



**STOLEN WEALTH AND HINDERED OPPORTUNITY:  
REPARATIONS FOR AFRICAN AMERICANS**

**AB 3121: California Task Force to Study and Develop  
Reparation Proposals for African Americans  
Personally Curated by: Kamilah V. Moore, Esq.**

# **ABOUT: AB-3121 CALIFORNIA REPARATIONS TASK FORCE**

## **Championed by:**

- 1) Secretary of State Shirley Weber**
- 2) Grassroots Activists**
- 3) 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**

**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**

**September 2022: International Law**

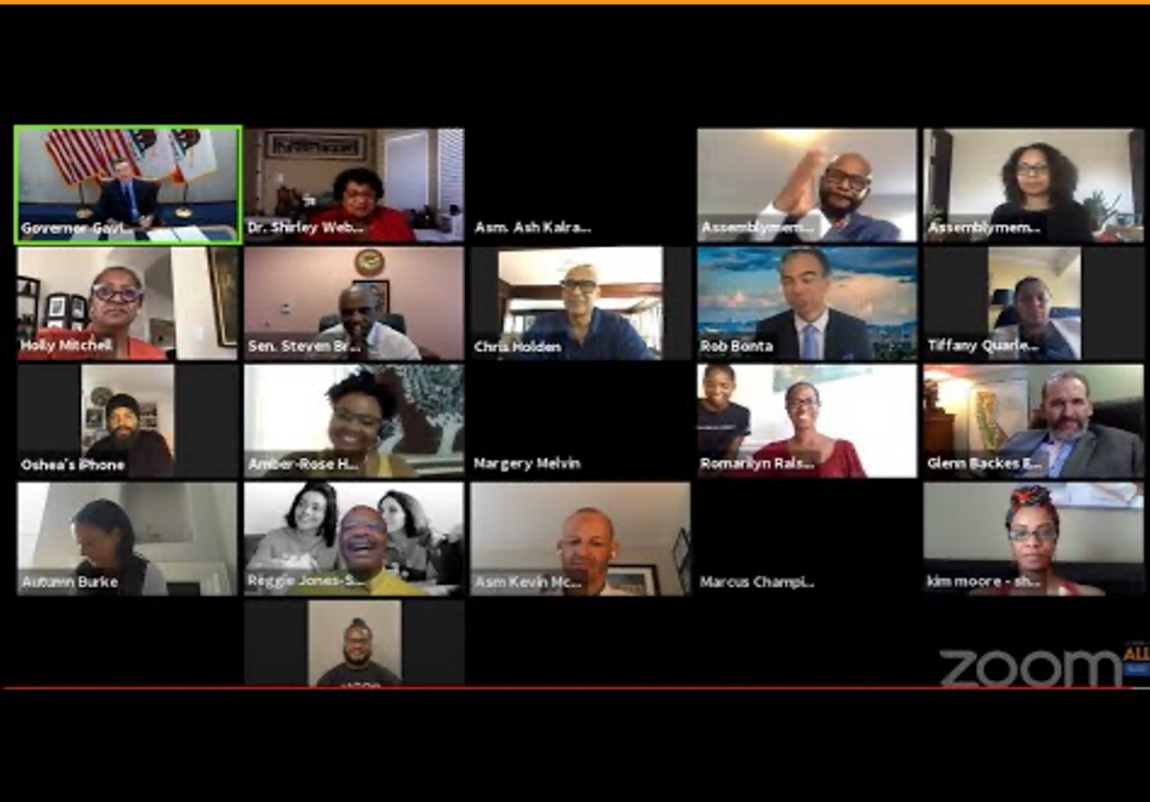
**December 2022: Development Stage**

**January 2023: Development Stage**



**AB- 3121 SIGNING CEREMONY  
SEPTEMBER 2020**

**CA REPARATIONS TASK FORCE  
INAUGURAL MEETING  
JUNE 2021**



# CALIFORNIA REPARATIONS TASK FORCE

## INTERIM REPORT



▲ **PROLIFERATION OF KKK  
