

I. Introduction

At its inception, the United States created a series of laws and policies that denied African Americans the ability to create and own art and engage in sports and leisure activities.¹ During the period of enslavement, state governments controlled and dictated the forms and content of African American artistic and cultural production.² Following the end of the enslavement period, governments and politicians embraced minstrelsy, which was the popular racist and stereotypical depiction of African Americans through song, dance, and film.³ Government support of minstrelsy, which was enormously profitable, encouraged white Americans to laugh at, disregard, and reimagine the enslavement of African Americans as harmless and entertaining.⁴

Federal and state governments failed to protect Black artists, culture-makers, and media-makers from discrimination and simultaneously promoted discriminatory narratives. State governments forced Black artists to perform in segregated venues.⁵ The federal government actively discriminated against African Americans during wars, and projected a false image of respect for Black soldiers in propaganda.⁶ Federal and state governments allowed white Americans to steal African American art and culture with impunity—depriving Black creators of valuable copyright and patent protections.⁷ State governments discriminated against Black athletes.⁸ State governments discriminated against Black entrepreneurs and cultural sites, business licenses, and other economic activities.⁹ State governments portrayed Black people as just and heroic through cinematic depictions of the integration of Black people. African American artists and entrepreneurs must overcome the legacy of enslavement and racial discrimination to pursue creative endeavors that benefit Black communities.

On the Intersections Between Reparations

&

Control Over Creative, Cultural, and Intellectual Life

AB 3121: California Task Force to Study and Develop Reparation Proposals for African Americans

*Personally Curated by:
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ABOUT: AB-3121 CALIFORNIA REPARATIONS TASK FORCE

Championed by:

- 1) Secretary of State Shirley Weber**
- 2) Signed by CA Governor Gavin Newsom:
Sept. 30, 2020**

Study Phase:

June 2021- June 2022
**Interim Report
Released June
2022**

Development Stage:

September 2022- June 2023
**Final Report
Submitted to
CA Legislature
by July 1, 2023**

Final Report will include:

- **Final recommendations**
- **Community of Eligibility**
- **Compensation Models (state sanctioned atrocities)**
- **i.e. Devaluation of Black Businesses**

About: AB-3121 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.**
- **As of June 2022, the Task Force 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?

Layman's Definition: Reparations simply means making amends for the offense or harm done.

International Legal Definition: (1) Restitution, (2) Compensation, (3) Rehabilitation, (4) Satisfaction and (5) Guarantees of Non-Repetition

Domestic Examples: Japanese American Internment Camp Survivors; Rosewood, Florida

International Examples: Post-Nazi Germany; Holocaust Survivors and heirs; South Africa apartheid (direct victims of police brutality)

