

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL RIGHTS

----- X

MAY 3, 2016

Start: 1:34 PM

Recess: 1:45 PM

HELD AT: 250 BROADWAY-COMMITTEE ROOM, 16TH FL

B E F O R E: DARLENE MEALY
CHAIRPERSON

COUNCIL MEMBERS:

DANIEL DROMM

MATHIEU EUGENE

ANDY L. KING

RAFAEL SALAMANCA, JR.

A P P E A R A N C E S (CONTINUED)

2 CHAIR MEALY: Good afternoon we are about
3 to start this Committee on Civil Rights. I'm Darlene
4 Mealy, I am the Chair of the New York City Council
5 Committee on Civil Rights. I'd like to introduce the
6 other members of the Council who have joined us this
7 afternoon. Council Member King, Council Member
8 Dromm, Council Member Mathieu Eugene. Today the
9 Committee on Civil Rights will vote on resolution
10 1000. A resolution recognizing March 5th as Three
11 Fifths Clause Awareness Day to be officially observed
12 each year in New York City and proposed resolution
13 1001A, a resolution calling upon Congress to add an
14 amendment to the Constitution of the United States
15 directly negating the language of article 2,
16 paragraph 3 known as the Three Fifths Clause. Both
17 of these resolutions are sponsored by Council Member
18 King. We've received a lot of positive feedback on
19 these resolutions at our hearing on April 18th and we
20 are proud to move forward with taking the steps to
21 secure a long lasting negative effects on the Three
22 Fifths Clause. Thank you Council Member King for all
23 the leadership and efforts you have put into this
24 legislation. I'd like to also thank the advocates
25 who testified on these two resolutions. Finally I

2 want to thank you to the Civil Rights Committee staff
3 or their hard work; Alesha Brown, Council to the
4 Committee and to Ms. Casey Addison, Policy Analyst in
5 the Government Affairs division. Now we will turn
6 this Council, we will turn it over to Council Member
7 King who Sponsored these resolutions that we will be
8 voting on today and just thank you for all hard work
9 you have done on this legislation and make sure that
10 people understand that and March 5th can become a day
11 that we all will recognize. I turn it over to
12 Council Member King.

13 COUNCIL MEMBER KING: Thank you Chair
14 Mealy. I want to first thank you for hearing the
15 conversation that I've had with you and the rest of
16 the Council Member in regards to importance of
17 understanding history. I want to thank the Committee
18 and Council Alesha Brown, Alesha Brown I get it right
19 as well and Casey Addison. After a number of
20 conversations of verbiage and understanding the law
21 as it pertains to the United States Constitution.
22 The Constitution which was founded and put together
23 for the delegates in the 1787 convention, there was a
24 determination of how we treat all of humans at that
25 time and at that point the slave in America which we

2 know over 90% was the black in America was considered
3 3/5 of a human being for... for the goal of taxation
4 and but more importantly to get representation
5 throughout the union and Washington but still that
6 same language today that call that black in America
7 3/5 of a human being I really believe the philosophy
8 in all of its legacy from this language is still
9 prevalent today on how policy is shaped, how finance
10 are delivered or just how the relationship between
11 human beings are at an existence. Some at a good
12 rate, some at a horrible rate and I think that in
13 order for us to fix it we have to tackle the root of
14 the virus and I believe the cancer of bad rate
15 relationships between anybody in the black community
16 because it is the black. I don't want anybody to get
17 confused that slavery even though there were some
18 people who were involved in slavery that might have
19 been non-black. The majority of slaves were black,
20 just like the holocaust belong to the Jew, no one
21 can't claim slavery other than the black in America.
22 So I don't want anybody to get confused that this
23 language that this resolution that I'm calling on the
24 Three Fifths Clause Awareness today is just to remind
25 everybody of the history of America and that the

2 Three Fifths conversation our children in schools
3 need to understand it. Need to understand that the
4 Emancipation Proclamation didn't free the slaves but
5 it was the 13th amendment that made slavery illegal
6 but however, unless you are still incarnated you are
7 a slave and that the 14th amendment gave blacks who
8 are if you were born in this Country, it a gave you
9 the power and the protection and the privileges under
10 the Constitution and the 15th amendment gave blacks
11 the right to vote. All of these amendment have
12 superseded the Three Fifths Clause compromise but not
13 out of all three of them, none of them have ever
14 addressed to saying that that slave that was
15 considered 3/5 is considered a whole person so I am
16 truly grateful and thankful that today we've had
17 this... were having this vote today, I'm thankful and
18 grateful of the conversation that we've had the
19 hearing on the 18th and those who testified to
20 understanding that in order for a progressive society
21 claims as truly progressive that the root of it's
22 founding piece of paper should be reflective of how
23 we have transformed and move or society forward and
24 in any language that negates our ability to so should
25 be stricken from the record or at least there should

2 be conversation that amends it and that's what I'm
3 asking for and I'm asking Congress to amend the
4 United States Constitution to negate any language of
5 the Three Fifths compromise by saying that the black,
6 that slave is 100% whole, so Council Member and Chair
7 Mealy I want to thank you and all my colleagues today
8 who are for the vote, understanding how important
9 this piece of legislation is not only just to the
10 black community but to making all United States whole
11 and I urging everyone... everyone here today to vote
12 yes. Thank you again Madam Chair.