CHAPTERS & MEETINGS**

▲ **REDLINING**

▲ **"WHITES ONLY" TOWNS  
& NEIGHBORHOODS**

▲ **LAWS & ORDINANCES SUPPORTING  
SEGREGATION IN SCHOOLS**



# 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.



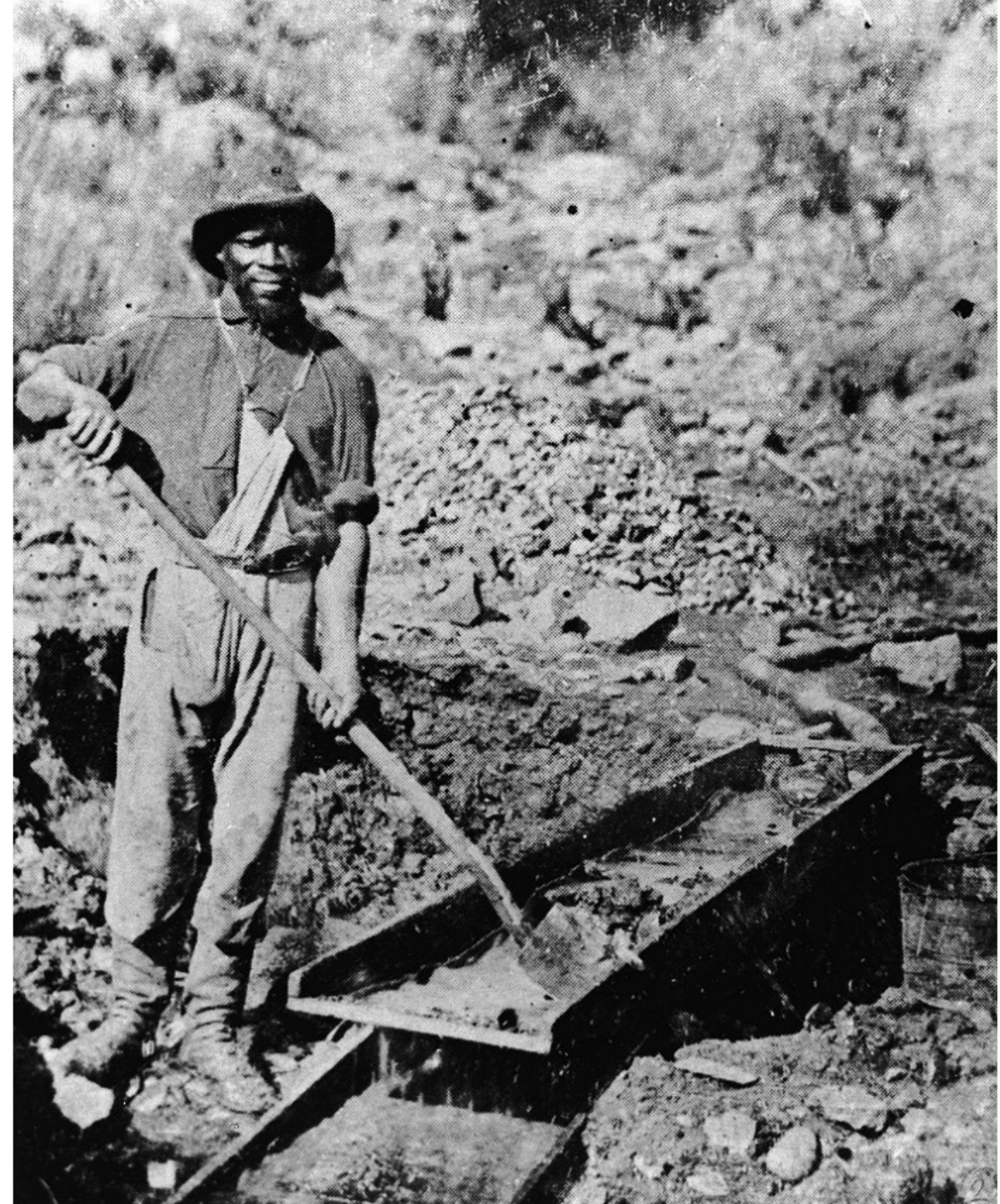
In order to address this practical reality, this interim report of the Reparations Task Force describes a sample of government actions and the compounding harms that have resulted, organized into **12 specific areas of systemic discrimination.**

**12 CHAPTERS**  
**(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**

# 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)



## 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:** **STOLEN LABOR AND HINDERED OPPORTUNITY**

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.