Sample of AB-3121 Official Public Hearings

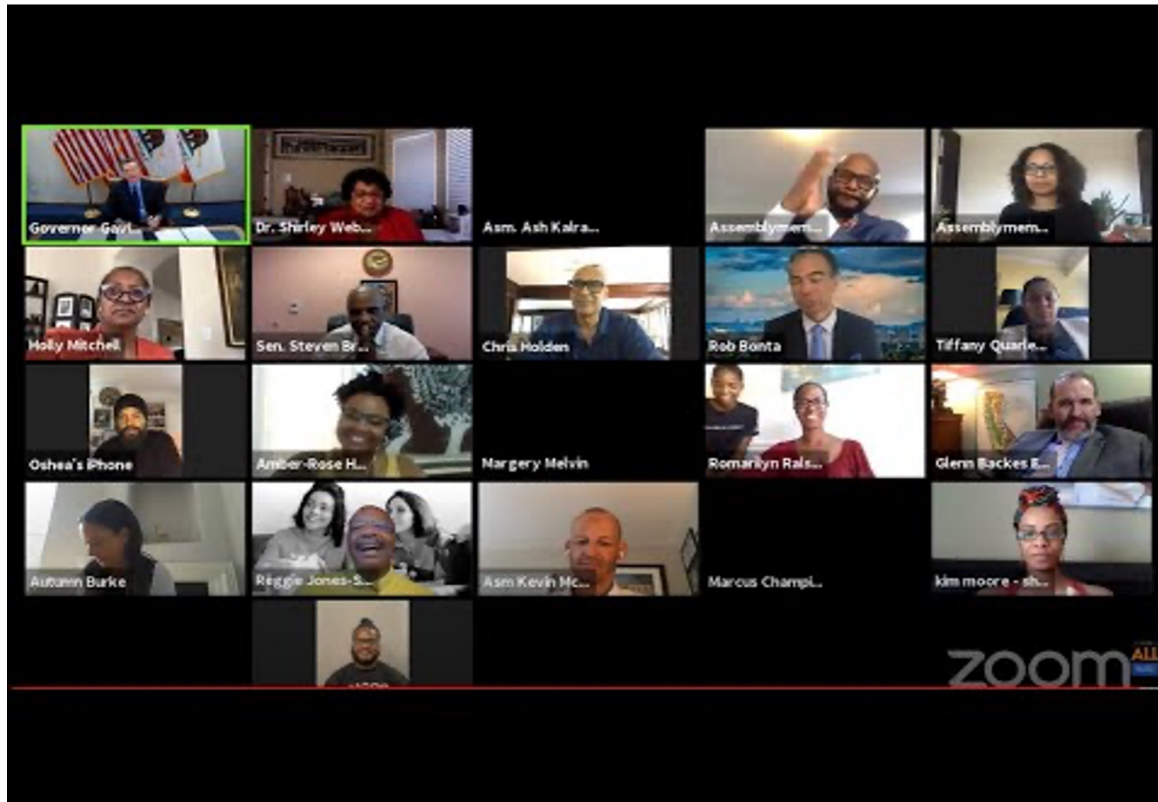


AB-3121 SIGNING CEREMONY

SEPTEMBER 2020

CA REPARATIONS TASK FORCE INAUGURAL HEARING

JUNE 2021



CALIFORNIA REPARATIONS TASK FORCE

INTERIM REPORT



▲ PROLIFERATION OF KKK CHAPTERS & MEETINGS

▲ REDLINING

▲ "WHITES ONLY" TOWNS & NEIGHBORHOODS

▲ LAWS & ORDINANCES SUPPORTING SEGREGATION IN SCHOOLS

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.”



California Task Force to Study and Develop
Reparation Proposals for African Americans
INTERIM REPORT

“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.**

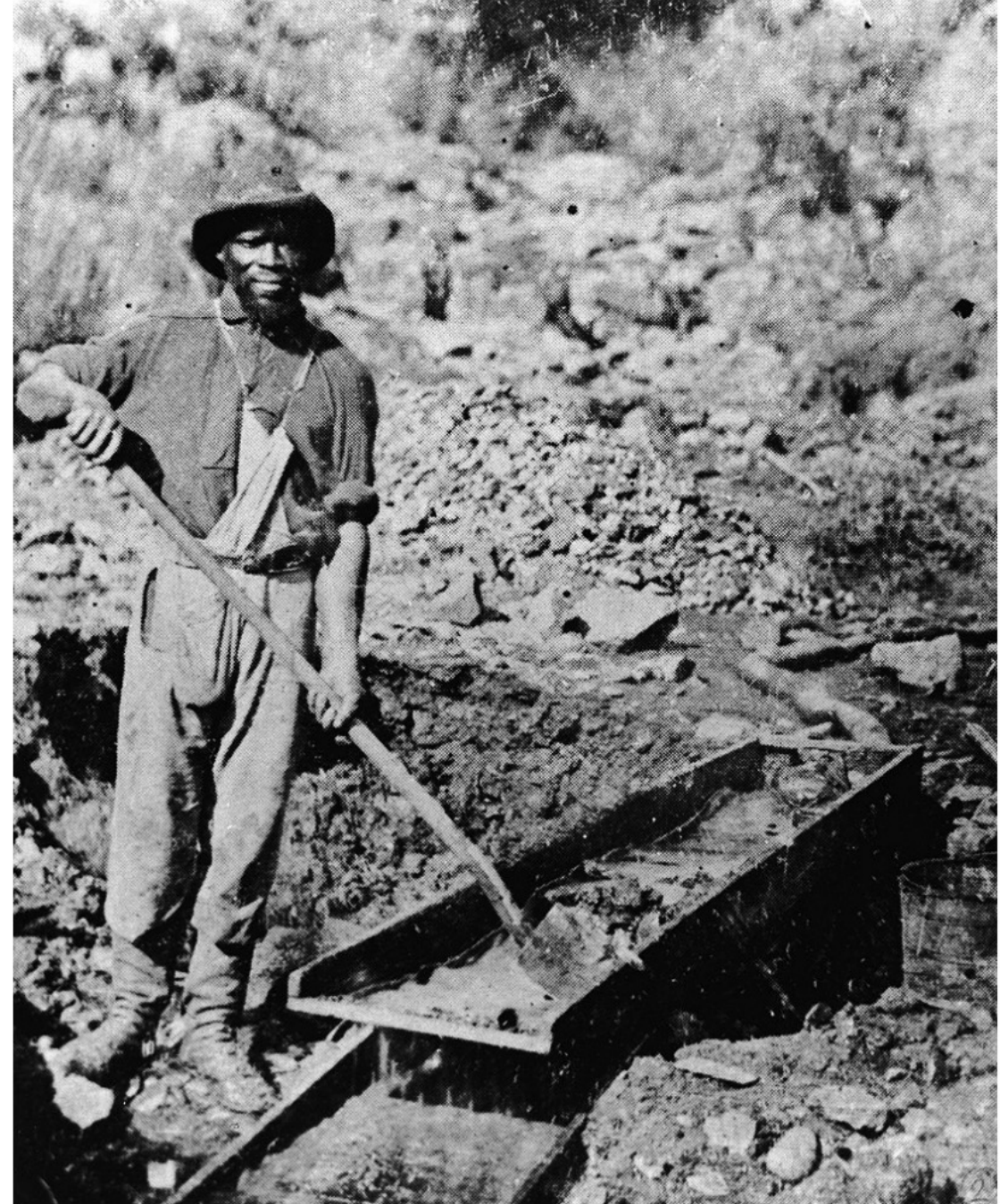
TWELVE
CHAPTERS

(BADGES &
INCIDENTS
OF SLAVERY):

- Enslavement
 - Racial Terror
 - Political Disenfranchisement
 - Housing Segregation
 - Separate and Unequal Education
 - Racism in Environment & Infrastructure
 - Pathologizing Black Families
 - **Control Over Creative, Cultural, and Intellectual Life**
 - Stolen Labor and Hindered Opportunity
 - Unjust Legal System
 - Mental and Physical Harm and Neglect
 - Wealth Gap

II. Enslavement

- **Nationally:** The foundation of America's wealth was built upon trafficked African peoples and their descendants—built by their forced labor and their bodies as they were bought and sold as commodities. American government at all levels allowed or participated in exploiting, abusing, terrorizing, and murdering people of African descent so that mostly white Americans could profit from their enslavement.
- **California:** Despite California entering the Union in 1850 as a free state, its early state government supported slavery. Proslavery white southerners held a great deal of power in the state legislature, the court system, and among California's representatives in the U.S. Congress.



