

Meeting Materials - Part 2: Witness Statements
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**AGENDA ITEMS 4, 6, 13, 15:
AVAILABLE WITNESS STATEMENTS
AND PRESENTATIONS
(Not all witnesses have submitted written
statements and presentations.)**



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The slide has a white background with a decorative footer bar at the bottom featuring the "Othering & Belonging Institute at UC Berkeley" logo and abstract colored shapes (red, green, blue) on the right side. The title "Overview" is centered at the top in bold black font. Below it is a numbered list of four items:

1. Racial Residential Segregation in the United States: Measurement and Findings
2. Correlates & Effects of Racial Residential Segregation
3. Homeownership and the Racial Wealth Gap
4. The Causes of Racial Residential Segregation & Phases of Evolution

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I. Racial Residential Segregation in the United States: Measurement and Findings

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Key Terms

- **Segregation** – the separation of people in any particular domain (housing, education, public accommodations, employment, occupation, etc.).
- **Racial Segregation** – the separation of people on the basis of race.
- **Racial Residential Segregation** – the spatial separation of people in terms of residence (housing) on the basis of race.
- There have been ongoing and unresolved debates about precisely how to measure these phenomenon.

Measuring Segregation: The Dissimilarity Index

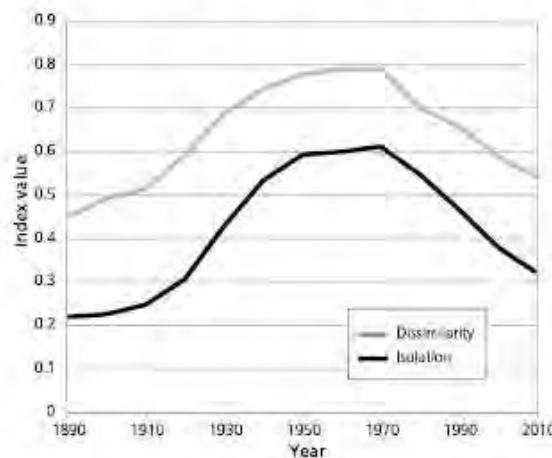
- Indicates the percentage of a subgroup that would have to move to achieve integration, from 0-100.
 - A score of 100 indicates that every neighborhood has residents of only one particular group (“complete segregation”).
 - A score of zero indicates proportional representation of each group throughout the metropolitan region (“complete integration”).
- As of 2020 census:
 - The national **Black-white dissimilarity score is 55**, a high level of segregation. That means that more than half of African Americans (or whites) would have to move to a different-race neighborhood to achieve a fully integrated society.
 - The **Hispanic-white** dissimilarity score is 45.
 - The **Asian-white** dissimilarity score is 40.



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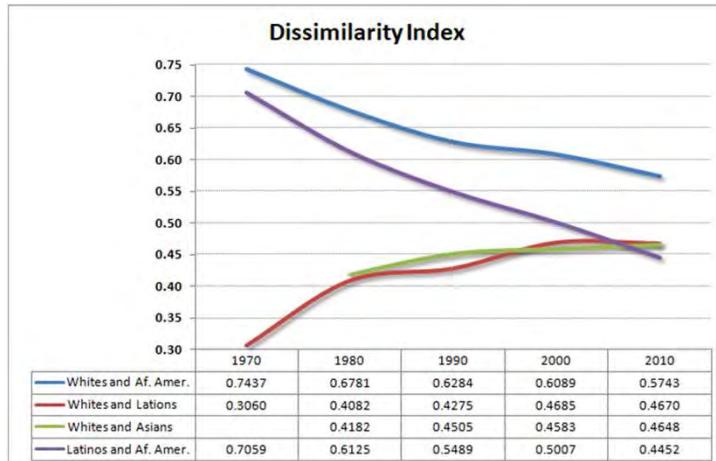
The Index of Dissimilarity

Figure I. Black/Nonblack Segregation 1890–2010



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Dissimilarity Scores in the Bay Area



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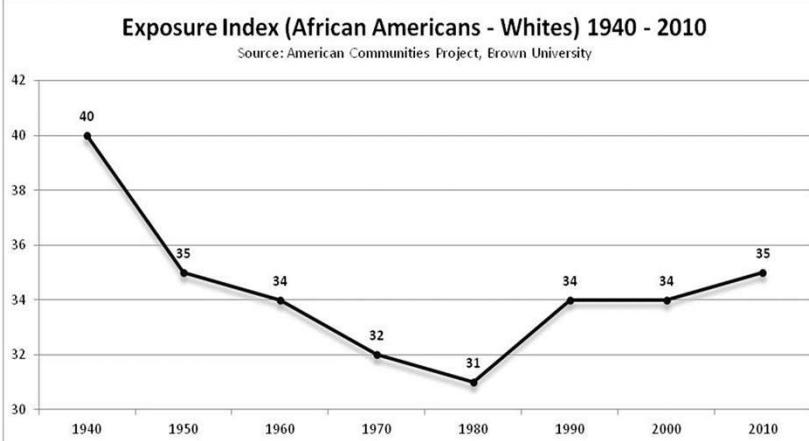
Different Worlds: 2) The Isolation/Exposure Indices

- The **Exposure Index and Isolation Index** measure the average neighborhood of a member of a racial group.
- As 2020, the average white resident of a metropolitan area resides in a neighborhood that is 69% white, 9% Black, 12% Hispanic, and 6% Asian.
- In contrast, a typical African-American resident lives in a neighborhood that is 41% Black, 34% white, 17% Hispanic, and 6% Asian.

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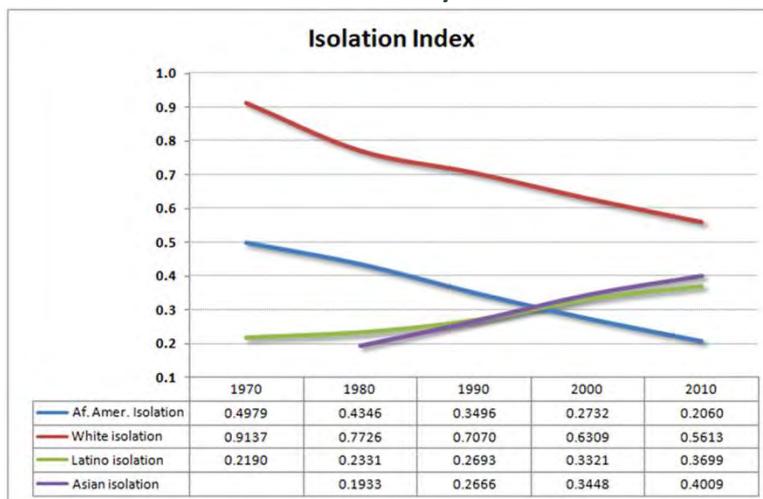
Measuring Segregation: The Exposure Index



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Isolation Index in the Bay Area



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Measuring Segregation: 3) The Divergence Index

- Created by Elizabeth Roberto in 2015, this is a new way of calculating segregation.
- Unlike many other measures of segregation, the Divergence Index can measure a region's segregation for multiple racial groups simultaneously
- It measures the difference between the overall proportion of a group in a region and the proportion of each group in a local area within that region, like a census tract to a county or a CBSA.
 - The higher the score, the more the tract "divergences" from the larger region, suggesting the more segregated it is.
- We find, using this measure that 54% of metro regions with more than 200,000 residents are more segregated as of 2020 than in 1990, and 23% more segregated in 2020 than 2010.



Source:

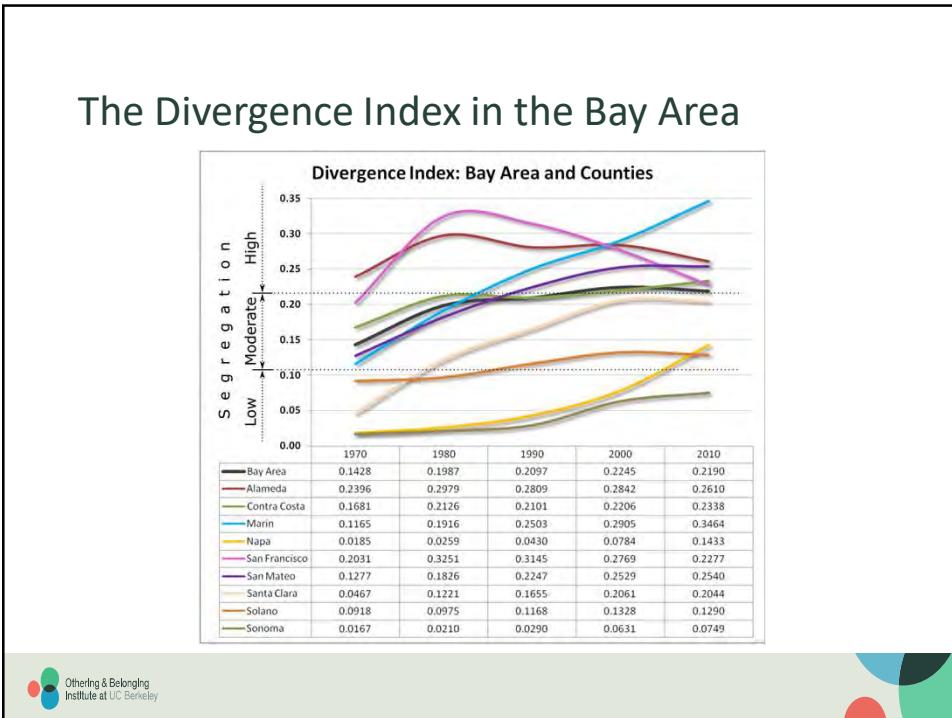
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Divergence in the Bay Area

- Key finding: the Bay Area is significantly **more** segregated in 2010 than it was in 1970.
 - 7 of 9 Bay Area Counties have higher Divergence Index scores in 2010 than in 1970, and most are much higher.
 - Only two counties have lower Divergence Index scores (Alameda and SF), and only modestly so.
 - Marin has had a threefold increase in the level of segregation, even if the initial level was fairly low. The level of segregation in Sonoma has more than quintupled.



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II. Correlates & Effects of Racial Residential Segregation

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Research Summary / Overview

- There is a mountain of academic and scholarly research trying to measure either direct effects or correlates of racial residential segregation in the arenas of health, economics, education, environment, and more.
- Racial residential segregation has been linked to infant and maternal mortality, asthma, cardiovascular disease, diabetes, hypertension, obesity, lead exposure, and many other health conditions and illness, including Covid-19 infections.
- Segregated communities of color often have less access to grocery stores, child care facilities, parks and recreational spaces, clinics and primary care providers, and other important neighborhood resources, and are more likely to have hazardous waste facilities in close proximity.
- Robert Sampson and his colleague were so disturbed by their 2016 findings in Chicago that they claim that lead toxicity may be a “major environmental pathway through which racial segregation has contributed to the legacy of Black disadvantage in the United States.”



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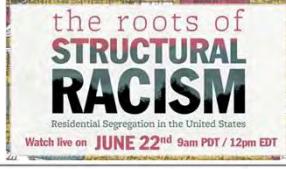
Segregation is not an abstract problem.



- We launched, entitled the Roots of Structural Racism, earlier this year, which examined correlates to types of segregation.
- Neighborhood poverty rates are highest in segregated communities of color (21 percent), which is three times higher than in segregated white neighborhoods (7 percent).
- Black children raised in integrated neighborhoods earn nearly \$1,000 more as adults per year, and \$4,000 more when raised in white neighborhoods, than those raised in highly segregated communities of color.
- 83 percent of neighborhoods that were given poor ratings (or "redlined") in the 1930s by a federal mortgage policy were as of 2010 highly segregated communities of color.



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**the roots of
STRUCTURAL
RACISM**
 Residential Segregation in the United States
 Watch live on **JUNE 22nd 9am PDT / 12pm EDT**

Indicator	Integrated Neighborhoods	Highly Segregated Communities of Color	Highly Segregated White Neighborhoods
Median Household Income	\$63,830	\$54,278	\$100,956
Median Home Values	\$244,162	\$266,927	\$474,798
% Below Poverty	14%	21%	7%
% Owner-Occupied Homes	59%	46%	77%
% With Bachelor's Degree	30%	23%	46%
Life Expectancy	78	77	81
Median Rent	\$1,177	\$1,174	\$1,545
% Unemployed	6%	8%	4%
% of US Land Area	7%	9%	7%
% of US Population	12%	20%	11%

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Indicator	Integrated Neighborhoods	Highly Segregated Communities of Color	Highly Segregated White Neighborhoods
Future Average Income	\$29,593	\$27,685	\$38,035
Future Black Income	\$22,996	\$22,061	\$25,867
Future Latino Income	\$34,354	\$33,510	\$38,122
Future White Income	\$34,968	\$34,940	\$41,066
% of Children Imprisoned as Adults	3%	3%	2%
% of Black Children Imprisoned as Adults	5%	6%	5%
% of Latino Children Imprisoned as Adults	2%	2%	2%
% of White Children Imprisoned as Adults	2%	3%	2%

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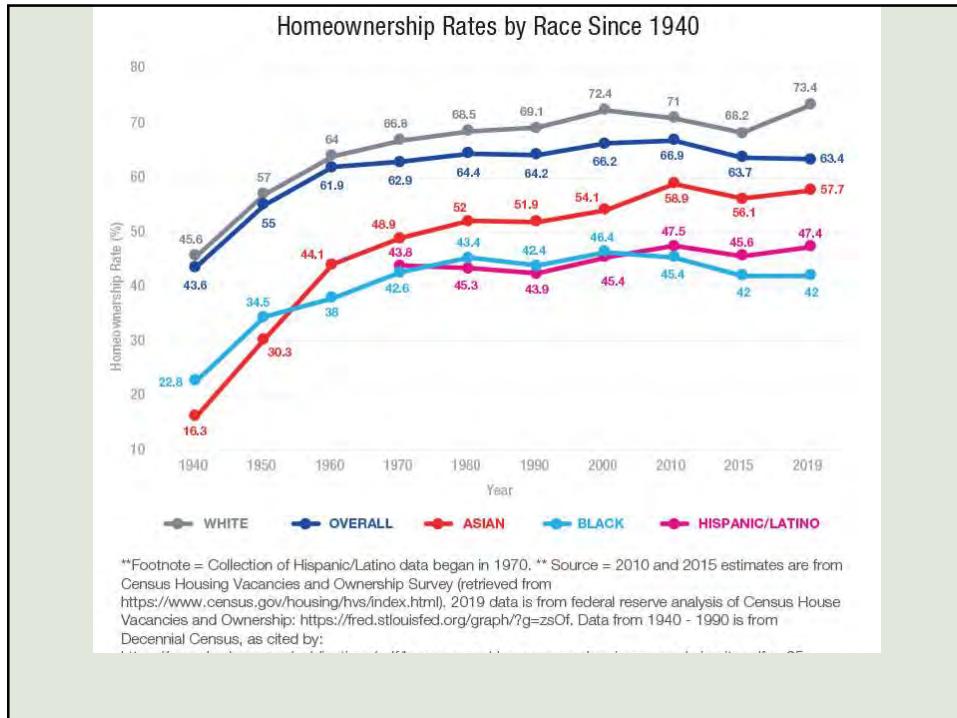


III. (An Aside on) Homeownership by Race and the Racial Wealth Gap

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Disparities in Homeownership

- Here are 2019 Homeownership Rates by Race:
 - White: 73 percent
 - Asian: 58 percent
 - Latino: 47.5 percent
 - Black: 42 percent
- The overall race disparity masks significant generational differences. Black Americans born before 1930 only lag white Americans in terms of rate of homeownership by 5 percent.
 - Specifically, 65.3 percent of Black households in that age group while 70.2 percent of white households own their own home.
 - In contrast, the absolute difference in homeownership between Black and white households aged 35-44 is 33.5 percent, with 66 percent of whites owning their homes compared to just 33 percent of Black households.



