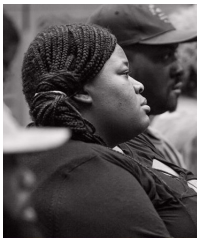
BLACK NEW YORKERS ON THEIR EXPERIENCES WITH ANTI-BLACK RACISM



NYC Commission on Human Rights

Bill de Blasio,
Mayor

Carmelyn P. Malalis,
Chair and Commissioner

STRENGTH IN NUMBERS
CONSULTING GROUP

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This report was authored by the New York City Commission on Human Rights based on research led by Tracy Pugh, who served as Special Project Partner at Strength in Numbers Consulting Group, Inc.

About the New York City Commission on Human Rights

The New York City Commission on Human Rights (the "Commission"), led by Chair and Commissioner Carmelyn P. Malalis, is the City agency responsible for enforcing the New York City Human Rights Law (the "City Human Rights Law"), one of the most comprehensive anti-discrimination laws in the country. The Law prohibits discrimination in employment, housing, and public accommodations based on race, color, religion/creed, age, national origin, alienage or citizenship status, gender (including sexual harassment), gender identity, sexual orientation, disability, pregnancy, marital status, and partnership status. Interns, whether paid or not, are considered employees under the Law. In addition, the Law affords protection against discrimination in employment based on unemployment status; arrest or conviction record; credit history; caregiver status; status as a victim of domestic violence, stalking, and sex offenses; and sexual and reproductive health decisions. The Law affords additional protections in housing based on lawful occupation, family status, any lawful source of income, and status as a victim of domestic violence, stalking, and sex offenses. The City Human Rights Law also prohibits retaliation, discriminatory harassment, and bias-based profiling by law enforcement.

The Commission has three primary divisions: The Law Enforcement Bureau ("LEB"), the Community Relations Bureau ("CRB"), and the Office of the Chairperson. LEB is responsible for the intake, investigation, and prosecution of City Human Rights Law violations, including those that raise systemic violations. CRB, through borough-based Community Service Centers in all five boroughs, helps cultivate understanding and respect among the City's many diverse communities through pre-complaint interventions, conferences, workshops, and training sessions, among other initiatives. The Office of the Chairperson houses the legislative, regulatory, policy, and adjudicatory functions of the Commission and convenes meetings with the agency's commissioners. If you have experienced or witnessed discrimination, bias, or harassment at work, home, or in public spaces report it to the NYC Commission on Human Rights at (212) 416-0197.

About Strength in Numbers Consulting Group

Strength in Numbers Consulting Group, Inc. (www.sincg.com) is a small MWBE-certified social justice research and evaluation firm located in New York City. Strength in Numbers Consulting Group specializes in working with the most marginalized groups to do participatory research projects driven

by community needs and accountability to those most affected by the work. Tracy Pugh—a Black-identified social science researcher with over ten years of experience investigating various forms of structural stigma and racism—served as Special Project Partner for this effort. Pugh developed the research design and instruments, conducted desk research, led all the key stakeholder interviews and ran each of the focus groups. The Commission is deeply thankful to Pugh as well as to Kevin Montiel for their invaluable hard work and support.

Message from the Chair and Commissioner, Carmelyn P. Malalis

At the Commission on Human Rights, we recognize the important role that research and reporting can play in both directing attention to the human rights challenges that confront New Yorkers and informing strategies for addressing these challenges. In recent years, we have produced reports on the experiences of Muslim, Arab, South Asian, Jewish and Sikh New Yorkers with bias and discrimination, the experiences of New Yorkers with sexual harassment in the work place and the ways in which those who live and work in the city are impacted by pregnancy and caregiver discrimination.

At the Commission, we also recognize the importance of naming the particular role that anti-Black racism has played in the history of the nation and in New York City. History is rife with examples of violence, discrimination and harassment targeted at Black people and communities. We attempt to chart some of that history here. Still, contemporary forms of anti-Blackness are often normalized and, as a result, go unacknowledged by many. In recent years, the work of local advocates for racial justice, the Black Lives Matter movement and others has helped to shift this. Now, as the city and the nation strive to push back against white supremacy and white nationalism, the various forms of hate that spring from them and efforts at division that they produce, understanding the particular nature of anti-Black racism and its persistence is especially crucial. This report represents an initial effort in this direction.

The Commission's own focus on anti-Black racism has been informed by conversations agency staff have had with Black New Yorkers in recent years. These individuals have admired the agency's efforts on behalf of Muslim, Arab, South Asian, Jewish and Sikh New Yorkers. They have cheered the creation of initiatives to better support and increase the visibility of lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities. They have commended recent public hearings that have provided outlets for New Yorkers to speak openly and candidly about their experiences with particular forms of discrimination. And they have emphasized the importance of the Commission centering the experiences of Black New Yorkers and creating opportunities for New Yorkers of African-American, African, Afro-Caribbean and Afro-Latinx heritage to describe their experiences with anti-Black racism in their own words.

Informed by these conversations, the Commission has intensified its efforts to call out anti-Black racism as a threat to human rights in New York City and provide outlets for the city's Black communities to speak to the discrimination and harassment experienced by their families, friends, and neighbors. In 2017 and 2018, for example, the Commission hosted forums in Bedford-Stuyvesant, Harlem and Flatbush examining the connections between gentrification and race-based discrimination. In February 2019, the Commission released groundbreaking, legal enforcement guidance stating that policies barring natural hair and hairstyles associated with Black people constitute race-based discrimination under the New York City Human Rights Law ("City Human Rights Law). Weeks later, the Commission issued a bold, citywide public education campaign, highlighting the connection between the struggle for human rights and the fight against anti-Black racism, referencing incidents in which Black people have been targeted for harassment and discrimination while simply going about day-today activities and signaling that efforts to harass, intimidate or discriminate against Black New Yorkers run counter to the City Human Rights Law. In October 2019, the Commission hosted "400 Years Later: Reckoning with Our Legacy of Slavery and Charting an Anti-Racist Future in New York City," to explore the history of enslavement in what is now New York City and learn from current-day advocates who are challenging anti-Black racism in its various forms. And in 2020, the Commission built upon its work to combat anti-Black racism in New York City with the launch of a Law Enforcement Bureau ("LEB") investigation into an effort to intimidate and harass through the deployment of law enforcement, a practice that draws on a long, violent and painful history.

Fueled by some of the very forms of racism that Black New Yorkers speak to in these pages, the COVID-19 pandemic has had a devastating impact in the city's Black communities. Recognizing the sharp increase in reports of harassment and discrimination connected to the COVID-19 pandemic, the Commission launched its COVID-19 Response Team, comprised of dedicated LEB and Community Relations staff members. It is our intention that this unit as well as a recently launched communications campaign drawing attention to COVID-19 related discrimination and race-based discrimination in health settings are a resource to Black New Yorkers as we confront this crisis. It is clear that the emotional, social and economic toll that the disease has wrought in the city's Black communities will reverberate for years to come, and the Commission is committed to working with its partners in these communities to provide support.

Still, we are well aware that there is much more to do. The findings described in this report have already informed our planned initial next steps, which involve a combination of new enforcement, policy development, public engagement, training and relationship-building approaches that we believe will allow us to deepen our impact where discrimination against Black New Yorkers is concerned. And we hope that those readers who are deeply committed to eliminating anti-Black racism will partner with us on these efforts, helping us to execute these strategies or to identify new

approaches as necessary. We also hope that those for whom the experiences described in this report are unfamiliar and surprising use this as an opportunity to reflect on their own responsibility for addressing racism. How can you push back against racism in your interpersonal interactions, in the communities in which you live and work and in the institutions that you are a part of or that are accountable to you? Overcoming the challenges described in these pages—themselves only a small slice of the challenges confronted by Black communities in New York City—will require commitments that cut across populations and operate at the individual, institutional and structural levels. We are dedicated to being partners in this fight, and we hope we can spur others to do the same.

Executive Summary

The year 2019, marked the 400th anniversary of what is believed to be the arrival of the first enslaved Africans brought by British traders to what is now the United States.[1] While Spanish colonizers had brought enslaved Africans to Florida and other parts of the Western Hemisphere well before this point,[2] August 1619 has come to be regarded as an important milestone in the history of people of African descent in the United States and, beyond that, the history of the nation as a whole. As journalist Nikole Hannah-Jones, who spearheaded the New York Times' 1619 commemorative issue has written, the contributions of Black Americans are not limited to the immense wealth that emerged from centuries of uncompensated labor. Black Americans have also served, largely unrecognized, as the "perfecters" of American democracy.[3]

The role that people of African descent have played in the history of what is now New York City has been no less instrumental. The New York City Commission on Human Rights ("Commission"), along with many city, state and federal offices, sit within what was once known as the African Burial Ground. The memorial marks the oldest and largest known excavated burial ground in North America for both free and enslaved Africans.[4] Starting in roughly 1635, people of African descent, who were not allowed to lay their loved ones to rest at area churches, instead buried them in this six-acre area outside the settlement's limits. It is estimated that the remains of some 15,000 free and enslaved Africans sit within its boundaries.[5]

The history of anti-Black racism in the United States generally and New York City specifically is long and troubled and full of paradoxes. Anti-Black racism has been a consistent feature of our personal lives, our politics, and our public policy over generations. It has shaped and continues to shape our relationships to one another, the opportunities we receive and the outcomes we achieve, and yet it remains on the list of topics most people are uncomfortable discussing. It is a history that has involved startling human rights violations enacted at an astonishing scale—enslavement, sexual assault, family separation, murder with impunity, political disenfranchisement, economic oppression and state-sanctioned and state-sponsored violence. Yet it is a history that we, as a nation, have studiously avoided confronting, despite its deeply ingrained effects.

As the nation and the City reflect on the repercussions of enslavement and the legacy of anti-Black racism that grew from it, this project represents an effort on the part of the Commission to return to the work of challenging anti-Black racism, work that was central to its founding. Our aim is to examine the role that anti-Black racism has played in our City and the way it continues to manifest in the five boroughs. The report also reflects the Commission's growing concern about our national political climate, in which leaders at the highest levels of government have endorsed white supremacy and stoked racialized hate and fears. These choices have allowed anti-Black racism to fester and grow in all areas of life, including at workplaces, in housing, and in public spaces. Though anti-Black racism is not a new phenomenon, in recent years, we have

heard with disturbing frequency, reports of people going about their daily lives and being targeted because of their Blackness—in grocery stores, schools, on the street, in their own homes and neighborhoods—for humiliation, intimidation and violence. Dehumanizing Blackface depictions continue to surface within retail and in political contexts.

We launched this project to advance the following goals:

- Informing the Commission's law enforcement, policy, outreach and communications efforts;
- Generating data that would be useful to other government, private, non-profit, or philanthropic actors that work with New York City's Black communities;
- Building and strengthening relationships with community and faith organizations that work with Black New Yorkers and encouraging increased reporting to and engagement with the Commission by Black New Yorkers; and
- Educating those who doubt the existence and impact of anti-Black racism in New York City.

This report describes Black New Yorkers' experiences with and observations about racism in their city in their own words. As such, the bulk of this report consists of statements from participants in the focus groups. As a qualitative project, it does not aim to speak to the pervasiveness of the experiences and observations that were shared in quantitative terms. Instead, it speaks to their impact, elevating perspectives that too often go unacknowledged. Endnotes, many of which cite research on the nature, history and effects of racism that may be useful to those who are less familiar with such issues, are also provided.

The report also describes City initiatives designed to address concerns referenced by participants in the focus groups that are either in place or in development. In doing so, the report acknowledges long-standing and emergent efforts to promote racial equity on the part of New York City government and points to areas where those who advocate on issues covered in the report may want to engage moving forward.

Based upon the insights shared by Black New Yorkers, the Commission has identified the following steps for strengthening the agency's work to combat anti-Black racism.

- **Dedicate additional resources for** law enforcement, community relations and policy work focused on race- and color- based discrimination and, specifically, manifestations of anti-Black racism. These additional resources will help to ensure accountability for violations of the prohibitions on race- and color-based discrimination, promote racial justice through policy, and address behaviors that perpetuate anti-Black racism.
- **Develop and advance legislation and other policy measures that will protect Black New Yorkers** and other groups targeted for discrimination, drawing upon insights shared by participants. The research reflected in this report indicates that anti-Black racism is a complex phenomenon that is experienced at multiple levels and across multiple areas of life. And as the forms of discrimination confronting

Black New Yorkers evolve, it is essential that anti-discrimination law evolve with it. While the federal government is actively retreating from civil rights protections, localities like New York City are well positioned to expand protections for those within their boundaries. The Commission has and will continue to develop and advance policy proposals that will serve this goal in partnership with community, faith-based, and other organizations that work closely with Black New Yorkers.

- **Host public hearings on race-based discrimination** in predominantly Black neighborhoods in the city. Such hearings would allow the Commission to gather additional information from New Yorkers about what they are experiencing and educate New Yorkers about the agency's reporting, investigation, and litigation processes and available remedies.
- **Deepen and expand relationships with organizations** serving Black New Yorkers and develop hyper-local programming in Black communities across the City in order to build awareness of the Commission, City Human Rights Law protections related to race and color discrimination and available remedies. Meetings could also generate tips about particular locations where individuals are experiencing harassment and discrimination enabling the Commission to take further action as appropriate.
- **Develop new strategies for addressing race-based discrimination and harassment in places of public accommodation across the city.** Many participants reported humiliating interactions in places of public accommodation. These interactions are damaging to the individuals involved and have the potential to contribute to tensions within and across communities over time. The Commission should continue, through its Law Enforcement Bureau, to accept and file complaints involving these incidents, to investigate such complaints and to seek justice in cases where it finds probable cause. Where appropriate, the Commission should also explore addressing these through the application of restorative approaches that center the needs of harmed individuals while also improving the understanding of the party responsible for the harm, reducing the likelihood of such encounters in the future.
- **Provide training on race and color discrimination under the City Human Rights Law tailored specifically for staff at New York City agencies.** Such workshops will help to normalize conversations about race and racism and create space for agency staff to reflect on how they, as City government workers, can challenge racism and race-based discrimination and identify sources of support for doing this important work effectively. The Commission has already begun to pilot such trainings with several agencies and should work to expand this list in coming years.
- **Create programming for implementation in gentrifying neighborhoods** to build understanding of how anti-Black racism operates in modern-day New York City—such as through the deployment of local government authorities against Black people—as well as the harm that it causes. In doing so, the agency should

partner with local community boards, community groups, faith institutions and other stakeholders. The Commission will also deploy programming in predominantly-white communities across the five boroughs, where the Commission has traditionally had a lower degree of engagement, but which are an important target for education on protections and obligations under City Human Rights Law.

The Commission is committed to supporting the fight against anti-Black racism through these steps and others that will be identified in consultation with its partners.

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GROUNDING IN HISTORY

The history of racism in New York City is long and striking in its brutality. Historians estimate that as many as 15,000 Lenape people lived in what is now New York City prior to the arrival of Dutch in 1608, part of an Algonquin civilization that included over 80,000 people and stretched across the 28 counties that now comprise New York State.[6] Early agreements between the Lenape and the Dutch provided for the two communities to live and farm alongside one another. The Dutch, who initially requested only enough land to grow corn, eventually took control of more and more territory and proceeded to separate themselves from their Lenape neighbors, erecting a barricade at Wall Street and commandeering the southern portion of Manhattan for their use.[7]

1. At the Foundations of a New Settlement

The first person of known African Ancestry to arrive in New Amsterdam—the Dutch settlement that would ultimately become New York City—was Juan Rodrigues, a free, Black sailor from the Spanish colony of Santo Domingo who arrived in 1613 and began trading with the Lenape soon after.[8] The first enslaved Africans were brought to New Amsterdam in 1626 by the Dutch West India Company. These Africans were immediately forced to transform the southern Manhattan landscape from which Peter Minuit, director of New Amsterdam, had removed native inhabitants shortly before.[9] In the following years, enslaved Africans would clear land for farms and docks that fueled the colonial economy, construct the colony's earliest forts, build new homes, expand trails created by native inhabitants into new streets—like Broadway—that could accommodate horse-drawn carriages and build and operate saw mills that provided lumber for shipbuilding and export.[10]

While these efforts largely generated wealth for their owners, enslaved Africans who were able to secure their freedom were in some cases able to acquire the means to build wealth of their own. In February of 1644, for example, eleven formerly enslaved men were freed and were granted land in the area north of the Dutch settlement between what is now Canal Street and 34th street. They settled and established farms in this region, which later came to be known as the "Negro Frontier" or the "Land of the Blacks."[11]

At roughly the same time, a series of land deals under Minuit and subsequent directors extended Dutch control to areas of what are now Brooklyn, Queens and the Bronx. Diseases like smallpox, diphtheria, typhus, and measles reduced the Lenape population, while Dutch practices, like clear-cutting forests for firewood and forts and allowing cows to graze un-shepherded through Lenape cornfields placed pressure on native communities.[12] This was followed by a brutal five year Dutch campaign, which resulted in the death of an estimated 1,500 more Lenape people.[13] By 1647, when Peter Stuyvesant arrived to lead the Dutch colony, the war had been over for two years but the settlement remained in disarray. Stuyvesant established the first police force on Manhattan, consisting of nine individuals.[14] Displacement of native people also continued during this period, with many of the region's early residents, such as the Canarsie and the Rockaway people of Queens, moving further east to Long Island or west to New Jersey. Others were forced to move to Pennsylvania as part of the Lenape Removal. Still others intermarried and faced considerable pressure to hide their ancestry under the laws of the time, which prohibited interracial unions.[15]

2. An Expansive Regime of Enslavement

By 1703, some 42% of New York City households held enslaved people, more than Boston and Philadelphia combined and second only to Charleston, South Carolina.[16] As New York's Black population increased and the investment in slavery deepened, its "Black Code"—the set of laws that evolved to control the activities of Black people in the settlement—grew more and more robust. Legislation enacted in the early 18th century expanded owners' authority to punish enslaved people and limited the ability of enslaved persons to congregate and engage in commerce.[17] Increasingly inhumane conditions under New York's slavery regime compelled organizing and resistance on the part of Black New Yorkers. Smaller uprisings in 1689 and 1709 were followed by a larger insurrection in the spring of 1712.[18] The response was harsh. Once caught, several alleged participants were hung, burned alive, "broken at the wheel" or otherwise executed. Officials suspended one man by chains while he was alive and denied him food or drink until he died.[19]

In the wake of the 1712 insurrection, the colony's "Black Code" was further amended to discourage

owners from freeing enslaved people, requiring any individual who wished to do so to post a bond of 200 pounds as a guarantee that the newly freed would not become "public charges," virtually ending the practice of private emancipation for a time.[20] As historians have noted, while these "Black Codes" were designed to further the economic interests of a small number of individuals who derived economic benefit from forced, uncompensated labor, they had the broader effect of erecting a "wall of suspicion" between the races and inviting "all whites [to] police the boundary" between those who were enslaved and those who were free."[21]

For those enslaved Africans who managed to escape bondage, fear was ever present.[22] By the early 1700s, any Black person suspected of being a runaway was subject to arrest and detention by local sheriffs. This policy resulted in many free Black New Yorkers losing their liberty alongside those who had fled enslavement. These individuals bore the burden of proving they *had not* in fact been enslaved. They could be turned over to the custody of any individual who claimed to own them and who reimbursed the local sheriff for the costs of arrest and detention or sold into slavery by local law enforcement to cover these costs.[23] Other legal reforms of the time made it a crime for New Yorkers to harbor runaways.[24]

With the movement for independence from Britain and the Revolutionary War came increased opposition to enslavement.[25] The abolition of the trade in 1788 was one of the first steps in dismantling the legal regime that upheld slavery, though for years thereafter enslaved and free Black people alike would be sold south for debt or in deals disguised as long-term leases, indentures or apprenticeships.[26] Early legislation aimed at freeing enslaved people was stalled by intense debate in the state legislature over both the speed with which enslaved Black residents should be able to secure their freedom and the rights—to vote and to testify against white New Yorkers for example—that should attach to their freedom.[27] Ultimately, state lawmakers passed an abolition bill that bypassed questions of civil and political rights for formerly enslaved New Yorkers. Legislation passed in 1799 freed all children born to enslaved women after July 4, 1799, with women gaining their freedom at the age of 25 and men doing the same upon turning 28. Children were deemed the property of their mothers' owners until reaching the statutory age.[28] Subsequent legislation enacted in 1817, required that enslaved people born prior to July 4, 1799 be freed by 1827. However, it was not until 1841 that laws allowing out-of-state owners to bring enslaved people into New York were abolished.[29]

The situation with respect to civil rights for Black New Yorkers also shifted during these years. For example, while Black men who owned property worth $100 were initially able to vote following emancipation, in 1821 the New York State Constitution was amended to increase the property threshold for Black men to $250 dollars. Strikingly, at the same time, the threshold for white men was eliminated entirely. Those Black New Yorkers who were not men and those who were not property owners had no access to the franchise.[30]

A desire to escape anti-Black violence as well as more routine forms of discrimination and harassment may have inspired some early Black residents of the area to settle in Seneca Village, an area north of the City's then boundaries in what is now the Upper West Side of Manhattan. In Seneca village, Black workers found a rare opportunity for property ownership and relative stability.[31] The ability to own land was particularly important, as it allowed some to satisfy the property ownership requirements that made it difficult for Black men in New York to vote.[32] However, as plans for Central Park evolved, residents of Seneca Village found themselves in the pathway of the new development. In the midst of a period of economic crisis, the community was condemned and its churches, schools and homes destroyed. By 1857, the last of the residents of Seneca Village were gone. While landowners were paid for their property, the money they received was insufficient to purchase new land in other parts of the City.[33]