An African-American miner poses with a shovel in Auburn Ravine during the Gold Rush, California. (1852)

III. Racial Terror

- **Nationally:** After slavery, white Americans, frequently aided by the government, maintained the badges of slavery by carrying out violence and intimidation against African Americans for decades. Racial terror pervaded every aspect of post-slavery Black life and prevented African Americans from building the same wealth and political influence as white Americans.
- **California:** Supported by their government, ordinary citizens also terrorized and murdered Black Californians. The Ku Klux Klan (KKK) established local chapters all over the state in the 1920s. During that time, California sometimes even held more KKK events than Mississippi or Louisiana. Many of California's KKK members were prominent individuals who held positions in civil leadership and police departments.

KLANSMEN IN THE TOWN OF BREA 1924-1936



2/3 of the fire chiefs



5 of the first 8 mayors



6 of 10 councilmen on board of trustees



Half the treasurers, engineers, clerks and marshals

IV. Political Disenfranchisement

COURTESY OF LOS ANGELES EXAMINER/USC LIBRARIES/CORBIS VIA GETTY IMAGES



Rayfield Lundy, Republican candidate for the California 55th Assembly District inspects a burnt cross at 1816 East 122nd Street, Los Angeles, California. (1952)

- **Nationally:** African Americans have pursued equal political participation since before the Civil War, but the federal, state, and local governments of the United States have suppressed and continue to suppress Black votes and Black political power.
- **California:** California also passed and enforced laws to prevent Black Californians from accumulating political power. California did not allow Black men to vote until 1879. The state also passed many of the voter suppression laws that were used in the South. California prohibited individuals convicted of felonies from voting, added a poll tax, and put in place a literacy test.



Los Angeles, CA., William Bailey and Roger Duncan look at the wreckage in Bailey's living room after a bomb exploded in the house. Duncan's house, directly across the street, was also bombed at the same time and a note was left threatening all the Black families on the street if they didn't move out. (1952)

V. Housing Segregation

- **Nationally:** Government actors, working with private individuals, actively segregated America into Black and white neighborhoods. Although this system of segregation was called Jim Crow in the South, it existed by less obvious, but effective means throughout the entire country, including in California.
- **California:** Like elsewhere in the country, white Californians used violence to enforce the racial hierarchy created during slavery by preventing African Americans from moving into desirable white neighborhoods. In fact, violent incidents in California rose in the 1950s and 1960s, after courts declared restrictive covenants unenforceable.

Nationally, nonwhite school districts get

\$23 Billion LESS
than predominantly white districts

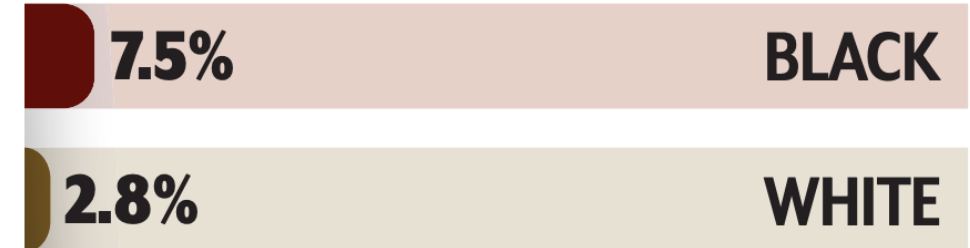
VI. Separate and Unequal Education

- **Nationally:** Through much of American history, enslavers and the white political ruling class in America falsely believed it was in their best interest to deny education to African Americans in order to dominate and control them.
- **California:** In the vast majority of California school districts, schools either re-segregated or were never integrated, and thus segregated schools persists today. California remains the sixth most segregated state in the country for Black students. In California's highly segregated schools, schools mostly attended by white and Asian children receive more funding and resources than schools with predominately Black and Latino children.

VII. Racism in Environment and Infrastructure

- **Nationally:** Due to residential segregation, African Americans have lived in poor-quality housing throughout American history, exposing them to disproportionate amounts of lead poisoning and increasing risk of infectious disease.
- **California:** National patterns are replicated in California. Black Californians are more likely than white Californians to live in overcrowded housing, and near hazardous waste. Black neighborhoods are more likely to lack tree canopy and suffer from the consequences of water and air pollution.

AMERICANS LIVING IN SUBSTANDARD HOUSING



Compared to other Americans,
African Americans are

75% MORE LIKELY to live near hazardous waste or refining facilities

VIII. Pathologizing the Black Family

AFRICAN AMERICANS
IN THE UNITED STATES

14%



2019

BLACK CHILDREN IN
FOSTER CARE

23%

- **Nationally:** Government policies and practices—at all levels—have destroyed Black families throughout American history. After the Civil War, southern state governments re-enslaved children by making them “apprentices” and children.
- **California:** California trends in the child welfare, juvenile justice and disciplinary action in schools match those in the rest of the country. Recent California Attorney General investigations have found several school districts punish Black students at higher rates than students of other races.

