

Executive Summary

Part I: Recounting The Historical Atrocities

I. Introduction and Background

- A. This report aims to address the historical and ongoing discrimination faced by African Americans in California and the United States, providing evidence of the harms and proposing reparations and recommendations.
 1. Throughout American history, the government exploited and terrorized enslaved African Americans for the benefit of white Americans.
 2. Throughout history, African Americans were exploited, terrorized, and denied basic rights, including voting and political influence.
 3. This systemic oppression led to enduring challenges, such as violence, discrimination, systemic barriers, and wealth disparities.
 4. Discriminatory practices included segregation, education inequalities, poor housing conditions, and limited access to public services, which are exacerbated by extreme weather and climate change. The government's negative portrayal of African American families contributed to child welfare and school punishment disparities. Restrictions on creative and cultural expression, coupled with economic barriers, further compounded these challenges.
 5. The U.S. legal system unjustly targeted African Americans, leading to over-policing and mass incarceration. Health disparities, limited mental healthcare access, and a wealth gap further demonstrate the impacts of these longstanding injustices, exacerbated by California-specific laws and policies.

Key Findings of Part I

- A. The historical adoption of white supremacist beliefs and laws by colonial and American governments continues to perpetuate a system of white supremacy that is deeply ingrained in legal and social systems, resulting in lasting physical and psychological harm to generations of African Americans.

Part II: International Principles of Reparation and Examples of Reparative Efforts

II. International Reparations Framework

Introduction

AB 3121 mandates that recommendations from the Reparations Task Force align with international standards of remedy for wrongs and injuries caused by the state, including full reparations and special measures. The United Nations Principles on Reparation provide a legal framework for comprehensive reparations, defining victims as those affected by gross violations

of international human rights and humanitarian law. Examples of such violations include genocide, slavery, murder, enforced disappearances, torture, and systemic racial discrimination. The international framework for reparations includes elements of restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition, all of which the Task Force aims to address in its recommendations to the Legislature. Implementation of recommendations covering each component is necessary to meet the international standard for reparations.

Restitution

Restitution aims to restore victims to their original situation before gross violations of human rights or international humanitarian law occurred. It includes restoring liberty, human rights, identity, family life, citizenship, residence, employment, and property. However, complete restitution is often impossible due to moral damage and other factors, so measures must be taken to achieve an approximate restoration. When this is not feasible, compensation should cover the damage caused by the loss of the original situation.

Compensation

Compensation is an essential component of effective reparations and should be provided for assessable economic damages resulting from gross violations of human rights and international humanitarian law. This includes physical or mental harm, lost opportunities, material damages, moral damage, and costs for legal or expert assistance, medical and psychological services.

Rehabilitation

Rehabilitation is a crucial element of effective reparations and should encompass medical, psychological, legal, and social services. The obligation to provide rehabilitation should not be delayed and should not depend on the state's available resources. Rehabilitation services should be interdisciplinary and include medical and psychological care, legal and social services, community and family-oriented assistance, vocational training, education, and addressing criminal records or unlawful convictions.

Satisfaction

Satisfaction, as outlined in the U.N. Principles on Reparation, encompasses various elements such as the cessation of continuing violations, verification of facts, disclosure of truth, search for missing individuals, restoration of dignity and reputation, public apology, judicial and administrative sanctions, commemorations, and inclusion of violations in human rights and humanitarian law training. It is a non-financial form of reparation for moral damage or damage to dignity or reputation. Public knowledge of suffering, truth about perpetrators, public apology, and commemoration are crucial for satisfaction.

Guarantees of Non-Repetition

Under the U.N. Principles on Reparation, guarantees of non-repetition include measures such as civilian control of military and security forces, adherence to international standards of due process, strengthening judicial independence, protection of professionals and human rights defenders, human rights education, promotion of ethical norms, conflict prevention, and law reform. A guarantee of non-repetition aims to prevent future violations and is based on restoring confidence in ongoing relationships. It requires structural changes achieved through legislative measures and extends to non-state actors. Victims of gross violations are entitled to equal and effective access to justice, adequate reparation, relevant information, and the right to an effective remedy. The Task Force provides recommendations in Part V of the report to ensure non-repetition, including statutory changes, education, dismantling unequal justice systems, and promoting understanding of the historical injustices.

III. Examples of Other Reparatory Efforts

International Reparatory Efforts

- A. General: Task force recommendations aid international efforts to remedy wrongdoings. Examples that the task force examined (Germany-Israel, Chile, South Africa, Canada)
 - 1. Germany-Israel: Intended to address harm on Jewish people living in Germany during the Third Reich. Culminated in Final Solution, the Holocaust, the genocide of Jewish population through systematic killing inside and outside of concentration and extermination camps.
 - 2. Sept 1592, State of Israel and the Federal Republic of Germany (FRG) met in Luxembourg and signed an agreement requiring FRG to pay reparations to Israel for material damage and criminal acts perpetrated against Jewish populace.
 - a) Agreement had three parts; two of them are protocols. 1) 3B Deutsche Marks to help resettle Jewish refugees in the new State of Israel.
 - b) Protocol 2: Required FRG to pay the Conference on Jewish Material Claims against Germany DM450M.
 - c) 1965 FRG → Federal Compensation Final Law. Created hardship fund to support refugees in Eastern Europe,
 - d) Luxembourg Agreement → first reparations agreement to compensate another country that was not the victor in war.
 - 3. Statutory Effort: 1953, 1956, and 1965 Compensation Laws excluded compensation for forced and slave labor. In 2000, Germany and other countries enacted Forced and Slave Labor Compensation law—receiving DM15L and forced laborers DM5K.
- B. Chile → Under Pinochet (1973-1990) Chile suffered systematic state torture and violence (2-3K+ were executed or disappeared, with estimate 30-100K tortured). Wasn't until 1990 that Patricio Aylwin was sworn in.

