Committee on Cultural Affairs, Libraries and

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The Council of the City of New York

COMMITTEE REPORT OF THE HUMAN SERVICES DIVISION

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COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES

AND INTERNATIONAL INTERGROUP RELATIONS

Hon. Jimmy Van Bramer, *Chair*

February 18, 2021

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| **Introduction No. 293** | By Council Members Rodriguez, Van Bramer, Levin, Levine, Rose and Ampry-Samuel; The Public Advocate (Mr. Williams) and Council Members Perkins, Chin, Rosenthal, Cornegy and Miller |
| **Title:** | A Local Law in relation to establishing a freedom trail task force |
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| **Introduction No. 1814** | By Council Members Van Bramer, Kallos, Rosenthal |
| **Title:** | A Local Law to amend the New York city charter, in relation to the selection of outdoor works of art for the percent for art program |
| **Charter:** | Section 224 |
| **Introduction No. 2048** | By Council Members Levine and Miller |
| **Title:** | A Local Law in relation to the creation of a frontline worker memorial task force |
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1. **INTRODUCTION**

On Thursday, February 18, 2021, the Committee on Cultural Affairs, Libraries and International Intergroup Relations, chaired by Council Member Jimmy Van Bramer, will consider three pieces of legislation: (1) Int. No. 293, sponsored by Council Member Ydanis Rodriguez, in relation to establishing a freedom trail task force; (2) Int. No. 1814, sponsored by Council Member Van Bramer, in relation to the selection of outdoor works of art for the percent for art program; and (3) Int. No. 2048, sponsored by Council Member Mark Levine, in relation to the creation of a frontline worker memorial task force. Witnesses invited to testify include representatives of the Department of Cultural Affairs (DCLA), individual artists, advocacy groups, various art and cultural organizations and foundations, members of the medical community, historians and other interested stakeholders.

1. **BACKGROUND**

*The African American Freedom Trail, Slavery and the Underground Railroad in NYC*

While New York City was “a hotbed of anti-slavery activism and a critical participant of the Underground Railroad” in the years after New York state abolished slavery in 1827,[[1]](#footnote-1) slavery was also “a key institution in the development of New York, from its formative years.”[[2]](#footnote-2) During the colonial era, 41 percent of NYC’s households owned slaves,[[3]](#footnote-3) compared to just six percent in Philadelphia and two percent in Boston at the time.[[4]](#footnote-4) In more recent years, the discovery of the African Burial Ground site in lower Manhattan in 1991[[5]](#footnote-5) led scientists, historians and the public to learn more about this “long-forgotten chapter in New York’s history, when enslaved Africans helped build New Amsterdam (the colony's name before it changed to New York).”[[6]](#footnote-6) Now part of the U.S. National Parks Service’s *African Burial Ground National Monument,[[7]](#footnote-7)* the site has become a national memorial which, “honors Africans’ memory and contributions [to New York City].”[[8]](#footnote-8)

To memorialize and commemorate, as well as educate the public on, this complicated history, “which is barely mentioned in school textbooks,”[[9]](#footnote-9) an organization called the NYC Freedom Trail created a walking tour of 21 historically significant sites in lower Manhattan. This includes the *African Burial Ground* and all of the sites on the trail are connected to New York City’s history with slavery and the Underground Railroad.[[10]](#footnote-10) While they are not formally affiliated beyond providing funding through a grant, U.S. Park Service distributes hardcopies of the Freedom Trail’s walking map and has posted the map on its website, as well.[[11]](#footnote-11)Further, while a “Freedom Trail” already exists, advocates argue that the trail should be more prominent, like Boston’s Freedom Trail, and acknowledge a greater variety of sites. They also add that sites should be linked through more obvious and unifying signage, programs and maps offered by the City itself, and that there needs to be local and government support in recognizing New York City’s history, both within and beyond Manhattan.[[12]](#footnote-12)