13 CHAIR MEALY: Do any of my colleagues
14 have any statements.

15 COUNCIL MEMBER DROMM: Thank you very
16 much Chair Mealy and thank you Council Member King
17 for this wonderful piece of legislation and you know
18 the hearing that we've had a couple of weeks ago I
19 guess it was now, I found it to very educational and
20 informative. You know I'm ashamed to say almost that
21 I was a Social Studies Teacher and did not know too
22 much about the Three Fifths Amendment and can't
23 really recall actually introducing it in my classroom
24 at that time. So by having this resolution I think
25 it highlights a piece of history that the world

2 should also be ashamed of and at the hearing you know
3 I raised the question about why can't the language be
4 stricken from the constitution and then I went
5 upstairs and spoke to my staff attorney and realized
6 you can't just strike things from the constitution
7 United State of America, so adding the words to
8 negate it I think is very purposefully but it also
9 serves as purpose that the language is let there so
10 that we can continue to educate people about the
11 history of the struggle of African Americans in this
12 Country and I am a true believer in that those who
13 forget history are doomed to repeat it and so having
14 that piece in there may serve that purpose well so
15 that we never again repeat this phase in American
16 History in our lives or any lives of any Americans in
17 the future, so thank you for this legislation, thank
18 you... thank you Chair Mealy, Alesha Brown too, thank
19 you for all your work on this... on this effort.

20 CHAIR MEALY: Thank you we've been joined
21 by Salamanca who is part of this Committee
22 (inaudible). Ok and I concur with you that we will n
23 ever forget and I'm have the clerk do the roll call.

24 COMMITTEE CLERK: Committee Clerk,
25 Matthew DeStefino, Committee on Civil Rights, roll

2 call on resolution 1000 and resolution 1000A, Chair
3 Mealy.

4 CHAIR MEALY: I vote aye on this historic
5 legislation and I hope our young people realize and
6 go look it up and see exactly what the law saying in
7 this Constitution of United States of America in the
8 21st Century. So I'm honored and thank you Council
9 Member King for taking a lead on this and being bold
10 about it. Everyone... some people really saying they
11 really don't want to be associated with this
12 legislation but it is what it is. It's black and
13 white, it's in the amendment and it's in the
14 constitution and it haven't changed so my colleague,
15 thank you. If we don't, people will forget their
16 history so I'm kind of glad it will stay there for a
17 minute that people can look it up and make sure that
18 they never forget and never repeat, so I vote aye on
19 this great legislation, thank you.

20 COMMITTEE CLERK: Eugene.

21 COUNCIL MEMBER EUGENE: May I explain my
22 vote. I just want to commend the Chair Mealy for
23 your leadership and I want to thank the Council King
24 also for this wonderful piece of legislation, this is
25 history and I thank it is not about slavery or slave

2 (inaudible) it is about human dignity and human right
3 and I thank you have corrected a big, big, big you
4 know mistake and we done in this history, history you
5 cannot, there's nothing we can do about that, this
6 that will bring something that everybody, everyone
7 who got this other ethnicity and ethnic background
8 and faith and religion should be proud of those
9 (inaudible) America another dimension and then when
10 we see that all men are created in our equal, this
11 piece of legislation you know is a monumental,
12 historic in a piece and I think that you know this is
13 a wonderful thing I'm proud to vote yes and thank you
14 Council Member King, thank you.

15 COMMITTEE CLERK: Dromm.

16 COUNCIL MEMBER DROMM: I'd like to ask
17 that I be added as a co-sponsor if I haven't done
18 that already and to also vote yes.

19 COMMITTEE CLERK: King.

20 COUNCIL MEMBER KING: Before I vote I
21 just want add to the record that I am not 3/5 of a
22 human being, I'm 100% whole and if anyone ask you if
23 you are 100% whole, that will remind you that Jesus
24 doesn't make any mistakes and I vote aye.

25 COMMITTEE CLERK: Salamanca.

2 COUNCIL MEMBER SALAMANCA: I vote aye on
3 all and I want to congratulate Council Member King on
4 number one educating myself and my family on this and
5 thank you for really speaking out in terms of
6 addressing something that many of us did not know
7 that really existed there so I congratulate you on
8 your hard work.

9 COMMITTEE CLERK: By a vote of 5 in the
10 affirmative, 0 in the negative and no abstentions,
11 the resolutions have been adopted.

12 CHAIR MEALY: I want to thank all my
13 colleagues for being here today and just imagine some
14 of our congressional districts would change if the
15 put this law correctly. It goes so far back that if
16 we count we would get some of these congressional
17 sits back also, so with no further due, thank you for
18 this legislation, thank you colleagues and this City
19 of Civil Rights Committee is adjourned.

20 [gavel]

21

22

23

24

25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date May 10, 2016