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Housing & the Racial Wealth Gap

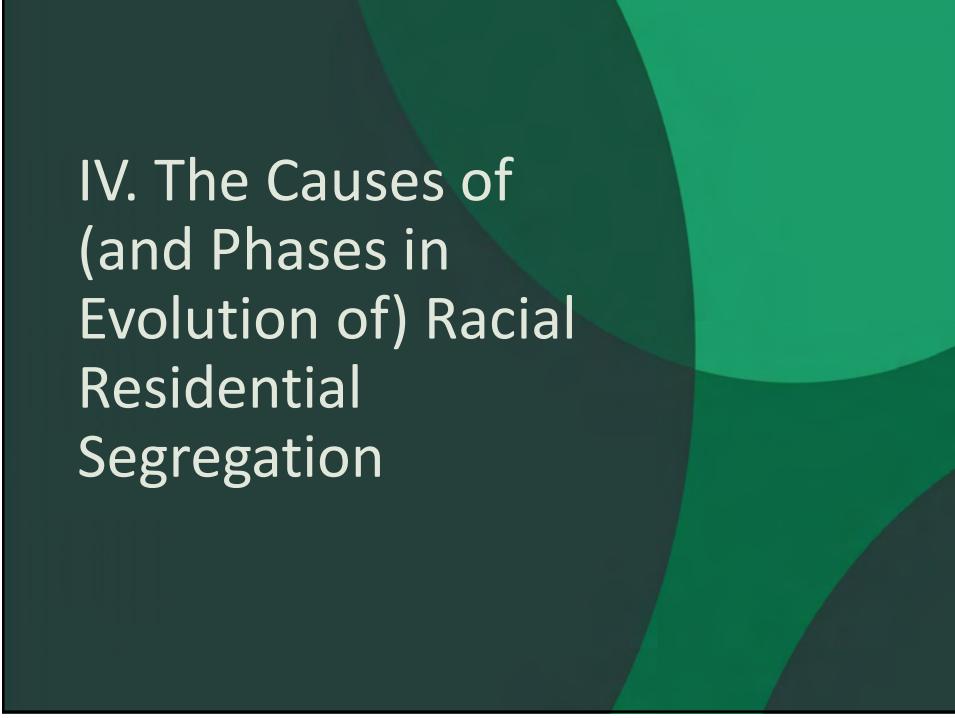
- Although not true of White families, most “Black wealth” is held in housing stock, which was devastated by the 2007-8 housing crisis.
 - For whites, home equity is 43 percent of net worth, compared to 60 percent for Black Americans
- In 2016, the average Black household net worth was \$138,200 while White mean household net worth was \$933,700, a relative disparity of nearly 7 times.
- This disparity is skewed by a handful of extremely high wealth families, but when looking at the typical, or median, household, the disparity is even greater: The net worth of the typical white family was pegged at \$171,000, nearly ten times greater than that of a typical Black family (\$17,150) in 2016.
- When housing is excluded, the disparity reaches its zenith, \$17,150 in typical white net worth compared to \$930 for Black families, a ratio of nearly eighteen and a half.

Source:



https://www.researchgate.net/publication/341159895_A_subaltern_middle_class_The_case_of_the_missing_Black_bourgeoisie_in_America

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IV. The Causes of (and Phases in Evolution of) Racial Residential Segregation

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Theories

- Three common explanations:
 1. Discrimination in Housing Markets
 2. Divergent Compositional Preferences
 3. Economic Differences Between Racial Groups
- Additional Explanations:
 4. Differences in Background Knowledge of Neighborhoods (Maria Kryson and Kyle Crowder)
 5. White Avoidance of Black & Latino Neighborhoods (Quillian et al)
- There is evidence in support of each of these theories, although the debate is highly nuanced (e.g. debate over HDS surveys).
- The bottom line is that there is no academic consensus about the precise causes and maintenance of racial residential segregation or their relative importance.

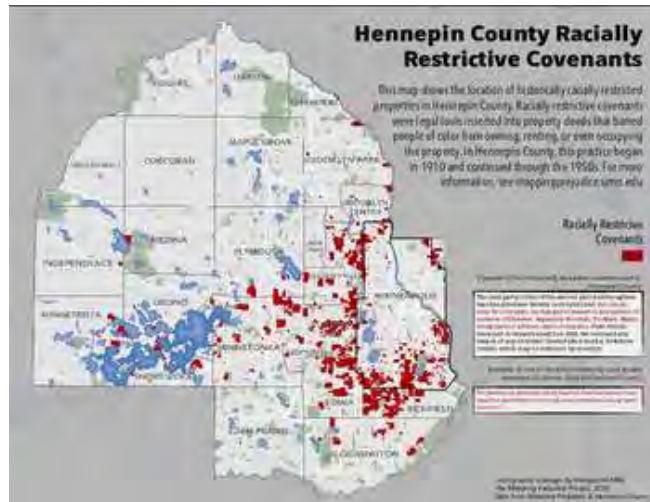
Historical Phases in Evolution of Racial Residential Segregation

- Very broadly speaking, there are three phases to the evolution of racial residential segregation in the United States:
 - 1900-1930s (the local real estate industry era)
 - Primary mechanism: Restrictive covenants
 - 1930-1970 (federal government extends and deepens)
 - Primary mechanism: HOLC/FHA Redlining & Segregative Public Housing
 - 1970-present (race ‘neutral’ policies of municipal power)
 - Primary mechanism: Zoning/land use and municipal power

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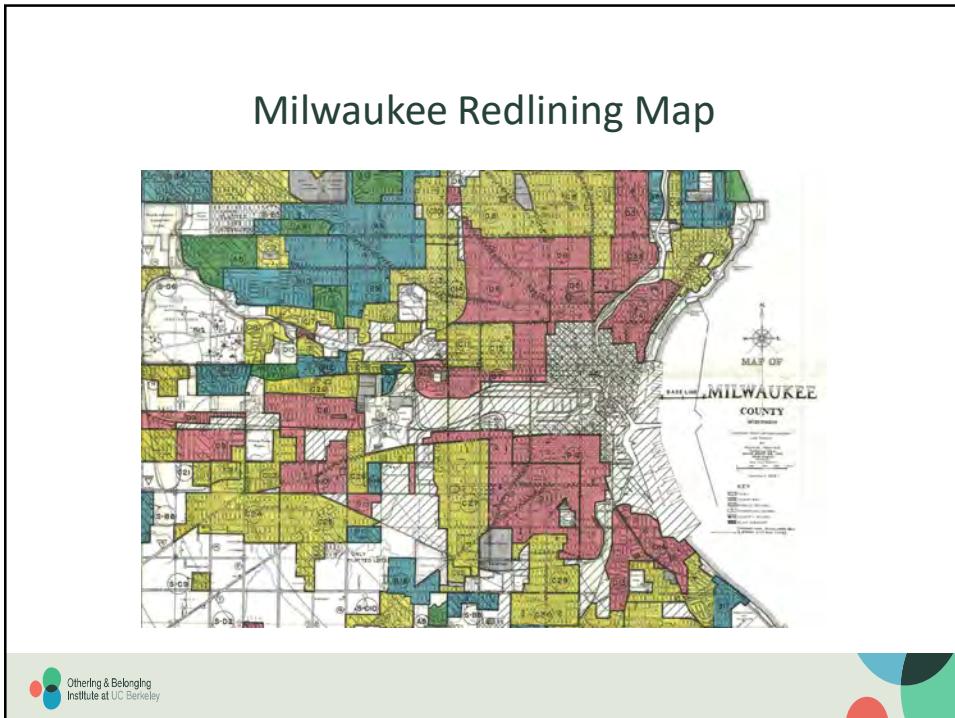
Restrictive Covenant Map for Minneapolis



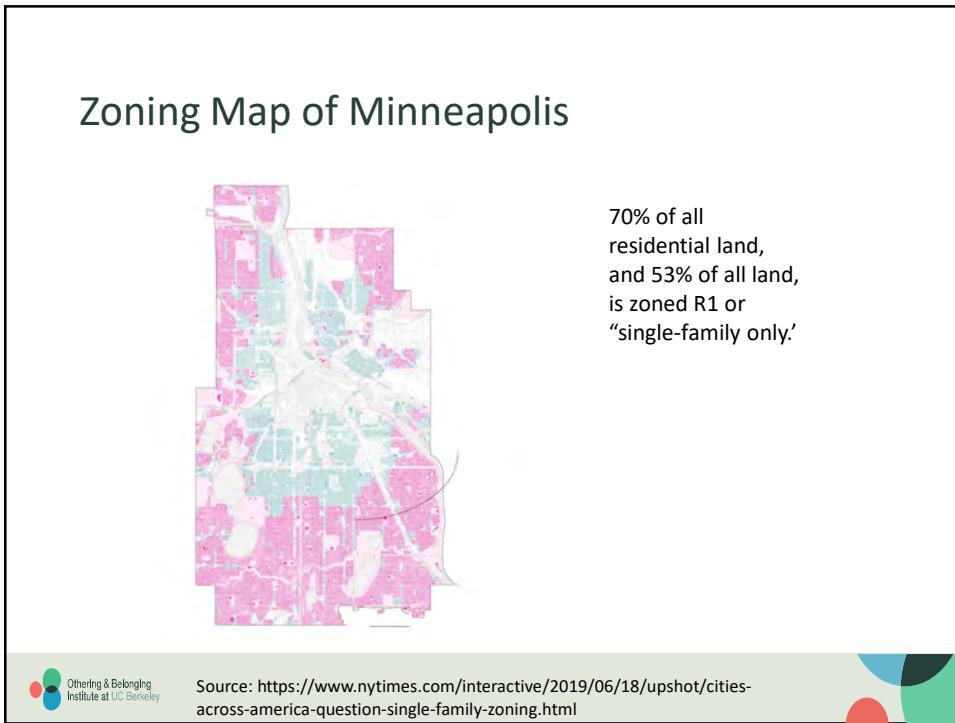
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Source: <https://conservancy.umn.edu/handle/11299/217471>

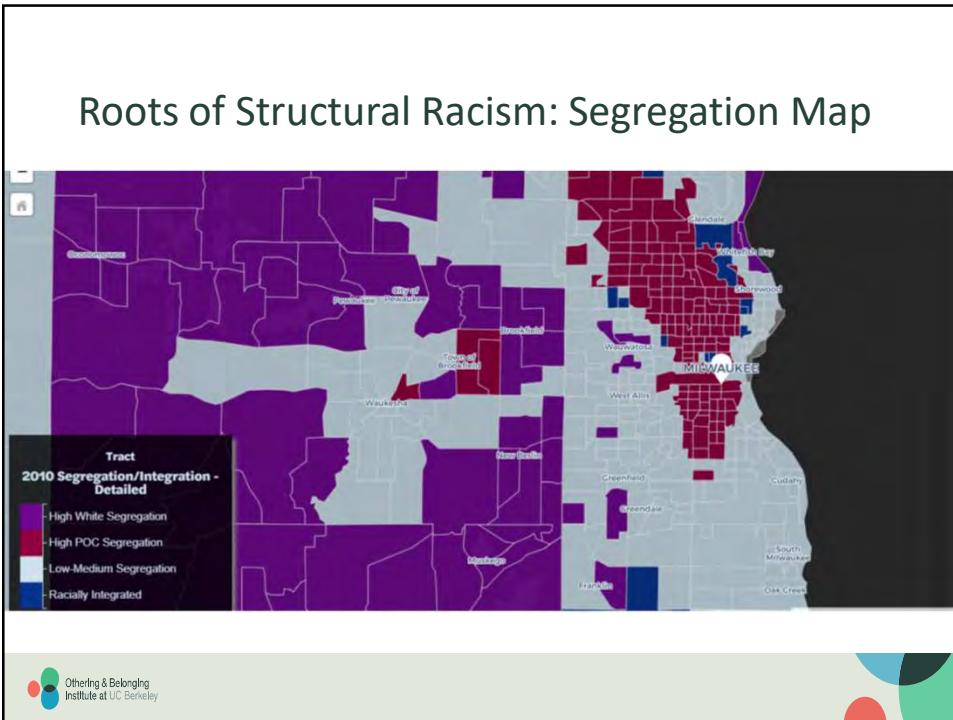
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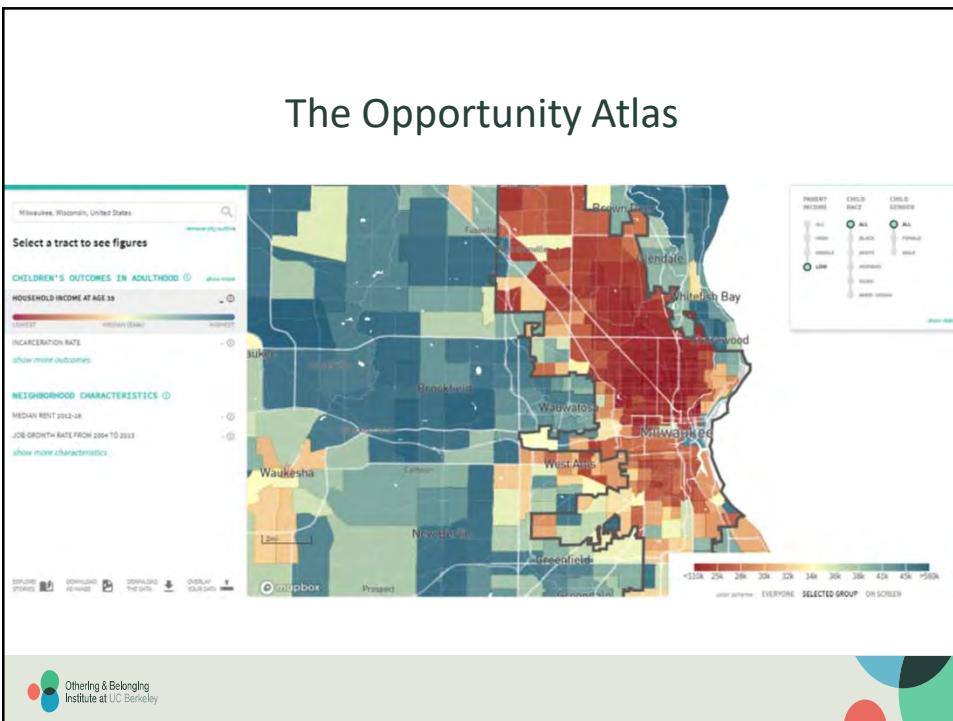
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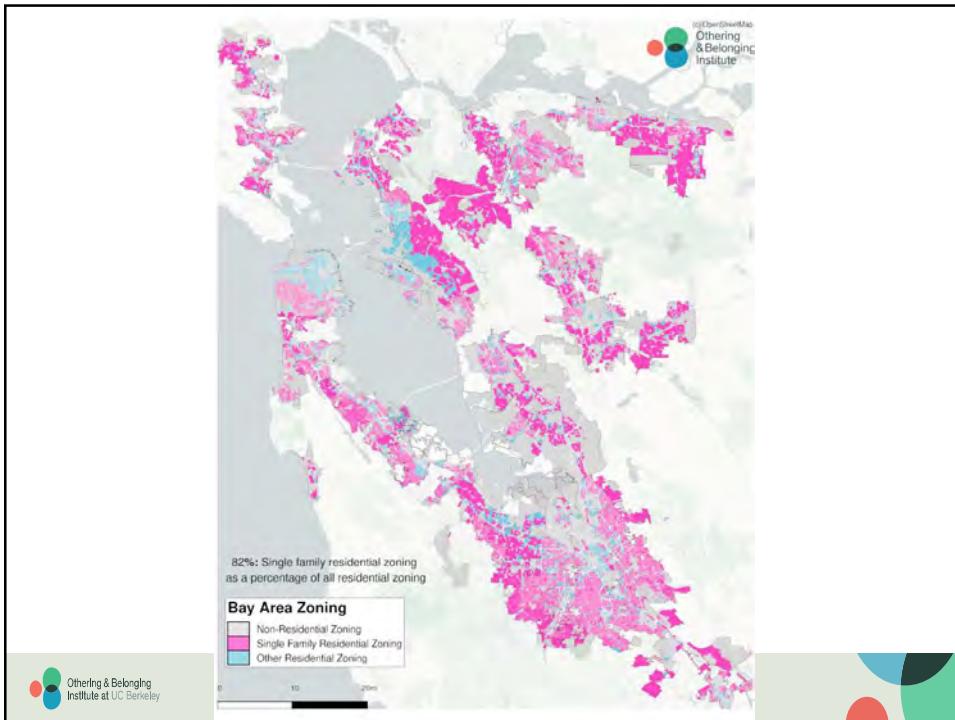
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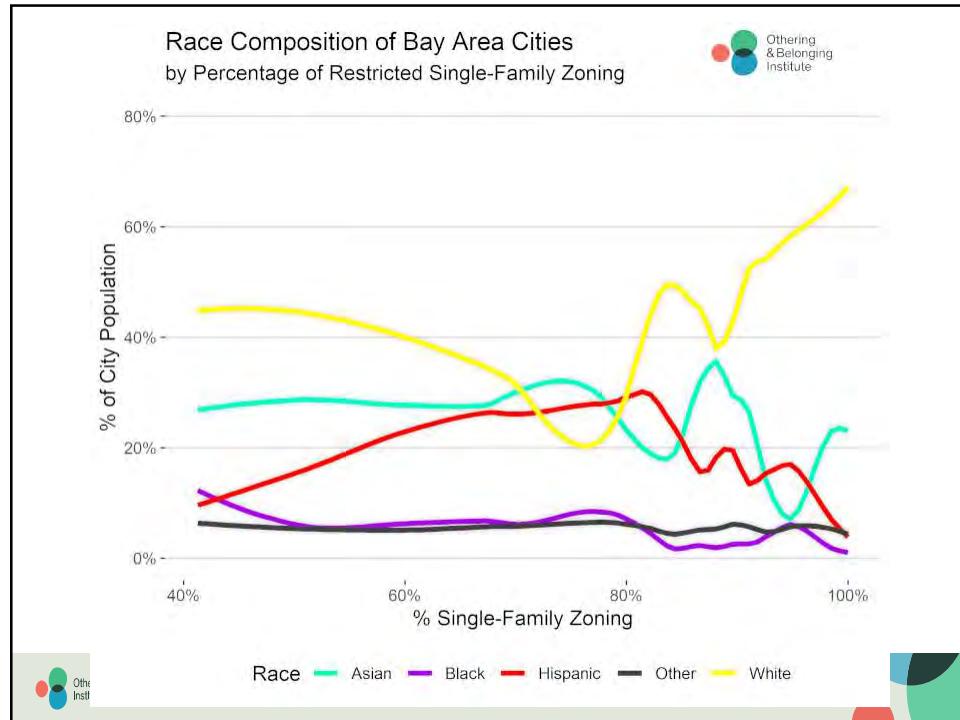
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Single-Family Zoning & Racial Residential Segregation

