

**MEETING MINUTES**  
**March 29 and 30, 2023, 9:00 A.M.**  
**<https://oag.ca.gov/ab3121>**

**California Environmental Protection Agency (CalEPA)**  
**Byron Sher Auditorium**  
**1001 I Street**  
**Sacramento, CA 95814**

**Members Present:** Chairperson Kamilah V. Moore, Member Cheryl Grills, Member Lisa Holder, Member Reginald Jones-Sawyer, Member. Jovan Lewis, Member Monica Montgomery-Steppe, and Member Don Tamaki.  
Members Absent: Vice-Chair Amos Brown, Member Steven Bradford.

**1. Chairperson Call to Order**

**Chairperson Moore** called the March 29 and 30, 2023 AB 3121 Reparations Task Force meeting to order at approximately 9:18 a.m., on March 29, 2023, at the California Environmental Protection Agency, Byron Sher Auditorium in Sacramento California. **Chair Moore** welcomed everyone to the California Reparations Task Force Hearing.

**Chair Moore** asked **Parliamentarian Doreathea Johnson** to call the roll to determine whether a quorum was established. **Parliamentarian Doreathea Johnson** called the roll.

**Members present, at the time the Roll was called:** Chair Moore, Member Grills, Member Holder, Member Jones-Sawyer, Member Lewis, Member Montgomery-Steppe, and Member Tamaki.

**Parliamentarian Johnson** stated that 5 members were needed for a quorum, 7 members were present at the time the roll was called, and a quorum was established.

**Parliamentarian Johnson** noted that Member Bradford joined the meeting following the roll call, and that there were eight Task Force Members present at the meeting.

**Chair Moore noted for the record, that Vice Chair Brown was at a remote, non publically noticed location and invited him to make opening** remarks as a member of the public.

**Vice Chair Brown** began his remarks by recognizing his fellow Task Force members and the DOJ staff. He then announced that he was in Ghana as a member of Vice President Kamala Harris’ delegation and had been invited to attend because of the historic work he had done with respect to reparations. He then stated for the record that he was in support of “cash payments” as a form of reparations for “qualifying” San Francisco residents.

## 2. **Welcome Remarks by Elected Officials**

There were no remarks offered by elected officials.

## 3. **Public Comments were given for two hours, beginning at 9:30 a.m., to 10:30 a.m, with comments from the phone line participants and from 1030 a.m. to 11:30 a.m. from participants who were “in-person”.**

Aisha Martin-Walton explained the process and moderated the public comment portion of the meeting agenda. The Task Force approved an additional hour for public comment, for a total of two hours. There was a hybrid audience, virtually and in-person. California Department of Justice staff implemented a new procedure to accommodate additional in-person speakers. There were approximately 51 comments, 27 comments provided via the phone line and 24 comments made in-person. Public comments reflected individuals, businesses, and community organizations in support of reparations and individuals who oppose reparations. Several commenters expressed their support for the Task Force’s work and the establishment of an Office of Freedmen’s Affairs as an independent agency. Several commenters voiced their support for direct cash payments and urged the Task Force to make their recommendations specific to the descendant community, not universal or race-based. Other recommendations included an increased effort to combat reparations-related misinformation, the elimination of personal debt, exemption from future increases in tuition and real estate, guaranteed annual income, land, free college, additional consideration for individuals of mixed-race, and a division within the Freedmen Affairs Agency dedicated to protecting Black Americans from hate crimes.

Chair Moore paused Public Comment to the Acknowledgement of **Attorney General Rob Bonta**.

**Chair Moore** introduced **Attorney General Rob Bonta** citing his passion for justice, fairness and his efforts to further the rights of immigrant families, renters, and workers by leading a statewide fight for racial, economic, and environmental justice that helped to fight the historic wrong in California. As the California Attorney General, she added that one of his first priorities, was to form the Racial Justice Bureau to support the transformational endeavor along with other efforts to create more racial justice throughout the state.

**AG Bonta** thanked the members of the Task Force and commended them for their important work centered on their charge to assist California’s reckoning with the original sin of this country that has left a stain on our history of the lasting harm felt by Black Americans through present day. He also expressed his gratitude to **California Secretary of State, Shirley Weber** for her fortitude and vision in creating this Task Force while she was a member of the California State Assembly where he co-authored AB3121 with then Assemblymember Weber and was proud that he was able to assist with bringing the bill to a reality and Fruition.

**AG Bonta** expressed his sincere thanks to the members of his team who have provided administrative, technical, and legal support and assistance with the Civil Rights

Enforcement Section. In Particular, **Senior Assistant Attorney General Michael Newman and team**, as well as **Special Assistant Attorney General Damon Brown and Cat Nou** with the Office of Community Awareness, Response, and Engagement. He then and everyone throughout the Department of Justice who has been involved in making this endeavor successful through teamwork, partnership, and collaboration.

**AG Bonta** reminded everyone that the completion of the Final Report was only the first step, however, with the delivery of those findings to the Legislature, the team will be stepping into uncharted waters. He stated that there has never been any other state government in 400 years of American history to embark on such an expansive effort of truth and reconciliation around the institution of Slavery and its present-day effects. California is leading a nation that has moved too slowly. He added that the truth is, from our earliest days, the Institution of Slavery has been inextricably woven into the establishment, history, and prosperity of this country. Even after Abolition, our government continued to perpetuate, condone, and often profited from practices that brutalized Black Americans and excluded them from meaningful participation in Society. AG Bonta also stated that our legacy of slavery and discrimination has resulted in debilitating economic, educational, and health hardships uniquely experienced by Black Americans today. AG Bonta stated that we must find a way to work together to find a more perfect union and try to remedy this generational harm and trauma.

**AG Bonta** expressed confidence that the impact of the Task Force's insights will reverberate across California, other states, and across the world. He looks forward to the Final Report and closed by saying until then and long after, they will always have a partner in him and the California DOJ.

**4. Action Item: Approval of the March 3rd and 4th, 2023 Meeting Minutes.**

**Chair Moore** stated that the March 3rd and 4<sup>th</sup> 2023 minutes were sent to the Task Force members in advance for review. She asked if Task Force members had any questions, comments, or corrections.

Hearing no questions, comments, or Corrections, **Chair Moore** entertained a motion to approve the March 3<sup>rd</sup> and 4<sup>th</sup> 2023 minutes.

**MOTION:**

**Member Tamaki** moved that the March 3rd and 4th, 2023 minutes be approved as presented. **Member Montgomery-Steppe** Seconded the motion.

There was no discussion and Chair Moore called on **Parliamentarian Johnson** to call the roll for the vote on approving the minutes as presented.

**Ayes:** Chair Moore, Member Bradford, Member Grills, Member Jones- Sawyer, Member Holder, Member Montgomery Steppe, Member Tamaki.

