



Public Meeting 7/12/21

NYC Racial Justice Commission

APPEARANCES:

- Jennifer Jones Austin, Chair
- Henry Garrido, Vice Chair
- Ana Bermudez, Esq
- Lurie Daniel Favors, Esq.
- Reverend Fred Davie
- Chris Kui
- Melanie Ash
- Jo-Ann Yoo
- Anusha Venkataraman
- Phil Thompson
- K. Bain
- Yesenia Mata
- Jimmy Pan
- Jacqueline Kennedy

Henry Garrido (HG) 00:00

[Jennifer Jones] Austin and also to my right, Yesenia Mata Commissioner, Welcome, and Chris Kui, and to my left. Let me just announce, Commissioner Jo-Ann Yoo, welcome, and of course, the one and only Commissioner Ana Bermudez. Good to see you. And yours truly, I'm Henry Garrido. I'm the Vice Chair and I have the honor of co-chairing the meeting today. Give me a - - I got to wear my mask, which is something that we all got used to it now. So let me also name those Commissioners who are joining us virtually today. Starting with Fred Davie, and is Fred Davie online? Okay, I also like to welcome Commissioner K. Bain, who is joining us virtually -- Are you there Commissioner? Greetings, greetings all. Yes sir, I am here co-commissioner. It's good to see you. We also want to acknowledge Commissioner Darrick Hamilton, who I believe, will not be able to join us today. He might be joining, you may be joining us virtually, but in the meantime, we send greetings. Let me just start -- Look, this is, as I said today, I have the honor to chair in the meeting, an honor that I think we're going to be sharing as we go along with the different Commissioners. But this is the sixth public meeting of the Racial Justice Commission and it's gonna be our first in-person, which is a great sign of things beginning to turn in the positive directions here in the City of New York. I want to welcome anyone who is here from the public today -- We are happy to welcome the members. Right here, we are at 22 Reed Street, virtually and also via YouTube and Zoom, and as by share, as I said, I'm happy to be leading today's meeting. This meeting comes at a turning point in our Commission's work. We spent the last few months solidifying and clarifying what our mission is -- Focusing on structural changes to the New York City Charter that will address underlying causes of systemic racism in our city. We are now on the verge of engaging New Yorkers in a much more public manner through engaging communities and stakeholders to hear what structural changes they propose that will have a real impact in New Yorkers' lives. We'll hear from a staff later on today



on those plans and from guest speaker, Michael McAfee, President and CEO of PolicyLink, who will help ground us in our work before we enter into this phase. So let me have some housekeeping rules before we begin. We have some technical notes and directions for the Commissioners on how to best engage with each other today in this hybrid, in-person virtual meeting setup. I'll ask you to please raise your hand either by Zoom function if you're doing virtually or in person if you are here in the room at 22 Reed Street. Please make sure that you're muted on your computer if you're not speaking, and if you are in the room, there is a red button in front of you that will activate your microphone, so please make sure that you acknowledge and make sure that you press that button if you'd like to speak into the microphone. The Racial Justice Commission staff are here to assist both commissioners and members of the public who may need assistance. For members of the public observing the meeting in person, we have a limited number of spaces in this room. Staff are available to direct additional members of the public should they arrive during the meeting to the overflow space at 125 Ward Street, where the meeting's being live streamed. Let me take a moment to welcome yet another Commissioner who has joined us, Commissioner Lurie Daniel Favors, welcome. Thank you. So good to see you. As I said, any members will -- we have an over floor space and we might have to you know, if need be, let us know, we will, the staff will be here to help. Having said that, I think, let's get on to the business first. I'd like to start with the discussion -- Before we dive into today's discussion, we have to do a review of the minutes that are in front of you, particularly the minutes, we start with the meetings of the last full Commission on September 9th, where we had an event honoring Juneteenth on June 18th, reflecting the legacy of a racial justice -- minutes for both meetings will be distributed in advance, the Commissioners, and are printed here today, available online with complete meeting transcripts at nyc.gov/racialjustice and "Commission Meetings." So, let's take a moment to review the minutes correspondent for 6/9/2021. First, I'd like to entertain a motion for discussion. Do I get a motion? Motion into discussion. Motion by Commissioner Jones Austin. Do I get a second? Second. Second by Jo-Ann Yoo. So we have a motion and a second. Any discussion -- any discussion here? Or no? Let's take a favor. All in favor, please signify by saying aye. Aye. Any oppose? Any abstention? The ayes have it in, so order. Now let's turn our attention to the minutes corresponding for 6/18/2021. Let's take a moment to review. If there are no objections or -- I will also entertain a motion for the adoption of the minutes of 6/18. I get a motion. Motion. Oh shimmer, I never move this -- Commission, moves, thank you. Any second? Second. Second, Daniel Favors. Any questions, comments? Alright. Hearing now, let's take a vote. All in favor, please signify by saying aye. Aye. Any opposed? Any abstentions? So order. The ayes have it and the minutes for 6/18/2021 are adopted.

Jennifer Jones Austin (JJA) 08:03

Vice Chair, I may just ask the question in connection with the minutes. The minutes I'm in agreement with but -- Sure, can you press the button moving forward -- I would suggest that we note in the minutes that the meetings are transcribed and that that information is available as well.

HG 08:24

Duly noted. I think it's important. Okay, so let me start with an overview of the agenda. I will give a brief overview of what we'll be covering today. The agenda can be found in on slide number two on the printed materials, which can also be found online at nyc.gov/racialjustice



on the "Commission Meetings" tab. We will have remarks, and questions and answer that are moderated by, as I said, Michael McAfee of Policy Link for about 30 minutes. We will discuss the development of a Preamble for the New York City Charter Presentation of Research by General Counsel, Melanie Ash, who we welcome as well, if she'll do that for about 10 minutes. We will discuss the issue area panel engagement schedule. Policy Director Jimmy Pan and Public Engagement Director, Jacqueline Kennedy, are they here today or are they on virtually? Okay, well welcome, that'll be about 20 minutes. And then we will go to steps, let me just say I didn't welcome our Executive Director AV, please forgive me, I always mispronounce your name. Forgive me, and we will hear from her also as well, so, let me just now turn and introduce our leader, who has been the leader of this Commission, the Chair, for proper introduction. So please, let me -- help me welcome our Chair, Jennifer Jones Austin.

JJA 10:21

Thank you. Thank you Vice Chair Garrido, and good afternoon to all of you. It's good to see your faces in the flesh. In these days, we say not only is it good to see people, but it's good to be seen, and we don't take that lightly. I also just want to acknowledge that I am privileged to work with all of you because you're all leaders and we're all showing up in this space in our respective leadership roles, and I'm thankful to all of you for doing that. As you all know, we've had now several Commission meetings and as Vice Chair Garrido spoke to, you know, we've been laying the foundation, doing the work to get ourselves up to speed to really kind of, run over the course of the next several weeks. We will be doing doing the running, we're going to be engaging with people here, there, and everywhere. The public, people who are subject matter experts and thought leaders to help us come up with proposals for the City of New York that will bring about true racial equity, dismantle those systems, those structures, that keep certain people -- People of color, from getting ahead and advancing. And as we begin this phase of our work, we are going to hear, as I just said, from many different people in the space. Thought leaders, subject matter experts, persons with lived experience, to kick us off today. We are fortunate, we are very fortunate, we are honored to have with us a leader in racial equity -- a gentleman, a person who has been leading on many fronts and right now, he currently serves as the leader of PolicyLink. He's the president and CEO of PolicyLink, based in Oakland, California. And many of us know it oh so well -- Michael is a leader of vision and results. He served as the Honorable Director of the Promise Neighborhoods Institute at Policy League, and he's played a leadership role in securing Promise Neighborhoods as a permanent federal program. Some of you may be aware that Promise Neighborhoods began under President Barack Obama, and it was a vision that in part was birth out of some of the knowledge learned through the Harlem children's zone experience. And so we have some connection to Michael already. Michael's here with us this afternoon, just being a leader in this space both in the in the public, in the government space, the non-profit space, and even working in the corporate racial equity space, and has done a lot of work with private sectors promoting equity. So he's joining us because what we want to do is hear from someone who's hard at this work, who's been at the work trying to bring about, and has been effective at bringing about some structural and policy change. We want him as we get started, engaging with the community to share with us his perspective, his thoughts, about how to make the most of this moment. And so I see Michael, I see his face, and I'm just going to turn things over to you now, just help us -- I'll quickly share this story -- We had a brief conversation with Michael, I guess maybe about



two to three weeks ago, introducing ourselves, telling him about the Commission and the work that is before us, and we were hoping to kind of inspire him to want to support our efforts, and I think we left, and I'm looking at you AV, we left that meeting feeling so ignited, so inspired, so encouraged by him, and we wanted to make sure that you all felt the same, you, commissioned members in the community at large. So, Michael's here to help us get started, good afternoon Michael.