Table 2: City Composition by Single-Family Zoning Percentage

Within-City Segregation	0.15	0.13	0.04	0.13	NA
% White	34%	33%	53%	36%	40%
% Hispanic	22%	26%	16%	23%	24%
% Other	6%	5%	5%	5%	5%
Number	21	24	22	67	NA

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De Jure or De Facto?

- Rothstein argues that all racial residential segregation is de jure, caused, at least in part, by government policy.
- While I largely agree with this argument, I find the 'de facto' and 'de jure' distinction to be indefensible.
- Government policy was influenced by private/market actors and vice versa to such an extent that they can never be fully disentangled.
- "[t]he distinction between government and private action [...] can be amorphous both as a historical matter and as a matter of present-day finding of fact. Laws arise from a culture and vice versa. Neither can assign to the other all responsibility for persisting injustices."
- I concur.



Justice Kennedy

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To read more...



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US Regions, Ranked by Segregation



Alaska and Hawaii are included in Pacific region

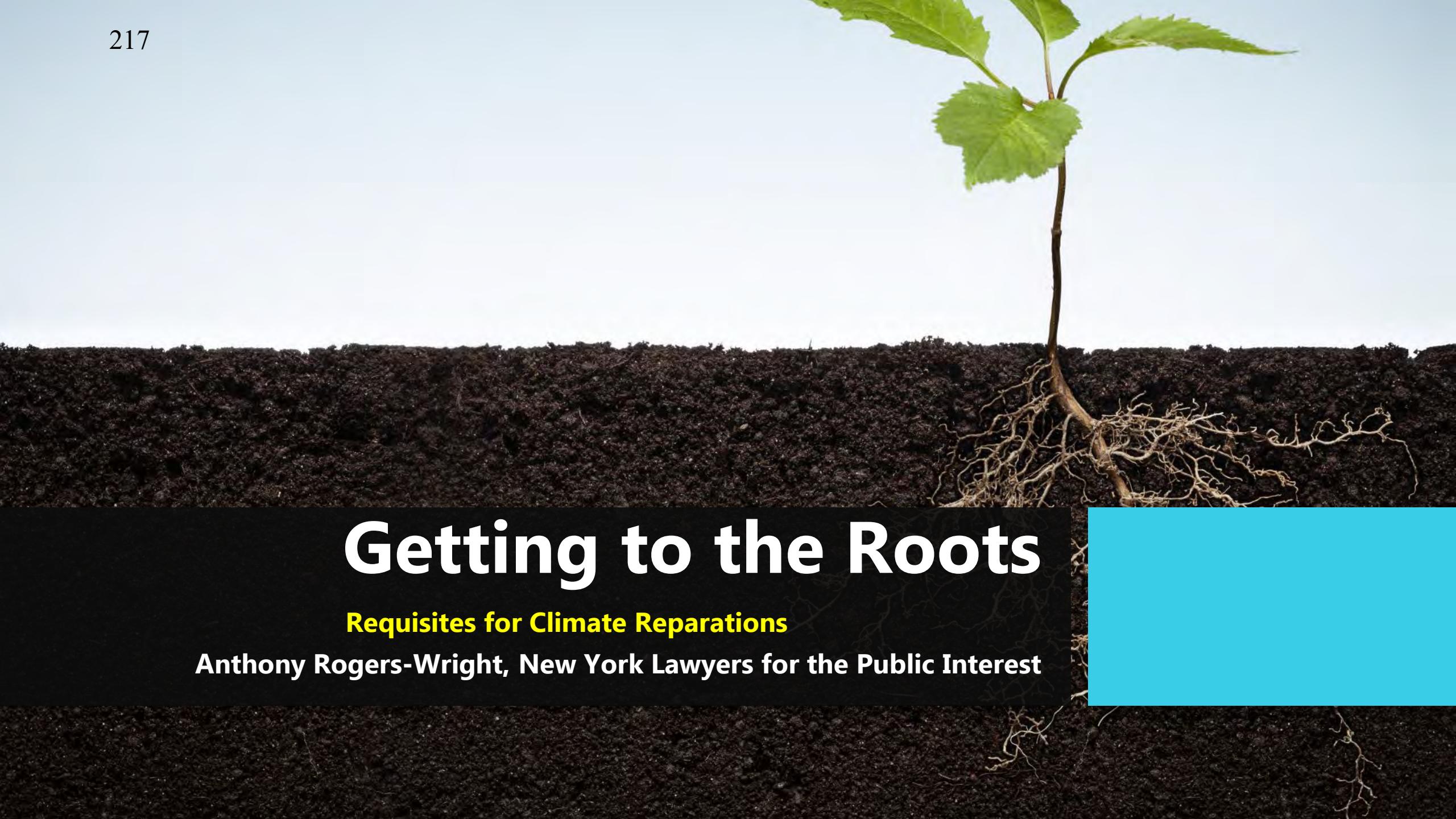
The Roots of Structural Racism Project

Project Summary The Roots of Structural Racism Project was unveiled in June 2021 after several years of investigating the persistence of racial residential segregation across the United States. Among the many components included in this project are the national segregation report which contains startling findings about the intensification of racial residential segregation in recent decades; an...

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Getting to the Roots

Requisites for Climate Reparations

Anthony Rogers-Wright, New York Lawyers for the Public Interest

Climate Change is a Social Construct

- As the preeminent environmental justice scholar and practitioner Dr. Robert Bullard reminds us, frontline, low-wealth communities of color are hit “first and worst” by the impacts of climate change.
- “Environmental and public health threats from natural and human-made disasters are not randomly distributed. Healthy places and healthy people are highly correlated. It should be no surprise that the poorest of the poor within the United States have the worst health and live in the most degraded and at-risk environments.”

Climate Disasters Are Not Just Natural Phenomena

Disasters are commonly thought of as 'naturally occurring' (such as earthquakes and hurricanes) because they are not thought to be directly caused by humans. However, disasters can be considered social constructs because they emerge from social and economic situations of everyday life (Morrow 1999).

Ghettoization and Climate Vulnerability

We have a myth today that the ghettos in metropolitan areas around the country are what the Supreme Court calls de facto, just the accident of the fact that people have not enough income or to move into middle class neighborhoods or because real estate agents steered black and white families to different neighborhoods or because there was white flight.

But the truth is that while those things existed, the major reason we have ghettos in every metropolitan area in this country is because federal, state and local governments purposefully created racial boundaries in these cities. It was not the unintended effect of benign policies. It was an explicit, racially purposeful policy that was pursued at all levels of government. And that's the reason we have these ghettos today, and we are reaping the fruits of those policies (Richard Rothstein 2014).

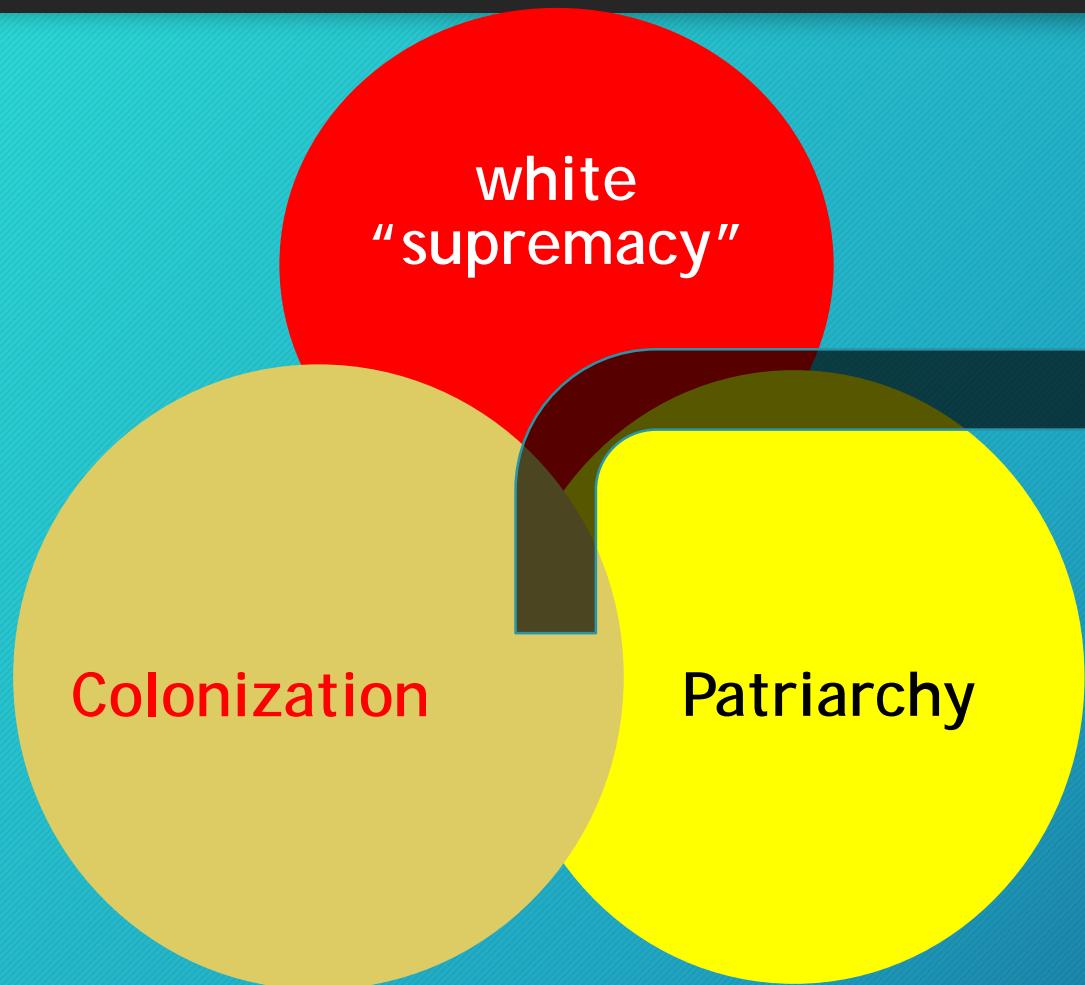
Climate Change Affects Us All... But Not Equally

The Climate Gap:

The disproportionate and unequal impact the climate crisis has on people of color and the poor (Morello-Frosch, et al).

Climate change is an issue of great importance for human rights, public health, and social fairness because of its profound consequences overall and the very real danger that poor neighborhoods and people of color will suffer even worse harms and hazards than the rest of Americans.