3. Migration & the Growth of Black New York

At the beginning of the 20th century, New York City's Black population grew dramatically after having declined by some 20% in the wake of the 1863 draft riots, which sent many fleeing for safety.[34] One major contributor to this was the large-scale migration of African Americans from the South, now commonly known as the "Great Migration." Over the course of six decades between the end of World War I and 1970, some six million Black Southerners moved out of that region and into the major cities of the North, Midwest and the West. These migrants fled racialized violence and economic oppression in the communities of their birth and sought greater freedom and new

employment opportunities in New York and other cities.[35]

The earliest part of the Great Migration also overlapped with a period of increased immigration of Black people from the Caribbean, despite a national origin-based quota system that limited entry into the U.S. by non-European migrants.[36] The first wave of such immigration occurred at the turn of the 20th century. In 1899, an estimated 412 Black immigrants were admitted to the country. By 1908, that figure had risen to somewhere between 5,000 and 8,000 per year, peaking at over 12,000 in 1924. Of the nearly 99,000 foreign-born Black people who resided in the United States in 1930, just over 72,000 came from non-Spanish speaking Caribbean nations, and more than half of all Black immigrants settled in New York City.[37] Passage and implementation of the 1965 Immigration Act, which included amendments to quotas that had had the effect of limiting the number of migrants of color, led to a significant increase in the number of Black immigrants in the United States, with Afro-Caribbean immigration increasing rapidly in the years following the legislation.[38] Once in the United States, these immigrants confronted a rigid system of racial categorization. Many found that the upward economic mobility they had sought by moving to the U.S. was offset by a dramatic reduction in social status due to racism. New immigrants discovered that Blackness was a "master status," or a status that played an overwhelming role in shaping life chances.[39]

Though the presence of people of African descent from Spanish-speaking nations in what is now New York City dates back to the 17th century, it significantly increased in the early twentieth century. During World War I, for example, Puerto Ricans were drawn by manufacturing and service industry employers who actively recruited island residents in order to address wartime labor shortages. By 1935, an estimated 75,000 Puerto Ricans resided New York City, settling mostly in East Harlem, South Brooklyn and the Upper West Side. While the percentage of this population that was of African descent is unknown, one historian of the period has observed that Afro-Puerto Ricans were a significant and visible presence in Harlem during this period.[40] At around the same time, early Afro-Cuban migrants, confronted by pervasive race-based discrimination in housing, began settling in established African-American communities like Harlem. Afro-Panamanians began moving to Brooklyn in the 1950s, with Franklin Avenue in Bedford-Stuyvesant eventually becoming a center of the city's Panamanian community.[41] Similarly, in the 1960s, the Dominican migration to upper Manhattan began in earnest with new arrivals from the Caribbean nation drawn by low rents, spacious apartments and transportation options. Much like other migrants before them, Dominicans who moved to New York were compelled by racial prejudice and discrimination to settle in areas like Hamilton Heights and Harlem that were adjacent to African-American communities.[42]

Large-scale migration from nations on the African continent came significantly later. After passage of the 1965 Immigration Act, the United States became more accessible to people from African countries, with African migration increasing sevenfold between 1968 and 1988.[43] In 2015, there were 2.1 million African immigrants living in the Unites States, accounting for about 4.8% of the U.S. immigrant population. The Refugee Act of 1980 made it easier for those fleeing conflict to come to the U.S., and in 1990 the diversity visa program was created to encourage immigration from under-represented nations.[44] Between 2000 and 2011, New York City's own African immigrant population grew by 39%, reaching over 128,000 and accounting for 4% of the City's foreign-born population.[45] African immigrants have established a presence across the city,[46] with migrants from Ghana settling in the West Bronx, Senegalese immigrants establishing communities in West Harlem[47] and Liberian immigrants settling in Staten Island[48] among many others.

4. Documenting Racism in New York City

The Commission's own roots are deeply connected to the struggle for racial justice in the city and can be traced back to the Depression era, which saw episodes of unrest in Harlem where many Black residents were concentrated due to pervasive housing segregation.[49] In response, Mayor Fiorello La Guardia established the "Mayor's Commission on Conditions in Harlem" to better understand the plight of area residents. The report subsequently released by the group not only illuminated the specific details leading up to the events in question, but also examined the City's policies at the time, revealing significant systemic issues. Specifically, the Commission documented the need for:

- Efforts to address widespread race-based discrimination in employment;
- Increased accountability and improved

relationships with Black New Yorkers on the part of agencies administering public assistance programs;

- Improvements to public housing in Harlem, in part by seeking federal funding, as well as support for tenant organizing;
- Investments in the physical plant of area public schools and increased support for at-risk youth;
- Expansion of health care facilities to combat disparities in health services; and
- Efforts to address racist attitudes among police officers and creation of an independent accountability structure and meaningful accountability for law enforcement.[50]

In 1944, based in part on these findings and following another uprising of Black residents in Harlem, Mayor LaGuardia established the Mayor's Committee on Unity to improve inter-group relations across the boroughs. The Committee would eventually evolve into the New York City Commission on Human Rights.[51]

Over the course of its history, the Commission and other City entities have made a number of efforts to assess the impact of racism and discrimination on Black New Yorkers. Starting in the 1960s, for example, the Commission began releasing reports on racial disparities in housing, strategies for improving intergroup relations, school integration, fair housing law and tenant organizing, bias in the construction industry and teacher training and school curricula.[52]

Nonetheless, long-standing racial disparities remained and continued to be the subject of intense scrutiny and vigorous advocacy. In January 1986, Mayor Ed Koch established "The Mayor's Commission on Black New Yorkers." Koch tasked this Commission with development of recommendations for improving quality of life for Black New Yorkers "in the areas of education, economic development, employment and job training."[53] The Commission completed its work in November 1988. The Commission found that Black New Yorkers faced persistent barriers to high-quality education, gainful employment and economic power. In 1989, the City responded with a series of initiatives linked to the recommendations. These included:

- Enhanced access to City procurement opportunities and greater financial support for minority businesses;
- Creation of an employment policy committee to review city policies related to private sector and youth employment;
- Development of multicultural curriculum by the Board of Education and expansion of night and year-long programs designed to expand opportunities for schooling; and
- Launch of targeted recruitment efforts to increase representation of people of color in certain City positions.

The next year saw the election of David N. Dinkins as New York City's first Black Mayor. Mayor Dinkins entered office with the support of a coalition of Black, Latinx and progressive white voters.[54] His term was marked by a declining crime rate, avoidance of a state fiscal takeover and new investments in public schools and libraries.[55] In addition, however, long-standing racial tensions and disparities persisted during his tenure. These tensions were apparent in the public response to the beating and rape of a white woman in Central Park, for which five Black and Latinx young people were wrongly arrested, convicted and imprisoned.[56] Contemporaneous coverage of the event trafficked in some of the same stereotypes about the criminality of Black people and the need to subject the Black population to harsh methods of control that have fueled violence toward Black people since New York's earliest days.[57] Tensions also came to a head with the Crown Heights uprising in 1991, which began after a seven-year old Black boy, Gavin Cato, was struck and killed by a car in a rabbi's motorcade.[58]

5. 21st Century Challenges

In the early 21st century, New York City's Black population reflects the cumulative impact of over a century of migration from within the U.S. and abroad. Some 25.9% of New Yorkers—roughly 2.23 million people identify as Black or African American, either alone or in combination with other racial or ethnic heritage.[59] Brooklyn is home to the largest share of the city's Black population, followed by the Bronx, Queens, Manhattan and Staten Island.[60] Per 2017 Census Bureau estimates, over 200,000 of these residents claim sub-Saharan African heritage, with Nigeria, Ghana, South Africa and Ethiopia among the most frequently-identified nations of origin.[61] Nearly 600,000 New Yorkers claim West Indian ancestry, with Jamaica, Haiti and Barbados being the most frequently-identified points of origin.[62]

Black New Yorkers today face many of the same challenges confronted by their predecessors and documented by the Commission and other City bodies over time. Racial disparities in education, access to housing and interactions with law enforcement remain prominent concerns. This is compounded by the increasing number of hate crimes[63] and bias incidents reported in the city in recent years. These include the scrawling of a racist slur on signage at the African Burial Ground monument just feet from the Commission's own offices, an attack in which a Black woman was called a racial slur, punched and stabbed at the Church Ave subway station in Brooklyn—as well as racist appeals to white New Yorkers, such as flyers that posted in the Woodlawn neighborhood of the Bronx.[64]

The full history of Black people in New York is impossible to chart in a single report. However, this brief survey demonstrates that evolving forms of racism, economic oppression and violence have always been part of that history, as have consistent organizing, resistance and strategic advocacy. It has been characterized by an ongoing struggle for dignity, self-determination, belonging and power in the face of efforts at exploitation and subjugation. And it is a history that is rich with lessons for the current day.

GOALS & METHODOLOGY

Both the history of Black people in New York City and the Commission's own past research on the issues confronting Black New Yorkers confirm the incredibly important role that people of African descent have played in the story of America's largest city. The uncompensated labor of Black people set the foundation upon which the city established itself as an international center for commerce and trade and a bastion of wealth. The traditions that Black New Yorkers brought with them—from nations of origin on the African continent, the Caribbean, Latin America, the American South and elsewhere—have been central to the city's development as a cultural center. The challenge of governing a multiracial population—first in a community of European colonizers and indigenous people, next under a regime of slavery, then under a persistent racial hierarchy—has shaped the laws and policies that first governed a colony and then a city.

This report has its origins in repeated requests from Black New Yorkers with whom the Commission has engaged in recent years. These individuals have admired the agency's efforts to address the concerns of Muslim, Arab, South Asian, Jewish and Sikh New Yorkers. They have cheered creation of initiatives to better support and increase the visibility of lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities. They have commended the agency's efforts to prevent and address sexual harassment. They have noted all of this, *and* they have asked the Commission for more opportunities for Black New Yorkers to describe experiences of anti-Black racism in their own words and for increased cultural support for the fight against racism.

In recent years, the Commission has taken steps to respond to these requests. In 2018 and 2019, the agency partnered with artist Tatyana Fazlalizadeh on a public art project focused on anti-Black racism and gender-based street harassment producing a series of murals currently installed across the city. In winter of 2019, the Commission issued precedent-setting legal enforcement guidance clarifying that the City Human Rights Law's prohibitions on race discrimination covered grooming policies targeting hairstyles and textures typically associated with Black people. The guidance inspired and informed similar measures in New York State, New Jersey, California and other jurisdictions. Months later, the Commission released a public education campaign

that ran on subways, bus shelters and across social media. Affirming the experiences of Black people in New York and around the country who had been targeted for harassment, intimidation and discrimination while simply going about their day-to-day lives, the campaign reinforced that living "while Black" is a human right. It further encouraged New Yorkers who had experienced such discrimination to report to the Commission. This commitment to centering issues of concern to the city's Black communities has also been reflected in programming. In October of this year, for example, the Commission hosted "400 Years Later: Reckoning with Our History of Slavery and Building an Anti-Racist Future in NYC," an event commemorating the 400th anniversary of the arrival of the first enslaved Africans brought to U.S. shores by the British and exploring the particular history of enslavement in what is now New York City.

This report represents the next phase of this Commission effort and is designed to advance the following goals.

- Inform the Commission's law enforcement, policy, outreach and communications efforts;
- Generate data that would be useful to other government, private, non-profit, or philanthropic actors that work with New York City's Black communities;
- Build and strengthen relationships with community and faith organizations that work with Black New Yorkers and encourage increased reporting to and engagement with the Commission by Black New Yorkers; and
- Educate those who doubt the existence and impact of anti-Black racism in New York City.

Importantly, this report also reflects the Commission's growing concern about our national political discourse as shaped by leaders at the highest levels of government who have openly endorsed white supremacy and racist sentiments. This, in turn, has emboldened racists nationwide and in our own city, to engage in acts of violence and harassment. Importantly, however, this report is not limited to observations about "interpersonal racism"—racism occurring in interactions between individuals or groups of individuals. Instead, it includes Black New Yorkers' reflections on experiences with policies, practices, and procedures that function more effectively for white people than for people of color—often unintentionally. This phenomenon is known as "institutional racism."[65] In addition, the report surfaces Black New Yorkers' experiences with "structural racism"—racism that occurs across multiple institutions and is integrated into politics, culture and other aspects of life, creating a system that negatively impacts communities of color.[66]

To complete this research, the agency partnered with Strength in Numbers Consulting Group ("Strength in Numbers"), a small, woman-owned and led nonprofit specializing in participatory approaches and rigorous research methods. Tracy Pugh, a Black-identified social science researcher with over ten years of experience investigating various forms of structural stigma and racism, served as a Special Project Partner at Strength in Numbers.

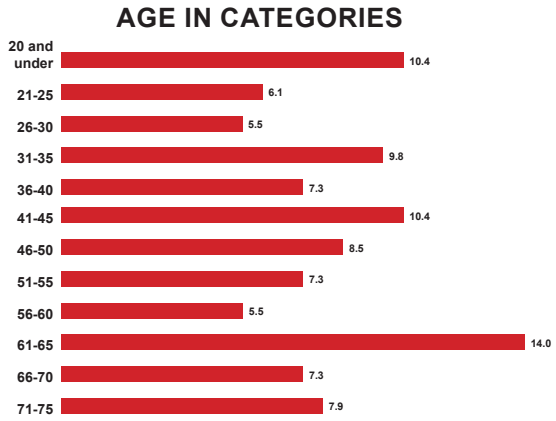
The research phase of the project took place in the spring and summer of 2018 and benefited from close collaboration with community groups, faith-based institutions, labor unions, advocacy groups, city agencies and other institutions primarily serving populations matching the project's sampling frame. These entities supported this project, by helping to recruit participants for the conversations, taking part in key stakeholder interviews and otherwise informing the Commission's work.[67] Pugh conducted 19 focus groups with 190 Black New Yorkers across the five boroughs. The Commission also conducted two additional roundtable conversations in order to seek perspectives that were not adequately reflected in the focus groups. Most conversations lasted between 60 and 90 minutes. In these conversations, participants shared their experiences not only with interpersonal racism but also with institutional and structural racism. The resulting participant insights paint a stark portrait of race-based indignities that are inescapable and emotionally taxing. Those who participated in the conversations described racism as present across major domains of life while also noting how their experiences were shaped by various other aspects of their identities, such as age, national origin, housing status, and religion.

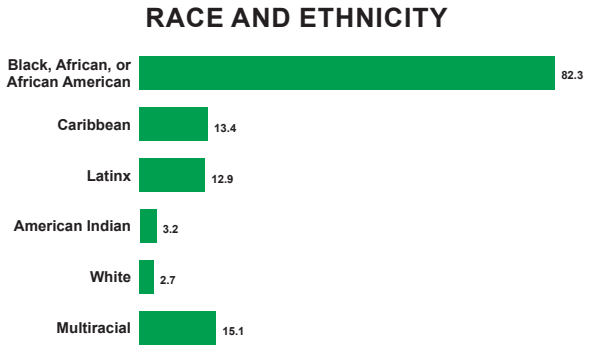
The report also describes City initiatives that are either in place or in development that are designed to address concerns referenced by participants in the focus groups. In doing so, the report helps to highlight areas where the City can increase awareness of available resources and opportunities or may serve as a starting point for additional research, analysis, policy development or program design.

FOCUS GROUP PARTICIPANTS

It is important to begin with a note on terminology. The Commission has chosen the word "Black" for the purposes of this project because of its inclusiveness, defining the term to include New Yorkers who are African American, Afro Caribbean, African, Afro-Latinx (from South America, Central America or the Spanish-speaking Caribbean) or otherwise identify as having African ancestry. It is also important to note at the outset that it was not the Commission's intent to produce a study that was quantitative in nature or purported to be representative of the experiences of all Black people in New York. Rather, the Commission utilized a qualitative methodology that relied on focus group conversations with Black New Yorkers. As a result, the project provides insight into the lived experiences of those affected and the impact of the phenomenon on individuals, their families and their communities.

The Commission was ultimately able to reach a rich and diverse sample of Black New Yorkers. One hundred and ninety individuals participated in 19 focus groups convened in neighborhoods in all five boroughs.[68] The median group size was 10, and the groups were spread evenly across the age spectrum, with both young people and older adults well represented.



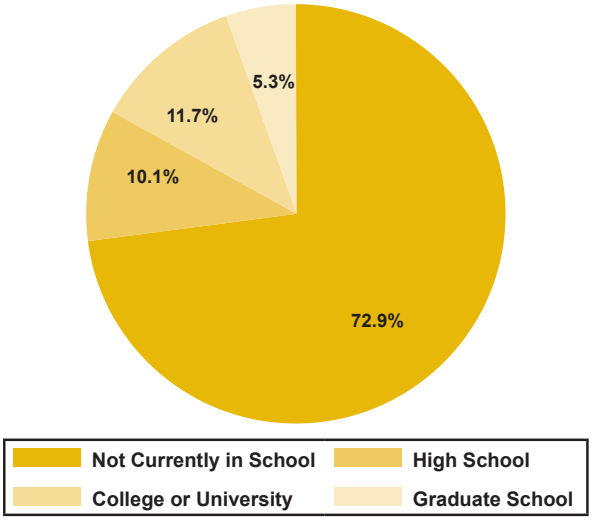


Over 4 in 5 participants identified as Black, African or African American. About one in six identified as Caribbean and a similar number as Latinx. Among those who did not select "Black, African or African American" as a race or ethnicity, the most common other selection was Latinx (45.5%), followed by Caribbean (33.3%).

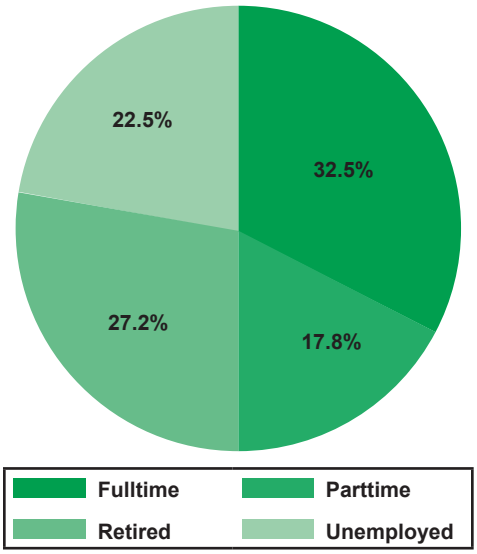
About two thirds (65.4%) of the participants in the focus groups identified as female and 33.3% identified as male. While participants were given other gender options (e.g. transgender, transmasculine, transfeminine, gender nonconforming) and an option to write in other genders, too few responded to analyze these categories.[69] There were similar results for questions about sexual orientation. Combined, however, 9.1% identified as LGBTQ.

About one in five participants was born outside of the United States (21.5%), with the most common region of origin being Sub-Saharan Africa (13.6%), followed by the Caribbean/Latin America (7.9%).[70] About one in four participants spoke a language other than English at home, with the most common languages spoken at home being Spanish (9.1%), Yoruba (5.1%) and Mandinka (4.0%).

CURRENTLY IN SCHOOL

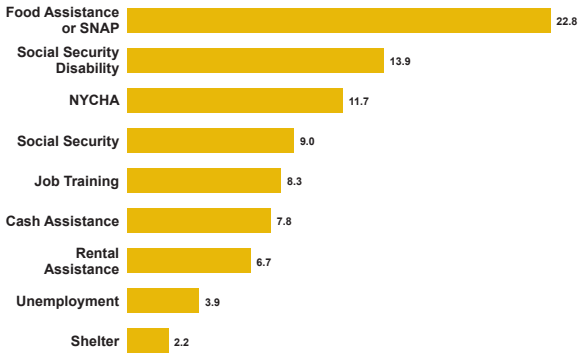


EMPLOYMENT STATUS



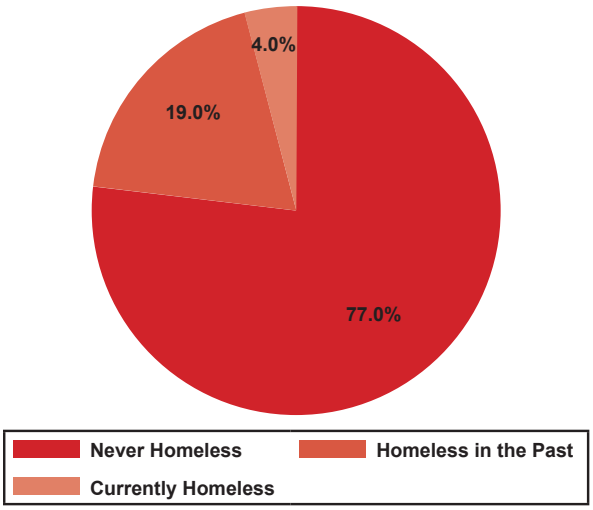
Fully 27.1% of the individuals in the sample were in school, while 32.5% were working full-time, 17.8% were working part-time, 22.5% were unemployed and 27.2% were retired. Just 4.5% had ever been in the military. About one in six, 15.6%, had a physical disability, while 8.4% had a mental health or intellectual disability.

BENEFITS



About half (50.6%) received one or more of the government benefits asked about on the survey provided to all focus group participants, with food assistance (22.8%) being the most common, followed by social security disability (13.9%). One in four participants (23.0%) reported that they had been either currently (4.0%) or previously (19.0%) homeless.

HOMELESSNESS



PARTICIPANT INSIGHTS

The substantive findings indicate that while much has changed in the lives of Black New Yorkers over the years, a great deal remains the same. Anti-Black racism continues to manifest in meaningful ways across major domains of life. And the concerns and priorities emerging from the focus group conversations are consistent with those cited in earlier reports by the Commission and other City bodies.