1. Aylwin established the National Truth and Reconciliation Commission, an 8-member commission tasked with disclosing human rights violations that occurred under the previous dictatorship.
 2. 1991, Commission delivered first report to the President, Rettig Report.
 - a) Bill was signed into law February 8, 1992.
 3. Truth and Reconciliation Commission → promoting reparations for moral injury caused to victims of Pinochet regime, providing social and legal assistance needed by families.
 - a) Determining whereabouts of missing individuals and disappearance of people by Pinochet.
 - b) Repository for TRC and information on cases and matters similar.
- C. South Africa → Apartheid = Institutional regime of racial segregation and systematic oppression implemented in South Africa to deprive Black population of basic rights and ensure white minority power.
1. Election of Nelson Mandela as the country's first non-white president led to the Promotion of National Unity and Reconciliation Act to transition South Africa out of Apartheid into democracy.
 2. Act created TRC operating in three committees, Committee on Human Rights Violations, Reparations and Rehabilitation developing final compensation policy recommendations, and Amnesty Committee, responsible for determining which perpetrators of gross human rights violations would receive amnesty for civil and criminal liability for crimes
 3. Final Policy Recommendations included financial and symbolic compensation reparations and community rehabilitation programs and institutional reforms.
 - a) CRR recommended the government appoint a national body to oversee implementation. Adaptation of some programs occurs.
 - b) The South African government did not adopt CRR financial recommendations nor a national implementing body.
- D. Canada → Indigenous children in Canada were sent to residential schools and suffered severe abuses. Churches were established on racial, cultural and spiritual superiority, residential schools were an attempt to separate indigenous children from their traditional cultures and convert them to Christianity.
1. The Indian Act in 1876 gave the government power to educate and assimilate Indigenous people in Canada. Thousands of children died at school or as a result of their experiences in school, while many are still missing. Children were relocated and segregated on gender.
 - a) Indigenous culture was disparaged from the moment children arrived at schools.
 2. IN 1996, 27 former students filed a class action lawsuit against the Government of Canada and the United Church of Canada. ⇒ 1998 Statement of Reconciliation and establishment of Aboriginal Healing Foundation.

3. 2006 Canadian Indian Residential Schools Settlement Agreement, acknowledging damage Canada inflicted on Indigenous peoples.
 - a) Five Main Components; Common Experience Payment, Independent Assessment Process, The TRC, Commemoration and Health and Healing Services.
 - b) Agreement allocated 1.9B to COmmon Experience Payment. Allocated 60M to TRC for five years.

Domestic Reparatory Efforts

History of the Reparations Movement in the U.S.:

Calls for reparations for African Americans have a long history, with early demands for compensation from enslaved individuals like Belinda Sutton. The National Ex-Slave Mutual Relief, Bounty, and Pension Association (MRPBA) and individuals like Audley Moore and the Black Panther Party continued to advocate for reparations in the late 1800s and 1900s. The introduction of HR 40 in 1989 aimed to study and develop reparations, but it has not yet received full consideration. Some states, cities, and counties are taking independent steps towards reparations, including California's SB 3121, which seeks both state and nationwide solutions.

1. U.S. Indian Claims Commission

The United States Indian Claims Commission (ICC) was established in 1946 to address the harms inflicted on native populations during colonization and relocation, but it could only award monetary relief and not restore land titles. The ICC adjudicated tribal land claims based on factors like fraud and unfair treaty dealings, processing over 500 claims within its five-year filing window. It awarded around \$800 million in compensation to tribal claimants, but critics argue that it fell short in addressing the historical oppression of Native Americans and the suppression of their languages and religions. The Commission's adversarial nature and government opposition to proper compensation are seen as flaws in its structure.

2. Tuskegee Study of Untreated Syphilis in the Negro Male

The Tuskegee Study of Untreated Syphilis in the Negro Male took place from 1932 to 1972, involving 600 African American men who were falsely informed they were receiving treatment for "bad blood" but were left untreated for syphilis.

Despite the availability of penicillin as a standard treatment from 1947, it was deliberately withheld from the participants, leading to severe health consequences and even death. The study was exposed in 1972, triggering public outcry, investigations, and a subsequent class-action lawsuit that resulted in a \$10 million settlement in 1974. In 1997, President Bill Clinton formally apologized and funded a Center for Bioethics at Tuskegee University. Efforts have been made to address the study's legacy, including a legacy committee and a public apology from the Milbank Memorial Fund in 2022 to the descendants of the study's victims, for their role in paying funeral expenses.

3. Japanese American Incarceration

In 1942, Executive Order 9066 was signed by President Franklin D. Roosevelt, leading to the internment of Japanese Americans in camps for up to four years. In 1980, the Commission on the Wartime Internment and Relocation of Civilians (CWRIC) was established to review the situation and suggest remedies. The CLERIC's report, *Personal Justice Denied*, played a role in the passage of the Civil Liberties Act of 1988, which acknowledged the incarceration and provided redress, including a cash payment of \$20,000 to each surviving incarcerated individual. The Act also established the Civil Liberties Public Education Fund for educational purposes and called for formal apologies to the survivors by 1999.

4. September 11, 2001

The 9/11 terrorist attacks in 2001 caused toxic exposure, leading to illnesses among first responders, volunteers, and nearby residents. The September 11th Victim Compensation Fund (VCF) was created to provide financial support to those physically injured or killed in the attacks. In 2011, the VCF was reopened under the James Zadroga 9/11 Health and Compensation Act, expanding coverage to include illnesses related to debris removal and toxic air exposure. The Zadroga Act also established the World Trade Center Health Program for medical monitoring and treatment. While the VCF has faced funding challenges, it was permanently authorized in 2019, ensuring adequate funding until 2090, although it has encountered issues with documentation and premature claims from some claimants.

5. Sandy Hook Elementary School

On December 14, 2012, the tragic Sandy Hook Elementary School shooting took place, resulting in the loss of 20 children and 6 staff members. The shooter gained access to firearms and high-capacity magazines legally owned by his mother. Following the incident, Connecticut Governor Dannel P. Malloy established the Sandy Hook Advisory Commission to examine school safety, mental health, and gun violence prevention policies. The Commission made

recommendations concerning mental health investments, recovery plans, crisis response in schools, and other measures. The federal government provided significant financial aid to Newtown, Connecticut, for mental health services, school security enhancements, and the construction of a new Sandy Hook Elementary School. Additionally, grants were awarded for victim support, school emergency response, mental health providers, and police overtime costs.