Climate Change = System of Oppression



CLIMATE CHANGE

"You can't have climate change without sacrifice zones, and you can't have sacrifice zones without disposable people, and you can't have disposable people without racism." – Hop Hopkins

Getting to The Root of Environmental Racism

- “Mainstream dictionary definitions reduce racism to individual racial prejudice and the intentional actions that result. The people that commit these intentional acts are deemed bad, and those that don’t are good. If we are against racism and unaware of committing racist acts, we can’t be racist; racism and being a good person have become mutually exclusive. But this definition does little to explain how racial hierarchies are consistently reproduced.” – Dr. Robin DiAngelo
- “Racism is racial prejudice PLUS power. Racism is the intentional or UNINTENTIONAL use of power to isolate, separate and exploit others. This use of power is based on a belief in superior racial origin, identity or supposed racial characteristics. Racism confers certain PRIVILEGES on and defends the dominant group, which in turn sustains and perpetuates racism. Both CONSCIOUSLY and UNCONSCIOUSLY, racism is enforced and maintained by the legal, cultural, religious, educational, economic, political, environmental and military institutions of societies. Racism is more than just a personal attitude; it is the INSTITUTIONALIZED form of that attitude.” – Toxic Wastes and Race (United Church of Christ)

Sectors With A Praxis of Racism



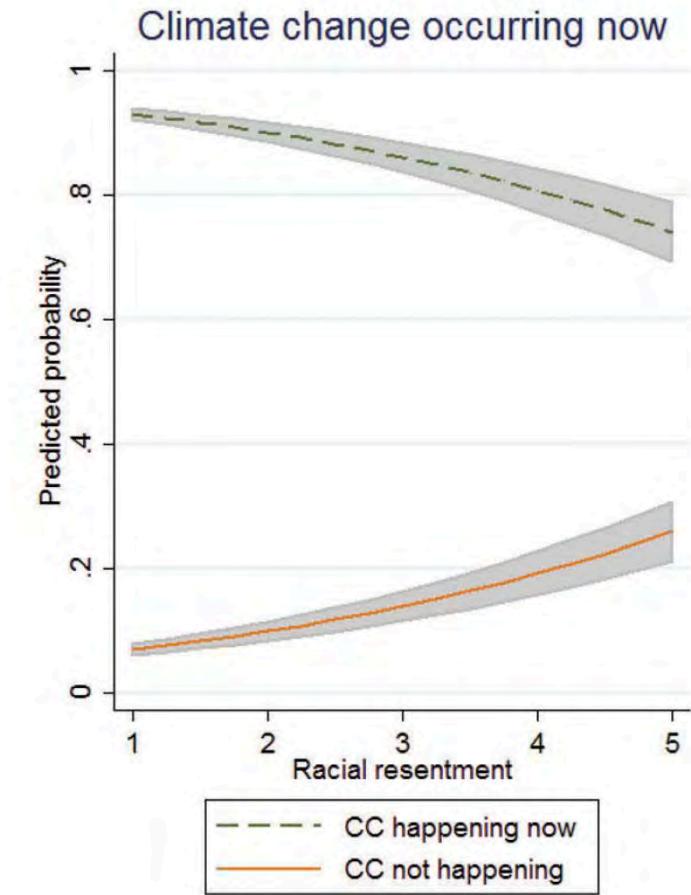
White Supremacy + Climate Change = Sinister Symbiosis

Racial identification and prejudices have spilled over into Americans' perceptions of environmental matters.

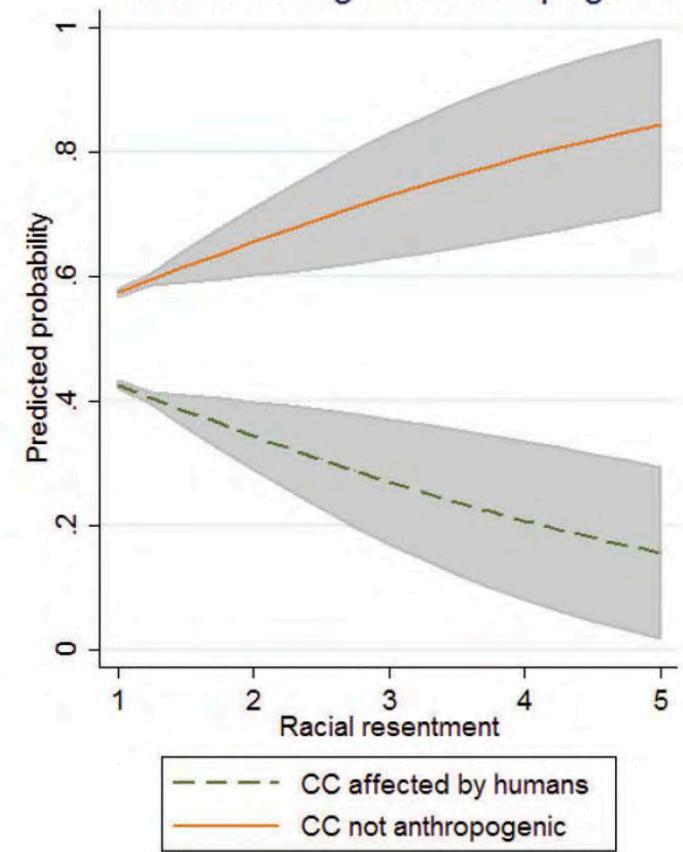
People who don't believe that climate change is real are more likely to be old, more likely to be Republican, and more likely to be white. They are also more likely to have racist beliefs.

While these trends emerged during the Obama presidency and intensified during Trump's campaign, they continued throughout Trump's first year as President with narratives of white grievance and resentment being frequently employed in the context of climate change and energy policy.

Agreement with scientific consensus on climate change



Climate change is anthropogenic



Anthropocene

Racial Capitalocene

- As long as the climate crisis is articulated solely or primarily through an Anglocentric lens, it will never be dismantled as we inch ever closer to total global entropy.
- A history of the racialized Capitalocene will help us understand that climate change is not about human hubris, but the result of the long history of colonialism and racial capitalism and its Promethean thinking—the idea that “Man” can invent a mechanical, technical solution to any problem.
- “The Capitalocene dates back to the sixteenth century, which also witnessed the “discovery of the New World” into which people were brought through the force of “blood and fire,” the slave trade, the division of colonies among European powers, and the organization on a global scale of a mobile, racialized, gendered, and bonded workforce. Slavery and colonialism had a deep impact on the world-ecology.” – Jason Moore
- We must, in our narrative of the racial Capitalocene, integrate this long memory of colonialism’s impact and the fact that destruction in the colonial era becomes visible in the postcolonial era.

A Preamble for Climate Reparations

"WE, THE PEOPLE OF COLOR, gathered together at this multinational People of Color Environmental Leadership Summit, to begin to build a national and international movement of all peoples of color to fight the destruction and taking of our lands and communities, do hereby re-establish our spiritual interdependence to the sacredness of our Mother Earth; to respect and celebrate each of our cultures, languages and beliefs about the natural world and our roles in healing ourselves; to ensure environmental justice; to promote economic alternatives which would contribute to the development of environmentally safe livelihoods; and, to secure our political, economic and cultural liberation that has been denied for over 500 years of colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples, do affirm and adopt these Principles of Environmental Justice." - **1991 Principles of Environmental Justice**

Conditions for a New Social Compact

1996 Jemez Principles for Democratic Organizing

#1 Be Inclusive

#2 Emphasis on Bottom-Up Organizing

#3 Let People Speak for Themselves

#4 Work Together In Solidarity and Mutuality

#5 Build Just Relationships Among Ourselves

#6 Commitment to Self-Transformation

Pathway to a New Social Compact



"You already know enough . . . what is missing is the courage to understand what we know and to draw conclusions." – Sven Lindqvist

Five Perpetual Questions for Equity Through a People's Solution Lens



Source: Climate Justice
Alliance and Labor Network
for Sustainability, 2019

The Five Points of Intervention...Getting to a People-Centered New Social Compact

"So, at the center of an ecological social contract are ethical principles, rules, and norms, which, when they are accepted and practiced widely enough, become an orienting and directing force in a society. "The orientation offered by the substantive norms of a social contract is not solely tacit or habitual. Persons behaving intentionally and reflectively—that is, persons exercising "agency"—also make these rules and reflect on their broader meaning and justification. Moreover, when historical shifts occur in social contracts, the resulting transformations and reconstructions of outlook and values can be radical and systematic." – Bruce Jennings



AB 3121 Statement to the Task Force to
Study and Develop Reparation Proposals for African Americans

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The research I am presenting today focuses on relationships between race, class, housing, and access to green space, parks, and environmental amenities in Oakland, California from 1937 to 2020. Because of this long historical view, I was able to identify a recurring pattern in which low-income residents, communities of color, and particularly African Americans citizens were habitually excluded from and/or dispossessed of property ownership, quality housing, and healthy green environments while also having their housing, neighborhoods, and lives compromised by environmental harms. I have connected these patterns to three distinct eras 1937-1968 when Oakland was a legally segregated city, 1977-1999 when Oakland was a Chocolate, and 2005-2020 when Oakland adopted an environmental agenda and started to be recognized as a top green city, this era is still unfolding.

In 1937 the HOLC (Home Owners' Loan Corporation) security grades codified the bifurcation of Oakland into differently valued landscapes. The hills became the location of most desirable neighborhoods and the flats with neighborhoods declining in value and the least desirable neighborhoods. The HOLC indicated which neighborhoods, environments, and residents were worthy of investment and which are not. The distinction between the hills and the flats is still recognized today.

Within the HOLC area description documents, the hill neighborhoods are touted as “good,” “inspiring,” and/or “unparalleled,” with “pretty treelined streets”, and “good climate.” One of these neighborhoods was “considered one of the best residential areas in East Bay” with others described as a “beautiful sylvan setting, among pine and eucalyptus trees...” or as a “wooded dell, with hillside and forest background.” These neighborhoods are situated next to the 500-acre Joaquin Miller Park, acquired by the City of Oakland in 1917, and Redwood Regional a 1,800-acre forest. In 1934 the Regional Park District was created, “aided by a federal appropriation of \$500,000.” When adjusted for inflation this translates to approximately \$10 million in environmental investments today.

The hill housing tracts had “high racial restrictions.” They enacted race-based restrictive covenants with protective provisions against occupancy by African Americans and Asians. These neighborhoods all benefited from Federal Housing Administration investments providing low-cost long term loans, which were documented to be “cheaper than fair, ordinary rent.” These neighborhoods represent a scarce and coveted commodity in property ownership made possible through government loans and in neighborhood investments which created access to the

surrounding green amenities. The suburbanization process also granted these residents a backyard, a privatized green space for personalized enjoyment, afforded by homeownership. The backyard made these residents less dependent on municipal public parks for their access to green space.

This is in direct contrast to the neighborhoods in the Oakland Flats. These neighborhoods are described as within “walking distance to local industry [...] for laborers,” which is recorded under “favorable influences.” These neighborhoods reveal the intersection of economic advantages through employment and environmental disadvantages among housing options for African American and Asian residents. As early as 1937, these neighborhoods are described as having “odors from factories,” “odors from bay flats; smoke and grime from railroad shops and local industry,” as well as consisting of “cheap older homes,” “zoned for multiple dwellings,” “no restrictions” in regards to racial residential stipulations, with an “infiltration African Americans and Asians. It was also noted, “City taxes [were] too high in proportion to income and value” of these homes. None of the neighborhoods in the Oakland flats document any green amenities. By 1942, Oakland had approximately 48 public parks and playgrounds. De Fremery Park and Recreation Center in West Oakland became the sole recreational space for Black USO officers to congregate. In addition, African Americans were often denied access to the “great outdoors,” when national parks and regional park systems were legally segregated, prior to the 1964 Civil Rights Act.

The HOLC upheld and solidified racially segregated housing practices and created distinct landscapes and differently valued neighborhoods, the Federal Housing Administration along with other federal, state, and local governments helped to fund the process, and together they created the necessary conditions needed to disinvest and devalue the neighborhoods in the flats of Oakland and clearing the way through demolition using eminent domain for Urban Renewal projects of the 1940s and 50s, the creation of the federal highway system, and the Bay Area Rapid Transit system a decade later. The legacy of the HOLC’s risk grades evaluation system is associated with current neighborhood racial residential patterns, poverty, income inequality, tree canopy coverage, higher ambient temperatures, location of hazardous waste facilities and superfund sites, and a lack of green space, parks, and biodiversity. The HOLC system captured, contained, and contaminated these communities for generations.

In the next era, 1977-1999 Oakland’s population transitioned from a White majority to an African American plurality due to white flight to neighboring suburban municipalities. During this time neighborhoods in the flats of Oakland “saw a second wave of new parks, most associated with the freeway construction.” The remaining undeveloped lands from freeway construction were acquired and used as sites for park creation. While “the number of city parks increased dramatically during this period, [the] total park acreage increased only slightly.” Both new and historical parks within these neighborhoods were now situated under or near freeways, exposing these communities to a new set of environmental harms from traffic-related air pollution. According to The Health Effects Institute Panel, the exposure zone from a highway or a major road is approximately 300 to 500 meters. Similarly, the Mayo Clinic placed the highest pollution levels 400 meters from a road and advises to “avoid these kinds of areas when exercising.”

In the historically African American district of West Oakland and prior to 1989 all of the parks were located within 500 meters of a freeway. With most of the park being acquired during and

after freeway construction and dedicated as municipal parks and/or recreation centers. Only due to Cypress Viaduct freeway collapse in 1989 due to the Loma Prieta Earthquake, all the parks except for three, De Fremery, Wade Johnson Park, and McClymonds Mini-Park, are still in the air pollution exposure zone due to remaining freeways that encircle West Oakland. This pattern is echoed in the Chinatown/Downtown district, all five parks are within the exposure zone of one or more freeways. East Oakland in particular is a park-poor area and lacking in overall green spaces. Most of these parks are located within the I-880's hazardous air exposure zone. These new municipal parks did not mitigate the green space deficit between the hills and the flats. The predominantly White residents in the Oakland Hills still lived in a suburban aesthetic of tree-lined streets, thick with green spaces, and nestled among the public Joaquin Miller Park described as "urban wildlands" and Reinhardt Redwood Regional Park said to be "peaceful groves."

In 1992 while Oakland was a Chocolate City it began to enact its environmental agenda. In 1996 and 1998, the City of Oakland adopted two environmental initiatives that were modeled from the 1992 Earth Summit Agenda 21 and 1997 Kyoto Protocol which brought cities to the forefront and recognized urban areas as essential to creating a healthy environment and

What emerged was the concept of a green city, an urban area designed to advance sustainability goals, address climate change, improve quality of life, and minimize negative environmental impacts. A crucial part of creating the green city is the production of green spaces (e.g., parks, gardens, and urban agriculture).

Green spaces absorb CO₂ and air pollutants, reduce flooding from stormwater run-off, mitigates the urban heat island effect, and can serve as areas for recreation, food production, wildlife habitat formation, and socio-cultural production and placemaking. The promise of the green city is particularly vital for low-income neighborhoods and communities of color who tend to be the most environmentally compromised, and are less likely to live next to or have access to healthy green spaces. There are two parts to creating a green city. Part 1 is financial and includes the business practice of investing energy, products, and services in low-income, minority, and disabled communities. Part 2 is environmental and involves the creation of large areas of land with a mix of uses that are in some combination of public and private ownership but are managed for public purposes such as recreation, ecological preservation, and maintenance of scenic vistas.

Between 1992 and taking effect in 2005 the City of Oakland began to erode the amount of affordable and low-income housing stock while simultaneously creating the foundation in which Oakland (re)envisioned itself as a green city. The HOPE VI program contributed to the removal of more than 4,000 low-income housing units in Oakland between 1992 and 2018 by placing public housing into the rental market using the voucher 8 program. This coincided with the Great Recession and the subprime mortgage crisis in which California was amongst one of the states hardest hit. African Americans and Latinx communities in California, were disproportionately affected by the crisis because they also had been targeted by subprime predatory lending institutions at twice the rate of Whites.

During this time a proliferation of Master Plans in which green space creation was coupled with luxury housing development. These master and specific plans rendered green gentrification and erased African American residents and misrepresenting the actual demographics of the neighborhoods they depicted. Developers and landlords also benefited from millions of dollars in

Environmental Protection Agency brownfield mitigation project grants used to remove high levels of lead contamination in the soil in the flats of Oakland, in predominantly African American neighbors and removing this population through eviction, raising the cost of living, and spurring on gentrification.

What is taking place now is not only green gentrification through displacement but gentrification through exclusion in which government funding and tax incentives make these environmentally remediated housing plus park developments possible while economically excluding the populations that need it the most. This is not just in Oakland, it happened in San Francisco's Hunters Point, in Chicago and their rollout of green roofs, in Birmingham with Railroad Park, New York's Highline, and that is just to name a few.