IX. Control Over Creative Cultural and Intellectual Life

- **Nationally:** During slavery, state governments controlled and dictated the forms and content of African American artistic and cultural production. After the Civil War, governments and politicians embraced minstrelsy, which was the popular and culture makers access to the leisure sites, business licenses, and funding for lifestyle activities that were offered to white people.
- **California:** In California, city governments decimated thriving Black neighborhoods with vibrant artistic communities, like the Fillmore in San Francisco. State-funded California museums have excluded Black art from their institutions. California has been home to numerous racist monuments and memorials for centuries.

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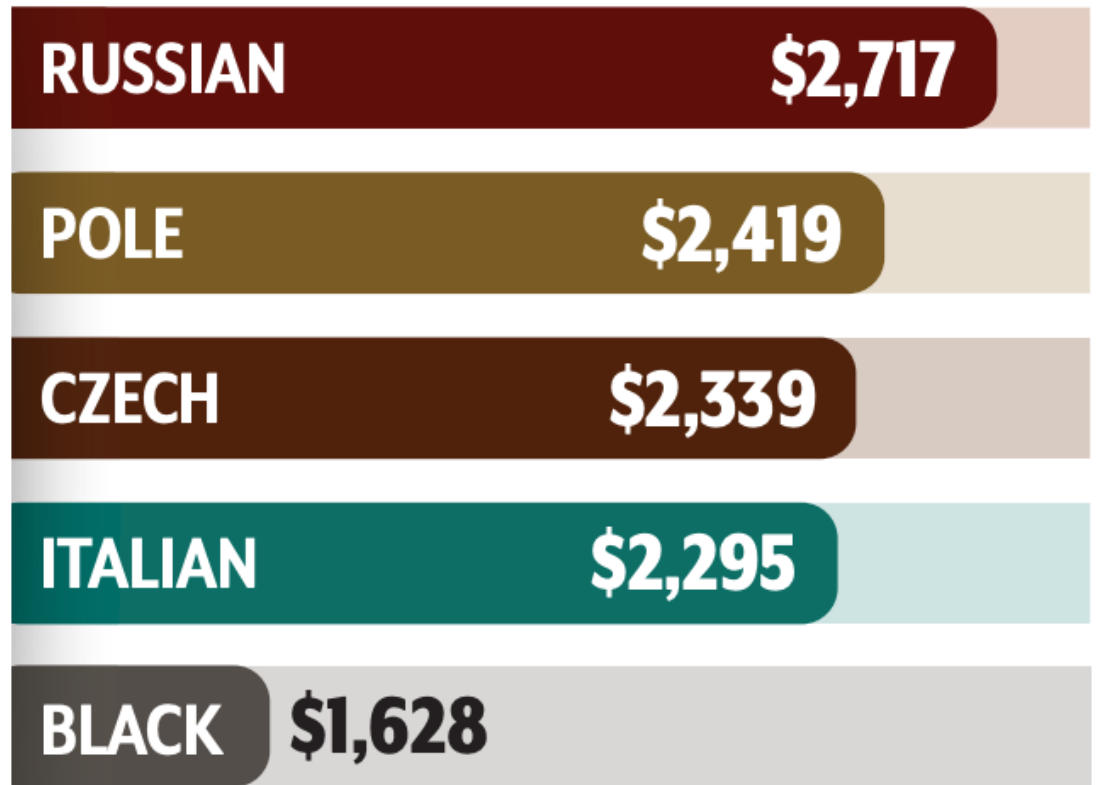
Little Richard protesting record companies over royalties. Little Richard sold the rights to the song "Tutti Fruity" for a reported \$50, and received half a cent for each record sold. "I was a dumb black kid and my mama had 12 kids and my daddy was dead," Little Richard reportedly said, "I wanted to help them, so I took whatever was offered." (1984)

X. Stolen Labor and Hindered Opportunity

- **Nationally:** It is undeniable that the labor of enslaved Africans built the infrastructure of the nation, produced its main agricultural products for domestic consumption and export, and filled the nation's coffers. Since then, federal, state, and local government actions directly segregated and discriminated against African Americans.
- **California:** Several California cities did not hire Black workers until the 1940s and certain public sectors continued to avoid hiring Black workers even in 1970. The San Francisco Fire Department, for example, had no Black firefighters before 1955 and, by 1970 when Black residents made up 14 percent of the city's population, only four of the Department's 1,800 uniformed firefighters were Black.

ANNUAL INCOME DURING GREAT MIGRATION

White immigrant workers verses Black workers



XI. An Unjust Legal System

- **Nationally:** American government at all levels criminalized African Americans for social control, and to maintain an economy based on exploited Black labor.
- **California:** Like the rest of the country, California stops, shoots, kills, and imprisons more African Americans than their share of the population. Data show that law enforcement most frequently reported taking no further action during a stop with a person they perceived to be Black, suggesting there may have been no legal basis for the stop.

African Americans are



to be killed by police

More than half of all killings by police in the U.S. go unreported in the USA National Vital Statistics System database from which some analysis is drawn.

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



COURTESY OF *DISSECTION: PHOTOGRAPHS OF A RITE OF PASSAGE IN AMERICAN MEDICINE, 1880-1930*, PAGE 10



Students at the University of Maryland School of Medicine, 1898. The English sociologist Harrie Martineau wrote in 1838 that “...the bodies of coloured people exclusively are taken for dissection because the whites do not like it, and the coloured people cannot resist.”