To a greater degree than previous reports, however, the current report reflects how multiple aspects of participants' identities combine to impact their experiences with racism. This has, no doubt, always been the case, but is likely more obvious due to the increased attention to the concept of intersectionality, coined by legal scholar, Kimberle Crenshaw, in recent years. Across focus groups, participants discussed how anti-Black racism was intertwined with other forms of discrimination and oppression. For example, focus group participants relayed stories of how in addition to being Black, they had experienced discrimination on the basis of their status as immigrants, housing status, age, arrest or conviction history, religion, disability or income. Unsurprisingly, participants concluded that having intersecting oppressed identities compounded rather than minimized or alleviated the discrimination they confronted. As such, the role of intersecting identities in the experience of anti-Black racism is woven throughout qualitative findings across the report.

A. Inescapable & Emotionally Taxing

Black New Yorkers in the sample described racism as something that they encountered in various forms and in nearly every aspect of their lives. Participants repeatedly spoke of encounters with explicit and implicit forms of racism and racial aggressions as they moved through their lives, describing these as normal, everyday occurrences.

> *Racism is normal. Who can walk down the street and not see it every day?*

Participants repeatedly communicated their frustration with individuals who expressed surprise that they did not conform to negative stereotypes associated with Black people.

> *I went certain places and they would say, "Wow, you speak well." So how am I supposed to speak? They wanted me to speak slang and things. So when I would tell them certain things, they're like, "You come from a two [parent] household family." Such and such.*

—

> *I see expectations and what you say. Like, they don't expect you to have a degree. They don't expect you to do this.*

They also reported that strangers, and in some cases neighbors, directed looks of derision their way, clutched their purses when participants approached or otherwise signaled their suspicion or contempt.

> *Mostly what I gather is… the way that they look down at you.*

—

> *You're just standing next to some people … and they look at you like you're not fit to stand next to them.*

—

> *Very recently, about a month ago, I got on a train. … I sit down and this lady of another ethnicity, she looked at me and took her pocketbook and pulled it over to herself. So now – by the time we get to this, I've been from South to here with a lot. It goes way back. So I just – I was like, "Wow."*

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> *I think, a lot of times, I've been in situations on the subway. Typically, during rush hour, it's a high-stress situation where I've been called a "N-----r b----h," "Black b----h."*

One veteran described how their very presence in their own neighborhood, which is predominantly white, was regularly questioned as well as the frustration this has caused.

> *"It's kind of tough sometimes. I might sound crazy, but I feel like I fought for this, I fought for the country, so I shouldn't have to explain myself. If I want to go do something and I'm doing it within the limits of the law and safely, I should be able to do it."*

Participants reported that expressions of bias and hostility sometimes manifested in interactions with individuals who were charged with serving members of the public.

So, another point of [anti-] Black racism that takes place across different communities is when it comes to city services within our transit system. So, our transit system, if you are a person of color in a Black neighborhood, even the transit employees treat you with discontent, in many ways, other than what you would do if you [were] white.

Another participant described treatment on a local bus that she experienced as racist.

So, I was looking out for a landmark because it's wintertime, and I'm getting off of the stop. But, I don't know when to ring the bell. So, I came forward, and the driver just didn't stop. He just kept going. And, he went about three stops down, and continued, and was rude to me. And, he finally stopped. "Do you want this stop now?" And, I just looked at him. So, he made an attempt to move up. And, I said something to him. I reported him. I don't know what became of it at the MTA… But, he just ignored me, and was rude.

One participant recounted an experience in which she provided assistance to a friend in an emergency but was not believed by paramedics who responded to the situation and others at the scene:

I had a family issue, and my daughter's friend, she's white. So, she calls me yesterday to go check on her house, go get her house keys. Her friend had to go into the ambulance. So, when they found out that I was coming to get the house keys, they didn't know I was Black. The paramedics was white, the girl in the ambulance was white, and they really wanted to give me a hard time to give me my daughter's friend's keys…I had to call [my daughter's friend]… Then, she [the woman in the ambulance] thought … she was going to lock the door, give me the keys…and I'm supposed to go on my way. I said, "No, I ain't going no damn where. I'm going to sit right here in my daughter's friend's house and relax after I done came running around because of your nonsense." But, the point of the matter was they were shocked as hell that a Black woman stepped up.

A few participants highlighted the complex interaction between race and religion.

It's different for us. We will always experience something more different, compared to … just like Black American… Yeah, we are Black, but we'll get double the pressure, because it's just like, "Muslims are terrorists. Muslims are this," so it's like, even if you want to speak on it, because it's anti-Black, the religion stills plays a big part on it.

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Anti-Blackness in Muslim spaces, I see it all the time, whether it's people telling me people don't want to pray next to you because you're Black, or people will call you certain slurs, and tell you things like that. Every time you bring it up to people they're like, Oh, we're one ummah." It's like the white version of saying, "We're all one race," and stuff like that… [A] lot of Black people face Islamophobia, but we're told, "Oh, you're Black, so people don't think you're Muslim, and stuff like that. But, I do face it; you just don't want to acknowledge it, or whenever I want to talk about Black issues affecting Black immigrant groups, or anti-Blackness, the Muslim community is often … very quick to say, "Oh, we shouldn't…" but next week I would see them do a story on Palestine and Syria, and I'm just like, "What's going on? So you're saying you value certain Muslims over other ones?"

Participants were also clear that racism is not strictly an interpersonal phenomenon grounded in individual attitudes. Rather, they characterized it as a problem with a long history that cuts across multiple institutions and issue areas and has deep roots in policy and budgetary choices.

Racism is a system.

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[I]f we're going to talk about this, we need to address that this was by design. It wasn't done haphazardly.

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They [government] don't want to spend the money. You spend the money and you create all of these programs and you create all of these strategies, then you have to recognize that there are poor people, poor people of color and of different backgrounds, and you never hear them speak about poor people on the media on the news. If

you acknowledge it, then you have to do something about it. So, I think we have to continue to voice our opinions louder and get more media coverage in order to get that response that we want. But, the bottom line is it's money. It's money. The resources, the money is there; it's just being filtered in a different direction.

It is important to note that whether discussing experiences at the interpersonal, institutional or structural levels, participants consistently communicated that anti-Black racism had had negative impacts on their mental health and wellbeing. Frustration, anger, and anxiety often came through in participants' tones as they told their stories. Recalling experiences with racism, participants described feeling demoralized, crying, or shaking as a result of experiences with anti-Black racism and their efforts to confront it.

Learning how to work with that [racism], learning how to deal with that is very difficult and painful.

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I think that we are living in a state of ICU [in] Black America. We are living in ICU. When I say that, I mean that in every sense from how unions are being under attack. I mean that in every sense of how we are literally being attacked. I feel like the President of the United States messaged the green light to take the gloves off, and it's open season on Black people. It's creating a psychological oppressive environment just from Facebook to my phone alerts, to TV to actually seeing it play out, to dealing with microaggressions and behaviors at work or knowing that my counterpart is getting paid crazy more money than I and doing the same work ... This is going from private sector to just Black people working anywhere more than likely. You are going to experience this. This is doing something, and I think we're going to have to move to a place where everyone considers some form of therapy. I don't know.

Participants also expressed a sense of numbness resulting from having to witness, anticipate or experience racism daily. In particular, participants characterized the experience of witnessing persistent anti-Black violence, particularly at the hands of the police, as traumatic. Focus group members also described feeling afraid in contentious situations – anxious that they might "react" or "lose it" – a development that they worried would lead to their being labeled "dangerous" or, worse yet, their being arrested, injured or killed. Alarmingly, participants perceived a lack of support from and distrust of institutions charged with assisting them (e.g. healthcare institutions, schools, police), reasoning that these institutions too often excluded or, in some cases, were harmful to Black people.

I feel as Black people we have to always be aware of our actions. We always have to be more polite. Or just have to be more nice, because we feel like people are always watching. With the other races it's different; they can act obnoxious, and everything, and it's nothing. There's no consequences to it. Then, but if a Black person does it, there's a different approach towards them, is how I feel.

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You have to be a tactician to survive.

In sum, participants in these conversations shared tremendously rich insights with the researchers, despite the considerable psychic costs of doing so.[71] Understanding the emotionally-intense nature of the focus group discussions is important context for interpretation of the findings that follow as well as the recommendations that flow from them.

B. Barriers to Reporting Racism

While several participants described having advocated for themselves in situations in which they experienced discrimination, very few reported using formal complaint or reporting channels such as the Commission, other relevant government agencies or even workplace human resources teams. Participants cited fear, particularly of retaliation in the employment context, the complicated nature of reporting processes and skepticism that there would be any redress for discrimination or harassment as barriers to reporting via these channels.

I think sometimes you might do it if you're shopping maybe in the grocery store or in the department store. Maybe when you go to seek services, sometimes you might say, "Can I see a supervisor?" but I have to say, blatantly, people really don't trust that

anything is going to be done. They feel that they're going to – if anything, they will be more embarrassed.

One participant noted that the increased frequency with which people were recording and sharing videos capturing racist incidents was itself indicative of the degree of skepticism that Black people expect to encounter when they report race-based discrimination and harassment. Black people are aware, this participant argued, that they must meet an elevated burden of proof or else risk seeing their claims minimized or dismissed.

[Y]ou have to have so much evidence because otherwise that Black person is not trusted. So, you have the responsibility of having to build this case to prove what people know already.

It is likely that the Commission's own failure to be explicit, clear and consistent about its commitment to addressing anti-Black racism is also partially responsible for lack of reporting to the agency. While the agency has made considerable, highly-visible efforts in recent years to address other forms of discrimination and harassment, such as those targeting Muslims and people perceived to be Muslim, LGBTQ New Yorkers and populations vulnerable to workplace sexual harassment, Black leaders interviewed at the outset of the project noted that there was a need for the agency to provide similar cultural and policy support for challenging anti-Blackness in all its forms.

Similarly, while the Commission has taken steps to make its investigations more thorough and strategic and to more effectively communicate reporting processes to the public, there is still a lack of clarity about what the process entails, how complainants can most effectively navigate it and what outcomes individuals can expect if they report discrimination. These factors, taken together, appear to discourage Black New Yorkers from reporting experiences to entities—like the Commission—that are responsible for protecting them from discrimination and harassment and also suggest lessons for Commission and other City agencies that are attempting to better serve Black New Yorkers.

C. Participant Priorities

Focus group members completed an exercise in which they prioritized ten domains of life according to their level of concern about racism within each.[72] About one in five chose issues related to law enforcement and the criminal legal system (21.9%) or housing and neighborhoods (19.8%) as life domains where racism was a pressing concern. More than one in ten participants chose education and youth (16.5%), social services (12.5%) and employment & economy (11.1%) and health care (10.1%). The areas least frequently chosen were civic engagement (5.9%), and media, arts, and culture (4.9%).

This report is organized according to participant prioritization, addressing major topical areas in the following order.

- Law Enforcement & the Criminal Legal System
- Housing & Neighborhoods
- Education & Youth
- Social Services
- Employment & Economy
- Health Care
- Civic Engagement
- Media, Arts & Culture

1. Criminal Law Enforcement

Racism within the areas of law enforcement and the criminal legal system was the number one priority across the focus groups. Concerns included law enforcement practices deployed by the police as well as practices of courts, prosecutors and other actors operating within the system. Some participants felt that, in these areas, little had improved over time.

I'm not sure if you've ever heard of the book The New Jim Crow. But it's basically what's happening right now still. [N]othing really has changed. It's just a different type of racism or a different type of discrimination.

a. Law Enforcement

In the area of law enforcement, participants expressed concern about a range of issues related to the New York City Police Department ("NYPD"), including:

- The impact of experiencing or witnessing police violence;
- The prevalence of street and vehicular stops and arrests for low-level offenses;

- Policing of social activities and events attended by Black people;
- Policing of residents' movement in and around their apartment buildings;
- Disparities in relative police presence and the nature of police responses;
- The application of various forms of surveillance;
- The impact of characteristics such as housing status and national origin, in addition to race, on experiences with police; and
- The lack of accountability for police officers.

Focus group participants relayed the profound impact of experiencing or witnessing police violence. In doing so, they often described feeling fear, frustration and anger, during as well as after such encounters. In addition, some noted that witnessing police violence—whether in person or through videos shared on social media—has been psychologically taxing. Some expressed the fear that repeated exposure to images of violence perpetrated against Black people might be desensitizing them to such violence. Participants noted that they had experienced or seen aggressive policing from officers of all races. Participants attributed these incidents to institutional racism, some officers' lack of understanding of or familiarity with the communities they are expected to serve, or, in some cases, to officers being new to the force. All of this, participants noted, had contributed to deep tensions, hostility and distrust between police officers and Black New Yorkers.

> *[T]o constantly see a Black man gunned down… it psychologically does something to you… I think it's desensitizing in a way where people are kind of numb. They're so accustomed and so used to seeing it ….*

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> *I would say the interactions with the police and community relations are not good. [Y]ou see …[people] being pulled over, whether it's good or bad reasons… I often stop and observe what's going on because there needs to be a better rapport so there won't be so much fear. Officers have to do their jobs, but I know people have encountered incidents where police have just assaulted and jumped on people, whether it's day or night, and it's hard.*

—

> *There has to be a better way of policing – just trigger-happy, and killing off our kids when they seem to be doing this. There has to be a better understanding [that] they come out of the precincts – or the police academy – and you have a job now.*

Participants also spoke about having been stopped by police, aggressively questioned and searched, sometimes with the explanation that they fit the description of a suspect and sometimes with no explanation at all. Others expressed concern about the degree to which Black New Yorkers are arrested for low-level offenses compared to others who may be engaging in the same behaviors.[73]

> *If you are a Black person, regardless of where you come from, you're driving and the police see – you are talking about police, it could be Black or white, but mostly the white ones. When they see a Black man driving, say – let me just give my example. You drive a good car, you work hard, you buy a car… I was driving an Infiniti. And I went to a gas station… I forgot to turn my lights on and then I ma[de] a U-turn. But, I didn't do anything wrong, it was just the headlights I forgot to turn on. So, they stopped me. But, when they stop you, their question doesn't just end with what you did wrong. It goes into, how did you get this car? … They dig deeper. And when you get frustrated and you say something, that would lead into you getting a citation, even getting arrested. For me, it's … because of the prior experience of my fellow Black men who got shot or got killed, I felt – I had the same emotional feeling. I wanted to react. But, then … if I react… I may end up getting arrested or killed, even though I know I didn't do anything … [S]o, that's what I mean by institutionalized racism that I experienced myself as a Black man coming from Africa.*

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> *We watched our community change as gentrification is happening in our community... I've lived over there all 29 years of my life, and there's been encounters not with me, but my brother, who's a very tall, dark-skinned Black guy. [He was] walking down the street, and he was delivering my violin to me. Cops literally just threw him against the wall. My violin flew out the case, snapped in half, all of that to say, "Oh,*

wrong guy." … [E]ven my mother, who's a senior, walking the dog with a soda can in a brown bag was getting harassed by the cops in her own neighborhood where she lived for several years, asking to see ID, which she left in the house because, "This is my neighborhood. I'm just walking the dog. I'm not thinking of bringing these things out with me." But, now we're living feeling as though we're being policed.

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There's times when I am walking through that area by myself, or with a group of my friends and the police tend [to] walk by us. That long gaze they give us up the street. A couple of questions like "What are you doing over here?", "When are you going home?" things like that. It's unsettling because there is no way you know whether or not I don't live here. You just basing it off of you seeing me here and you assuming because I am Black that I don't live here. And then there was another situation where one of my friends, he works down there as well. He was walking his boss' dog up the street, and the guy was like, "Hey, whose dog are you walking?" He was like, "Ah, yeah, this is my dog from work." He was like, "Oh, cool. So you don't live down here, right?" And he was like, "No." And then he was like, "Alright, so when are you going to be going home?" he goes, "Because it is getting late." And he's like, "What are you talking about?" and then he brushed it off.

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So, I work in the...University bookstore. [T]he police officer stopped me, because he thought, "Oh, you look suspicious." So now, my white manager had to come upstairs and tell them, "This girl works here," in order for the police officer to let me go, and it's just like, even if I didn't work here, I have a right to go into the bookstore.

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I've seen they've got a lot of cops targeting Black people for no reason, and amongst them I was one of them a couple of times. I knew my rights, and I'm like, "So, what did I do? Do I have a warrant out? No, you cannot search me without my permission," but they still did it. They pushed me, they took down my apartment building, frisked me down, all of that, pushed me in their car… I stood there. They were like, oh, I had something on me, and I had to go to court and everything for that, and I had nothing on me…That's hard because that was something I never experienced before until it actually happened. I heard about people talking about it, but it's way different once you experience it. So, my mindset was all over the place. I was confused, also scared.

In addition, participants expressed concerns about policing of social activities and events organized or attended by Black residents. For example, participants noted that gatherings in Black communities were often targets of police attention, sometimes with little apparent justification. Participants also noted the disappointment and frustration that arose in their communities when events that had been the focus of residents' time and effort were cancelled.

Recently, we had a 100-day celebration without a shooting. And during that time, there was another talent show that was going on that the NYPD just happened to shut down because it was one specific artist that they claim is in a gang or whatever was going to be performing in his own neighborhood. And so, they shut that whole thing down. And everybody came here. And so, NYPD decided there will not be no talent show. There will not be no performance. And they shut us down. And they shut that talent show thing down that community people had spent money on, time promoting it.

Others described residents being threatened with arrest for loitering or trespassing in their own buildings and communities. This was especially common for residents of NYCHA buildings.

When you live in the projects, the front of the building, the back of the building, that's your porch. You don't have a porch. We don't have a back yard. They don't have none of that. So, this is where we hang out, in front of the building. We're playing music, whether we're chilling, barbequing, whatever we're doing, we're there. And they will come and harass us.

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I was born and raised in [a NYCHA Development] and … I got stopped one

day coming to my mother's house. They're like, "Why are you always coming at this time?" I'm like, "Are you serious?" So, I said, "I want to get your badge number and I will call the police." … I see the colored thing, too, because even though there's a lot of Hispanics in my building and there's Chinese and there's white, but if two of us was coming in the building, they stop me, and I'm like, "Are you serious?" It's the same police officer that be right there sitting in his car seeing the people coming in and out of the building, and I told him, "I don't have to explain to you why do I come in and out of this building every day."

Participants also noted disparities in relative police presence and the nature of police responses. For example, focus group participants observed that aggressive policing of drug users has given way to calls for more supportive approaches as drug misuse and overdose within white communities has surged. Participants also described other settings in which police responses to incidents involving Black suspects were more aggressive than those involving white suspects.

[Y]ou see more policing in subways, low income [areas], than you do in midtown. Here's something even bigger. There's more policing in communities of color when it comes to that magical hour of schooling than you will see downtown. There are more people likely to get arrested for hop[ping] in a train in communities if color, and I see many white kids do the same thing and carry out the same type of behavior, but they don't go to jail.

One participant summarized the impact of experiences in which they had had difficulty getting police assistance.

"The thing about police not coming… or ambulances not coming… and just [a] general sense of just feeling that you're out there alone where you don't feel safe in your own environment… [Y]ou can be attacked whether it's from outside of your community or if it's somebody inside your community. To ask for help, to get help…it's actually a big deal.

Participants also shared fears related to surveillance. They expressed concern that interactions with the NYPD—even those related to low-level offenses—could make them subject to surveillance efforts. In addition, participants were concerned about the Department's gang database and desired greater transparency with respect to how the NYPD classifies New Yorkers as gang members and the implications of such classification.

There are more low-level arrests, and to me it's just to get your name into their system.

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[T]here's [a] gangs database in here. It's a serious issue that we're going through because the NYPD and the powers that be, they're not very forthcoming on how they classify somebody.

Finally, others described instances in which they or other Black New Yorkers were targeted or treated poorly by NYPD on the basis of their race in combination with other characteristics, such as sexual orientation, national origin, housing status or status as a victim of domestic violence.

We had a young man that was gay, a Black, young man that was gay – I actually witnessed it. He was taunted by the officers. It was a group of them, and they only singled him out.

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You have all races down in Midtown that are homeless, but you'll see a lot of minorities getting treated a lot different than whites. I won't just say whites, but I'll say other races because you'll see a lot of Blacks down there and the police are a lot more aggressive towards them, whereas if it's somebody else, they're "Do you need any help? We can guide you here," or they'll call the homeless outreach people for them, but if you're Black down there, it's like, "You've got to get out of here. You've got to go. I don't care where you're going, but you've got to get out of here."

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I had to call the emergency number, 911, and I was trying to explain to them. They were saying, "What type of language are you speaking?" I told them I'm speaking English. They said, "No, you're not speaking English." I said, "I'm speaking Queen's

English." And they said, "Okay, from which – what type of – where is your country?" I told them, "What type of Africa?" I said, "Nigeria."

Participants characterized efforts to hold officers accountable—whether by the NYPD itself or by the Civilian Complaint Review Board ("CCRB")—as insufficient and unlikely to yield results.

If you go to your local precinct to report an officer or whatever, you are harassed. Same thing with complaint boards – you can call, but then they want to take you through a whole system …rather than just taking this simple complaint.

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So, you go to the police and you report whatever you report, and then from there it's so dismissive, so you don't even want to go further with it… A lot of people tend to not file complaints with the complaint board and go further than just yelling at the [officer] in that specific moment is because you know there's a retaliatory practice … particularly within the NYPD…because they talk just like we talk…. Even when you intend to call the complaint review board, it's that automated system, and then …[y] ou're on the phone for maybe a half an hour before you speak to somebody, if you do, and then in the person on the other end is so dismissive. It's a re-traumatization of the initial trauma, so nobody really wants to do that.

Participants also questioned the commitment of police unions to working with the City to ensure that all New Yorkers are treated with the same level of dignity and respect by police officers.

I think the police union leader is very inflammatory. When he made the statement that the blood of the policemen are on the hands of city hall, he was implying Mayor de Blasio, and I think that was uncalled for. That was a very inflammatory statement to make, and it could have easily stirred up – you know, there have been wars between police and this city decades ago when you had two separate police situations. I'm thinking if people are making inflammatory statements, they're not really trying to make peace.