*The Percent for Art Program*

The Percent for Art law, passed by the City Council in 1982, requires that one percent of the budget for eligible City-funded construction projects be spent on public artwork.[[13]](#footnote-13) Administered by DCLA, the Percent for Art program offers City agencies the opportunity to acquire or commission works of art for the purpose of bringing artists into the design process and enriching the City’s civic and community buildings.[[14]](#footnote-14) Since its inception, the Percent for Art program has commissioned projects in a variety of sites, utilizing media that includes painting, mosaic, sculpture, and new technologies that are integrated into the City’s infrastructure and architecture.[[15]](#footnote-15) Artists are selected from all backgrounds; to date, of the commissioned artists, an estimated 43 percent are women and 34 percent are artists of color.[[16]](#footnote-16) The program has now commissioned more than 400 pieces of artwork[[17]](#footnote-17) that continue to enhance civic spaces throughout the five boroughs of New York City.[[18]](#footnote-18)

The Council has held several oversight hearings on the Percent for Arts program, including a May 2015 hearing titled *Community Engagement Process in the Percent for Art Law*,[[19]](#footnote-19) and a December 2019 oversight hearing on *Percent for Art and Public Art in New York*.[[20]](#footnote-20) In 2017, the City Council also passed several laws that made significant changes to the Percent for Art program. Local Law 22 of 2017 increased the budget for Percent for Art projects.[[21]](#footnote-21) Local Law 19 of 2017 requires that advisory panels recommend works of art for inclusion in the Percent for Art projects.[[22]](#footnote-22) Finally, Local Law 21 of 2017 requires DCLA to publish information about Percent for Art projects on its website and aggregated demographic information about the artists whose works of art were included in Percent for Art projects.[[23]](#footnote-23)

*COVID-19 and Frontline Workers*

It has now been over a year since the novel coronavirus first emerged, in late 2019, and spread rapidly around the world.[[24]](#footnote-24) As of February 11, 2021, there have been more than 108,168,955 confirmed cases of COVID-19, the disease caused by SARS-CoV-2, and more than 2,373,914 deaths worldwide, including more than 27,968,119 cases and more than 485,715 deaths in Unites States.[[25]](#footnote-25) As of February 11, there have been more than 513,689 confirmed cases[[26]](#footnote-26) and more than 25,853 deaths in New York state.[[27]](#footnote-27) New York State and New York City have been hit particularly hard by this pandemic. Yet, as COVID-19 spread rapidly across the city in March 2020, with hospitals experiencing an increase of around 1,600 new hospitalizations per day,[[28]](#footnote-28) and New York State went into a de-facto lockdown,[[29]](#footnote-29) healthcare professionals and those deemed “essential” continued to show up to work, to ensure people get the help and care they needed.

In the first months of the pandemic, city residents clapped each evening to publicly show their gratitude to essential workers[[30]](#footnote-30) and “we’re all in this together” has become a rallying cry for frontline workers.[[31]](#footnote-31) Yet data suggests that frontline workers continue to be disproportionately affected by COVID-19, both with regard to health[[32]](#footnote-32) and in other social factors, like income, during the pandemic.[[33]](#footnote-33) Additionally, there have yet to be any formal arrangements for a public COVID-19 frontline worker memorial in NYC,[[34]](#footnote-34) although Mayor de Blasio took part in the first nationwide COVID-19 memorial in January 2021, as part of the Inauguration of President Biden and Vice President Harris, which included illuminating a number of NYC buildings “in a national moment of unity and remembrance [for those who lost their lives to COVID-19].”[[35]](#footnote-35)

1. **CONCLUSION**

At today’s hearing, the Committee on Cultural Affairs, Libraries and International Intergroup Relations will hear from DCLA and other members of the community on (1) the creation of a freedom trail task force; (2) the selection of outdoor works of art for the Percent for Art program; and (3) the creation of a frontline worker memorial task force, including suggestions for how the Council may best support these efforts.

1. **ANALYSIS OF INT. NO. 293**

Int. No. 293 would require the city to establish a task force to consider the creation of a Freedom Trail in the City. The task force required pursuant to this legislation would consist of public officials, academic and historical scholars, and representatives from relevant organizations, be required to meet at least quarterly and hold at least two public meetings. Int. No. 293 would also require that the task force submit a report of its recommendations to the Mayor and the Speaker of the Council no later than 12 months after the final member is appointed.