Federal laws have also protected white workers while denying the same protections to Black workers, empowering private discrimination.

Several California cities did not hire Black workers until the 1940s and certain public sectors continued to avoid hiring Black workers even in 1970.

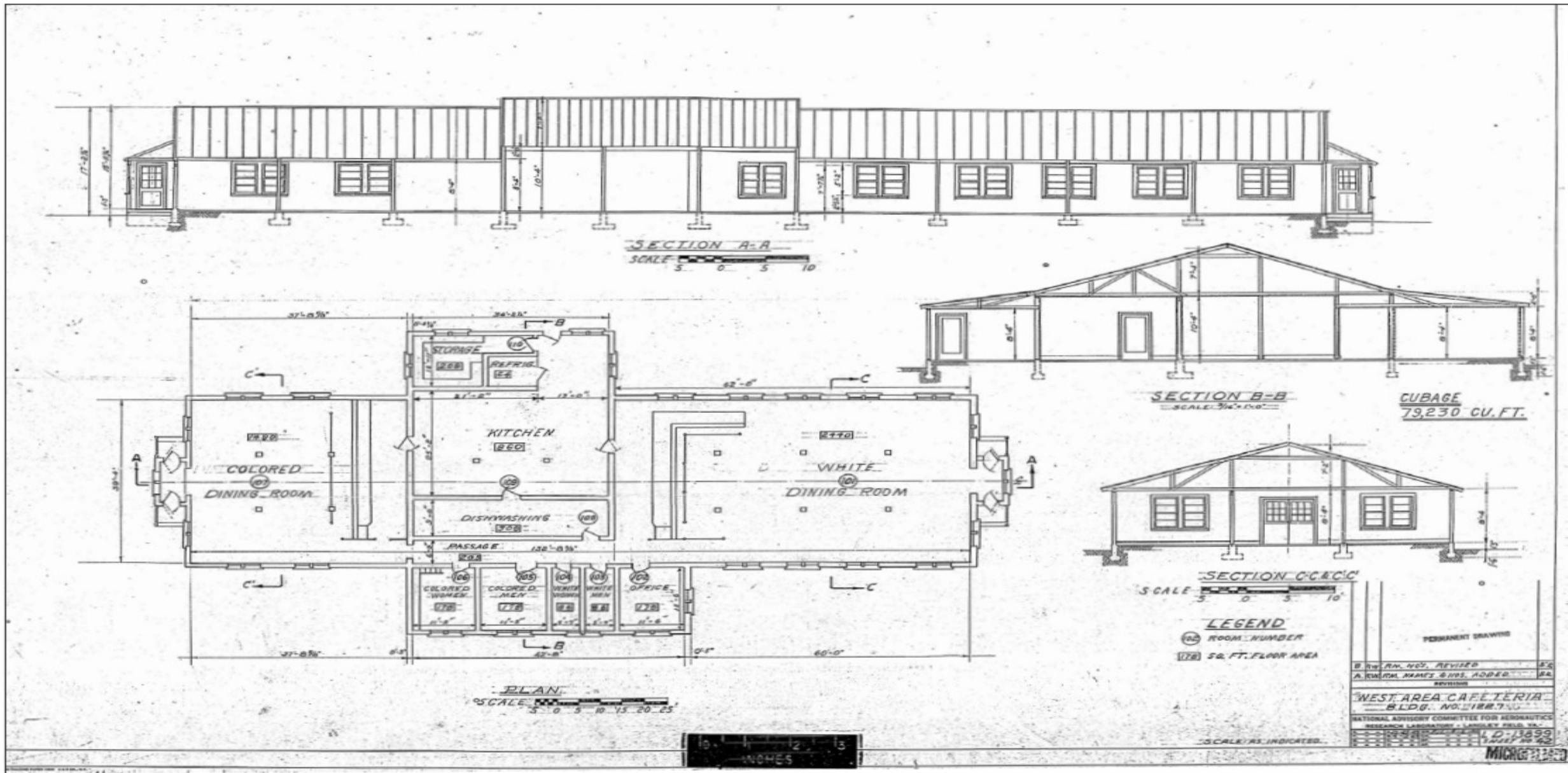
During the New Deal, several California cities invoked city ordinances to prevent Black federal workers from working within their cities.