In all three eras, African Americans are habitually excluded from and/or dispossessed of property ownership, quality housing, and green amenities while also having their housing, neighborhoods, and lives compromised by environmental harms and repeatedly sacrificed, benefiting the municipality and its White residents.

Testimony Before the AB 3121 Task Force
to Study and Develop Reparation Proposals,
October 12, 2021

Helen H. Kang
Professor of Law
Director, Environmental Law and Justice Clinic
Golden Gate University School of Law

I direct the Environmental Law and Justice Clinic, a pro bono legal service provider housed within Golden Gate University School of Law, which was founded on the explicit recognition that race matters when it comes to pollution and green amenities. I have expertise in environmental racism and its many manifestations and have studied and written about these injustices. Our clients –Black and brown communities who bear disproportionate pollution burdens – have significantly contributed to this expertise. It is with this background that I testify before the Task Force.

As the Task Force has recognized in including environmental racism as a topic of study, it is an important aspect of reparation: environmental degradation that Black Americans have experienced is but an aspect of systemic racism that has pervaded their lives, from womb to grave.

My testimony will focus on the Bayview Hunters Point neighborhood in San Francisco – which I'll refer to as Bayview or Hunters Point– to illustrate the role of systemic racism in magnifying pollution in the historically Black neighborhood. Specifically, I will draw the connection between environmental injustice and de jure segregation in San Francisco after the Great Migration. I will touch on redlining and zoning practices that further entrenched the government-sponsored racial segregation in Bayview, resulting in concentrating Black residents into one of the most polluted areas in the nation. I will conclude by demonstrating how these injustices have been compounded in the last two decades, despite federal and state civil rights laws, through urban renewal and development policies. This is a shared history of many historically Black communities in urban America.

De Jure Segregation of Bayview Hunters Point

As the Great Migration was transforming our nation, the City of San Francisco remade Jim Crow by intentionally creating segregated neighborhoods. This segregation was accomplished through the actions of the US Navy and the City of San Francisco as they created public housing to accommodate wartime workers, who at the Hunters Point shipyard alone numbered as many as 17,000.

In Richard Rothstein's telling, segregation in the San Francisco Bay Area serves as a particularly damning instance of de jure segregation because the government created segregated areas where they did not previously exist: unlike in other metropolitan areas, there had been too few African

Americans in areas like San Francisco for segregation patterns to cement themselves before the Great Migration of African Americans through the midst of World War II.

In other words, the same underlying prejudices and the entrenched belief in the supremacy of the white race and the “otherness” of Black people that infected the Jim Crow South were prevalent in San Francisco, as elsewhere.

Intensification of Segregation of Bayview

The demographic pattern hardened as the Home Owners’ Loan Corporation (“HOLC”) redlined Hunters Point and as the Federal Housing Administration and U.S. Department of Veteran Affairs denied African American homeownership in most suburbs.

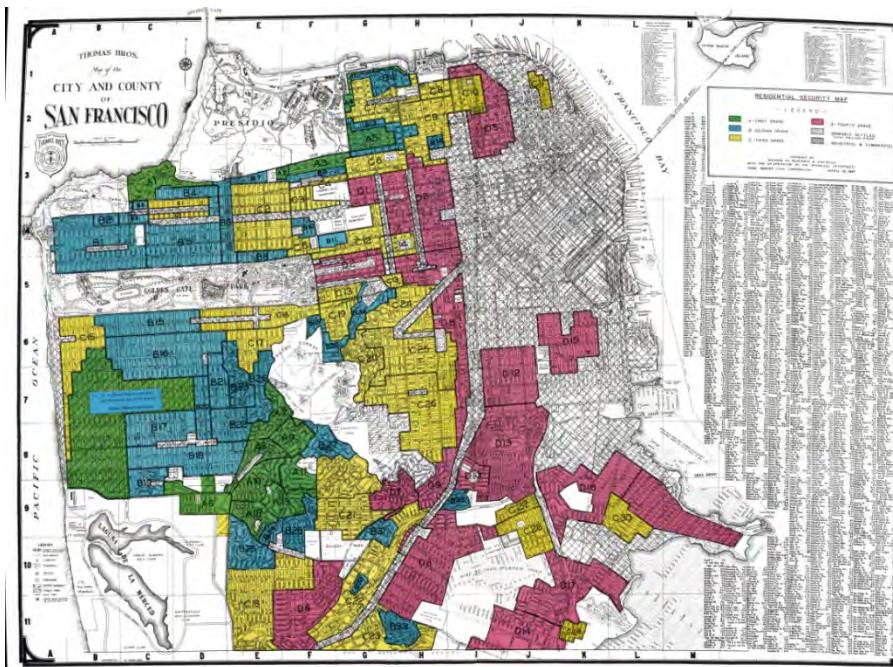


Figure 1 Source: Mapping Inequality

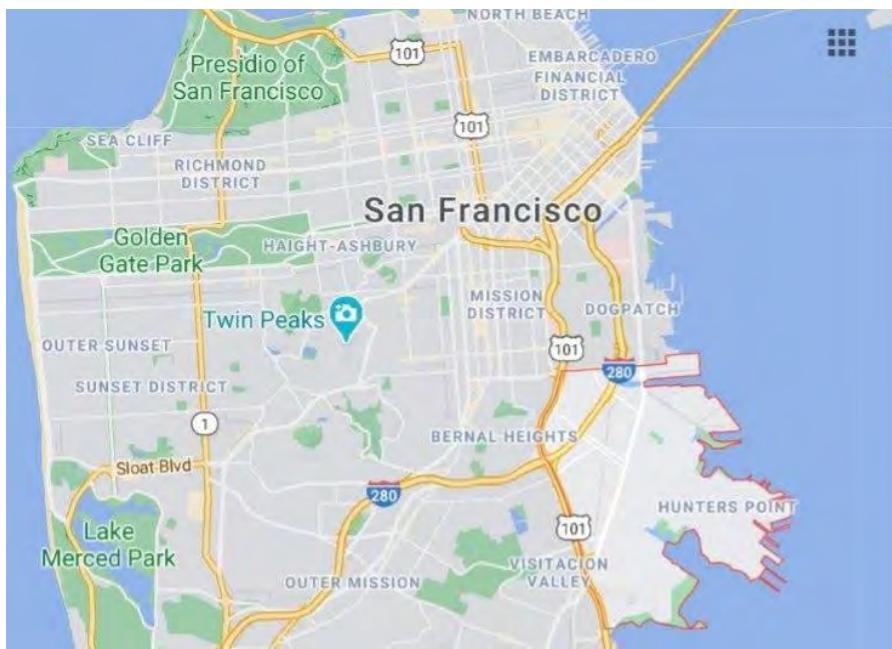


Figure 2 Source: Map Data 2020 Google

Map cropped to match the HOLC map in Figure 1; the area demarcated in red is Bayview-Hunters Point.

Economic Devastation of African American Residents and Expulsive Urban Removal Policies

In the post-war decades, economic devastation and urban renewal policies further set back the African American communities of San Francisco; these developments first intensified the segregation of African Americans in Bayview, but then contributed to a severe out-migration of African American residents from Bayview.

Intensification of Segregation: Around the same time Bayview was originally segregated, the city's housing authority also created segregated housing in the Western Addition neighborhood—four buildings for white families and one for African Americans. The Western-Addition became a thriving cultural center for the city's Black residents and businesses. In 1947, however, the San Francisco Planning and Housing Association published a report called "Blight and Taxes," arguing that the city's "cancerous growth" of areas like the Western Addition were imposing cost burdens on the residents in "better areas" and that "it costs more to keep the slums than to tear them down and rebuild."¹

Subsequently, pursuant to the federal 1949 Housing Act, under which many urban areas considered "slums" were demolished for development funding, the City of San Francisco targeted the Fillmore, whose residents by then were mostly Black, for the largest redevelopment project on the west coast. Over 4,700 households "were forced out of their homes, often without much warning or adequate compensation," through eminent domain, and the city evicted 13,000 more people; nearly "2,500 Victorian homes were demolished" once the bulldozers that began

¹ San Francisco Planning and Housing Association, *Blight and Taxes* 1, 10 (1947).

their work finished.² About 900 businesses were shut down, among them reportedly 600 Black-owned banks, small businesses such as retail shops and barbershops, and entertainment businesses, including jazz clubs that featured the famous artists of the time.³ The city's redevelopment agency evicted renters and property owners and gave them meaningless vouchers to return upon the properties' redevelopment – meaningless because housing largely failed to materialize at the end of the decades-long redevelopment process. Most Black families were displaced, some of them to Bayview and others to places outside of the city such as Antioch, Vallejo, West Oakland, and Stockton.

Displacement Out of Bayview

As I testify, Bayview is no longer a majority Black neighborhood and has been that way since the beginning of the new century. Asian Americans and Latinos—even separately—far outnumber Black residents. As of 2017, Black residents were ten percent of the neighborhood's population, as compared to 72 percent in 1970.

The “Black exodus” of the recent decades, which residents have called an expulsion, has resulted not just from the intense economic pressures in a city where a family of four earning about \$117,000 is considered low-income, but from yet another aspect of racial targeting, i.e., predatory lending practices resulting in high rates of foreclosure. Another pressure Bayview faces is from gentrification: residents who owned homes are growing old, and the next generation can no longer afford to live in the houses where their grandparents and parents built their lives and a community. The City of San Francisco is in the midst of erecting a 750-acre city within a city, redeveloping Candlestick Park stadium and the naval shipyard. Known as the biggest redevelopment in the city's modern history, with expected investments in the billions of dollars, the redevelopment envisions creating 12,000 housing units alongside five million square feet of commercial and retail space and 350 acres of public space, including cultural centers and parks. One of the two shuttered power plant sites is also slated for development.

Once finished, these developments other developments in the works to the west) will be dotted with parks and bayside trails. In the words of one community activist whose mother was among those evicted from the Western Addition in the 1960s and found a home in Bayview, only to

² See generally Sarah Erlich, *The Disappearance of Black San Franciscans: 1970-2010*, 1 Eleven 38-39 (2010); Leslie Fulbright, *Sad Chapter in Western Addition History Ending*, SF Gate (July 21, 2008, updated Feb. 9, 2012), <https://www.sfgate.com/bayarea/article/Sad-chapter-in-Western-Addition-history-ending-3203302.php>; Rachel Brahinsky, *Fillmore revisited – How Redevelopment Tore Through the Western Addition*, San Francisco Public Press (Sept. 23, 2019), <https://www.sfpublicpress.org/fillmore-revisited-how-redevelopment-tore-through-the-western-addition/#>.

³ Arnold Townsend, *It Was Too Late, in (Dis)location: Black Exodus* 51, 52 (2019), <https://antievictionmap.com/dislocationblack-exodus>.

move to Stockton, Marie Harrison, who has since died from lung disease, the new development is unfortunately not for “her or for her grandchildren.”⁴

Health Inequities Rooted in Segregation and Structural Racism

“Racial residential segregation is a foundation of structural racism, and contributes to racialized health inequities.”⁵ Specific to Bayview, connecting the formerly redlined areas of Bayview with a measure of social vulnerability, NCRC’s report shows that the neighborhood, even with post-1970 demographic changes, is highly vulnerable: D16 and a part of D17, which are part of Bayview in the HOLC map (Figure 1), register Social Vulnerability Indices of 0.779 and 0.928, on a zero-to-one scale, based on the 2018 Center for Disease Control and Prevention’s data.⁶ Since the Social Vulnerability Index, however, does not account for pollution, we need to review another tool. According to a measure of inequity based on pollution burden and socio-economic factors, called CalEnviroScreen, Bayview ranks among the most impacted in the State of California.⁷ All of the areas east of Third Street, the main thoroughfare east of 101 North, which are part of Bayview, score in the 85 to 90th percentile, except the area in the figure below marked in the color aqua, which scores in the 90 to 95th percentile, meaning that the burden is higher than the 85 to 95 percent of the census tracts in California.⁸

⁴ Adam Brinklow, *Where SF Plans to Build its Next 40,000 Homes*, Curbed San Francisco (Dec. 23, 2019), <https://sf.curbed.com/maps/map-san-francisco-development-planning-pipeline-housing>.

⁵ Jason Richardson, Bruce C. Mitchell, Jad Edlebi, Helen C.S. Meier & Emily Lynch, *The Lasting Impact of Historic “Redlining” on Neighborhood Health: Higher Prevalence of COVID-19 Risk Factors* 6, National Community Reinvestment Coalition (2020) [“NCRC Report”], <https://ncrc.org/holc-health/>.

⁶ See D16, Not Even Past: Social Vulnerability and the Legacy of Redlining (last visited Mar. 6, 2021), <https://dsl.richmond.edu/socialvulnerability/map/#loc=14/37.725/-122.388&city=san-francisco-ca&area=20-D16>; see also D17, Not Even Past: Social Vulnerability and the Legacy of Redlining (last visited Mar. 6, 2021), <https://dsl.richmond.edu/socialvulnerability/map/#loc=14/37.725/-122.388&city=san-francisco-ca&area=20-D17>. The index, originally developed for disaster management, accounts for “1) socioeconomic status, 2) household composition and disability, 3) minority status and language, and 4) housing and transportation.” Barry E. Flanagan, Edward W. Gregory, Elaine J. Hallisey, Janet L. Heitgerd & Brian Lewis, *A Social Vulnerability Index for Disaster Management*, 8 J. of Homeland Sec. and Emergency Mgmt 1, 4 (2011), <https://svi.cdc.gov/A%20Social%20Vulnerability%20Index%20for%20Disaster%20Management.pdf>.

⁷ Tiffany Eng, Amy Vanderwarker, Marybelle Nzegwu, *CalEnviroScreen: A Critical Tool for Achieving Environmental Justice in California*, California Environmental Justice Alliance 13 (2018), https://calgreenzones.org/wp-content/uploads/2018/09/CEJA-CES-Report-2018_web.pdf.

⁸ See SB 535 Disadvantaged Communities, California Office of Environmental Health Hazard Assessment (last updated June 2017), <https://oehha.ca.gov/calenviroscreen/sb535>. The census tracts do not correspond neatly to the neighborhood boundaries of Bayview.

These indices wouldn't surprise the residents at all. They know about the radioactive contamination at the naval shipyard that attests to our nation's nuclear past that still hasn't been cleaned up; the power plants that operated for decades, the only power plants in the city; the industrial and commercial facilities like autobody shops; concrete production and materials handling facilities, some of which have operated without permits, that produce harmful particulate matter that lodge deeply in your lungs; the highways and roadways that bisect their neighborhood; the smelly sewage plant that handles 80 percent of the city's sewage and the other plant in a non-Black neighborhood that doesn't smell; and bus yards and warehouses that draw traffic. They know about the sewage overflows and lack of amenities such as access to healthy foods services and quality parks and recreational space, in addition to other inequities in education and policing.