2. Other Areas of the Criminal Legal System

Beyond these observations about interactions at street level and culture and policy within the NYPD, participants also described racism in the criminal legal system as a multi-institutional problem, noting the impact of policies and practices implemented by a range of actors.

Specifically, participants identified a number of factors as drivers of mass incarceration of Black people. Some focus group participants noted that these conditions start with the school-to-prison pipeline, which drives young Black people out of educational settings and into the criminal legal system. Turning to features of the criminal legal system itself, participants expressed concerns about the quality of criminal defense services and judges' setting of excessively high bails.[74] Beyond this, they pointed to district attorneys' over-reliance on plea bargaining as well as prosecutors' tendency to offer Black defendants' plea deals that are less favorable[75] than those offered to similarly-situated white defendants. Finally, they cited racial disparities in the sentences ordered by judges.[76]

Community supervision practices, such as parole programs administered by the NYS Department of Corrections and Community Supervision ("DOCCS"), were also scrutinized for the broad discretion given to supervision officers. Participants observed that overly restrictive rules, such as those related to curfews, were easily violated, creating conditions in which individuals were likely to have to return to custody.

Even if you do your whole entire prison term that the judge sentenced you to, they still have something called post release supervision. So, that's still parole. A parole officer don't know the difference if you got a parole board. It doesn't matter. Now, this paper right here has nine rules. And you cannot be released, until you sign this. So, it's not like you really agree. It's really a shotgun agreement. So, once you sign it, they also have something called special conditions. Now, what they do is this. Set these conditions on you. Everything that you enjoy doing, everything that the average male or female is doing right now, even if it's the game is on, enjoying a beer or being outside past 9:00, they set a curfew on a grown individual. So, what they say is, if you're outside past 9:00, even if you're bringing your kid to the hospital, whatever

the case may be, how it's set up, that does not matter, you could be in jail.

Participants also shared a range of critiques related to correctional approaches. The physical distance between individuals' communities of origin and the communities where they are detained—which can be considerable given New York State's sprawling prison system—was one barrier identified by focus group participants. Others noted that the difficulty of maintaining connections with family was often compounded by strict visitation policies and harassment of visitors by corrections officials.

Somebody said to me before, they said a prison is a graveyard [and] the garden. Graveyard because it kills all relationships that mean nothing and relationships that mean everything as well [as] the garden because they can build some new ones or stronger ones. But a lot say it's the graveyard because the conditions that they put on your family, put on your relationship with your significant other, on your kids. They make it so hard and so difficult. And they want to discourage you, even to the point where they tell your family to their face, if it's your significant other, "You're so pretty, why are you coming here? Why are you messing with this guy?" after they traveled 13 hours? Or as soon as they get there, they say "That shirt is not all right. Turn around." So, make the experience so miserable that you never want to come there again.

These policies and practices, participants argued, were responsible for the overrepresentation of Black people in jails, prisons and community supervision programs in New York. Participants also pointed to the effects of interactions with the criminal legal system, including economic burdens linked to fines, forfeited assets, bail and the cost of services needed during imprisonment. Others noted that Black individuals and their families must also manage the lifetime workforce barriers that result from such involvement in the criminal legal system.

3. Housing & Neighborhoods

Individuals who sat for focus group conversations expressed concern over broad structural challenges related to housing and neighborhoods. These included rising rates of homelessness in the city, increasing housing costs and the displacement of long-term residents from their neighborhoods by gentrification. In addition, they recounted a variety of experiences with race-based housing discrimination.

a. Housing

Participants shared stories of encountering various forms of racism and discrimination when trying to secure or maintain housing. These included—

- Blatant denials of housing on the basis of race;
- The impact of background checks, deposits and fees on Black individuals seeking housing;
- Difficulties asserting succession rights in rent regulated units;
- Historical and current exclusion from homeownership;
- Targeting for predatory loans and lack of access to capital;
- Deed theft and its impact on older New Yorkers;
- Challenges navigating affordable housing programs;
- Negative experiences with staff in homeless shelters;
- Concerns regarding the quality of public housing and its future affordability.

Participants recounted having been refused a housing opportunities due to their race, sharing an experience with discrimination that mirrors those documented in the agency's earliest reports on racism. One participant, for example, recounted questioning her property manager about a family member's application for a unit, only to be told that the property manager had been instructed not to provide units to African-American applicants in order to diversify. This struck the participant as odd given the limited number of Black residents in the building. Another described how she had been denied the opportunity to even see a unit on the basis of her race.

[B]efore I moved to Parkchester, I was looking for an apartment and I hired a real estate agent, and he contacted me about a place to go see in the evening, and then he contacted me back and the owners didn't want Black tenants…That was shocking.

Participants also cited the ways in which application requirements, such as background checks, credit checks, upfront deposits and

additional costs, functioned as barriers to housing opportunities. Some noted that as a result of long-standing patterns of discrimination in housing, employment, law enforcement and other areas, such requirements—even when universally applied—can have a disproportionate negative impact on Black applicants.[77] However, others expressed skepticism that such requirements were being applied consistently and were instead suspicious that they were sometimes employed to discourage or disqualify Black people who were seeking housing.

> *Landlords are discriminating with housing … asking for things that they know you don't have. [It's] just a different way to discriminate. So, they might ask somebody of a different color something different. But for you, they want something that's unreasonable. So, they're not going to say "Oh, we're not giving you this apartment because you're Black." But they'll say "[Y]ou have a 750 credit score? What's your background check? What's this and what's that? And do you have this down payment and this and that?" And that's just a barrier because of who you are. Somebody else can come right behind me and "[O]h, it's all good. Come on in."*

Another described how race discrimination combined with discrimination on the basis of gender identity and expression and lawful source of income to create complex barriers to finding housing. New Yorkers who are "on a program," they observed may not have access to cash to pay required fees immediately. Reflecting on their own experience, they noted that while brokers are often resistant to dealing with candidates who utilize vouchers, the situation is worse for those who are Black and transgender.

Another described difficulties that a family member had encountered when attempting to assert their right to succession—the right of resident of an apartment to become a tenant (or "succeed") after a family member who is the primary tenant leaves[78]—despite a landlord's resistance.

Focus group members also noted how race-based discrimination functioned as a barrier to home ownership, observing that pathways to Black homeownership were few and diminishing. Some cited the ongoing impact of practices that restricted homeownership and access to loans in the latter part of the 20th century.

> *We need to talk about the exclusionary practices that went on…because back in the 80s, 70s…when drugs were being pumped into the community... There were people, people in my own family, who had money, who had good credit who tried to buy property and were told, no, you can't.*

Reflecting on current barriers to homeownership, one participant related the experience of a friend who had confronted considerable resistance from the board in a cooperative building when attempting to purchase an apartment.

> *[M]y friend…was looking for an apartment, a co-op. And she went to that building. And when she initially applied, they turned her down. And she tried again. And one of the tenants said to her …[that] the owner of the co-op said, "No, you can't sell at that price. You have to raise the price." And she found out because the owner told her. And the owner said to the management, "No." The thing is they're trying to keep Black people out and she's Black. So they figured he was selling it too cheap but he wasn't… [H]e said, no, that's my apartment, I'm selling it for the price that I want. And that's how she got in. But they were really trying. She said at the interview she was badgered. They asked her so many things and I'm telling her all this is because they're trying to keep her out. They have a lot of white people living in that building, and she's Black and she bought in.*

Participants also pointed to challenges that Black New Yorkers confront when trying to secure financing for home purchases. Specifically, participants recounted being targeted for loan products with predatory terms—products that they recognized might place them at risk of foreclosure in the future.

Beyond this, participants noted that Black homeowners face considerable challenges maintaining ownership. They noted experiences such as being unfairly targeted for building and sanitation-related violations that have the potential to lead to tax liens and foreclosures. Focus group members also identified malicious practices, such as deed theft—a process by which a property deed is transferred by someone who does not have a right to do so[79]—as a threat to Black homeownership, particularly for Black seniors.

[W]e're overlooking one of the biggest problems in the community and that's the high rate of deed theft. A lot of these houses aren't purchased. They're actually stolen from people who were in this community. So, we have a lot of people that are house-rich but cash-poor. … [T]hey're virtually stolen. It's not just bought from them; it's just frankly stolen out from under them.

Where the specific role and impact of City housing programs were concerned, challenges relating to affordable housing, homeless services and public housing emerged as the chief themes. The NYC Department of Housing Preservation and Development ("HPD") administers housing lotteries for thousands of City-supported affordable housing units each year.[80] While participants were aware of lottery programs and acknowledged efforts to increase the supply of affordable housing, they challenged definitions of affordability and expressed concerns that benchmarks were set at levels that placed even "affordable" housing out of their reach and that of others in their communities.

Well, they're saying that they're making affordable housing but affordable to who?

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We work for a city we can't afford to live in.

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Housing now, all of a sudden when you say affordable housing, it's $45,000.00 – $50,000.00. That's the affordable limit. Nobody here makes $45,000.00 – $50,000.00.[81] So, if you want your children to stay in the neighborhood and be back in, they're not going to be able to afford it. They do that because every year when you want to say, "Well, the median income is blah, blah, blah," so that means it pushes it higher because they're not looking at your median. They're looking at the newcomers…."

Despite the City's commitment to build and preserve 300,000 units of affordable housing and a large increase in the number of affordable apartments that go through the lottery process, participants also noted long waits, with some participants observing that they had never heard of anyone securing a unit, even though they, their friends, or their family members had applied.[82] Participants also expressed a concern that white applicants received preferential treatment in the lottery process.[83]

[W]hen you start seeing the people in the streets that are getting the affordable housing, it is white people.

Homelessness was also a topic of concern. This is unsurprising given that Black people have consistently been denied equal access to housing, community supports and opportunities for economic mobility throughout U.S. history. In New York City, homelessness is driven by factors that have disproportionately impacted Black people: income inequality, lack of affordable and supportive housing, eviction and wage stagnation, de-institutionalization, discontinuation of rental assistance programs, housing discrimination and other factors. Accordingly, Black New Yorkers are overrepresented among homeless New Yorkers. An estimated 57 percent of heads of household in shelters are African-American. Some 32 percent are Latinx.[84]

In addition to noting the increase in the rate of homelessness and its particular impact on Black New Yorkers, participants cited racial disparities in the treatment of homeless New Yorkers by law enforcement. Some who participated in the focus groups expressed concern about the number of homeless shelters in their neighborhoods as compared to white neighborhoods in the city.

Participants also described their own experiences in shelters, many of which are funded or overseen by the NYC Department of Homeless Services ("DHS"), a division of the Department of Social Services. Participants recounted incidents in which frontline staff had subjected them to rude or disrespectful behavior.

The supervisors [of the homeless shelters], I went in there one day and she tried to talk to me like I'm stupid, like I didn't know nothing. I turned around and I said I told her about it in a nice polite way and I said I want to see the big bosses or I'm going downtown to your big bosses and I made phone calls because I know people. They discriminate because you're living with whatever and you need help from them. You don't know what a person's been through, what kind of education they do or what kind of work they're doing right now for you to talk down to people. That's just racist. …Who are you to belittle somebody?[85]

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I experienced it through being homeless, going into the shelter system. I had kids at that time. I'm gonna tell …how they were saying it, "These dumbass people, they don't know what the hell – why they always coming up in here?" This is a place where we're supposed to come when [we] need help. Why are we "dumbass people"? Yeah. I had to tell them a couple times, if you're in this job for money, you need to go somewhere else. You ain't helping nobody, not even yourself. The kids in here, how you think they feel living in a shelter saying that we ain't got no place to live. My kids cry at night because we ain't got no place to live. That is your title, to help us find adequate housing. We shouldn't be stigmatized by our own.

With respect to public housing, participants expressed concerns about the overall decline in the state of New York City Housing Authority ("NYCHA") developments and the timeliness of repairs, with some acknowledging the impact of decades of disinvestment in public housing.

At one time you could work at NYCHA; [a] janitorial position [was a] good position. But Giuliani after Dinkins broke all of that up and cut the union...He…took away benefits from workers…The people that came in didn't have the support, the training or education or motivation to do a good job… So the quality of life in the projects went down along with the services and again lots of disinvestment.

Other participants expressed concerns about the shift toward private management of developments and the impact of this shift on gentrification and displacement of Black residents.

b. Neighborhoods

Gentrification surfaced with regularity in conversations with participants about racism at the neighborhood level. Focus group members talked about how gentrification was followed by:

- Interpersonal racism in interactions with neighbors;
- Proliferation of new establishments that are not welcoming or inclusive of long-term, Black residents;
- The loss or contestation of established services with neighborhood change;
- Deployment of City agencies against longer-time Black residents; and
- Erasure of Black culture from long-standing Black communities.

Participants noted tensions among neighbors that many attributed to racism and privilege on the part of new residents.

I would say it's in a subtle way, but since the gentrification here, you even have those of the white population kind of look at you like, "Why are you here?"

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So, I attend gardening workshops. … I've had some training, took classes, etc. So, you go into an environment where it's primarily white. Even though you have training, they discount what you have to say because it didn't come from them. You could be more educated than them. You know of where you speak, but it doesn't matter because it doesn't come from them... They come here. For whatever reason they somehow end up taking over. I don't want to say take over, but they immerse in the community garden and suddenly what is supposedly grown there – which really has been produce or whatever, our vegetables – suddenly, "No, we don't want this type of vegetable. We want this type of vegetable." As part of the workshops that I do, I go to certain community gardens and I see this… [S]uddenly there's restrictions. They immediately just gentrify areas. It could be a store that you own. They don't like the look of it. Suddenly, you're getting a lot of violations because this is now how – in their mind, it's their money, they moved here, so now things need to be changed ...

Black New Yorkers who participated in the research also expressed concern that while gentrification sometime brought additional investment in the built environment and, in some cases, additional services, new establishments were not always inclusive of longer-term, Black residents.

[T]hat's what happens with gentrification because nobody ever thought about this area before. Nobody ever thought about building this area before. Now with all of these buildings being popped up, then you see cafes, you'll see more banks, you'll see more schools, you'll see more restaurants,

but that's not really for us. Lounge bars. That's not really for us. They're over on their side. Nothing right here in the center of the community where we could really benefit from it. So that's what happens.

Participants also voiced concerns about the removal or contestation of established institutions and services that are stigmatized, such as methadone maintenance treatment facilities and homeless shelters. Participants also voiced concerns about the loss of other community institutions, such as churches, as property values increased.

[T]here's that bus right there that comes from Wards Island, and they're trying to have that removed. Wards Island houses a lot of homeless men, and they want that bus stop to be moved … further away from the neighborhood.

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You could speak to this, too, about how many churches are being lost in this community. This used to be a neighborhood of churches... So, many of them are closing or being bought out.

Consistent with reports that have, in recent years, surfaced with alarming frequency via social and traditional media, participants observed that newly-arrived individuals sometimes deployed City agencies against longer-term, Black residents as a means of controlling the activities of Black residents and shifting the culture of the neighborhood. In particular, participants observed that with new residents have come increased complaints of noise violations, particularly with respect to public gatherings and parties. This in turn is often associated with an increase in police presence and enforcement activity.

We are being displaced because all of a sudden this area is being seen as the most valuable thing …They don't see us as neighbors. They see us as, "Oh, what are you guys doing?" "Excuse you. We built this neighborhood. Excuse me." Then, everything they do is not even inclusive of what the current culture is. Now you get a fine if you play your music on Saturday. What? Uh… we have barbeques all of the time! You need to fit in! We're not saying we need you to act like this a normal thing. We don't want to upset anybody as far aswhat everybody's culture is, but a barbeque in the park is nothing for you to call the police.

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[Before] you could hardly ever get a policeman in the community. You'd have to actually say that a cop is down in order to get a cop to come to assist you. Now because of the gentrification, there's so much protection for the newcomers in the community, but yet they can walk their dog at 3:00 in the night in the park, but when you go in the park, someone's stopping you and want to ask you why you're there.

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There's a church here in Harlem and from time to time, for extra money, they rent out their hall. They rent out their hall and people have parties there. But now since the white people done moved in now, they complain about the parties.

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You have to get a permit, and you have to close down at a certain hour. The same thing is true of the noise level. You have to get a permit, and you have to be able to be within the guidelines for the noise level. And, those things, I mean, Saturday night in the park was fun. There would be dancing, and – but, all of these restrictions now… because people have complained that, "We don't want to hear any drums in the park." Yet, at the same time they've created dog runs in the park. We never had that before. But, now there are dog runs in all the parks. And, there are no children runs.

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I think it would surprise us all to know that in this community, the highest 3-1-1 complaint is for voice, nuisance, noises. It may surprise us all just a little bit. Does anybody have any clue what it is? Churches on Sunday.

Participants observed that these developments were having the collective effect of erasing Black culture from neighborhoods where Black people have lived in large numbers and built communities and institutions over decades. Participants noted that as residents have been displaced so too have Black community gatherings, public celebrations, cultural practices and forms of entertainment,

even as white cultural gatherings, celebrations and traditions have become more common.

> *I think with the gentrification, they have tried to take our culture away from Harlem, and that's why I wanted to come to Harlem – because of the culture that was there. But, now that they're here, they want to change things.*

4. Education & Youth

The next priority for the focus group participants were experiences in schools and the experiences of young people more generally.

a. Education

In the realm of education, participants shared concerns related to:

- Resource disparities that place predominantly-Black schools at a disadvantage compared to predominantly-white schools;
- Difficulties navigating options in a system characterized by varied school quality;
- Their children's potential encounters with racism in predominantly-white schools;
- Disinvestment in traditional public schools and increased investment in charter schools;
- Lack of cultural diversity in the curriculum and lack of Black teachers and administrators;
- The frequency with which Black students were placed in remedial courses and limited access to advanced coursework;
- Disproportionate labeling of Black students as having behavior difficulties;
- Racial disparities in suspension and expulsion rates;
- Deployment of police to assist in disciplinary matters;
- Bullying and other targeting of immigrant students; and
- Negative experiences in higher education settings.

Conversations surfaced structural concerns related to resources. Participants observed that predominantly-Black schools tended to have fewer resources at their disposal[86] and lower quality academic offerings than predominantly-white schools. Focus group participants observed that predominantly-Black schools with which they were familiar lacked sufficient basic materials such as textbooks, chairs, desks, lockers and even access to drinking water where water fountains are consistently out-of-service. Many participants also identified predominantly-white schools as having advanced technology and facilities that predominantly-Black schools typically did not. Participants also expressed a concern that there were fewer extracurricular activities and after-school programs at Black schools.

Participants also noted challenges moving from schools and programs they perceived as lower-quality to programs they perceived as higher-quality, citing bureaucracy, high-stakes testing or required long-distance travel as obstacles. However, participants also identified a tension between the desire to seek better options for their children in other neighborhoods and the impact of such choices on schools in their communities.

> *It's a catch-22 because what happens is because the quality of school is so low, then we try to sometimes send the children other places, but then the schools in our community begin to close because we no longer have enough students in our schools. So, it's a catch-22 situation.*

Relatedly, participants expressed fear about racism their children might encounter if assigned to predominantly-white schools as part of desegregation efforts. Noting that some white parents had recently demonstrated vigorous opposition to such efforts, one parent in the sample described their fear that Black children would confront resistance from white families and suggested increased support to equip schools to address racism that may be directed at students in such settings.

In addition to resource disparities between schools in Black neighborhoods and schools in predominantly-white neighborhoods and the difficulty of navigating a system with significant disparities, participants cited disinvestment in traditional public schools and increasing investment in charter schools as an indicator of racism. Participants expressed concern that this shift was linked to de-unionization of teaching as a profession, the decline of successful public schools and, in the long-term, reduced access to free, high-quality education. Participants also expressed concern about discipline and culture in some charter school settings.

[T]hey're using these charter schools… What they're trying to do? They want to get rid of public schools. They want to get rid of unions. They want to get rid of the middle class.

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If you notice that a lot of these charter schools are in our communities, and these charter schools they concentrate on discipline. If you have any kids in a charter school, you will know that you have to walk in a straight line. You have to sit. … [T]here's all of these issues that have to do with discipline, but if you go out into the other communities, you have the open classroom, kids running around and tutus and everything else, doing whatever they want to do and that's okay for them, but for us, it's really teaching you how to behave and not teaching and not educating you, and actually conditioning you not to think out of the box.

In addition to noting broader structural issues related to resources, participants also shared overarching concerns about curriculum and teaching. For example, participants cited the lack of cultural diversity in curriculums—particularly the limited integration of information on the histories and cultures of the African diaspora—as problematic.[87] This included concerns about the distortion of history and 'white-washing' of curricula. Relatedly, while the NYC Men Teach program, which is designed to hire more men of color to teach in public schools, was the subject of some praise, participants noted a general lack of Black teachers and administrators in public schools, including schools with large Black student populations.[88] Some participants described situations in which multiple Black teachers left due to pressure from administrators or unsupportive environments.

My sister is a teacher, and the principal of the school was discriminating against all of the Blacks because she was new in the school, so she wanted all of them out… Making it hostile where they want to leave.

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When the teachers were getting fired, teachers of color – it was deans – but after the first year of our school, all of the teachers left. They just vanished. There was maybe one Black teacher left and she got fired in April. So, it made the community of students angry.

Another participant described how interactions between a teacher and a co-parent gave rise to concerns about how racism might be impacting their child's day-to-day experiences at school.[89]

My daughter goes to a school that is predominately – it's not Black, but it's not white, but all of the teachers are white. The children are Black, Latino, Mexican, Indian, Chinese. She has a mix of people, but when her mom – who is Black of course – goes and picks her up, it's all of these notions … it's racist innuendo, like, oh, my daughter's not getting what she needs at home. Assumptions. Assuming that because she's Black, she doesn't have X, Y, and Z. The assumptions. So, in the classroom, what is she doing to my daughter?

Participants described school administrators' resistance to incorporating programming focused on Black history and supporting organizations designed to provide safe spaces for Black students.

