

# Example #2 – An Act to Establish the Office of Racial Equity and Social Justice in New York State

**Bill No.:** A10319

**URL:** [https://nyassembly.gov/leg/?default\\_fld=&leg\\_video=&bn=A10319&term=2019&Summary=Y&Actions=Y&Memo=Y&Text=Y](https://nyassembly.gov/leg/?default_fld=&leg_video=&bn=A10319&term=2019&Summary=Y&Actions=Y&Memo=Y&Text=Y)

**Title:** An act to amend the executive law, in relation to establishing the office of racial equity and social justice

**Short Text:** The purpose of this bill is to create an Office of Racial Equity and Social Justice.

**Summary of Specific Provisions:** The legislation would add a new article 15-D to the executive law. Section one provides definitions and outlines the functions of the Office of Racial Equity and Social Justice. The Official of Racial Equity and Social Justice would: Serve as the official state planning and coordinating office for changes in policy, practice and allocation of state resources so that racial or social justice constructs do not predict an individual's success; Establish, oversee, manage, coordinate and facilitate the development of the state's racial equity and social justice action plan; Facilitate racial equity and social justice training for all state employees; Advise and assist the state agencies developing policies, plans and programs for improving racial equity and social justice; Perform racial equity and social justice reviews and make recommendations for improving management and program effectiveness pertaining to racial equity and social justice, including an annual racial equity and social justice impact statement, which shall accompany the Executive Budget; and Establish, oversee and manage racial equity and social justice advisory committee. Section two establishes the effective date.

**Justification:** This bill would create a new office within the Executive Branch called the Office of Racial Equity and Social Justice. Although the Executive and Legislature may take actions to acknowledge or support racial equity and social justice, there is not a central entity within state government specifically created to further this critical goal. Decisions made by agencies throughout the government can have an enormously positive or detrimental effect on either reducing or exacerbating disparities that already exist. Sometimes by design, but more often unintentionally, actions by the state government have a direct impact on health, educational, and socioeconomic disparities. This legislation creates a mechanism within state government to ensure race or social justice constructs do not predict an individual's success, while also improving opportunities and outcomes for all people. Local jurisdictions, such as King County, Washington and Montgomery County, Maryland, have established offices focusing on Equity and Social Justice. This legislation would put the state of New York at the forefront of addressing systemic racism, inequality, and disparities nationwide.

# High Road-21 Policy Checklist

Pillar	Question	Yes	No	Not Sure or N/A	Justification for Answer
<b>Anti-Racist</b>	Does this proposal eliminate one or more existing sources of inequity between population groups, particularly with respect to race, ethnicity, gender, ability, sexual orientation, or social class?	X			The proposed Office of Racial Equity and Social Justice calls on the State to develop and implement a racial equity action plan. The Act also requires that all State employees participate in racial equity and social justice training
<b>Reparative/ Restorative</b>	Does this proposal create one or more mechanisms to redress harms done by policies or institutions responsible for producing or sustaining patterns of inequity in the human population?			X	There is explicit recognition that existing “state government actions” exacerbate racial and socioeconomic disparities, whether by design or unintentionally. However, the proposal does not articulate how or if populations harmed by those actions would receive amends.
	Does this proposal create one or more mechanisms to repair or enhance ecological systems that have been degraded as a result of extractive patterns of human production and consumption?			X	
<b>Cooperative/ Solidaristic</b>	Does this proposal create new or build on existing mechanisms that advance cooperation and trust among diverse members of society, in ways that contribute to the sustainable management of our democratic society?	X			The proposal’s requirement that State employees undergo social justice and racial equity training suggests that State government will become more culturally competent and build more bridges between diverse members of the New York State population.
	Does this proposal create new or build on existing mechanisms that advance cooperation between humans and nonhuman species, in ways that contribute to the sustainable management of our planet’s ecological systems?			X	
<b>Prefigurative</b>	Will this proposal use available resources to create meaningful change in the here-and-now? (Note: this question concerns <i>outcomes</i> , not <i>outputs</i> like task forces or feasibility studies. If the policy concerns <i>outputs</i> , choose “N/A”)	X			The Act would create a new government institution specially designed and equipped to identify and correct racial and socioeconomic inequities.

**Instructions:** Answer these six questions, individually or as part of a group, to evaluate public policy proposals. Succinctly justify your response to each question. In ideal circumstances, the tool can be used to evaluate public policy proposals in deeply inclusive, participatory processes. For example, in facilitated sessions, advise all participants to complete the checklist to the best of their abilities. Have facilitators collect completed checklists and tally the results. Report the summed totals of “Yes”, “No”, and “Not Sure or N/A” responses back to the group. Then, follow the High Road-21 Policy Decision Tree, available at <http://highroad-21.org>, to finish the evaluation and discuss next steps.

# High Road-21 Policy Checklist

Pillar	Question	Yes	No	Not Sure or N/A	Justification for Answer
<b>Anti-Racist</b>	Does this proposal eliminate one or more existing sources of inequity between population groups, particularly with respect to race, ethnicity, gender, ability, sexual orientation, or social class?			X	
<b>Reparative/ Restorative</b>	Does this proposal create one or more mechanisms to redress harms done by policies or institutions responsible for producing or sustaining patterns of inequity in the human population?			X	
	Does this proposal create one or more mechanisms to repair or enhance ecological systems that have been degraded as a result of extractive patterns of human production and consumption?			X	
<b>Cooperative/ Solidaristic</b>	Does this proposal create new or build on existing mechanisms that advance cooperation and trust among diverse members of society, in ways that contribute to the sustainable management of our democratic society?			X	
	Does this proposal create new or build on existing mechanisms that advance cooperation between humans and nonhuman species, in ways that contribute to the sustainable management of our planet's ecological systems?			X	
<b>Prefigurative</b>	Will this proposal use available resources to create meaningful change in the here-and-now? (Note: this question concerns <i>outcomes</i> , not <i>outputs</i> like task forces or feasibility studies. If the policy concerns <i>outputs</i> , choose "N/A")			X	

**Instructions:** Answer these six questions, individually or as part of a group, to evaluate public policy proposals. Succinctly justify your response to each question. In ideal circumstances, the tool can be used to evaluate public policy proposals in deeply inclusive, participatory processes. For example, in facilitated sessions, advise all participants to complete the checklist to the best of their abilities. Have facilitators collect completed checklists and tally the results. Report the summed totals of "Yes", "No", and "Not Sure or N/A" responses back to the group. Then, follow the High Road-21 Policy Decision Tree, available at <http://highroad-21.org>, to finish the evaluation and discuss next steps.

## High Road-21 Policy Tally Sheet

**Total of “Yes” Responses:**

3

**Total of “No” Responses:**

0

**Total of “Not Sure or N/A” Responses:**

9

**Total Number of Completed Checklists:**

2

<http://highroad-21.org>

## **Selected “Pro” Comments:**

“...calls on the State to develop and implement a racial equity action plan.”

“...State government will become more culturally competent and build more bridges between diverse members of the New York State population.”

“...would create a new government institution specially designed and equipped to identify and correct racial and socioeconomic inequities.”

## **Selected “Con” Comments/Concerns:**

“...explicit recognition that existing ‘state government actions’ exacerbate racial and socioeconomic disparities, whether by design or unintentionally. However, the proposal does not articulate how or if populations harmed by those actions would receive amends.”