



CITIZENS UNION OF THE CITY OF NEW YORK

Written Testimony to the 2025 Charter Commission for Local Democracy

July 7, 2025

Dear Members of the Commission for Local Democracy,

On behalf of Citizens Union, I submit the following comments as a supplement to our June 16 testimony at the Staten Island hearing. At that hearing, we addressed several issues related to government accountability, including the establishment of a process to remove a mayor for misconduct, proposed changes to the Conflicts of Interest Board (COIB), the Department of Investigation (DOI), and the Civilian Complaint Review Board (CCRB), as well as advice and consent expansion and special elections for local law referendums.

Following questions from commissioners during the hearing, Citizens Union has held internal deliberations and conducted further analysis on several proposals under consideration by the Commission. We offer the following comments:

DOI COMMISSIONER REMOVAL

As stated at the Staten Island hearing, Citizens Union supports protecting the Commissioner of Investigation from removal except “for cause.” However, **we recommend that the Commission consider whether it would be beneficial to further define what constitutes “cause.”** Legal interpretations of the term vary, and additional clarity could help guide judicial review and ensure the intent of the provision is upheld.

CORPORATION COUNSEL REMOVAL

The Commission is considering whether the Corporation Counsel should be removable only for cause, with an exception during the initial days of a new administration. **Citizens Union opposes making the Corporation Counsel removable only for cause.** While the Corporation Counsel represents the City as a whole—including the City Council—and has appropriately been added to the list of officials requiring Council confirmation, the role also works most closely with the Mayor and City Hall and functions as part of the mayor’s cabinet.

A Corporation Counsel who cannot be removed except for cause and ends up working independently of the Mayor or cannot maintain a functional and trusted relationship with the Mayor, would not be a sustainable working model. This is different from oversight agencies that have or could have “for cause” removal protections, because those are intended to be quasi-independent. In addition, if a removal is

perceived as unjustified, the Council's advice and consent authority serves as a check on the Mayor's power to appoint a replacement.

INDEPENDENT BUDGETS FOR OTHER OVERSIGHT AGENCIES

As we stated in our previous testimony, Citizens Union supports providing independent budgets for the Conflicts of Interest Board and the Department of Investigation. The Commission is also considering extending budget protections to agencies such as the Board of Correction and the Equal Employment Practices Commission. We caution against overextending this tool. **Independent budgeting should be reserved for special watchdog agencies, especially those with a history of political targeting or with mandates that require insulation from political influence.**

While we support strengthening the budgetary and operational independence of such unique watchdog agencies like the COIB, DOI, and CCRB, expanding this model to other agencies risks diluting the authority of the Council and the Mayor, who are ultimately responsible for shaping the City's budget.

BALLOT QUESTIONS

We reiterate our recommendation that the Commission **prioritize a limited number of ballot questions, each narrowly focused, and avoid combining unrelated proposals into a single question.** Experience has shown that omnibus ballot questions are difficult to explain to voters and risk forcing them to reject an entire proposal due to disagreement with only part of it—or accept provisions they oppose in order to support those they favor.

We thank you for your thoughtful work and time to improve our City's Charter and our local democracy.

For any further questions, you may contact Ben Weinberg, Director of Public Policy, at bweinberg@citizensunion.org