Michael McAfee (MM) 14:09

Hey, good afternoon. It's a pleasure.

JJA 14:11

How's the weather in Oakland?

MM 14:14

Oh, it's cold today, it's 56 degrees and cloudy, things are alright. Well thank you for having me. You know, I want to start by just thanking the Commissioner, all the Commissioners for your leadership and I simply want to share a few remarks with you today. My remarks are by no means to tell you what to do, my remarks are to humbly share what I've seen around the country and to really try to say thank you -- My computer is about to -- To say thank you you know. New York has been at the leading edge of the equity movement on so many issues and this notion of having the courage to look at one's charter is also at the leading edge of the equity movement, and so I want to share a few things just from my own learnings of being 20 years in this space, that maybe some of it will help you as you think about how you go forward. You know, 22 years ago, PolicyLink was started and policy link helped to introduce this notion of racial equity and you know, 22 years ago even people of color said you shouldn't use that word "equity" you know, it's a loaded word, etc. And today, that word is ubiquitous. You know, and the founder of PolicyLink, Angela Glover Blackwell, taught me many things, but a few of them I'm going to share with you today. The first thing she said is, you know what Michael, sometimes you have to birth something into the world that people don't understand, and you've got to create the space for them to live into it, and equity is that. Equity is an invitation that was birthed from our founding even though the founding of this nation didn't include me, but it was there -- An invitation to continually focus on perfecting our democracy, and that's the invitation that is on the table today. Will we continuously perfect our democracy for the all in the equity definition, not just for some. Now you would think that that would not be a radical statement at this time, but it is. This hierarchy of human value that runs through our nation that is going to be our downfall if we don't deal with it, and so as you go through your deliberations, I want you to think about your work being work that people may not understand yet, but that doesn't mean it's not the right work. The work that you're doing should set the pace for this nation, and so with that in mind, I want you to think about a couple of the lessons that I've learned as you think about this body of work. The first lesson I've learned as a leader coming into my own, is how tragic it is for me to not recognize what the ancestors had already fought in one for me, and I'm gonna go and prosecute it all over again. We're sitting here at this moment being able to talk about the power of a charter, the power of dismantling structural racism because of the hard-fought victories of our ancestors, and how tragic it would be if we didn't have the spine to live into their hopes and aspirations for us, and I really want you to hold that because you should not be ashamed to say structural racism anymore. You should not be ashamed to say



black people anymore. Our ancestors fought for us to be able to say what the hell we mean, and mean what the hell we say. And you cannot start a process if you can't even own the truth and you see that as a problem in this nation today. We can't even own the truth. We think so little of black and brown people, we won't even acknowledge the harm that we intentionally set out to do to them. You cannot fall to that orientation in this nation right now, you cannot fall to it. If you will not be strong enough to overcome it, you might as well pack up and go home right now because it makes no sense to even talk about listening to the community. For far too long in my career, what I've seen is community tells us every day what they need. They tell us their hopes, they tell us their aspirations, they tell us where harm is happening, and what I've seen from too many leaders, regardless of the color of their skin -- They constantly weigh whether they will respond to that need of community versus their own comfort, the comfort of their institution, what might be politically acceptable or feasible right now. And the moment you go down that road is the moment you've already hit mediocrity. This is a transformative moment, but let's be clear -- Transformation dies in our bureaucracies. It's a transformational moment because a beautiful multi-racial coalition went to the streets that says we, we expect a better world. We expect a better nation. But the beauty of the positions that we occupy is that we translate all of that from the street, that energy from the street into something or not. We have a chance to translate that into real public policy changes, real institutional changes. We can remake our institutions to be just and fair for everyone, or we can simply nibble around the edges and continue to act startled that millions of people in this nation are struggling to make ends meet and I really want to bring this home practically folks. You know there are 100 million folks in America living at 200 percent of poverty. Ask yourself how many of those folks live in New York because see, those, that's the community we've designed, a nation to not work for them intentionally. And so you can't start a process if you don't want to own your people, my people, that hundred million, 40 million, of whom are white. This nation ain't even working for white folks right now, but in addition to owning your people, I want you to begin to think about the design challenges of why that number is so big. Think about in this pandemic that we were in, we called people heroes and yet we thought so little of them. We were debating whether they deserved \$300 a month, think about that. These are the people that you're going to be talking to, the very ones you thought were heroes but in your public policy, you think they deserve nothing. You think they're not even worth \$300 and I really want you to get these points folks, because this is what your journey is about. See, you can't combat structural racism if you don't really want to hold the pain of the people that you're getting ready to engage with. This is what our governing institutions thought of them -- They thought that they were shiftless and lazy, and we shouldn't even give them \$300 -- You hear people say that now they don't want to go back to work because they make \$300 a week. I'm sorry, I don't know these lazy people. I've never known someone who wouldn't go to work because they were making \$300. I really want you to hold on to this as you think about what structural racism looks like, because structural racism looks like a narrative that says folks are shiftless and lazy, and I can get, I can use them to perform as a patriot, but I don't have to serve them. I can call them heroes and I can trace them out when it's convenient for my interest, but when it comes to doing right by them, I don't have anything for them. And I share this now because what you all are doing by looking at this notion first, centering the notion of structural racism, it's quite transformative. It's quite transformative. Many places around the country are still trying to run from that word. Think about it -- A nation founded on stolen land slave labor and genocide somehow has a problem owning up to its past and wanting to move forward. Why should that be so



problematic? We raise our kids to be able to say I'm sorry, we raise our kids to know that we're not perfect and that we got to continually evolve, and yet this nation doesn't want to own any of its past, and yet it has the audacity to talk about poverty levels, results, homelessness. Well, what did you think a nation founded on those things would ultimately look like? What did you think a nation founded on stolen land, slave labor, and genocide, would ultimately look like, especially when you've never even said you're sorry for those things. Especially when you then have never even made right by those things fully, and even today, we're still struggling, watching big banks still redline to this day. Now I say all this to give you just a practical sense of, own your people. Own who you serve. You're here to serve the folks who are often left out of these processes. That's who you're here to serve. And if you don't want to do that work, you should just close up and go home now because you get to the all by serving those who we consistently don't see and we leave back behind. I'm asking you to honor those people's humanity in this process because the structure was designed to harm them and oppress them. And your work today, if you can see their humanity, if you can be so bold as to see their humanity, and speak on their behalf, you will catalyze a movement all around this country because people are hungry for places like New York that are seen as national leaders to speak the truth, to say what must be done, and by no means are folks expecting that this Commission can do it all by itself. No one's expecting that. What folks do hope, I hope, is that this Commission can set us on the right journey, can set the right course for what it means for this nation to govern with the racial equity consciousness. What does it mean to govern with the racial equity consciousness, for the all, in the equity definition. What does it mean to remake our laws, our regulations, our customs, and our institutions that they serve everyone. What does it mean now to move beyond charity to liberation, you can set that path. See, if we just participate in charity, things don't get better. Things stay too random. Charity means I get out of poverty but my sisters do not. America is better than that. America designed the white middle class through the GI Bill and FHA, and I know you got brother Darrick Hamilton on your Committee. He he's a brilliant economist with brilliant ideas about how to lift more folks, especially people of color, into the middle class and beyond. We have many of the answers that we need to dismantle structural racism and to build something else better. the question is, can I see your humanity and do I love you enough to want to do that work, and I think this body does love the all in the equity definition, and what I'm asking you to do is to speak on their behalf, see the structures that are harming, and set a path for improving them. Show this nation how to talk about structural racism and it doesn't have to be divisive. And here's the ultimate thing -- For folks who might find it divisive by just on not allowing you to own your history, those are not the folks who we need to talk to right now. For folks who would find this work divisive because they won't allow you to own your own history, should not be the group that you're catering to. We've catered to that group too long. You don't get to liberation by asking the oppressor how do they feel about your liberation. It's time for you to be proud of who you are and the work that you want to do. You know, I was telling someone other that you know, I like, I love this work. My heart is full in doing this work because right now you know, I wasn't raised to hate white folks so I don't start from that place, so I don't have a problem with this work. I can talk about structural racism because I'm not helping on excluding anyone and you all are in the same place. You're free folks to do the work of liberating folks in this entire nation because you weren't trained to hate, you weren't enculturated to hate. That's somebody else's cross to bear, don't own that shit -- That is not ours. That is not ours. And what I'm asking you to do today is to not allow yourself to find all your energy going to trying to placate a group