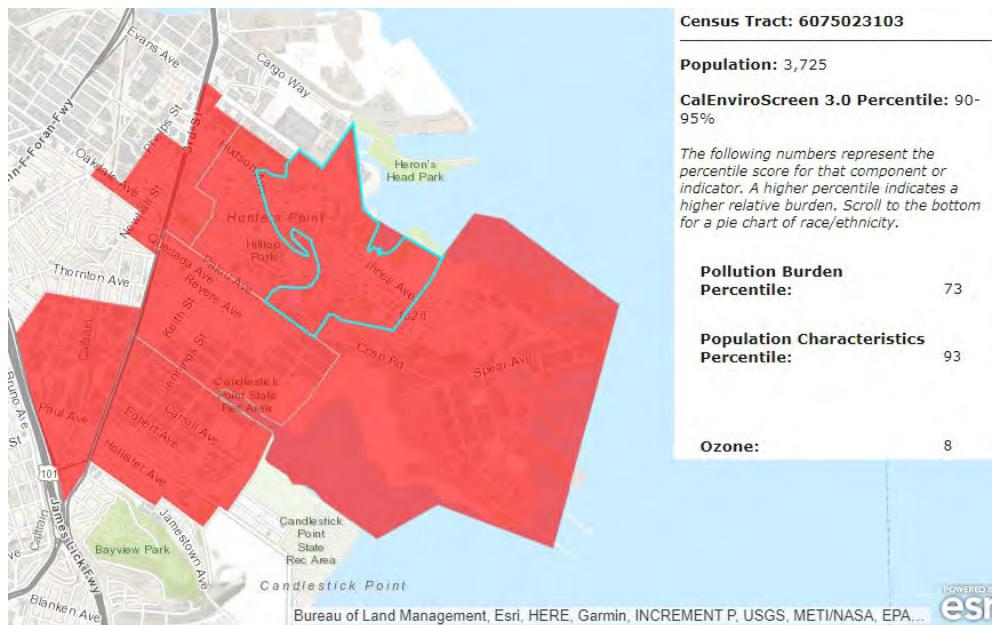


Figure 3 Source: OEHHA

Like Bayview, following segregation and divestment of resources, redlined areas elsewhere in the country show similar characteristics, which are connected to negative health outcomes: where you live determines your health. Furthermore, studies document what Bayview residents know: "populations displaced by gentrification, as compared to those who remained, typically have shorter life expectancy, higher cancer rates, more birth defects, greater infant mortality, and higher incidences of asthma, diabetes, and cardiovascular disease."⁹ Displacement can also

⁹ Shadi O. Tehrani, Shuling J. Wu & Jennifer D. Roberts, *The Color of Health: Residential Segregation, Light Rail Transit Development, and Gentrification in the United States*, Int'l J. of Env't Research & Pub. Health (Sept. 2019), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6801918/>.

profoundly harm mental health.¹⁰ Other impacts include loss of culture, sense of place, community, and neighborhood resilience.¹¹

Compounding the inequities is this: as the neighborhood is being cleaned up and miles of trails along the southeastern shore of San Francisco become accessible to residents, the Bayview residents who were exposed to pollution will not get to enjoy the fruits of their labors. Many of these residents fought for a cleaner environment, including for the closure of the two powerplants and for better cleanup at those places and the radioactively-contaminated shipyard. Yet they have now been displaced, often to areas that are also contaminated. The benefits of any positive developments in the community, therefore, do not inure to them.

Instead, as some Bayview residents poignantly describe, the displaced and the soon-to-be displaced have simply served as human filters, carrying with them body burdens of pollution. This environmental injustice, where the displaced cannot benefit from the cleanup even though they bore the brunt of the cumulative pollution in Bayview, cannot be redressed with environmental solutions. This injustice is a result of systemic problems requiring systemic solutions.

Conclusion

The federal and local governments created Bayview as a segregated community. The city then intensified this segregation when it destroyed the Western Addition, eliminating one of the two areas where most of the city's Black population lived. In recent years, the city's mega-redevelopment effort is once again displacing the city's Black population.

Meanwhile, the most notable features that signified the pollution-scape, the power plants, are gone, primarily as a result of the persistent advocacy of the community. Significant green space is also being created and envisioned. Yet, having been subject to the harms of segregation, African Americans who once lived in Bayview are not there to enjoy the benefits. Instead, the displaced are likely occupying yet another landscape dotted with pollution sources.

To remedy the injustices of this past, the focus on environmental justice is too narrow a vision, while still fundamental. The solutions require a whole-of-government approach that incorporates reparation for these communities.

¹⁰ *Id.*

¹¹ *Id.*

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President of the American Historical Association (2021-22)

Testimony to be delivered before
The California Task Force to Study and Develop Reparation Proposals for African Americans
October 13, 2021

For the purposes of the Task Force, we must consider the history of women of African descent in their roles as workers (waged and unwaged) and also as family and community members. Here I provide a brief overview of region-specific and national trends. I also cite specific examples drawn from California history, especially for the period after 1941. My emphasis is on the harmful discriminatory effects of governmental policies at all levels—local, state, and federal—combined with private employers' strategies related to profit-making and workplace configurations. Governmental entities played a significant part in promoting and sustaining racist practices, especially before 1964. As a result, those entities bear a direct responsibility for persistent patterns of poverty and low levels of asset-accumulation among Black families in California and throughout the nation. Even after the passage of major Civil Rights legislation in the mid-1960s, private companies such as banks and corporations have engaged in lending and hiring practices that help to solidify patterns of racial inequality. Residential segregation and the harmful effects of U. S. tax policies continue to have adverse effects on Black families. The history of Black women represents a key element in this larger story of public-private complicity in limiting the economic opportunities of all Black people.¹

¹ For an overview, see Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work and the Family from Slavery to the Present* (New York: Basic Books, 2010).

Many Black Californians today trace their lineage back to the U. S. South, where their forebears were enslaved. The institution of slavery was a massive, government-sustained program of wage theft affecting millions of people of African and Indigenous descent who lived and labored (in territory that would become part of the United States) between the early seventeenth century and 1865. Carried out primarily (but not exclusively) in brutal labor camps called plantations, slavery depended on the strict oversight and enforcement provided by public officials at the local, state, and (beginning with the founding of the U. S.) federal levels. Enslavement was not a product of neutral “market” forces, but rather the result of direct intervention by intertwined mutually reinforcing legislative and private interests.

In the South, enslaved women worked in the fields growing staples such as tobacco, cotton, sugar, and rice, and in the kitchens and parlors of their white masters and mistresses. On the earliest plantations, in the Chesapeake region (the colonies of Virginia and Maryland), local officials taxed all field workers, called “tithables,” which included white, Black, and Indigenous men and Black and Indigenous women. This system of taxation resulted in the deployment of enslaved women in the fields, while white (English and other European) women remained confined to household work.² Black women thus performed what was traditionally considered “men’s work”—in seventeenth and eighteenth centuries cultivating tobacco and then by the late eighteenth century planting, chopping (weeding), and harvesting cotton—as well as “women’s work”—cooking, cleaning, and performing childcare for white people.

Enslaved men and women were exploited under slavery, but in certain respects they experienced manifestations of that exploitation differently. A division of labor in the slave quarters mandated

² Kathleen Mary Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1996).

that women and girls were responsible for food preparation, childcare, and laundry, adding to their burdens. Women labored under the constant threat of sexual assault from the men who oversaw their work in the fields and from white men generally—overseers and the sons and guests of plantation owners no less than the owners themselves. The rape of women was an instrument of terror wielded by white men, but it was also a means of increasing the enslaved workforce, thereby enriching the owner. Thus Black women were integral to this system of profit-making, which relied not only on their work in the fields but also on their reproductive labor.³

Between 1619 and 1808, approximately 9,566,000 men, women, and children were forcibly removed from Africa to the Americas; the vast majority went to the Caribbean and South America. Indeed, only about 300,000, or 4-6 percent of the total, were transported to what would become the United States.⁴ Yet by 1865 the nation's Black population amounted to over 4,400,000 people, revealing a dramatic pattern of natural growth over the generations. That number suggests the arduous labors of Black women as field hands, domestic servants, and bearers of children. Indeed, after the end of U. S. participation in the international slave trade, planters more than ever depended upon the reproductive labors of enslaved women, helping to account for large families as well as instances of sexual assault and forced mating.⁵

Town, county, and state officials as well as the federal government permitted slave owners a great deal of leeway in punishing and abusing their workers. Marked by shocking levels of

³ Deborah Gray White, *Ar'n't I a Woman? Female Slaves in the Plantation South* (New York: W. W. Norton, 1985); Rachel A. Feinstein, *When Rape was Legal: The Untold History of Sexual violence during Slavery* (New York: Routledge, 2019).

⁴ Philip Curtin, *The Atlantic Slave Trade: A Census* (Madison: University of Wisconsin Press, 1972).

⁵ Jennifer L. Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004).

sadism and sexual license, the system of slavery amounted to a form of state-sponsored domestic terrorism. This system found favor with white people in the North, many of whom after 1790 or so benefited directly from the cotton economy—as sea captains, merchants, machine operatives in textile mills, and consumers of cheap cloth. Recently, scholars have argued that the cultivation of cotton fueled the Industrial Revolution and created not only great fortunes for a few, but a general prosperity among the white propertied classes in the antebellum North and South. Enslaved bodies—bought, sold, exploited for labor and sex, mortgaged, and insured—were extremely valuable commodities within the national and global economy.⁶

The United States Constitution does not mention the word slavery, but the 1787 document did protect private property, which included enslaved workers. In 1790 Congress stipulated that only free white men should be allowed to immigrate to the U. S. and eventually apply for citizenship.⁷ Although the Constitution mandated the banning of the international slave trade in 1808, that ban did not apply to the buying and selling of Black people within the United States. In the first half of the nineteenth century, Black families were routinely separated as part of a massive forced migration from the worn-out tobacco fields of the Upper South to the fresh cotton fields of the Southeast and Old Southwest.⁸ At the local level, towns and counties sponsored slave patrols, groups of white men charged with recovering fugitives and maintaining a racialized “order” on the southern countryside. In 1850, a robust Fugitive Slave Act passed by Congress represented a

⁶ Daina Ramey Berry, *The Price for their Pound of Flesh: The Value of the Enslaved, from Womb to Grave, in the Building of a Nation* (Boston: Beacon Press, 2017); Edward Baptist, *The Half has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2016); Sven Beckert, *Empire of Cotton: A Global History* (New York: Vintage Books, 2015); Sven Beckert and Seth Rockman, eds., *Slavery's Capitalism: A New History of American Economic Development* (Philadelphia: University of Pennsylvania Press, 2018).

⁷ Aristide R. Zolberg, *A Nation by Design: Immigration Policy in the Fashioning of America* (Cambridge: Harvard University Press, 2008).

⁸ Brenda E. Stevenson, *Life in Black and White: Family and Community in the Slave South* (New York: Oxford University Press, 1996); Walter Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge: Harvard University Press, 2017).

renewed effort by the federal government to serve the interests of southern slaveholders; the act forced all Northerners to be responsible for apprehending alleged slave runaways, men and women who, at so-called rendition hearings, had no legal rights when it came to defending themselves or claiming their freedom on free soil.⁹

During the Civil War, many enslaved people liberated themselves by seeking refuge behind Union lines. Black women labored in refugee camps as servants for Union officers and as laundresses for Union troops. In many cases neither they nor their menfolk, hired as fatigue workers, received the financial compensation they had been promised.¹⁰ About 180,000 Black men from both the South and the North served in the Union military, though until the last year of the war Black soldiers were paid less than their white counterparts. This discriminatory pay scale had profound effects on the well-being of wives, children, and other dependent kin back home. For southern Black soldiers, serving in the Union army put their loved ones at home at risk for their lives.¹¹

In the wake of the abolition of slavery, the U. S. government made no concerted effort to compensate the millions of freedpeople who had literally slaved their whole lives to enrich their owners and the country generally. Most Black men and women emerged from bondage with only the clothes on their backs; they had no cash, land or credit, prerequisites for self-sufficiency in the rural South. In any case, many whites refused to extend to Blacks the credit necessary to buy

⁹ R. J. M. Blackett, *The Captive's Quest for Freedom: Fugitive Slaves, the 1850 Fugitive Slave Law, and the Politics of Slavery* (Cambridge: Cambridge University Press, 2018).

¹⁰ Joseph P. Reidy, *Illusions of Emancipation: The Pursuit of Freedom and Equality in the Twilight of Slavery* (Chapel Hill: University of North Carolina Press, 2020); Chandra Manning, *Troubled Refuge: Struggling for Freedom in the Civil War* (New York: Knopf, 2016).

¹¹ John David Smith, *Black Soldiers in Blue: African American Troops in the Civil War Era* (Chapel Hill: University of North Carolina Press, 2003); James G. Mendez, *A Great Sacrifice: Northern Black soldiers, their Families, and the Experience of Civil War* (New York: Fordham University Press, 2019).

land, and these whites also refused to sell land to the few Black people who possessed the means to buy it.¹²

After the Civil War, many freedwomen withdrew from field labor, an act of defiance that angered both southern planters and northern government officials. For the planters, the drop in the number of women field hands signaled a serious threat to the cotton economy, which had depended on their labor. Northern officials of the Freedmen's Bureau (a government agency established to effect the transition of enslaved people to freedom) considered Black women a subset of all poor women, who were supposed to work rather than remaining "idle" at home. This view revealed a dramatic double standard separating middle-class women who devoted fulltime to their families, from impoverished Black women, who incurred the wrath of employers and public officials if they did not work for wages. Some employers deprived Black women domestics of any kind of pay, instead giving them only cast-off clothing or food (the so-called "service pan") in return for their hours and days of toil. Black women had good reason to try to devote themselves to their families, an opportunity denied them under slavery: By withdrawing from the fields and the white woman's kitchen they took themselves out of harm's way and protected themselves from sexual assault by white overseers and landowners. They could care for their own children and, in some cases, raise chickens or tend gardens to help feed their families.¹³

Throughout the rest of the nineteenth century, and well into the twentieth, the vast majority of southern Black families remained landless, confined to the exploitative sharecropping system. Families contracted with a landlord at the beginning of every year and signed contracts that

¹² Jacqueline Jones, *The Dispossessed: America's Underclasses from the Civil War to the Present* (New York: Basic Books, 1992).

¹³ Jones, *Labor of Love*, 43-76.

supposedly entitled them to a share of the crop at the end of the year. However, lacking tools, mules, and seed, many of these families found themselves living as peons, forced to remain on a plantation until they could discharge their debt as reckoned by the white landowner-employer.¹⁴

Sharecropping families tended to be large, revealing the economic value of children who could, at a young age, contribute to the household as cotton pickers. As late as the 1930s and 1940s, many southern Black families were tilling the soil much as their enslaved forebears had generations before. Beginning in 1890, all of the former Confederate states passed laws or amended their Constitutions to deprive Black men of the right to vote.¹⁵ Some states entered into contracts with private employers to supply Black convicts, men and women who had been arrested on flimsy pretexts and sentenced to labor on a chain gang or in a mine or rice field.¹⁶ Disfranchisement, local laws mandating racial segregation in public parks and private venues, and horrific acts of violence in the form of men and women hanged, dismembered, and burned to death, were the lot of southern Blacks during this period. (To label this period with the seemingly innocuous name of a comedic antebellum minstrel character—“Jim Crow”—is misleading in the extreme.)

Under these deplorable conditions, the majority of southern Black women continued to care for their large families, help with the harvest in the fall, and serve as the mainstay of local Black churches and benevolent societies. Some of them engaged in petty commodity production and

¹⁴ Jones, *Dispossessed*.

¹⁵ Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888-1908* (Chapel Hill: University of North Carolina press, 2003); J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restrictions and the Establishment of the One-Party South* (New Haven: Yale University Press, 1974).