6. Iranian Hostages

In 1979, the Iran hostage crisis began when Iranians stormed the U.S. embassy in Tehran, taking 63 Americans hostage. They were released in 1981 as part of the Algiers Accords, which prevented them from seeking compensation from Iran through U.S. courts. Efforts for compensation included recommendations by the President's Commission on Hostage Compensation, but they were not implemented. In 2015, the Justice for United States Victims of State Sponsored Terrorism Act established a fund to compensate the former hostages, providing \$10,000 per day of captivity and lump sum payments to spouses and children. The fund has distributed \$3.3 billion, but there are outstanding compensatory and statutory damages, and its future payments will depend on available funds until its termination in 2039.

State and Local Reparatory Efforts

1. Rosewood, Florida

In 1923, a false report by a white woman led to a violent mob of white vigilantes attacking Rosewood, Florida, a predominantly African American town. The mob burned down homes, killed residents, and forced survivors to flee. Perpetrators were not prosecuted, and African American residents never returned. In 1993, an academic report validated the claims, leading to a claim bill in 1994 that acknowledged the destruction and massacre, providing compensation for property loss, survivors, and a state scholarship fund for direct descendants. The Rosewood Family Scholarship Program offers financial assistance to eligible descendants, and a historical marker stands at the site as a memorial.

2. North Carolina Sterilization

North Carolina passed its first forced-sterilization law in 1919, allowing for the sterilization of mentally defective individuals. The law was invalidated in 1933, leading to the creation of the North Carolina Eugenics Board with limited appeal rights. Over 7,600 people were ultimately sterilized in the state, with the program extending beyond institutionalized individuals. In 2002, Governor Mike Easley apologized for the forced sterilizations, and in 2013, North Carolina became the first state to pass legislation compensating victims. The compensation program provided payments to 220 victims between 2014 and 2018, limited to those sterilized by the State Eugenics Board.

3. Virginia (Eugenics)

In 1924, Virginia passed the Eugenic Sterilization Act, allowing for the sterilization of inmates at state institutions. This act, passed alongside the Racial Integrity Act, aimed to purify the white race. The U.S. Supreme Court upheld the Virginia law in the case of *Buck v. Bell* in 1927, setting a controversial precedent. In 2015, the Virginia Victims of Eugenics Sterilization Compensation Program was enacted to compensate individuals who were involuntarily sterilized under the Virginia Eugenic Sterilization Act, with a limit of \$25,000 per claim. Only 11 surviving victims were eligible for compensation at the time of enactment.

4. California Sterilization Compensation Program

California's eugenic sterilization program began in 1909, authorizing medical superintendents to perform sterilizations on individuals with mental diseases or disabilities. The law disproportionately targeted racial and ethnic minorities, people with disabilities, and women. Though the law was repealed in 1979, sterilizations without proper consent continued in state institutions. In 2014, an audit revealed that 144 women in state prisons were sterilized without medical necessity. In response, the California Legislature passed Assembly Bill No. 137, apologizing for the sterilizations, creating a compensation program, and allocating \$4.5 million for compensation to survivors. Approved applicants receive an initial payment of \$15,000, and any remaining funds will be distributed by March 31, 2024.

5. Chicago Police Department

Jon Burge, a high-ranking officer in the Chicago Police Department, led a group of officers who tortured and abused over 120 African Americans from 1972 to 1991, resulting in coerced confessions. The abuse involved physical and psychological methods such as beatings, sexual humiliation, and electroshock torture. Complicity from judges and city officials was also suspected. Efforts were made to hold Burge accountable, but the statute of limitations had expired for many cases. Community activists, including the Chicago Torture Justice Memorial and attorney Joey Mogul, sought compensation through international human rights bodies. In 2015, the Chicago City Council approved a municipal ordinance granting reparations to Burge torture survivors, including financial payments, educational opportunities, healthcare, counseling, and a memorial site. The memorial is the only outstanding aspect of the ordinance, with ongoing efforts to secure its construction.

6. Evanston, Illinois

The City of Evanston implemented the Restorative Housing Program in 2021 to address discriminatory housing practices and wealth disparities between white and African American residents. A commissioned report highlighted the city's historical support of segregation and discriminatory policies. The program provides \$25,000 to eligible African American residents or their descendants for home purchase, improvement, or mortgage payments. Evanston has also established an Equity and Empowerment Commission, a City Reparations Fund, and recognized

historical African American sites, alongside issuing an apology. The program aims to increase African American homeownership and plans to disburse additional grants through cash payments and dedicated funding from real estate taxes.

7. Asheville, North Carolina

In June 2021, the City Council of Asheville, North Carolina allocated \$2.1 million from the sale of city-owned land to support a Reparations Commission. The land was acquired through urban renewal policies that displaced Black communities. A portion of the funding will be used for the Commission's planning and engagement, with approximately \$1.9 million designated for compensation. The Commission is tasked with addressing the city's participation in slavery, segregation, urban renewal, and other harmful actions against African Americans. Their recommendations will focus on repairing the damage caused by systemic racism, including areas such as homeownership, affordable housing, business ownership, career opportunities, equity, healthcare, education, employment, and criminal justice.

8. Providence, Rhode Island

After the murder of George Floyd in 2020, the mayor of Providence, Rhode Island, initiated a truth-telling, reconciliation, and restitution process to address bias and racism against African American, Indigenous, and other communities of color. The process included a truth-telling phase with a report documenting historical harm caused by slavery, genocide, and ongoing racial discrimination. The reconciliation phase involved community surveys, guiding principles, and a focus on communal learning and action. The mayor's executive order established the Municipal Reparations Commission, which recommended programs for a \$10 million budget allocation from the American Rescue Plan Act. The mayor also issued an apology for the city's discriminatory practices.

Part III: Recommendation for a Formal Apology

IV. Recommendation for a California Apology

- A. The Task Force recommends the California Legislature offer a formal apology on behalf of the people of California for the perpetration of gross human rights violations and crimes against humanity on African slaves and their descendants.
- B. The apology should be public, acknowledge responsibility for the violations, involve a considerable number of survivors and next of kin, and be broadcast and disseminated throughout the state. It should be accompanied by requests for forgiveness, censure of state perpetrators, and tributes to victims.
- C. The Legislature should establish a program or government body to facilitate listening sessions with victims and their relatives, allowing them to share personal experiences and inform the language and methods of the apology.