of people who never meant well by you anyway. This is not their work, their work is what you see happening in this nation already. See, they're playing the same game, they're passing more than 300 laws to make it hard for me to vote, to make it illegal for my grandmother, to give her a bottle of water because you're making her stand in line for eight hours. See, there are others who don't have a dismantling structure rate, structural racism working group, a commission. They've got how do I maintain white supremacy commissions, we just don't want to call them what they are, and this is why your work is so important because everyone gets to decide how this democracy will be shaped, and for too long we've sat back passively because we were scared to own our people. We were scared to fight for our people, we were scared to come into these rooms of power and carry their hopes and their aspirations and their pain. Well, this is the time to do it because if you will not do it now, this nation will be turned into South Africa and you will be the cause of it. You will be the cause of it because folks are very clear with the other type of world they want to create, and I do not begrudge them because this is a democracy and we all get to participate in it or not. I'm not going to begrudge them for the type of world that they want to create and I don't begrudge them for the type of world they want to create because my ancestors imbued me with something that is quite profound -- The grace to love your ass anyway, the grace to love your ass in spite of yourself, and that's the chance that's in front of us, to set a path about what does it finally mean to have a reparative consciousness -- A consciousness that allows us to govern with a racial equity consciousness and to be able to set out the markers about what does it mean to actually do the work, not just use the rhetoric, but what does it mean to remake government from the bones of government. That's why the charter work is so important that you're doing. This is where power resides. I'm saying thank you for your leadership, I'm saying thank you for your courage. I'm saying thank you for centering structural racism. Thank you for your desire to want to dismantle it, and I'm humbly asking you, boldly step into those aspirations that you've already set forth. Don't step back. You already know people are going to be upset, love them anyway. You already know people are going to be uncomfortable with the words. Create the space for them to learn, to live into the words. If you do not do this work, you will be signaling to the nation that those of us who say we care about equity do not care about it enough to fight with the force as those who would choose to oppress us, and that is what is at stake right now. Either we will participate in this democracy with all the full rights and privileges that our ancestors have fought for us or we will lose them, and I know we're better than that. And here's ultimately what I have learned -- You're going to leave this world one way or the other, you might as well go out with the highest level of dignity that you can have and that highest level of dignity is to serve those who are nameless in our communities. Lift their voices up for a chance, lift their voices up, do the work that they're asking you, it's all hard work -- there's nothing easy here. And what I'm signaling to you is this. You knew this work was going to be hard, you knew it was going to be controversial, you know people don't want to listen to that 100 million in your community, and that is your work. All the things people don't want you to do, that is your work. That is your work and you are so equipped to do it right now so I ask that you continue to lead boldly, you help this nation see what it looks like, to want to advance agenda that creates a world where everyone can participate, prosper, and reach their full potential. You know that is the definition of equity -- A just and fair society, one in which all can participate, prosper, and reach their full potential. That's the journey that you have us on, that's why I want to learn from you. Make us prouder, make us prouder by doing the thing that I rarely see governing bodies do around this country, and that is on your people. I see racists do it every day, I see them on their people



every day proudly. Think about all the flags you see in Florida flying right now, that's owning your people. You know, whatever you want to say about the last administration, there were some street rules that I did appreciate. I appreciated someone telling me what they thought of me and what they were going to do to me. I appreciated watching someone govern by owning their folks and trying to do right by him. When will we have that same conviction, when will we have that same for conviction. Why should you be ashamed to talk about your people? Don't be. And if you're not, you will give license to cities all around this country to hold their head up a little higher and not feel ashamed simply because we're talking about people who simply have a resource differential, and that's the work for our generation -- The work for our generation is to tend to the design challenges, our laws and our regulations and how we built our institutions. And here's the last thing I'll say about why your work is so important. You know we're asking for a lot of things that we didn't design institutions to be able to carry out. Our institutions weren't designed to serve this beautiful multiracial democracy, they were designed to serve whiteness. They were designed to serve whiteness and we don't have to blame anybody or point the finger right now, we can just evolve them to being something better, but that is just the reality folks. This nation wasn't designed to advance racial equity, that's why you can't even say it in most rooms without fear of being fired, think about that. So, what you are undertaking is the first step in probably more than a 20-plus year journey for us to acknowledge and reconcile our past and to have the radical imagination necessary to transform our future. That is how you're going to bring liberation for everyone, that is how you will transcend charity. So, thank you for having me in your space

JJA 36:01

Thank you. Michael, I'm filled with a lot of emotion in this moment. There's so much you said that that resonates and that leaves me feeling more convicted, challenged, humbled --It's daunting but it's necessary. I just, I'm filled with a range of emotions and I've written down so much. One of the things that I'm centering on right now is the importance of owning our people. And as I heard you speak that, I coupled with owning the power that we possess in this Commission to benefit our people. So you know coupling that, you know, that the owning the people and owning the power that this moment provides and not doing anything less than exploiting that power to the fullest extent possible for the betterment of people, of people who've been marginalized, oppressed, and kept out, the other thing that I centered on with, I mean, there's so much I've said and I've got like copious notes here, but I so appreciate your saying that our institutions were not designed to be equitable for everybody, because that in itself is the reason why we must do this work. We cannot, we can no longer pretend that we can do better with the system that is flawed to begin with, right, at a certain point. You keep trying to work on that car you know, and at a certain point, you guys got to jump that car because the car is not going to get you where you want to go. And so you know, just using that analogy, we have to up end the system through structural change, and that's what this Commission allows for us. I could go on and on and I know that I'm going to be blowing up your phone with more questions, so I'm going to, what do they say, decrease, so that other Commission Members you know, if they have questions or they want to engage in dialogue with you, can do so. And so I'm going to ask Commission Members if you'd like to engage -- Just a signal, so by raising your hand, and then we'll go from there. Commissioner Daniel Favors.



Daniel Favors 38:14

Hello, good evening, and thank you so much for your presentation. I thought it was absolutely the type of messaging that's needed for this conversation. If you could speak up because we have people online, we want to be able to hear everyone. Sorry, I have a double mask situation here so -- But just wanted to say, your words are very much appreciated and they certainly speak to the concerns and the issues of this particular moment. You mentioned towards the end, as was noted by the Chair, that our institutions were not designed, they were designed to preserve the interests of whiteness -- They were not designed to preserve or build racial equity, and I wonder if you could speak a bit to how that line of argument and discussion plays out. When we hear a focus on a need for reforming some of these institutions as opposed to undoing and reimagining the institutions, this is often a conversation that shows up a lot in the area of policing. For example, where there are many who suggest that we should reform these institutions, but I'm curious as someone who has just noted that these institutions were inherently designed to perform the function of preserving the racial hierarchy as we currently experience it, what role should we consider as Commissioners or how should we evaluate, I guess is a better framing. The ability to focus on reform of institutions that were designed to preserve the racial structures that we currently experience as opposed to reimagining what they should look like and rebuilding them from the ground up.

