



**New York City Racial Justice Commission**  
**Ballot Measure Position Paper**

*In December 2021, the Racial Justice Commission submitted three ballot measures that New Yorkers will vote on during the November 2022.*

*This Position Paper starts by briefly introducing these measures and the rationale supporting them. Then, this paper responds in-depth to questions and concerns which New Yorkers may have.*

*As a non-partisan body, the Racial Justice Commission cannot advocate that any New Yorker vote for or against these ballot measures. It only provides its reasoning for New Yorkers to consider.*

## Introduction: The Need for the RJC’s Ballot Measures – Generally

After hearing testimony from hundreds of New Yorkers across the five boroughs and thought leaders from across the nation, the Racial Justice Commission designed three ballot measures to solve a long-standing problem: the foundation of New York City and its government is not grounded in equity or justice. As a result of this absence in the city’s foundation, some New York City communities are thriving with abundances of resources and influence over the decisions made in their environments while other communities are severely overburdened and under-resourced. Because of this flawed foundation, and because of resulting historical decisions and policies, these disparities show up today as canyon-sized chasms that exist across racial lines.

The RJC determined that transforming structural foundations required a trinity of components: aspiration, action, and accountability. Together, this three-part work can create a new permanent foundation for racial equity in our Charter where none existed before. The RJC’s proposed approach, described here, of transforming the underlying laws and foundations of our city has been praised by thought leaders as providing a game-changing way to address structural racism.

Unifying shared values is the first proposed step in transforming foundations. The Preambles to the US Constitution, the South African Constitution, and other foundational documents demonstrate how a clear, unifying statement of values help make a new vision of society into reality. The Racial Justice Commission proposes a new Preamble to the NYC Charter that would serve to represent the value of New Yorkers in the “constitution” of New York City. This proposed Preamble (Ballot Question #1) prioritizes a multiracial democracy, acknowledges the harms of the past, sets out aspirational goals for government, and charts a path forward for the City toward racial justice and equity for all. This *Aspiration* step serves as predicate for building a new foundation for equity.

The *Action* in establishes, for the first time, a permanent infrastructure for racial equity in government (Ballot Question #2). This infrastructure includes an Office of Racial Equity, Citywide Racial Equity Plans, and a counter-balancing Commission on Racial Equity comprising NYC community members. The Commission chose to create this permanent infrastructure to empower the city to address the manifold problems of the past, present, and future. While every government has permanent institutions to oversee budget, finances, and safety, this proposal would for the first time add equity as a core function of governing embedded in the city’s Charter. The Commission believes New York City would be the first in the nation to do so if voters pass this ballot measure.

*Accountability* is necessary for any structural transformation to last. For accountability to exist, there must be measurement. While governments in the US are beginning to collect more data on racial disparities, no government is collecting this data comprehensively across all facets of city life for the purpose of redefining government strategies. Ballot Questions #2 & #3 would begin that work. The Racial Equity Plans would require all City agencies to identify at least one outcome to track for racial, gender, and neighborhood-based disparities, require the City to create a comprehensive equity strategy, and require the City to collect data that tracks whether its strategies are successful. A new Commission would hold the City accountable for those plans and for the data. Ballot Question #3 creates a True Cost of Living measure to help New Yorkers assess the state of their City. It would require government to produce a figure that includes the costs of housing, childcare, transportation, and other expenses. This would give New Yorkers a better sense of where they stand and enable them to assess whether the government is doing enough to support New Yorkers.

The Racial Justice Commission selected these three ballot measures to best represent *aspiration*, *action*, and *accountability* in structural change.

As part of the work of selecting measures, the Commission identified six patterns of racial inequity in NYC, based on the testimony, stories, and ideas arising from public engagement across the boroughs and the nation:

1. Inequity in Quality Services that Promote Social and Emotional Wellbeing
2. Inequity in Work, Advancement, and Wealth Building
3. Inequity Within and Across Neighborhoods that Inhibits Thriving Individuals, Families, and Communities
4. Marginalization and Over-Criminalization of BIPOC Persons and Communities
5. Inequity in Representation in Decision-making
6. Enforcement and Accountability of Government and Entities

The ballot measures speak to each of these major patterns. They do not seek to address every policy issue, every disparate outcome, or every *symptom* of a flawed foundation. Instead, they establish a baseline of government that begins to tackle the root causes of these six patterns. If adopted, they will directly impact institutions across the city: every agency, office, board, and commission. They will unite New Yorkers, businesses, families, and communities in a new vision for our city.

If NYC voters elect to pass these measures in November 2022, they will have an opportunity to make their mark upon a foundation of government that is designed toward remediating these long-standing patterns of inequity. The Commission believes that this offers New Yorkers a chance to create a government that serves them fairly: one which fulfills the vision of a city where a person's race, gender, or other characteristic does not create predetermining influence on their ability to thrive in life. New Yorkers will have a chance to adopt or endorse the Commission's proposed vision of a just, multiracial democracy – and send a message about our city.

# Questions and Answers

*For reference, abstracts summarizing the Ballot Measures are at the end of this document.*

1. What are the Specific Issues these Ballot Measures Address?	5
2. Why Focus on Race?	10
3. Are the Ballot Measures Fiscally Sound?	16
4. Will the Ballot Measures Take Away from Some New Yorkers?	21
5. Why Should New Yorkers Prioritize these Ballot Measures?	23
6. Are the Ballot Measures Sufficiently Extensive?	27
Appendix: November 2022 NYC Ballot Measure Abstracts	33

# 1. What are the Specific Issues these Ballot Measures Address?

New Yorkers may be asking why these ballot measures are needed at all. Find some answers below.

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## A. PREAMBLE

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### *What is the overall purpose for the creation of a Preamble?*

The purpose for creating the Preamble is to set forth the foundational values that will guide the functions of government and future structural change. Preambles explain the purposes and goals of law or government itself—it is surprising that New York City’s Charter does not have a Preamble that declares the overarching purpose of our government or what it is supposed to accomplish. Adding a preamble would allow New Yorkers to adopt a vision for society and introduce foundational values to guide City government in fulfilling its duties.

### *What actual benefits will New Yorkers receive from the addition of a Preamble, if any?*

The proposed Preamble is intended to chart a course for New York City. It calls on us as New Yorkers to reconstruct, revise and reimagine our foundations, structures, institutions, and laws, in order to promote justice and equity for the benefit of all. It states that the City must strive to remedy past and continuing harms.

This “reset” of City government will guide government in carrying out its functions, including in determining what New Yorkers need to thrive, such as new investments in their neighborhoods, services provided in easy-to-understand languages that they speak, or quality hospitals and schools where they live.

### *How would this Preamble add to the lives of underrepresented New Yorkers?*

The Preamble pointedly acknowledges the history of atrocities against underrepresented New Yorkers and gives voice to their historic and ongoing struggle. For example, it recognizes the historical efforts of Asian immigrants in shaping New York City—particularly important now that many Asians may not feel that their city fully embraces their contributions.

It also confirms that everyone should have access to their basic needs to live a healthy life in the City. New Yorkers could point to this vision when seeking to hold government accountable. City agencies will be directed to use the Preamble as a guide for developing their programs. Advocates can point to the Preamble in conversations about the role government ought to play in society.

## What are the Specific Issues these Ballot Measures Address? — Preamble

### *Is a Preamble a sufficient response to the inequities that New Yorkers face?*

The proposed Preamble is not designed to solve all inequities in New York, but it is intended as a necessary first chapter. During the Commission’s process of developing these ballot measures, over 1,000 New Yorkers in all five boroughs contributed stories, concerns, and ideas. As a first step, the Commission sought to bring these stories and experiences together into a Preamble that would open our City’s Charter. This Preamble, a formal statement of values, would establish a foundation on which all New Yorkers stand, and would lay the groundwork for more changes toward a vision of the future.

### *What is being added via Preamble that New Yorkers don’t already have?*

There is no section in the Charter which clearly states the foundational values of New Yorkers. It is not true that our city always prioritizes “quality healthcare and education” or “safe, secure, affordable housing” for all New Yorkers; many are struggling without these basics. The Commission places great importance on ensuring that our foundational law articulates a vision of quality, resilient, and well-resourced neighborhoods and lives for all New Yorkers.

### *Is adding a Preamble solely symbolic?*

The Preamble to the NYC Charter would be no more or less symbolic than the Preamble to the Constitution of the United States. Our nation’s Constitution is more than a set of laws about how to select a President or the rules a Legislature must follow. When Americans think of the Constitution, they think of the words “We the People,” they think about the Constitution’s centrality to the experiment of Democracy, they think about how it restrains tyranny, and they contemplate what the Constitution means for their vision of a United States of America. It is the preamble that first articulates the Founders’ aspirational vision. In fact, some people might feel that the Constitution’s Preamble is even more central to our nation’s culture and values than most of the Articles of the Constitution.

This Charter Preamble would differ from the US Constitution’s Preamble because it was developed using the input of everyday New Yorkers. It aims to reflect the collective values of New Yorkers and asks that officials govern based on values and priorities that speak to all. And, the ballot question gives New Yorkers a chance to decide for themselves whether it represents their vision. Finally, the values laid out in the proposed Preamble are meant to serve as guideposts for City officials to determine priorities and make decisions.

### *Does the Preamble come with any authority to enforce its declarations or vision for the City?*

Ballot Measure #1 would require City officials who engage in planning to consider and be guided by the values set out in the Preamble, and that officials conducting program reviews or audits must review policies and programs for fulfillment of those values. As is the case with all other Charter provisions, these new Charter requirements would be enforceable in a court. The Commission expressed concern that everyday New Yorkers, especially from marginalized communities, often face difficulty holding government to account, and recommends that future commissions continue to explore ways to improve government accountability in all areas.