¹⁶ Talitha LeFlouria, *Chained in Silence: Black Women and Convict Labor in the New South* (Chapel Hill: University of North Carolina Press, 2016); Mary Ellen Curtin, *Black Prisoners and their World: Alabama, 1865-1900* (Charlottesville: University Press of Virginia, 2000); Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (New York: Verso, 1996).

trade, as when they sold eggs, vegetables, or brooms. Though living within a region marked by stark inequalities in public education, many of them made sacrifices so that their children had the proper clothing to wear to school, leading to a phenomenon called—“chickens for shoes,” referring to mothers selling chickens and eggs to buy textbooks and shoes for their school-aged children. The cotton grown by sharecroppers enriched white landowners, who often cheated families out of their due at the end of the year’s reckoning. White landowners paid taxes that funded white public schools, diverting money from small rural Black schools, again revealing the complicity of public governments—in this case local white school boards—in perpetuating systems of discrimination.¹⁷

At this point it is helpful to step back and consider larger national trends in the gendered division of labor. The Civil War era opened up new employment opportunities for women in the fields of school-teaching and nursing. Black women who followed these professions were confined to paid work in under-resourced segregated schools and hospitals.¹⁸ In the late nineteenth century, the clerical, retail, and manufacturing offered employment opportunities for white women, especially those who were young and unmarried. Private employers hired these women as receptionists, department store clerks, telephone operators (positions that required interaction with customers), as well as machine operatives. Textile factories and sweatshop owners took advantage of the fact that many of these young women lived with their parents and did not have to support a family, and so could be paid less than a man to do the same job. Throughout the country, a higher percentage of Black married women worked than their white counterparts, and

¹⁷ Louis R. Harlan, *Separate and Unequal: Public Schools Campaigns and Racism in the Southern Seaboard States, 1901-1915* (Chapel Hill: University of North Carolina Press, 1958); Jones, *Labor of Love*, 77-102.

¹⁸ Darlene Clark Hine, *Black Women in White: Racial Conflict and Cooperation in the Nursing Profession, 1890-1950* (Bloomington: Indiana University Press, 1989); Adam Fairclough, *A Class of their Own: Black Teachers in the Segregated South* (Cambridge: Belknap Press, 2007).

Black women stayed in the paid labor force longer than whites—indicators of the need among these women to be joint or sole breadwinners in families that could not subsist on the meagre pay of Black men, who themselves remained limited to ill-paid menial jobs.¹⁹

Overall these trends suggested that Black women would be excluded from “modern” forms of work--those that involved working with machines such as typewriters, textile looms, or sewing machines, and those defined by a set number of hours each day. Black women throughout the nation labored as domestic servants (some who lived in the home of their employer were on call virtually twenty-four hours a day), their jobs shaped by the whims of white family members and not by the hands of a clock. A noteworthy phenomenon appeared in the South, where enslaved Black women, men and children, had worked in water-powered textile mills before the Civil War. After the war, southern textile-mill owners reserved those jobs for white families, claiming that Black people lacked a “mechanical sense,” rendering them unfit for mill work. By excluding Black families from the Piedmont textile mill villages, southern elites (including politicians, bankers, and private employers) accomplished several ends. They fashioned even hazardous mill work as sharecropping families’ welcome escape from the cash-starved countryside, and they drove a wedge between the rural Black and white poor. Beginning in the 1880s, tenants and sharecroppers were beginning to join biracial political parties such as the People’s Party to challenge southern businessmen, landowners, and railroad operators.²⁰

Large-scale migration out of the South did not take place until World War I, when for the first time northern and Midwestern defense industries beckoned with well-paying jobs. Black women

¹⁹ Alice Kessler-Harris, *Out to Work: A History of Wage-Earning Women in the United States* (New York: Oxford University Press, 2003); Susan Benson, *Counter Cultures: Saleswomen, Managers, and Customers in American Department Stores, 1890-1940* (Urbana: University of Illinois Press, 1986).

²⁰ Jacqueline Jones, *American Work: Four Centuries of Black and White Labor* (New York: W. W. Norton, 1998), 222-232.

were an integral part of this migration, contributing to the war effort as workers in factories and on railroads. Yet after the war it was clear that the North broadly defined would fail to live up to its promise as a place of fair play and good wages. Still barred from work as secretaries and retail clerks, Black women were once again limited to service jobs as domestics and custodians.²¹

President Franklin D. Roosevelt's New Deal of the 1930s brought northern African Americans into the Democratic Party in great numbers; but the legislative initiatives by that name had a mixed impact on Black people in general. While northern Blacks (representing a small fraction of the total Black population) received something amounting to their fair share of governmental jobs and assistance, Black Southerners fared much worse. There, federal aid and public-works programs were controlled by local white Democrats. These officials saw no need to assist the large number of Black families devastated and displaced by the collapsing cotton economy, arguing that if there was laundry to be done or cotton to be picked for white folks, the state and federal government should not provide Blacks with relief of any kind.²²

During the 1930s, for the first time in the nation's history the federal government sought to mitigate the harsh effects of unfettered employer power when it came to wages, hours, and working conditions. Nevertheless, the signal achievements of this era-- Social Security and minimum hour, maximum wage, and anti-child labor legislation—explicitly denied these benefits to workers in the agricultural and domestic-service sectors, and to anyone who held a seasonal or part-time job. These restrictions affected approximately 85 percent of all Black workers in the United States. And too, federal initiatives often mandated racial segregation, in the Civilian Conservation Corps, for example. A New Deal program, the Federal Housing

²¹ Isabel Wilkerson, *The Warmth of Other Suns: The Epic Story of America's Great Migration* (New York: vintage, 2011); Jones, *Labor of Love*, 131-62.

²² Jones, *Labor of Love*, 163-194.

Authority (1934) required that new housing be segregated if building contractors were to qualify for government loans.²³

Taken together, New Deal initiatives widened the gap between Black and white workers, and between Black and white women. The typical southern Black woman would continue to work in the white woman's kitchen and in the cotton field without the benefit of social-welfare legislation that primarily benefited the families of northern blue-collar workers in large factories. By excluding non-industrial wage earners from New Deal programs, the federal government enacted policies that, while "race neutral" on the surface, disadvantaged a disproportionate number of Black workers, with profound long-term consequences.

California had always beckoned to immigrants and migrants alike—the miners lured by what Chinese immigrants called "Gold Mountain" in the second half of the nineteenth century, the agri-business owners who aspired to feed the nation once the transcontinental railway was completed in 1869. The historical literature is replete with descriptions of southern white people who moved west in the 1920s and 1930s, fleeing depressed, and after 1929, Great-Depression conditions.²⁴ For a number of reasons Black people did not take part in this pre-1941 migration. Many lacked the means to buy a train ticket. Even those few who could afford a car knew that the cross-country journey was a perilous one, without predictable sources of fuel for the car or the body along the way. Most significantly, though, California employers already had an abundant supply of labor, including vulnerable Mexicans and Asian-Americans who would work in the vast crop fields and vineyards at starvation wages. Major manufacturers made it clear that

²³ Kevin Fox Gotham, "Racialization and the State: The Housing Act of 1934 and the Creation of the Federal Housing Administration," *Sociological Perspectives* 43 (Summer 2000):291-317.

²⁴ James Gregory, *American Exodus: The Dustbowl Migration and Okie culture in California* (New York: Oxford University Press, 1989).

they would not hire Black applicants, male or female. In 1940, aviation official W. Gerald Tuttle of the Vultee Aircraft Company in southern California announced, “I regret to say that it is not the policy of this company to employ people other than the Caucasian race.”²⁵

It was not until the nation was well into World War II that the state’s employers felt an acute labor shortage. Even then, it took the combined pressure of the state’s NAACP, National Urban League, and Congress of Racial Equality to open the factory gates to African Americans. Blacks in California were also part of a national movement, the Double V for Victory campaign, to defeat fascism abroad and racism at home. The sudden availability of well-paying defense jobs, for Black men in 1942, for Black women not until 1943 or so, led to 5 million Black people migrating out of the South and into the Northeast, Midwest, and West Coast. Seemingly overnight the newcomers transformed whole regions of the state, including the Bay Area, and especially the East Bay. The city of Richmond, California, saw a massive influx of war workers from 1940-45, when its population grew from 24,000 to 100,000, with the Black population increasing from 270 to 14,000 in those years.²⁶

The intense demand for labor was not sufficient to overcome generations-long practices that adversely affected Black women (and men). At the beginning of the war, in response to pressure from Black activists, the federal government created the Fair Employment Practices Commission (FEPC), an agency that monitored federal defense-industry contracts to ensure job opportunities for Black workers. At the same time, a government job placement agency, the United States Employment Service and its Women’s Advisory Commission, catered to the prejudices of white employers and their workers. In government publications, Black women were hailed as “support

²⁵ Tuttle quoted in Robert C. Weaver, *Negro Labor: A National Problem* (New York: Harcourt Brace, 1946), 109.

²⁶ Richard Rothstein, *The Color of Law: A Forgotten History of How our Government Segregated America* (New York: Liveright, 2017) 5.

workers” and laborers in essential civilian industries (as domestics and laundresses) who would allow white women to work fulltime outside the home. The federal government continued its practice of segregating public housing.²⁷

Some Black women were hired as welders and riveters, factory jobs that paid well, allowing them to contribute directly to the war effort and bolstering their confidence as workers and citizens.²⁸ Yet it remained difficult for individual Black people to challenge generations-old all-white workplaces. In her memoir *I Know Why the Caged Bird Sings*, Maya Angelou describes the incredible persistence, determination, and time commitment that finally won her the position of the first Black streetcar conductor in San Francisco; passing the requisite entry examination was not necessarily sufficient to overcome the resistance of hiring officials.²⁹

At this point it is worth reviewing the dynamics of job discrimination and the entangled motives on the part of white employers, workers, and consumers. White workers deployed a number of strategies to discourage their employers from integrating workplaces. At one end of the spectrum were the World War II “hate strikes” that halted production in defense plants once people of color integrated a workplace. At the other end were the efforts of employees to push for new hires who were their extended kin or other migrants from the South; these efforts discouraged the introduction of so-called “outsiders,” keeping the workplace peace by enhancing familial, ethnic, and (white) fraternal bonds among workers. Some employers wanted to avoid the extra expense of accommodating the prejudices of their employees by providing separate lunchrooms and bathrooms for workers of color. Business owners in general promoted the idea

²⁷ Jones, *Labor of Love*, 199-200.

²⁸ Maureen Honey, ed., *bitter Fruit: African American Women in World War II* (Columbia: University of Missouri Press, 1999).

²⁹ Maya Angelou, *I Know Why the Caged Bird Sings* (New York: Bantam Books, 1971).

that, given their choice of retail outlets, white customers would go elsewhere rather than be served by a Black clerk. And many employers simply abided by tradition and hired only white people. The effect of this “tradition” was to suggest that, because a Black person had never held a certain kind of job, he or she was incapable of doing it.

While Black women eagerly took advantage of new employment opportunities in defense plants, they had to contend with difficult living conditions. As thousands of migrants streamed into the Bay area, the housing shortage deepened, forcing many Black families into makeshift, ramshackle, cramped quarters. One war worker, Precious Mack, remembered that first her uncle and then her father left the South for California, and then the rest of the family followed. When they arrived in the Bay area, they could only find a one-room trailer to house their family of twelve. Like women in general, Black women had to scramble to find childcare, as local, state, and federal governments persisted in their historic refusal to provide support services for mothers of young children, even though many women were working fulltime, some on the night shift, on behalf of the war effort.³⁰

The war broke down some longstanding barriers so that women could perform what was previously designated as “men’s work”—welding, riveting, and carpentry for example. Yet after the war, women were displaced from their factory jobs by returning soldiers; white women resumed work as retail clerks and clerical staff, while Black women remained limited to employment as household domestics, cafeteria workers, and hospital aides. By 1950 the FEPC had been disbanded (it monitored only defense industries in any case), and once again employers could freely advertise that “No Negroes Need Apply.” Black unemployment rates soared. As

³⁰ Jones, *Labor of Love*, 207; Cheryl Mullenbach, *Double Victory: How African American Women Broke Race and Gender Barriers to Help Win World War II* (Chicago: Chicago Review Press, 2017).

Maya Angelou put it in 1945, Black veterans were now “hanging on ghetto street corners like forgotten laundry left on back yard fence.” She added, “Thus we lived through a major war. The question in the ghettos was, Can we make it through a minor peace?”³¹

Because Black families continued to face stubborn challenges stemming from job discrimination and housing segregation, Black women’s labor continued to be essential to the well-being of their households, nuclear and extended. In the East Bay area, the largest shipyard union, the American Federation of Labor International Brotherhood of Boilermakers, Iron Shipbuilders, and Helpers of America segregated Black members into a separated group and rendered that group powerless in contract negotiations. While white men took advantage of the GI Bill to go to college, Black men found their chances for higher education foreclosed by the lack of accredited (ie., white) colleges that would admit them. Banks engaged in pernicious red-lining practices, which denied mortgage loans to even middle-class Black workers if they were living in an overwhelmingly Black area. In 1950 almost 30 percent of Black men between the ages of 20 and 24 were jobless. According to one historian, “Despite substantial progress during the war, Oakland’s employment patterns continued to reflect a Jim Crow occupational hierarchy” for both men and women.³²

Patterns of residential segregation in particular played a major role in thwarting the aspirations of Black women as wives, mothers, and workers. Confined to impoverished neighborhoods, they often faced long commutes to work. Their inability to purchase a home meant that they would remain at the mercy of landlords who realized they housed a captive group of people who could not afford to move. In the suburbs, so-called neighborhood improvement associations put

³¹ Maya Angelou, *Gather Together in My Name* (New York: Random House, 1974), 5.

³² Robert Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton: Princeton University Press, 2005), 54-7, 83.

pressure on homeowners not to sell to people of color, a trend supported by real estate agents and city councils. All-white towns such as Eagle Rock enlisted local police in discouraging white families from moving into their neighborhoods (in 1948).³³ The Federal Housing Authority and the Veterans Administration refused to grant loans to Black veterans who wanted to buy houses in white areas. City authorities segregated public housing, refusing to build enough units to accommodate the numbers of Black applicants. Federal policy favored suburban homeowners over urban renters by providing tax breaks for interest on mortgage payments, by creating an interstate highway system that frequently decimated Black communities, and by refusing to loan money to housing contractors who refused to segregate any new developments they built. The combined effects of these policies and practices among bankers, real estate agents, city officials, and builders meant that over the generations Black families would lack the assets of their white counterparts who owned their own homes. For the children of homeowners, a real-estate inheritance perpetuated patterns of wealth over the generations.³⁴

In the postwar period, government jobs became the bedrock of many Black families. Private employers fretted about the prejudices of their customers, and so kept Blacks in the “back of the house” jobs; however, government employers did not have to worry about customers in the realm of necessary public services related to education and transportation; after the war Black men and women would work as bus drivers, social workers, and teachers. Nevertheless, some public sectors such as law enforcement and firefighting resisted integrating their ranks, using

³³ Matthew Fleischer, “How white people used police to make L. A. one of the most Segregated cities in America,” *Los Angeles Times*, Aug. 12, 2020.

³⁴ Ta-Nehisi Coates, “The Case for Reparations,” *Atlantic*, June, 2014; Rothstein, *The Color of Law*.

formal examinations and other machinations as pretexts for discrimination; and some worksites, once integrated, showed hostility to people of color, making life miserable for them.³⁵

The Civil Rights Acts of 1964 and 1965 marked the end of the federal government's active attempts to apply discriminatory policies to housing and employment, and the beginning of federal enforcement of voting laws. With the crumbling of legislative mandates upholding racial segregation, and with affirmative efforts by colleges and employers to admit Black people in meaningful numbers for the first time, a segment of the Black population began to thrive. The emergence of a well-educated Black professional class—with Black women becoming physicians, lawyers, college professors, and media personalities-- represented a dramatic development in American history, and in the history of work.

