

# **California Reparations Task Force**

- **Championed by CA Secretary of State Shirley Weber; signed by CA Governor Gavin Newsom in Oct. 2020.**
- **2 year legislative advisory body: Year 1 (Study Phase); Year 2 (Development Stage)**
- **Final Reparations Plan: Final report submitted to CA Legislature for subsequent adoption by July 2023. Final Report will include:**
  - **Final recommendations**
  - **Community of Eligibility**
  - **Compensation**
  - **International Law/Human Rights**

# **California Reparations Task Force**

- **AB 3121 authorizes the Task Force to hold public hearings to pursue its mission. In order to inform the contents of the interim report, the Task Force held nine public meetings, during which it considered public comments, expert, and personal witness testimony, in addition to considering the voluminous materials submitted to the Task Force via email from those unable to attend the meeting.**
  
- **In total, the Task Force has heard over 40 hours of testimony from 103 witnesses and 16 hours of public comment, and received 1,075 emails and 100 phone calls.**

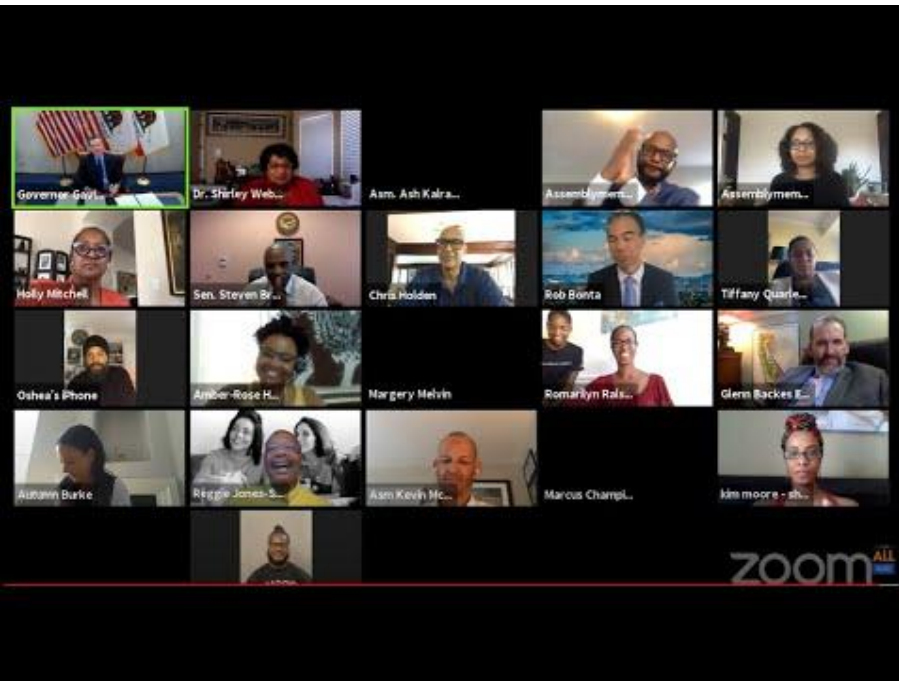
# What is Reparations?

- Reparations simply means making amends for the offense or harm done.
- In accordance with domestic law and international law, and taking account of individual circumstances, victims of gross violations of international human rights law and serious violations of international humanitarian law should, as appropriate and proportional to the gravity of the violation and the circumstances of each case, be provided with full and effective reparation, as laid out in principles 19 to 23, which include the following forms: **restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.**
- **5 Forms of reparations: (1) restitution, (2) compensation, (3) rehabilitation, (4) satisfaction and (5) guarantees of non-repetition.**

# Sample of virtual public hearing topics:

- Sept 2021: Transatlantic slave trade, institution of slavery, impetus/implications of Great Migration
- October 2021: Discrimination in Housing, Banking, Tax, and Labor
- November 2021: Gentrification, Infrastructure and Homelessness
- December 2021: Entertainment, Sports, and Arts/Culture
- January 2022: Discrimination in Technology
- February 2022: Black History Celebration
- March: Eligibility Vote + Criminal Legal System
- April 2022: Unequal and Separate Education