- D. Plaques or other commemorative tributes should be commissioned to honor survivors, raise awareness, and ensure collective memory of the injustices.
- E. Importantly, the apology must be part of a comprehensive legislative effort that includes compensation and policy recommendations to ensure non-repetition of the atrocities addressed.

Part IV: Methodologies for Calculating Compensation and Restitution

- A. The Task Force is assigned to recommend appropriate remedies and compensations for African Americans, specifically descendants of enslaved persons in the U.S., based on consultations with economists and policy experts, public comments, and witness testimonies. Their recommendation is that only those who can demonstrate they are descendants of enslaved or free African Americans living in the U.S. before 1900 should be eligible for reparations. The State of California is proposed to assist individuals in tracing lineage, possibly through a new agency, the California American Freedman's Affairs Agency. Calculations for reparations should consider losses due to health disparities, mass incarceration, housing discrimination, and devaluation of African American businesses, as well as unjust property seizures and labor discrimination. The Task Force emphasizes that individual compensations are not enough, recommending cumulative monetary payments to redress broader, systemic harms.
- B. Health Harms
 - a. The disparity in life expectancy between African Americans and white non-Hispanics in California, influenced by systemic discrimination, is proposed to be quantified and addressed through reparations.
 - b. The Task Force recommends calculating these reparations using statistical life value, life expectancy differences, and length of residency in California, potentially resulting in significant compensation for affected African American Californians.
- C. Mass Incarceration and Over-Policing of African Americans
 - a. The "War on Drugs" (1971-2020) resulted in the disproportionate incarceration of African Americans for drug-related offenses.
 - b. To redress this, the Task Force proposes reparations based on lost income and freedom, amounting to \$159,792 per year of incarceration. Based on arrest and population data, the total reparations sum is approximately \$227.9 billion, leading to a per recipient amount of \$115,260 or \$2,352 per residency year in California (1971-2020).
 - c. Further compensation is proposed for those incarcerated for now-legal substances.
- D. Housing Discrimination
- E. Unjust Property Takings
- F. Devaluation of African American Businesses
- G. Conclusion
 - a. The initial calculation of reparations for African American Californians is preliminary and further research is needed for a complete assessment.
 - b. The Task Force proposes an initial substantial payment, focusing on less quantifiable harms such as generational suffering, to be adjusted as more data emerges.

- c. They emphasize the importance of urgency, especially for older recipients, in delivering these reparations.

Part V: Policy Recommendations

Chapter 19-24

I. 19 → Addressing Enslavement

- A. Goals: Reaffirm State Protection of Descendants of Enslaved People and Guaranteeing Protection of Civil, Political, and Socio-Political Rights of descendants of Enslaved persons.
- B. How: Amend CA Constitution Prohibiting Involuntary Servitude (ACA3?) Payment of Fair Market Value for Labor provided by INCarcerated persons, emphasis on “rehabilitation” in CA Department of Corrections and Rehabilitation. Abolish death penalty and prohibit private prisons from benefiting from CADCR, providing reentry services for formerly reincarcerated.
 1. **Amend CA Constitution:** Self-evident in Article I, Section 6 of CA Constitution. Involuntary servitude is prohibited except to punish crime.
 - a) This has applied excessively to African Americans due to disproportionately being targeted for enforcement and subjected to a criminal justice system used for the very purpose of involuntary servitude.
 - b) Former State Senator Sydney Kamlager-Dove introduced ACA 3 which would have defined slavery to include involuntary servitude and forced labor. (Did not pass).
 2. **Adopt Fair Market Value for Incarcerated Goods/Services:** 1.2M incarcerated and 800K forced to work. ⇒ Incarcerated workers generate 2B in goods.
 - a) Task Force: Legislature provides payment of fair market value.
 - b) SB 1371 would have required the Secretary of the CDCR to adopt a 5-year implementation schedule increasing compensation for incarcerated individuals.
 3. **Emphasize “Rehabilitation”** → recommends Legislature require the CDRC to prioritize education, job training, substance use and mental health treatment.
 4. **Abolish Death Penalty** → 2021 CA Committee on Revision of the Penal Code issued a report recommending abolishing death penalty. Why? Too costly, and imposed arbitrarily and discriminatorily against African Americans.
 - a) In 2020, David Chiu and Marc Levine introduced ACA2 which died in committee. As of the report's publication, 23 states have abolished it, three states (CA included) having moratoriums.

II. 20 → Addressing Racial Terror

- A. Goal: Advance study of intergenerational, direct and indirect impacts of racism.
 1. The Task Force recommends funding CA Health and Human Services Agency (CDPH) further advancing studies on the issue.
 2. Adopting + Incorporating recommendations from American Academy of Pediatrics

3. **Establish and Fund Community Wellness Centers in African American communities** → In direct response to racial terror (lynching, etc).
 - a) As a result of racial terror, AA are more likely to have their first contact with the mental health system due to lack of accessible prevention and early intervention programs (PEI). These programs are also lacking and resulting in AA children being overdiagnosed with emotional and behavioral disorders.
 - (1) Additional barriers include stigma within the community associated with seeking treatment.
 - b) Task Force recommends legislation to establish and fund Community Wellness Centers (CWC) in historically-AA neighborhoods.
 - (1) CWCs will educate the community about mental health, collaborate with religious leaders and community-based organizations to educate.
 - (2) CWCs will provide PEI mental health programs that are supported by community-defined evidence practices. Focus on trauma-informed services
 - (3) Instilling positive racial identity in AA children, as early as age 3. Positive racial identity is a protective factor against racism.
4. **Fund Research to Study Mental Health Issues within CA African American Youth Population, and Address Rising Suicide Rates Among AA Youth**
 - a) Rates compounded by COVID-19 pandemic, and further by access to mental health services for AA youth. Only 16% of Black youth in Medi-Cal have been screened for depression and provided with a follow-up plan if needed.
 - b) Recommends legislature amending Mental Health Services Act (MHSA) to authorize Office of Health Equity to establish and fund practice-based suicide prevention research centers.
5. **Expand Membership of Mental Health Services Oversight and Accountability Commission to Include an Expert in Reducing Disparities in Mental Health Care Access and Treatment** → entity in charge of overseeing mental health legislation is Mental Health Services Oversight and Accountability Commission (MHSOAC).
 - a) In 2017, Governor Brown vetoed legislation to add experts in reducing mental health disparities to the MHSOAC.
 - b) Task Force: Legislature reintroduces legislation to increase the number of voting members from 16 to 17. Aligns with racial equity plan approved by MHSOAC.
6. **Address and Remedy AA LGBTQ+ Youth and Adult Discrimination and Economic Disparities.**
 - a) Legislature requiring DOE to develop an anti-bully and harassment model policy for all ages and grade levels that is anti-racist and queer-inclusive.