## What are the Specific Issues these Ballot Measures Address? — Racial Equity Structure

### *Does the Preamble provide rights to New Yorkers?*

Although the Preamble does not create a new private right to sue, that is not the only way people obtain rights and protections. The Preamble cements foundational values, which people begin to understand over time as our collective rights. Like the Preambles of many nations, such as that of South Africa, the proposed Preamble would set the tone for the culture and for the values that the people hold dear, which in turn affects what people expect and demand as rights. It allows New Yorkers to set expectations for their officials, and it will guide City agencies and officials in carrying out their duties.

### *Does this Preamble only focus what's wrong with the City instead of what is right?*

The proposed Preamble focuses on the strength of New York City, including the diversity that is its strength, and the many cultures, languages, and histories that make up this mosaic. It sets out the goal for NYC as a place where the contributions of all people are fully appreciated, incorporated, and rewarded.

The Preamble does not shy from the atrocities of history. By acknowledging these harms, the Preamble recognizes that the City must invest more in harmed communities before it can achieve the vision of a modern, multi-racial, world-leading metropolitan. New Yorkers have a remarkable commitment to justice—this Preamble celebrates that commitment and embeds it into our legal foundations.

### *Why must the city remedy the past? Government should care about where we are going not where we have been.*

The Ballot Measures are not focused on remedying the past, which would need to happen through a reparations or reconciliation process. The Ballot Measures aim to change the foundation of government by finally requiring it to trace the impacts of the past into the present and to modify the City's strategy to take those existing symptoms into account.

### *Not every agency is focused on justice – are you changing the responsibilities of each agency through the preamble?*

Arguably, every agency has an impact on fairness and justice. Even basic facets of agency policy, such as whether their signs or forms are written in plain language, changes how much benefit each person receives from that agency's spending. Agencies that do not consider equity or justice to be within their responsibility nevertheless have an impact on justice and equity: by not seeking to eliminate inequity they are likely perpetuating the status quo or worsening disparities. The Ballot Measures make it clear that all agencies have a responsibility to be proactive about equity and cannot turn a blind eye to their impacts.

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## B. RACIAL EQUITY STRUCTURE

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### *What is the reasoning for the Mayor to choose the Chief Equity Officer?*

The Racial Justice Commission believes that to truly center racial equity in City government, the Mayor should act as the Chief Equity Officer of New York City and be responsible to lead the City's racial justice strategy, rather than having equity be the responsibility of a separate agency or another elected official. The Ballot Proposal would create a mayor's appointee who would be an extension of the Mayor in carrying out

## What are the Specific Issues these Ballot Measures Address? — True Cost of Living

that responsibility. In the Commission’s view, a Chief Equity Officer must both be able to work closely in partnership with City agencies and be in a position to inform and influence the Mayor.

*Aren’t there other offices that already do some of this work? Why can’t we combine efforts using the resources and talent that the City already has?*

Ballot Measure #2 was designed to prioritize efficiency and effectiveness. The Commission believes that the City needs a central body to evidence the City’s commitment to racial justice, to ensure that this work is coordinated across all agencies, to reduce duplication across the City, and to ensure that agency work is aligned toward the same goals. A single Office is more able to generate momentum for racial equity work by participating at City Hall, and in collaboration with City Council and other officials, organizations, state leaders, etc. By creating a central body, the Ballot Measure also helps create a focal point for public accountability.

*How long will it take until BIPOC New Yorkers see benefits from this office?*

To give agencies and the City time to prepare and plan, the first Citywide Racial Equity Plan would be due April 2024. However, the Office itself would be established immediately and could begin the complex and extensive work of training agencies, building their capacity, and preparing them to create effective and meaningful Racial Equity Plans.

*Why is it important to spend so much effort in measuring disparities? Aren’t they already obvious to New Yorkers?*

Even though there is no question that disparities exist, it is still important to measure them. Officials—and the public—need this data to understand whether current or new policies are making those gaps better or worse. The data is also necessary to identify those neighborhoods in which specific disparities are worst, so that officials can prioritize programs and resources that will address those disparities. Note also that Ballot Measure #2 requires the City not only to measure disparities, but to also measure how effectively the City is reducing them.

*Is this just another office that causes more delays within City government?*

The Commission recognized that bureaucratic delays can also hurt the cause of racial equity and designed the ballot measures accordingly. The ballot measures do not create new requirements for agencies or officials to obtain approval before they can take action.

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## C. TRUE COST OF LIVING

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*Will the development of a True Cost of Living put any money directly into the pockets of New Yorkers?*

The purpose of the True Cost of Living is not to give money to, or take money away from, New Yorkers. Instead, the Commission began with a core idea: that not knowing the true cost to live in NYC makes it

## What are the Specific Issues these Ballot Measures Address? — True Cost of Living

impossible to discuss the state of economic wellbeing of New Yorkers, or to identify which policies should be assigned the highest priority.

For example, under federal guidelines, a family of four in NYC with a sole earner making \$15/hour would not be considered to be living in poverty, even though that income is far too low for that family to afford housing, childcare, transportation, and the other critical needs of life.

Yet many workers are paid that level of insufficient salary and are unable to thrive without government intervention, even though these workers form the backbone of NYC. For example, social services workers in NYC averaged \$32,733 in income in 2018, far below the true cost to live in NYC.<sup>1</sup> With a True Cost of Living measurement, the social services sector would have another tool to use when bargaining with the City government for higher wages that would assist the sector in providing the vital services that are critical to the city's wellbeing.

### *Will this change the existing policies that are inequitable?*

The Racial Justice Commission did not design the ballot measures with the goal of changing existing policies piece by piece. Rather, the Commission seeks to elevate the direction of government, to change the way government creates laws and rules that have often protected the powerful over others. The True Cost of Living, Ballot Measure #3, seeks to upturn the conversation about need in this city—rather than focusing primarily on destitution and poverty, it would focus instead on ensuring that every New Yorker can live a life of dignity.

### *If this is voted into law, will there be any immediate changes that will affect New Yorkers in need?*

If this ballot measure is voted into law, the City will have time to properly calculate and publish the new True Cost of Living measure before March 31, 2024. In putting forward this proposal, the Commission intended that after publication of the True Cost of Living, agencies that set eligibility levels for services, or pay low wages to their employees or on their contracts, will have a standard to use in reevaluating their payment levels. The ballot measure itself will not create requirements to change program eligibility or salaries.

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<sup>1</sup> Parrott, James. *The Road to and from Salary Parity in New York City: Nonprofits and Collective Bargaining in Early Childhood Education*. Center for New York City Affairs at The New School. 2020.

## 2. Why Focus on Race?

The ballot measures make racial justice their centerpiece. Yet there are people who disagree vociferously with the prioritization on race, arguing that there are other issues to prioritize.

The Commissioners believe a focus on racial justice is completely necessary and central to ensuring that we have a fair and robust society, and that our failure to do so has exacerbated the problems we face today. Below are responses to potential questions about the focus on race.

### *Why do the ballot measures focus on race rather than class?*

In this country, it is incomplete and analytically irresponsible to focus on class without highlighting race. Throughout the history of the United States, racial division was employed to drive a wedge in socio-economic outcomes and to benefit white communities. Therefore, from slavery until the current day, there has never been a time the US when class was separable from race. Instead, this nation's history and foundation has caused race and structural racism to become a driving engine of the existing class divide.

Research shows that familial wealth is a major, if not most important, predictor of life outcomes.<sup>2</sup> However, research also shows that our nation's history made race the major predictor of familial wealth. For example, the average (median) white family has approximately eight times as much wealth as the average Black family.<sup>3</sup> Some people would attribute that gap to the fact that BIPOC families are less able to access higher education. However, contrary to common belief, reaching higher levels of education does not itself close that gap: the gaps in wealth and in income stay essentially just as large when both families have college educations.<sup>4</sup>

Unfortunately, most people severely underestimate this wealth gap, believing that on average white families only have 30% more wealth than Black families. In truth, the gap is that white families have 700% more wealth. People also significantly overestimate the amount of progress made throughout history in closing that gap.<sup>5</sup> Research shows that this incorrect estimation is stubborn and resilient: people who learned new information about past discriminatory practices did not improve their accuracy in estimating the current wealth gap.<sup>6</sup> This lack of awareness likely causes people to be less supportive of racial justice efforts. At the same time, the continued existence of structural racism is part of the reason this knowledge is not more widespread.

In addition, race also has an independent effect on income, separate from conditions that exist at birth. For example, race significantly affects intergenerational socio-economic mobility. In other words, contrary to

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<sup>2</sup> See, e.g., Cooper, Kerris, and Kitty Stewart. "Does Household Income Affect Children's Outcomes? A Systematic Review of the Evidence." *Child Indicators Research*, no. 14, 2021, pp. 981–1005, 10.1007/s12187-020-09782-0; Carnevale, Anthony, et al. *Born to Win, Schooled to Lose Why Equally Talented Students Don't Get Equal Chances to Be All They Can Be*. Georgetown University Center on Education and the Workforce, 2019.

<sup>3</sup> 2019 Survey of Consumer Finances. Board of Governors of the Federal Reserve System, 2021.

<sup>4</sup> Emmons, William R., and Lowell R. Ricketts. "College Is Not Enough: Higher Education Does Not Eliminate Racial and Ethnic Wealth Gaps." *Federal Reserve Bank of St. Louis Review*, vol. 99, no. 1, 2017, pp. 7–39, 10.20955/r.2017.7-39.

<sup>5</sup> Onyeador, Ivuoma N., et al. "Disrupting Beliefs in Racial Progress: Reminders of Persistent Racism Alter Perceptions of Past, but Not Current, Racial Economic Equality." *Personality and Social Psychology Bulletin*, vol. 47, no. 5, 20 Aug. 2020, pp. 753–765, 10.1177/0146167220942625.