**Nays:** None

**Abstentions:** None

**Parliamentarian Johnson** stated that there were 8 Task Force members present and voting: **8 Ayes, 0 Nays, 0 Abstentions**

**The Motion Passed** and the March 3<sup>rd</sup> and 4<sup>th</sup>, 2023 meeting minutes were approved as presented.

**5. Discussion and Potential Action: Task Force Approval of Draft Report Part VII, Report on Racial Justice Act (RJA) Implementation and Related recommendations. Advisory Committee Members Tamaki and Holder presented the report and recommendations.**

**Member Tamaki** refreshed everyone with a historical overview of the Subpoena Advisory Committee and the decision to focus the Task Force efforts towards identifying issues and recommendations with the newly enacted Racial Justice Act.

**Member Tamaki** also noted that the DOJ Research Center did the intense work required to distill the information. However, he cautioned that it would take longer than the lifespan of the TF to ensure and enforce compliance.

These recommendations ultimately became part of the **Task Force Draft report Part VII.**

**Member Tamaki** then turned the meeting over to **Member Holder** to provide a presentation on the Advisory Committees recommendations

**Member Holder** provided an overview of the Advisory Committee’s Racial Justice Act recommendations as follows:

**Subpoena Advisory Panel Survey**

- DOJ surveyed: all 58 California Superior Courts and District Attorney offices  
select group of 11 of City Attorney offices
- Given the limited time we had to identify subject matter for which the Task Force could procure meaningful information within the Task Force’s term of existence, construct the Survey questions, and receive responses and analyze them, the Survey was productive.
- Moreover, it was the first effort by any state body to systematically determine what RJA data the prosecutors and the courts are collecting or not collecting. On this subject, the public’s knowledge is almost zero.

## **Subpoena Advisory Panel Survey Conclusions**

- In the absence of requirements for consistent data collection, there appears to be a large amount of discretion, and likewise variability, in what data elements are collected across California District Attorneys Offices, Superior Courts, and select City Attorney's offices and between counties.
- This lack of consistency and absence of data on key variables could present substantial challenges to presenting and evaluating claims of racial discrimination in the criminal justice system and could increase the difficulty of making Racial Justice Act violation claims in some California counties more than others.

## **AB 3121 Reparations Task Force: Subpoena Advisory Panel Proposed Recommendations to the Legislature on the Racial Justice Act:**

1. **Ensure RJA Claims Can Be Raised:** An enhanced right to discovery in criminal cases where defendants raise Racial Justice Act claims and/or defenses, with a low threshold for asserting these claims in the context of criminal litigation.
2. **Non-compliance Penalties and Deterrence:** Individual prosecutors who thwart Racial Justice Act data transparency requirements and engage in discovery violations (similarly to Brady violations) should be subject to penalties in the form of adverse rulings, jury instructions, and case dismissals. Also, institute fiscal and systemic penalties for offices that routinely fail to comply with RJA transparency and discovery rules.
3. **Racial Justice Act Commission:** Create a Commission, similar to the RIPA Board, to track, audit, monitor, and analyze data generated by the RJA process. This Commission could be styled as an arm of the Freedman Agency. a. Establish KPIs and other quality control metrics to ensure compliance by prosecutor offices and courts. b. Publish annual reports on prosecutorial bias for public consumption. c. Establish a federal nexus, which ensures that California data on prosecutorial bias and criminal legal racial profiling is uploaded and synchronized to national racial profiling databases.
4. **Increase Public Oversight:** Provide grants, technical assistance, and other resources to watchdog organizations and community-based organizations to build expertise and capacity for Racial Justice Act advocacy and compliance monitoring. As a practical matter, this will have the effect of deputizing private Attorney Generals with the skills and infrastructure to leverage public pressure as a quality control for RJA compliance.

**Chair Moore** asked the Task Force members if they had any questions or comments?

Comments and feedback made by Task Force members were as follows:

- Instead of increased enforcement, we should review and come up with alternative ways to help all communities. E.g., approach the problem through a health crisis-oriented approach.
- County jails are particularly egregious due to higher rates of placement in higher classifications, higher rates of death, and higher rates of unmet grievances and complaints.
- Pre-Text stops which were still prevalent and pose dangers. the data gathered from RIPA reports are heavily used to structure bills.
- Conservatorship involving law enforcement could be another avenue by which the recommendations could be applied. Anything with State supervision.

**SAAG Newman** mentioned that any recommendations presented would need to be voted on and approved by the Task Force members. Noting that April 10 is the last day for edits to be included.

The Task Force commended **Members Tamaki and Holder** for their outstanding work.

**Chair Moore** Called for a motion:

**MOTION:**

**Member Tamaki** moved to adopt recommendations from the Subpoena Advisory Committee into the final report as is. The Motion was **Seconded by Member Bradford**

**Chair Moore** then called for the Discussion: Chair Moore asked if the Advisory Committee had conferred with the RIPA Board and if Racial Justice Act is inherent to RIPA. SAAG Newman responded that RIPA is a client of CRES but that the data sets would be different. At this time there is no direct overlap or correlation.

There was no additional discussion,

**Chair Moore** asked **Parliamentarian Johnson** to take a roll call vote:

**Parliamentarian Johnson called roll for the vote:**

**Ayes:** Chair Moore, Member Bradford, Member Grills, Member Holder, Member Jones-Sawyer, Member Lewis, Member Montgomery-Steppe, and Member Tamaki.

**Nays:** None

**Abstentions:** None

Parliamentarian Johnson stated that there were 8 members present and voting. There were **8 Ayes, 0 Nays, and 0 Abstentions**

## **The Motion Passed**

### **6. Lunch Break**

**Chair Moore** reconvened the meeting at 1:45p.m. and asked **Parliamentarian Johnson** to call the roll to re-establish a quorum.

**Parliamentarian Johnson** called the roll.

**Members present during roll call were:** Chair Moore, Member Grills, Member Holder, Member Lewis, Montgomery-Steppe, and Member Tamaki.

Members absent: Vice Chair Brown, Member Bradford, Member Jones-Sawyer

**Parliamentarian Johnson** stated there are **9** Task Force members and the number needed to establish a quorum is **5**. There were **6** members present, and a quorum was re-established.

### **7. Discussion and Potential Action: Task Force Approval of Draft Report Part V Economic Expert Analysis and Final Recommendations of the Task Force regarding Calculations of Reparations and Forms of Reparations and forms of Compensation and Restitution [ Gov. Code, § 8301.1, subd. (b)(3)(E), (F), (G)]**

Economic Expert Dr. Thomas Craemer lead the discussion on the strategies developed by the team of economic experts to calculate California's Harm to the Beneficiary Class. His slide presentations below are summarized in his own words.

Dr. Craemer stated that even though there is a long list of harms/atrocities the state of California is at least partially responsible for, there were five Harms/Atrocities that have been highlighted and included as part of the Calculation Model by the Economic Expert Team.

Of those five Harms/Atrocities, only the first three harms have preliminary estimates

- **Health Harms,**
- **Disproportionate Black Mass Incarceration and Over Policing,**
- **Housing Discrimination have preliminary estimates.**

The preliminary estimates for the three harms calculated were based on the data available and collected. However, the data is subject to change and will therefore change the estimates.