- b) Legislation requiring all public school personnel, staff, and administrators to receive training and support to increase cultural humility.
- c) Approve and fund Gay-Straight Alliance.
- d) Passing resolutions for AA-trans and non-binary recognition of suicide of these groups being a public health crisis, enacting legislation to fund state-wide research on issue

7. Procedures Addressing Over-Diagnosis of Emotional Disturbance Disorders.

III. 21 → Addressing Disenfranchisement

- A. Require District-Based Voting and Independent Redistricting Commission to prevent Vote Dilution.
- B. Increase funding for DOJ Enforcement of Voting Rights.
- C. Legislation such as AB 2576—Establishing support for Educational and Civic Engagement Activities.
- D. Election Day = Paid State Holiday, supporting essential workers accessibility to polls.
- E. Remove Barriers to Vote (Requiring Proving Identity) and efforts to restore voting rights of formerly incarcerated persons.

IV. 22 → Housing Segregation and Unjust Property Takings

- A. Policy/Protocol:
 - 1. Enact Policy overhauling Housing Industrial Complex and instead, advocating for responsible development (housing particularly) in communities.
 - 2. Anti-Racism training to Workers in the Housing Field.
 - 3. Finance: Property Tax-relief to African Americans (especially those in formerly in redlined neighborhoods)
 - a) Financial Assistance to increase African American home ownership especially through descendants. How? Through Shared Appreciation Loans, Subsidized Down Payments, and HomeOwners Insurance.
 - 4. Policy Work requiring state review and approval of residential land use ordinances.
 - 5. Affordable Housing for African American Californians.

V. 23 → Separate and Unequal Education

- A. Funding Schools that have historically suffered racial disparities (via Grants to local education agencies to address COVID-19 pandemic effects on racial disparities)
- B. Systematic review of school discipline, and mandatory curriculum for teacher credentialing.
- C. Require Curriculum be free of racial bias, implement Black Studies Curriculum, Freedom School Summer Program.
 - 1. Reduce racial Disparities in STEM fields for African American Students.
- D. Improve Access to Public Schools
- E. Free Tuition for CA Public Colleges and Universities, Eliminating Standardized Testing for Admission, and Identify Racial Bias and Discrimination

VI. 24 → Racism in Environment and Infrastructure

- A. Increase Green Space access and recreation opportunities in African American Communities.

1. Eliminate Toxicity in Descendant Communities, Increase Trees in Redlined Communities.
2. Remove lead in Drinking Water, and Prevent Highway construction that leads towards transportation pollution.

Chapter 25-30

VII. 25: Pathologizing the African American Family

A. **Reduce and Seek to Eliminate Racial Disparities in the Removal of African**

American Children from Their Homes and Families: African American children are disproportionately put in the foster care system, most likely due to racial bias in reporting, investigating, and rectifying situations of abuse and neglect, eliminate racial disparities for African American families, eliminate racial bias in the decision-making procedures of the child-welfare system

1. “blind” removal meetings (decisions are made by a committee of social workers who are unaware of the child’s race)
2. legislation that prohibits child welfare agencies from following through cases with detainment when the report which initiated it was solely rooted in poverty or lack of resources (the agency must encompass “active efforts” to aid in resources before detaining a child in this situation of neglect)
3. require independent testimony from the community (to break cultural barriers)
4. the agency must place family in treatment when substance abuse is flagged as the reason for neglect in order to allow the minor to stay in residence with their parents
5. the child must be moved to the noncustodial parent if needed to be separated from the custodial parent before other options are exhausted

B. **Reduce the Placement of African American Children in Foster Care and Increase Kinship Placements for African American Children:**

kinship placements (where children are placed with relative or nonrelative extended family) are more beneficial to children than the foster care system, Continuum of Care Reform legislation aimed to ensure African American children receive kinship placements but disparities still exist

1. require Dept of Social services to provide same amount of cash for kinship care as they do for foster placements
2. enact legislation that would equate the amount of cash for kinship care to what it would have been through federal calculations for foster care
3. amend Welfare and Institutions Code section 309 subsection (d) to authorize these payments to kinship carers such as relatives and get the social welfare benefits, amend Welfare and Institutions Code 361.3 to eliminate “good moral character” (to eliminate racial bias)
4. prohibit using a carer’s prior nonviolent conviction from disqualifying their ability to be considered for placement
5. enact legislation permitting a carer with prior conviction for a violent offense when (1) the conviction is not reportable under Penal Code section 290, (2) relative has been free from incarceration/supervision for at least 10 years, (3) the prior conviction for a violent offense is more than 10 years old, (4) relative has demonstrated they are not likely to reoffend