<sup>6</sup> *Id.*

## Why Focus on Race? — True Cost of Living

the usual conception that the rich just get richer, Black children from richer families are much more likely to end up in a lower income bracket than white children who are similarly from richer families.<sup>7</sup>

This effect of race on income becomes even clearer at the neighborhood level in NYC. There are almost no low-income predominantly white neighborhoods in NYC. The effect of race is so strong in our city that the percentage of white families in a Community District becomes almost entirely predictive of the median household income ( $r = 0.77$ ) in that district.<sup>8</sup> This means that in NYC a person can graph a nearly- straight line on chart showing data between increasing neighborhood whiteness and increasing average income.<sup>9</sup>

Race also affects outcomes *after* accounting for income and wealth. For example, Black New Yorkers who live in census tracts with the second-lowest levels of poverty are killed by police at a similar rate as white New Yorkers living in census tracts with the highest levels of poverty, even though neighborhood poverty level generally increases the rate of police killings.<sup>10</sup> Another example is the racial disparity in life expectancy that exists between Black and white Americans across every level of income, high or low.<sup>11</sup> None of this is new knowledge; researchers have measured such effects repeatedly.<sup>12</sup>

However, despite all of this extensive research, many racial disparities have stayed level, or have even worsened. For example, the racial disparity in maternal mortality, which has been a trending topic of discussion, became even worse in 2020.<sup>13</sup> Although maternal mortality rates had started to worsen even before the COVID-19 pandemic, the mortality rates for Black mothers worsened more quickly. A similar pattern emerges for other longstanding disparities, such as the wealth gap or childhood asthma.<sup>14</sup> Our existing approaches to reducing disparities have not been sufficient.

For this reason, the Racial Justice Commission has focused on structural transformation and a journey toward racial justice. Focusing on class alone would not address all racial disparities or begin to heal the historical injustices that have led to this moment.

With that said, the Commissioners did take an intersectional approach, considering class and other characteristics to be inextricably intertwined with race. Economic justice is a key component of the Commission's measures; for example, Ballot Question #3 on the True Cost of Living requires evaluation of our economic stability.

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<sup>7</sup> Chetty R, Hendren N, Jones MR, Porter SR. Race and Economic Opportunity in the United States: An Intergenerational Perspective\*. *The Quarterly Journal of Economics*. 2020;135(2):711-783. doi:10.1093/qje/qjz042

<sup>8</sup> Measure of America, collecting data from Census Bureau, American Community Survey, 2014-2018, *available at* <https://www.data2go.nyc/> (accessed Mar. 7, 2022).

<sup>9</sup> *Id.*

<sup>10</sup> Feldman, Justin. *Police Killings in the US: Inequalities by Race/Ethnicity and Socioeconomic Position*. People's Policy Project, 23 June 2020.

<sup>11</sup> Braveman, Paula A., et al. "Socioeconomic Disparities in Health in the United States: What the Patterns Tell Us." *American Journal of Public Health*, vol. 100, no. S1, Apr. 2010, pp. S186–S196, 10.2105/ajph.2009.166082.

<sup>12</sup> For example, see meta-studies like Williams, David R., et al. "Racism and Health: Evidence and Needed Research." *Annual Review of Public Health*, vol. 40, no. 1, Apr. 2019, pp. 105–125, 10.1146/annurev-publhealth-040218-043750.

<sup>13</sup> Hoyert, Donna. "Maternal Mortality Rates in the United States, 2020." NCHS Health E-Stats, Feb. 2022, <https://dx.doi.org/10.15620/cdc:113967>.

<sup>14</sup> See, e.g., Aladangady, Aditya, and Akila Forde. "Wealth Inequality and the Racial Wealth Gap." FEDS Notes. Washington: Board of Governors of the Federal Reserve System, October 22, 2021, <https://doi.org/10.17016/2380-7172.2861>; Agency for Healthcare Research and Quality, 2019 National Healthcare Quality & Disparities Report. <https://www.ahrq.gov/sites/default/files/wysiwyg/research/findings/nhqdr/2019qdr.pdf>.

## Why Focus on Race? — Preamble

### *Why not focus on gender?*

The ballot measures do place a focus on gender, because the Commissioners recognize that BIPOC New Yorkers who are female or non-binary face larger disparities than non-BIPOC women or BIPOC men. The Racial Equity Plans require the City and its agencies to collect data about both race and gender. The Office of Racial Equity will also coordinate other categories of collection, including potentially income, socio-economic status, or other relevant data. The Commission believes that it is important for society to analyze all the many factors that contribute to potentially unjust outcomes in life, including sexism, transphobia, ableism, homophobia, xenophobia, colorism, and more, and that a smart, modern government will use this data as the basis of its overall strategy.

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## A. PREAMBLE

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### *What is the cause for acknowledging the multiracial landscape of NYC, but highlighting BIPOC Americans within the proposed Preamble?*

The Preamble is written for all New Yorkers, not only for BIPOC New Yorkers.

The Preamble recognizes our joint, interwoven history and respects the “cultures, languages, and histories of all who call and have called this land home.” It highlights the manifold harm that different communities have endured, on the basis of race, gender or gender identity, immigration status, disability, religion, sexuality, or more.

To overcome these historical injustices, the Preamble lays out a vision for New Yorkers of all backgrounds to unite “in our resolve to build a just and equitable city for all” and to create a city that honors the contributions of all people. The foundational values contained in the Preamble are not about race specifically but instead pertain to the dignity of all New Yorkers.

### *Does the action of highlighting the needs of BIPOC communities further segregate our City?*

The Commission believes that highlighting the needs of marginalized communities will unite New Yorkers rather than divide them. The Preamble says that “[w]e are ever mindful that vigilance is required to prevent the recurrence of past or worsening of continuing harms.”

The Preamble tells New Yorkers that being part of the New York City family means we pay attention to their particular situation and needs. Just as unifying a family means providing support to more than just the most powerful or successful family members, unifying our city requires that all New Yorkers receive the environment they need to thrive. The Preamble intends to counteract existing racial divisions in New York City. These divisions have kept marginalized communities from fully reaping the benefits of a city they have built via unrewarded and under-rewarded labor.

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## B. RACIAL EQUITY STRUCTURE

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### *Does making this all about race cause more race-related problems within the City itself?*

BIPOC New Yorkers who testified to the Commission already see many race-related problems. They notice that the schools attended by children of color are significantly underperforming other schools. They see the lack of neighborhood investment and public transportation available for them to better their own economic standing. The gaps are innumerable.

The previous, “race-neutral” approaches taken by the City have done little to close those gaps. Many racial disparities remain virtually as large as ever, though demographic representation among elected officials has increased. The ballot measures offer a new approach.

The Commissioners designed the ballot measures to counteract the common misconception that a race of people can benefit only if another group loses. For example, the Commission emphasized collecting neighborhood-level data, because improvements at the neighborhood level will benefit everyone who lives, works, or travels in that area. As another example, Ballot Measure #2’s emphasis on government making Access for All a key component of City work recognizes that if government services or meetings become more accessible for one group, they will simultaneously become more accessible for everyone else.

### *If we want equality, shouldn’t we focus on race-neutral practices?*

Unfortunately, truly race-neutral policies do not exist in the US, or are at least rare. Because race is so intimately linked with social outcomes in the US, all policies and practices will ultimately have racially-relevant outcomes: either they will close the disparity gap between communities of different races, widen the gap even further, or prolong the existing disparity. Therefore, policymakers must have an accurate awareness of race and investigate the impacts of their policies.

Policies that people call “race-neutral” may also be “racism-blind.” In other words, those policies may ignore the history of racism and its role in creating present-day inequality, and thus those parties may cause little change in deeply-rooted issues.

One way to understand the weakness of race-neutral policy is to think of the medical system. For example, doctors do not make “disease-neutral” or “disease-blind” decisions about a patient’s health. Instead, they look at the patient’s history, risks, and—most importantly—the current medical diagnosis before prescribing remedies. Policymakers should do the same when prescribing societal fixes.

Because there is not enough academic research, the Commission is reluctant to make definitive statements about whether race-conscious approaches have proven superior to “race-neutral” or “racism-blind” approaches. To help solve that problem, this ballot measure requires City government to collect additional necessary data. It also incentivizes agencies to design innovative solutions that solve long-standing disparities. The Commission believes this new infrastructure will allow agencies and academics alike to identify the most effective programs. The Commission believes that government has a moral imperative to test new approaches and collect data on effectiveness.

## **Why Focus on Race? — Racial Equity Structure**

### *How can race-focused practices or policies help and not harm?*

Race-focused practices are *informed* practices. A doctor would be committing malpractice if they did not learn about a patient’s health and medical history before making medical decisions. Likewise, policymakers have a responsibility to understand the history of a community to be able to resolve current symptoms and address the root of the issue.

As a practical matter, we cannot know if race is no longer a determinant of outcomes if we ignore race. We know that centuries of formal legalized racism have created deeply entrenched disparities that still reverberate to this day. Those disparities cannot be dismantled by simply ignoring race now. The Commission believes that just as intentionally as those disparities were created, they must also be intentionally unwound.

Many people that benefit from structural racism often raise the argument that looking at race is itself harmful, arguing that people should not investigate racist history or trace its viral effects into the current day. These arguments help structural racism hide away from careful analysis and allow it to continue to infect our society. An analogy in the scientific world is the way viruses, including HIV or the flu, have evolved to change their shell proteins to hide their existence from the patient’s antibody detection system. One tool that the disease of structural racism uses to perpetuate itself is to deny its own existence; therefore, it is important that policy “doctors” root it out at the source by looking for—not ignoring—racial disparities.

### *Will non-BIPOC New Yorkers benefit from this office? How?*

This office creates accountability for City government to ensure that government is improving the lives of everyone, particularly communities and neighborhoods which have been most marginalized and disinvested. Based on testimony at the Commission’s public meetings, many, if not all, New Yorkers would like to live in a city where their government takes active steps to correct harm and provide social stability. Any New Yorker could potentially fall through the cracks of society or find themselves the victim of prejudice or discrimination. Therefore, the Commission anticipates that both BIPOC and non-BIPOC New Yorkers alike will benefit from and eventually appreciate the added value of this new infrastructure.

