

# NYC Racial Justice Commission

Public Meeting July 12, 2021

# Agenda

- Welcome and Overview of Agenda, Adoption of Meeting Minutes (*Vice Chair Henry Garrido*)  
- 5 minutes
- Remarks and Q&A with Michael McAfee, PolicyLink – 30 minutes
- Developing a Preamble to the NYC Charter: Presentation of Research (*Melanie Ash*) - 15 minutes
- Issue Area Panel and Public Engagement Schedule (*Jimmy Pan and Jacqueline Kennedy*) - 15 minutes
- Next Steps & Upcoming Meetings (*Anusha Venkataraman*) - 5 minutes

# Remarks and Q&A with Michael McAfee *PolicyLink*

# Developing a Preamble to the NYC Charter: Presentation of Research

# What is a preamble?

- "An introductory statement that precedes a document . . . usually setting forth its purposes, history, or rationale" (Bouvier Law Dictionary)
- Historically has not usually carried legal effect on its own; however, may be used to interpret or give meaning to other sections of the document it introduces.

# History of Preambles in NYC Charter

- From our research, the only "preambles" to previous NYC Charters existed in the colonial period. For example the Dongan Charter (1686):

"WHEREAS the City of New-York is an ancient City within the said Province, and the Citizens of the said City have anciently been a Body Politick and Corporate. And the Citizens of the said City have held, used and enjoyed, as well within the same, as else-where within the said Province, divers and sundry Rights, Liberties, Privileges, Franchises, Free Customs, Preheminences, Advantages, Jurisdictions, Emoluments and Immunities...."

- Our current Charter does not contain a preamble.

# Common Types of Preambles

- Simple Statement of Values
- Historical Acknowledgement
- Enumeration of Rights and Obligations

# Examples of Preambles: Simple statement of values



## Seattle City Charter:

Under authority conferred by the Constitution of the State of Washington, the People of the City of Seattle enact this Charter as the Law of the City for the purpose of protecting and enhancing the health, safety, environment, and general welfare of the people; to enable municipal government to provide services and meet the needs of the people efficiently; to allow fair and equitable participation of all persons in the affairs of the City; to provide for transparency, accountability, and ethics in governance and civil service; to foster fiscal responsibility; to promote prosperity and to meet the broad needs for a healthy, growing City.

## Minneapolis City Goals/Vision Statement:

Values Statement: Minneapolis is an intentionally compassionate city where each of us can reach our full potential while caring for one another, eliminating racial disparities, improving our environment and promoting social well-being. We lead in innovative and creative ways, focused not only on our present needs, but also the success of future generations.

Values: Equity, Safety, Excellence, Welcoming, Stewardship, Transparency, Health

# Examples of Preambles: Historical Acknowledgment

# List of Grievances

## ➤ Declaration of Independence:

The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world...

He has refused his Assent to Laws, the most wholesome and necessary for the public good...

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

# Apology

## ➤ House Resolution 194, July 29, 2008 (Apology for Slavery)

Whereas it is important for this country, which legally recognized slavery through its Constitution and its laws, to make a formal apology for slavery and for its successor, Jim Crow, so that it can move forward and seek reconciliation, justice, and harmony for all of its citizens:

Now, therefore, be it

That the House of Representatives—

- (1) acknowledges that slavery is incompatible with the basic founding principles recognized in the Declaration of Independence that all men are created equal;
- (2) acknowledges the fundamental injustice, cruelty, brutality, and inhumanity of slavery and Jim Crow;
- (3) apologizes to African Americans on behalf of the people of the United States, for the wrongs committed against them and their ancestors who suffered under slavery and Jim Crow; and
- (4) expresses its commitment to rectify the lingering consequences of the misdeeds committed against African Americans under slavery and Jim Crow and to stop the occurrence of human rights violations in the future.

# Apology

## ➤ Civil Liberties Act of 1988 (Apology for Japanese Internment):

The Congress recognizes that ... a grave injustice was done to both citizens and permanent resident aliens of Japanese ancestry by the evacuation, relocation, and internment of civilians during World War II.

[T]hese actions ... were motivated largely by racial prejudice, wartime hysteria, and a failure of political leadership. The excluded individuals of Japanese ancestry suffered enormous damages, both material and intangible, and there were incalculable losses in education and job training, all of which resulted in significant human suffering for which appropriate compensation has not been made. For these fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese ancestry, the Congress apologizes on behalf of the Nation.

# Other Historical Acknowledgment

## ➤ **Irish Constitution:**

... Gratefully remembering their heroic and unremitting struggle to regain the rightful independence of our Nation....

## ➤ **UN Convention on Elimination of Discrimination Against Women, 1979:**

Emphasizing that the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women....

## ➤ **South African Constitution:**

We, the people of South Africa,

Recognise the injustices of our past;

Honour those who suffered for justice and freedom in our land;

Respect those who have worked to build and develop our country; and

Believe that South Africa belongs to all who live in it, united in our diversity.

We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to

Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;

Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;

Improve the quality of life of all citizens and free the potential of each person; and

Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.



# Examples of Preambles: Enumeration of Rights

# Constitution of India, 1949

We, the people of India, having solemnly resolved to constitute India into a sovereign socialist secular democratic republic and to secure to all its citizens:

- **Justice**, social, economic and political;
- **Liberty** of thought, expression, belief, faith and worship;
- **Equality** of status and of opportunity, and to promote among them all,
- 7/12/2021 **Fraternity** assuring the dignity of the individual and the unity and integrity of the nation....