There was no data available for the remaining two harms/atrocities:

- **Unjust Property Takings by Imminent Domain**
- **The Devaluation of Black Businesses**

## **Harms/Atrocities Calculation Model**

### **1. Health Harms**

We estimate the annual loss to Black non-Hispanic Californians from health disparities by computing the value of the 7.6-year life-expectancy gap based on the so-called ‘Value of Statistical Life’ in the United States. We then divide the value associated with the gap by the average Black non-Hispanic Californian life expectancy of 71 years to obtain an annual estimate of the loss to a Black non-Hispanic Californian from health disparities.

### **2. Disproportionate Black Mass Incarceration and Over-Policing**

“People of all races use and sell illegal drugs at remarkably similar rates” (Alexander, 2010, p. 99). We estimate how many Black non-Hispanic Californians were arrested for drug felonies above their population percentage during the ‘War on Drugs’ (1970-2020). We multiply this number with the average prison term for drug offenses, and with the average annual CA State employee’s wage (plus loss of freedom) to arrive at the outstanding total. This is divided by the Black non-Hispanic California population in 2020.

### **3. Housing Discrimination**

We determine the average per capita Black-white (non-Hispanic) homeownership wealth gap for 1930, 1980, and 2019. The 2019 amount gives us the wealth disparity from all forms of housing discrimination, while the 1980 amount minus the 1930 amount provides us with an estimate of the effect of redlining only. Ironically, the more specific amount is larger due to compounding from 1980 to the present based on 30-year mortgage interest rates.

### **4. Unjust Property Takings by Eminent Domain**

We would like to obtain rolls of Blacks who CA cities forced to leave with eminent domain to make room for infrastructure projects. We would examine the market value at the time of taking minus the amount paid to the owner and add a fair measure of the estimated appreciation to the present day, or we would use the current value of the property as a measure of compensation due. (This is problematic if the property value has declined, or the property is being used for infrastructural purposes.)



## 5. Devaluation of Black Businesses

We plan on using the U.S. Census Bureau's Survey of Business Owners of 2012. The goal will be to estimate the wealth portfolio of Black people in California that differs from whites in California. Harm will be estimated using an equation, with each state as a separate observation, based on the general demand environment of state and local government contracting and household income. Then estimates will be made of businesses formed, and sales receipts generated on those factors. Many sociologists use this approach researching differences in business formation.

### **Other Harms/Atrocities that were not addressed by the Economic Expert Team**

1. Labor Discrimination
2. Segregated Education
3. Non-Representative State Commissions
4. Environmental Harm
5. Transgenerational Effects
6. Adverse emotional and physical health consequences
7. Other Potential Harm

Dr. Craemer reminded everyone to not discount the Other Harms/Atrocities as noted above. The above harms are difficult to calculate, however, they should be addressed. The reparations proposed could be considered as a down-payment with anticipated additional waves reparations to further supplement.

Dr. Craemer also shared a **Chapter Outline for Strategies to Calculate California's Harms.** The outline produced by the Economic Expert Team lists the required elements to enable the Task Force to analyze when calculating the compensation for the harms that have been identified in California.

The Economic Experts have also provided as part of the **Preliminary Draft Report: PART V: Chapter 17: Economic Expert Analysis and Final Recommendations of Task Force Regarding Calculations of Reparations and Forms of Compensation and Restitution.**

A discussion developed between Task Force members and the Economic Experts that centered on the recent press releases citing the dollar amount of Reparations owed. Dr. Craemer responded noting that the number the media is announcing is premature. Dr. Spriggs concurred with Dr. Craemer stating that the precise numbers were not available as of yet because the work is still being performed. There are other dimensions and/or intangible harms for which the Task Force would be more capable of addressing/calculating.

Chair Moore raised a discussion on the residency requirement; She noted that listed on page 6 of draft report, the Economist recommended that reparations for community harms

be provided as standard payments for an eligible recipient's duration of residence in California during the defined period of harm. Dr. Creamer added to the conversation by stating that his approach also opens up the possibility for someone who can, prove direct harm, for example, had their home taken away by imminent Domain could also get the opportunity to file for compensation as part of a separate process. He concluded by stating that these are the decisions regarding eligibility that ultimately must be up to the Task Force to make the final determination.

After a lengthy discussion regarding residency requirements and community based eligibility, it was decided that residency should be liberally interpreted so that it is as inclusive as possible for Descendants of Slaves.

Chair Moore asked for a motion:

**MOTION:**

**Member Bradford** moved that the Task Force defines residency in accordance with some of the more liberal programs that exist in the state of California, for example 180 days for public benefits. **Member Lewis Seconded** the motion

There was no discussion and **Chair Moore** asked **Parliamentarian Johnson** for the roll call vote.

**Ayes:** Chair Moore Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe, Member Tamaki

**Nays:** None

**Abstentions:** None

**Parliamentarian Johnson** stated there were 7 Task Force members present and voting: **7 Ayes, 0 Nays, 0 Abstentions.**

**The Motion Passed**

**SAAG Newman** stated he will do more research to encapsulate and peg more liberal examples of California state residency eligibility to be included in the Task Force's recommendations that will be made to the Legislature. These examples will be shared with Task Force members by the May 2<sup>nd</sup> Task Force meeting.

Along with the residency discussion, Chair Moore stated that Draft Report Part V should include the following four touch points:

1. Opportunities for individuals to prove direct harm and be eligible for compensation.
2. Opportunities for all descendants of Slaves to be eligible for compensation via community based harm and via standard payments if they can show residency for any given harm period.
3. There will be no time limit for which individuals or heirs to make claims for compensation.
4. Elderly descendants of Slaves will be prioritized in terms of cash payments.

**Chair Moore** called for a motion

**MOTION:**

**Member Grills** moved that the Task Force approve the Draft Report Part V. **Member Montgomery-Steppe** **Seconded** the Motion

There was no discussion

**Chair Moore** asked **Parliamentarian Johnson** for the roll call vote.

**Ayes:** Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe, Member Tamaki

**Nays:** None

**Abstentions:** None

**Parliamentarian Johnson** stated there were 7 Task Force members present and voting: **7 Ayes, 0 Nays, 0 Abstentions.**

**The Motion Passed**

The Outlines for calculating strategies for Reparations and forms of Compensation and Restitution can be found at:

<https://oag.ca.gov/ab3121/meetings/03292023-03302023>

**8. Discussion and Potential Action: Communications Advisory Committee and Communications Firms Implementation Plan Updates: Members Lewis, Bradford, and the Charles Group Representatives**

**Shawna** Charles opened her presentation by providing an update on the work they have been doing over the last three weeks as well as a preview of what to expect in the coming weeks through June as they prepare their Post Communications strategy in preparation for the sunset of the Task Force.

## MARCH ACTIVITIES

- Conducted media outreach for Sacramento public meeting participation.
- Conducted media coaching and messaging and talking points.
- Booked and coordinated media interviews for Task Force members.
  - **Member Grills** was a guest on the Today Show, and **Chair Moore** will also be on in and future one.
- Creating and launching social media ad campaign.
- Developing post communications strategy.
- Launched Broadcast Public Meeting informational radio spots on KDEE 97.5 (Sacramento) for both the virtual event and public hearing.
- Collaborated with the ACLU, BARHII and Panel Brotherhood of Elders Network to deliver virtual panel event.