MM 39:41

Well - Thank you for that question and I would say, how long would you tolerate me hurting your family members? See, it's a very different question. If I'm hurting your family members, see, you all as Commissioners have immediate expectation of immediacy for improvement when it comes to your kids. If your kids are in a bad daycare center, you don't care if the facility says, well I've got a five-year quality improvement plan, but it's gonna take five years. You'd be like no, my child will be up out of here by then. If you don't fix it tomorrow. I'm taking my child out. And so part of the reality is, we're not going to evolve from where we are at into something totally different tomorrow, so I don't -- I can believe you can be revolutionary and be practical but my point is we should be having this conversation around results you know, in the nature and the logic of an institution. If an institution was designed to be oppressive, why do you, why would you continue to expect it to change? Think about our unemployment insurance system in this nation -- You see what happened in Florida recently, it was designed because of that racist trope of the black welfare queen. We know it's not true but because of that, we have a hostile disposition to people simply because they've fallen down on their luck when they try to access that system. It was intentionally designed to not work and we high five each other because we've limited the amount of people who can access unemployment insurance. Think about that. If an institution is designed to hold a hostile disposition towards a group of people, you would get rid of it if it was impacting you. The very folks who say we should not reform the police and create something or else, are the same ones who don't have any problems with it, so what I ask you to think about is, because this is the urgency that this moment requires of us, ask yourself how long you will tolerate that for your family if you could change it, and what you hear me signaling is this we can do both right now, we're not in a university where we have to just debate stuff and it doesn't go anywhere. We can come up with models today of new possibilities and leaders all across the country are doing these things. New York is the perfect example of where best practices emerge all the time and now the question is can we scale those things right? And can we begin to think about what would be a new institution and how



do we birth it and scale it so ultimately we can replace it. See, I don't have to have the replacing conversation right now if I don't have anything to put in its place anyway. I can stop debating all of that and get about the work of the innovation and the proof of concepts that would allow me to have the credibility and the data to stand on something, that's what our work is for our generation. To stop all this, cease unending yapping about stuff, and put the work in to create the next generation of institutions of laws, of regulations that allow people to say I could see a path from where we are at with policing today to something else. I could see that for unemployment insurance to something else and I'm talking about results because the results are the facts. The results aren't working for that 100 million our institutions aren't serving, so if we're talking about being accountable for taxpayer dollars, it's not working. And that's what I'm asking you to begin to trouble the question. If it's not working what else do we need to do, and we should not hold this work hostage because people want to say, but that's jobs. See, that's how you got into the trouble with policing because in many small towns, policing is the jobs center of that community, so housing black bodies is not a problem because it's an economic development tool. So what I'm asking you to consider is, are people really better off and ask these questions honestly and that's why I asked you if you could see the hierarchy of human value, because if you don't care about black folks, you don't actually care that their bodies are being used to drive an economy in a small town. And so that's the question to me, the gift that my ancestors gave me is when I come to my role, I want to use my privilege to sing, bring the same urgency and anger and contempt for not performing that I would bring if my daughter was in something, and I think if the Commission can model that as the standard, it would take us much further down the road than we are today.

HG 44:31

Thank you, Michael. I actually, thank you. Are you done with the question? I can hold my following. You can. Okay, thank you. I want to acknowledge the, Phil Thompson, how our Deputy Mayor has joined us as a part of the meeting today. I want to ask you something Michael, I think Fred David also joined us. Commissioner David, welcome. But I want to ask you Michael, something you said that was really profound to me, was when you say that the definition of equity is one that allows for everyone to reach their potential right? I think, I don't want to misquote what you said, but it was along the line, and to me it goes to the issue that people, I'm not looking for a handout, people are looking for a fair chance and an opportunity for an even playing field where we all you know, reach that potential. I wonder if you can expand on that comment that you made, what you meant by it, and what are some of the applications that you, that you have seen for us, for our consideration here as part of the Commission.

MM 45:51

Well, you know, you've got the best example of this in how our institutions were currently constructed for particular people. They give them grace, they give them maximum flexibility, maximum accommodation, we've not done that for everyone, and so that's what I mean by that just and fair conclusion into a society in which all can participate, prosper, and reach their full potential. Imagine if our institutions did that for everyone -- That's what we're trying to get to. Think about it, for black and brown kids, you don't even get that fairness in in pre-k. You get kicked out of pre-k in California for a fanciful term called willful defiance, which basically means if I think you're running around too much and I can't control you, I can kick you out of school.



We don't do that for white kids, especially white kids with resources. We don't even do that for black kids with resources. And so when it comes to this notion of reaching your full potential, that is really the design challenge. How do you do that, I mean, think about what happened when the GI Bill on FHA came on line. They allowed a group of people who couldn't access the economy to access it. Those are the types of public policies, it didn't say you had to only go to school for x, it allowed you to decide what you wanted to go to school for, it didn't say you only could buy a house in x neighborhood outside of the redlining districts, say wherever you wanted to you could do that. Imagine what would happen if you had an unemployment insurance system that didn't have a hostile disposition toward black and brown folks. Imagine a police department that didn't have a hostile disposition towards black and brown folks. Imagine a government that didn't have a hostile disposition towards black and brown folks. It would look different. Imagine if we could have done what other nations showed us around the country, where we could have subsidized employers wages to keep people in their homes, not have them struggling with their rent during this pandemic, imagine what that would have created for them. Instead, we have more than seven million people facing imminent eviction when the eviction moratorium is lifted in July. At the end of July, you can't reach your full potential when your government is working against you, you can't reach your full potential when your institutions fear you, when they fundamentally don't love you, and that's what I'm trying to get us to begin to think about is that remaking of our community and its institutions so that it can love blackness the same way it does whiteness when it comes to opportunity. And that might be a little bit more crude, there's much more nuance to that, but it starts with who you, take the charter as an example, who's able to influence its shaping and its revisions, who can really do that -- That's a reasonable place to look, to ask yourself when we look at that charter, how is it really liberatory for that hundred million that Michael's talking about, where does it really allow them to rest control over an institution that may not choose to serve them. Those are some possibilities Commissioner.

JJA 49:25

Excellent. Are there any Commission Members who would like to engage? We would be here until like weeks with Michael. If you have a few more minutes Michael, we'd like to hold you, just please, before we look at the other Commissioners here in person, just want to make sure that we're not missing the Commission Members who are on Zoom. Commissioner Bain, Thompson, or Davie. We're good there.

K. Bain (KB) 50:04

Greetings, greetings Commissioners. This is Commissioner K. Bain. Michael. Pleasure to meet you virtually. When I heard you were coming, I did a little bit of research and you know this virtual presentation definitely took me to the full confidence in my brother Michael, so I'm looking forward to to future correspondence. I know that you're a sustainability kind of guy, I know this is not a flyby, that you'll be interacting with us moving forward. You said several things, too many for me to pick apart in this time, I want to respect the other Commissioners as well, but I did want to make sure that I gave you your salute and let you know that you definitely resonated well with us. Thank you again for your time and input here.

Michael McAfee (MM) 50:46

Thank you, Commissioner.