# Constitution of the Republic of Trinidad & Tobago, 1976

Whereas the People of Trinidad and Tobago—

...respect the principles of social justice and therefore believe that the operation of the economic system should result in the material resources of the community being so distributed as to subserve the common good, that there should be adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions but that there should be opportunity for advancement on the basis of recognition of merit, ability and integrity....

# Identifying Values for a NYC Preamble

# Examples from City Agency Value Statements

- **Housing Security:**

... to provide quality housing for New Yorkers that is sustainable, inclusive, and safe, while fostering opportunities for economic mobility.

- **Community Empowerment:**

Lifelong civic engagement is a right, privilege, and responsibility of every New York City resident.

- **Economic Justice:**

... an inclusive, equitable economy that offers well-paying jobs and opportunity for all to live with dignity and security.

# Preamble Next Steps

- Opportunities for public input
  - Pose questions about foundational values that are important to New Yorkers, to assist in drafting preamble
  - Gain input through community based workshops and sessions
  - Welcome input during public hearings
- Opportunities for Commissioner input
  - Could create a working group to review community input and work with staff to draft

# Discussion

- Which model or models make the most sense for NYC?
- Commissioner input to date:
  - Recognition of immigrants as an inherent part of our democracy
  - Commitment to early childhood education/Universal Pre-K
- Are there other ways we want to engage communities in seeking input?

# Issue Area Panel Schedule

- 8 Virtual Panels
- As many Commissioners in attendance as possible
- Purpose:
  - Invite ideas and recommendations from leading practitioners, thinkers who practice with a racial equity lens
- Objectives:
  - Hear about the most impactful ideas being proposed to address structural racism
  - Give Commissioners opportunity to engage thought leaders in cross-cutting discussion about structural changes



# Issue Area Panel Schedule

1. Overcoming Racial Disparities in Health and Mental Health (Tues July 20 4-7PM)
2. Eradicating Education Inequity for BIPOC (Fri July 23 9:30-12:30PM)
3. Achieving Racial Equity in Housing and Land Justice (Tues July 27 3-6PM)
4. Planning for a Racially Equitable Future (Tues Aug 3 3-6PM)
5. Ensuring a Fair and Just Legal System for All Persons (Tues Aug 10 3-6PM)
6. Achieving Economic Equity and Closing the Racial Wealth Gap (Tues Aug 17 3-6PM)
7. Ensuring Civic and Political Engagement and Empowerment for All Persons (Tues Aug 24 3-6PM)
8. Intersectionality: Equity Across Identities (Tues Aug 31 3-6PM)

# Public Hearings

- 5 Borough-Based Hearings (in-person)
  - 1 per Borough
- 3 Virtual Hearings
- Hosted by RJC Commissioners
- Purpose:
  - Ensure general public participation in proposing solutions to address structural racism through the Charter revision process
- Objective:
  - Provide lived examples of the impact of the Charter on the lives of New Yorkers most harmed by structural racism
  - Learn about potential solutions to address inequitable and adverse impacts of the NYC Charter, specifically on BIPOC New Yorkers
  - Generate visibility and awareness of the Racial Justice Commission's work overall

# Proposed Public Hearing Schedule

- Thursday, July 29th 5-8PM (Bronx)
- Wednesday, Aug 4<sup>th</sup> 5-8PM (Brooklyn)
- Thursday, Aug 5<sup>th</sup> 5-8PM (Virtual)
- Wednesday, Aug 11<sup>th</sup> 5-8PM (Manhattan)
- Wednesday, Aug 18<sup>th</sup> 5-8PM (Virtual)
- Thursday, Aug 19<sup>th</sup> 5-8PM (Staten Island)
- Wednesday, Aug 25<sup>th</sup> 5-8PM (Queens)
- Thursday, Aug 26<sup>th</sup> 5-8PM (Virtual)

# Public Hearing – Decision Points

- Which Public Hearings would you like to host?
  - Recommend each Commissioner host 3 hearings
  - May base decision on schedule, borough you reside in, or borough where you have stakeholder relationships
- What Borough are you most interested in attending?
- Are there particular dates that you would like to attend?
- Identifying champions in the boroughs to support attendance and testimony

# Preparing for Upcoming Meetings

- Decision-making Criteria will be distributed
- Guidance on how to engage during panels and hearings:
  - Do ask questions: staff will provide guiding questions for Q&A
  - Do probe deeper: discuss with issue area panelists how any institutional recommendations might be implemented on a broad, structural basis
  - Do build connections across different recommendations and ideas.
  - Do not imply that the RJC is likely to take up a particular idea
  - Do not ask for personal details or identifying information which is not volunteered

# Upcoming Meetings and Events



## Issue Area Panels

- ☐ July 20th, 4-7:00PM
- ☐ July 23rd, 9:30AM-12:30PM

## Public Commission Meetings

- ☐ August 9th, 4-5:30pm

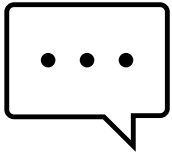
## Public Hearings

- ☐ July 29th, 5-8:00PM

# Stay in Touch!



Racial Justice Commission updates posted at [nyc.gov/racialjustice](https://nyc.gov/racialjustice)



Comments and questions from the public can be sent to [racialjustice@charter.nyc.gov](mailto:racialjustice@charter.nyc.gov)



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