This ballot measure represents a step toward a city that works for all, a city where all neighborhoods have excellent resources and safety, where any school that a parent chooses will be enriching for their child, and where neighbors can thrive without struggling at each other’s expense.

Unfortunately, many white communities have hurt themselves throughout history in the fervor to keep resources from other communities. For example, in the face of desegregation, many communities opted to shut down community pools or to leave school systems to degrade, rather than to share in improvements for everyone. This ballot measure offers New Yorkers an opportunity to decide whether to reverse that historical trend—to decide whether government’s mission is to assist everyone in thriving according to their need.

### *Are there any mechanisms that will prevent corruption within the Racial Equity structure?*

To provide checks and balances to the Office of Racial Equity, this ballot measure would also create a Commission on Racial Equity, composed of community members who are dedicated to the task of equity and racial justice. This body would represent the voice of New Yorkers in scrutinizing the work of the Mayoral administration and setting high expectations. In consultation with New Yorkers, the Commission on Racial Equity would propose the data that the City should measure, and analyze the data that the City

## **Why Focus on Race? — Racial Equity Structure**

publishes. This Commission could be the first of its kind in the nation, with the ability to commend the City when it makes meaningful progress but critique when the City fails to accomplish its Plans or to comply with the equity requirements. Through this balancing, the ballot measure builds in methods to mitigate any self-serving.

If the ballot measure passes, the Commission on Racial Equity members would be appointed by different city officials, further ensuring its independence from the Mayoralty. This differentiates it from commissions or taskforces that are not created through ballot measure because those tend to be unilaterally appointed by the branch of government that created it. Additionally, the structures created by this ballot measure would also be subject to the City's conflict of interest rules, and other City mechanisms that prevent corruption.

*Does this office consider those who are non-BIPOC but who are financially impacted by the current structure of New York?*

The Commission believed that it was important to create ballot measures that would benefit New Yorkers across the spectrum. The Office of Racial Equity is designed to improve the experience of every New Yorker. It will prioritize neighborhoods most in need, which benefits not just Communities of Color, but also every non-BIPOC New Yorkers who lives in, works in, or visits those neighborhoods. It will establish plain language and language justice as a government priority, so that New Yorkers of all backgrounds will be able to understand and comprehend government documents and meetings. The Office will examine the many ways the criminal legal system is unduly harsh and how it potentially over-penalizes individuals from any race, culture, or community.

A resilient city benefits everyone. The Office of Racial Equity would help ensure that BIPOC New Yorkers at the core of NYC's social, economic, and cultural strength are able to stay and live a life with dignity here in New York City, continuing to shape the type of cosmopolitan city all New Yorkers would like to live and work in.

*Would a focus on race be considered illegal or unconstitutional?*

This ballot measure would not be considered unconstitutional, because it addresses population-level disparities and neighborhood-level outcomes, rather than personal circumstances. It does not give any individual an advantage based on their race.

The ballot measure *would* require government to analyze data outcomes to understand effects on people of different races and ethnicities, or on different neighborhoods by composition. It would require the City to take action, consistent with the law, to remedy the results of structural racism and fix those long-standing disparate impacts that were caused by the policy and legal choices made improperly in the past.

### 3. Are the Ballot Measures Fiscally Sound?

*Doesn't it cost more to implement new policies instead of amending the ones we have?*

Creating structural transformation is by nature a preventative approach. Transformations seek to prevent the symptoms that arise from a broken foundation. The Commission believes that New Yorkers, by investing in racial justice transformations, are more likely to see their government create policies which not only fulfill their foundational values, but also make the City's spending more efficient overall.

Preventive approaches save the public much more money than they cost: think of investments in public health and nutrition programs that significantly decrease City spending for doctor visits or emergency care. For example, public health interventions tend to return \$14 in savings for every \$1 they cost, according to a broad meta-study.<sup>15</sup> In one cross-cutting example, LA County subsidized supportive housing for residents without homes who had behavioral or medical health issues; this saved the County 20% in overall costs by preventing emergency visits and other costs, even after including the housing costs.<sup>16</sup>

Legislative interventions, i.e., changing public health laws and rules, were found to be even more effective, returning \$46.50 for every dollar invested.<sup>17</sup>

Additionally, Ballot Measure #2 increases fiscal responsibility by requiring city government to collect the data showing whether its programs are helping those most in need. If the programs are not improving lives, then the public will have data to hold government accountable and seek a pivot in spending.

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#### A. PREAMBLE

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*What implications does the Preamble have for individual business owners within NYC?  
Are we required to make any changes based on the Preamble language?*

The Preamble—if approved by the voters—will not require individual business owners to make any changes, but it will allow New Yorkers to signal a new direction that business owners and others can adopt. Business owners who want the City to support under-invested neighborhoods, or to improve transportation and other infrastructure, can invoke the words of the preamble to support their arguments. So too can organizations who provide those necessary supports that the Preamble recognizes are needed for a thriving New York life, and who want the City to hire their services. While the Preamble recognizes that much of the economic prosperity in this country was built upon the suffering of exploited peoples, it also provides

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<sup>15</sup> Masters, Rebecca, et al. “Return on Investment of Public Health Interventions: A Systematic Review.” *Journal of Epidemiology and Community Health*, vol. 71, no. 8, 29 Mar. 2017, pp. 827–834, [jech.bmj.com/content/71/8/827](http://jech.bmj.com/content/71/8/827), 10.1136/jech-2016-208141.

<sup>16</sup> Hunter, Sarah, et al. *Evaluation of Housing for Health Permanent Supportive Housing Program*. RAND Corporation, 2017.

<sup>17</sup> Masters, Rebecca, et al. “Return on Investment of Public Health Interventions: A Systematic Review.” *Journal of Epidemiology and Community Health*, vol. 71, no. 8, 29 Mar. 2017, pp. 827–834, [jech.bmj.com/content/71/8/827](http://jech.bmj.com/content/71/8/827), 10.1136/jech-2016-208141.

an opportunity for the business community to unite with New Yorkers and advocate for a different path forward.

*In acknowledging the atrocities of forced labor of enslaved Africans, are taxpayers opening the door to an increase in the probability of reparations?*

The first step to redressing wrongs is in acknowledging them. The Preamble is one way to begin that conversation in earnest. The Commission believes that it is only after New Yorkers and the City recognize the persistent harm that BIPOC individuals, families, and communities have suffered across generations that we can begin to heal as a city and find the appropriate path forward.

*How much will this cost, when will it be implemented, and why is it worth the time/city resources?*

The ballot measure creating the Preamble would not cost the City money to implement. However, City staff who plan or develop programs or conduct audits will need to be guided in their work by the values set out in the Preamble. That may require them to spend time and energy in aligning their work with the Preamble's vision.

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## **B. RACIAL EQUITY STRUCTURE**

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*What is the cost of establishing and funding an office of this magnitude?*

The Racial Justice Commission estimates the cost of funding the staff for this Office and Commission would be under \$10 million in personnel costs. For context, this would be 1/10<sup>th</sup> of 1% of the City's budget.

*What evidence is there that racial equity actually improves outcomes? Does the potential impact of this office truly outweigh the cost of implementation and maintenance of a Citywide Office of Racial Equity, including potential lawsuits?*

Actual value to New Yorkers is often poorly measured using fiscal methodologies. Many central City institutions provide critical services that cannot be easily quantified by immediate fiscal impact. Well-known examples include fiscal oversight provided by the Comptroller, financial management provided by the Office of Management and Budget, or payroll services provided by FISA/OPA. The way to assess our need for such services is to imagine how many disasters could occur in their absence.

In that vein, the Commission already found that vast racial gaps exist in a city missing a central, permanent racial equity infrastructure. There is enough data to show that racial disparities are dramatic, while also being under-estimated by the public. In this sense, New Yorkers should view the creation of the Office as a response to an existing, long-standing crisis and emergency, and a way to reduce costs that the City bears as a result of existing racially unjust outcomes.

An Office of Racial Equity would facilitate the evaluation of racial equity work to better measure its effects on outcomes. There has been little to study so far since no municipalities have placed a core racial equity infrastructure at the center of their charter.

*Would it be a less costly option to create new policies for City agencies to follow that prevent inequities instead of creating an entire office dedicated to just this one thing?*

The Commission believes the Office is a more efficient method of ensuring racial justice, for two reasons.

First, the Office would be responsible for measuring disparities between different neighborhoods and groups to analyze what types of programs are most needed from year to year. This improves the chance that City resources will be routed efficiently to the right institutions and to current (rather than outdated) on-the-ground needs.

Second, the experts in the Office would coordinate research and program design across agencies. This would introduce efficiency by reducing the amount of effort duplicated between agencies, or the number of projects developed without effective partnership.

*How will we know if this infrastructure is cost-effective?*

The Commission believes racial justice has a high likelihood of saving the City money, and thus designed the Racial Equity Infrastructure with cost-effectiveness evaluation in mind. The Office of Racial Equity will put together Citywide Racial Equity Plans that require the City to publicly measure outcome data related to racial justice and equity. Using that data, the public can monitor whether the City is using funds smartly to improve outcomes and reduce disparities.

This level of transparency does not currently exist in NYC. This is one way the ballot measure would transform the City's approach to governing: away from a focus simply on minimizing spending, and toward funding and proving the effectiveness of programs that will actually reduce the disparities that continue to exist despite decades of City spending.

*Why not take a market approach to this work and let society steer itself toward a communally desired outcome, rather than intervening?*

The Commission believes that a solely market-based approach would likely fail because communities which have been marginalized as a result of legal rules, unequal enforcement, and historical oppression have significantly less spending power, and are thus much less able to influence the market or the government toward an equilibrium of outcome. We see that principle in action when elected officials prefer policies that align with wealthy interests while ignoring many other policies with broad national support.

