



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

**FIX HOUSING SEGREGATION AND
UNJUST LEGAL SYSTEM
ADVISORY COMMITTEE**

**FIX HOUSING
SEGREGATION POLICY
PROPOSALS**

LEGAL/CONSTITUTIONAL CONSTRUCT

Require Legislative Findings on Compelling, Statewide Interest, and Narrow Tailoring

For all policies, require legislative findings:

- (1) Declaring the State's compelling and statewide interest in remedying the longstanding and ongoing harm caused by chattel slavery, as documented by the Task Force's reports and any other supplemental findings necessary.
- (2) Identifying the specific harms caused by chattel slavery that the statute seeks to remedy (e.g. housing segregation) and how the government was involved in such discrimination.
- (3) Demonstrating that such policies have been narrowly tailored to remedy that harm.

LEGAL/CONSTITUTIONAL CONSTRUCT

Require Disparate Impact Analysis

- Require the Legislature or relevant state agencies to analyze all proposed housing bills, existing codes, and government contracts for disparate impact on historically disenfranchised and system-impacted populations.

LEGAL/CONSTITUTIONAL CONSTRUCT

Data Collection

- Provide CBOs with resources and fund capacity for collection of anecdotal data (qualitative) – stories about ongoing housing discrimination, conduct focus groups etc.
- Require governments to collect and make transparent quantitative data and statistics on housing disparity.
 - Racially disaggregated data, including disaggregation by descendant community.
- Provide resources to CBOs and subject matter experts to periodically analyze the data and make recommendations for remediation for continuing disparities exposed by the data.

INTERSECTIONAL JUSTICE— HOUSING & ENVIRONMENT

Prioritize Responsible Development and Environmental Health in Communities and Housing Development

- Enact Statewide “Responsible Development” Standards.
- Increase tree canopy coverage and access to green space in formerly redlined communities.
- Develop local climate resilience hubs in redlined communities.
- End highway expansion in areas with high levels of pollution.
- Restore communities split by highways.
- Remove lead in drinking water.
- Rent control policies to prevent gentrification pushout.

INTERSECTIONAL JUSTICE— HOUSING & ENVIRONMENT

Prioritize Responsible Development and Environmental Health in Communities and Housing Development

- End Food Deserts:
 - Subsidize pipelines for healthy, whole foods – subsidies for black farmers to supply organic and whole foods to black families in urban communities, including subsidized “black farmers markets” and urban gardens in redlined neighborhoods and emerging displacement communities in suburban neighborhoods.

FIX REDLINING AND GENTRIFICATION AND EXPAND AFFORDABLE HOUSING

Enact Policies Overhauling the Housing Industrial Complex

- Increase enforcement of mandatory acceptance of housing vouchers (i.e. Section 8, etc.).
- Implement rent caps (not just rent control) for historically redlined zip codes.
- Provide funding for developers, land trusts, and CBOs of affordable housing operated by or serving descendants of enslaved people.
- Redefine what qualifies as affordable housing by readjusting area median income limits for state subsidies.
- Provide funds for research on land grabs/land displacement/land theft.

FIX REDLINING AND GENTRIFICATION AND EXPAND AFFORDABLE HOUSING

Enact Policies Overhauling the Housing Industrial Complex

- Provide for a private right of action (or immediate action) against banks/private entities that knowingly or purposefully appraise Black-owned homes at lower values.
- Provide compensation for predatory “housing industrial complex” issues – i.e. those having to pay higher costs on insurance, etc. due to race/contributing factors.

FIX REDLINING AND GENTRIFICATION AND EXPAND AFFORDABLE HOUSING

Require State Review and Approval of Residential Land Use Ordinances

- Address local zoning laws that reinforce and recreate housing segregation by requiring state agencies to review and approve all residential land use ordinances enacted by cities and counties with high levels of historic and ongoing housing segregation.

Housing and Anti-Racism

- Provide grants for CBOs with subject matter expertise in equity and cultural competence and bias elimination to establish DEI certification programs for affordable housing contractors, providers, and decisionmakers.

FIX REDLINING AND GENTRIFICATION AND EXPAND AFFORDABLE HOUSING

Repeal Crime-Free Housing Policies

- Require jurisdictions to review and modify or repeal any crime-free housing policies that result in disparate impacts or otherwise violate state or federal fair housing laws.
- Limit the scope of crimes and associations with criminal activity that qualify for eviction.
- Require landlords to use look-back periods and individualized assessment of relevant mitigating factors when reviewing evictions.
- Make affordable housing a fundamental right that allows for legal representation in eviction proceedings for descendant community.

FIX REDLINING AND GENTRIFICATION AND EXPAND AFFORDABLE HOUSING

Increase Affordable Housing for Descendants of Enslaved People

- Require the Regional Housing Needs Allocation program (RHNA) to explicitly advance racial equity and address the housing needs of descendants of enslaved people.

