



May 5, 2020

Honorable Mark Stone
Chairperson, Assembly Judiciary Committee
1020 N Street, Room 104
Sacramento, CA 95814

Re: AB 3121 (Weber) Reparations - Support

Dear Chairperson Stone,

On behalf of the Western Center on Law and Poverty, we write as sponsors in support of Assembly Bill 3121 introduced by Assembly Member Dr. Shirley Weber. AB 3121 would establish the Task Force to study and develop reparation proposals for African Americans to summarize existing evidence of the institution of slavery that existed within the United States and the colonies and to recommend, among other things, the form and mode of compensation that should be awarded to decedents of people who were enslaved in a report to the Legislature.

Background

America's history with slavery began in 1619, when "20 and odd negroes" were brought to what was then known as "Point Comfort" in Virginia¹. For 250 years after these first captives were brought to the North American continent, Black people were enslaved, facing the cruelest imaginable treatment, considered property, hardly better than livestock. They were regularly beaten and lynched for frivolous infractions, and enslaved women had no protections from rape or other forms of domestic cruelty. Slavery also disrupted families: one third of marriages were forcibly dissolved, and one in five children were separated from their parents². While people enslaved in America were finally officially emancipated in 1865, it would be an insult to claim they were truly freed. Instead, white supremacist ideology and infrastructures paved the way for generations of policies that have forced the descendants of people who were enslaved into abject poverty, treating Black Americans as second- or even third-class citizens.

¹ Khushbu Shah and Juweek Adolphe. "400 Years since Slavery: a Timeline of American History." The Guardian. Guardian News and Media, August 16, 2019.

<https://www.theguardian.com/news/2019/aug/15/400-years-since-slavery-timeline>.

² Rashawn Ray and Andre M. Perry. "Why We Need Reparations for Black Americans." Brookings. Brookings, April 15, 2020. <https://www.brookings.edu/policy2020/bigideas/why-we-need-reparations-for-black-americans/>.

Reparations are, plainly put, “the making of amends for a wrong one has done, by paying money to or otherwise helping those who have been wronged”³. They are not new in American history: in fact, *White people who enslaved Black people* received reparations for the economic losses they were projected to face by voluntarily emancipating people who were enslaved prior to 1865⁴. Reparations have also been provided to other non-Black ethnic minorities in the US: some Native Americans have received a portion of the land that was stolen from them, among other benefits and programs; Japanese-Americans interned during World War 2 have received financial compensation; the US helped ensure through the Marshall Plan that survivors of the Holocaust and their descendants received reparations from Germany⁵. Black Americans who are descendants of people who were enslaved in this country should be afforded the same care and consideration when it comes to reparations. This amends should be made as compensation for the irreparable harm that 250 years of slavery, followed by an additional 150 years of racially discriminatory policies and institutions, have caused to fellow Americans.

Current Law

There has been limited federal legislative headway on the subject of reparations for Black Americans. House Resolution 40, a bill that would establish a commission to study and develop reparation proposals for Black Americans has been introduced to the 116th U.S. Congress as of 2019, and has been cosponsored by more than 120 representatives, but has yet to pass the U.S. House of Representatives or the U.S. Senate⁶.

On a state level, while multiple states, including California, New York, Vermont, Texas, and Florida have introduced reparation legislation, all but two state bills have yet to make it past committee⁷. The measures that have been approved on any level, state or federal, regarding reparations are from California: ACR130 and AJR-21. ACR-130 recognizes “need to pursue avenues to implement proposed reparations for the descendants of African slaves in the United States.”⁸ AJR-21 formally apologizes for California’s “past complicity in enabling and

³ Oxford Dictionary

⁴ Tera W Hunter, “When Slaveowners Got Reparations.” The New York Times. The New York Times, April 16, 2019. <https://www.nytimes.com/2019/04/16/opinion/when-slaveowners-got-reparations.html>.

⁵ Ray and Perry, “Why We Need Reparations”

⁶ “All Info - H.R.40 - 116th Congress (2019-2020): Commission to Study and Develop Reparation Proposals for African-Americans Act.” Congress.gov, June 19, 2019. <https://www.congress.gov/bill/116th-congress/house-bill/40/all-info>.

⁷ Teresa Wiltz, “Talk of Reparations for Slavery Moves to State Capitols.” Pew. The Pew Charitable Trusts, October 3, 2019 <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2019/10/03/talk-of-reparations-for-slavery-moves-to-state-capitols>.