JJA 50:52

Thank you thank you. Are there others? Okay

Lurie Daniel Favors (LDF) 50:58

thank you for indulging the additional question. When you referenced the question, what does it mean to govern with an equity consciousness, one of the things that came of mind was the idea that it is far easier to destroy a building with a few strategically placed sticks of dynamite - - It is of course, much more intensive and involved to reconstruct the building, to rebuild the building. I think what we saw happen in the continent of Africa as colonial powers left and there was a fight for independence without necessarily having the time invested in determining what the new system would look like -- What we saw is that throughout the continent and many places that have grappled with colonialism, that post-colonialism structures often mirrored the very systemic inequities that the colonial systems and the colonial powers had put into place. How would you advise us as Commissioners to think with an eye towards what the reimaged rebuilding looks like, and less focus on the the immediate eruption of what currently exists. How do we maintain that balance? Based on what you've seen as a policy expert, as a scholar of this area, and as someone who's actually seen and worked to implement solutions on the ground,

MM 52:10

I think it's the question of our day and I would say a couple of things first. First, it starts with my own personal journey. You know friend of mine says that the self is an instrument that should be played beautifully and see, I can't undertake this work if I don't want to trouble with my own blind spots. Just because I'm a black man doesn't mean that I don't have oppressive tendencies right, and so the second point here is to guard against the arrogance that comes with doing this work sometimes. Because you think because you black and brown you gonna do it better -- No, you may have just learned how to say all the things you don't like but that don't mean you've learned to build what would serve the all, and I think that's the work for our generation -- no matter what color your skin is -- to begin to build the muscle, the intellectual capacity, and the political capacity, the social capacity, to design a world that we've not designed, that we've yet to see, and that starts with me really struggling to do it in my own organization. Very practically, I make sure the person who makes the lowest amount at Policy Link makes above a living wage in the city that they're in. I make sure that my my income doesn't go past five times the lowest paid person. I could keep going on and on and on. When you really practice equity in your own organization, one - you'll realize you've got a long way to go, you don't have it right, and it is deeply humbling because when you try to manage all of this energy from folks, it is really hard. It is really hard. Policy Link looks like the United Nations and trying to manage in an equity, equitable way with all these different personalities -- That's how you get good at it. You struggle through that and you begin to quickly see what sounds good doesn't necessarily work out so well operationally. And so you learn to develop the operational acumen to do the work by struggling with it yourself. So what you hear, me, this is why I said I'm not trying to tell you all what to do, I'm just telling, sharing you things that I've seen and I'm learning because I'm on a racial equity journey and I think the question that you raised is the one for



leaders, all leaders, but especially leaders of color in this moment, which is to say how will we govern for the all and how are we developing that muscle? Like brother Hamilton right now, who can give you a sense of the future in the economy? I know brother Thompson can do the same. How are we developing the intellectual heft to be able to put markers out there, have them be subjected to critique, and to perfect them -- That's the work and traumatized people often need a moment to shift into that mental frame right? Okay, we're going to build something that's productive and for us, and the last thing I'll say is this. You've really got to make sure you believe all the stuff you're talking because a lot of folks will use this woke language. It sounds good but they don't really believe it. I'm only here today because I'm not trying to be your friend, I believe in your work and I believe that we can do this, that's why I'm making time for it. I'm not here for any other reason. You may, you all may never choose to have me come back again and that would be okay because I know if you, when you, if you really wanted to do the work, you'd have me come back again because whether we do it today or 20 years from now, this is what the work is and so self as instrument means you can be respectful but disruptive because that's what the work requires. You can be respectful but disruptive because that's what the work requires. It means that you can have the strength to love and not be ashamed because you love. It means you can own your superpower of not being imbued with hate so that you actually can design for all if you put the work in intellectually to have a vision for the future. And so you're right when you talked about that question of you know, it's hard to go from where we are to something revolutionary. We can sure set the cornerstones in place now so that we can accelerate, and when we have these environmental jolts, if we're ready, we will be able to accelerate our work through them. So that's what I've learned. If we stay humble, if we can manifest the humility to know I don't have the answers, I get the answers by abandoning myself to the strengths of each of you, we're going to end up in a better place.

LDF 57:07

Thank you, thank you. Michael, we have one more mission than the question or comment yesterday.

Yesenia Mata 57:18

Thank you so much for -- that was really loud -- But thank you so much for joining us. You said many amazing things and one of the things that really got to me was that what you mentioned, that as a black man it doesn't mean that you don't have oppressive tendencies. And I thought about what you said earlier, that equity for all, it means that it should include everyone right, and when you said that, I thought about, that everyone should be allowed to vote. And I say that because it goes back to what you mentioned earlier about how during the pandemic, everyone was calling the nurses "the daily war's domestic workers." For me, I work with delivers and domestic workers, immigrant workers, and for so long they were in the shadows. But during the pandemic, everyone loved them. Everyone was saying they're the heroes, they're the ones who are bringing New York City back to normal, to the light, and now that the city is opening up right, once again they're forgetting about them. And I just thought like, growing up as my mother, my mom, finally she became a U.S. citizen but when she was undocumented,



how she would always tell me “I really want you to go out and vote on behalf of me” right, and I would always just think about that -- that, how it wasn't fair that someone who really loved this country so much, who raised her children here, who cares enough to participate in democracy, is not allowed to vote. So I guess, I say this because I know through this, this charter, we are going to be having various conversations that even in my own community right, the Latino community, I have heard various people even say I support immigration reform, but I don't support for immigrants to be allowed to vote. Or I support immigration reform but I'm concerned to let immigrants have the right to vote right? So I'm just wondering, how do we navigate these type of conversations and the reason I brought up voting is because that's just one of the many conversations that we will be having, so how do we navigate these conversations even with our own community, because I know that when I bring certain things up like that in my own Latino community, I always get at times, backlash from certain people in my own community right? So I just want to know, how do we navigate these conversations?

MM 01:00

Well you know, this is what the work for our generation is. Things are very complex now you know, you see it even in my own community. You know one day we're saying defund the police, and next we're saying we want them again, and there's a truth in there -- All of it is true and we got to struggle to find the path forward in a local context and that's what's hard, but there are a couple things that hold true for me the same, and I deal with them the same way I would with the white supremacist people who hold that orientation. Whether that or not, there are some things I'm just not going to entertain. You know, when we started talking about the 100 million, even in my own organization you know, because black folks have not been put, black and brown people not put centered you know -- The staff raised, it was a very valid question, but it wasn't when I was going to tolerate, and that question was, so should we work with poor whites as well right now or should we just focus our energies on black and brown people? I get where that question was coming from but the answer is no, we have to hold the all and this is the tragedy, I'm never gonna get a chance to heal. I gotta do the work and my work is helping everybody and I understand how you have to center particular populations to get to places, but I've gotta hold that all, that complexity, otherwise I'm mirroring the very thing that I've fought against and there are some conversations you just can't tolerate. I'm not going to talk, I'm not going to participate in conversations of exclusion, I don't care who they're with, and this is what I meant by owning your people. You know, some things you don't have to expend your energy with, right? The question for you is, when do you need to talk and when you just need to stay focused on doing. You know, my mama used to say, you know I can show you better than I can tell you. This is a moment to show this is, the talking is draining and taxing and it's not leading anywhere. The things that the previous Commissioner was asking for, that's how we're going to find what's really true -- Building new models, new proof of concepts, and trying them out and then figuring it out. It's just like what you see in New York -- Everybody was for ranked choice voting now. They might have a different idea about that a little bit right, or may decide oh, we need to make some tweaks to it. Who knows. The question is the constant perfecting of what we're trying to do and beginning to set a standard that conversations of exclusion aren't going to be tolerated and that's the muscle that we have to build as leaders of



color now, which is to say, we cannot fall victim to mirroring the very thing that was done unto us and yes, it's aggravating and frustrating because now we've got to hold more than anybody has ever been asked to hold as we think about governing. But welcome to governing and the reality is this. If we don't want to do this work, there are plenty of other jobs that we can go to, but this is the standard -- This is why I said your work in New York is so important. You're setting a standard for what the nation can look at to say if you're going to start the journey, this is a way to hold true to the journey. And of course, we may not get everything that we wanted done in this first go-round and that's okay. It doesn't have to get done right? What has to be done right is you modeling "how do you set this process in motion" and then "how do you sustain it beyond an administration" -- That's the work of governing, so simply don't tolerate the conversations around exclusion, you don't have to participate in them and you bring people along by showing them that you can hold their interest and deliver on them. That's what people need to see now more than ever. If we really want to get beyond so much of this fear, etc., those of us who have a different perspective, we've got to deliver at a scale where people can actually see "there's a reason for me to believe in what you're saying" and that's where I'm dropping my gauntlet down, which is to say "I'm going to deliver in such a way that it will compel you to think about the world in a different way, and if I don't have something in the works, then I just remain quiet until I do.