**Next meeting: September 2022 - Los Angeles, CA [In person]**



**AB- 3121 Signing Ceremony - September 2020**

**CA Reparations Task Force  
Members - Inaugural Meeting -  
June 2021**

# About: Interim Report

- In 1863, Abraham Lincoln signed the Emancipation Proclamation, and, in 1865, the 13th Amendment to the U.S. Constitution commanded that “[n]either slavery nor involuntary servitude ... shall exist within the United States.” In supporting the passage of the 13th Amendment, its co-author Senator Lyman Trumbull of Illinois said that *“it is perhaps difficult to draw the precise line, to say where freedom ceases and slavery begins...”*
- In 1883, the Supreme Court interpreted the 13th Amendment as empowering Congress “to pass all laws necessary and proper for abolishing all badges and incidents of slavery in the United States.”

# “Badges and Incidents of Slavery”

Ultimately, this Article concludes that the best understanding of the “badges and incidents of slavery” refers to **public or widespread private action, aimed at any racial group or population that has previously been held in slavery or servitude, that mimics the law of slavery and has significant potential to lead to the de facto reenslavement or legal subjugation of the targeted group.** This limited definition will assist Congress in identifying ways in which it can fulfill the Thirteenth Amendment’s promise of universal civil and political freedom. At the same time, it will provide judicially enforceable limits for the exercise of the Section 2 power.

---

**Source:** Jennifer Mason McAward, Defining the Badges and Incidents of Slavery, 14 U. Pa. J. Const. L. 561, 592 (2012).

# About: Interim Report

- However, throughout the rest of American history, instead of abolishing the “badges and incidents of slavery,” **the United States federal, state and local governments, including California, perpetuated and created new iterations of these “badges and incidents.” The resulting harms have been innumerable and have snowballed over generations.**
- **This interim report focuses on these harms.** So thoroughly have the effects of slavery infected every aspect of American society over the last 400 years, that it is nearly impossible to identify every “badge and incident of slavery,” to include every piece of evidence, or describe every harm done to African Americans.
- In order to address this practical reality, this interim report of the Reparations Task Force describes a sample of government actions and the compounding harms that have resulted, organized into **12 specific areas of systemic discrimination.**



# **12 Chapters (Areas of Focus = Badges and Incidents of Slavery)**

## **1. Enslavement**

- 1.2. Racial Terror**
- 1.3. Political Disenfranchisement**
- 1.4. Housing Segregation**
- 1.5. Separate and Unequal Education**
- 1.6. Racism in Environment & Infrastructure**
- 1.7. Pathologizing Black Families**
- 1.8. Control Over Creative, Cultural, and Intellectual Life**
- 1.9. Stolen Labor and Hindered Opportunity**
- 1.10. Unjust Legal System**
- 1.11. Mental and Physical Harm and Neglect**
- 1.12. Wealth Gap**

# Wealth Gap

Federal and California Homestead Acts essentially gave away hundreds of millions of acres of land almost for free mostly to white families. Today, as many as 46 million of their living descendants reap the wealth benefits, approximately one-quarter of the adult population of the United States.

**In 2019, white households owned**

**9x**   
**MORE**

**assets** than Black households

# Key Findings: Police Brutality & Anti-Black Hate Crimes

BLACK CALIFORNIANS  
POPULATION

6%



BLACK CALIFORNIANS  
KILLED BY POLICE

18.9%

**88%** increase  
in **anti-Black** hate crimes  
from 2019 to 2020



# California Data: Reparations Now

- 6% of CA population; 40% unhoused population
- 6% of CA population ; 18.9% killed by police
- African Americans own less homes today than in 1910; in L.A.; 1910 36%; 2021 34%
- less than 1% of FHA loans went to Black people in No Cal (1946-1960)
- 1940 80% of homes in LA barred Black families via restrictive covenants
- % of typical home value in CA; 86% AA home; white home 108%
- AA 17% of poor (6% of CA population) compared to 12% of whites (72% of CA population)