## Samples of Feedback on the Panel discussion and event:

- “Incredible panel discussion”
- “This is good”
- “I am interested in supporting education efforts that will reach Spanish-speaking Latino/Latinx communities on the topic of reparations for Black Californians. I am Fully bilingual in Spanish, written and spoken All of my contact information is below. Thank you so much for all your leadership and I look forward to connecting with you”

## LOOKING FORWARD

- Coordinate and manage media opportunities.
- Continue providing social media assets
- Identify opportunities to collaborate with community organizations.
- Developing post-Task Force communications activities, including collaborations and endorsements, California State Reparations landing page, and post support suggestions.

**Member Bradford** inquired the purpose of choosing only one radio station to advertise the Task Force meetings. **Ms. Charles** noted that the radio station selected was based on limited funding, and that the Sacramento station chosen was based on meeting location. **Member Bradford** stated that he would work with The Charles Group to find additional outlets that have a broader reach. **Ms. Charles** will continue to work to possibly get PSAs as well.

**Chair Moore** noted the need to better educate the public on report findings and to produce messaging to disrupt conspiracy theories that dispute California owing reparations with the truth about California’s part in perpetuating the harms to African Americans. **Member Grills** reminded **Chair Moore** of the fine line between the Public Education Advisory Committee and the Charles Group Communications firm’s responsibilities. She also noted that the Public Education Advisory Committee would be presenting at a later time in the meeting.

**9. Break Chair Moore called for a break at 3:15**

**Chair Moore** called the meeting back to order at 3:30p.m. and asked **Parliamentarian Johnson** to call the roll to re-establish a quorum.

**Parliamentarian Johnson** called the roll.

**Members present during roll call included:** Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe, Member Tamaki

**Members absent:** Vice Chair Brown, Member Jones-Sawyer

**Parliamentarian Johnson** stated there are 9 Task Force members and the number needed to establish a quorum is 5. There were 7 members present, and a quorum was re-established.

**10. Discussion and Potential Action: Task Force Approval of Draft Report Part IV, How the State of California will offer a formal apology on behalf of the people of California for the perpetuation of gross human rights violations and crimes against humanity on African slaves and their descendants. (Gov. Code, §8301.1Subd. (b)(3)(B)I Members Tamaki and Grills.**

**Chair Moore** turned the meeting over to **SAAG Newman and Member Tamaki**

**SAAG Newman** stated that based on the recommended direction of the Task Force in the last meeting, regarding the Apologies, the Department of Justice has compiled all apologies throughout the report into one chapter. Chapter 16 is dedicated to apologies and have been sent to Task Force members for review. Chapter 16 encapsulates all of the information and discussions on all of the apologies that made in the past as well as recommendations of specific items for which California has to apologize including an acknowledgement of individual California leaders throughout history for which the state should apologize in principle.

**SAAG Newman**, requested that the Task Force confirm their agreement with the draft chapter 16 as is but to also provide any additional information, feedback, and suggestions, including any individuals or specific actions in California's past that the Task Force recommends inclusion. DOJ is also asking that the Task Force provide guidance on the degree to which the apologies should be delineated in the chapter.

**SAAG Newman** reminded the Task Force that the cutoff date for feedback and additional information to be incorporated into the chapter is April 10th

**SAAG Newman** then turned the meeting back over to **Member Tamaki**

**Member Tamaki** provided an overview of the Advisory Committee's recommendation to consolidate all apologies into one chapter. He commended and thanked DOJ for the great

job of formatting everything into one chapter.

**11. Discussion and Potential Action: Task Force Approval of Draft Report Part IX: Concept or Themes for Curriculum Built Around the Task Force’s Report and Other Recommendations for Educating the Public (Gov. Code, §8301.1 Subd. (b)(3)(B)I Members Tamaki and Grills.**

**Member Tamaki** reminded everyone that one of the mandates of **AB3121** was to educate the public on the harms which is so well documented in the interim Report. Therefore, as part of the effort to educate the public and to move the needle of opinion on the buried history that is being denied and even erased, the Advisory Committee is structuring the education to encompass two time frames: One effort is in place to provide public education during the life of the Task Force and the other is making recommendations to the Legislature for what should be done after the Task Force sunsets. These efforts of development and implementation should be supported with additional funding once the Task Force sunsets in June 2023. However, currently, there are additional resources to be devoted to getting this project started . **Member Tamaki** reviewed the Advisory Committee’s strategy:

**1. Charge to Educate the Public**

- Initial efforts to educate the public
- Outreach by Task Force members and Bunche Center
- Public meetings, live-streamed
- Website and posted meeting materials
- Social media, panels, events
- Independent public education initiatives

**2. Curriculum Development**

- The Legislature should fund the development and implementation of a standard curriculum encompassing the contents of the Final Report.
- Allows California’s children to expand their understanding of our state and nation.
- Curriculum designed for:
  - All grade levels, especially high school •Advanced learning
  - College and university level
  - Carceral setting
  - Broader public dissemination
  - Cross-disciplinary

**Member Tamaki** thanked Member Lewis for his assistance in securing UC Berkeley Professors Brinton and Brussels who are helping them draft and develop the curriculum. The Professors will continue to work on this after the Task Force sunsets. The Advisory Committee believes this Curriculum will be the best way to educate the public.

**Member Tamaki** urges the legislators on the Task Force to help get funding for this curriculum. The curriculum can be viewed as another deliverable that the Task Force can be proud of.

**Member Tamaki** then turned the meeting over to **Member Grills**.

**Member Grills** noted that there are a number of common or frequently asked questions and/or statements raised regarding the California Reparations efforts for people of African Ancestry in general. Usually, these questions are due to a lack of information on the topic, but they can sometimes be a result of what is called willful amnesia.

**Member Grills** stated that there are several different groups of people raising these common questions regarding Reparations. As a result, it is important to know your audience when providing responses to these frequently asked questions. Typically, people who are asking the questions can be divided into three groups. They are:

1. People in **Group 1** generally just lacks the information and are open to receiving new information. ( People who are genuinely seeking knowledge)
2. People in **Group 2** have already made up their minds and are not open to receiving new information. These people will generally outright reject new information. (People who have already made up their minds)
3. People in **Group 3** tend to operate from a white supremacy position or point of view, and they will denigrate or belittle the mere idea of Reparations. This group will not welcome new information. (People who seek to denigrate the knowledge, racist-aligned groups)

**Member Grills** noted that the Task Force should focus on the people in **Group 1** to facilitate moving the needle of public opinion and to increase public education. The Advisory Committee would like to draft a FAQs sheet that provides a clear rebuttal which could be useful for the communication firms and to the Task Force.

The fact sheet would address:

### **Anticipated Reparations Questions**

As part of its charge to educate the public, the Task Force anticipates there will be questions about reparations from members of the public.