- C. **Establish and Fund Early Intervention Programs that Address Intimate Partner Violence (PV) Within the African American Community:** due to the unique and historically-rooted challenges the African American community faces with law enforcement, seeking treatment and safety mechanisms for IPV is difficult and can be ineffective
1. Fund community-based organizations and treatment, including adequate funding for these CBOs and treatment centers (hospitals, clinics, mental health centers)
 2. Fund IPV prevention and early intervention treatment programs
- D. **Eliminate Interest on Past-Due Child Support and Eliminate Black Child Support Debt:** child support on African American children are disproportionately greater, increasing the amount of child support debt owed, thus making it more difficult to make other payments such as housing
1. Enact legislation to terminate all interest accrued on back child support and the prospective accrual of interest on child-support debt for low-income parents
 2. Amend Family Code section 17560 to allow for offers in compromise and forgiveness of child support debt based on parents' financial circumstances and ability to pay
- E. **Eliminate or Reduce Charges for Phone Calls from Detention Facilities Located Within the State of California:** fees put on telephone calls can make it more difficult for the disproportionately affected families of African Americans incarcerated and are often mismanaged at the management level, and make it more difficult for families to speak with their loved ones (and constant family contact reduces recidivism)
1. Senate Bill 1008 makes these calls free and make local governments have made these calls free
 2. Enact legislation that mandates all calls from incarcerated, state and county, to be free and limit price markups to incarcerated individuals
- F. **Address Disproportionate Homelessness Among African American Californians:** institutional and structural racism in areas such as education, criminal justice, housing, employment, etc has disproportionately caused African Americans to make up much of the state's unhouse population and is thus "a by-product of racism in America"
1. Streamline and Incentivize Development of Permanent Supportive Housing and Extremely Low Income Housing
 - a) Permanent Supportive Housing: housing to those with physical or behavioral disabilities, provides on-site services
 - b) Provide subsidies to developers and property managers
 - c) Establish state-funded and state-operated housing (AB 2053)
 - d) Create exemptions from zoning and permitting regulations
 2. Mandate Anti-Bias and Other Trainings for Staff of Homeless Services Providers: implicit bias training (including cultural competency, trauma informed care, institutional racism, needs of diverse housed populations particularly African American individuals)
 3. Fund Permanent Supportive Housing Diversion Programs for Individuals Incarcerated in County Jails: allocate funding to similar programs

4. Fund a Study and Analysis of County Jail Efforts to Secure Housing for Incarcerated Individuals Upon Release: SB 903 mandates a study and analysis of the Department of Corrections and Rehabilitations' work to assist individuals recently released from incarceration with housing, a similar study should be conducted for those released from county jail
5. Develop and Launch Racial Equity Initiative and Targeted Funding Measures: mandate a racial equity analysis of California's housing and homelessness programming
6. Increase Compensation for Homeless Services Providers: low wages for front-line workers staffing housing programs has made it difficult to increase the quality of these programs, and therefore these wages should be compensated
7. Strengthen Housing Eligibility and Tenant Protections: pass protections within the private market and public sector
 - a) Enact Protections to Ensure that CARE Courts Do Not Disproportionately Impact the Descendant and African American Community

VIII. 26: Control Over Creative, Cultural & Intellectual Life

- A. **Provide State Funding to African Americans to Address Disparity in Compensation Among Athletes in the University of California and State System and Funding to Support African American Athletes in Capitalizing on their Name, Image, and Likeness and Intellectual Property:** discrimination in competitive college-level sports exists, specifically in how profits are generated and allotted to student athletes
 1. Conduct a study determining the value African American students have on institutions, allot funds to support these athletes in various capacities
- B. **Prohibit Discrimination Based on Natural and Protective Hair Styles In All Competitive Sports:** extend reach of SB 188 to include competitive sports within California, thus ensuring African American athletes are not subject to discrimination and exclusion based on natural and protective hairstyles
- C. **Identify and Remove Monuments, Plaques, State Markers, and Memorials Memorializing and Preserving Confederate Culture; Erect Monuments, Plaques and Memorials Memorializing and Preserving Reconstruction Era and the African American Community:** Confederate statues that are left up create harm in the community and perpetuate white supremacist ideology; remove these markers by finding the resources to do so and replace them with key figures in the African American community
- D. **Provide Funding to the Proposed California American Freedmen Affairs Agency, Specifically for Creative, Cultural, and Intellectual Life:** provide funding to the California American Freedmen Affairs Agency on a regular basis to support African American cultural communities, prioritizing areas predominantly and/or traditionally occupied by African Americans
- E. **Eliminate the California Department of Corrections and Rehabilitation's Practice of Banning Books:** direct the appropriate agency to review the list of banned books and determine whether the ban should remain in effect in order to address the censorship of

African American creatives, requiring future book bans to be backed in evidence or having a goal that can specifically be accomplished

IX. 27: Stolen Labor and Hindered Opportunity

- A. **Create Greater Transparency in Gubernatorial Appointments:** require a report of all current gubernatorial appointees including various demographics including race, and consideration of those demographics should be given to the social service programs where those proportionate populations are served
- B. **Provide Guaranteed Income Program for Descendants:** create a guaranteed income program for descendants of an enslaved person, could be modeled after the California Guaranteed Income Pilot Program (2021) which was state-led and tax-payer funded
- C. **Eliminate Barriers to Licensure for People with Criminal Records:** expand upon AB 2138 which aided individuals with prior criminal convictions in obtaining work by (1) prioritizing African American applicants, especially descendants of an enslaved person, (2) eliminating/reducing the time where a “serious felony” can be held against someone, and (3) reducing/shortening the requirement that “substantially related criminal convictions” be held against someone
- D. **Transform the Minimum Wage Back into a Living Wage:** raise the minimum wage to something livable through hearings, specifically to one that can also be automatically adjusted for increases in cost of living due to inflation
- E. **Advance Pay Equity through Employment Transparency and Equity in Hiring and Promotion:** expand upon SB 973 and SB 1162 to ensure the reach of these bills extend to all industries in California in order to decrease the wage gap between Black Californians and the rest of California
- F. **Create and Fund Professional Career Training:** create and fund training for African Americans to access employment opportunities where they are underrepresented such as medicine, management, IT, etc; modeled after the Song-Brown Healthcare Workforce Training Act
- G. **Create or Fund Apprenticeship Grant Programs:** create/fund apprenticeship programs by tasking the California Department of Industrial Relations to administer and award grants on competitive basis, grants could fund outreach/recruitment for these programs
- H. **Fund African American Business:** create and provide funding for a Small Business Investors Fund which would consist of forgivable, interest-free loans running from \$10,000 to \$25,000 available to small business owners in African American communities
- I. **Fund African American Banks:** create a California Community Development Financial Institutions Program, a state program that would invest resources matched with private funding in African American-owned Minority Depository Institutions (MDIs), create an MDI Investment Tax Credit Program to support equity investments, create a Bank Deposit Program to expand the use of MDIs for African American owned banks