This legislation would take effect immediately.

1. **ANALYSIS OF INT. NO. 1814**

Int. No. 1814 would require DCLA to ensure that at least 50 percent of all chosen art works funded through the Percent for Art program during each fiscal year, beginning in fiscal year 2021, to be installed outdoors. The legislation would also require the Department of Cultural Affairs to provide more information on the art works on the Percent for Art website.

This legislation would take effect 120 days after it becomes law, except that the mayor shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

1. **ANALYSIS OF INT. NO. 2048**

Int. No. 2048 would require the city to create a task force to consider the various factors involved in creating a memorial to frontline workers who died as a direct result of COVID-19 and to make recommendations in furtherance of that objective. Pursuant to Int. No. 2048, the task force would be composed of the Commissioner of Cultural Affairs or such commissioner’s designee, the Commissioner of Parks and Recreation or such commissioner’s designee, and members appointed by the Mayor and by the Speaker of the Council, two of whom served as frontline workers during the COVID-19 emergency. In addition, the legislation would require the task force to report recommendations to the Mayor and to the Speaker of the Council, due 270 days after the effective date of this local law.

This legislation would take effect immediately.

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Int. No. 293

By Council Members Rodriguez, Van Bramer, Levin, Levine, Rose, Ampry-Samuel, the Public Advocate (Mr. Williams), Perkins, Chin, Rosenthal, Cornegy and Miller

A Local Law in relation to establishing a freedom trail task force

Be it enacted by the Council as follows:

                     Section 1. Freedom trail task force. a. Definitions. For the purposes of this section, the term “freedom trail” means a walkable tour of historical sites in the city associated with the abolitionist movement and Underground Railroad, including sites that have been marked and sites that remain unmarked, that are linked through unifying signage, programs or maps.

b. There shall be a freedom trail task force consisting of the commissioners of cultural affairs, transportation, parks and recreation, and small business services; the chair of the landmarks preservation commission; five members to be appointed by the mayor; and three members to be appointed by the speaker of the council. Appointed members shall include academic or historical scholars and representatives of institutions, organizations, corporations or associations that are organized or operated primarily for historical, cultural, educational, religious or charitable purposes. The mayor, after consultation with the speaker of the council, shall designate from among the ex officio members a chairperson of the task force. The ex officio members are the commissioners of cultural affairs, transportation, parks and recreation, and small business services, and the chair of the landmarks preservation commission.

c. Each member of the task force shall serve without compensation for a term of 12 months, to commence after the final member of the task force is appointed. All members shall be appointed within 60 days after the effective date of this local law.

d. No appointed member of the task force shall be removed except for cause by the appointing authority. In the event of a vacancy on the task force during the term of an appointed member, a successor shall be selected in the same manner as the original appointment to serve the balance of the unexpired term.

e. The ex officio members of the task force may designate a representative who shall be counted as a member for the purpose of determining the existence of a quorum and who may vote on behalf of such member, provided that such representative is an officer or employee from the same agency as the delegating member. The designation of a representative shall be made by a written notice of the ex officio member served upon the chairperson of the task force prior to the designee participating in any meeting of the task force, but such designation may be rescinded or revised by the member at any time.

f. The task force shall meet at least quarterly and shall hold at least two public meetings prior to submission of the report required pursuant to subdivision h of this section to solicit public comment on the establishment of a freedom trail.

g. The mayor may designate one or more agencies to provide staffing and other administrative support to the task force.

h. The task force shall submit a report of its recommendations to the mayor and the speaker of the council no later than 12 months after the final member of the task force is appointed. In formulating its recommendations, the task force shall consider the following:

1. The feasibility of establishing a freedom trail;

2. Potential sites along a freedom trail;

                     3. Methods or systems that would be necessary to link sites along a freedom trail;

                     4. The level of coordination among appropriate city agencies and other relevant organizations that would be necessary to the implementation and operation of a freedom trail;

                     5. Outreach and educational materials and efforts, including technological tools, that would be necessary to support the operation of a freedom trail.

i. The freedom trail task force shall dissolve upon submission of the report required pursuant to subdivision h of this section.