#### **In preparation for the anticipated questions:**

- The Task Force's Report should list the potential questions and provide appropriate responses thereto.
- Responses are designed to provide support to those who have genuine questions regarding the issues.

- Responses are also designed to provide clear rebuttals to those who are continuing to denigrate and attack the idea that reparations are needed.

**Member Bradford** commended and thanked **Members Tamaki and Grills** for the critical information provided in their presentation. **Member Bradford** stated he will push for funding for this curriculum.

**Member Tamaki** requested DOJ to add the recommendation to fund creative works (e.g., documentaries, books, and literary works), **Member Tamaki** noted that as a precedent, creative works had an enormous effect on assisting with the public knowledge to understand issues as a result of the redress and reparations for Japanese-American internment. The state of California also funded this project under the auspices of the Public Library.

**Members Tamaki and Grills** encouraged the Organization Endorsement effort: they are now up to 131 organizations in support of AB 3121. The web address that organizations can use to endorse their support for AB 3121: <http://www.Supportreparations.org>

**SAAG Newman** stated that chapters 16 and 33 are newly drafted chapters as a result, the Task force needs to vote to approve the chapters and to include language on the importance of funding creative works.

**Chair Moore** asked for a motion to approve the new chapters 16 and 33.

#### **MOTION**

**Member Tamaki** moved to approve the recommendations for Chapters 16 and 33 of the Draft Final Report. **Member Grills Seconded** the Motion

There was no discussion and **Chair Moore** asked **Parliamentarian Johnson** to take a vote.

**Ayes:** Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe, Member Tamaki

**Nays:** None

**Abstentions:** None

**Parliamentarian Johnson** stated there were 7 Task force members present and voting. There were **7 Ayes, 0 Nays, and 0 Abstentions**

**The Motion Passed**



**12. Discussion and Potential Action Item: DOJ Updates**

**SAAG Brown** stated that the only order of business was to remind the Task Force members of the April 10 deadline for updates, feedback and guidance for the Final draft Report.

**13. Chair Moore recessed the meeting until the next day, March 30, 2023, at 9:00 a.m. and reminded all that the Public comment would be for two hours, with the telephone participants first and in-person comments second.**

DRAFT

March 30, 2023

**Redressing the Harms Delineated in Report 1**

**14. Chairperson Call to Order**

**Chairperson Moore** called the March 30<sup>th</sup>, 2023 AB 3121 Reparations Task Force meeting to order at approximately 9:00 a.m., on Thursday, March 30, 2023.

**Chair Moore** asked **Parliamentarian Doreathea Johnson** to call roll to determine whether a quorum was established. **Parliamentarian Doreathea Johnson** called the roll for attendance.

**Members present during roll call included:** Chair Moore, Member Grills, Member Holder, Member Jones-Sawyer, Member Lewis, Member Montgomery-Steppe, and Member Tamaki.

**Absent:** Vice-Chair Brown, Member Bradford, Member Jones-Sawyer during roll call but later joined the meeting.

**Parliamentarian Johnson** stated there are 9 members on the Task Force and the number necessary for a quorum is 5. There were 6 members present at the time the roll was called, and a quorum was established.

**15. Welcome Remarks by Elected Officials**

There were no elected officials present at the time and Chair Moore turned to Agenda item 16, Public Comment.

**Chair Moore** stated we were at Agenda Item 16, Public Comment and turned the meeting over to Aisha Martin Walton to proceed with Public Comment. Ms. Martin-Walton explained that Public Comment would be for two hours, beginning with phone comments for the first hour, followed by one hour of in-person comments.

**16. Public Comment**

The Task Force approved an additional hour for public comment, for a total of two hours. There was a hybrid audience, virtually and in-person. California Department of Justice staff implemented a new procedure to accommodate additional in-person speakers. There were approximately 58 comments, 30 comments provided via the phone line and 28 comments made in-person. Public comments reflected individuals, businesses, and community organizations in support of reparations and individuals who oppose reparations. Several commenters expressed their support for the Task Force's work and the establishment of an Office of Freedmen's Affairs as an independent agency. Several commenters voiced their support for direct cash payments and urged the Task Force to make their recommendations specific to the descendant community, not universal or race-based. Other recommendations

included an increased focus on improving the quality of education for Black Americans, tax exemption status, land allocation, increased protections for Black working-class members and addressing mass incarceration.

**Chair Moore** granted task Force Member's request for a short break after the completion of the Public Comment Section, not listed on the agenda. A ten-minute break was taken.

**Chair Moore reconvened the meeting at 11:51 and asked Parliamentarian Johnson** to call the roll for attendance, following the break to determine whether a quorum was re-established. **Parliamentarian Johnson** called the roll.

**Members present** during roll call included: Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe, and Member Tamaki.

Members absent: Vice-Chair Brown and Member Jones-Sawyer,

**Parliamentarian Johnson** stated there are 9 members on the Task Force and the number necessary for a quorum is 5. There were 7 members present at the time the roll was called, and a quorum was established.

Chair turned to Agenda Item #17.

**17. Discussion and Action Item: Task Force Approval of Draft Report Part III International Reparations Framework and examples of other Reparations Schemes [Gov. Code, § 8301.I, subd. (b)(3)(A)]**

**Chair Moore** turned the meeting over to **SAAG Newman**.

**SAAG Newman** opened this agenda item by providing an overview of the Draft Report Part III, International Reparations Framework. He stated that the International Framework seeks to confirm that full and effective reparations include all five forms of reparations.

- 1. Restitution**
- 2. Compensation**
- 3. Rehabilitation**
- 4. Satisfaction**
- 5. Guarantee of Non-Repetition**

**The framework requires that the Task Force determine who qualifies.**

These five forms of reparations should provide the Task Force with the ability to decide who qualifies, what constitutes gross violations of human rights laws, what are the victims' rights to remedies, and what must full effective reparations include under the United Nations principles. The Task Force must ensure that the AB3121 proposals comply with these International standards. The DOJ has drafted Part III, Chapters 14 and 15 of the Draft

Final Report to address this issue.

**SAAG Newman** welcomed the Task Force's feedback and discussion on this agenda item in terms of actionable items on these chapters. The expectation is that Task Force members will approve the information presented with the reminder that April 10<sup>th</sup> is the last day for edits/recommendations to be included. The expected edits would primarily be typos; additional citations, and inclusions of on-point material. If the changes were more substantive, they would be drafted and most likely be presented for approval in the next meeting. A final report will be presented for the vote of the Task Force at the May 2<sup>nd</sup> meeting. Most of what has been seen has been approved in outline form. Edits that are deemed more significant will be included in a final draft that will be published prior to the May 2<sup>nd</sup> meeting date, when a final vote on what should be included or removed will be taken.

Chair Moore turned to the Task Force for comments and questions related to Part 3 of the report on International Reparations Framework and the examples of other reparation schemes.

Chair Moore requested more analysis on the international and domestic reparation schemes that are already delineated in the draft because she believes that the reparation schemes delineated in the draft report should only be identified as "full reparations" if the scheme complies with international human rights law standards. Citing the standards, Chair Moore believes that the Germany and Israel examples of reparations are the only examples where full and effective reparations are met. The examples of full and effective reparations must include all five forms. Where the report includes examples that do not include all five forms, Chair Moore believes they must be called something else.