Today, by some measures, California's two major industries, Hollywood and Silicon Valley, disproportionately employ fewer African Americans.



Photograph shows Sam Williams (center, holding dog), his wife Dicie Williams (center in white), their youngest son Sidney Williams (in front of Sam), and other men, women, and children in a cotton field. (c. 1908)





Blueprint for NASA/NACA's West Area Cafeteria at the Langley Research Center, showing a "White Dining Room" and a smaller, segregated "Colored Dining Room" for use by African American staff, including "human computers." (1948)



# **SALARY OF COLLEGE EDUCATED WORKERS**

By Race in 1950

**\$3,500**

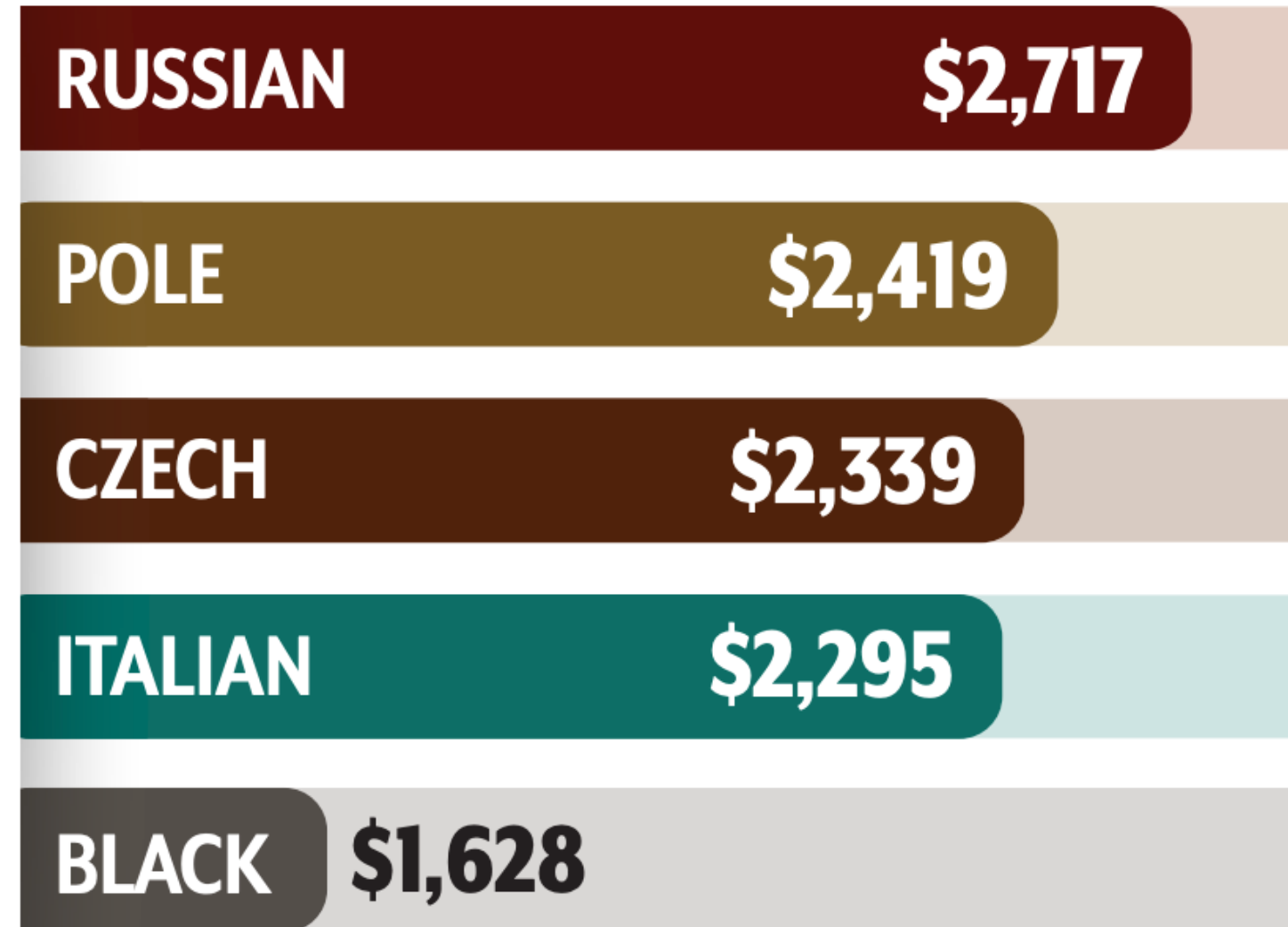
**WHITE**

**\$1,400**

**BLACK**

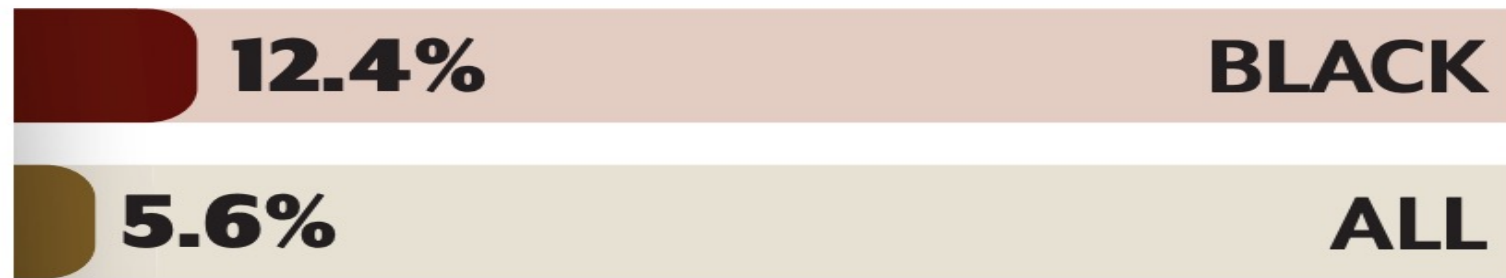
## ANNUAL INCOME DURING GREAT MIGRATION

White immigrant workers verses Black workers



**When Bay Area Rapid Transit system was built in 1967, no skilled Black workers were hired. When Oakland built a new central post office during the same period—not a single Black plumber, operating engineer, sheet metal worker, or other skilled laborer was hired.**

## UNEMPLOYED COLLEGE GRADUATES IN 2013



Racial employment gaps are worse among educated workers.<sup>367</sup> A 2014 study revealed that 12.4 percent of black college graduates aged 22 to 27 were unemployed in 2013, compared to a rate of 5.6 percent for all college graduates in the same age range. 55.9 percent of employed Black recent college graduates worked in an occupation that typically does not require a four-year college degree.<sup>368</sup> Graduates in areas such as science, technology, math, and engineering fared better, but still experienced high unemployment and underemployment rates.<sup>369</sup> In 2013, Black recent college graduates majoring in nine of 12 broad categories had less than a 50 percent chance of holding a job that required their degree.<sup>370</sup> Another study found that Black individuals who received MBAs from Harvard between 2007 and 2009 began their careers earning approximately \$5,000 less their white peers, and by 2015, the racial pay gap had increased to just under \$100,000 annually.<sup>371</sup>



