



Legislation Text

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Int. No. 279-A

By Council Members Louis, Williams, Hudson, Brooks-Powers, Ossé, Rivera, Cabán, Avilés, Won, Krishnan, Restler, Riley, Narcisse, Salaam, Hanif, Nurse, Stevens, Sanchez, Dinowitz, Marte, Bottcher, Banks, Farías, Gutiérrez, Joseph, De La Rosa, Mealy and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to studying the impacts of slavery and its legacies in New York city and recommending potential reparative measures for resulting harms

Be it enacted by the Council as follows:

Section 1. Title 34 of the administrative code of the city of New York, as added by a local law for the year 2024 amending the administrative code of the city of New York, relating to the creation of a truth, healing, and reconciliation process, as proposed in introduction number 242-A, is amended by adding a new chapter 3 to read as follows:

CHAPTER 3

STUDY ON REPARATIONS

§ 34-301 Study on reparations related to slavery and its legacies. a. Purpose of study. CORE, in consultation with the office of racial equity, shall conduct a study of the role of the governing bodies and agencies of the city of New York in perpetrating or perpetuating historical and ongoing impacts of slavery and its legacies and recommend reparative measures for affected individuals or communities in New York city. Such recommendations may include, for example, provision of services to redress rights violations, such as medical and psychological care, legal or social services, or remediation of environmental hazards; measures to stop ongoing rights violations and prevent their recurrence; financial or in-kind restitution; compensation for moral or economically assessable damage; and symbolic measures such as truth-finding commissions, public apologies, judicial and administrative processes, memorials, and commemorations.

b. Methodology. CORE, in consultation with the office of racial equity, shall conduct the study on reparations related to slavery and its legacies, with consideration for racial equity frameworks, in accordance with the following methodology:

1. Document and quantify, to the extent feasible, the impacts of slavery and its legacies in the city of New York using relevant historical and present-day evidence, including by collecting and analyzing statistical information and other quantitative data, narrative accounts and other qualitative data, laws, public policies, and economic policies and outcomes;

2. Apply federal and state constitutional and statutory frameworks as well as international human rights frameworks to identify rights violations that have previously occurred or are presently occurring as a result of slavery and its legacies;

3. Identify the scope of harms resulting from the rights violations identified pursuant to paragraph 2 of this section;

4. Recommend legal and policy mechanisms and measures, funding sources, and other resources or tools that could help to remedy violations or provide redress for the harms and rights violations identified pursuant to paragraph 3 of this section, taking into account the nature, extent, and gravity of identified violations, the role of New York city, if any, in perpetrating or perpetuating such violations, the flexibility of proposed mechanisms and measures to address the diverse needs and priorities of the persons or communities to which reparative measures would be addressed, and the feasibility of implementing such reparative measures;

5. Propose criteria for determining which persons or communities might be eligible to receive reparations related to slavery and its legacies via the mechanisms and measures identified pursuant to paragraph 4 of this section; and

6. Propose ways to address foreseeable challenges, including legal, political, administrative, or financial challenges, to assigning and administering any remedy or reparative measure identified pursuant to this section.

c. Special inquiries. 1. Special inquiries authorized. In carrying out its duties pursuant to this chapter, CORE may conduct or cause to be conducted relevant research on public and non-public city records, including retrieval of relevant historical documents or interviews with persons with relevant knowledge or experience.

2. Support for special inquiries. Pursuant to CORE's request, city agencies shall provide appropriate staff and resources to facilitate and support any reasonably defined inquiry authorized by this section.

d. Timeline and reporting. CORE shall conduct its work, and submit and publish 3 progress updates, according to the following schedule:

1. Expert selection and first progress update. No later than July 1, 2025, CORE shall submit to the mayor and the speaker of the council and publish on CORE's website a written update regarding the progress made in identifying persons with expertise, as required by section 34-302 and summarizing the qualifications of such persons. Such persons shall commence the study required by section 34-301 no later than July 1, 2025;

2. Progress report on research. No later than January 1, 2027, CORE shall:

(a) Undertake comparative research to learn about reparations efforts, experiences, and lessons learned in other jurisdictions, including jurisdictions within and outside the United States;

(b) Hold at least 3 public meetings highlighting CORE's work pursuant to this chapter and soliciting input from stakeholders, including the general public; and

(c) Submit to the mayor and the speaker of the council and publish on CORE's website a written progress update on CORE's activities pursuant to this paragraph, including a summary of best practices identified from other jurisdictions, input received during public meetings, and coordination efforts undertaken pursuant to section 34-303.

3. Final report and recommendations. No later than July 1, 2027, CORE shall submit to the mayor and the speaker of the council and publish on CORE's website a written update on its findings and recommendations pursuant to subdivisions a and b of this section, and a summary of all coordination efforts undertaken pursuant to section 34-303.

e. Use of personally identifiable information. CORE may satisfy the requirements of this section using information and analysis relating to groups of people or geographic areas, without including personally identifiable information about individual members of the public. If CORE includes personally identifiable information in its published findings, it shall first obtain the informed consent of any persons whose information is to be included.

§ 34-302 Expertise required. The study required by section 34-301 shall be conducted by persons who collectively have demonstrated expertise in the following subjects: constitutional law, New York state or municipal law, history, econometrics, international human rights law, urban planning, anthropology or sociology, and racial equity. To the extent feasible, such persons shall also have expertise in health, housing, banking and financial systems, taxation, criminal justice and policing, education, and collective or historical trauma.

§ 34-303. Coordination. a. Truth and reconciliation process. The chair shall coordinate and harmonize work undertaken pursuant to this chapter with truth and reconciliation work undertaken pursuant to chapter 2 of this title, including with regard to the following, as applicable:

1. Expert selection criteria pursuant to section 34-302;
2. Public engagement and consultation with community stakeholders, including with respect to public outreach, meetings, interviews, and hearings conducted pursuant to subdivision c of section 34-201, section 34-204, and subparagraph (b) of paragraph 2 of subdivision d of section 34-301;
3. Research methodology, analytical frameworks, and topics selected pursuant to section 34-202 and subdivision b of section 34-301;
4. The collection and inclusion of public testimony in research and reports produced pursuant to this chapter and chapter 2 of this title; and
5. The preparation and presentation of interim reports, key findings, and final recommendations pursuant to sections 34-201 and 34-301.

b. New York State community commission on reparations remedies. In undertaking work pursuant to this chapter, the chair shall coordinate with the New York state community commission on reparation remedies established pursuant to section 3 of chapter 729 of the laws of 2023.

§ 34-304. Monitoring of follow-up measures. In carrying out its duties pursuant to subdivision i of section 3404 of the charter of the city of New York, CORE shall consider the extent to which the findings and recommendations contained in the final report submitted pursuant to paragraph 3 of subdivision d of section 34-301 have been taken into account or implemented.

§ 34-305. Legal import. Findings pursuant to this chapter shall not constitute or replace a determination by a court of law or other governmental body.

§ 2. This local law takes effect on the same date as a local law for the year 2024 amending the administrative code of the city of New York, relating to the creation of a truth, healing, and reconciliation process, as proposed in introduction number 242-A.

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