**Chair Moore** requested DOJ to do further analysis and note only those reparation schemes in the report only if they meet the five points (e.g., the Germany/Israel reparations scheme would be the only ones considered to be reparations by international law, whereas others fail to meet the standard). With respect to the schemes that are noted in the report that do not meet the five point standard, they would need to be called something else (e.g., Racial Equity, Reparatory Attempts, Redress etc.).

**SAAG Newman** noted that DOJ will do its best to align the chapter to the Task Force's intentions. Possibly, even going as far as changing the title of the chapter.

**Member Tamaki** agreed with **Chair Moore**, citing that the Japanese redress cannot be considered as reparations as under international law.

**Chair Moore** also noted that the language and footnotes of the report should be consistent to the AB 3121 statute (i.e., cannot interchangeably use Black or Black Americans). Instead, the term "African Americans" must be used unless footnote/citing source references the term "Black and/or "Black Americans")

**Chair Moore** noted examples that “Black” was used interchangeably with African American despite the citing source referencing “African American”.

**Member Grills** inquired about the delineation of Black American from African American if an immigrant can technically become an African American and that the statute references that African Americans was used but that they wouldn’t be exclusive to Americans Descendant of Chattel Slavery.

**Member Montgomery-Steppe** noted that the Task Force should define African American based on the statute and the Task Force Body, should define it.

**Chair Moore** noted that Black American is not defined nor listed in the statute. However, “African Americans” are cited as the victim or beneficiary class. In addition, the statute defines African Americans as those descendants of freed African slaves who were emancipated via the 13th Amendment and their descendants who became citizens of the United States via the 14th Amendment

**SAAG Newman** mentioned that this topic was visited during the Interim Report. Ultimately, it was agreed to use the terms interchangeably. **SAAG Newman** noted there are instances in the statutes that use it interchangeably. For example, it is used in the section re incarceration.

**Chair Moore** believes “Black” is not interchangeable and should only be referenced in particular to that section (i.e., incarceration)

**Chair Moore** stated that in the April meeting the Task Force agreed to be consistent in referencing (i.e., used African American and only Black/Black Americans if the citing source uses it)

**SAAG Newman** invited the Task Force to make a motion and noted that they were not limited to the language in the statute. SAAG again reiterated that the deadline for submitting edits to DOJ was April 10, 2023.

**Member Lewis** asked if anyone on the Task Force was opposed to the use of the term “African American” throughout the report...None was. A motion was entertained.

#### **MOTION**

**Member Lewis** moved to use the term, “African American”, in the final report, instead of the term “Black American”, except when the source material/direct quote cites the term: “Black and/or “Black Americans as its terminology in the report, footnotes, etc. **Member Montgomery-Steppe Seconded** the motion.

There was no discussion and **Chair Moore** asked **Parliamentarian Johnson** to take the vote.

**Ayes:** Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member M-Steppe, Member Tamaki

**Nays:** None

**Abstentions:** None

Parliamentarian Johnson reported that there were 7 members present and voting. There were **7 Ayes, 0 Nays and 0 Abstentions.**

**The Motion Passed.**

**Chair Moore** then invited comments regarding Chapters 14 and 15.

There were no additional comments.

**Chair Moore** asked if there were any comments, questions or feedback on Report #3, International Reparations Framework and Examples of other Reparations schemes. There were no further comments or questions and the Chair entertained a motion to accept the draft with the changes that were just discussed which included the motion regarding the use of the term “African American”, request for further analysis by DOJ of the examples of schemas identified as ‘full reparative schemes’.

**SAAG Newman clarified that the motion that was just passed related to the entire report and further noted that the DOJ had one additional component of the examples from the state of Florida that they were working on and that example would be included and subject to the vote previously taken.**

**Chair Moore** stated that they needed a motion to accept the draft to move forward and recognized Member Montgomery-Steppe.

**MOTION**

**Member Montgomery-Steppe moved** to accept the draft Report incorporating the feedback that was given by Task Force members. **Member Lewis** Seconded the motion.

**Chair Moore** restated the motion made and properly seconded to accept the draft of Part 3 international reparation framework and examples of other reparation schema with the feedback that was discussed.

There was no further discussion:

**Chair Moore called on Parliamentarian Johnson to call the roll for the vote.**

**Ayes:** Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe and Member Tamaki.

**Nays:** None

**Abstentions:** None

**Parliamentarian Johnson** reported that there were 7 members present and voting: **7 Ayes, 0 Nays and 0 Abstentions.**

**MOTION**

**Member Lewis** moved to approve Part V, with consideration of changes and feedback raised during the previous discussion. **Member Grills Seconded** the motion.

There was no discussion and the Chair turned to **Parliamentarian Johnson** and asked her to call for the vote by roll call.

**Ayes:** Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe and Member Tamaki.

**Nays:** None

**Abstentions:** 0

**Parliamentarian Johnson** reported to the Chair that there were 7 members present and voting. There were **7 Ayes, 0 Nays and 0 Abstentions.**

**The Motion Passed.**

Chair Moore stated that the next agenda item was lunch (Agenda Item 18).

**Chair Moore, before breaking for lunch,** thanked the California DOJ for the work they have done within these chapters. She also noted she is in full support of the Native American community and the State of CA, citing that **Gov. Newsom** signed executive order to have reparations for them.

**18. Lunch Break was announced by Chair Moore and the meeting would resume at 1:45 p.m.**

**Chair Moore** called the meeting to order and asked **Parliamentarian Johnson** for a roll call vote to re-establish a quorum. **Parliamentarian Johnson** called the roll.

**Members present** during roll call included: Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe, and Member Tamaki.

**Parliamentarian Johnson** stated there are 9 members on the Task Force and the number necessary for a quorum is 5. There were 7 members present at the time the roll was called, and a quorum was established.

Chair Moore moved to item 19.

**19. Discussion and Action Item: Task Force Approval of Draft Report Part VI Policy Recommendations to the Legislature Regarding Appropriate Policies, Programs, Projects, and recommendations for the purpose of reversing the injuries [Gov. Code, § 8301, subd. (b)(3)(C), (b)(3)(D)]**

**Chair Moore** turned the meeting over to **SAAG Newman** to lead this discussion. **SAAG Newman** opened the discussion by noting that this section has already been approved by the Task Force and represents the heart of the report. The draft form of the chapters within this section are essentially the approved recommendations that were submitted by each of the Advisory Committees with narration.

**SAAG Newman** then suggested that the review and discussion be chapter by chapter (i.e., 18-30 which will become Chapters 1-13 republished from what was to become the Interim Report)

**SAAG Newman** provided the high-level points in this section of the report:

**1. Unjust Legal System**

- Includes the data/findings of the research done on the Racial Justice Act

**2. California American Freedman Affairs Agency (CAFAA)**

- This included a robust discussion regarding the agency's direct and oversight responsibilities.