§ 2. This local law takes effect immediately.

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Int. No. 1814

By Council Members Van Bramer, Kallos and Rosenthal

A Local Law to amend the New York city charter, in relation to the selection of outdoor works of art for the percent for art program

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 224 of the New York city charter, as amended by local law number 22 for the year 2017, is amended to read as follows:

   b.   Works of art shall be provided for each capital project which involves the construction or the substantial reconstruction of a city-owned public building or structure the intended use of which requires that it be accessible to the public generally or to members of the public participating in, requiring or receiving programs, services or benefits provided thereat. Beginning in fiscal year 2021, at least 50 percent of such works chosen during each fiscal year shall be installed in publicly accessible outdoor locations on the city property where such capital projects are being performed, whether surrounding, adjacent to, near, above, on or within such city-owned public building or structure being constructed or substantially reconstructed.

§ 2. Paragraph 1 of subdivision f of section 224 of the New York city charter, as added by local law number 21 for the year 2017, is amended to read as follows:

      1.   Such information shall be able to be sorted or filtered by fiscal year and shall include but not be limited to the name of the work of art; name of the artist; capital project completion date, including month and year; medium and dimensions of the work of art; location of the work of art, including its precise location within the building or structure, whether it is located indoors or outdoors, its council district and its borough; sponsor agency; and design agency.

§ 3. This local law takes effect 120 days after it becomes law, except that the mayor shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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LS #10186

4/16/2019

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| Int. No. 2048 By Council Members Levine and Miller A Local Law in relation to the creation of a frontline worker memorial task force Be it enacted by the Council as follows: Section 1. Definitions. For purposes of this local law, the following terms have the following meanings:City. The term “city” means the city of New York.COVID-19. The term “COVID-19” means the 2019 novel coronavirus or 2019-nCoV.Task force. The term “task force” means the frontline worker memorial task force established by this local law.§ 2. Task force established. There is hereby established a task force to be known as the frontline worker memorial task force.§ 3. Duties. The task force shall consider the various factors involved in creating a memorial to frontline workers who died as a direct result of COVID-19, including potential sites for the memorial, resources necessary to create such memorial and the level of coordination among appropriate stakeholders that would be necessary for the creation of such memorial. The task force shall make recommendations in furtherance of creating such memorial and such recommendations shall take into account potential effects on the health and welfare of persons in the city, the projected costs of implementing such recommendations, anticipated effects on stakeholders and any other considerations the task force deems relevant.§ 4. Membership. a. The task force shall be composed of the following members:1. The commissioner of cultural affairs or such commissioner’s designee, who shall serve as chair;2. The commissioner of parks and recreation or such commissioner’s designee;3. Two members appointed by the mayor, provided that at least 1 such member was a frontline worker during the COVID-19 emergency; and4. Two members appointed by the speaker of the council, provided that at least 1 such member was a frontline worker during the COVID-19 emergency.b. The mayor may invite officers and representatives of relevant federal, state and local agencies and authorities to participate in the work of the task force.c. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.d. Each member of the task force shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the task force, a successor shall be appointed in the same manner as the original appointment for the remainder of the unexpired term. All members of the task force shall serve without compensation.§ 5. Meetings. a. The chair shall convene the first meeting of the task force no later than 30 days after the last member has been appointed, except that where not all members of the task force have been appointed within the time specified in section four, the chair shall convene the first meeting of the task force within 10 days of the appointment of a quorum.b. The task force may invite experts and stakeholders to attend its meetings and to provide testimony and information relevant to its duties.c. The task force shall meet no less than once each quarter to carry out the duties described in section three.d. The meeting requirement of subdivision c shall be suspended when the task force submits its report as required by section six.§ 6. Report. a. No later than 270 days after the effective date of this local law, the task force shall submit a report to the mayor and the speaker of the council setting forth its recommendations for a memorial dedicated to frontline workers who died as a direct result of COVID-19. The report shall include a summary of information the task force considered in formulating its recommendations.b. The commissioner of cultural affairs shall publish the task force’s report electronically on the website for the department of cultural affairs no later than 10 days after submitting such report to the mayor and to the speaker of the council.§ 7. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the task force.§ 8. Termination. The task force shall terminate 180 days after the date on which it submits its report, as required by section six.§ 9. Effective date. This local law takes effect immediately. AMLS #146786/3/20   |