JJA 01:04:18

Thank you, thank you. Unfortunately, I think we're out of time, but we hope that we do have the opportunity to spend more time with you. You've assured us of that in earlier conversations and I think you've done the same here. We can't thank you enough and what I'm walking away with this, is appreciation that if we do this right, that much of what we do yes, will not be popular, but we're not here to be popular right? So we're here to do the work that is required of us in this moment, to benefit all of our people.

MM 01:04:54

Thank you for allowing me into your space.

HG 01:04 :55

Let me thank Michael and the Chair for leading the discussion, and all the members of the Commission as I said, thank you for your great work and we will go back to you I'm sure right after we have discussions, because this was a great conversation. Thank you,

MM 01:05:09

thank you. I'm here to support you in whatever way you need

HG 01:05:12

alright? I appreciate it. Take care. So let me move on the agenda -- As I said earlier on, we were going to have a discussion about the Preamble and let me just now turn it over to Melanie Ash, our General Counsel, who's gonna go through the presentation, so Melanie, would you take it away please.



Melanie Ash 01:05:31

Yes, thank you Vice Chair Garrido.

01:05:34

Do you mind speaking on the microphone? I don't know if the mic is turned towards you -- Please. Yeah. Is that better?

MA 01:05:39

Yeah. Thank you very much Vice Chair Garrido, and it's definitely a hard act to follow Michael but I'm gonna do my best. So on the agenda for today is really just to update the Commission on the research that the staff has undertaken on Preambles. In one of your previous meetings, I think it was the June 9th meeting, you expressed an interest in pursuing and looking into and taking steps towards developing a Preamble for the charter, and so we went to do some research and I wanted to report back to you so just -- I'm on page five of the slides if you want to follow along -- I'm not going to go through everything but I'm going to highlight some of the key points and also just refer you to the rest of the presentation in which, is in writing on the slides here, so just to sort of center us -- A Preamble is an introductory statement that precedes a document, usually setting for the purpose, history, or rationale. Research shows that historically, Preambles don't always carry legal effect on their own. They may be used to interpret, they may be, they may give meaning to other sections of the document and sort of, that's sort of what the research shows at this point. There is, we did go back to the original New York City Charter and actually in its earliest form back during the colonial years, New York City Charter did have a Preamble, which has disappeared basically since the end of the colonial period, so I've given you in the next slide, just a little bit of the Preamble, which basically articulates the rights of the citizens -- Rights, liberties, privileges, franchises, free customs, preeminence's, et cetera, et cetera. Our current charter however, does not contain a Preamble. So moving to the next slide on page seven -- This is just merely, I wanted to give you a summary of what we found in the research that we did about common types of Preambles. So one common type of Preamble is sort of a statement of values, sort of broad principles and values. Second category is Preambles that acknowledge history in some way, and the third category is a more detailed enumeration of rights and obligations. So going through the first one -- Simple statement of values, we've given you in the presentation a couple of examples from Seattle City Charter, from the Minneapolis City Charter, and you'll see that they're very sort of broad principles, broad expressions of values, and the things that particular community values in the Minneapolis presentation and -- Sorry -- In the Minneapolis statement for exam, pardon me, for example, they say 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. It's a very broad important value statement. If we go to the next category of Preambles that we've seen, are sort of the historical acknowledgement category, and there's a couple of different ways that happened. And sort of one of the most famous -- I'm sure we've all seen before -- Would be the Declaration of Independence, the list of grievances that is set out in the Preamble to the Declaration of Independence, and I've highlighted a few of those here, but basically, outlining the basis and



the reasons for why independence was being declared. A second category is an apology of sorts, so the examples I've provided here in the handout are the House Resolution apologizing for slavery, which is from 2008. You can see they have, the House acknowledged history, acknowledged the evil of slavery, and apologized for it. Similarly, in 1988, there was an apology for Japanese internment in the Civil Liberties Act of 1988 -- Again, acknowledging the wrong and the human suffering that it created. The next category of historical acknowledgement is a little bit more, not an apology, but just acknowledging what went on in the past in some way, taking note of it, and the most, probably the most well-known example is the South African Constitution recognizing the injustices of our past, honoring those who suffered for justice and freedom in our land, respecting those who work to build and develop our country, and then going forward in a sort of forward-looking way, laying the foundations for the future in a new country. Okay, so the last example, which I think is the one which seemed to be most of interest, or the type of Preamble which seemed to be most of interest to the Commission during our last conversation is an enumeration of rights. So we identified a couple of examples for the Commission to see, just to get a sense of the types of ways in which Preambles have enumerated rights. The Indian Constitution, so they have set out saying "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 and then in the enumeration of rights, 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, fraternity ensuring the dignity of the individual and the unity and integrity of the nation. So just, sort of a listing of rights. The second example that we pulled out for the Commission to see was from the Constitution of Trinidad and Tobago, which is a little bit more concrete in its description. Basically saying that the people of Trinidad and Tobago 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 labor 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. So those are sort of just a sampling of the types of Preambles that we founded during our research. And so one of the other things we talked about at the last Commission meeting was identifying New York City specific values and principles, foundational values that the Commission

wanted to highlight or could highlight in a Preamble, so in order to help advance the conversation, we did reach out to our city agency partners to get information from them about what Preamble, so what value statements, what fundamental values they have, they adopted, have, they created or developed as being foundational in their particular agency. So we wanted to pull out a few just to highlight the types of values that New York City agencies have already identified as being significant in New York and so I thought housing security to provide quality housing for New Yorkers that is sustainable, inclusive, and safe while fostering opportunities for economic mobility, the value of community empowerment, so lifelong civic engagement is a right, privilege, and responsibility of every New York City resident and economic justice, an inclusive equitable economy that offers well-paying jobs, an opportunity for all to live with dignity and security. So those were just some of the things that we pulled out



in our research to to start the conversation, and we wanted to highlight for the Commission the next steps we have for the Preamble. We would like to obviously seek public input and there are a number of ways in which we are able to do that. We're going to be, you're going to hear more about some of the engagement planned with the community, but obviously we would like to get community input through that outreach that we will be doing and we also wanted to flag as an opportunity for further Commissioner input, creating some sort of a working group perhaps if there were particular Commissioners who are most interested in working on the development of some possible language with the staff. So with that, with that all said, I wanted to open the floor up for some discussion. If there are, if the Commissioners wanted to talk about, some more about the possible models, so the questions for discussion, which model or models, make the most sense for New York City, we have received some Commissioner input already, and I wanted to just flag that here, one being the recognition of of all immigrants as and all New Yorkers as an inherent part of our democracy. And also we've talked, the Commissioners have talked about a commitment to early childhood education or universal pre-k as being a fundamental value in the city. So I open the floor for conversation or discussion ideas, things like, things that you'd like us to follow up on.

HG 01:15:23

Sorry, I think there may be some questions I have to say. I was particularly amazed that a document as important as our charter right, does not have a Preamble as we've seen with the U.S. Constitution and with so many others. The ability to reaffirm the values to me, which I would favor in terms of that model, is like, it's like building a house with that foundation right, and forgive me for going back to my architecture days, it may actually stand for a few months but that foundation sets about everything that follows right, and how lasting it is. So I think that I see the need for a creation of a Preamble as that foundation and I think that's really important. I don't know that we have to call the king of New York or apologize to him, I think the king of New York lives in Harlem, but that's that's my personal, it's my personal opinion, so I'd like to hear what the Commissioners have. Ana, are you raising your hand?