XII. Mental and Physical Harm and Neglect

- **Nationally:** The government actions described in this report have had a devastating effect on the health of African Americans. Compared to white Americans, African Americans live shorter lives and are more likely to suffer and die from nearly all known diseases and medical conditions compared to white Americans.
- **California:** These national trends are similar in California. The life expectancy of an average Black Californian was 75.1 years, six years shorter than the state average. Black babies are more likely to die in infancy and Black mothers giving birth die at a rate of almost four times higher than the average Californian mother. Compared with white Californians, Black Californians are more likely to have diabetes, die from cancer, or be hospitalized for heart disease.

XIII. The Wealth Gap

- **Nationally:** 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.
- **California:** The wealth gap exists in similar ways in California. A 2014 study of the Los Angeles metro area found that the median value of liquid assets for native born African American households was **\$200**, compared to \$110,000 for white households, and \$72,000 for African Blacks.

In 2019, white households owned

9x 
MORE

assets than Black households

Key Findings: Control Over Creative, Cultural, and Intellectual Life

At its inception, the United States created a series of laws and policies that denied African Americans the ability to create and own art and engage in sports and leisure activities.

After the Civil War, governments and politicians embraced minstrelsy, which was the popular racist and stereotypical depiction of African Americans through song, dance, and film.

Federal and state governments allowed white Americans to steal Black art and culture with impunity—depriving Black creators of valuable copyright and patent protections.

State governments built monuments to memorialize the Confederacy as just and heroic through monument building, while simultaneously suppressing the nation's history of racism, slavery and genocide.

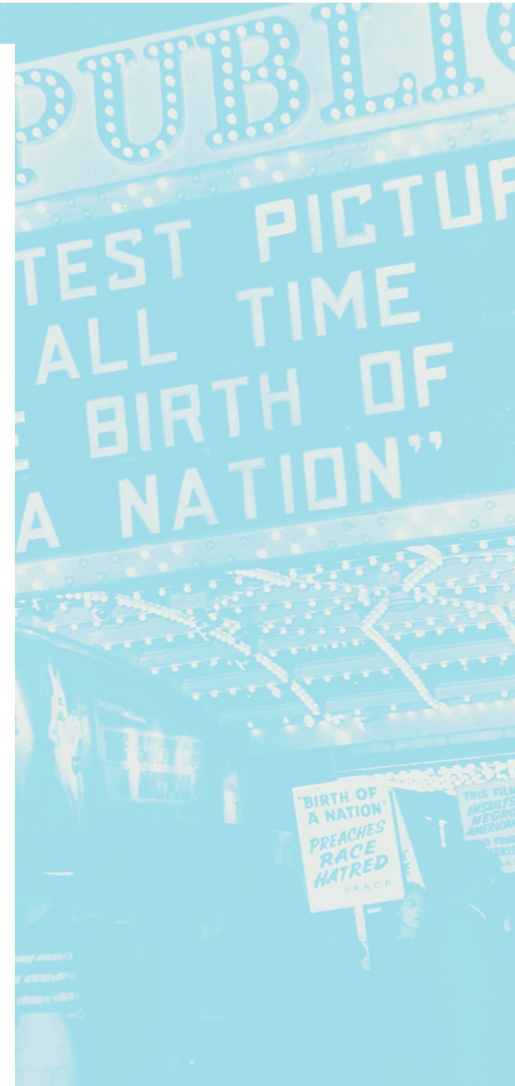
In California, city governments decimated thriving Black neighborhoods with vibrant artistic communities, like the Fillmore in San Francisco.

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Federal and state governments failed to protect Black artists, culture-makers, and media-makers from discrimination and simultaneously promoted discriminatory narratives. State governments forced Black artists to perform in segregated venues.⁵ The federal government actively discriminated against African Americans during wars, and projected a false image of respect for Black soldiers in propaganda.⁶ Federal and state governments allowed white Americans to steal African American art and culture with impunity—depriving Black creators of valuable copyright and patent protections.⁷ State governments encouraged segregation and discrimination against African American athletes.⁸ State governments denied African American entrepreneurs and culture-makers access to leisure sites, business licenses, and funding for leisure activities.⁹ State governments memorialized the Confederacy as just and heroic through monument building, while suppressing the nation's actual history.¹⁰ States censored cinematic depictions of discrimination against and integration of Black people into white society.¹¹ Today, African American artists, culture-makers, presenters, and entrepreneurs must contend with the legacy of enslavement and racial discrimination as they attempt to pursue creative endeavors that empower and uplift Black communities.



II. Discrimination Against Black Artists and Culture

Black artists have faced intense discrimination and restriction in the United States since the era of slavery. During the period of enslavement, enslaved people faced legal restrictions from many state governments while creating arts, crafts, and engaging in education.¹² Many enslaved people were highly talented craftspeople and artists, including seamstresses and tailors, blacksmiths, woodcutters, and musicians of all types.¹³ They fabricated architectural materials, furnishings, musical instruments, such as banjos, and handicrafts, like baskets and rugs.¹⁴ Free African American artists did engage in self-expression during the period of enslavement, however they had to rely on outside resources or wealthy white patrons to support their careers.¹⁵

Many enslaved people were highly talented craftspeople and artists, including seamstresses and tailors, blacksmiths, woodcutters, and musicians of all types.