1. Devin Gannon, *15 Underground Railroad stops in New York City* (Feb. 6, 2018), *available at* https://www.6sqft.com/15-underground-railroad-stops-in-new-york-city/. [↑](#footnote-ref-1)
2. New York Historical Society, History of Slaver in New York, Exhibit: Slavery in New York, *available at* http://www.slaveryinnewyork.org/history.htm. [↑](#footnote-ref-2)
3. Devin Gannon, *15 Underground Railroad stops in New York City* (Feb. 6, 2018), *available at* https://www.6sqft.com/15-underground-railroad-stops-in-new-york-city/. [↑](#footnote-ref-3)
4. New York Historical Society, History of Slaver in New York, Exhibit: Slavery in New York, *available at* http://www.slaveryinnewyork.org/history.htm; 15 Underground Railroad stops in New York City, https://www.6sqft.com/15-underground-railroad-stops-in-new-york-city/; [↑](#footnote-ref-4)
5. The Burial Ground site was discovered when human remains were found during a construction dig, 25-30 feet below modern day street level. The site became a park site in 2006, the memorial opened in 2007, and the museum, or visitor center, opened in 2010. Telephone conversation with a ranger at the National African American Burial Ground historic site visitor center (Feb. 10, 2020); U.S. National Park Service, *African Burial Ground*, *available at* https://www.nps.gov/afbg/planyourvisit/basicinfo.htm. [↑](#footnote-ref-5)
6. U.S. National Park Service, *African Burial Ground*, *available at* https://www.nps.gov/afbg/planyourvisit/basicinfo.htm. [↑](#footnote-ref-6)
7. U.S. National Park Service, *African Burial Ground*, *available at* https://www.nps.gov/afbg/planyourvisit/basicinfo.htm. [↑](#footnote-ref-7)
8. U.S. National Park Service, *African Burial Ground*, *available at* https://www.nps.gov/afbg/planyourvisit/basicinfo.htm. [↑](#footnote-ref-8)
9. *See* Jennifer Maloney, *A New Freedom Trail* (Jul. 2, 2012), *available at* https://www.wsj.com/articles/SB10001424052702304211804577503060994387908 [↑](#footnote-ref-9)
10. U.S. National Park Service, Map Upload: African American Freedom Trail, *available at* https://www.nps.gov/afbg/planyourvisit/african-american-freedom-trail.htm (displaying a map rangers said is distributed at the site but was not created by the U.S. National Park Service); *See also* New York Historical Society, History of Slaver in New York, Exhibit: Slavery in New York, *available at* http://www.slaveryinnewyork.org/history.htm. [↑](#footnote-ref-10)
11. The NYC Freedom Trail Foundation, *About Us*, available at http://nycfreedomtrail.org/about-us/; *See* Jennifer Maloney, *A New Freedom Trail* (Jul. 2, 2012), *available at* https://www.wsj.com/articles/SB10001424052702304211804577503060994387908. [↑](#footnote-ref-11)
12. *See, e.g*., *Tracing NYC’s abolition trail: Home to many abolitionists, the city needs a museum honoring its anti-slavery roots* (Dec. 27, 2019), *available at* https://www.nydailynews.com/opinion/ny-oped-create-an-abolition-trail-20191227-ywlqcqwk6jfbva2q4bh44qlm5y-story.html; Nikita Stewart, Juliana Kim and Alan Feuer, ‘*Sad and Joyful’: N.Y.C. Marks Juneteenth After a Month of Protest* (Jun. 19, 2020), *available at* https://www.nytimes.com/2020/06/19/nyregion/juneteenth-in-nyc.html. [↑](#footnote-ref-12)
13. NYC Department of Cultural Affairs, *Percent for Art,* https://www1.nyc.gov/site/dclapercentforart/index.page. [↑](#footnote-ref-13)