**SAAG Newman** assured the Task Force based on the current discussion that the term "African American" would be used throughout the Report and implemented in the final draft.

**SAAG Newman** stated for organizational purposes, they would go chapter by chapter, beginning with chapter 18; and asked if anyone had any questions, feedback, or recommendations regarding Chapter 18, including introduction and recommendations?

**Chapter 18: Task Force Feedback and Recommendations**

**Member Grills** stated- that she had some edits related to spelling which she will circulate to DOJ offline.

**Member Grills** also noted that the scope of the CAFAA had not been scaled back despite the decisions made based on prior discussions as well as the approved motion to continue to use the existing services that were already provided by Community Based Organizations (CBOs) to avoid duplication.

**SAAG Newman** noted that the chapter is more inclusive to allow the Legislators to be aware of what the Freedmen's Agency could potentially do.



**SAAG Newman** noted that DOJ will work with **Member Grills** and Chair Moore to ensure that the report is reflective of the Task Force's wishes.

**SAAG Newman** also reminded everyone that the entire report is designed to comply with the International Laws 5 points of Qualifications for Reparations. One of the points, guarantees non-repetition, is a critical element. Even if the recommendation may benefit groups outside the eligibility group, it is to meet the U.N. standard of non-repetition

A discussion ensued among Task Force members regarding the necessity to rewrite the language in Section A of the draft report so that it clearly matches the expectations of the approved motion.

**Chair Moore** asked what specific language needed to be clarified?

**SAAG Newman**, stated based on the discussion, the language could be more synthesized to reflect the specifics of the approved motion without delineating how the Agency should be organized but rather to be focused on the tasks that the agency should be undertaking. Recommendations should be submitted to the Legislature so that they organize the Agency in a way that those tasks can be carried out based on the motion that was approved by the Task Force.

**SAAG Newman** offered to redraft the wording of Section A in Chapter 18 and forward it to Task Force Members for review and feedback. He also stated he could have slides developed to delineate what was a Direct Service versus a Non-Direct Service and have them ready for Task Force to review under the Unfinished Business section of the Agenda. Lastly, **SAAG Newman** suggested they could work together over the next couple of weeks on the edits of this section and place it on the May Agenda for discussion.

**SAAG Newman** welcomed input from the Task Force. Once all edits and feedback has been incorporated, he would recirculate back through the task force to reconcile for inclusion into the Final Report.

The discussion continued until it was decided by most of the Task Force that Section A accurately reflected the previously approved Motion regarding the CAFAA.

## **MOTION**

**Member Lewis** moved to accept the Draft Section A of Chapter 18; The California Freedmen Affairs Agency, as is. **Member Tamaki** **Seconded** the motion

**Chair Moore** called for the discussion. Hearing no discussion, **Chair Moore** then asked **Parliamentarian Johnson** to take the Roll Call vote:

**Ayes:** Chair Moore, Member Bradford, Member Holder, Member Lewis, Member

Montgomery-Steppe, Member Tamaki

**Nays:** Member Grills

**Abstentions:** None

**Parliamentarian Johnson** stated there were 7 Task Force members present and voting. There were **6 Ayes, 1 Nay, and 0 Abstentions.**

**The Motion passed.**

**Chair Moore** asked the Task Force if there were any other additional comments or suggestions for the remaining sections in Chapter 18.

**Chair Moore then stated** that she did not like the quote “Race Matters” and urged for more feedback as to replacement quotes to be used instead. **Member Lewis** concurred and felt that the introduction was sufficient without the “**Race Matters**” reference. He also noted that this was a stylistic change and should not be seen as a substantive one. Member Lewis proposed that the quote be removed.

**SAAG Newman** agreed that this change was not substantive, therefore a motion would not be required to remove the quote.

**Member Montgomery-Steppe** felt there was a need to clearly define African American and Black American for purposes of AB 3121, so that the Legislature will address both the descendant class as well as ensuring that the Non Repetition of harms includes the broader class.

There was also a discussion among the Task Force to categorize recommendations to delineate between universal policies and those that particularly aid the eligibility group (i.e., create a section to list universal policies, race equity policies, and reparatory policies). It was decided at the direction of the Task Force that DOJ would make those changes where it is possible/warranted. Member Holder stated that the organizational structure already in place and voted upon is adequate therefore, no new motion should be required.

**SAAG Newman** reminded the Task Force that they can still provide additional edits and feedback by the deadline of April 10, 2023.

#### **MOTION**

**Member Grills** moved to accept the remaining Sections of Chapter 18, B-F as written. **Member Tamaki Seconded** the motion

Discussion followed:

SAAG Newman suggested that if there are no issues going forward, that the Task Force could vote on chapters 19- 30 with one vote.

Member Bradford asked if there would be the ability to edit the language going forward and SAAG Newman replied yes.

Member Montgomery-Steppe reminded the Task Force that there was already a motion on the floor and recommend a vote on the motion on the floor and consider voting on chapters 19 – 30 in a single vote.

**Chair Moore** called for further Discussion: There was no further discussion

**Chair Moore** then asked **Parliamentarian Johnson** to take the Roll Call Vote:

**Ayes:** Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe, Member Tamaki

**Nays:** 0

**Abstentions:** None

**Parliamentarian Johnson** stated there were 7 Task Force members present and voting. There were **7 Ayes, 0 Nay, and 0 Abstentions.**

**The Motion passed**

**Additional discussion continued**

**Member Tamaki** requested that under the Racial Terror Section that addresses mental health should have a cross-reference between Chapter 29 that ties to the Mental Health Chapter 20. For example, Chapter 29 would have a note that says see Chapter 20.

**Chair Moore** stated that she thought that there should be a motion for the term African American to be interchangeable with Descendant in the report.

**Member Tamaki** noted that Chair Moore's suggestion may have unintended consequences.

**Member Grills** noted that the statute does not explain quite what "special considerations mean" (i.e., whether that should be interpreted as exclusive, priority, etc.). **Member Grills** stated that to make that type of a change would make it incredibly difficult to manage.

**Member Lewis** stated to make such a change regarding the reference to African Americans could cause a non-compliance issue or a loss of purpose with section " C" of AB 3121.

After much more discussion, **SAAG Newman** stated that based on feedback, the

direction of the Task Force is that DOJ should continue moving forward according to the original vote of using the term African American throughout the Report. However, work to ground it in the descendant community by augmenting the Introduction to Chapter 18 Part V to elevate the purpose of the policies and to uplift how each recommendation will benefit the beneficiary class; recognizing that the terms African American and the Descendant Community are not directly synonymous.

**Member Bradford** raised the issue of having the ability to edit this language going forward.

The Task Force agreed with SAAG Newman's understanding of their direction by consensus, because of the consensus, a motion was not necessary.

**SAAG Newman** asked if there were no other questions or comments on Chapters 19-30, they could move forward with a motion regarding Part V?