In any sector, this dynamic can only be fixed with rules. In the commercial world, the only realistic way to prevent market-sabotaging monopolies is through antitrust regulation. Similarly, the Commission believes that only foundational laws embedding equity into government can disrupt the “monopoly” on power and thereby make genuine space for marginalized peoples to have a voice and influence in decision-making.

## C. TRUE COST OF LIVING

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*How much will it cost to develop and implement this policy, and where will those funds come from?*

The City already employs many of the leading experts at calculating measurements of income and cost, so the addition of the True Cost of Living measure is unlikely to incur significant new cost.

*Will this just increase government spending to benefit people who are otherwise able to fend for themselves?*

The Commission believes that the value of the True Cost of Living measure is that it, like the other proposals, benefits all New Yorkers. By providing a clearer picture of what it costs to live in our city, government and other sectors can make informed decisions about wages, benefits, and income supports, as well as how best to support our city and neighborhood economies.

It is important to note that the government already spends significant money on people who can fend for themselves. For example, public funds pay billions in business subsidies to multinational corporations or real estate developers, as well as pay for roads or fire departments for every neighborhood, wealthy or not. People who view those payments as investments in the city's future should also similarly understand spending on supports for low- or middle-income New Yorkers as investments.

*By setting our “standard” to the cost of living here, the most expensive city in the US, are we creating an environment where people no longer need to strive or to exercise ambition?*

The Commission believes that the True Cost of Living measure will help create the conditions for ambition. It believes that the use of existing measurements distorts the perception of the cost to survive and thrive in NYC, contributing to an undercounting of intergenerational poverty and thus enabling it to perpetuate. A True Cost of Living measure may help fight against the underfunding of critical supports New Yorkers need and increase the economic mobility and stability that is critical to economic activity.

*Will my taxes be raised if the true cost of living measurement is proven to be high?*

The True Cost of Living would serve as a measurement tool, and although it would not change government spending immediately, it could help policymakers to determine when higher public spending would be morally right and fiscally prudent. As mentioned earlier, researchers have demonstrated that government services like public health spending and supportive housing assistance can reduce overall spending because of their reductive effects on medical emergencies, violence, crime, and more. Similarly it has been shown that social workers who provide programming to recipients save more tax dollars than they cost,<sup>18</sup> and that workforce development programs in NYC return an additional \$2 to taxpayers on top of each tax dollar spent.<sup>19</sup> These examples improve short-term tax-dollar efficiency even before accounting for how this

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<sup>18</sup> Steketee, Gail, et al. “Health Outcomes and Costs of Social Work Services: A Systematic Review.” *American Journal of Public Health*, vol. 107, no. Suppl 3, 1 Dec. 2017, pp. S256–S266, [www.ncbi.nlm.nih.gov/pmc/articles/PMC5731071/](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC5731071/), 10.2105/AJPH.2017.304004.

<sup>19</sup> Gasper, Joseph, et al. *Return on Investment Analysis of Industry-Focused Job Training Programs*. Westat, Jan. 2020, [https://www1.nyc.gov/assets/opportunity/pdf/evidence/training\\_roi\\_report\\_final.pdf](https://www1.nyc.gov/assets/opportunity/pdf/evidence/training_roi_report_final.pdf).

## **Are the Ballot Measures Fiscally Sound? — True Cost of Living**

spending improves the lives of participants or improves the long-term success of the city. Therefore, if the True Cost of Living measure helps policymakers better understand living situations on the ground, it could help obtain additional “mileage” from each New Yorker’s tax dollars.

### *Will I be eligible for more resources?*

The True Cost of Living is the first step in government rethinking what the optimal levels of service should be. If you have costs which are not recognized by existing poverty measures, such as childcare costs, transportation costs, or high rent, this new citywide True Cost of Living analysis will incorporate your costs. The analysis would not, by itself, change program eligibility.

If voters overwhelmingly support the True Cost of Living ballot measure, this may signal to the City that voters want their government to increase support for more people to allow them to live in dignity. Ultimately, the Commissioners want policymakers to use this measure in making decisions about resource eligibility, but the current ballot measure does not mandate policymakers to do so.

## 4. Will the Ballot Measures Take Away from Some New Yorkers?

Some New Yorkers worry that focusing on race means that their own lives will be less prosperous, or that it would be unfair to undertake racial justice actions at anyone's expense. These concerns are discussed below.

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### A. RACIAL EQUITY STRUCTURE

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*How will the creation of an Office of Racial Equity and Racial Equity Plans affect those who are not a part of the BIPOC community?*

The Commission designed the Office of Racial Equity and Racial Equity Plans to be beneficial to all New Yorkers, including those who are not part of BIPOC communities. The ballot measure defines an equitable city as one where “worth, talents, and contributions of all people are valued and recognized, irrespective of race, gender, sexual orientation,” etc. Individual components of the ballot measure create broad benefits, including Access Design, Civic Service Design, Language Justice, Plain Language, Anti-Marginalization, Wage and Occupational Segregation, and Neighborhood-level Outcome Indicators.

It is true that some non-BIPOC families may receive less direct benefit from the ballot measure. This is because those families are less likely to face the same deficits of power, access, or opportunity that the ballot measures seek to address.

*Will these policies remove resources from or add burdens to neighborhoods that are not currently negatively affected by inequitable circumstances?*

The Preamble would reinforce that City government always has a core responsibility to maintain quality and equity in every neighborhood. Although the Racial Equity Plans would require that the government place higher focus on neighborhoods with the greatest need, they would not eliminate the natural advantages possessed by wealthier or more politically connected neighborhoods in pressuring officials for resources. The work of the Racial Equity Plans is to help create fairer distribution across the city, even though government decisions make up only a fraction of the total investment in neighborhoods.

*Will this office simply redistribute resources from one group to another?*

If done properly, the Office of Racial Equity would increase the overall size of the “pie.” As the Office works to help groups get what they need, part of that work will involve examining existing City policies that cause or exacerbate racial gaps.

On occasions that the City undertakes inequitable action, it risks causing long-term damage to its own fiscal resources. By carrying out inequitable policies, it may be creating conditions of harm for marginalized communities and then may have to pay for services to bandage that very same harm. Think of how, for example, the City devotes significant budget to policing, and how disproportionate policing of Black New Yorkers can lead to economic and emotional suffering in the Black community, which among other harms

## Will the Ballot Measures Take Away from Some New Yorkers? — True Cost of Living

could also increase costs for social supports, medical care, housing costs, and more. By focusing on reforming marginalizing policies, this Office of Racial Equity would work to break that cycle. This would allow the resource pool to be spent more rationally, increasing the available resources overall.

### *Will these plans take resources away from API New Yorkers to benefit other BIPOC groups?*

The Racial Equity Plans are intended to offer a way to benefit all New Yorkers, including all BIPOC groups. Because funding for racial equity or justice work (or even anything related to “minorities) has often been a low priority and limited in dollars, BIPOC groups often feel that they need to compete against each other. The RJC Commissioners, especially those representing API communities, have made clear that racial justice must not be considered a competition. The Office of Racial Equity would seek to help City decisionmakers understand how prioritizing more resources for BIPOC communities would help all New Yorkers. Adding equity to the center of government represents a good chance to increase resources for all BIPOC groups including API New Yorkers, such as those API leaders and advocates who testified.

Indeed, the Commission intended the ballot measures to begin to address the ways in which API communities have been marginalized. For example, by requiring the Racial Equity Plans to include disaggregated data, the Commission intended to illustrate how some communities within the NYC API umbrella, such as Bangladeshi or Pakistani immigrant communities, are among the communities in the City in greatest need of additional resources. These communities and others face language barriers and other obstacles that prevent them from receiving the services or information that government provides. Ballot Measure #2 creates a focus on language justice, plain language, and other access-promoting principles that would help lower barriers for these groups.

The goal of the Racial Equity Plans is to measure outcomes, so that agencies must identify the actual obstacles that different groups face and focus efforts to overcome them, rather than simply creating new resources that may never fit the needs of API groups or others.

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## B. TRUE COST OF LIVING

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### *How will people of different races be affected? Eligible for more or less based on race?*

The ballot measure would not require the City to include race in the calculation of the True Cost of Living. The City would be required to, at minimum, include household size in its calculations. The City could choose to add additional factors to the data analysis to provide a more nuanced view of the True Cost of Living.

## 5. Why Should New Yorkers Prioritize these Ballot Measures?

Some New Yorkers may ask why they should spend energy on these ballot measures, when the COVID-19 pandemic continues to affect the world, racial injustice ravages our nation, and economic inequity tops many people’s minds. These concerns are discussed below.

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### A. PREAMBLE

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*Why are we spending time on creating this language if no laws or policies are being developed to change daily life in New York?*

The preamble would lay the groundwork for future policies. In construction, a blueprint establishes the entire vision and direction of the structure even if the blueprint itself does not house people. A house’s foundation is not the walls that keep people warm or the roof that keeps people dry, but it does define how every component will come together and whether that home will remain sturdy for decades. Likewise, the Commission is trying to tackle what no charter revision commission has done before: laying out a unifying vision or blueprint for how New York City should serve the many communities that live here.

*Would expending effort on purely aspirational language detract from other concrete efforts?*

The Commission sees a statement of values as a critical component of all efforts to create transformation. In all American law, there may be no phrase more iconic than “We the People,” which establishes the values and foundations for America’s grand experiment with democracy. The New York City Charter Preamble would be a map showing from where the City has come and to where it seeks to go. The Preamble was written to be not only aspirational, but also to be a foundational guide toward the next stage of the City’s life.