14. NYC Department of Cultural Affairs, *Percent for Art,* https://www1.nyc.gov/site/dclapercentforart/index.page. [↑](#footnote-ref-14)
15. NYC Department of Cultural Affairs, *Percent for Art,* https://www1.nyc.gov/site/dclapercentforart/index.page*..* [↑](#footnote-ref-15)
16. NYC Department of Cultural Affairs, *Percent for Art,* https://www1.nyc.gov/site/dclapercentforart/index.page. [↑](#footnote-ref-16)
17. Untapped New York staff, *11 Award Winning Public Design Projects in NYC* (Oct. 29, 2020), *available at* https://untappedcities.com/2020/10/29/11-award-winning-public-design-projects-nyc/. [↑](#footnote-ref-17)
18. *Id.* [↑](#footnote-ref-18)
19. New York City Council, *available at* https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=399016&GUID=942A6ED0-9D3B-4CC8-BB4B-F0C3D3C60EE7&Options=info|&Search=percent+for+art. [↑](#footnote-ref-19)
20. New York City Council, *available at* https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=743802&GUID=3E567EA6-DAD1-4A20-8E61-D2803A098FCB&Options=info|&Search=percent+for+art. [↑](#footnote-ref-20)
21. NYC Charter § 224(b)-(c). [↑](#footnote-ref-21)
22. NYC Charter § 224(g). [↑](#footnote-ref-22)
23. NYC Charter § 224(f). [↑](#footnote-ref-23)
24. *The COVID-19 Tracker*, Axios, *available at* https://www.statnews.com/feature/coronavirus/covid-19-tracker/. [↑](#footnote-ref-24)
25. Worldometer, COVID-19 Coronavirus Pandemic, https://www.worldometers.info/coronavirus/. [↑](#footnote-ref-25)
26. NYS DOH COVID-19 Tracker, Persons Tested Positive by County, https://covid19tracker.health.ny.gov/views/NYS-COVID19-Tracker/NYSDOHCOVID-19Tracker-Map?%3Aembed=yes&%3Atoolbar=no&%3Atabs=n. [↑](#footnote-ref-26)
27. NYS DOH COVID-19 Tracker, *Fatalities*, *available at* https://covid19tracker.health.ny.gov/views/NYS-COVID19-Tracker/NYSDOHCOVID-19Tracker-Fatalities?%3Aembed=yes&%3Atoolbar=no&%3Atabs=n. [↑](#footnote-ref-27)
28. NYC DOHMH, COVID-19: Data, Daily Counts, https://www1.nyc.gov/site/doh/covid/covid-19-data.page. [↑](#footnote-ref-28)
29. The first confirmed case in New York state (NYS) was identified on March 1, 2020. On March 7, 2020, New York’s Governor Andrew M. Cuomo issued Executive Order Number 202, declaring a state disaster emergency for the entire state. By March 12, 2020, the Governor Cuomo barred gatherings of more than 500 people and placed restrictions on other gatherings in response to COVID-19, followed by an executive order creating "New York State on PAUSE" restrictions on March 20, 2020, resulting in a de-facto shelter in place order. Melanie West, First Case of Coronavirus Confirmed in New York State, *Wall Street Journal* (Mar. 1, 2020), *available at* https://www.wsj.com/articles/first-case-of-coronavirus-confirmed-in-new-york-state-11583111692; Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency (May 14, 2020), *available at* https://www.governor.ny.gov/news/no-20231-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency; Jesse McKinley and Michael Gold, *Ban on Large Gatherings in N.Y. as Coronavirus Cases Rise Sharply* (Mar. 12, 2020), *available at* <https://www.nytimes.com/2020/03/12/nyregion/coronavirus-nyc-event-ban.html>; *See* Executive Order 202.31 (May 14, 2020), *available at* <https://www.governor.ny.gov/news/no-20231-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency> (describing