I think it's an issue of having to make us Black people more quiet, or make white people comfortable in certain environments. My school – during the election last year, a lot of Black kids were hurting so much, but we'd go to classes and they'd ban us from speaking about it, just for the simple fact that white kids would be uncomfortable. So, I think a lot of environments are adjusted to white kids' emotions, but forget about Black kids. [I]t might be hurting their feelings or emotions, and they might be uncomfortable if we speak on race issues or political issues, and I think that's a big problem.

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We put up a slide show on the progression of African Americans throughout history [and] people were making jokes about slavery. And then, we… [had] our chance to get a BSU passed, [a] Black Student Union, but it kinda got stonewalled for a while by [the] administration. And then after this year, when there was a big incident at the Black History [event], people got fed up.

Participants reported that Black students also face barriers with respect to course assignments. They

observed that Black students were less likely to be in advanced courses of study and more likely to be assigned to remedial courses or lower grade levels. One participant who had recently migrated to New York City from Nigeria described how the school in which they had enrolled their daughter sought to demote the child by several grades without first assessing her skill level. After the parent insisted that the child be allowed to take a placement exam, the student not only demonstrated that she should be placed at the grade level appropriate for her age, she excelled and was assigned to advanced courses.

> *And I remember, when I first came... And they look at her – they want to put her three grades backwards. I said, "No." No, no, no." …They said, well, she knows what she's doing. This is the class we have to put her [in]. I said "no, you have to put her back three grades." Then, I stood my ground. I said, "I know where she should be. And if you want to test her, please, I give you every opportunity. Go and give her the test. If she fail[s], then I will agree with you. But, if she [does] not fail, then you have to do whatever is right." ... Therefore, I stood very firm. I said, "No, I have confidence. Give her the test." Then, she did very well.*

In addition to sharing instances in which they confronted obstacles when trying to secure grade-level appropriate or advanced assignments for their children, participants cited ways in which school environments undermined Black students' self-esteem and ability to succeed. For example, some participants shared examples of teachers discouraging or diminishing students' potential or intellect. Others, however, noted how certain teachers or mentors outside of school had encouraged them to pursue education or pointed to the powerful role that schools could play if better equipped to serve students dealing with homelessness, parental incarceration or other challenges.

> *I also think a lot of African-Americans, Black people, whatever, [for] some reason they always have to prove themselves… We would have teachers and they would say negative things to our Black students to break down their self-esteem. It's rampant. [W]e know, as parents, we let our children know, "Hey, you are smart."… [T]hey really break a lot of children's self-esteem.*

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> *I notice with Black males, men, young, Black men, I notice young, Black men are being steered away from education… Roadblocks would be, "You can't do that." But I always had a counter actor that sa[id], "Yes, you can." So there was always someone whispering in my ear – Mama. And certain teachers are saying, "Education."*

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> *I think the education system in terms of even reaching children where they are – our children can be high achievers, but because they …they may have had some issue – failing them. I mean, they could be going to school from a shelter, and mom is struggling; daddy isn't here. Parents incarcerated. And, they have such potential, but they need somebody to help them. I see that they get lost in the system. And, all they may need is somebody to give them a chance. … I mean, my children have gone to public schools, but if you're not there to advocate, you know, even when you do have special needs, it's like a whole ballgame from once you start educating your child. You have to be there to advocate.*

Relatedly, participants observed that Black students were disproportionately likely to be labeled as having special needs or behavioral problems. Parents reported that when they pushed back against such assessments by, for example, requesting additional information or explanation, they were met with forceful, antagonistic responses. Participants emphasized the need for more supportive services such as counseling and creative strategies for motivating students and addressing behavioral issues at all grade levels.

> *I feel like, from an emotional standpoint, they feel like Black kids don't have emotions. … [T]here's this one boy, the teachers would be swearing at him, but I approached him and talked to him like he's human… [T]hey just approach everyone like we're hostile, and they have to beat us.*

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> *The government could increase funding to schools, especially to do less punitive stuff for schools ... And start to do more things for restorative justice or getting more guidance counselors. Because a lot of students they*

have mental health issues, and they need support and the[y] need help. But what they get is an officer and tensions instead of like …getting them set up having a guidance counselor that can help them. The other students, the other schools have those resources. …

Discipline in schools was also a major topic of discussion within the focus groups. In addition to concerns such as those above relating to the targeting and labeling of Black students, participants noted stark racial disparities in discipline.[90] In addition, focus group participants characterized responses to Black student behaviors as overly punitive and observed that white students often encountered less-punitive responses when they misbehaved. One parent described how their son was penalized for responding to white students who were harassing him, after having tried and failed to get assistance from school staff.

Three little white girls that are known to cause trouble in the school were bothering my son. So, my son said something inappropriate, but he was upset, to one of them. The teacher wanted to suspend my son and not do anything to those little girls that he already expressed he had an issue with, one of them specifically. So, the teacher – I go to pick up my son – she says, "Oh, it's a concern because he has Guns Down Life Up on his hat." I said, "Did he show any kind of inclination that he had a gun, that he would carry a gun?" Why was that a concern? She was like, "I don't know." He said to the girl, "If I had a gun, I'd shoot you." He tried to get some recourse, spoke to the predominately white establishment and didn't get any recourse. I said, "Why did you say that out of all things?" He said, 'I just wanted her to leave me alone." So, I had to sit with the principal who kind of apologized for the teacher's behavior and his explanation was she worked at a Catholic school and hasn't been around a lot of Black students. My son is 9 now.

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[A]t the cafeteria, people weren't fighting, but they got into huge arguments. [T]hings happened, and basically one student pushed another student. [T]he Black student had to be followed by security guards wherever he went. The white student, they said they would be put into some type of therapy – counseling. … The kid that pushed the other kid, that was being followed by the security guards, he was just sitting in the guidance office being separated from class, like not being allowed to do certain things because of that.

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[W]ith my brother and gender, the difference in gender, how a female is treated and males, it was totally different and to this day I can see the psychological effects that it's had on my brother. [J]ust being the only young Black boy and just always being a target. My white counterpart friend can trip a girl, she loses her teeth, and I make a joke and I'm suspended. Just outrageous, different punishments is … obvious to a child. It's obvious, and you can feel … different, feeling out of place. It's not always spoken, but it's just maybe an action that will make you feel different. That's what you experience through the school, which creates this school-to-prison environment.

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You could see a huge difference. I know someone … she's 12 years old now – she went to Harlem schools. She was having a lot of problems. She got expelled. The teachers were saying she was a problem child and they didn't understand her. She was having issues. She was in therapy. So,she went through all of this psychological evaluation, but then she moved upstate … [I]t was all inclusive, the people welcomed her. It wasn't like "[S]he's a problem child."

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So, as a part of my work I do a lot with other institutions, Columbia University, Bank Street, Yale, and there was recently a study done on preschool expulsion. And, my Black boys are expelled from preschool more so than their white counterparts. It's really disheartening, and the sneaky way that certain things are done, a lot of places will not outright suspend a child that is three or four years old, but, what they will do is employ exclusionary practices. Meaning that they will say to the parent, why don't you keep him home for this week? Or, if the child is not able to stay home with the parent, well, we're not gonna let him play with this toy, or

we're not gonna let him participate in these activities, which have massive impacts for young children, for any child. But, that's the way a lot of them get around not suspending, quote on quote, these children, but they are excluding them from activities and from things that will benefit them.

One participant expressed concerns about the use of metal detectors, in particular, describing the experience of watching high school students' pass through on their way to class.

And when you walk into these schools in the morning, I was in a high school to attend the meeting, so I had to wait for my other colleagues. And I'm standing there, and I see these kids. It actually brought tears to my eyes. They walk in and there's ten different metal detectors that they have to walk through. Now, if they buzz, if it beeps, now, you have to see this. They automatically knew to put their hands up in the air. These were 15-year-olds. They put their hands up in the air, they had to take their shoes off, and then they got [the] wand. They had to shake their shoes out, and to look at them, this was what they did every single day. It was absolutely the saddest thing.

Participants also expressed concerns about the deployment of police in predominantly-Black schools. Participants shared multiple observations about the impact of these policies and practices on young people.

[W]e had a classmate. He wasn't bad, he wasn't on the streets, but he was one of those that you didn't know who he really belonged to,..[W]e used to bring in a cop at that time... I don't know how the argument happened, but all we know is we were working on a project. He was in our group, and … we were trying … [to] embrace him like, "Let's get this done," and then all of a sudden the cop just starts wrestling him and then he starts resisting. So, him and the cop were going back and forth, and it's like we're middle school students, witnessing things like this, and it's scary when you've never seen something like that, so it was just a bad experience for everyone.

Black immigrants in the sample were especially concerned about bullying and targeting of immigrant students.

Finally, some participants spoke to current experiences in higher education settings. These included being made to feel uncomfortable voicing their opinions and being subjected to forms of censorship in addition to encountering overt racial insults.

A lot of colleges also have a way of institutionally oppressing Black students. I go to [a university], which is in Queens. Recently…Black students have been protesting a lot, because they've felt a lot of injustice towards them. A lot of white students would go on Twitter, create fake pages of students, and just shame them on there. And so, students are going out protesting, writing, and the university decided to e-mail those students that are protesting and say, "Hey, your diploma will be retracted …," so, those kind of things that colleges are doing to Black students, like trying to keep them quiet and not voicing what's happening.

b. Youth

Separate and apart from issues related to education, participants expressed concerns about a range of challenges confronting Black youth. Specifically, participants raised concerns about—

- Criminalization and aggressive policing of young, Black people;
- The challenge of preparing young people for the reality of racism;
- Adoption or internalization of racist notions by young people;
- The pervasiveness of negative characterizations of Black youth and the need for more empowering messages and images;
- The need for additional support services for young, Black people; and
- The particular impacts of homelessness, involvement in the child welfare system and family experience with incarceration on Black youth.

Consistent with respondents' overall prioritization of issues related to law enforcement and the criminal legal system, conversations surfaced a number of concerns about the criminalization and aggressive policing of young Black New Yorkers. Group members discussed the impact of involvement with the criminal legal system on young people. In addition, focus group participants cited the negative impact of witnessing persistent

anti-Black violence for which there is little accountability.

> *[O]ur young boys are going in jail for no reason.*
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> *It's the law that's doing this. In these situations, these issues where our children are being killed because they have hoodies on. These issues that our children are being killed because they are Black by white people. The white people are not going to jail. It puts it in a Black person's head, they don't have any way out. They're automatically set up for failure.*

Parents in the focus groups shared strategies they or other Black families utilized in order to prepare their children to deal with racism. Parents described how they attempted to shield their children from racism, while also remaining vigilant about how their children move in the world. One participant's comment illustrates how aggressive monitoring of Black children's behavior in stores and other public spaces denies such children the opportunity to engage in age-appropriate behavior, communicates that their mere presence is a problem and generates anxiety for Black parents, who know that such monitoring is a consistent reality of Black life.

> *Like when you go shopping, it's like you go to an area, there is that theft prevention specialist now. And if you go, you're Black, your kids are just playing around... Then you see white children just get loud as much as possible. And nothing is being said. You see that all the time. You see the white kids, they just are allowed free rein to just pull on stuff, do whatever. But if it's another race kid, it's just, "Don't touch that. Move from there. Where's your parents?" And you're like – Not allowing kids to be kids but then white kids are able to do all of that and they're allowed that.*

Participants also shared examples of the ways in which they saw young people adopting or internalizing racist notions.

> *I had an experience with my neighbor. Her son was at my house. [They are a] Hispanic family. And the little boy says to me, "What color is God?" So I said, "Well, God is not a color. He's a spirit." He says, "I want God to be white." I said, "Why?" He said, "I just do." I said, "Okay." I left it alone because it created a feeling for me. But then I shared it with his mom and she kind of made light of it. And then she went into mocking Black people.*

Relatedly, participants observed the pervasiveness of negative stereotypes and messages about Black youth.

> *The negative images, it carries over and young folks look at it as being bleak. The only way I'm getting out is I'm playing basketball or killing. So those images that keep, over and over, being looped over, that's what they see.*
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> *I remember one particular instance where [my employer] said to me, if she sees a set of Black boys on a street on one side, she walks to the other side. So that tells me that you identify Black as being not good, violent, whatever. But, anyway, I was not going to tell her personally.*

Finally, in discussing the need for additional support services for Black youth, participants noted—as they had in other areas—that race often combined with other characteristics to create unique challenges for some young Black people in the city. Specifically, they noted the negative impacts of homelessness, involvement with the child welfare system and family members' incarceration on young people.

5. Social Services

Across focus groups, participants expressed concerns about the high cost of living—referencing expenses related to housing, food, childcare and transportation—as well as the difficulty of achieving the quality of life they desired for themselves and their families. Participants identified the inadequacy of the minimum wage as well as low payments from benefits programs as obstacles to economic security. Overall, there was a sense that the needs of low-income New Yorkers were not being met or even sufficiently discussed. Specifically, participants shared concerns about public assistance programs and child welfare practices.

a. Public Assistance Programs

In discussions concerning interactions with the Human Resources Administration ("HRA"), which administers multiple federally-funded public benefits programs, participants noted a range of concerns. These included issues—such as the narrow eligibility requirements for programs and the low level of benefits paid to those who do manage to qualify—that are dictated by state and federal law and policy and, thus, beyond HRA control.[91] Other concerns included—

- Difficulty navigating public benefits programs and offices; and
- Incidents in which frontline staff at public benefits offices treated individuals with antagonism, hostility and disrespect;

Some participants reported some difficulty navigating services, which they observed were insufficiently advertised or explained at local benefits offices.

> *A couple of – maybe three or four years ago, I had food stamps. And then when it was time to renew, when I went, they asked me to return… and I returned three times and I was denied. And I just stopped going. So me and my kids, we just ate noodles … and we're still alive… [W]hen I went to reapply, the lady at the front tell me, "You still have time to submit the documents." I said, "We sent the documents." And then I didn't get anything. So when I went back again, I tell her I submitted – I have the original thing that said what I was missing. I had three stamps saying – they stamp it when you bring in the documents-and I was denied. And I was like, "Okay."*

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> *I went when my daughter was 8 months old… I couldn't work, and I stopped working. So we were there for this One-Shot deal. Okay? … So we heard about this One-Shot deal and we went and it was horrific. …[I] t was like a madhouse and people were cursing. I walked out of there. We didn't get the assistance. And I said to my husband, I said, "We never was in no system in our country." I said, "We'll never come back here." And to God the glory, to this day, we never had to go back.*

In addition, some participants described the stigma they or loved ones felt when seeking public benefits, which was compounded by the hostile treatment on the part of some front-line staff.

> *I remember when I had lost my job...I went to public assistance. And the way they look at you, the city agencies. Meanwhile, I have all these degrees and they were talking down at me just because I'm there. Not because I lost my job but because I'm in there and I have a certain stigma. And the majority of the people that – who are there are Black. So they think that, because they are there, they must not have any type of anything and they can talk down to us. So that's No. 1.*

Relatedly, some participants observed that Black clients faced particular difficulties and hostility when attempting to access public benefits and other social services, while white clients received better treatment.

b. Child Services

Some participants also identified child services as an area in which they had experienced racism, specifically noting—

- Prolonged pendency of some child welfare cases in family court;
- Trauma resulting from government intervention;
- Confusing conditions imposed on families without explanation;
- Incidents in which frontline staff treated families with antagonism and disrespect;
- Incidents in which requests for assistance with intimate partner violence resulted in possibility of removal of children from the individual requesting support.

Some participants shared stories of their own lives. One participant recounted an experience with ACS relating to her son.

> *He wasn't behaving well. He was going through some stuff, and he got to another school. I don't know what he was talking about. He's like, "Oh, no, because my mom is gonna beat me." There wasn't no scars or anything on him, but just the fact that they said that. They came to my house. They looked all over. He was so embarrassed. He was like, "I'll never say it again." But they went through the whole thing, and it was nothing. The teacher was like, "Well, when a*

kid says something –" But you didn't ask the kid why he said that. They went through the whole thing… They had to take his clothes off. He had his underwear on. They had to look all over his body, through his room. He was like, "Mom, I can't believe they did this to me." It was traumatic for him. He was little. He was maybe 9 or 10, less than that. It was an invasion for us. I understand that we have to protect the children. I get it. But there's a way in which we do things.

Participants also noted that cases in family court continued for years with very slow follow-up or progress towards resolution, functioning as a source of stress for their families. Participants also described how, upon separation, they or their children were subjected to confusing conditions that were not explained to them. For example, one parent described being told to not speak to their children in Spanish – the family's native language – when visiting their children in foster care. Conversely, another gave an example of a child who spoke only English being placed in a foster household with limited English, a development that caused communication difficulties for the family.[92]

Participants who had had involvement with ACS described experiences in which staff were disrespectful or rude. Participants recounted incidents in which case workers withheld information or were unresponsive to inquiries.

Participants also shared experiences at the intersection between intimate partner violence and child welfare. One participant described an incident in which she had been kidnapped and her family had contacted ACS for help after failing to secure assistance elsewhere. She described how ACS subsequently alleged that she had abandoned her children, despite a criminal court proceeding indicating that she had indeed been taken against her will. She attributed both the difficulty her family encountered trying to get assistance and ACS' allegations to her race, disability and her residing in public housing. Another described how a report of intimate partner violence led to the threatened removal of children from the parent who had requested assistance.[93]

To add insult to injury was the intimation of because there's so many calls on DV, "We're gonna have to take your kids away," because you have to keep having the batterer around. He's sitting outside of the building. Neighbors are calling in this guy's sitting outside the building waiting for people to come home from work, come home from school. Neighbors recruited themselves to walk her to the train station. The children suffered in school. Their grades plummeted. When you have domestic violence – first of all, when you have an ACS case and you're not the perpetrator but the victim, the schools get notified automatically. When that happens, the children are twisted because social services comes in and they come in like gangsters.

6. Employment & Economy

Individuals who participated in the focus groups reported a wide range of experiences with race-based discrimination on the job, in retail establishments, restaurants and other places of public accommodation and in other settings in which they engaged in the local economy.

a. Employment

Focus group members described encountering race-based discrimination and racism more broadly at nearly every stage of the employment process, including—

- Discrimination in hiring processes, including on the basis of criminal history;
- Being subjected to greater scrutiny, more frequent reprimands and more serious sanctions than similarly-situated white colleagues;
- Tensions created by requests to handle "Black issues" in the workplace;
- Interpersonal racism and other aggressions in interactions with colleagues;
- Differences in compensation and opportunities for advancement when compared with white counterparts;
- Racial patterns in the assignment of supervisory and subordinate roles; and
- Fear that reports of discrimination would be dismissed or met with retaliation.

Participants described encountering discrimination in hiring processes that hampered their efforts to compete for job opportunities. Some noted that despite the passage of the City's 'Ban-the-Box' legislation—generally regarded as one of the strongest in the nation—there remains discrimination against people with histories of

involvement with the criminal legal system that prevents too many New Yorkers from securing employment.

Beyond this, participants described encountering multiple forms of racism once employed. These often surfaced in discriminatory treatment by supervisors and colleagues. Participants also reported facing greater scrutiny and being reprimanded more often and issued more serious sanctions than white colleagues who had engaged in the same behavior or produced work of the same quality while on the job. Black New Yorkers also reported having to work harder and do more than their white counterparts.

> *I discovered that the white folks are – they are always favored above the Black folks. Like, at times, the white folks, they might do stuff and they will not get in trouble. But, you as a black person, the moment you do that, you're in for trouble. So, at times you discover that in job places there is favoritism for white folks compared to the Blacks.*

Additionally, focus group participants reported that when there were few employees of color in a setting, they were often asked for input on "Black issues" or to address problems with other Black employees. Participants viewed this as additional, unpaid labor. Some participants commented on the lack of Black people in leadership positions within organizations or spoke to their own experiences of often being the only Black people in high-status positions and the particular forms of disrespect—such as questioning of credentials and speculation concerning merit—that they encountered in such situations.

> *Another issue I had was with my former employer. I used to work for [a] bank and it was in a corporate setting, Park Avenue. And this man, he was my supervisor, and he had a way of talking to you down. But not directly. He'll just – you know he's talking to you down though because you just feel it. So I went somewhere and I forgot exactly where I went. It was like some upscale place. A political event. I've done a lot of networking over the past ten years…. And then he started looking at me differently. Then he started talking to me differently when he realized that I had certain connections that he didn't have, you know? He had his own connections but people started looking at you differently, not only – I know it's because I'm not only Black but I'm educated. So he's looking at that as well. And young and a woman. So it was a lot of factors involved but I felt that the number 1 factor was I was Black. It didn't make sense to him.*
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> *[M]y boss who's the CMVP of operations called me on the phone after we had all went to lunch, and she's white. And she was just like, so, do you think it would be beneficial to have a conversation with… the [Black] intern, about her cell phone usage? And I was like, yes, I do think that would be beneficial. And she was like, yeah, I mean, I can do it, but do you think [she] would be more receptive if it came from you? And so, yeah, I do. It was kind of a double-edged sword. I still don't even know to feel about it, and I think that's why I keep talking to people about it today because I don't even know where my feelings settle in it. Yes, I do, I feel protective in a way that I should talk to her because she might not be receptive, or it might hurt her feelings more if it's coming from someone who doesn't look like her. She's young, she doesn't know how to be professional. She's an intern. So, it's like, yeah, no problem, I'll do that, but then it's like, well, why are you asking me?*
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> *I'm retired now, but throughout my life, I worked a lot where I was the only person of color in the company, and I just kind of got used to it because I was the person that, if there was a Black issue, they would seek me out. We want your input. What do you think we should do? In some ways, I used it to gain power because they needed that, and they knew they needed that, so in an environment, you wanna create value for yourself that no one else has. So, I looked at it as this is something I have that's giving me a voice that no one else here has that same voice. But, what does it do? You're doing more work, no one walks over and says, can I give you a bonus, for the extra work that you did, but they expect that they can have these conversations. And then, I think the other side of it is that it's taxing to play that role because now you don't have your sisters here… Emotionally, it's emotionally taxing. You don't have Black sisters that you could go in the ladies' room and say, blah-*

blah-blah. No, you're just internalizing this eight-hour or twelve-hour a day environment with all of this stuff that now these white people are giving to you because they don't know what to do with it...