X. 28: The Unjust Legal System

- A. **Allocate funds to Remedy Harms and Promote Opportunity:** create a program to provide hyper-local grants/contracts to community-based organizations for public safety work, allocate funding for disparity studies to inform public contracts, fund grant programs to incentivize African American employment in law enforcement

- B. **Eliminate Barriers for African American Prospective Attorneys by Funding Legal Education and Ending Discriminatory Gatekeeping at the State Bar:** end cash bail including: codification of a presumption of pretrial release in all criminal cases, increased funding for non-law enforcement pretrial services to improve pretrial release support programs, a statewide zero bail schedule; establish a framework for timely compensation of those held in pretrial who were later acquitted/exonerated; create methodology for reimbursement for those who have been assessed inappropriate or excessive bail
- C. **Enact Enforceable Legislation with Penalties that Dismantles the School to Prison Pipeline and Decriminalizes the Youth Justice System:** the school to prison pipeline must be mitigated and ultimately ended
1. **School-Related Recommendations:** eliminate law enforcement and probation officers on campuses; reallocate those funds to social workers, guidance counselors, psychologists, wellness centers, and therapeutic resources, mentoring programs, etc; limit and restrict the presence of peace officers in schools, (1) repealing California Education Code section 38000 subdivision (b) and eliminate school police departments; (2) prohibit the use of supplemental grants for police officers; (3) require a public memorandum acknowledging and approving services between police officers and school campuses; (4, 5) require the necessary training for police officers; (6) require data collection and regular reviews tracking police encounters on school campuses; any new law enforcement facilities should be an appropriate distance away from schools
 2. **Juvenile Justice Recommendations:** establish presumptive diversion for the vast majority of youth offenses, limit juvenile probation terms and restrict formal supervision, prohibit the application of strike enhancements for any juvenile adjudication, end all adult prosecution of juvenile youth
- D. **Amend the Penal Code to Clarify and Confirm Decriminalization of Transit and Other Public Offenses:** amend decriminalization statutes to ensure that people must not receive criminal citations for transit violations, afford victims a private right to action to seek compensation for wrongful arrests
- E. **Amend the Penal Code to Shift Public Disorder Infractions and Low-Level Crimes Outside of Law Enforcement Jurisdiction:** prohibit law enforcement from criminally enforcing public disorder infractions and other low-level crimes, establish a compensation scheme for those previously convicted of loitering with intent to commit prosecution
- F. **Prohibit Pretextual Traffic and Pedestrian Stops, Probation Inquiries, and Consent-Only Searches:** prohibit law enforcement traffic stops for low-level infractions, restrict the actions an officer can take during a permissible traffic stop, fines and fees associated with the relevant traffic infractions should be eliminated
- G. **Mandate Policies and Training on Bias-Free Policing:** enact legislation which: requires LEAs to prohibit bias-based policing and provide bias-free policing (AB 243), provides guidance on how to interact with community members, explains how to respond to calls for service that are based on the bias of the caller; enact workplace protections (such as AB 241 and 242)

- H. **Enact Legislation that Requires the Department of Justice to Promulgate Model Law Enforcement Policies Designed to Prevent Racial Disparities in Policing:** require CA Department of Justice to promulgate model policies and training materials designed to counter racial bias and reduce racial disparities in law enforcement contacts and use of force
 - I. **Repeal Three Strikes Sentencing:** reform and/or repeal the Three Strikes Law
 - J. **Strengthen and Expand the Racial Justice Act:** collect relative and comprehensive accounts of data, connect data to the Racial and Identity Profiling Act, amend the RJA to require prosecutors to demonstrate at the outset that their charging decisions and sentencing recommendations do not violate the RJA, codify penalties for RJA discovery violations, establish an RJA enforcement body, fund RJA advocacy and compliance monitoring, require agencies to review prior convictions for RJA violations, compensate successful RJA petitioners, clarify that RJA challenges may be raised in pending matter and original proceeding, apply the RJA to parole proceedings, require implicit bias training in the criminal process
 - K. **Assess and Remedy Racially Biased Treatment of African American Adults and Juveniles in Custody in County Jails, State Prisons, Juvenile Halls, and Youth Camps:** request the State Auditor conduct a comprehensive audit of the policies and practices of the CA Department of Corrections and Rehabilitation regarding racial disparities in multiple aspects that are results of the disproportionate amount of incarceration in the African American community, eliminate/prohibit negative disparities
 - L. **Accelerate Scheduled Closures of Identified California State Prisons and Close Ten California State Prisons Over the Next Five Years, with Financial Savings Re-Directed to the California American Freedmen Affairs Agency:** close ten prisons in CA over the next five years, accelerate any currently planned closures, all funds saved from this should be redirected to support the CA American Freedmen Affairs Agency
- XI. 29: Mental and Physical Harm and Neglect
- A. **Address Health Inequities Among African American Californians by Funding the California Health Equity and Racial Justice Fund:** with a specific focus and mandate to include addressing health disparities, with special consideration for descendants
 - B. **Improve Health Insurance Coverage:** close the health coverage gaps through adopting comprehensive universal single-payer health care coverage, increase Medi-Cal reimbursement rates for those with Medi-Cal
 - C. **Evaluate the Efficacy of Health Care Laws, including recent Enactments:** mandate that the CA Department of Public Health's Office of Health Equity conducts annual reviews of CA healthcare laws and policies
 - D. **Address Anti-Black Discrimination in Health Care:** add the completion of an evidence-based anti-bias training and an assessment based on such training to the graduation requirements of all medical schools
 - E. **Mandate Standardized Data Collection:** create statewide standards for data collection
 - F. **Provide Medical Social Workers/Health Care Advocates:** medical social workers and health care advocates must undergo implicit bias training and demonstrate cultural congruence with the community to be served

