



**OFFICE OF THE PUBLIC ADVOCATE  
FOR THE CITY OF NEW YORK  
JUMAANE D. WILLIAMS**

**TESTIMONY OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS  
TO THE NEW YORK CITY CHARTER REVISION COMMISSION  
MAY 2, 2019**

Good evening,

My name is Jumaane D. Williams, and I have the pleasure of serving as the newly elected Public Advocate for the City of New York. Before I get into the thrust of my remarks, I'd like to thank all of you in this room – Commission Members, and fellow New Yorkers – for your participation in this process to make government better, fairer and more efficient for us all.

As the Public Advocate for the City of New York, I serve as a direct link between New Yorkers and their government. The Office of the Public Advocate acts as a watchdog to ensure that City agencies are as efficient and effective as demanded by the people of New York. The office also investigates and resolves constituent complaints relating to the services provided by these agencies.

As the second highest ranking elected official in the City, however, my ability to fully serve New Yorkers is currently impaired by the present language in the New York City Charter. While the Charter is a living document that has grown and changed, just as our city has grown and changed, the language governing the Public Advocate's abilities has not kept pace. As the Charter Revision Commission is undergoing the process of the first top-to-bottom review since 1989, I urge the body to take several actions to improve the effectiveness of the office.

I would like to recommend three concrete areas:

**1. Independent Budget:** The Mayor and the City Council currently determine the budget for the Office of the Public Advocate, which is inconsistent and subject to the political whims of these parties every year. As an example, the Public Advocate is empowered to introduce legislation as a method to cure systemic flaws and shortcomings that negatively impact the public. However, what may be practically necessary for New Yorkers on the street may not be politically expedient in the moment for other parties; this disconnect can result in pushback through the budgetary process.

Already, the current budget for the Public Advocate is smaller than that of each individual Borough President, yet the Public Advocate's constituency encompasses all 8.6 million New York City residents. Even in this short time, I have seen how many of these residents rely on the Public Advocate's office to resolve complaints about allegations of systemic abuses or fraud. Effective service of these residents is a two-way street, as those closest to the problems are often best positioned to recommend improvements to agency operations which my office can then pursue legislatively or otherwise.

A system where the Public Advocate must rely on the elected officials it is charged with overseeing to determine the budget by which the Public Advocate can conduct that oversight is an inherent limit on the Public Advocate's autonomy and effectiveness. Independently elected officials should not have to weigh possible retaliation from the Mayor or the Council when bringing issues to light.

**2. Subpoena Power:** At present, the Charter states that the Office of the Public Advocate "shall have timely access to those records and documents of city agencies which the public advocate deems necessary to complete the investigations, inquiries and reviews." However, city agencies are not clearly legally obligated to comply with these requests without a subpoena, delaying investigations that the Office of the Public Advocate is required to conduct. Giving the office full subpoena power would better allow the office to fulfill its duties as mandated by the existing Charter.

**3. Standing to Sue:** The Public Advocate's standing to sue on behalf of the office's 8.6 million constituents is unclear, at best. In addition, the Law Department has determination over which cases can be pursued, which violates the intended separation of powers among city officials. Granting the office clear standing to sue is an essential tool that the Public Advocate requires in order to improve transparency and accountability in New York City.

Additionally, I agree with several proposals that the City Council has previously put forward, including providing the Public Advocate with appointments to the Civilian Complaint Review Board, Conflict Of Interests Board, Landmarks Preservation Commission, and Franchise Concession Review Commission. I further believe we should explore having the Independent Budget Office report to the Public Advocate, and using the Public Advocate's office as a central resource for community boards across the city.

To increase our transparency, accountability and effectiveness, the revisions I recommend above are critical and necessary. I look forward to working with you to ensure that the City adopts a Charter that reflects the current landscape and the will of the people in New York City.

Again, thank you to the Commission for taking up this work, and I am happy to answer any of your questions.