

Potential Ballot Proposal Organization & Discussion

Racial Justice Commission Public Meeting
November 22, 2021



Agenda

- Framework for Proposal Organization
- Presentation of Revised Organization of Proposals
- Discussion
- Recap Next Steps

Organization of Proposals: Framework

1. Aspiration

What is our vision for New York City?

2. Action

What steps will we take to reach those aspirations?

3. Accountability

How will City government show the public its commitment to action and accountability?

Organization of Proposals: Framework

1. Aspiration

- Preamble

2. Action

- Citywide Equity Plan with outcome indicators, tied to City budget process
- Racial Equity Office to guide agencies in completing Equity Plans and prioritizing equity
- Priorities for advancing structural change (i.e., accessibility, anti-marginalization, neighborhood equity)
- New additional measure of True Cost of Living

3. Accountability

- Racial Equity Commission to ensure priorities and reporting are meaningful to the community, and that the Plan aligns with budgets
- Racial Equity Watchdog to incentivize compliance with Plans, through independent evaluation and enforcement
- Empower existing oversight bodies with meaningful accountability tools

Organization of Proposals: Framework

Following this meeting:

- **Finalization and vote on ballot proposals (Dec 3)**
- **Racial Justice Roadmap**
- **Final Report (vote Dec 13, submit following)**

Revised Organization of Proposals

1. Adding a Preamble to NYC Charter
2. Advancing Equity through Racial Equity Office & Citywide Equity Plan
3. Measuring the True Cost of Living
4. Strengthening Oversight of Existing Structures
5. Ensuring Accountability and Enforcement of Equity through Racial Equity Commission and Watchdog

1. Preamble to NYC Charter

Establishes the foundational values of government, centering on equity and opportunity for all

- Expresses a strong, aspirational vision for a racially equitable city.
- Contains a land acknowledgment of the displacement of the original Lenape inhabitants, and an acknowledgment of historical wrongs that have caused and continue to cause harm.
- Expresses an intention to reconstruct, revise, and reimagine our city's foundations, structures, institutions, and laws to promote justice and equity for all New Yorkers, in the aim of repairing these past and continuing harms.
- Guides interpretation of the Charter (or a portion thereof) but does not create a private right of action

2. Advancing Equity: Office of Racial Equity

- Works with every agency to create their own Equity Plan that rolls up into a biennial Citywide Equity Plan created by the Mayor.
- Houses and supports a permanent/codified interagency Taskforce on Racial Inclusion and Equity.
- Provides technical assistance to agencies, builds their capacity to prioritize effective equity work, and helps agencies resolve poor performance.
- Builds Citywide Access Design program to improve equitable access to city programs and services, including service design, plain language, language justice, and more.
- Promulgates rules relating to City occupational segregation, wage segregation, and equitable hiring and promotion.
- Responsible for coordinating collection and reporting of data and indicators related to equity.

2. Advancing Equity: Citywide Equity Plan

- **The Citywide Equity Plan** would reflect the values in the Preamble. The Plan would include:
 - **Strategic goals and programs** in pursuit of equity and racial justice
 - **Indicators and data** tracking disparities and outcomes and reporting disaggregated data
 - **Required components**, such as plans to address pay equity/wage segregation, implementation of true cost of living, efforts to end marginalization and utilize alternatives to punitive enforcement, accessibility and language access, equitable distribution of resources and burdens, and other efforts to advance identified priorities.
- Report is biennial, with progress report including indicators in off-years
- **Community-led Commission Approval Process:** can identify priorities and approves the Plan. The budget must align with the Plan and cannot be enacted until the Plan is approved by the Commission.

2. Advancing Equity: Racial Equity Priorities

Establishing that it shall be the policy of the City and its agencies to repair the marginalization of individuals and communities and prevent it from reoccurring.

Initial action toward this goal requires, as a first step, that every agency, with support from the Office of Racial Equity, work toward the following in design, implementation, and impact, and document in their equity plans:

- 1. Occupational Equity:** end discriminatory occupational segregation and wage segregation.
- 2. Access for All:** end access inequity in every City entity, so all New Yorkers can access services, information, and decision-making regardless of language, education, ability, time availability, or expertise.
- 3. Universal Fair Chance:** end the marginalization caused by current use of criminal history and background checks by limiting their use except when strictly tailored and necessary.
- 4. Enforcement Alternative Directive:** identify and employ alternatives to punitive enforcement by providing preventive and supportive action instead.
- 5. Neighborhood Equity:** prioritize resources and services into neighborhoods with the greatest outcome needs and deepest disparity, and stop the overburdening of neighborhoods.

3. True Cost of Living

Require the City to develop a new additional standard that accurately reflects the cost of living in New York City to better understand poverty and pay inequities

- To be reported in Citywide Equity Plan, as well as when the City reports on poverty rates
- Also included in the Mayor's Management Report and the Social Indicators report

4. Ensuring Accountability: Racial Equity Commission

Ensures Citywide equity work aligns with community needs and perspectives, building trust in the City's work.

- Enables community members with equity expertise and lived experience to set priorities for racial equity in City decision-making and policy and assess performance towards those priorities:
 - Proposes community-relevant priorities and equity outcome indicators for agency Racial Equity Plans
 - Ensures alignment between stated equity goals and budget
 - Votes whether to approve submitted Plan; reviews progress reports and indicators
 - Has proactive accountability powers to track agency compliance
 - Uses indicator performance data to identify priorities for the following cycle
 - Provides a community accountability that focuses less on enforcement, investigation, or punishment of agencies, but rather on refocusing efforts.
- Led by a Chair who is independent from the Mayoralty, and supported by a full-time staff with relevant expertise. Commissioner appointments split among elected officials, majority non-mayoral (a la CCRB). Direct appointments or by selection committee.

4. Ensuring Accountability: Racial Equity Watchdog

Creates a new ability to have independent evaluation and incentive structure for the City's equity work.

- This independent entity, sitting outside the Mayorality or other elective offices, plays the last-stop role in monitoring and enforcing the City's racial equity agenda:
 - Creates politically-neutral enforcement for Equity Plan requirements
 - Evaluates significant exacerbation of outcome disparity indicators
 - Proactive accountability: can audit & dispatch secret testers
 - Can receive whistleblowing and/or public complaints about non-compliance
 - Conducts reactive investigations if necessary

5. Strengthening Existing Oversight Structures

- 1. Board of Correction:** enable the Board to bring administrative action against Dept of Correction in adjudicatory venue (e.g., OATH).
- 2. CCRB:** expand its jurisdiction to include self-initiated investigations of patterns and/or practices of misconduct, and recommendations of systemic change.
- 3. CCHR:** maintain and expand its capacity through mandating of a minimum secure budget or headcount tied to size of city workforce.
- 4. EEPIC:** incorporate it into the Equity Watchdog to provide it with greater enforcement power.
5. All entities overseeing a single agency shall have the ability to require that agency to publish data publicly and/or provide access to records and information as requested; all entities overseeing implementation of a single law shall have the ability to require any city body to publish data regarding compliance with that law.

Discussion



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Upcoming Commission Meetings

- December 3rd at 4pm (in-person)
- **HOLD:** December 8th at 4pm (virtual)
- December 13th at 4pm (in-person)



253 Broadway, 9th Floor | New York, NY 10007 | nyc.gov/racialjustice