FIX REDLINING AND GENTRIFICATION AND EXPAND AFFORDABLE HOUSING

Provide Resources for Expansion of Public Health Infrastructure

- In neighborhoods heavily populated by descendant community – more hospitals, community based mental health facilities, urgent care medical training programs, first responder ambulance services – staffed by culturally competent providers.
- Support for CBO programs and research groups that use the “housing first” and harm reduction models to work with chronically homeless-dually diagnosed populations suffering from mental illness, addiction due to self-medication.
- Mobile crisis units staffed with psych. experts to assist chronically unhoused in lieu of criminalizing homelessness.
- Fund Housing-focused Antiracism education programs and comms. to help communities move away from NIMBY (not in my back yard) mentality to the reparatory justice mentality.

FIX REDLINING AND GENTRIFICATION AND EXPAND AFFORDABLE HOUSING

Expand Grant Funding to Community-Based Organizations to Increase Home Ownership

- Expand first-time homeowner grants to community-based organizations working with descendant community for distribution to descendant community.
- Facilitate a process for CBOs to buy property in historically Black neighborhoods and watering holes to act as a bulwark against black pushout and displacement.

FIX WEALTH/ASSET GAP AND EXPAND HOMEOWNERSHIP

Provide Property Tax Relief to Increase Home Ownership

- Provide property tax relief by allowing descendants of enslaved people, who live in formerly redlined neighborhoods, to transfer the assessed value of their primary home to a newly purchased or constructed primary residence anywhere in California.

Provide Direct Financial Assistance to Increase Home Ownership

- Provide shared appreciation loans and subsidize down payments, mortgage payments, and homeowner's insurance fees for descendants of enslaved people who reside in formerly redlined areas.

UNJUST LEGAL SYSTEM POLICY PROPOSALS

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Require Disparate Impact Analysis

- Require the Legislature or relevant state agencies to analyze proposed public safety and criminal justice bills, existing codes, and government contracts for disparate impact on historically disenfranchised and system-impacted populations.

Abolish Involuntary Servitude from the California Constitution

- Remove clause allowing involuntary servitude as criminal punishment.

Allocate Funds to Remedy Harms and Promote Opportunity

- Expand grants to community-based organizations that work in the areas of reentry and public safety.
- Abolish cash bail.
- Fund education for students who are descendants of enslaved people pursuing legal, medical, and science degrees.
- Establish grants to incentivize Black employment in law enforcement.
- Allow expungement and/or compensation for loitering convictions.
- Increase exoneration reimbursements, including lost wage calculations.
- Compensate individuals on probation.

Three Strikes Sentencing and Anti-Bias Policing

End Three Strikes Sentencing

- Adopt interim measures as needed to restrict application of strike enhancements pending full repeal.

Mandate and Promote Anti-Bias Policing

- Mandate implicit bias policies and training for all law enforcement.
- Promulgate uniform and mandatory law enforcement policies related to all aspects of police investigation.
- Protect anti-bias trainers from harassment and retaliation.

Restore Civic Rights for Justice-Involved Individuals

- Restore voting rights for all incarcerated individuals.
- Prohibit State Bar from considering certain incidents in moral character assessments.

Decriminalize Public Disorder Infractions

- Transfer public disorder infractions out of criminal justice system, and divert to public health and safety institutions.
- Confirm and expand decriminalization of fare evasion and other low-level transit violations.

Prohibit Pretext Stops and End Qualified Immunity

Prohibit Pretext Stops

- Bar traffic stops for low-level traffic violations.
- Preclude officers from inquiring as to probation status or from requesting (absent probable cause) consent to search during traffic stops.

Call on Federal Government to End Qualified Immunity

- Include statewide compensation scheme for victims of police misconduct whose claims are barred by qualified immunity.

Eliminate School-to-Prison Pipeline

- Eliminate police and probation officers from schools and reallocate funding to trauma-informed supports and programming.
- Require specified distances between schools and jails/police precincts.
- Mandate presumptive diversion for majority of youth arrests.
- Limit and shorten juvenile probation.
- Bar strike enhancements for juvenile convictions.
- End adult prosecution of youth.
- End racially disparate discipline through timely assessment of data and corrective measures to address disproportionality.

Strengthen and Expand Racial Justice Act (RJA)

- Establish statewide conviction integrity unit through which the State affirmatively reviews cases for RJA violations.
- Codify compensation scheme for successful RJA claimants.
- Ensure all necessary data is collected and reported to facilitate RJA claims.
- Expand RJA to cover parole and other post-conviction proceedings.
- Allow RJA claims to challenge prior strikes alleged in new matters.