- G. **Improve Diversity Among Clinical Trial Participants:** fund competitive grants for clinical trials to subsidize participants' indirect costs, undertake and complete clinical trials in African American communities with staff who demonstrate cultural congruence, provide extra funding and other incentives for state-funded studies in which the principal investigators are African American
 - H. **Remedy the Higher Rates of Injury and Death Among African American Mothers and Infants:** recommend the CA Department of Public Health's Office of Health Equity conduct annual review of CA healthcare laws and policies related to improving health outcomes for birthing populations, study all of the factors and causes that contribute to disparities in maternal and infant health, provide state funding to the CA Department of Public Health to evaluate the effectiveness of the Black Infant Health Program
 - I. **Meet the Health Needs of African American Elders:** remedy the mismanagement of pain and chronic conditions creating disability, remedy the disparity in use of and satisfaction with end of life care, remedy the harms from disparity in insurance and senior benefits, close the digital health access divide for African American elders
 - J. **Remedy Disparities in Oral Health Care:** establish and fund a program like UC PRIME, add completion of an anti-bias training and an assessment based on such training to the graduation requirements of all dental schools in CA, implement school sealant programs in CA elementary schools, fund oral health care to underserved populations in the African American community
 - K. **Fix Racially Biased Algorithms and Medical Artificial Intelligence in Healthcare:** provide state funding to the CA Department of Public Health and/or a UC or CSU center, require the CA Department of Public Health to issue guidance to hospitals and other medical systems on AI, allocate resources to the CA Department of Justice to pursue claims against AI-based medical devices
 - L. **Fund and Expand the UC PRIME-LEAD-ABC Program to be Available at All UC Medical Campuses:** provide funding to expand these programs
 - M. **Create and Fund Equivalents to the UC-PRIME-LEAD-ABC Program for Psychologists, Licensed Professional Counselors, and Licensed Professional Therapists:** provide funding to do so
 - N. **Permanently Fund the California Medicine Scholars Program and Create and Fund Equivalent Pathway Programs for Students in the CSU and UC Systems**
 - O. **Review and Prevent Racially Biased Disciplinary Practices by the Medical Board of California**
 - P. **Address Food Injustice**
- XII. 30: The Wealth Gap
- A. **Fund and Conduct a Study to Calculate the Overall Racial Wealth Gap in California:** the wealth gap serves as one of the most direct means of accounting for the value owed as African American reparations
 - B. **Encourage the Federal Government to Use the National Racial Wealth Gap to Determine Federal-Level Reparations:** levels the federal recommendations at the federal level

Part VI: Measuring the Baseline for Racial Justice Act Implementation

XXXI: California Prosecutorial and Judicial Race Data Survey: Summary of Responses

1. AB 2542, the California Racial Justice Act of 2020, prohibits seeking or obtaining a criminal conviction or imposing a sentence based on race, ethnicity, or national origin.
2. The Act allows accused individuals to seek dismissal or vacatur of charges or convictions if they can demonstrate racial bias.
3. The Act originally applied prospectively, but AB 256 extended its protections retroactively to cases entered before January 1, 2021.
4. Violations of the Racial Justice Act can occur in various decision points, including charging, convictions, and sentencing, and involve comparisons to the treatment of individuals of different races.
5. Access to data on race in criminal cases is crucial for supporting claims of racial bias and ensuring the effectiveness of the Racial Justice Act.
6. The survey conducted by the California Department of Justice Research Center revealed variability in the collection of racial data across different criminal justice agencies and courts.
7. The implementation and application of the Racial Justice Act require adequate funding for data collection, analysis, and dissemination to prevent racial bias in the criminal legal system. In the absence of such requirements, claims of racial discrimination may face challenges and inconsistencies across different counties in California.

Part VII: Listening to the Community

1. The Task Force engaged the Ralph J. Bunche Center to collect community perspectives on reparations through community listening sessions, oral histories, personal testimonies, and statewide surveys.
2. The data collection focused on identifying forms of race-based harm, gauging support for reparations, determining support for different types of reparations, and understanding perspectives on eligibility for reparations.
3. The analysis of the collected data revealed that the five major types of racially-driven harm identified by participants were lack of educational opportunity, discriminatory policing and law enforcement, economic disenfranchisement, housing inequality, and healthcare disparities.
4. Over 60% of Californians support some form of reparations, including financial compensation, community investments, educational opportunities, investments for Black businesses and organizations, and land and property ownership.
5. While there is broad community support for reparations, opinions on the specific types of reparations differ. Direct cash payments, monetary reparations without cash measures, and non-monetary reparations such as apologies or monuments received the most support.
6. Opinions on eligibility for reparations varied, with support for reparations for all Black people, lineage-based reparations, and reparations for those who experienced race-based discrimination.
7. The Task Force emphasizes the importance of wide community engagement in formulating a state reparations statute or program to ensure that the enacted recommendations reflect the input of the community intended to be served.

8. The community listening sessions produced similar results to the statewide survey, with direct cash payments being the most frequently mentioned form of reparations, followed by other monetary measures.
9. Support for reparations differed among different groups, with a plurality of respondents in the statewide sample supporting reparations for all Black people, while support for lineage-based reparations was higher among African American participants.
10. The Task Force emphasizes the need for the Legislature to ensure the widest possible community engagement in formulating a state reparations statute or program, in order to ensure that the enacted measures reflect the input and perspectives of the community intended to be served.

Part VIII: Recommendations for Educating the Public

Chapter 33: Educating the Public and Responses to Questions

The Legislature directed the Task Force to recommend ways to educate the public about the Task Force's findings. The Task Force consulted academic experts to develop a concept for an accessible curriculum to educate students and the general public. The Task Force recommends adopting the concepts discussed in Chapter 33 as a methodology for a standard curriculum centered on their findings. The Task Force recommends funding the implementation of age-appropriate curricula and delivering them in schools across California. The Legislature should create a public education fund specifically dedicated to educating the public about African American history and supporting ongoing education about the Task Force's findings. The Task Force has developed materials in Chapter 33 to facilitate ongoing conversations in communities and address potential questions about reparations. The materials are designed to provide clarification and understanding for both supporters of reparations and those who may be unaware of the need for or purpose of reparations.

Part IX: Key Cases and Statutes

AB 3121 tasked the Task Force with compiling a comprehensive compendium of federal and state laws that have perpetuated discrimination against African Americans in California, as well as laws and cases that advanced their rights. Part IX of the report serves as this legal compendium, divided thematically into five major subject areas, including housing, labor, education, political participation, the unjust legal system, and civil rights cases. The compendium aims to provide a comprehensive documentation of the historical struggle for personhood, equality, and equity in California, dating back to its early years of statehood.

CLBC: Reparations Report Executive Summary