**Chair Moore** then called for a motion

#### **MOTION**

**Member Lewis** moved to approve Part V. **Member Grills** Seconded the motion

There was no discussion

**Chair Moore** asked **Parliamentarian Johnson** to call the vote

**Parliamentarian Johnson** called the vote

**Ayes:** Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe, Member Tamaki

**Nays:** None

**Abstentions:** None

**Parliamentarian Johnson** stated that there were 7 Task Force members present and voting: 7 Ayes, 0 Nays, and 0 Abstentions

#### **The Motion Passed**

20. **Discussion and Action item: Task Force Approval of Draft Report Part X or Appendix. Compendium of Statutes and Case law that Contributed to an Unjust Legal System (Prepared by Consulting Experts Dr. Marne Campbell and Eric Miller) [reference for recommendations covered in PART VI] [Gov. Code, § 8301, subd. (b)(3)(C), (b) (3)(D)]**

**Chair Moore** turned the meeting over to **SAAG Newman**.

**SAAG Newman** introduced Deputy Attorney General Delbert Tran of DOJ to provide an overview of the work done on Draft Report X by Consulting Experts Dr. Marnie Campbell and Professor Eric Miller.

**DAG Tran** stated that as part of AB3121, the task Force is charged with compiling the Federal and State laws that discriminated against and enslaved Africans and their descendants. The statute also states that the Task Force identify how California Laws and Policies continue to disproportionately, and negatively affect African Americans as a group. These laws and policies perpetuate the lingering material and psychosocial effects of slavery. He also stated that the research work done by experts Dr. Campbell and Professor Miller included the compilation of Federal and State Constitutional Provisions and Statutes, as well as court rulings that have contributed to the discrimination against African Americans as well as to identify any potential laws that can be reversed. This Compendium tracks laws from 1850-2020 (AB3121 was enacted in 2020) and is meant to supplement the history of harms already documented in the Interim Report and will be included in the Final Report and is comprised of these laws , provisions, and statutes in five general areas:

- Housing
- Employment
- Education
- Political Participation
- Legal System

**DAG Tran** stated that due to the breadth and depth of the discrimination that has occurred in California's history, it was impossible to publish all of the discrimination cases, however the Final Report is comprehensive and focused on United States Supreme Court and California Supreme Court cases and state and federal laws but not Municipal or Local ordinances.

**DAG Tran** assured the Task Force that DOJ will continue to take guidance and feedback from the Task Force.

**Member Tamaki** stated the importance of DOJ to cite check the information for accuracy.

**SAAG Newman** stated that he welcomed any state and federal feedback or any additional cases and/or policies that the Task Force feels should be included. He also wanted the Task Force to consider making the Compendium a separate chapter in the report rather than just an appendix.

**Chair Moore** asked if the cases cited could be organized chronologically.

**SAAG Newman** stated that the cases are organized by subject so that they are meaningful

in context of the Report.

**Chair Moore** stated cases listed by applicable sections within the report were fine, but it would be helpful to list them chronologically within each section.

**Chair Moore** requested that a quote from the Dredd Scott case be included in the Summary of facts and issues in the Compendium section of the Final Report. She will provide DOJ with the quote she was referencing along with the source of the quote.

**Member Grills** reminded the DOJ that this section should be consistent with the rest of the report by using the words “African American” rather than “Black”.

Chair Moore asked for further comments

**Chair Moore** asked for a motion.

#### **MOTION**

**Member Montgomery Steppe** Moved to: approve the legal compendium with the feedback provided during the discussion. **Member Bradford** **Seconded** the Motion

**There was no discussion.**

**Chair Moore** asked **Parliamentarian Johnson** to take the Roll to Call for the vote.

**Ayes:** Chair Moore, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe and Member Tamaki

**Nays:** None

**Abstentions:** None

**Parliamentarian Johnson** Stated there were 7 Task Force members present and voting: **7 Ayes, 0 Nyes, 0 Abstentions.**

**Chair Moore** restated the vote as **7 ayes, 0 nays and 0 abstentions. The ayes had it and the motion carried, and the Chair stated that the next item on the agenda was the break.**

**Member Tamaki** commended the DOJ lawyers and staffers for the quality of the work generated in support of the Task Force’s efforts to shine a light on AB 3121. He felt the analysis, compilation, organization, and narrative is brilliant and he stated this type of quality work will stand the test of time. It will be looked at by scholars across the country. He also thanked **SAAG Newman** for his guidance through this processes.

**Chair Moore** called for a 15 minute break.

**21. Break**

**Chair Moore** called the meeting to order and asked **Parliamentarian Johnson** to call the roll to re-establish a quorum.

**Parliamentarian Johnson** called the roll.

**Members present during roll call included:** Chair Moore, Member Grills, Member Holder, Member Lewis, and Member Tamaki

Member Bradford is absent and Member Montgomery Steppe is absent.

**Parliamentarian Johnson** stated there are **9** Task Force members and the number needed to establish a quorum is **5**. There were **5** members present, and a quorum was re-established.

**22. Discussion and Action Item: Organization and Formatting of Final Report**

Chair Moore moved to agenda item 22 and asked if there were any questions. Hearing none, she moved to the next item, number 23.

**23. Discussion and Action Item: Future Meeting Dates, Locations and Agendas**

**Chair Moore** stated that there are only two more hearing dates before the AB3121 Task Force sunsets. They are currently slated for Tuesday, May 2<sup>nd</sup> in Sacramento and June 30<sup>th</sup> (no located selected) respectively. Chair asked for discussion around the hearing dates and location.

**Member Lewis** suggested changing the May 2<sup>nd</sup> meeting to May 6<sup>th</sup> so that the meeting could be held on a Saturday in East Bay and holding it in the East Bay would allow all task force members to attend.

Member also suggested the final meeting be held in Los Angeles on **June 30<sup>th</sup>**.

**Member Tamaki** asked if all Task Force members will be present if the meeting was moved to May 6<sup>th</sup> in the East Bay. SAAG Newman confirmed that to be true.

**SAAG Newman** stated that moving the June 30<sup>th</sup> meeting from Sacramento to Los Angeles could cause an issue for special guests and or elected officials. He suggested they hold off from changing the location until the May 6<sup>th</sup> meeting.

There was no more discussion,

**Chair Moore** called for a motion.

**MOTION**

**Member Lewis** moved that the Task Force hold their next meeting on May 6<sup>th</sup> in the East

Bay. **Member Grills Seconded** the Motion.

**Chair asked for discussion. There was no discussion.**

**Chair Moore** asked **Parliamentarian Johnson** to take a Roll Call vote.

**Parliamentarian Johnson** took the vote:

**Ayes:** Chair Moore, Member Grills, Member Holder, Member Lewis and Member Tamaki

**Nays:** None

**Abstentions:** None

**Parliamentarian Johnson** stated that There were 5 members present and voting. **5 Ayes, 0 Nays, and 0 Abstentions**

**The Motion Passed.**

**24. Unfinished Business**

**Chair Moore** stated that the next item is item 24, unfinished business. There was no unfinished business

**Chair Moore** moved to the next item 25, the adjournment of the meeting.

**25. Meeting Adjournment**

**Chair Moore** stated that the meeting has been officially adjourned and announced that the next meeting would be in the East Bay on May 6<sup>th</sup>.