Ana Bermudez (AB) 01:16:27

Yes I am. Commissioner. Thanks, can you hear me? Yeah. So I'll just hit a couple of things. I mean, I ultimately, I agree with you. You know we, I think we need a Preamble that's sort of the position that, that I'm speaking from, focused on values and rights, probably would be you know, part of that. I would like to see a little bit also, if there's any like, what the legislative history is in our human rights law for the city, which is fairly robust, and then what the city's human rights -- Commission, would you know, add to this discussion, probably so, just as an add-on to what you already have into some of the value statements because I don't want to reinvent the wheel either, and then we can you know, sort of like, build on that so -- But I think we need, you know, and I would want to make a pitch for going big or going home you know, in terms of the dignity of humanity that you know, all the things that Michael was saying in terms of rejecting a hierarchy of human value you know, all those things need to be put out there, of all, are embracing all the contributions of every single human being that resides in this city



regardless of their place of origin, or you know, it's just to me, it needs to be highlighted and emphasized. Anything would do in a gamble. But I'll leave it at that. And then we can,

HG 01:18:00

yeah, anyone else?

Jo-Ann Yoo (JY) 01:18:06

I agree. My microphone button is broken, I apologize. Oh, I said yeah. Okay, so I do, I think it's go big or go home as well, but I also like the fact that there should be a little bit of a historical acknowledgement because I think unless you remind yourself where you came from, you are doomed to repeat it, and so something really simple, I mean, I think the gold standards, obviously the South African historical acknowledgement, and I think something really simple like that should start. I think that's you know, we acknowledge what's been happening in the past and then this is why we choose to move forward and I think that would be a really powerful way to do this. Is there a limit to how long this thing could be because I'm not you know, we're not looking at 20 pages, but like, is it, just has to be this paragraph or -- I mean,

MA 01:18:57

we've seen Preambles of you know, a page or something. Sometimes there's an enumeration of rights and so there's five or six or ten generated, so I think it's, there's no specific limits.

HG 01:19:16

Yeah, I think, I don't know if I would call it an apology as much as an acknowledgement of of a grave injustice as you mentioned, and, but let me just turned over -- Are there any other Commissioners? Yes, go ahead Ms. Favors.

LDF 01:19:26

Thank you. A question for you, for your team, or the team, our team, thank you so much for the work that went into this. Were you able to determine whether or not there were any particular forms of a Preamble that were more instructive, useful, relied on, relied upon, or persuasive or subsequent judicial interpretation?

MA 01:19:57

It's a very good question. You know, we were just thinking about that earlier today, about whether we should start, especially with some of the newer ones. You'll see that most of the charter, the preambles we've identified, are more recent it seems, like a more modern thing, and so I think that's something we will certainly go and research. I haven't, we haven't done it yet in terms of seeing whether any of them have ever been interpreted by the courts, but we'll certainly take a look at that

LDF 01:20:21



and I would just say that after Michael's discussion, I think the answer is we go big in order to be able to go home because otherwise, there's nothing else.

HG 01:20:31

Well I have a question. I think there may be some other questions but something that Commissioner Yoo raised, I think is really important, about the length of a Preamble right. Obviously you know, I don't think that we're here to put a 40-page Preamble right, I think we could make, we could create one with all the stuff that we're dealing with right, as a narrative, but was there a sense in your research about particularly in cities right, and states here in the United States, are the length of the Preamble, and you also, I don't think you would want the Preamble to outdo what follows behind in the rest of the charter. So is that something you found in research?

MA 01:21:16

You know, I'm still, we're still doing a little bit more research on the cities. There are not, we haven't come across that many current Preambles. There are sort of categories of ones that are just a basically, a very, to one or two lines saying we've adopted this charter for our city, which obviously doesn't carry the values, piece that the Commission was interested in, and then I would say the ones that we have found so far that our cities reflect sort of, the size of the ones that are in this presentation, so just a paragraph in the domestic cities. Now if we learn others, obviously we'll share that we are still doing some research on other cities in the United States, the more, the longer ones, tend to have been in Constitutions or sometimes in statutory Preambles, where they're setting out the purposes of that particular statute.

HG 01:22:10

Okay Jennifer, I'm sorry.

JJA 01:22:11

So I'm on the same page with everybody of course, at the same time I'm thinking about, this is maybe an unpopular thing to say in this very moment after having heard from Michael -- A Preamble has to be voted upon as well, has to be voted upon as well, and so one of the things we're gonna have to think about is you know, you write a three-page Preamble yeah, is that going to pass? Are people going to give that consideration, are they going to begin nitpicking and saying oh, I don't agree with this, this, and that. And so therefore, I'm not in favor of it. So that's just, I'm putting out there, presenting it as a consideration. The other thing that I am mindful of in this moment is that the United States Constitution has a Preamble that has not been lived up to right, and is that in part because it is big but it is in being big, subject to multiple interpretation, and so being able to strike that balance between being bold and big and audacious, but at the same time, with respect to rights and obligations, being concrete, and definitive, so that there is less ambiguity. So I just, I put that out there.



And just to be clear, when you talk about voting, you're not talking vote by the Commission, you're talking about -- Yeah, by the public at large where the question would not just be "shall there be a Preamble" but "what would the Preamble be" right? Right. Is that accurate?

MA 01:23:53

Well I think the question could be, does the, do the people approve this, the adoption of a Preamble, and there would be a natural Preamble in mind, but again, if they were, there may be pieces that they accept, in pieces that they don't which could lead to the the result that Jennifer talked about, being but they don't vote for it because they take issue with some piece of a larger document

JJA 01:24:17

and this is something we're going to have to wrestle with time and time again, and especially you know, just having heard from Michael right? Right. We want to set the standard and so there are going to possibly be some things that we do that may not be embraced, but we do not do them just because right?

HG 01:24:36

Okay.

LDF 01:24:37

Yes, thank you. One additional follow-up question. I was very curious of the fact that New York City did at one point have a Preamble. Was there any legislative history or discussion in the documents as to what motivated that to no longer appear in the first version of the the constitution or charter, where it did not appear.

MA 01:24:55

You know, we haven't found, it's very complicated to try to locate all of the, these are very historical, so that the dongan Charter that had the Preamble was from 1686, so it's, and it was sort of the original one of the original colonial charters before, when New York City was just Manhattan at the time, and it seems like, so it laid out sort of a lot of the history, and of the governor who was the governor and the king at the time, and so it was very much an introductory paragraph almost, but it did contain an acknowledgment of rights. It seems to have just won when New York City what became, it's part of you know, a new country, as opposed to part of this colony. It seems to have just been dropped. We have not yet, we're still following up a little bit, but it's legislative history, is complicated to track down from back, from that time period. So, if of interest we can follow up a little more and try to get a little more clarity, but it seems like, just disappeared and it's not just New York City, there's also, Albany had a matching charter at the time in 1686 and it has also only recently removed you know, changed its charter after 300 years and took out all reference to a Preamble, so I don't know if it's just the tradition or it's seen as this sort of technical document that doesn't have the, it's not imbued with the values anymore. It's unclear so



LDF 01:26:25

I don't ask it with the request that there being a ton of info, time spent on it, but as we are now experiencing in 2021 the revival of laws from the 1800s, the needs for us to have understanding as to how the 13th Amendment came to be for example, I just want to make sure five years from now we're not going to find some document, some piece of legislative discussion or or the argument that says, and we took out the Preamble for xyz reasons, which then might negatively impact the rest of the document, so that that's only the reason I see that,

MA 01:26:54

we're happy to, happy to take a little bit of a more deep look at that point as to when the original change happened if there's any history at all.

LDF 01:27:00

Thank you.

HG 01:27:01

And I want to make sure the record shows that we have joined in person by Commissioner Deputy Mayor Phil Thompson, who is now with us -- Phil was traveling and you know, thank you Phil for continuing, he make the effort, he was participating all along online, and we were glad to have you, so let me, let me just turn over because I don't know if there are any Commissioners online who like to ask any questions regarding the Preamble. Alright, well I see no hands so I'll take that as an opportunity. This is a great discussion, the beginning of a much larger discussion, so I want to thank Melanie and the staff for the work that they've done, but we are pressed for time, so we'd like to turn over to the next panel. That would be led by Jimmy Pan and Jackie Kennedy and Melanie regarding the public engagement part. So I don't know where, where are you going to be, doing this from, so Jimmy, would you take it away.