⁸ “California ACR130: 2019-2020: Regular Session.” LegiScan. Accessed May 4, 2020. <https://legiscan.com/CA/text/ACR130/2019>

furthering the practice of slavery” and encourages the federal Congress and the President to enact H.R.40.⁹

Poverty and Homelessness Among Black Decedents Enslaved Americans

Black Americans experience homelessness and poverty at alarmingly high rates, especially within the state of California. Nearly 40% of California’s homeless population is Black, despite the fact that Black Americans only account for 6.5% of California’s total population. Phrased differently, the percentage of Black Americans who are homeless in California is nearly *six times higher* than the state’s Black population. Among the homeless population in California, Black people outnumber White people 12 to 1. These numbers are not only staggering, they are significantly larger than national averages: although 40% of the homeless population in the U.S. as a whole is Black, Black people account for 13.4% of the total population¹⁰. This indicates a Black American living specifically in California is statistically more likely to be homeless than if they lived elsewhere.

The poverty statistics are equally concerning. In California in 2018, 20% of the Black population lived in poverty, compared to only 4% of white people and 13% of the total population¹¹. In 2017, for adults age 18-64, the poverty rate of the general population is 11%.

The Irretraceable Black Wealth Gap

The impact of slavery and enduring contemporary racial discrimination on wealth inequality cannot be understated: Black Americans were, for years, specifically excluded from historic wealth-amassing government policies, including the Homestead Acts, the Federal Housing Acts, and the GI Bill¹². As a result, today Black American families possess less than 10% of the wealth white families possess. Even nominally mitigating factors such as education level, family dynamics, and conspicuous consumption do not eliminate the gap¹³. Whites have more wealth than Black college graduates at all levels of education: even white high-school dropouts earn more than Black college graduates¹⁴, and white college graduates have more than 7 times more wealth than their Black peers¹⁵. White

⁹ “AJR-21 Reparations for Descendants of Enslaved Persons.” California Legislative Information. Accessed May 4, 2020. https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AJR21.

¹⁰ Kate Cimini, “Black People Disproportionately Homeless in California.” CalMatters, March 6, 2020. <https://calmatters.org/california-divide/2019/10/black-people-disproportionately-homeless-in-california/>.

¹¹ “Poverty Rate by Race/Ethnicity.” The Henry J. Kaiser Family Foundation, December 4, 2019.

[https://www.kff.org/other/state-indicator/poverty-rate-by-raceethnicity/?currentTimeframe=0&sortModel={\"colld\": \"Location\", \"sort\": \"asc\"}](https://www.kff.org/other/state-indicator/poverty-rate-by-raceethnicity/?currentTimeframe=0&sortModel={\).

¹² Ray and Perry, “Why We Need Reparations”

¹³ Melvin L. Oliver and Thomas M. Shapiro. “Disrupting the Racial Wealth Gap.” Contexts. American Sociological Association, May 7, 2019. <https://contexts.org/articles/disrupting-the-racial-wealth-gap/>.

¹⁴ Terry Shropshire “Average White High School Dropout Earns More than Black College Grad.” Rolling Out, August 13, 2017. <https://rollingout.com/2017/08/13/average-white-high-school-dropout-earns-more-than-black-college-grad/>.

¹⁵ Oliver and Shapiro, “Disrupting the Racial Wealth Gap.”

single-parent households are still more than twice as wealthy as Black two-parent households¹⁶. Even when controlling for income, white households have more wealth than Black households with similar incomes, despite these white households spending more¹⁷.

In California specifically, white and Asian families are more likely to own homes, an important component of wealth accumulation¹⁸. According to the California Budget and Policy Center in the Los Angeles area alone, “the median value of liquid assets for white households in 2014 was \$110,000, compared to \$200 for US-born blacks.¹⁹”

This is not a matter of individual behavior or financial literacy. The explanation for this persistent gap can only be post-emancipation racially discriminatory policies, which have consistently prevented Black Americans from amassing wealth at even a fraction of the rate as their White peers.

Entrenched Racism Against Black Decedents of Enslaved American

Due to persisting racial economic disparities and discrimination in hiring practices, average hourly wages for Black workers are substantially lower than their white counterparts. Black men in California earn 74 cents to every dollar earned by white men, and Black women earn 86 cents to every dollar earned by white women²⁰. These disparities are similarly present even when Black and White men and women do the exact same job, with Black women earning 5 cents less and Black men earning 16 cents less than their white peers for the same work²¹.