*Why are we proposing this Preamble if the Constitution’s preamble has not guaranteed protection for all?*

It is important to recognize that the Preamble of the US Constitution did not actually speak to the rights of people, but instead protected the rights of the signatory states. The Founders declared that the purpose of the Constitution was to promote “a more perfect Union,” “Justice,” “domestic Tranquility,” “the common defence,” “general Welfare,” and “the Blessings of Liberty.” The rest of the Constitution, conforming to the values of the Preamble, failed to protect rights for all Americans at its founding. It counted slaves as three-fifths of persons, presumed only men would be presidents or legislators, and did not prioritize guaranteeing individual rights, including the right to vote. The Constitution even failed to include the now-basic concept of “equal protection for all,” which did not exist until the Union won the Civil War. This constitutional history demonstrates how a shared statement of values in the foundational law affects the society that grows around it, and how a Preamble offers an opportunity to affirm modern equitable values.

The US Constitution and its Preamble established democracy as the founding principle of this country, breaking away from monarchical colonial rule. The proposed Preamble would establish a new frame for governance directly based upon the input from everyday New Yorkers, recognizing the harms of the past and the diversity of today. While the Preamble would not confer specific rights, it would establish a new frame of inclusivity and transparency that is meant to guide government decisionmaking.

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## B. RACIAL EQUITY STRUCTURE

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*Since the Mayor has recently established an Office of Equity, what difference would this ballot measure make?*

First, if voters choose to establish the Mayor's Office of Racial Equity in the Charter, this Office would be more permanent than one created by a mayor. Offices created by mayoral executive order can later be eliminated by that same mayor, or by a later mayor. For that reason, many of the agencies and offices existing today were formed initially through Executive Order then placed into the Charter via ballot measure later. Placing this Office onto the ballot now gives New Yorkers the opportunity to decide whether they want a permanent Office matching the vision of the proposals.

Second, the ballot measure would create a new chapter on Equity, permanently sending the message that equity and justice must remain a central focus of the city's foundational law.

Thirdly, the ballot measure goes beyond the establishment of an Office of Equity to also mandate Citywide Racial Equity Plans. This would apply not only to agencies but also to the Mayor. This would significantly increase the commitment that New York City government is making to equity.

Lastly, the ballot measure would also create a Commission on Racial Equity led by members of the NYC community that would hold the Mayor and the new Office to account. This sort of external oversight Commission would be unlikely to be created by a mayor themselves and would be easily reversible if formed through executive order rather than Charter change.

*Is this proposal just another way to pass the buck from things the Mayor should already be doing? Why should we want to create an additional layer of bureaucracy?*

The Commission believes that mayor of New York City *should be* seen as the chief executive who bears ultimate responsibility for the increase or decrease of racial equity. From a legal perspective, however, the Mayor is able to delegate their duties. For example, while the Mayor is responsible for the safety of the City, they can delegate day-to-day oversight duties to one or more Deputy Mayors.

Therefore, the Commission believed it was important to ensure that there be a permanent equity infrastructure, led by an agency head with sufficient authority, which would perform this work regardless of how a mayor chooses to delegate.

This ballot measure also creates a separate Commission with the purpose of keeping the government accountable and responsive. If the ballot measure passes, this may begin a process where New Yorkers create even further accountability.

*What's the difference between the Mayor's Office of Racial Equity and a Commission on Racial Equity?*

The Office would carry out the responsibilities of the Mayor in coordinating the Citywide and Agency-specific plans, as well as providing guidance and assistance. To ensure that community-members have a voice in this process, the Commission on Racial Equity would provide a check on the planning process. The Commission would be composed of New Yorkers who have not typically had a voice in City government, who would help ensure the mandatory racial equity planning process is meaningful and adhered to, and reflects the concerns and priorities of everyday New Yorkers and their communities.

*Are the Racial Equity Plans going to become a PR piece for the City without requiring it to make genuine structural change?*

Structural change can occur when new requirements change how agencies understand their own purpose and mission. The racial equity planning process proposed by the Commission requires the City and agencies to create public strategies and goals, to state up front what data they will collect on disparities, and finally to report on the City's progress in reducing those disparities. This experience, repeated over the years, is intended to reorient the City away from prioritizing the powerful or further marginalizing communities. In contrast to a public relations piece, the ballot measure is intended to force transparency by requiring published indicators and creating an independent Commission to review and report on the City's progress. Even if the "ship" is not turned around immediately, the Commission expects that this Planning process will begin the shift.

*Will the proposed Commission have real power or is it being created to placate those calling for community input?*

The Racial Justice Commission's vision of structural change includes increasing direct power for communities that society has historically excluded from the decision-making table. By creating a permanent Commission on Racial Equity, Ballot Measure #2 takes a first step in bringing community power directly into government infrastructure. While the Commission would not possess the ability to enact financial penalties on the government, it would have the legal authority to submit community priorities for the racial equity planning process, issue a public review of the draft Racial Plans, and finally issue a review of the City's completed Plans. It would have the role of reviewing published data and calling for changes in direction accordingly. In this way, the new Commission would serve as a voice representing everyday New Yorkers in the process.

*Would this proposal be creating more infrastructure in a government rooted in structural racism, rather than investing that energy in community-led and community-organized institutions?*

The Racial Justice Commission believes that permanent changes require both undertaking transformations internally and sharing power externally. In other words, the core foundations of government must be viewed differently by people within government, and at the same time community-led and community-organized institutions must also gain more influence in government processes they have been historically excluded from.

## Why Should New Yorkers Prioritize these Ballot Measures? — True Cost of Living

Additionally, under the Commission’s structural analysis, the rules that govern government also shape how society prioritizes and empowers community institutions. For example, the Charter sections which created the Department of City Planning and which mandate the city planning process do not require a racial equity analysis, nor do they truly empower community institutions to weigh in on racially disparate outcomes. The Commission believes that Charter change is critical if New Yorkers want to have a different relationship with their government.

Ballot Measure #2 represents one component of that needed change.

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### C. TRUE COST OF LIVING

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*Don’t we already know that it is expensive to live in New York, so why do we need to take extra steps to prove it?*

Although everyday New Yorkers already experience these costs this day to day, careful measurement of data enables people to build pressure on decision-makers who refuse to acknowledge different needs, such as the need for racial justice in NYC or such as the high cost of living in NYC compared to the wages of most BIPOC New Yorkers. Because every person likely has a different interpretation of the actual cost to live in New York City, an accurate measurement also helps advocates unite on the size and scope of the problem, especially if cost-data is compiled and published by government using transparent methodology. Ballot Measure #3 also introduces a core value to City government: that our governments should care about the true costs for their residents to live there with dignity. Nothing in the City’s Charter currently incorporates this value into City decision-making.

*Why are we putting in time to prove what we already know? Instead, can resources be pooled to provide what New Yorkers know they need now?*

NYC spends approximately \$1.4 billion in public assistance alone, not counting other forms of assistance or income.<sup>20</sup> The approximate cost to measure the True Cost of Living would be almost non-existent in comparison but would provide the City with clearer evidence on how best to spend its funds overall.

*What counts as essential needs? Is my child’s private school considered an essential need?*

The True Cost of Living measures the average amount necessary to cover the cost of “essential needs at an adequate level,” including childcare, and child and dependent expenses. If the only way to receive an adequate level is via a private institution, then the measure could potentially include that in its calculation.

Essential needs, as written in Ballot Measure #3, include housing, childcare, child and dependent expenses, food, transportation, healthcare, clothing and shoes, menstrual products, general hygiene products, cleaning products, household items, telephone service, internet service, and other necessary costs, which could include costs such as tax obligations. However, as society changes, those essential needs may change as well.

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<sup>20</sup> 2018 Financial Condition Report, New York State Comptroller, <https://www.osc.state.ny.us/reports/finance/2018-fer/public-welfare>.

## 6. Are the Ballot Measures Sufficiently Extensive?

Some critics may question whether the ballot measures go far enough to satisfy those who want immediate action taken. This concern is addressed below.

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### A. PREAMBLE

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*What authority does this give to individual New Yorkers? Are these words enough to keep New Yorkers safe, warm, fed, and housed?*

The Commission proposed a Preamble to shape the understanding of the NYC Charter and the role that our government should play. It is intended to state a unifying goal for us to all work toward. The Commission believes that this reimagining of society is crucial to shaping a city where keeping all New Yorkers safe, warm, fed, and housed is the core goal of government. The Charter does not currently define this as a priority of City government. Therefore, while the Preamble does not create the right for individuals to sue, the Commission proposed it as a necessary first step toward rebuilding our foundations to befit a modern, multiracial democracy.

*Are there any legal ramifications towards City Agencies/Elected Officials/Private Businesses/Individuals whose practices do not comply with the Preamble's guidelines?*

In the effectuating language that accompanies the Preamble, City agencies and officers that perform policy planning will be required by the Charter to consider and be guided by the values set out in the preamble, and those that review or audit City policies and programs will be required to review the extent to which the values of the preamble have been fulfilled.

The Commission intended that structural transformation begin within government as a starting point, and that government should model for all persons and businesses how to participate in a multiracial democracy according to the values of the Preamble.

*Why does the preamble call out specific atrocities towards Native American and African groups, but not other ethnic groups? How can my group or experience be acknowledged?*

The Preamble specifically acknowledges the unparalleled atrocities inflicted throughout history on those Black and Indigenous peoples, which are well-known and serve as illustrations of systemic violence, but it also calls out many of the historical injustices that afflicted many New York groups throughout history. The Preamble recognizes that these atrocities resulted from, and continue to demonstrate, systemic injustice, and says that New Yorkers desire to be mindful of those foundations and act intention to rectify them, in service of all New Yorkers.

## B. RACIAL EQUITY STRUCTURE

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*Why do the ballot measures, such as the Racial Equity Plans or the Commission on Racial Equity, apply only to City Agency work? Why can't we bring it to the state level and make this a requirement for all City and State Agencies?*

There is no legal mechanism in the City Charter that empowers city bodies to make those changes. The Commission hopes that these ballot measures serve as inspiration and model for people advocating for change at the state and national levels and would like to see similar transformations take place there.