In addition, participants cited multiple examples of interpersonal racism within the workplace, from colleagues, supervisors and clients. Participants recounted instances in which they or other Black workers were talked down to, dismissed, made to feel inadequate or treated with outright hostility at the workplace.

I've dealt with racism... [There was] another situation where I was working at a bakery. We had a white manager, a female white manager and this woman was allowed to be able to come and disrespect us on the floor, say whatever she wanted to us. I was judged by how I was coming inside the workplace dressing. They wanted me to wear a tight-fitting shirt as opposed to an extra-large shirt I feel more comfortable in. I was being judged on how I was coming and dressing. I wasn't wearing my pants off my butt, but my shirt might be a little larger and they were telling me I couldn't wear large shirts like that.

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We used to have staff meetings. ...We'd sit and she [my boss] would go, "We need to hire another supervisor." And she goes, "It can't be Black." I'm sitting there going –"It can't under the age of 26 because she might get pregnant." And this is a woman talking now. Yeah. And so I'm sitting there, going, "Damn." I'm looking at my skin color. But, see, I'm at the table. It's almost like I'm not there. And I've got to – the other supervisor, he's Spanish. "No Spanish people. They don't work hard enough." And I looked at Jose, I go, "And you're out too."

And, as in other areas, focus group members noted how racism combined with other forms of oppression to marginalize them in the workplace. For example, several participants noted that older adults were often made to feel inferior. Participants who were union members cited differential treatment and bias against them within their labor organizations, which they linked to historical, racist resistance to Black union membership. Black women spoke of being undervalued and undermined in the workplace. Black immigrants, in particular, spoke about the intersecting forms of discrimination they faced on the job that were grounded in both their race and their status as immigrants. They recalled facing scrutiny, insults and aggressions relating to their accents and nations of origin as well as comments urging them to return to their countries of origin.

For me, it's the same way, especially in the corporate world. I'm fighting for myself being the only person of color, but also the only woman of color, oftentimes, at the table with mostly white men. And so, to me, that just adds a whole other layer, the fact that I'm Black, I'm a woman, and I'm young. That has always kind of carried with me as I've grown my career in different jobs that I've had. I've always noticed, like, okay, not only is it evident that I'm Black, they also make it clear that, oh, you're young so it's like I don't respect you, and you're a woman, so I also don't have to respect you. And, for me, I don't wanna say it's altered my character a bit, but I feel like my work persona, I have to be more aggressive, which that adds to this character of Black women.

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[T]hey [would]say, "Where did you come from? You come from Africa. We are taking you back. To the boat that brought you. It is still waiting. We are going to throw you back. And go back to your country. Because you don't belong to this place. And we are going to make sure that you are removed from your job." They were saying a lot of things. I've faced it many times at my job. Yes. Then talked to – telling us where we came from, telling us we don't have roots here. The boat is waiting for us to leave.

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Like, my colleagues, some of them think, oh, we live on top of a tree. Oh, my colleague, you live on top of a – I say, "Yeah, I live on top of a tree."

Participants also observed differences in compensation and opportunities for advancement. Participants discussed income disparities relative to similarly situated co-workers who were not Black and being passed over for promotions when they were as qualified, or more so, than the person selected.

Domestic workers, home health aides and others in similar professions often do not have traditional offices and instead work in intimate and often casual settings with their employers and clients. In such contexts, participants report interpersonal forms of racism although they are sometimes more implicitly or tacitly expressed. Participants in these sectors also reported confronting wage discrimination, requests to perform tasks beyond what was previously agreed to, demeaning and condescending attitudes, and differential treatment by employers—particularly higher expectations—than white colleagues.

> *In the domestic worker industry, for some reason, whites – it could be a cleaner, it could be their nanny, it could be whoever – they're always respected a little more. They're offered more money. They do less. They expect more physical labor from a Black person. No matter who – okay?*

Relatedly, participants observed racial patterns within their workplaces, with Black people, or people of color, in service or other subordinate positions, while leadership positions were dominated by white employees. One participant who was an immigrant described how discrimination on the basis of race and national origin combined to impede their advancement.

> *You go to school, graduate, have the same qualifications as the native Americans, sometimes we excel more. But, because of your accent, people will always see it as a default, to not get promoted or to kind of be pushed aside because of your accent, the way you speak, the way you present things.*

Participants also commented on racial patterns in different industries or sectors, such as the predominance of small shops in their neighborhoods that did not appear to employ Black people.

> *They say there are a lot of businesses coming to the community, and there are. But, they're hiring their own people. They're not hiring Blacks. Blacks are always, always the buyers. They're never the sellers.*

While experiences with various forms of racism in the workplace are not uncommon, participants rarely reported such discrimination through human resources or other formal channels. Fear of retaliation was the major barrier to reporting—particularly fear of losing one's job, or being ostracized by other employees. Participants also attributed their reluctance to report to a lack of confidentiality in the workplace, especially in small organizations. In addition to these concerns, participants also saw no benefits in reporting to human resources professionals as there was little confidence that such reports would result in remedial action.

Notably, participants also suspected that they would likely be dismissed for being 'too sensitive' or 'playing the race card,' in these situations especially if human relations staff were not Black. They expressed concern that non-Black human relations staff were likely to have their own biases and would be unable to recognize or understand anti-Black racism. These concerns were especially pronounced among Black employees who worked in settings with few colleagues of color.

> *It's like you're sensitive about being Black. I mean, I sued the company and I worked there while I was suing them, so I got over that a long time ago, but the reality is that the other Black people that could've been a part of the case that we had, there were people that were absolutely in fear. But, I felt stronger because I felt that they wouldn't go after me because I had that lawsuit against them, but I see that all the time. People are simply afraid, and rightfully so.*

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> *I definitely had that situation where a manager made a comment to me … [H]e was known to make kind of inappropriate comments and he'll make comments like, this girl, she's Chinese, but he has a Chinese wife, so he felt like it was okay. But, then, he said it to me, and HR is actually in the office right next to my cubicle, and he said it out loud and a girl clear across the office sent me an instant message, and she was like, I can't believe he just said that. I was like, okay, so you heard it, so then I sent an email to HR who completely acted like she had no clue. I was like, I know you heard it. And so, we had a conversation, that was the whole process, and I don't think I was fearful. I just felt the process was kind of a joke. I feel like they were just going through the motions. She sat me down and then she brought him in for some sort of apology…I*

heard that he was supposedly promoted to partner that year… I was just like, okay, he's partner now, so whatever.

b. Economy

Consistent with long-standing concerns expressed by Black Americans about their treatment in stores, restaurants and other spaces that are open to the public and with stories that have flooded traditional and social media in recent years, Black New Yorkers who spoke with the researchers described encountering multiple forms of hostility, contempt and disrespect in places of public accommodation. Specifically, they noted—

- Negative experiences in retail establishments;
- Poor service at restaurants, bars and nightclubs; and
- Race-based regulation of activities in public spaces.

Across focus groups, participants were quick to recount negative experiences in retail establishments. One participant, for example, described being subjected to racist and transphobic slurs and witnessing similar treatment of others in local convenience stores. Others described experiences having their currency checked by staff at stores they patronized or seeing products targeted at Black consumers locked away, while similar products intended for white consumers were placed within reach of customers. Surveillance by merchants and security personnel was raised repeatedly.

If you notice like when you're in there, they look at you differently. They will follow you. They're not expecting you to buy. They're not expecting you to have money. They're expecting you to steal automatically. As like if you see a group of white girls walk in, they're not bothering them. They've got big bags. They can have the stuff on their shoulder, and they're not following them. Us, if we have something on like we go in the dressing room, oh, you have two items. I've noticed that. They'll give you a thing like two, and then, you see a girl with a bunch of jeans and shirts and dresses, they won't count how many pieces she has.

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I was going to Kenya, and I was going to [a store] to pack for things. And mind you, my cart was full of things that I wanted to buy, but this one lady, I kept noticing she kept following me. And so, I was messing with her, going into this aisle to make sure she was doing it, right? And then once I found out she was following me, I was like, "Okay, you know what? I'm going to be petty." I started putting random stuff and random things, and I was just like, "If you want to work, you're gonna work today!" And then, after that, I called [the store]…[A]nd they gave me a $25.00 gift card, and I was just like, you know, as much as I was happy getting the money, but it's just like, the experience was like, "Wow."

One participant detailed an experience in which, while visiting a popular family attraction in the City, she directly observed a merchant treating her differently than white customers. The participant described the humiliation and distress the episode caused.

They had a stand where they sell ice cream. So, the kids, they wanted ice cream. So, I said, okay. So, I went there, I asked the guy, "How much is the ice cream?" There were two kids, white kids. So, he gave my little kid, --, he gave her the ice cream. I think it was $4.50 or something. …[T]here were three kids. And I just reached out to my bag, brought out my wallet. He did not even know what I was gonna do. I was just trying to open it and he said, "We don't take credit card, only cash." So, I'm like hmm, and [she] already had her ice cream. He didn't know what I was gonna do, he didn't know I was going to – he [c]ould have told me before giving [her] the ice cream. So, I was like "Okay, so what if I don't have cash?" "Yeah, I'll just take it back." That was his response… I gave him the cash. I was inconvenienced. It is it park. Like, your ice cream is so expensive, so how can you tell me you only take [cash]?

So, what I did, I went behind him, I had my phone. I wasn't convinced. I knew something was wrong somewhere. So, I went behind – he didn't know what I was doing. And people were coming, other races were coming, giving him credit card, and he was taking it. Oh my god. I was shivering. My kids didn't know what was happening. They just saw mom holding a phone looking for like an evidence or something. Then, I

made sure I had it on camera and I walked – that was the first time – I see the videos on YouTube, help people. I felt – I was shaking, like, this has never happened to me. Like work, I work in a corporate environment, it never happened to me. … So, I'm like okay, now I'm like – so, I went to the lady, a white lady with a son. And asking, "Hi, ma'am." she didn't know what I was doing. "Did you just use a credit card here?" And she said, "Yes, I just used my credit card." I just went crazy. Not really crazy, like in a nice way. I'm like, "[O]h, I have you on camera. So, you told me you don't take a credit card. You just took a credit card from this lady?"

Oh my god. They shut down the whole thing, and the boss came. …[He said] "[T]hat's not what I mean[t]." What do you mean? You told me you don't take a credit card, only cash. And I just saw someone using a credit card. What is this telling me? … Two people. A man, a white man and a white lady with son. "No, that's not what I meant. I meant I don't have change." I said, "No, that's not what you said." I'm not dumb. If you don't have change, credit card or debit card would have been the best way. You don't have to give me change back. And the boss came, they shut down the whole thing and telling people, "You can use the other stand. We have a situation." He said "Please, I'll do anything. That's not what I mean. I'm so sorry."

Another participant discussed an experience in a public space, whereby a security guard required Black people to show identification in order to access the public restrooms, but did not ask the same of white visitors.

I was eating lunch with my friend and we were in this public space. We're eating lunch, everybody comes here and eats... I didn't realize that you needed to show your ID to use the bathroom. So, my friend was telling me this and was like, the security guard gave me a hard time. I'm like, why do you need to show your ID for the bathroom? I've never heard of that before, so I was like, let me go test a theory … because we noticed he's just stopping Black people, and you see white people passing by, going to the bathroom. Let me go check and let me go see, test it out. I'm ready to go to the bathroom, see if he's gonna do it to a Black woman, too. The guy does it to Black women, as well, and this is a Black security guard, so I take offense. …I go to the bathroom, the guy asks me, can you show me you ID? I said why do you need to see my ID? He points to the sign on the door saying there's a policy, yada-yada-yada. I give him – takes my name down, which I think doesn't make any sense. So, the person who comes after me does not show their ID. It's like, okay, so you're just stopping people at random, Black people, literally Black people, Black females, Black men, but you're not stopping white people who are going to the bathroom. So, we go up to the manager, I speak to the manager. The manager is giving excuses saying it's policy, we're not gonna stop everybody back to back to back. The situation wasn't like that, though. He was stopping people who were Black.

Participants also reported receiving poor service at restaurants, where they observed white customers receiving better treatment. Specifically, Black customers reported experiences in which they had been ignored, dismissed or generally treated poorly or spoken to in a disrespectful manner. Some respondents noted that bars and nightclubs often deny entry to Black patrons. Others observed that small, Black-owned businesses in their communities were closing due to gentrification, only to be replaced by businesses that sell similar goods at higher prices or fail to cater to needs of Black residents of the area, by, for example, refusing to accept EBT as payment.

7. Health Care

Black New Yorkers who participated in the focus groups expressed a range of concerns related to threats to their health and access to quality health services. At the highest levels, participants expressed concern about the prevalence of asthma in their communities, which they noted negatively impacted young people and adults alike.[94] In addition, participants noted the elevated cost of healthcare, particularly for medication, specialist services and co-payments. Older adults in the focus groups noted the particular impact of rising costs of maintenance medications, such as insulin, which are critically important for older individuals but challenging to pay for on fixed incomes.

Turning to specific manifestations of racism in the area of health in New York City, participants noted a range of issues including:

- Resource disparities between hospitals in predominantly-Black neighborhoods and those in predominantly-white areas;
- Experiences in which they or loved ones had received low-quality treatment, including insufficient screening or diagnostic services, care that appeared to decline in quality after patients advocated for themselves and efforts to withhold medication based on assumptions about patients' motivations for requesting it; and
- Rude and dismissive treatment from some health care providers.

Participants observed that hospitals in predominantly-Black neighborhoods tended to be less well-resourced than those in predominantly-white neighborhoods, often citing long wait times at emergency rooms in the former as an indicator of resource disparities.[95]

> *Hospitals [in] Black and brown communities are definitely more run down. They may not have adequate facilities or departments, where asother hospitals in more affluent areas absolutely do. Their doctors are not worked to the point of exhaustion as much. Patient care is focused on more so in those communities. And, just having conversations with the patients to where they understand their options and things like that, I feel like those conversations are had more in white communities, and definitely not in Black or brown communities. Second opinions are definitely not encouraged, it's what we say and that's it, although, the patient does have an option to do something else. Often times they don't know that they have these options.*

Reflecting on experiences with health care providers, participants described receiving low-quality treatment.[96] For example, participants shared incidents in which they or their family members were given inadequate diagnostic testing or screening services.

> *My dad just passed away in December, and let me tell you... There was a big difference in his doctor, who was African American. [We] had to fight. We took him to the hospital. He was not diagnosed with a stroke. He had a stroke. We had to take him to another hospital, and his doctor had to advocate for him to get all of the testing and everything he needed. She said, "This is the reason I became a doctor." She said because she knows – she said, "A man, if he was white with that A-1 health insurance that he had, the same stature, they would've given him a full value of everything and he would've found everything … That could've led to a whole different outcome."*

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> *[W]hen my daughter was younger, when she was about 9 years old…[H]er leg got infected, and she went into the hospital. She was going to stay with her godmother. So, they wanted to amputate her leg from a mosquito bite. They wanted to amputate her leg. Because her godmother was in the healthcare profession – she was a nurse, she's the professional – she said, "Oh, hell no. You're not going to amputate her," and then went and got a second opinion and found out they didn't need to amputate her leg. So, if she was not educated and did not know, she would've been like, "Go along with whatever the doctor says." My daughter would be walking around with one leg now.*

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> *I had a car accident. So, I went to the emergency... [T]he doctor came. It was a white guy and he said, "Oh, yeah, it happened. Today you will have the pain because…whiplash." [N]ot even x-ray, not even blood test, not even nothing to check I was okay… He didn't want to waste time on me because I'm Black. Like, "Oh, yeah, you'll be fine"… I said, "I've had a car accident. You're just going to say, 'Oh, yeah, if you had a broken bone, you wouldn't be sitting like that?'" I said, "No. I know my rights." They didn't even give me…a robe or something. I had my clothes on. …I've never went there since that.*

Alarmingly, one participant described an incident in which a parent had complained about their treatment, only to see the quality of care decline following that complaint.

> *My dad was a dialysis patient, and he realized that something was wrong with his feet. The doctor paid him no mind; he just*

brushed it off, and eventually it got so bad that he ended up losing his foot and then his leg. When he realized he had to lose his foot, he said to the doctor, he said, "It's your fault." He said, "You're the reason why I'm losing my foot… I realized after that that his care changed. Everybody that came in contact with him doctor-wise treated him differently… Worse, …they wouldn't blatantly come out and say it, but you could see they weren't doing as much as they should… They talk, so it seems to me like they picked up the phone and said, "Watch out for Mr. [Name Redacted] because he's trouble. He accused me of being the reason why he lost his foot."

Another participant described an experience in which the provider withheld medication from a patient, believing the patient to be drug-seeking.[97]

My godbrother, he has sickle cell disease… [H]e's actually admitted in the hospital, and the nurse decided to not give him medication … not only [because] he's Black but also because he has sickle cell disease… This is what she said "They always want drugs." He heard her say it. Of course, when my godmother went there, it was on. It was like her son was in need. But …still I feel like [there's] a stigma on Black people.

In addition, focus group members described incidents in which they were subjected to rude or dismissive treatment by health care providers, including providers of mental health and drug-treatment services.

I had been in a drug program. There's racism in there too. I have been in one of them. What they do is like they belittle you and you place stigma on you to the point where you punish your own self … they take away your self-esteem. If you're in a depressed stage or anything, you have to fight your way out because there's nobody there to talk to. The counselors, they come out their face differently. These are people that are hired from the government that does that. So, you're sitting in a drug problem trying to get away and they're trying to make money saying things about you, like, "That's why that dumbass is in here. She doesn't know how to stop shooting drugs," and they use that other words. I stopped using other words because it doesn't match me. Women were being belittled out there. If you didn't agree with them, you say, "I don't want to be on [medication/methadone]," you're called a whole bunch of names. I have heard "monkey." I have heard "dumb bitch." I have heard "junkie bitch."

8. Civic Engagement

Participants shared a diverse set of concerns related to civic engagement. Issues related to community boards were raised in a few focus groups. One participant expressed concern that residents of Black communities were not getting sufficient information about funding opportunities, and as such, were unable to secure benefits enjoyed by white communities.

[W]ho knows about capital budget, and all of those things? It's like the Black communities not being aware of these things, so the people who these fund[s] are being advertised [to] are really well-off white people who are already now taking advantage of all the resources that the community has.

Another participant shared her experience joining a predominantly-white community board and the hostility she encountered on the part of her fellow board members, who were white.

So where I reside, although I live in public housing, there's one development and on the outskirts of my development lies private homes. So I'm surrounded by Italians, Irishmen, Greeks. I do a lot of community work and I sit on a board and when I first got to this board, nobody would talk to me. They wouldn't even say hello to me. And I remember going to my ...Borough President, who appointed me to be on that board, I said, "I'm leaving." And he asked me why and I told him. I said, "I'm so afraid that I'm going to lose it, I'd just rather leave." And he said, "No, you're not. You're gonna stay there." He said, "And I'm gonna help you." And I stayed there. And it's gotten a little bit better but I still am faced with discrimination.

Participants were also concerned about the lack of messaging and awareness with respect to particular civic engagement opportunities. For instance, participants praised the recent voting restoration policy for people on parole but noted

that it is not well known or well advertised. Another participant cited a lack of awareness about judicial elections. Some participants also felt that the lack of education about civic engagement opportunities had been intentional, with the goal of discouraging such engagement.

> *A lot of times that we don't see a lot is just that there's not enough knowledge that's going on about civic engagement when it comes to the voting. Even though it's there, we tell people, you need to vote, not just every four years, but you need to vote every single year. And, a lot of times, especially in schools, like high schools, they don't educate them a lot about voting.*

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> *I'm doing a voter registration drive. And I'm targeting…the young brown … boys in my neighborhood. And I was speaking to one of the politicians and they kind of like dismissed it. … So they don't want to empower the young brown…boys. We want them to stay on the streets. We don't want to educate them. And I'm just going – I'm like, "No, because it's that educational piece and they need to understand the importance of voting, how our ancestors have bled and died for us to have this right." And I'm going on, I'm so excited, and then they're like, "No."*

9. Media Representation & Narratives

Where media representation and narratives were concerned, participants identified racism in persistent racial tropes seen in both entertainment and news narratives. In general, participants cited a lack of positive representations of Black culture, history and achievements. Participants noted that stories of Black criminality were often elevated while positive developments in Black communities were frequently ignored. In addition, participants pointed to stark differences in how similarly situated Black and white individuals and populations were represented. A common example raised in the focus groups were media narratives portraying white shooting suspects as having mental illness, while Black individuals accused of gun crimes were labeled "thugs." Participants also critiqued the narratives surrounding drug use, in which Black communities are stigmatized as having high rates of drug use, despite findings that rates of drug use are roughly the same among Black and white individuals.[98]

> *They be trying to make it seem like we're just destructive.*

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> *In a Black community we joke about it like, "If they don't show a picture of this mass shooter, we know more than likely he's not Black," and we have these sayings and jokes. That's a form of conditioning. We shouldn't be playing around saying these things. That's conditioning because we've accepted that this is what we obviously observed and know to be true. So, that is a problem, and I don't know if there's anything that can be addressed about media and the way our stories are told and the way issues are being articulated and communicated and presented on behalf of people of color to me is problematic*

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> *But, also I'm thinking about narrative, so overall we're talking about the narrative of how things are being shaped. We have to start dispelling these myths. There really is no such thing as Black-on-Black crime. That is the ridiculous narrative, and those ideas are still being put out by politicians, people …who we had elected [to] office because we don't even know better. So… it's definitely about education, but it also doesn't necessary trickle up or down. It goes from the bottom, going around and into a circle. Because, again, if you have a politician saying that Black-on-Black crime is a real thing, then we're going to think Black-on-Black crime is a real thing and it's not.*

These reflections—cutting across major domains of life—shed light on how centuries of anti-Black racism affect the lived experiences of Black New Yorkers today.