# Federal Data: Reparations Now

- Non-white prison population 1850 2%; 74% by 1870 (Alabama)
- 90% of lynching victims; less than 1% prosecuted
- 90% of south congressional delegation signed southern manifesto
- Segregation 44% in 2019; 43% in 1940; 68% in 1970; 27% in 1890
- Public housing (48% black nationwide); 99% in north east and south
- AA received 2% of FHA loans b/w 1934-1962
- 40% of K-12 teachers think genetics explains why white students do better than Black students
- 60% decline in enrollment in America's most selective colleges/universities 2000-2020

# Federal Data: Reparations Now

- o Americans living in substandard housing: 7.5% of Black; 2.8% white
- o African Americans are 75% more likely to live near hazardous materials; 40% more exposed to particulate matter
- o 1931 mothers pensions recipients; 96% white; 3% black
- o AA wages in 2019 were 75.6% of white American wages
- o 85% of AA workers excluded from New Deal
- o 12.5% AA unemployed college grads; 5.6% white; 55.9% in jobs that don't require degree;
- o 1965 – 25% of fallen soldiers were black (Vietnam)
- o According to a 2017 report from the United States Sentencing Commission, Black men who commit the same crimes as white men are given prison sentences that are about 20% longer, even after controlling for prior criminal history.
- o AA youth represent 41% of juvenile facilities
- o In 1910 Black farmers owned 16 million acres of land. In 2007, they owned 3.2 million acres, an 80% loss.
- o AA's represent 14% of US population but 3.5% business owners
- o AA 14% US population; 23% foster youth; 77% more likely to be removed from homes
- o 88% increase in anti-Black hate crimes

# Highlighted Recommendations

- The California African American Freedmen Affairs Agency:
  - Establish a cabinet-level secretary position over an African American/Freedmen Affairs Agency tasked with implementing the recommendations of this task force. The role of the agency is to identify past harms, prevent future harm, work with other state agencies and branches of California's government to mitigate harms, suggest policies to the Governor and the Legislature designed to compensate for the harms caused by the legacy of anti-Black discrimination, and work to eliminate systemic racism that has developed as a result of the enslavement of African Americans in the United States.
  
- The Agency should include the following:
  - A division of medical services for public and environmental health
  - A business affairs office to provide ongoing education related to entrepreneurialism and financial literacy; to provide business grants; and to establish public-private reparative justice-oriented partnerships.
  - A social services and family affairs branch to identify and mitigate the ways that current and previous policies have damaged and destabilized Black families. Services might include treatment for trauma and family healing services to strengthen the family unit, stress resiliency services, financial planning services, career planning, civil and family court services.

# Contact

---

- **Task Force Website:** <https://oag.ca.gov/ab3121>
- **Task Force E-mail:** [ReparationsTaskForce@doj.ca.gov](mailto:ReparationsTaskForce@doj.ca.gov)
- **Subscribe to Mailing List:** <https://oag.ca.gov/subscribe>
- **Past Hearings (Search CA DOJ on Youtube):**  
[https://www.youtube.com/playlist?list=PLZldm5UisZ7g-\\_5NfjWUOpLLNO7WEOLTE](https://www.youtube.com/playlist?list=PLZldm5UisZ7g-_5NfjWUOpLLNO7WEOLTE)
- **Community Listening:**  
<https://bunchecenter.ucla.edu/community-listening-session-support-for-the-california-task-force-on-reparations/>
  - **Survey:** [https://mylmu.co1.qualtrics.com/jfe/form/SV\\_es2dosPjLTHZxXM](https://mylmu.co1.qualtrics.com/jfe/form/SV_es2dosPjLTHZxXM)
  - **Testimony Portal:**  
<https://ucla.app.box.com/f/c979f549ea5048498ba70f6efb241462>
- **Personal Twitter/Website:** @KamilahVMoore; kamilahmoore.com