific timeline

within the measures, and I think the City would look to stick to that.

CHAIRPERSON WILLIAMS: Thank you. Yeah, because I am a huge proponent of things being codified because different Administrations new people, but I also just think bureaucracy can be very convoluted and so while I think the Mayor's of Equity is amazing and I definitely think we need to have a specific entity focused on racial equity work, I do think that perhaps there could be some slight consolidation between the taskforce and the Racial Justice Commission if it ultimately gets codified. I think that's what I'm sort of hearing. There's an effort to sort of kind of streamline and condense, or--

COMMISSIONER SHERMAN: [interposing] And that's already happened, right? I think by creating-- part of the goal of creating this Office of Equity was to consolidate what already exists, right? So to your point, I think the goal would be to continue in that direction so that we don't have siloed [sic] equity focus functions in the City, but that we have all equity focus functions working under the same

umbrella in the same direction and in a way that's intersectional.

CHAIRPERSON WILLIAMS: Thank you. And the final question I have is sort of a follow-up, because you mentioned there's work already being done to potentially consolidate or streamline. So outside of the taskforce and the Racial Justice Commission, how do other agencies that fall within your wheelhouse collaborate or do they collaborate? So, is Pay Equity collaborating with the Unity Project or the Commission on Gender Equity? So if you could just speak to how these agencies are collaborating?

COMMISSIONER SHERMAN: Absolutely. So, the unit heads for all those agencies are direct report to me. We meet on a regular basis. We work together, and as we've been building out the vision for this office we wanted to make sure that every single office that falls within the umbrella of the Office of Equity as well as many of our other city agency partners are a part of shaping that. So, they're integral to the planning of this office, and their work will be lifted up as part of it as well.

CHAIRPERSON WILLIAMS: Thank you. I appreciate that. I really-- it just drives me crazy

when agencies and entities don't talk to each other, and I see my favorite constituent has something to say.

HAROLD MILLER: Well, I just want to clarify, chair, that come election night, the Racial Justice Commission will cease to exist, and if ballot measure to pass then you will have a formation of a Commission on Racial Equity. So I just wanted to just clear for the record that what you see here will no longer exist in 13 days, but how the voters will decide will determine, you know, whether there'll be a commission, you know, codified into the Charter.

CHAIRPERSON WILLIAMS: Thank you for the clarification. And so I would hope that when it's codified-- we're going to speak it into existence-- that perhaps the taskforce-- and I'm sure you're already thinking about this, because you guys have been doing the work way longer than me-- would hopefully fall under the Commission.

COMMISSIONER SHERMAN: So, exactly. I mean, the way in which we've been working is collaborative across all of our units. And so we're-- I think the day after the election the work continues.

2 CHAIRPERSON WILLIAMS: Got you. Thank
3 you. Well, thank you all so very much for coming to
4 the hearing and fielding all of our very important
5 questions. You certainly have an ally in this work,
6 and I look forward to working with you all to
7 implement, to help enforce and hold these agencies
8 accountable for making our city a more equitable
9 place.

10 CHAIR JONES AUSTIN: Thank you.

11 COMMISSIONER SHERMAN: You're welcome.

12 HAROLD MILLER: Thank you.

13 COMMITTEE COUNSEL: Thank you. Seeing
14 that we have no other questions, we can now turn to
15 public testimony. We can give the Administration a
16 few moments-- or the Racial Justice Commission a few
17 moments. Thank you. We will now turn to public
18 testimony. I'd like to remind everyone that unlike
19 our typical council hearings, we are calling the
20 public to testify individually. Please begin once
21 the sergeant indicates they are ready, and Council
22 Members who have questions can let me know. I would
23 like to now welcome Francesca Perrone [sp?] to
24 testify. You can go ahead when the sergeant call.

25 SERGEANT AT ARMS: You may begin.

FRANCESCA PERRONE: [inaudible] of the Committee for allowing me to present this testimony on behalf of the Hispanic Federation, a nonprofit organization seeking to empower and advance the Hispanic community. I am here to testify today in support of the Commission on Racial Equity and measures that will be on the ballot on November 8th. The three New York City ballot initiatives up for vote are essential first steps to make progress on racial and economic justice in all neighborhoods. Latino communities across the five boroughs in particular have so much to gain from these ballot measures. As we see it, this election cycle gives New Yorkers the chance to change racial justice as we know it. To achieve higher voter turnout we recommend that New York City government partner with culturally and linguistically competent CBOs such as the Hispanic Federation to lead non-partisan campaigns to educate voters on the importance of voting. In a world of misinformation and partisan tactics it is more important than ever that voters have access to accurate and high-quality information. Often, ballot measures and questions are written in legal jargon that is difficult to understand. It is

imperative that the information be distributed in a manner that is clear and concise and in a variety of languages to increase engagement and turnout. At Hispanic Federation we have a proven track record of leading non-partisan campaigns that educate members of the public. Hispanic Federation is the go-to and trusted non-partisan community education leader in the state and we work with diverse communities to provide neutral and culturally appropriate expert guidance to registered and newly-registered voters. HF's campaign focus on arming citizens with the knowledge necessary to register to vote and how to fill out a ballot, and most importantly, explaining how their participation in the electoral system is critical to our democracy. We owe the success to being the trusted source of culturally and linguistically relevant information for the Latino community. We have a network of hundreds of community-based organizations that are committed to providing Latinos in New York City with every opportunity to cast an informed ballot and make critical decisions that will impact our families. This November 8th, New Yorkers have a chance to make their voices heard through civic engagement. We

1 appreciate the Administration's commitment to
2 increasing opportunities for people to engage with
3 policy, practice and advocacy within their
4 communities, and we encourage the Administration to
5 strengthen civic engagement by partnering with
6 trusted CBOs to deliver information to all voters
7 this election season, and to encourage them to flip
8 the ballot. Thank you so much for your time.

10 CHAIRPERSON WILLIAMS: Did you say that
11 RJC is not working with you? I think we missed what
12 you said?

13 FRANCESCA PERRONE: [inaudible] familiar
14 with RJC partnering with the Hispanic Federation.

15 CHAIRPERSON WILLIAMS: You were muted for
16 part of what you said. Can you just repeat yourself?

17 FRANCESCA PERRONE: Yes. I said I would
18 have to confer with Hispanic Federation, but to my
19 knowledge, we have not partnered with RJC as of yet
20 for the campaigns.

21 CHAIRPERSON WILLIAMS: Okay. Well,
22 someone from RJC is still here, and they'll-- I trust
23 that they'll reach out to the Hispanic Federation,
24 because I think we all need all the help we can get
25

to get out the message for these ballot proposals, so yes, we will follow up with them. Thank you.

FRANCESCA PERRONE: Thank you.

COMMITTEE COUNSEL: Thank you. Seeing no other questions, you are free to go Francesca. And Chair Williams, if you would like to close out the hearing?

CHAIRPERSON WILLIAMS: Thank you all for joining today's hearing on such a very important measure. We are urging everybody to go out and vote and flip the ballot. There are ballot proposals on the back of your ballot. We encourage you to check those out, and these ballot proposals will work towards making our city a more equitable place. Thank you all so much.

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COMMITTEE ON CIVIL AND HUMAN RIGHTS

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 8, 2022