Many white enslavers were suspicious of the subversive potential of Black art.¹⁶ After 1730, South Carolina outlawed dancing, drumming, and playing loud instruments by enslaved people for fear that it would incite rebel-

prohibited from employment in city symphonies, radio stations, and clubs outside of segregated Black neighborhoods—due to racist employers, unions, and police enforcement of segregation.²⁴ Concert venues were often segregated due to racist customs.²⁵

Black musicians were subject to arbitrary, racist rules.²⁶ They could not make eye contact with white Americans who were usually standing right in front of the stage, while African Americans were confined to balconies.²⁷ Black musicians also could not stay at many hotels, were banned from restaurants, and were often served rotten food at others.²⁸ Such customs were enforced by state and local police.²⁹ Black artists who challenged segregation

were met with violence—for example, a musician in Georgia was brutally beaten for refusing to say “sir” in response to a white man’s question at a concert in 1951.³⁰ Black artists were driven from white towns in the south, barred from performing, and chased by white people brandishing guns.³¹ An interracial

all-woman jazz group performed at some integrated concerts, but were occasionally turned away and even jailed.³² Consequently, governments failed to investigate or prosecute racist violence against African American artists.

be covered only after obtaining a license from the original artist.⁴⁰ However, many Black musicians' contracts robbed them of these copyright protections.⁴¹ This led to a licensing regime that prevented Black musicians from gaining financial success.⁴² Black musicians recorded music on "race records," which were played on segregated radio stations and marketed only to African Americans.⁴³ During the 1920s and 1930s, Black musicians were subjected to contracts where the copyright for their work would be assigned to their employer, while being paid less than white musicians who had similar contracts.⁴⁴ For example, Elvis Presley imitated Black blues and R&B singers, and due to these exploitative contracts, the original song creators whose work he appropriated were not even paid for the use of their music.⁴⁵ One of Elvis' hit songs, "*That's All Right Mama*," was originally written and recorded by Arthur Crudup, a Black man who was paid so little for his recordings that he had to work as a laborer selling sweet potatoes.⁴⁶ This type of appropriation was so pervasive that many Americans did not understand that these art forms were invented by Black artists.⁴⁷ The federal

government neglected to take action to protect African American artists from financial exploitation.

African Americans have historically been discriminated against by governments and employers for their fashion, hair, and appearance through criminalization and

Many white enslavers were suspicious of the subversive potential of Black art. After 1730, South Carolina outlawed dancing, drumming, and playing loud instruments by enslaved people for fear that it would incite rebellions—other states enacted similar laws.

finer.⁴⁸ The United States Army did not allow African Americans to wear their hair in locs (locks, dreads, or dreadlocks) until 2017.⁴⁹ Black women in the army had been forced to straighten their hair with chemicals or hot irons, wear expensive and uncomfortable wigs, or cut their hair off to abide by the army's hair regulations.⁵⁰ Many states passed laws that prohibited sagging clothes in public places, and instituted a significant fine or jail sentence if an individual was caught sagging pants.⁵¹ Sagging originated from hip-hop culture, and sagging laws target Black boys and criminalize Black adolescent fashion, inviting police to intrude in Black life.⁵² In 2007, Shreveport, Louisiana passed a law banning sagging, resulting in Black men accounting for 96 percent of those arrested for sagging.⁵³ Schools have removed African American students for hairstyles that have violated their dress codes.⁵⁴ A Black student at a Texas school was told that he could not attend his prom because his locs were too long.⁵⁵ The CROWN Act, which stands for Creating a Respectful and Open World for Natural Hair, would prohibit discrimination based on hair texture or hairstyle.⁵⁶ While this act has been introduced in Congress, as of March 2022, it has not been passed.⁵⁷ As of 2021, only 13 states have passed versions of the CROWN Act.⁵⁸

Many African American fashion designers who were influential in American fashion history, whose clients included first ladies and government officials, suffered from racism that was supported by federal and state governments.⁵⁹ Elizabeth Keckley was a Black woman and fashion designer who dressed the first lady, Mary Todd Lincoln.⁶⁰ Keckley was born an enslaved person and suffered violence and sexual assault from white enslavers.⁶¹ Keckley worked as a seamstress for several years, attempting to raise money to pay back the loans she used to purchase her freedom.⁶² She faced legal restrictions in establishing her business—including the requirement that a white man vouch for her freedom.⁶³ Ann Lowe was a Black woman and fashion designer, who designed

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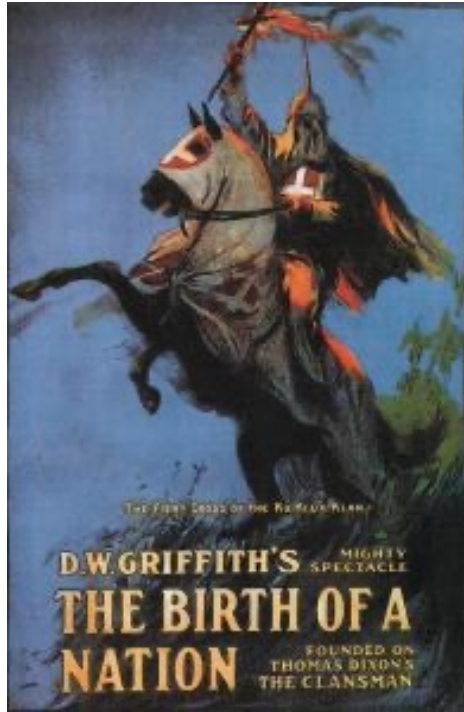


Black fashion designer, Ann Lowe, adjusting the bodice of a gown she designed, worn by Alice Baker. (1962)

D.W. Griffith's blockbuster film, *The Birth of a Nation* (1915), falsely showed members of the Ku Klux Klan as heroes who were protecting white women and southern honor against violent African Americans (mostly played by white actors who painted their faces black). This film was the main factor behind the revival of the Ku Klux Klan in the early 1900s.⁶⁰⁶ *Gone with Wind* (1939) celebrated the pre-Civil War South by showing a world of kindly enslavers, loyal and happy enslaved people, and heroic Confederates fighting for the southern way of life.⁶⁰⁷



The Hollywood film industry was responsible for popularizing white supremacist movies, like *The Birth of a Nation*, during the first half of the 1900s. This film was the main factor behind the revival of the Ku Klux Klan in the 1900s.