*Would NYPD be required to follow the Office of Racial Equity's guidelines? How is this enforced?*

The NYPD would need to participate in the Office of Racial Equity's racial equity planning, data collection, publication, and reporting processes, just as would every other agency. All agencies would have to examine the effect they have on New Yorkers' communities and existing disparities—they would need to make this examination a component of their core mission, which the Charter does not currently require. They will need to measure their effect on New Yorker wellbeing, particularly focusing on the effects on racial or gender disparities. If Ballot Measure #2 passes, a Commission on Racial Justice led by community members will track the compliance and performance of all agencies and review their published data.

*Will I see/feel a positive result from this ballot measure in my lifetime?*

It may initially be hard for some New Yorkers to feel the effects of this ballot measure in their day-to-day life since the structural issues are deeply seated. However, the Commission felt strongly that short-term solutions should not displace long-term projects.

Because our society has not prioritized publishing data measuring racial disparities or showing the long-term success of government programs in closing those gaps, this means that society has often opted for short-term band-aids over long-term reorientations. This short-term focus has allowed gaps to persist.

Although some may be concerned that structural change is slow and abstract, the ballot measure includes tangible planning, data collection, and reporting requirements, so that New Yorkers can measure the concrete benefits from this work. In the longer-term, these requirements will create the data that New Yorkers can leverage to push the City toward meaningful, transformational changes.

*Why does the proposal not contain more severe consequences for failure to comply?*

The Commission agrees that robust accountability is necessary for transformative work. In this case, the Commission centered on accountability through the Commission on Racial Equity. This type of accountability has the benefit of giving agencies time to learn how to prioritize racial equity before they are held accountable for it. It also allows agencies to create a real partnership with the Office and Commission that prioritizes the agency's growth, rather than an immediately adversarial relationship.

The Commission also believes that consequences do not always need to be "severe" to create accountability. In fact, the lack of positive reinforcement can also be a systemic cause for failure to comply. This principle can apply to both institutions and individuals. It is mirrored in the ballot measure itself: the Office of Racial

## Are the Ballot Measures Sufficiently Extensive? — True Cost of Living

Equity would work with agencies to identify alternatives to punitive enforcement against New Yorkers, helping New Yorkers improve, correct, and restore, rather than continuous penalization.

*Why does the proposal not contain specific measures and outcomes that agencies should be required to comply with?*

The ballot measures, if adopted, will have the benefit of being enshrined in the Charter, where they may reflect the voice and desire of New Yorkers for decades to come. The potential longevity of the proposals required the Commission to exercise restraint and humility, and to build in flexibility so that the priorities, measures and outcomes could change in future years as New Yorkers discover which outcomes are most important to them.

Additionally, because under the proposed planning process every agency must report at least one outcome indicator, including agencies the Commissioners were not familiar with, the Commissioners believe it would be best for agencies themselves to develop relevant measures with the guidance of the Office of Racial Equity and input from the Commission on Racial Equity.

*Why does the proposal not say more about housing, health, budgeting, or other specific areas of work?*

The Racial Equity Infrastructure proposal was designed, like the US Constitution, with a broad, foundation-setting focus, rather than on specific functions and tasks. The US Constitution sets out major branches of government and their duties, later adding amendments to guarantee certain rights. It demands trust that if the right values and principles are put into place, such as representative government and checks against tyranny, then the national government will make representative and democratic decisions.

Likewise, this proposal for New Yorkers makes justice and equity foundational principles of NYC government. Over time, programs that reduce disparities in housing, health, or other areas will be shaped by mayoral administrations and other elected officials applying these foundational principles.

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## C. TRUE COST OF LIVING

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*Why does this proposal not require the TCOL to displace other poverty measures, such as the FPL?*

On the one hand, some Commissioners believed it would be helpful if the True Cost of Living could replace other measures, in order to provide a clear picture of how New Yorkers are faring especially as rents in the city skyrocketed. On the other hand, federal and state governments continue to require the Federal Poverty Guidelines to be used in eligibility calculations for many programs they fund, and the Commission did not have the legal authority to displace them in every instance.

To avoid confusion, the Commission decided not to displace the use of Federal guidelines or other poverty measures for City-funded benefits programs. It does recommend revisiting that question when New Yorkers become more familiar with the True Cost of Living.

## **Are the Ballot Measures Sufficiently Extensive? — True Cost of Living**

### *Why does this proposal not require wages to be determined according to the TCOL?*

The Commission anticipates that this measure could lay a foundation for a future legal regime that better connects wages with the cost of living. Additionally, the Commission believes that wage negotiators, including individual New Yorkers themselves, could use the True Cost of Living measure to bargain for a more appropriate wage.

### *How does this analysis affect the unhoused and uninsured today?*

The True Cost of Living measure itself would not directly provide housing or health insurance but would for the first time shed light on the actual cost of housing, health care, and other necessities. By actually taking into account these very significant costs, in addition to transportation, childcare, utilities, rent, tax, and other costs not currently factored into the Federal Poverty Guidelines, the True Cost of Living would help paint a more accurate picture of all the essential costs in life. It would help better understand why so many New Yorkers are unable to afford housing or care. This would stand in contrast to existing federal guidelines, which do not factor those costs in, and under which a family of four in NYC can be above the federal “poverty line” of \$26,500 but also be unable to afford housing.

The Commission hopes that True Cost of Living would help humanize New Yorkers without housing or insurance because it would shed light on an economic system that keeps them from financial independence.

### *Will these ballot measures mean that white communities will be ignored by government?*

The Commission’s entire purpose with the ballot measures is to ensure no community is ignored, whether the people in it are white or BIPOC. That is why the Commission designed this infrastructure carefully to look at disparities in outcome across populations. The ballot measure would require the City to strategize to close gaps wherever they find them in the coming decades. Passage of the measure would signal an intention that no community be left behind.

Additionally, it is inaccurate to view this work as zero-sum for communities, i.e., that there must be winners or losers. In fact, the Commission believes that closing disparities improves outcomes for virtually everyone. For example, by closing the wealth, power, and access gap that exists from birth, New York City could create a fairer labor market that more efficiently nurtures and places talent into the right positions. Tackling the vestiges of structural racism would also help all our institutions function better, such as by prioritizing every school—not just a select few—as places of excellence.

### *Are these ballot measures reactionary responses to contemporary issues?*

The ballot measures seek to address a crisis and injustice that long-predates the Commission, the Commissioners themselves, the city’s Charter, and indeed our very own City government itself. In fact, the Commissioners were careful not to focus overly on contemporary news and events, but instead to concentrate on the long-standing sources of those symptoms. These ballot measures offer New Yorkers a way to do the same. The Commission encourages New Yorkers to decide whether to adopt the Commission’s proposal to transform the root causes as way to remedy contemporary harms, an opportunity which has never before occurred.

*Where is community voice reflected in these measures, and is this yet another top-down approach?*

Ballot Measure #2, creating a Commission on Racial Equity, is intended to bring community voices directly into the decision-making process, by having them submit priorities for inclusion in the Racial Equity Plans, and then to publicly review the Plans and collected data for success or failure. This is vital because New Yorkers do not often enough have direct say in government planning. The proposed Commission was also designed to be reflective of different types of diversity across the city, and to not be captive to any one elected official.

Admittedly, some aspects of the ballot measures were a top-down approach by the Racial Justice Commissioners designing and drafting these measures, though they made strenuous efforts to have the proposals reflect the input and testimony of New Yorkers themselves at public events and in virtual testimony. The ballot measures represent a rigorous attempt to address issues of concern raised directly by New Yorkers, perhaps to greater extent than any past Charter Revision Commission, conducted by Commissioners who themselves have worked at the grassroots level and have lived experience. And, they offer New Yorkers an unprecedented opportunity to vote up or down changes to the foundation of government.

*Will focusing on racial equity lead to an increase in crime and decrease in public safety?*

All communities want to feel safe, as expressed to the Racial Justice Commission. This desire is at the foundation of the ballot measures. New Yorkers testified to the Commissioners that they want their neighborhoods to be free from crime. Many also said that they feared for their safety from police intimidation and mistreatment. They testified that they wanted to be able to move freely between neighborhoods without fear. In a recent qualitative study, New York City residents themselves defined safety as community connection, economic security and freedom from systematic disinvestment, and community power and ownership.<sup>21</sup> By focusing on racial justice and equity, the City can implement a more comprehensive vision of public safety that better addresses upstream causes.

As an example, take the fact that NYC spends \$556,539 on average each year to incarcerate a person, the vast majority of whom are awaiting trial and innocent until proven guilty.<sup>22</sup> In part, this extreme cost per detainee is higher because NYC has significantly reduced its jail population over the past three decades, as well as significant pension and medical care costs. However, a recent review of the academic research found incarceration fails on average to reduce future likelihood of committing crime.<sup>23</sup> In fact, the reviewers found that incarceration has a criminogenic effect, meaning that when the government incarcerates a person it actually increases slightly on average the chance they will commit further crime compared to similarly situated persons.<sup>24</sup> With an equity and justice-focused public safety framework, the City could improve public safety by diverting an appropriate amount of jail spending into social service and health: a recent

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<sup>21</sup> Buxton, Marshall, et al. Measuring Community Safety in NYC Safety and Thriving in NYC. National Innovation Service, 2021. Available at <https://www.safetymetrics.nis.us/>.

<sup>22</sup> NYC Department of Correction, FYs 2011-21 Operating Expenditures, Jail Population, Cost Per Incarcerated Person, Staffing Ratios, Performance Measure Outcomes, and Overtime. New York City Comptroller, 2021.

<sup>23</sup> Petrich, Damon M., et al. "Custodial Sanctions and Reoffending: A Meta-Analytic Review." *Crime and Justice*, vol. 50, no. 1, 22 Sept. 2021, 10.1086/715100.