Jimmy Pan (JP) 01:28:18

Alright, can you hear me? Great. So I think every meeting, we want to give you a preview of what's coming up in the next few weeks. So the policy staff have been working really hard to put together some incredible virtual channels for you all. I saw how much we benefited from the conversation with Michael today and we're really putting together some star-studded lineup in eight virtual panels that are going to be held roughly one per week except for the first week. Again, we've mentioned these two before. The idea is to invite leading practitioners and thinkers to come speak to us from our racial equity lands and hear about the most impactful ideas being proposed to address structural racism, and to give you all a chance to be in active conversation with them about those ideas. So at slide 25, here's a tentative schedule that we put together. The first panel on health, mental health, is going to take place Tuesday, July 20, in the late afternoon. That and then I want to note that the education panel is taking place that same week on Friday the 23rd in the morning. After that, each one is going to be tentatively Tuesday and it's going to happen every week. We may adjust the schedule a little bit depending on scheduling, so just be advised that these topics that we've laid out here, we're



going to hit all of them, but they may not be in exactly this order right, so that's all. The mental health, education, housing, and land justice, planning, fair legal system, economic equity, civic and political engagement, and then one where we look at equity across many different identities. So we'll send out more details, but since we're pressed on time, maybe we'll cover a little bit of that later and send you all materials via email, so just be sure to check that as these panels are coming up very quickly.

HG 01:30:22

And again, the slide 25 is on page 13. It's also as we mentioned before, you can get it online and anyone sees that, nyc.gov/racial-justice. So yeah,

JP 01:30:33

yeah. So, one thing I do want to say, is for these panels in particular, since we're inviting so many of the leaders in the field to come, that we ask that all of you do your best to attend. I think it'll be really interesting and very worth your while and it'll be a show of gratefulness to our guests as well.

I have a question if i may. I'm sorry. So, the one that kind of is in my wheelhouse I guess, is for a day that I'm on vacation. Are they going to be taped or -- Yes, every panel, so it's just a -

JP 01:31:09

Every panel is going to be held fully virtually so they'll be streamed in real time and we'll have recordings available on our website just like any other meeting that we hold.

Thank you.

Anusha Venkataraman (AV) 01:31:17

We can also discuss whether we should switch the dates. Okay, for some of them really, the first two are more set in stone. For the ones further in the future, we can look to you know, change between the topics and the dates to a certain extent, and for those beyond the first two especially, we welcome any thoughts on the folks that we should invite to those panels particularly.

HG 01:31:44

Alright, any questions on the public engagement? Any further questions?

JY 01:31:50

I have a question. Okay. So to get the information out to our communities, what's, will you be sending us a social media slides or do you expect to send out letters to our -- How do you -

AV 01:32:03



Yes. We can absolutely share information that you can share with your communities about the issue area, annual panel schedule, it is wonderful for communities to also listen in, for stakeholders to listen and think along with us, especially because we'll be getting the issue area panels next week. Soon thereafter we begin the public hearings, we're going to have Jackie go into that schedule shortly, so we absolutely welcome community members to join in as as many as they can. They won't be able to comment at the issue area panels but they'll be able to offer comments in the public hearings and if they relate to the issue area panels and those specific proposals, all the better.

JY 01:32:39

Thank you.

HG 01:32:40

Thank you. Go ahead.

AB 01:32:45

I'm sorry, I have a question whether, I just have a question to follow with or what Jo-Ann's talking about, is that like a plan to engage some of the local and ethnic media about a lot of these panel schedule and all that because I think that's very very important.

AV 01:33:06

And if you have specific ideas that you want to make sure make their way into our promotion plan, do let us know.

HG 01:33:11

Alright, well thank you. I think we're a little bit about time, I'm going to turn it over to AV.

AV 01:33:18

Yeah, we also wanted to quickly share with you the schedule of the public hearings in addition to the issue area panel, so we do have, who is with us virtually, and if you're okay staying a few minutes longer, we'll have her very briefly share the public hearing stand which is on slide.

Jacqueline Kennedy (JK) 01:33:38

Yep, I'm there. Can you hear me? Yes. Okay, great. Okay, so I will be quick. Y'all know I'm a fast talker, I did, I did this last time so really quickly, if you look, so as we, as we previously discussed, we really want to engage you all, really want to engage general public, so this is the opportunity to do so, so we have planned to have public hearings that we really see more as public listening sessions. There will be one per borough and we'll also have three virtual to give folks an opportunity to come just generally and to really take advantage of this space that we've been in for the last year and a half. That's actually been advantageous for many New Yorkers and so we're gonna have three virtual sessions as well. As you see, the proposed schedule, they are from five to eight PM, we want to you know, honor folks working schedules, and make sure we



create space for the evening. These are proposed times and locations, so I'm going to quickly jump to the decision, points if you look in, I want to say slide 28, we really want you all as Commissioners to host some of these, and by host, we mean like facilitate and just support with of course, the support of the Racial Justice Commission staff, all of us in the room and online, and so if you can look at your calendars, look at you know, where you live or where you're most connected, and choose a borough that speaks to you, as well as really think about your network and who are some champions that you could bring to support being present in these public hearings, these listening sessions, so we're gonna leverage the support of our consultant, our community engagement consultant, to try to do some on the ground engagement and get folks to show up in those boroughs and to also identify some champions but we know you all have networks as well that we can leverage, so if you can respond to us, email AV or myself to let us know what public hearings you're able to join, again we want you to at least join three, so if you give us your top three that would be great.

JJA 01:35:55

If I may just quickly suggest that I'm just looking at, it's a proposed, looking at the proposed public hearing schedule, I'm going to ask that we have the Commission Members, the Commissioners, maybe just make a slight modification to what you're asking Jackie, that you actually let us know what dates you are available on those that are listed. It's just been the experience through the years that if you just say okay well what do you prefer or you know, then we might have everybody at the early end and not enough on the back end. The other thing I just want to notice, I'm going to suggest that we move the Staten Island date up to an earlier point in time. In the summer, Staten Island often gets the short end of the stick and at the end of the summer, a lot of people, whether they be Commission Members or not, are shifting gears and we don't want to be seen as you know, putting the big boroughs first. We don't want to just put the big boroughs first, not just be seen but we, I mean, that can be the suggestion given, so I'd rather us move Staten Island up, is that alright?

AV 01:37:12

If I could ask a question about language access, yes, so we are still working through some of the details, but we want to make these meetings as accessible as possible, offering ASL interpretation as we have for all of our meetings as well as making sure that there's ability for folks to request specific languages and depending on the location, just offer it proactively, so we would love to work with the Commissioners that are hosting each specific meeting to make sure that our plan for accessibility in general including language access is appropriate for that location in boroughs.

HG 01:37:49

Okay, so prior to, we had a great meeting, very robust, want to thank all those who participated, particularly Michael McAfee for his great presentation and the staff for the great work that has been done, and can I entertain a motion to adjourn. Motion. So we have a motion to adjourn. Can I get a second? Second. Second, alright. Let's take your vote. All in favor, please signify



by saying aye. Aye. Any nays? Abstentions? Ayes essentially have it, so this meeting is adjourned. So we turn it over to ship or so, we're formally adjourned.

AV 01:38:28

But before we go, I just wanted to thank everyone for coming in person. It's so wonderful to see so many of you here and I also wanted to thank the staff, this is as far as we know, one of the first Commissioner board meetings that is really doing a hybrid virtual in-person you know, posts leading out of the pandemic set up, so just want to thank all of the staff who made this possible. It was really an incredible lift and from the agency staff that helped us as well,

JJA 01:38:57

you took the words out of my mouth and thank you to everybody, it's good to meet those I've never met in person, to see those faces that I am familiar with in person, great to see you both K. Bain and Fred Davie online, and Jackie, all of you, thank you. Thank you everyone. Thank you Chair Miss. Thanks everybody.