The minstrel performance became a cross-generational racial parody and stereotype made for white amusement. The performance of minstrelsy relied on racist stereotypes that dehumanized African Americans. This dehumanizing allowed white Americans to secure their own positive identity.

The Office of War Information, a government censorship agency, blocked racial depictions of discrimination against nonwhite people to show a falsely ideal racial democracy. The Office of War Information also approved blackface and jokes perpetuating and relying upon Black stereotypes.

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Hattie McDaniel with her Academy Award. At the awards ceremony she was forced to sit at a separate table because the hotel in which it was held did not allow Black people into the building. (1940)



Watts, California- Armed with clubs, pipes and bottles, this self-appointed posse of uniformed men was all set to settle the Zoot Suit War when the Navy Shore Patrol stepped in and broke it up. All 94 nonwhite civilians who were seriously injured were arrested by the Los Angeles Police Department, compared to only two of the 18 white servicemen who participated. (1943)

In San Francisco, African American artists had limited opportunities due to segregation. The bassist, Vernon Alley, described “the time in San Francisco when black bands couldn’t play east of Van Ness Avenue, and that’s true. I was a part of it.”

The *Los Angeles Times* apologized for being “an institution deeply rooted in white supremacy” for most of its history and admitted to a record that included indifference and “outright hostility” toward the city’s nonwhite population—acknowledging the underrepresentation of Black journalists in the newsroom.

Ida B. Wells was a journalist for the Memphis weekly known as *The Free Speech*. She conducted investigations, finding that mobs regularly lynched innocent victims as part of a racial terror regime. This was work that should have been done by federal and state law enforcement agencies. She found that the Black men who were charged with raping white women were often involved in consensual relationships with them. After she published her findings in an editorial, a white mob destroyed *The Free Speech*, suffering no legal consequences.

There are estimates that racial violence accounts for 1,100 missing patents that should have been given to African Americans. Cyrus McCormick received a patent for the mechanical reaper, even though it was actually invented by Jo Anderson, a man who was enslaved by the McCormick family.

Only **3%** of U.S. patents

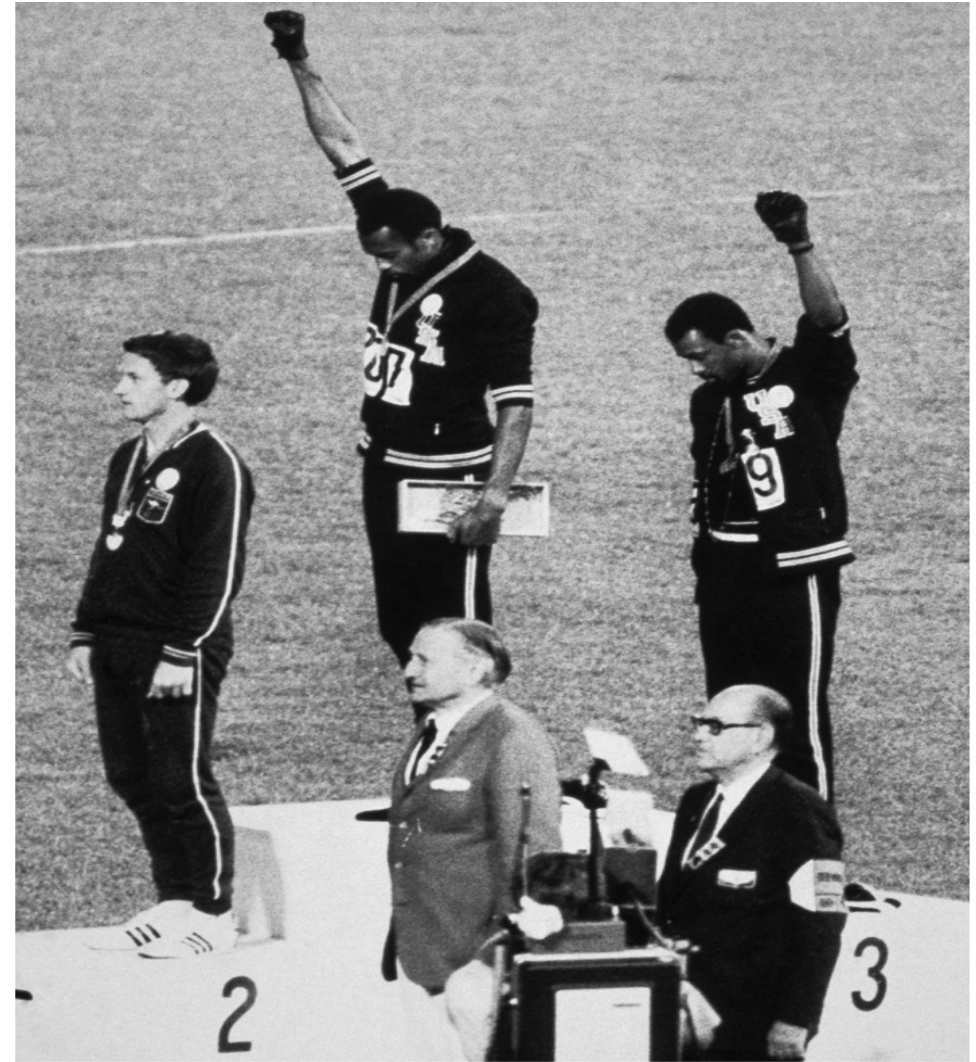


went to **African American**
inventors from 1970 to 2006

COURTESY OF BETTMANN ARCHIVE VIA GETTY IMAGES



U.S. women's team for the 1936 Berlin Olympics. The two African American women pictured, Louise Stokes and Tidy Pickett, qualified three years earlier for the 1932 Olympics in track and field but were not allowed to participate due to their race.