<sup>24</sup> *Id.*

## **Are the Ballot Measures Sufficiently Extensive? — True Cost of Living**

study found higher social service and health spending were associated with lower state levels of homicide, for example.<sup>25</sup>

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<sup>25</sup> Sipsma, Heather L, et al. “Spending on Social and Public Health Services and Its Association with Homicide in the USA: An Ecological Study.” *BMJ Open*, vol. 7, no. 10, 12 Oct. 2017, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC5652551/>, 10.1136/bmjopen-2017-016379.

# Appendix: November 2022 NYC Ballot Measure Abstracts

Included for reference here are the official NYC Ballot Measure Abstracts, which summarize the questions that New Yorkers will vote on in November 2022.

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## BALLOT MEASURE #1 ABSTRACT

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# Add a Statement of Values to Guide Government

This proposal creates a preamble to the New York City Charter.

A preamble is a statement at the beginning of a legal document that explains its purpose or goals. The New York City Charter does not currently have a preamble. Adding a preamble would allow New Yorkers to adopt a vision and statement of foundational values intended to guide City government in fulfilling its duties.

The preamble to the New York City Charter would read:

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## PREAMBLE

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*We, the people of New York city, declare that our city is a multiracial democracy, and that our diversity is our strength. We honor and respect the cultures, languages, and histories of all who call and have called this land home, and we celebrate their revolutionary imagination, courage, and resiliency.*

*We strive to be a city where the value, talents, and contributions of every New Yorker are recognized and embraced, and where equity and inclusiveness, community empowerment, accessibility, and opportunity for every New Yorker are the unwavering standards to which we are held accountable in all aspects of governance, business, and service delivery.*

*We endeavor to ensure that every person who resides in New York city has the opportunity to thrive with:*

*(i) A safe, healthy, and sustainable living environment;*

*(ii) A resilient neighborhood served by quality and accessible infrastructure and services as well as a robust local economy;*

*(iii) Vibrant and welcoming public spaces throughout New York city, where everyone belongs and can move freely;*

*(iv) Resources necessary to prosper economically and build wealth;*

*(v) Safe, secure, and affordable housing;*

*(vi) Quality and culturally-relevant child and youth supports, including early childhood and pre-kindergarten through twelfth grade education;*

*(vii) Compassionate and culturally-responsive health, trauma, and mental health care;*

*(viii) Access and opportunity to participate meaningfully in government decision-making; and*

*(ix) Humane, empathetic, and respectful treatment.*

*We recognize that New York city sits on the traditional territories of the original inhabitants, the Lenape, and we endeavor to honor their stewardship of the land by protecting our environment and all living things.*

*We acknowledge the grave injustices and atrocities that form part of our country's history, including the forced labor of enslaved Africans, the colonialism that displaced Indigenous people from their lands, the devaluing and underpaying of immigrant workers, and the discrimination, racial segregation, mass incarceration, and other forms of violence and systemic inequity that continue to be experienced by marginalized groups, including, but not limited to, Black, Indigenous, Latinx, Asian, Pacific Islander, Middle Eastern, and other People of Color, women, religious minorities, immigrants, people who are LGBTQ+, and people with disabilities. We also recognize that these systemic injustices are at the foundation of so many of society's structures and institutions, and have caused profound physical, emotional, social, and psychological harm and trauma to individuals, families, and communities. They have also resulted in widespread loss of economic opportunity and intergenerational wealth. The effects of these harms are deeply engrained, systemic, and continuing. We are ever mindful that vigilance is required to prevent the recurrence of past or worsening of continuing harms. We must act intentionally to remedy these past and continuing harms and to reconstruct, revise and reimagine our foundations, structures, institutions, and laws to promote justice and equity for all New Yorkers.*

*The collective values set out in this preamble will guide the operation of our city government and inform and shape how the city carries out the duties, obligations, and authorities, and upholds and protects the rights set out in the charter.*

*We, the people of New York city, united in our resolve to build a just and equitable city for all, recognize the efforts of those New Yorkers, past and present, who fought for racial equity and social justice, honor the contributions of those New Yorkers who have suffered in the name of freedom, and acknowledge all who fought, struggled, and dreamed for a better life and a better city. Together, we stand on their shoulders as we move boldly toward a brighter tomorrow for ourselves, our children, and future generations.*

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The proposed preamble would be used to guide City agencies and officials in carrying out their duties related to planning, program reviews and audits. It would not create a direct or indirect right of action to enforce its terms or the terms of any other provision of law. It would take effect upon certification that the electors have approved such amendments to the Charter.

## BALLOT MEASURE #2 ABSTRACT

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# Establish a Racial Equity Office, Plan, and Commission

This proposal would create an Office of Racial Equity, require a citywide Racial Equity Plan every two years, and create a Commission on Racial Equity to represent communities' needs and publicly review the citywide Racial Equity Plan. Racial equity means the achievement of equity with a particular emphasis on race and intersecting characteristics and includes a process of closing gaps in wellbeing between racial groups, with the purpose of greater equity for all.

New York City's government does not have an agency that specifically focuses government on creating and promoting equity, with an emphasis on racial equity. This proposal establishes a framework for planning and evaluating City government efforts to advance equity.

## Office of Racial Equity

The proposed amendment would create an Office of Racial Equity, led by a Chief Equity Officer appointed by the Mayor, at the level of agency head or deputy mayor. The Office would be available to work with every City agency to train and provide technical assistance on racial equity. Every two years, each City agency, with guidance from the Office of Racial Equity, would develop an agency Racial Equity Plan. The Office would incorporate the agency Racial Equity Plans into a citywide Racial Equity Plan. The Office would establish standards for agencies regarding the collection and reporting of data to measure gaps and differences in wellbeing at the level of racial, ethnic, or other groups and communities. The Office of Racial Equity would identify "priority neighborhoods" to be highlighted in Racial Equity Plans based on identified disparities in equity, health, or socioeconomic burdens, or the neighborhood's potential to be disproportionately impacted by future events that could exacerbate those disparities.

In addition to its role in the Racial Equity Plan development process, the Office of Racial Equity would establish a Citywide Access Design program to increase equitable access and reduce barriers to City programs, services, communications, and decision-making. The Office of Racial Equity would also support agencies in prioritizing the development and implementation of policies and practices to address "marginalization" of individuals or communities, which could include work to limit the use of criminal history and background checks, establish alternatives to punitive enforcement, improve equitable hiring and promotion within the City's workforce, create equitable distribution of resources across neighborhoods, and reduce or eliminate wage or occupational segregation.

The proposal would also codify the Taskforce on Racial Inclusion and Equity, which was created in 2020. Under this proposal, the Taskforce on Racial Inclusion and Equity would be located within the Office of Racial Equity and be headed by one or more chairpersons appointed by the Chief Equity Officer in consultation with the Mayor and other members appointed by the Chief Equity Officer in collaboration with their employing agencies. The Task Force on Racial Inclusion and Equity would provide policy advice to the Chief Equity Officer and coordinate governmental efforts to increase racial equity.

## **Racial Equity Plan**

The proposed amendment would require the Mayor to create a citywide Racial Equity Plan and agencies to create agency Racial Equity Plans every two years. The citywide Racial Equity Plan and the agency Racial Equity Plans, as described above, would identify and communicate publicly the goals and strategies, both short and long term, for improving racial equity and justice. The Plans would also have data indicators, including neighborhood-level metrics, to measure the extent of progress on racial equity work and show the effect the work is having on wellbeing and disparities. That progress would be included in a biennial progress report. The racial equity planning schedule is structured to inform the budget planning process.

## **Timeline and Schedule**

A draft of the first Plan would be delivered no later than January 16, 2024, with the final plan delivered no later than April 26, 2024, along with the Mayor’s preliminary and executive budgets. The short-term strategies would address the upcoming two fiscal years. The first full progress report would occur in September 2026. This timeline is designed to encourage agencies to put together their equity strategies while they are putting together their budgets, and in doing so, allow those equity strategies to inform both the expense and capital budgets.

## **Commission on Racial Equity**

The proposed amendment would create a Commission on Racial Equity composed of 15 residents of New York City, intended to bring the perspectives of New York City communities into the decision-making process. The Commission would identify and propose community priorities to inform the racial equity planning process, and review and publicly comment upon agency and citywide Racial Equity Plans, including what data should be collected. The Commission would also publicly track agency compliance with the racial equity planning process, and could receive complaints about agency conduct that may be exacerbating racial disparities.

## **Commissioners**

The Commission would be led by a chair who is jointly appointed by the Mayor and City Council Speaker. The Mayor would appoint seven commissioners. Five commissioners would be appointed by the City Council Speaker, with a representative from each borough. One commissioner would be appointed by the Comptroller, and one commissioner would be appointed by the Public Advocate. One Mayoral appointee and one City Council Speaker appointee would be required to represent the perspectives and concerns of New Yorkers under the age of 25.

In making appointments, each elected official would be required to consider, among other considerations, appointees who are representative of, or have experience advocating for, people who are Black, Latinx, Indigenous, Asian, Pacific Islander, Middle Eastern, and all People of Color; immigrants, people with limited English proficiency, people with disabilities, students, youth, elders, people who are LGBTQ+, people who are justice-involved, recipients of public benefits, residents of public housing, and others. People who have expertise in racial equity or racial justice shall also be considered.

## BALLOT MEASURE #3 ABSTRACT

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### Measure the True Cost of Living

This proposal will require City government to develop and report, beginning in 2024, an annual “true cost of living” measurement of what it costs to live in New York City without consideration of public, private, or informal assistance. The proposed measurement is intended to focus on dignity rather than poverty, by considering the cost of meeting essential needs including, but not limited to, housing, childcare, child and dependent expenses, food, transportation, healthcare, clothing, general hygiene products, cleaning products, household items, telephone service, and internet service. The “true cost of living” measurement would be reported in addition to standards that are used to measure poverty or set eligibility for public benefits. It would not create a direct or indirect right of action.