Brook Park, near Cleveland and Dearborn, outside of Detroit.<sup>333</sup> Michigan's *Labor Market Letter* observed the "creation of a very large and alarmingly consistent list of long-term unemployed" Black workers in the region.<sup>334</sup>

This exodus of major employers to the suburbs also prevented African Americans from fully taking advantage of benefits provided by unions. For example, the Communication Workers of America lost thousands of Black members when customer service call centers moved out of New York City and reopened in areas not easily accessible to African Americans living in the city.<sup>335</sup>

Between 1967 and 1987, the number of industrial jobs dropped precipitously in cities with large Black populations: by 64 percent in Philadelphia, by 60 percent in Chicago, by 58 percent in New York, and by 51 percent in Detroit.<sup>336</sup> Oakland and Los Angeles also experienced a decline in manufacturing.<sup>337</sup> Automobile and tire companies that had been prevalent in Los Angeles shuttered or moved to the suburbs as early as the 1950s.<sup>338</sup> An analysis of census data for the 15 largest metropolitan areas of the time found that between 1960 and 1970, the suburbs of these areas saw a 44 percent increase in jobs while central cities saw a seven percent decline.<sup>339</sup> Whereas nearly two thirds of jobs were in urban centers in 1960, by 1970, only 52 percent of jobs were in urban centers and in some cities, the majority of jobs were suburban.<sup>340</sup> Corporate executives occasionally admitted that avoiding Black communities "sometimes" motivated their decisions about where to locate.<sup>341</sup> Federal jobs in

and suburban locations about thirty miles from the Black neighborhood.<sup>344</sup>

COURTESY OF H. ARMSTRONG ROBERTS/CLASSICSTOCK VIA GETTY IMAGES



African American settlement near steel foundry. Workers homes in east St. Louis, Illinois. (c. 1920)

More recently, U.S. trade policy added to the negative impact of automation and changing technology on jobs for African Americans.<sup>345</sup> Free trade policies and the resulting job losses in the manufacturing sector hit Black men especially hard, as this sector has offered relatively higher-paying jobs for those with lower levels of educational attainment.<sup>346</sup> These jobs were also more likely to be unionized and afford a range of attendant benefits, from health care to pensions.<sup>347</sup> Black workers were also disproportionately among those whose call center and customer service jobs were subject to offshoring. One study found

**Corporate executives occasionally admitted that avoiding Black communities “sometimes” motivated their decisions about where to locate. Between 1970 and 1993, African Americans lost ground in nearly every economic category, with unemployment among African Americans rising from 5.6 percent to 12.9 percent.**

**A 2018 report revealed that in large tech firms in Silicon Valley, African Americans made up only 4.4 percent of all employees. 1.4 percent were executives, 2.5 percent were managers, and 2.9 percent were professionals.**

# CALIFORNIANS POOR OR NEAR POOR 2019

**BLACK**

**STATE POPULATION vs POOR**

**6.5%**

**17%**



**WHITE**

**STATE POPULATION vs POOR**

**72%**

**12%**



# POTENTIAL FINAL REPARATION PROPOSALS

## Enslavement:

- Create New State Agency: CA American Freedmen Affairs
- Enact legislation to create compensation fund for all direct descendants of American slaves forced to labor specifically in the state of California (i.e. Descendant legacy families in Coloma, CA).

## Mental and Physical Harm & Neglect:

- **Establish and Fund Community Wellness Centers in Black Communities**
- **Fund Research to Study the Mental Health Issues within California's Black Youth Population, and to Address Rising Suicide Rates among Black Youth.**

## 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

## Stolen Labor and Hindered Opportunity

- **Guaranteed Income For Descendants**
- **Funding African American Banks**
- **Transforming Minimum Wage to Livable Wage**
- **Funding Black Businesses**

# Potential Compensation Proposals

## Model #2 - State Specific Harms/Atrocities Framework

### 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

# **STAY ENGAGED**

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