previous orders); Michael Paulson, *Broadway, Symbol of New York Resilience, Shuts Down Amid Virus Threat* (Mar. 12, 2020), *available at* <https://www.nytimes.com/2020/03/12/theater/coronavirus-broadway-shutdown.html>; Robin Pogrebin and Michael Cooper, *New York’s Major Cultural Institutions Close in Response to Coronavirus* (Mar. 12, 2020), *available at* <https://www.nytimes.com/2020/03/12/arts/design/met-museum-opera-carnegie-hall-close-coronavirus.html>; Governor Cuomo Signs the ‘New York State on PAUSE’ Executive Order (Mar. 20, 2020), *available at* <https://www.governor.ny.gov/news/governor-cuomo-signs-new-york-state-pause-executive-order>; Governor Cuomo Signs the ‘New York State on PAUSE’ Executive Order (Mar. 20, 2020), *available at* <https://www.governor.ny.gov/news/governor-cuomo-signs-new-york-state-pause-executive-order>. [↑](#footnote-ref-29)
30. NYC Sings ‘New York, New York' After Nightly Clapping Salute to Medical Workers, https://www.nbcnewyork.com/news/coronavirus/nyc-sings-new-york-new-york-after-nightly-clapping-salute-to-medical-workers/2378141/ [↑](#footnote-ref-30)
31. Elise Gould and Valerie Wilson, Black workers face two of the most lethal preexisting conditions for coronavirus—racism and economic inequality, Econ. Policy Institute (Jun. 1, 2020), *available at* https://www.epi.org/publication/black-workers-covid/. [↑](#footnote-ref-31)
32. Sally Goldenberg and Danielle Muoio, Scores of NYC workers have died on the front lines of the coronavirus fight (Apr. 17, 2020), *available at* https://www.politico.com/states/new-york/albany/story/2020/04/16/scores-of-city-workers-have-died-on-the-front-lines-of-the-coronavirus-fight-1277370 ; Staff of KHS and the Guardian, *Lost on the Front Line* (Aug. 10, 2020), *available at* https://khn.org/news/lost-on-the-frontline-health-care-worker-death-toll-covid19-coronavirus/ (explaining that in some states, medical personnel account for as many as 20 percent of known coronavirus cases); Nicole Hong, *3 Hospital Workers Gave Out Masks. Weeks Later, They All Were Dead* (May 4, 2020), *available at* https://www.nytimes.com/2020/05/04/nyregion/coronavirus-ny-hospital-workers.html [↑](#footnote-ref-32)
33. Lily Casura, et al., *Frontline workers in the U.S.: race, ethnicity, and gender* ( Sept. 7, 2020), *available at* https://www.niussp.org/article/frontline-workers-in-the-u-s-race-ethnicity/. [↑](#footnote-ref-33)
34. There have, however, been individual tributes to frontline workers throughout the pandemic and this is a question other jurisdictions are starting to address. *See, e.g.,* Andrea Romano, *An Artist Turned an NYC Parking Lot Into a Stunning Memorial to Frontline Workers*, (Jun. 1, 2020), *available at* https://www.travelandleisure.com/travel-news/healthcare-workers-satellite-mural-queens; *See also* State of New Jersey 219 Legislature, SENATE, No. 3311: *An Act establishing the “COVID-19 Frontline Healthcare Worker Memorial Commission.”* (Jan. 7, 2021), *available at* https://www.njleg.state.nj.us/2020/Bills/S3500/3311\_I1.HTM (providing an example of this happening in other jurisdictions). [↑](#footnote-ref-34)
35. The City of New York, Press Release: *MAYOR DE BLASIO TO PARTICIPATE IN NATIONAL MEMORIAL TO LIVES LOST TO COVID-19* (Jan. 19, 2021). [↑](#footnote-ref-35)