CURRENT CITY EFFORTS

In New York City, a number of developments—starting with the Commission's early history and continuing to the current day—demonstrate local government's evolving commitment to combating racism. To share the concerns raised in conversations with Black New Yorkers discussed in Section VI and to learn more about work designed to advance racial equity currently underway, the Commission met with agency staff throughout the fall and winter of 2018. Specifically, the Commission met with the following agencies and offices.

- Office of the Mayor ("Mayor's Office")
- New York City Police Department ("NYPD");
- Civilian Complaint Review Board ("CCRB");
- Mayor's Office of Criminal Justice ("MOCJ");
- Department of Probation ("DOP");
- Department of Housing Preservation and Development ("HPD");
- New York City Housing Authority ("NYCHA");
- Department of Education ("DOE");
- Department of Youth and Community Development ("DYCD");
- Department of Social Services ("DSS");
- Administration for Children Services ("ACS");
- Department of Health and Mental Hygiene ("DOHMH");
- NYC Health and Hospitals ("Health + Hospitals"); and
- Chief Democracy Officer ("CDO").

Unsurprisingly, many of the specific issues that surfaced in the research—which are themselves rooted in the nation's centuries-long history of anti-Black racism—were not new to the agencies. In some cases, agency officials were alarmed by experiences shared by participants, which described treatment that was inconsistent with agency policy. The Commission found that, generally, agency staff recognized the importance of the project, were eager to hear what the Commission had learned, expressed a commitment to addressing issues raised and acknowledged ongoing challenges not yet addressed.

In addition to insights specific to particular agencies, the Commission surfaced a series of cross-cutting themes. Specifically, the Commission identified a need for City agencies to increase efforts to support navigation of key programs as well as to improve transparency about processes and outcomes so that New Yorkers can better understand how they work and how to utilize them. It also identified a need for agencies to ensure meaningful community engagement, so that City departments and offices can better understand the challenges that Black New Yorkers and others in the city encounter when engaging with policies they implement or programs they administer. Finally, the Commission offered to partner with other agencies to review policies and programs in order to better understand and address the factors driving the experiences and outcomes described by Black New Yorkers who participated in the project.

This process of consultation also furnished a valuable opportunity to learn about current initiatives based at the respective agencies and offices. In many respects, these efforts have been consistent with best practices identified by experts, such as the Government Alliance for Racial Equity ("GARE"). A cohort of almost 100 municipalities that are actively working to advance racial equity, GARE has grouped a range of strategies into three interconnected approaches to orienting the apparatus of government toward such outcomes.[99] While models vary according to the specific needs of jurisdictions, there are lessons to be gleaned from looking across case studies. For example, jurisdictions that have committed to racial equity have worked to "normalize" a focus on race, prioritizing conversations on the topic to develop a shared sense of urgency, language and analysis among government employees. In addition, these jurisdictions have "organized" for racial equity, building supportive infrastructure and partnerships. Finally, these jurisdictions have "operationalized" their commitment to racial equity, developing and deploying analytical tools and utilizing data to drive progress toward equity goals.[100] These best practices establish a helpful framework for understanding current City efforts and charting future steps.

A. Normalizing Racial Equity

Normalizing racial equity is the important, foundational work of fostering ongoing conversation on what racism is and how to combat it within government. While this may seem like a

simple step, widespread discomfort with discussing racism and the diversity of opinions about what constitutes racism in 21st century America make this a challenging task. Institutions that have taken this work on, often start with trainings and workshops designed to assess staff members' understanding of the issues, prompt reflection on the unique role of government as it relates to racism and generate strategies for ensuring that the institution in question is driving as opposed to impeding racial equity. If done well, this work counters the notion that the nation's long-history of racism is separate from and irrelevant to the work of government and instead helps government officials to acknowledge that a racial equity lens should be central to the work they do each day. This process is an essential part of creating the shared understandings and buy-in necessary to support deeper institutional change.[101]

New York City has been moving toward a clearer articulation of a commitment to fighting racism and advancing equity. In August 2017, for example, Mayor de Blasio was one of over 300 local executives to sign the "Mayor's Compact to Combat Hate, Extremism and Bigotry," a U.S. Conference of Mayors initiative launched in the wake of the racist violence in Charlottesville earlier that summer.[102] Signatories pledged to speak out against all acts of hate, punish bias-motivated violence to the fullest extent of the law, encourage more anti-bias and anti-hate education in schools and police forces, and ensure aggressive enforcement of civil rights and hate crime statutes, among other commitments.[103] The following year, the City became a member of GARE, creating new opportunities for New York City officials to learn from colleagues in other jurisdictions who are taking on the challenge of combatting racism in all of its forms. And in spring of 2019, the Mayor signed Executive Order 45 requiring agency-level equity reviews. Beginning in 2020, the annual Social Indicators Report will include city-wide equity metrics and data for each City agency relating to who programs are serving, service locations, diversity in employment and hiring, contracting and a description of internal agency practices that are designed to promote equitable service delivery. Data for each agency will be disaggregated by race/ethnicity, gender identity/expression and income where available and/or applicable. Agencies will also be required to develop and pursue plans to address key areas of disparity and advance equity.[104]

At the agency level, these efforts to normalize racial equity are most visible in growing commitments around training. In 2018, for example, the Department of Education ("DOE" or "Department") announced an investment of millions in anti-bias training for teachers.[105] Similarly, the Department of Health and Mental Hygiene ("DOHMH") has made its commitment to analyzing public health through a racial justice lens explicit. The agency's "Race to Justice" initiative is an internal reform process designed to support agency staff to approach their work in a manner consistent with racial equity processes and goals. The initiative does so by building staff understanding of racism and other systems of oppression, examining how racism impacts the agency's policies and practices and creating new policies to address these impacts and partnering with other institutions and communities to challenge systemic racism.[106]

B. Organizing for Racial Equity

Efforts to restructure government institutions to better support dismantling racism fall within the next category, organizing for racial equity. This might involve creating new roles that are focused on addressing inequities or adjusting existing positions so that this becomes a primary focus of an agency's work. As GARE notes, governments that are eager to take on racial equity must foster a commitment to racial justice across departments and at various levels of these institutions.[107] Alternatively, organizing for racial equity may mean establishing partnerships with external actors—such as foundations, non-profit organizations or academic institutions. Regardless of the form this work takes, its focus is on marshaling and arranging human or other resources in order to focus time and energy on dismantling racial inequities.

At the agency level, there are a number of efforts to establish partnerships and infrastructure to enable this work. One notable example is the Center for Health Equity and Community Wellness at DOHMH. The agency's commitment to acknowledging and challenging the role that racism has played in determining health outcomes is notable for its clarity and its connection to programming and policy. In summer 2018, for example, DOHMH launched a five-year plan for eliminating the sharp disparities in maternal mortality between Black women and white women. Starting with an investment of $12.8 million, the

City pledged to tackle these issues by providing implicit bias training for relevant private and public health care providers, supporting private and public hospitals to enhance data tracking and analysis of severe maternal mortality and maternal morbidity events, enhancing maternal care at NYC Health + Hospitals' ("Health + Hospitals") facilities expanding public education in partnership with community-based organizations and residents.[108]

The agency has also established the East Harlem Asthma Center of Excellence, which provides asthma education and counseling as well as other supports to families in Central and East Harlem that are affected by asthma. In addition, the Harlem Asthma Network, a network of more than 100 clinical and community-based providers representing over 30 organizations providing asthma care, stretches from Harlem, through Washington Heights and to the Bronx.[109] In summer 2019, DOHMH launched Asthma-Free Bronx, a program operated by DOHMH, Health + Hospitals and the Department of Education, will provide a suite of personalized services to every child seen in the emergency department or hospitalized at any of the City's three Bronx public hospitals due to an asthma attack.[110]

In addition, DOHMH has expanded its citywide public awareness and informational campaigns addressing health equity and stigma. The messages—which center on drug use and treatment, mental health, sexually transmitted infections, smoking and other topics—incorporate language, images and testimonials from real New Yorkers of color. The featured individuals share their experiences and, in doing so, promote inclusivity and de-stigmatize health care participation. The agency's work serves as a powerful model of what is possible across city agencies.

Where the City's public hospitals are concerned, NYC Health + Hospitals instituted a number of key initiatives to expand access to care. Under the Caring Neighborhoods initiative announced in 2015, NYC Health + Hospitals expanded primary care access to new patients in underserved areas across the City. To date, Health + Hospitals has expanded to sixteen high-need neighborhoods that include Tremont in the Bronx, Brownsville, Bushwick and Crown Heights in Brooklyn. NYC Health + Hospitals also launched NYC Care to connect uninsured or underinsured New Yorkers to primary and specialty health care services, and improved insurance enrollment efforts to make it easier for underserved communities to connect to Medicaid, Medicare, the essential plan, or qualified health plan.

Importantly, NYC Health + Hospitals is also committed to improving maternal and infant health by enhancing maternal care at facilities in order to reduce the rate of maternal mortality and morbidity among Black women. This comprehensive plan includes simulation training on interventions to prevent the three leading causes of death in pregnancy, increased maternal care coordination, and new intervention measures to support new mothers and their babies. In addition, NYC Health + Hospitals operates several centers of excellence centered around providing culturally competent care to distinct communities. One of these is the Medina Health Center at Harlem Hospital, which offers quality, culturally competent, medical services to the African community, many of whom are immigrants, as well as members of the Muslim community. NYC Health and Hospitals also offers trainings on cultural competency and implicit bias to build knowledge and skills for front line and care providers in the delivery of equitable care.

Recently, the Department of Education, ("DOE") has also been explicit in its acknowledgment of both the realities of segregation, race-based disparities in disciplinary outcomes, access to gifted and talented programming and other aspects of the City's public school system. The agency has also been forceful in voicing its commitment to dismantling such inequities.[111] Recent investments have increased the resources available to support such work. In April 2018, for example, the Mayor announced that the Executive Budget would include $125M for nearly 900 of the City's highest-need schools. The funding was designated for additional materials, teachers, reading specialists and other needs.[112] The Department has also invested $23M in culturally responsive education that will strengthen relationships between students and staff.[113]

DOE is also taking steps to expand access new academic opportunities. The Mayor and Chancellor have developed an "Equity and Excellence for All" agenda that is designed to build a pathway to college for all young people in New York City public schools. This includes free, full-day, high-quality education for three-year-olds and four-year-olds through 3-K for All and Pre-K for All. The agency has also developed a Universal Literacy program designed to support all students to read on grade level by the end of second grade and Algebra for All to improve elementary- and

middle-school math instruction and ensure that all eighth graders have access to algebra. These initiatives continue through middle and high school with more challenging, college and career-aligned coursework. This includes Computer Science for All, which brings 21st-century computer science instruction to every school, and AP for All, which will give all high school students access to at least five Advanced Placement courses. In its first year, AP for All supported a record number of students taking and passing AP exams. Specifically, 8.9 percent more Black students and 13.2 percent more Hispanic students took at least one AP exam in 2017 than in the previous year. The City has also made investments to support students as the move through this pipeline. Since 2014-15, the total number of guidance counselors and DOE-employed social workers in schools has increased by 7.3 percent, including 176 social workers and guidance counselors hired during the 2017-18 school year. The Department's Office of Community Schools supports community-based organizations in 245 schools serving 121,000 students. Through partnerships with community-based organizations, families in community schools receive targeted support in academics, health, youth development, and family engagement. And all Community Schools offer physical and mental health services.

The City has also made investments that are geared toward increasing the number of teachers of color and offering Black students access to coursework that is reflective of their cultures. NYC Men Teach has, to date, brought some 1,000 men of color into the teacher pipeline. Diversity in New York City Public Schools, the City's recently-released school diversity plan, includes recommendations for making the city's public school classrooms more inclusive and diverse. While curriculum requirements are ultimately set at the state level, the Department provides teachers with training opportunities focused on Black history and also makes a collection of annually curated classroom resources available for teachers to integrate into their lessons throughout February and the remainder of the year.

Similarly, the Department of Youth and Community Development ("DYCD"), which administers after school, summer and employment programs for youth across the five boroughs, has increased its focus on equity, including racial equity, in order to better meet the needs of young New Yorkers. The agency has established an Equity Workgroup including staff from across twelve units and created new professional development opportunities for staff in partnership with community-based organizations.

Increasingly, agencies are investing in the creation of high-level staff positions to focus on racial equity and other equity issues. For example, the Department of Social Services ("DSS"), which encompasses the Human Resources Administration ("HRA") and the Department of Homeless Services ("DHS") recently appointed a Chief Diversity and Equity Officer ("CDEO"). The CDEO is responsible for developing agency initiatives that address staff engagement, recruitment and advancement and build capacity of staff at all levels to respond effectively to both structural racism and individual bias. In addition, the CDEO is responsible for promoting cultural competency programs and informing policies, training, hiring practices and service delivery to ensure equitable outcomes for clients and staff. The agency is developing implicit bias training for all 17,000 staff members and is already providing new hire training for frontline staff on internalized and structural racism and the impact of staff bias on client experiences and outcomes. Training on trauma-informed service delivery for all staff is also in development. Notably, DSS has also expanded its mandatory trainings for security guards, including those at shelters and HRA job centers, on topics including customer service, conflict resolution and cultural sensitivity, de-escalation and alternatives to force, disability access, history of poverty, implicit bias, intimate partner violence, Mental Health First Aid, LGBTQI competency, language access and sexual harassment prevention.

Beyond creating new leadership roles focused on equity and enhancing training offerings, DSS continues to make systematic reforms to social services policies and practices, aimed at improving the experience of clients (more than 80% of whom identify as people of color) as well as reforms that directly address the concerns raised by the Black New Yorkers who participated in this project. It has, for example, adopted a new prevention first approach involving investments in tenant legal services and rent arrears payments, which has already resulted in a 37% reduction in evictions by City Marshals since 2013. DSS estimates that more than 100,000 men, women and children have moved out of shelter or averted homelessness altogether through new rental assistance and other rehousing programs

in recent years. The agency has also embraced an approach to addressing street homelessness that focuses on each person's unique needs. The Department estimates that some 51,500 people moved from shelter to housing or were prevented from becoming homeless as a result of its initiatives.[114] In addition, the agency has replaced 180 substandard shelter sites with a smaller number of facilities close to children's schools, jobs, health care, houses of worship and family supports. Other changes to benefits program administration have reduced barriers for clients. For example, New Yorkers used to be subjected to churning due to unnecessary case closures that required clients to request state hearings to reopen matters. The agency has now put in place protocols to prevent unnecessary case closures, bringing state hearings down by more than 47 percent. DSS also reversed former agency policy related to the Supplemental Nutrition Assistance Program ("SNAP"), allowing more clients to retain their benefits.[115]

Similarly, the Administration for Children and Family Services ("ACS"), which is responsible for stabilizing and supporting families as well as investigating allegations of abuse and neglect, has also taken recent steps to grapple with the sharp racial disparities that manifest in the area of child services. Per state law, ACS is mandated to investigate reports that are submitted to the Statewide Central Register of Child Abuse or Maltreatment, the hotline operated by the New York State Office of Child and Family Services ("OCFS"). However, ACS recognizes that unconscious bias and personal experiences may impact how individual caseworkers perceive and respond to families involved in the child welfare system. To counter this bias, the agency is working to ensure that interactions with families that arise from reports to the state are not shaped by racial bias. For example, to address how bias impacts decision-making and to support caseworkers through improved training opportunities, in 2018, the agency established an Office of Equity Strategies with director-level positions focused on Race Equity Strategies and LGBTQ and Gender Equity Strategies. The agency has also begun to incorporate awareness of implicit bias, best practices in customer service and respect into all trainings. Direct service employees and supervisors at ACS are now required to take a new full-day, instructor-led program on implicit bias, and the agency recently launched a new e-learning course, "Understanding and Undoing Implicit Bias," which every employee must complete by June 2019. These formal trainings are supplemented by an ongoing series of events and discussions on race and racism that are developed and led by a cross section of ACS staff and are available to all staff at the agency.

In addition, ACS recognizes the importance of expeditious resolution of cases for families. To that end, the agency has taken a number of steps to address the extended pendency of some cases, which may be due to insufficient preparation and coordination on the part of attorneys, adjournments that stem from limited court resources, limited availability of mandated services or other circumstances under which additional time is required to demonstrate compliance with court-ordered conditions. For example, the agency participates in a number of working groups and processes with Family Court administrators, attorneys and advocates for parents and children in order to identify possible solutions to increase efficiency. In addition, ACS recently invested $19 million in new prevention slots aimed at diverting families from court-ordered supervision—which accounts for much of the recent increase in court filings—in an effort to reduce periods of court oversight.

C. Operationalizing the Commitment to Racial Equity

Finally, governments that are committed to advancing racial equity have developed and deployed analytical tools in service of this goal and shifted programs and policies to address identified inequities. This work allows jurisdictions to utilize data to help set goals, monitor progress toward these goals and adjust departmental practice in the service of these goals.[116]

Recent years have also seen increased efforts to examine agency policy and practices through an equity lens and create strategies to drive more equitable outcomes. Implementation of Local Law 174, signed by the Mayor in September of 2017, represents the City's most robust effort to date in this area. The measure requires DOHMH, ACS, DSS and any additional agencies designated by the Mayor to conduct equity assessments, reviewing services, programs, employment, contracting and budgets for disparities based on race, gender, income and sexual orientation.[117] In addition, the local law requires designated agencies to develop and implement action plans

to address such disparities and establish an Equity Committee to review these plans.[118] Other legislation passed as part of the same package mandates provision of implicit bias training for staff at each designated agency.[119] As outlined above, new staffing structures, training opportunities and policy reviews designed to fulfill the requirements of Local Law 174 and to take additional steps in the service of equity are already underway at each of the specified agencies.

Beyond this, other agencies have taken steps to assess and adjust policies that have disproportionate negative impacts on Black people and other people of color or to limit instances of discrimination. NYC Health + Hospitals, for example, has created a "Plan to Enhance Equitable Care" which is an organizational roadmap with five key areas of focus to improve delivery of equitable care. NYC Health + Hospitals' plan represents an approach that stresses assessing its organizational strengths, standardizing policies and practices, workforce strategies for capacity building, improved stewardship of data, and increased staff, patient and community engagement to enhance individual and community health.[120]

Since 2014, the New York City Police Department ("NYPD" or "Department") has also made reforms in a number of areas. The Department has committed to training all uniformed members of the service, currently more than 36,000 officers, in Fair and Impartial Policing ("FIP"), which includes awareness training in implicit bias. Since April 2018, all new recruit classes have received this training, which will be provided to NYPD officers over a two-year period. To date, over 20,000 uniform members of the service have completed the FIP training course. The Department expects to complete training by the end of March 2020. To better equip officers to defuse situations and employ alternatives to force, the NYPD has also established annually recurring training for veteran police officers on de-escalation of street confrontations, including in situations involving emotionally-disturbed individuals.

The NYPD has also made a number of changes to policy and practice. Among the first of these was a dramatic reduction in the number of stop and frisk encounters, though the racial distribution of such stops has remained largely unchanged.[121] The NYPD has also abolished "Operation Impact," a program that once placed new officers who had recently graduated from the Police Academy, in areas with higher crime, largely to conduct stop-and-frisk operations and other heavy enforcement.[122] Today, in contrast, new officers receive six months of field training with experienced mentors and community partners. This is designed to provide exposure to the full range of police functions and interactions and foster greater understanding of the communities they will serve.[123] Department leadership has also encouraged the exercise of discretion by officers to resolve issues in the field without arrests or summonses when possible.

Following enactment of the Criminal Justice Reform Act of 2016 ("CJRA"), NYPD officers now also have the option of issuing civil summonses instead of criminal summonses for a group of common low-level offenses.[124] This policy has led to reductions in criminal summonses and warrants for low-level offenses.[125] The NYPD has also shifted its approach to other low-level offenses. In September 2014, the Department ceased making arrests for marijuana in plain view, limiting arrests to persons smoking in public, and in September 2018, NYPD ceased most arrests for smoking in public, opting instead to issue summonses in many cases.[126] In June 2018, the Department also announced that it would reduce arrests for smoking marijuana in public. Weeks later, the Department announced a similar set of changes to its enforcement of fare evasion.[127] There is evidence that such initiatives are having an impact.[128]

The Mayor's Office for Criminal Justice ("MOCJ" or "Office") plays a critically-important role by examining data on implementation of the CJRA and changes related to marijuana arrests and fare evasion with an eye to impacts on communities of color and other populations. The Office conducts internal quarterly disparities data tracking for low-level crimes, including CJRA-eligible offenses, smoking marijuana in public and fare evasion, examining race, gender, age, and where possible, precinct-level neighborhood inequities to analyze impacts of reducing enforcement for low-level offenses on marginalized groups. Importantly, MOCJ also works closely with partner agencies to examine the impact of the exceptions built into each three of these policies.[129] The Office also coordinated the Mayor's Task Force on Cannabis Legalization ("Task Force"). Redress of past disparities and extension of economic opportunities to communities that had previously borne the brunt of marijuana enforcement efforts were guiding principles for the inter-agency group. The Task Force's December 2018 report included

both detailed information regarding disparities in arrests and summons issuance for public consumption of marijuana as well as suggestions for avoiding future disparities should marijuana use be legalized across the state.[130]

D. Increasing Navigability, Transparency and Meaningful Public Engagement

There are also steps that government offices and agencies can take which, while not specific to racial equity, support more equitable outcomes. These include steps to make programs that Black New Yorkers utilize easier to navigate, increasing public access to information about how government programs impacting Black New Yorkers operate and creating opportunities for Black New Yorkers to influence the development of policies.