Tommie Smith and John Carlos protested the lack of African Americans on the United States Olympic Committee, as well as the stripping of Muhammad Ali's heavyweight belt at the Olympics. They raised their black gloved fists in a Black power salute during the National Anthem, while standing on the victory podiums of the Olympic Games. (1968)

TENNIS

Tennis, like football, was originally a sport for elite white men. Due to segregation laws, most tennis clubs explicitly or implicitly prohibited African Americans from participation.



CALIFORNIA REPARATIONS TASK FORCE

DISCRIMINATION AGAINST BLACK ATHLETES

250

YEARS OF ENSLAVEMENT

90

YEARS OF JIM CROW

DECADES

FOLLOWING 1954 BROWN VS. BOE

as well as the lingering effects of such harms, systemic racism, and other racial injustices inflicted on Black Americans.

PLAYERS COALITION

BASKETBALL

In the early 1950s, the National Basketball Association (NBA) had an unspoken rule that there could not be more than two Black players on a team, later that number was expanded to three.



FOOTBALL

Football has a history of racial discrimination in the United States, sanctioned by state and federal governments. As of January 2022, there was only one Black head coach in the NFL.

Recently, the NFL has engaged in racist practices against Black athletes—many of whom suffered brain injuries while playing professional football. The NFL used “race-norming”—a racist medical practice where Black players were assumed to have lower cognitive function than white players as part of a dementia test to determine payouts in a brain injury settlement.

ALL SPORTS

Following the end of slavery, most Black athletes were forced to compete in segregated teams, sports, and organizations (i.e. Negro League)

Upon integration of all sports, Black Americans have yet to achieve equity in integrated sports leadership or ownership. Historical discrimination against Black Athlete activists (i.e. Tommie Smith; John Carlos; Muhammad Ali etc.)



PLAYERS

PLAYERS COALITION

City and county police departments in California engaged in targeted harassment of Black owned businesses that provided leisure opportunities to Black Californians. In 1927, the Parkridge Country Club was sold to a group of Black entrepreneurs. After the Ku Klux Klan burned a cross on the front lawn and white club members sued the previous owner for the sale, the Black entrepreneurs were forced to withdraw their bid.



Louise and Byron Kenner in bathing suits at Bruce's Beach, with a beach house visible behind them. Bruce's Beach, in the city of Manhattan Beach, was purchased by Willa and Charles Bruce in 1912. They built a beach resort. The city closed down the resort in the 1920s by proposing to build a park and imposing eminent domain. (c. 1920)

Important Framing Questions:

- 01 What are the damage time frames? This becomes even more important for the prioritization of Black descendants of persons enslaved in the United States. 1865-1960?
- 02 Will there be a California residency requirement? If yes, how will it be determined?
- 03 What year determines the beginning of harm? Are there different starting points and end points for each atrocity category?
- 04 Will direct victims and/or Black descendants of U.S. Slavery be compensated?

WHO: Lineage-based/direct victims/family members?

WHAT? Residency Requirements

WHEN? Time frame for each atrocity and harm based on economic evidence.

Tenets of Model* Eligibility - Time - Residency

Define the **community of eligibility** based on lineage determined by an individual being an African American descendant of chattel enslaved person or the descendant of a Free Black person living in the US prior to the end of the 19th century.

Harms/Atrocities:

1. Unjust Property Takings by Eminent Domain
2. Devaluation of Black Businesses
3. Housing Discrimination and Houselessness
4. Disproportionate Black Mass Incarceration and Over-Policing
5. Health Harms



Cemetery workers cover a confederate monument at Santa Ana Cemetery after it was defaced with orange paint. The monument honored confederate soldiers who fought for the Confederate States of America during the Civil War. (2019)

Potential Final Reparation Proposals

Enslavement:

- Provide Funding to the Proposed California American Freedmen Affairs Agency, Specifically for Creative, Cultural, and Intellectual Life

IX. Control Over Creative Cultural and Intellectual Life

- **Formal Apologies on Behalf of the State of California—Minstrel Shows; Discrimination in the Arts; Bias in Cinematic Depictions**
- **Public Disclosure of Compensation and Benefits for Artists Across All Media Industries in California**

Unjust Legal System:

- Increase Efforts to Restore the Voting Rights of Formerly Incarcerated Persons and Provide Access to Those Who Are Currently Incarcerated and Eligible to Vote

Separate and Unequal Education:

- Increase Funding to Schools Through the Local Control Funding Formula to Address Racial Disparities

Housing Segregation:

- Provide Property Tax Relief to Descendants, Living in Formerly Redlined Neighborhoods, Who Purchase or Construct a New Home
- Provide Shared Appreciation Loans and Subsidized Down Payments, Mortgages, and Homeowner's Insurance

STAY ENGAGED

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