Studies show that racial discrimination remains a key force in the labor market. In a 2004 study, “Are Emily and Greg more employable than Lakisha and Jamal: A Field Experiment on Labor Market Discrimination,” researchers randomly assigned names and quality to resumes and sent them to over 1,300 employment advertisements.²² Their results revealed significant differences in the number of callbacks each resume received based on whether the name sounded white or African American. More recent research indicates that this bias persists. A study from 2013 submitted fake resumes of nonexistent recent college graduates through online job applications for positions based in Atlanta, Baltimore, Portland,

¹⁶ Ibid

¹⁷ Ibid

¹⁸ Bliss and Pottinger, “Racial/Ethnic Wage Inequalities Persist in California.”

¹⁹ Esi Hutchful, “The Racial Wealth Gap: What California Can Do About a Long-Standing Obstacle to Shared Prosperity.” California Budget & Policy Center, December 2018.

<https://calbudgetcenter.org/resources/the-racial-wealth-gap-what-california-can-do-about-a-long-standing-obstacle-to-shared-prosperity/>.

²⁰ Steven Bliss and Lori Pottinger. “Racial/Ethnic Wage Inequalities Persist in California.”. Public Policy Institute of California. May 7, 2003. <https://www.ppic.org/press-release/raciaethnic-wage-inequalities-persist-in-california/>.

²¹ Ibid

²² Source: http://www2.econ.iastate.edu/classes/econ321/Orazem/bertrand_emily.pdf

Oregon, Los Angeles, Boston, and Minneapolis. African-Americans were 16% less likely to get called in for an interview.²³ Similarly, a 2017 meta-analysis of field experiments on employment discrimination since 1989 found that white Americans applying for jobs receive on average 36% more callbacks than African Americans and 24% more callbacks than Latinos. Employment outcomes also vary between immigrant groups from different regions. A 2007 study found that immigrants from Latin America and the Caribbean earned an average hourly wage rate of \$14, compared to \$24 among other immigrants, and \$20.4 for non-immigrants.²⁴

In a research brief published in 2017, *Ready to Work, Uprooting Inequity: Black Workers in California*,²⁵ the experience of the Black community in California through a labor and employment lens is explored. This report is based on an analysis of the current and historical census data of Black workers in Los Angeles County. Among other findings, the study finds:

- Since the 1980s, the Black population in Los Angeles has declined by over 100,000 residents from 13% to 8% while the Inland Empire has gained over 250,000 Black residents
- Black workers with a high school or less education experience unemployment at almost double the rate as white workers at the same education level.
- Black workers are underrepresented in professional jobs and have lower rates in manager and supervisory positions.
- Whether working full or part time, Black workers earn only three-quarters of what white workers earn. For Black women, the wage gap is even more severe.
- Black workers experience a myriad of negative health outcomes due to racial discrimination in employment

Through an analysis of current and historical census data, a comprehensive literature review, and the collection of worker's stories and case studies, the report draws a portrait of the challenges that Black workers in Los Angeles face, demonstrating that both structural and individualized racism continue, even in the most progressive state in the country and in one of its more diverse cities. If the payment of reparations can be delivered with a truth commission that requires Americans, perhaps just those who live in California, to acknowledge the harmful legacy of surveillance, repression and economic and social control

²³ Source: <http://fortune.com/2014/11/04/hiring-racial-bias/>

²⁴ Source:

https://www.researchgate.net/publication/4997293_How_Do_Migrants_from_Latin_America_and_the_Caribbean_Fare_in_the_US_Labour_Market

²⁵ Source: <https://www.labor.ucla.edu/publication/ready-to-work-uprooting-inequity-black-workers-in-los-angeles-county/>

caused by slavery in order that we can rebuild an economy and a democracy where all humans are equal.

Our Organizations Urge Support for AB 3121

California has been a national leader in the movement for rights of Black Americans, but this work is incomplete if it does not include a conversation about Reparations. AB 3121 will allow us to advance the conversation of Reparations and develop ideas for how to overcome logistical implementation challenges. This bill will make a significant contribution to a timely and important policy dialogue. Western Center is proud to support AB 3121 and urges your 'Aye' vote.

Sincerely,



Jessica Bartholow, Policy Advocate
Western Center on Law and Poverty



Iris Raheema Haik, Fellow
Western Center on Law and Poverty

CC: Office of Assembly Member Dr. Shirley Weber (Author)
Members of the Committee