1. Navigability Improvements

Among these are efforts to make it easier for New Yorkers who have typically had limited access to agency services to navigate such services and secure the government assistance and resources they need. The NYPD, for example, as part of a broader effort to become better connected to communities at the local level and more service-oriented, it has established the Neighborhood Policing program, through which officers are assigned to small sectors within precincts. Officers hold quarterly meetings with neighborhood residents to discuss current issues and possible solutions. This approach represents the largest-scale public engagement program ever undertaken by the Department.[131] To help crime victims recover from crime and navigate the criminal justice system, the NYPD has also placed two victim services advocates—one specializing in domestic violence issues and another focusing on other victims—in each precinct and police service area. These advocates are charged with helping individuals impacted by crime to secure services and other supports.[132]

The Department of Housing Preservation and Development ("HPD"), which administers housing lottery programs has expanded its outreach and education efforts in recent years, regularly presenting on how to take part in housing lotteries and the rules governing the lottery. In addition, the agency has also established the Housing Ambassadors Program in partnership with a diverse set of community-based organizations. The roughly 40 participating organizations support New Yorkers to apply for affordable housing lotteries, assisting with navigation of what can otherwise be an intimidating process.[133]

Similarly, acknowledging that New Yorkers who are struggling to pay rent and put food on the table, who are on the brink of homelessness, or who urgently need healthcare and housing benefits should have access to assistance that is not mired in bureaucratic red tape, the Human Resources Administration ("HRA") has worked to revamp the way that clients obtain benefits. For example, 85 percent of the Supplemental Nutrition Assistance Program ("SNAP" or "food stamp") benefits applications and re-certifications are done online, and some 93 percent of client interviews are conducted by telephone. As part of these reforms, HRA also launched the Access HRA website[134] and mobile app—two tools that allow New Yorkers to manage their benefits without having to go to an HRA office.

Under the current administration, the Department of Social Services ("DSS") has also eliminated a number of punitive policies that made it difficult for New Yorkers to access various benefits. For example, the agency eliminated the Work Experience Program ("WEP") program—which used to require New Yorkers to work to offset their benefits at City agencies and non-profit institutions—and replaced it with education and training programs to help clients move forward on a career pathway. And while four-year college had previously not been a permissible employment activity for individual enrolled in certain benefit programs, the agency successfully advocated for a change in State law to permit individuals to obtain college degrees, greatly enhancing their ability to earn a living wage. The agency also secured a change to state law that has allowed program participants to "cure" violations of program rules and avert sanctions. These and other policy changes have made it less difficult for participants in agency programs—many of whom are Black New Yorkers—to get the support that they need.

2. Transparency Improvements

In addition, improving transparency of operations can support more racially equitable outcomes. Such efforts can improve understanding of how offices function, the benefits they can provide and how, if at all, they are addressing the specific concerns of communities of color. The Civilian

Complaint Review Board ("CCRB" or "Board"), for example, has established a transparency initiative that provides information about agency complaints, allegations, alleged victims and NYPD officers.[135] The agency has also partnered with community-based and faith organizations and other government actors on education and outreach efforts located directly in communities.

Similarly, in 2016 the NYPD began publishing its annual Use of Force Reports, providing data on firearms discharge, use of electrical conducted weapons, such as TASERs, general use of force as well as information about police-involved deaths investigated by the Force Investigation Division.[136] The NYPD is now tracking all uses of force and requiring internal investigations in each case to determine whether each use of force was justified. Use-of-force data is reported quarterly and categorized by firearms, conducted electrical weapons, impact weapons like batons or clubs, canine, O.C. spray, restraining mesh blankets, and other physical force. In addition, the Department publishes crime complaint and enforcement data and has opened the Patrol Guide to greater public review, with some exceptions. NYPD has also equipped approximately 20,000 patrol officers with body worn cameras, with more planned for deployment. NYPD believes that by establishing visual records of police encounters, the cameras will aid in determining whether officers acted properly in particular cases.

3. Increased Community Engagement in Policymaking

Similarly, the creation or expansion of opportunities for meaningful community engagement in policy design and review is another strategy that is consistent with efforts to orient government toward racial equity. The New York City Housing Authority ("NYCHA"), for example, worked with residents of local public housing and representatives of community-based organizations that are deeply invested in public housing issues to develop a set of principles for ensuring the protection of tenants' rights with implementation of the Rental Assistance Demonstration ("RAD") program. The RAD program, operated by the U.S. Department of Housing and Urban Development ("HUD"), will allow for conversion of some 62,000 apartments into Section 8 units with ongoing operations and maintenance provided by private managers.[137] The high-level principles speak to topics such as tenant organizing rights, succession rights as well as obligations applicable to NYCHA and private managers.[138] The agency has also utilized a similar process to formulate other policies that broadly impact residents, such as those implementing a recent federal Department of Housing and Urban Development ("HUD") mandate prohibiting smoking within public housing.[139]

ACS also invests in community partnerships. For more than a decade, ACS' Community Partnership Programs ("CPP)" has provided funding to communities in the city to support local organizations to connect with each other. These spaces allow community-based organizations to share critical information and resources for supporting children and their families, facilitate relationships among, caregivers and community leaders and access other forms of support. ACS works with 11 CPPs in Highbridge, Mott Haven and Soundview in the Bronx; East Harlem and the Lower East Side in Manhattan; Stapleton in Staten Island; Bedford- Stuyvesant, Bushwick and East New York in Brooklyn; and Elmhurst and Jamaica in Queens. ACS leadership also meets regularly with advocates for parents, children, and families, including advocates who are focused on racial justice and equity. In addition, ACS contracts with external organizations to secure parent advocates, who now review trainings, and some materials are even created by external experts. In addition, the agency partners with ENDGBV and other non-government groups to inform its approach to cases involving allegations of intimate partner violence.

HPD has demonstrated a similar commitment to meaningful public engagement through "Where We Live," a collaborative planning process led by HPD and NYCHA with support from several other City agencies. The goal of the process, which began in spring 2018, was to understand the factors driving segregation, concentrated poverty, and disparities in access to opportunity through consultation with the Fair Housing Stakeholder Group, a group of advocates, researchers and community leaders and engagement with New Yorkers through events throughout the five boroughs.[140] Similarly, with support from the Open Society Foundations, DSS hosted a summit in 2019 that will engage agency leadership and staff, advocates, clients and other City agencies to develop systemic solutions to racial disparities across its programs.

Likewise, the Department of Probation's ("DOP") Neighborhood Opportunity Networks ("NeONs") consistently draw upon expertise from clients,

community and faith-based institutions, academic resources and others to find solutions to issues impacting individuals with whom the agency works. In recent years, first through a significant initial investment as part of the Young Men's Initiative ("YMI") and now through sustained programming operated in collaboration with local stakeholders, DOP has helped to bring $30 million in additional resources to NeON communities in Jamaica, Northern Staten Island, the South Bronx, Harlem, Brownsville, Bedford-Stuyvesant and East New York.[141]

The NYPD also holds regular meetings with community members, faith leaders, advocacy groups, elected representatives, and others to help guide and shape policing in minority neighborhoods and throughout the city. In the most recent example, the Police Commissioner is holding a series of meetings in communities of color experiencing the highest level of violent crime to develop strategies to improve public safety in those neighborhoods. The attendance at the meetings includes local precinct members, community advocates, council members, academicians, and representatives from other city agencies. The goal is to reach a working consensus with neighborhood representatives on how best to counter entrenched crime problems while increasing police/community connection

To address racial disparities in policing and their impact on communities of color, the NYPD held a summit in November 2018 with NYPD executive leadership and stakeholders from across New York City to analyze historical and contemporary racial issues in New York and local and national policing practices that have a disparate impact on communities of color. The goals of the summit were to (1) provide guidance for municipal and state legislators, executives, and chief law enforcement officials on innovative legislation, (2) develop responsive policies and procedures focused on alleviating the disparate impact of current policing practices on communities of color, and (3) facilitate positive change in the relationship between communities of color and the police through the development of ethical policing practices and recommendations for further action.

RECOMMENDATIONS

While much work is already underway by various agencies in the City, this report underscores the opportunities to deepen and expand the City's commitment to racial justice in order to address the concerns shared by Black New Yorkers. Anti-Black racism is unacceptable in New York City, and it is clear from the finding in the report that there is a need for more coherent and robust structures across agencies to support cultural changes, including structures for meaningful and respectful consultation with impacted communities. There is also a need for structures that will ensure accountability for people and entities that engage in race-based discrimination, harassment or violence.

The Commission has already taken a number of steps consistent with the concerns raised in the report. In 2018, for example, we began a partnership with artist and activist Tatyana Fazlalizadeh to focus on gender-based street harassment and anti-Black racism. The Commission developed the project with the assistance of the Department of Cultural Affairs Public Artists in Residence ("PAIR") program, a municipal residency program that embeds artists in City government to propose and implement creative solutions to pressing civic challenges.[142] The project featured interactive elements allowing Black New Yorkers to express their experiences in their own voices and a series of murals installed across the city,[143] and has helped to amplify the voices of Black New Yorkers and to promote a conversation on anti-Black racism in New York.

In February 2019, the Commission released legal enforcement guidance on race discrimination specifically addressing policies that ban, limit, or otherwise restrict natural hair or hairstyles associated with Black people. Though Black people have experienced these policies as a form of race discrimination, many federal and state civil and human rights laws have historically failed to protect against this invidious form of discrimination. The Commission's guidance made clear that such policies violate the anti-discrimination provisions of the New York City Human Rights Law,[144] in effect distinguishing the city's law from less protective federal and state law. The first-of-its-kind guidance was covered broadly in local, national, and international press outlets and has already inspired other jurisdictions to explore establishing or clarifying similar protections.[145]

In March 2019, the Commission launched "While Black" a public education campaign affirming the experiences of Black people who have been targeted for discrimination, harassment and intimidation while going about day-to-day activities. The campaign referenced the deep connections between the fight against anti-Black racism and the fight for human rights, and was designed to put those who would seek to discriminate, harass or intimidate Black New Yorkers on notice that such bigotry and bias are not acceptable in New York City. The campaign identified five scenarios—walking while Black, renting while Black, driving while Black, working while Black and shopping while Black—each of which was referenced by focus group participants.[146]

Moving forward, the Commission will take the following additional steps in order to address anti-Black racism in New York City.

- **Dedicate additional resources for** law enforcement, community relations and policy work focused on race- and color- based discrimination and, specifically, manifestations of anti-Black racism. These additional resources will help to ensure accountability for violations of the prohibitions on race- and color-based discrimination, promote racial justice through policy, and address behaviors that perpetuate anti-Black racism.
- **Develop and advance legislation and other policy measures that will protect Black New Yorkers** and other groups targeted for discrimination, drawing upon insights shared by participants. The research reflected in this report indicates that anti-Black racism is a complex phenomenon that is experienced at multiple levels and across multiple areas of life. And as the forms of discrimination confronting Black New Yorkers evolve, it is essential that anti-discrimination law evolve with it. While the federal government is actively retreating from civil rights protections, localities like New York City are well positioned to expand protections for those within their boundaries. The Commission has and will continue to develop and advance policy proposals that will serve this goal in partnership with community, faith-based, and other organizations that work closely with Black New Yorkers.
- **Host public hearings on race-based discrimination** in predominantly Black neighborhoods in the city. Such hearings would allow the Commission to gather additional information from New Yorkers about what they are experiencing and educate New Yorkers about the agency's reporting, investigation, and litigation processes and available remedies.
- **Deepen and expand relationships with organizations** serving Black New Yorkers and develop hyper-local programming in Black communities across the City in order to build awareness of the Commission, City Human Rights Law protections related to race and color discrimination and available remedies. Meetings could also generate tips about particular locations where individuals are experiencing harassment and discrimination enabling the Commission to take further action as appropriate.
- **Develop new strategies for addressing race-based discrimination and harassment in places of public accommodation across the city.** Many participants reported humiliating interactions in places of public accommodation. These interactions are damaging to the individuals involved and have the potential to contribute to tensions within and across communities over time. The Commission should continue, through its Law Enforcement Bureau, to accept and file complaints involving these incidents, to investigate such complaints and to seek justice in cases where it finds probable cause. Where appropriate, the Commission should also explore addressing these through the application of restorative approaches that center the needs of harmed individuals while also improving the understanding of the party responsible for the harm, reducing the likelihood of such encounters in the future.
- **Provide training on race and color discrimination under the City Human Rights Law tailored specifically for staff at New York City agencies.** Such workshops will help to normalize conversations about race and racism and create space for agency staff to reflect on how they, as City government workers, can challenge racism and race-based discrimination and identify sources of support for doing this important work effectively. The Commission has already begun to pilot such trainings with several agencies and should work to expand this list in coming years.
- **Create programming for implementation in gentrifying neighborhoods** to build understanding of how anti-Black racism operates

in modern-day New York City—such as through the deployment of local government authorities against Black residents—as well as the harm that it causes. In doing so, the agency should partner with local community boards, community groups, faith institutions and other stakeholders. The Commission will also deploy programming in predominantly-white communities across the five boroughs, where the Commission has traditionally had a lower degree of engagement, but which are an important target for education on protections and obligations under City Human Rights Law.

CONCLUSION

Anti-Black racism has been a part of life in New York City for centuries. Its effects, which have developed and been compounded over centuries, will not be eliminated quickly or easily. But the history of the United States and of New York City in particular also counsels that bold action—on the part of individuals, communities and institutions—has always been required to shift the political, economic, cultural forces that combine to limit opportunities for Black people. Current leaders—whether in communities, government, the private sector or civic or cultural institutions—must take the important initial step of acknowledging both the history of anti-Black racism and its ongoing impacts. In addition, now is the time to demonstrate through both words and action a commitment to re-orienting public and private institutions that for decades have tolerated, endorsed or advanced racism so that they can promote racial justice. These are the sorts of bold steps that will need to be taken if New York City is to model an approach to government that is inclusive, responsive and deeply committed to the ability of all residents to thrive—a model that is desperately needed in the current context.

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Finally, we are deeply grateful for the team at the Commission who helped to bring this project to fruition by identifying potential partners, joining multiple internal conversations on the project and helping to envision what comes next.

POST SCRIPT

Shortly after this report was completed, New York City emerged as an epicenter of the COVID-19 pandemic. Very quickly, it became clear that centuries of racism had rendered the city's Black communities particularly vulnerable to the disease, with disproportionate rates of infection and death among African-American, African, Afro-Caribbean and Afro-Latinx New Yorkers. The challenges described by Black New Yorkers in this report—related to housing, employment, healthcare and the inescapable and emotionally taxing experience of being exposed to anti-Blackness—are the same factors to which experts attribute striking disparities in infection rates and deaths.

In April 2020, Mayor de Blasio announced a set of internal and external task forces focused on the COVID-19 recovery effort. These bodies have been charged with advising the City on ways to confront long-standing racial inequities across neighborhoods and to foster greater equity moving forward. Both the externally-facing Fair Recovery Task Force, composed of leaders from philanthropy, the non-profit sector, labor and public service and the Administration's internally-facing Task Force on Racial Inclusion and Equity are expected to deliver their recommendations in June 2020.

This is a moment when the failures of old--chief among them the choice to ignore the racist impacts of public policy--have been laid bare. However, leaders across our communities and within and outside of government who break with these patterns can create a new model for policymaking that centers racial justice and results in dramatic improvements in the lives of Black people.

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68 Nine individuals participated in the Commission's round table with Black New Yorkers of transgender experience and six individuals sat for a round table on the experiences of Black veterans of military service in New York.

69 As noted above, the Commission subsequently hosted a roundtable with a group of Black New Yorkers who identified as transgender in order to address this challenge. Another roundtable was held with Black New Yorkers who were veterans of military service in order to better capture the diversity of the City's Black population. Note that countries are not reported because of small sample sizes..

70 Note that countries are not reported because of small sample sizes.

71 Studies have documented the impact of racism on the physical and mental health of those who are subjected to it. Research has identified physical signs of wear and tear on the mind and body and which lead to premature aging and poorer physical and mental health outcomes. In addition, research has found specific associations between racism, both structural and interpersonal, with adverse birth outcomes like preterm birth, low birth weight, infant mortality and maternal mortality; poorer mental health outcomes. *See, e.g.*, Jules P. Harrell et al., *Physiological Responses to Racism and Discrimination: An Assessment of the Evidence*, 93 Am. J. Public Health 243 (2003), https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1447724/; A. T. Geronimus et al., *"Weathering" and Age Patterns of Allostatic Load Scores Among Blacks and Whites in the United States*, 96(5) American Journal of Public Health 826 (2006), https://doi.org/10.2105/AJPH.2004.060749; Bruce S. McEwen, *Stressed or stressed out: What is the difference?*, 30(5) Journal of Psychiatry and Neuroscience 315 (2005); Maeve Wallace et al., *Separate and unequal: Structural racism and infant mortality in the US, 45 Health & Place* 140 (2017), https://doi.org/10.1016/j.healthplace.2017.03.012; Lora L. Black et al., *The Relationship Between Perceived Racism/Discrimination and Health Among Black American Women: A Review of the Literature from 2003 to 2013*, 2 Journal of Racial and Ethnic Health Disparities 11 (2015).

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121 *See* Peter L. Zimroth, *Fifth Report of the Independent Monitor* (May 30, 2017), http://nypdmonitor.org/wp-content/uploads/2017/06/2017-05-30-MonitorsFifthReport-AnalysisofNYPDStopsReported2013-2015-Asfiled.pdf.

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125 *See id*.

126 *See* Office of the Mayor, Transcript: Mayor de Blasio And Police Commissioner O'Neill Hold Media Availability On Marijuana Enforcement (June 19, 2018), https://www1.nyc.gov/office-of-the-mayor/news/305-18/transcript-mayor-de-blasio-police-commissioner-o-neill-hold-media-availability-marijuanahttps://www.nytimes.com/2018/06/19/nyregion/nypd-marijuana-arrests-new-york-city.html.

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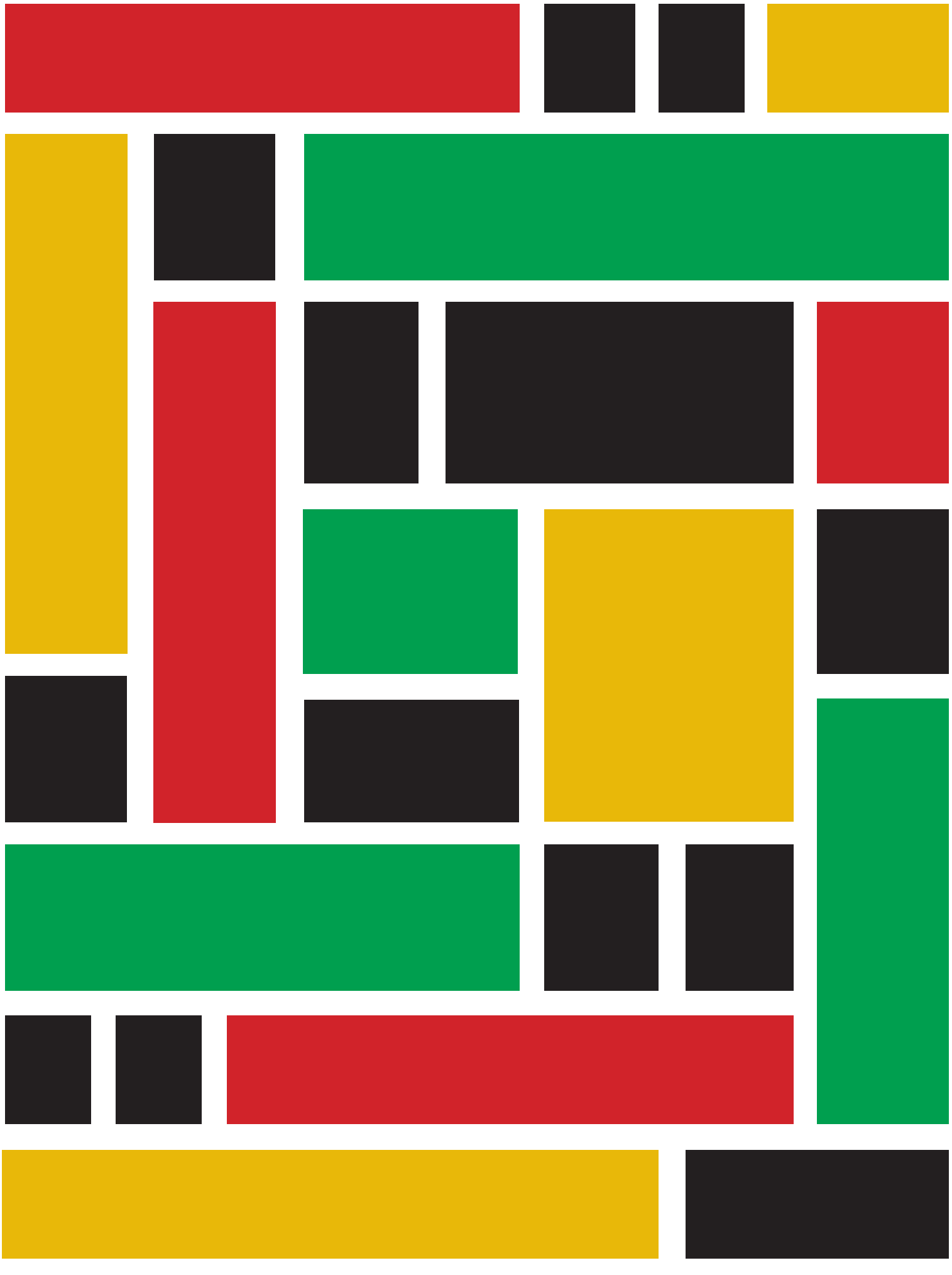
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