Yet the absence of legal barriers was not sufficient to open the way to a brighter future for many Black women. Indeed, a confluence of events in the 1960s and 1970s conspired to keep large numbers in poverty, relegated to low-paying, disagreeable jobs. The Immigration Act of 1965 opened the country to groups who competed with Black people for unskilled jobs. By this time, certain industries had taken advantage of local tax incentives and moved to the suburbs, making it difficult for people who did not own cars to get to work. Other industries took their production facilities offshore, or to Mexico, in an attempt to avoid American unions and minimum wage and maximum-hour laws. The global economy hit Black workers hard in the sectors that they were just beginning to enter—textile production for example. Some white-collar jobs such as bank teller were reduced or eliminated with the increased use of computers and robotics. In addition,

³⁵ "Chief Michael Moore: Policing Inequities Reflect Racism in Society," *Los Angeles Times*, June 13, 2021; U. S. Department of Justice, "Report of the Independent Commission on the Los Angeles Police Department: Summary" (1991) <https://www.ojp.gov/ncjrs/virtual-library/abstracts/report-independent-commission-los-angeles-police-department-0>

a tax revolt among suburban taxpayers began to register in municipal budgets, as towns and cities began to cut back on public employment in the transportation, education, and social-welfare sectors. In 2010, Black women and men were 33 percent more likely than the general workforce to have jobs with the federal government or with state and local governments.³⁶

By the 1990s old and new distressed communities proliferated around the country. The south Los Angeles neighborhoods of Watts and Compton shared certain characteristics with all these places, whether urban or rural and regardless of region. People in these communities lacked access to well-paying jobs that did not require a college education, and they lacked the resources to move into middle-class white suburbs. The available jobs were concentrated in the service industry—fast food workers, home health aides, child care. Without a substantial tax base, the public schools in these areas were unable to provide an adequate education to prepare students for the challenges of the twenty-first century global workforce. Underground economies thrived, and police targeted Black men and youth for nonviolent offenses such as drug use, leading to high rates of incarceration and leaving wives and mothers to try to piece together a living on their own. These communities were vulnerable to police abuse and violence, an historic pattern that persisted well into the modern era.

A number of recent studies illustrate the ways that federal housing and tax policies, as well as the practices of private banks and employers, harm people of color, all under the guise of “race neutral” policies and practices. Hidden forms of discrimination affect Black women in their roles as jobseekers, applicants for mortgages and other loans, and taxpayers. These studies suggest the limitations of the Civil Rights Act of 1964, Title VII, as a force for a level playing

³⁶ Jacqueline Jones, *A Dreadful Deceit: The Myth of Race from the Colonial Era to Obama's America* (New York: Basic Books, 2013), 289-301.

field when it comes to employment opportunities. Some employers persist in discriminatory practices, now using a person's zip code as a proxy for their "race." The rise of a service economy and the decline of manufacturing have limited the number of well-paying jobs for people with only a high school degree. In the early 2000s, banks switched from red-lining communities of color to pushing predatory loans on them, leading to high rates of foreclosure, especially after the financial crisis of 2008. Perhaps most significantly, the persistence of pockets of poverty, creations of federal policy and private interests, stand as a stark reminder of the way American taxpayers at the local, state, and federal level have funded the mechanisms of housing and school segregation over the years. For most middle-class Americans, equity in a home is a family's largest asset in terms of their total net worth. In 2016, the net worth of a typical white family was nearly ten times greater than that of a Black family (\$171,000 v. \$17,150). Generations of Black women as workers, wives, and mothers have paid a high price for these forms of discrimination, their talents squandered and dreams dashed.³⁷

In 2019 the Public Policy Institute of California reported that about one third (34 percent) of the state's residents were poor or near poor, including more than one-fifth of all Latino/as, and 17.4 percent of African Americans (compared to 12.1 percent of whites). While 12 percent of white women were impoverished, the figure for Black women was 23 percent. In 2019, the median

³⁷ Rothstein, *The Color of Law*; Mehrsa Baradern, *The Color of Money: Black Banks and the Racial Wealth Gap* (Cambridge: Belknap Press, 2019); Dorothy Brown, *the Whiteness of Wealth: How the Tax System Impoverished Black American—and How We Can Fix It* (New York: Random House, 2021); Melvin Oliver and Thomas M. Shapiro, *black Wealth/White Wealth: A New Perspective on Racial Inequality* (New York: Routledge, 2006); Thomas M. Shapiro, *the Hidden Cost of Being African American: How Wealth Perpetuates Inequality* (New York: Oxford University Press, 2005); Kriston McIntosh, Emily Moss, Ryan Nunn, and Jay Shambaugh, "Examining the Black-White Wealth Gap," *Brookings.edu*, Feb. 27, 2020
<https://www.brookings.edu/blog/up-front/2020/02/27/examining-the-black-white-wealth-gap/>
("This history matters for contemporary inequality because its legacy is passed down generation-to generation through unequal monetary inheritances which make up a great deal of current wealth".

annual earnings of white women stood at \$55,266, and for Black women 44,438. The discrepancy was even greater for men-- \$71,875 for white men, and \$48,469 for Black men.³⁸

The COVID pandemic has had disastrous effects on Black communities. Concentrated in the service sector, Black women lost their jobs as waitresses, fast-food workers, and custodians when restaurants and educational institutions closed their doors to in-person gatherings. At the same time, Black women are overrepresented as front-line workers, serving as hospital orderlies and home health-care workers, making them more vulnerable to the virus. These developments suggest the ways that historic legacies of discrimination continue to shape the well-being of African American women and their families.³⁹

By way of conclusion I do not mean to argue that Black Californians are the only group in the state to have endured systematic prejudice over the generations. Certainly (for example) Mexicans and their descendants, U. S. citizens as well as undocumented immigrants, have faced prejudice in the form of job ceilings and residential segregation. However, the history of African Californians is unique because many of their forebears were enslaved in the American South. Governments at all levels have initiated and enforced policies that limited Blacks' employment opportunities in direct and long-lasting ways. Indeed, federal agencies, local city officials and school boards, and law enforcement officers, together with state legislative and Congressional inaction, have played a major role in limiting the ability of Black women to achieve material success and their highest potential.

³⁸ <https://www.ppic.org/publication/poverty-in-california/>; <https://statusofwomendata.org/wp-content/themes/witsfull/factsheets/economics/factsheet-california.pdf>

³⁹ Public Policy Institute of California, "Black Californians Struggle within Challenging Job Market," Feb. 24, 2021 <https://www.ppic.org/blog/black-californians-struggle-within-a-challenging-job-market/>

The Wealth Gap and Lost Wages due to Slavery
California Reparations Task Force Testimony
Thomas Craemer 10/13/2021

My name is Thomas Craemer, I am an Associate Professor at the University of Connecticut's Department of Public Policy. I obtained a political science doctorate in 2001 from the University of Tübingen in my native Germany, and a PhD from Stony Brook University, New York, in 2005. My research focuses on implicit and explicit racial attitudes in the United States and how they influence people's opinions on race-related policies including slavery reparations.

I was asked to testify about the Black-White wealth gap and its likely origin in the historical injustices of slavery and post-slavery *de jure* anti-Black racial discrimination. William Darity and Kirsten Mullen (2020) in their Book *From Here to Equality* write, "we view the racial wealth gap as the most robust indicator of the cumulative economic effects of white supremacy in the United States" (p. 263). I use average household net worth figures provided by Bhutta et al. (2020) for the year 2019 to compute the per-capita Black-White wealth gap. I will explain in a moment why I use average rather than median net worth figures.

White non-Hispanic average household wealth amounted to \$983,400 in 2019 and Black non-Hispanic average household wealth to only \$142,500 for a gap in average household wealth of \$840,900. Then I divide each group's average household wealth figure by the average household size in 2019 based on the U.S. Bureau of the Census' (2019a) figures, with 2.36 average White non-Hispanic household members and 2.44 average Black non-Hispanic household members. This means that each White non-Hispanic household member had on average \$416,695 in wealth, while every Black non-Hispanic household member had on average only \$58,402 in wealth, for an average per-capita wealth gap of \$358,293 (see Table 1 in the Appendix). In other words, if the goal of reparations to African American descendants of the enslaved in the U.S. is the elimination of the wealth gap, net reparations would have to amount to at least \$358,293 per eligible recipient. I cannot know ahead of time how many people will be eligible and eligibility criteria may be in flux for a while. So I am using readily available numbers from the U.S. Census to estimate the number of African American descendants of the enslaved in the U.S.. I take the number of non-Hispanic Blacks or African Americans in the U.S. Bureau of the Census' (2020b) count, which in 2019 amounted to 41,147,488 individuals. This will inevitably include some Black people without enslaved ancestors in the U.S., but it may miss some otherwise eligible individuals as well. So, this is a very rough estimate. With this estimate, an amount of roughly \$14.7 trillion would be sufficient to close the average per capita Black-White wealth gap in one fell swoop.

While this is technically possible, it would be very difficult for an individual state like California to provide that kind of reparations. For example, if California were to pay the roughly estimated 2,173,172 Black non-Hispanic descendants of the enslaved in the U.S. (again, a rough estimate of eligible recipients) that lived in the state in 2019 (U.S. Bureau of the Census 2019c) \$358,293 in reparations, it would spend \$778.6 billion in 2019 dollars. However, the state's budget in 2019 was "only" \$215 billion (Lin 2019), nowhere near enough to cover the expenses. Instead, California could exert pressure on the federal government to provide federal-level reparations. After all, it was the federal government that allowed slavery to exist in the United States, thus it

would be proper for the federal government to provide reparations to the African American descendants of the enslaved in the U.S.

Why not take the lower median per capita wealth gap of “only” \$69,869, which could be closed with a reparations budget of “only” \$2.87 trillion 2019 dollars. The median is a statistical procedure to produce the ‘typical’ amount of wealth in a population unaffected by some very rich outliers. Given that slave owners tended to be rich outliers among Whites, and by extension their heirs today, we would miss all of these estates if we went by the statistical procedure of the median. The mean better represents the entire contribution, rich as well as poor, in each group. Darity, Addo, and Smith, (2020, p. 6). write, “The fact that 97% of White wealth is held by households with a net worth above the White median … makes any policy that seeks to close the racial gap at the median a policy that discounts, overwhelmingly, the largest proportion of racial wealth inequality.”

Another reason that I would opt for the larger average wealth gap as a basis for reparations, rather than the smaller median wealth gap, is that losses in wages to African American enslaved alone can account for the current average per capita wealth gap based on a rough ‘back of the envelope’ calculation (Craemer 2015, see also Craemer et al., 2020, for details). The calculation only considers withheld wages during the period of slavery in the United States, not colonial slavery. And does not consider post-slavery anti-Black racial discrimination, not because this is not important, but because further research would be required. What is required for the ‘back of the envelope calculation’ is an estimate of the enslaved population in each year from 1776 to 1860. Numbers for the Civil War years are too unreliable to estimate. To keep my calculation conservative, I am therefore ignoring them. The U.S. Bureau of the Census (1949, p. 25) provides counts of the enslaved population in each decade from 1790 to 1860. To estimate the enslaved population between decennial censuses, I use linear interpolation, and for the years before 1790 linear extrapolation. More sophisticated inter- and extrapolation methods can be used, but I am going with the simplest method. Then I turn to Officer and Williamson’s (2021) historical records of unskilled hourly wages in nominal dollars in the years 1790 to 1860, which again, are very conservative as many of the enslaved were in fact skilled. I use an estimation procedure for the years before 1790. I should mention that the hourly wages are incredibly small. In 1790 the average hourly wage for an unskilled laborer amounted to 2 cents and by 1860 it had risen to 8 cents per hour. This is another feature that makes by ‘back of the envelope’ calculation extremely conservative.

Now I turn to the question how many hours the enslaved lost through enslavement. Enslavement was for life, and it was heritable from generation to generation. This meant that the enslaved had no control over how to spend their time in the free labor market sense. They lost control over all 24 hours of the day. Slave owners benefited from the enslaved only during the time the enslaved were performing field work for cash-crop production, because that yielded products that could be exchanged for money on a market. However, the enslaved produced many services that were not exchanged for money on a market, from draining fields, building and maintaining plantations, to producing clothing, cooking food, raising their own and the slave owner’s children, and so on. That work often lasted into the night. Sleep was granted by the slave owner based on his or her own self-interested considerations, not the interest of the enslaved. The question therefore is,

what would a slave owner have had to pay free laborers on the labor market to be on call 24 hours a day, 365 days a year.

Economists like to deduct from this amount time for sleep, as well as the cost of food, and shelter. But based on basic assumptions of market economics, this is, in my view, wrongheaded. It would only make sense if the enslaved had been part of the negotiations, but they were not. The price of an enslaved person was negotiated between two slave owners, never including the voice of the enslaved. Food and shelter remained the property of the slave owner even when it was consumed by the enslaved.

The next step in my computation is to take the number of enslaved in the United States in each year times 24 hours a day, times 365 days a year, times the puny historical hourly wage and add a moderate interest rate to the total to reflect non-payment. In my example, I am using only 3% interest which is unlikely to be enough to make up for inflation – it is a very conservative amount. More realistic would be 6%, the amount of interest specified, for example, in the sales contract of Georgetown University when it sold 272 enslaved in 1838 to save the institution from financial ruin. But I'm going with the much more conservative interest rate of 3%. With that, I arrive at a 2019 estimate of \$19.14 trillion.

I should mention that merely doubling the interest rate to the more realistic 6% would exponentially blow up the total estimate to \$6.6 quadrillion 2019 dollars. Thus, the interest rate will be the most important figure to negotiate between the descendant community and the federal government should such negotiations begin in earnest.

Now, the average amount of reparations owed per U.S. resident can be estimated by using the U.S. Bureau of the Census (2019b) count of the 2019 U.S. population which included 328,239,523 individuals. This includes everyone who *at least indirectly* benefits from the start-up capital that slavery provided to the U.S. economy today. It includes first generation immigrants like myself, as well as African American descendants of the enslaved, as well as everybody else. Each US resident would owe on average \$58,302.

African American descendants of the enslaved in the U.S. would receive reparations in the amount of \$465,087 from which \$58,302 would be subtracted for a net reparations amount of \$406,785 per eligible recipient in 2019 dollars. This means that wage-based reparations at only 3% interest would comfortably close the 2019 average per capita Black-White wealth gap of \$358,293. Of course, this only addresses losses due to withheld wages during U.S. slavery and thus lost inheritances.

What is missing is colonial slavery as well as post-slavery *de jure* anti-Black racial discrimination. And missing, according to Professor Swinton's (1990) proposed comprehensive formulas, are lost freedom during colonial and U.S. slavery, as well as lost opportunities to acquire capital, as well as pain and suffering during all time periods. Thus, the average per capita Black-White wealth gap should be considered a *minimum* amount of reparations to restore a status of fairness. Slavery produced the start-up capital for the rise of the U.S. economy at the exclusive expense of the African Americans who were enslaved. Their descendants deserve recognition of this fact through a comprehensive federal reparations program. Whatever

California can do to support the call for federal reparations to the African American descendants of the enslaved in the U.S. will be an exercise in the restoration of justice.

I will close my statement with a personal motivation for my research. My interest in questions of race, racism, and reconciliation is based on my experience of growing up in Germany and learning about the Holocaust in every high school subject. I felt ashamed of our German history and always dreamed of being able to express to a Holocaust survivor how I felt. Of course, I never thought I would have the chance. One day though, I met Mieciu Langer, a survivor of five concentration camps and a death march in his youth. He and his wife had just retired from Israel to my hometown of Tübingen, Germany, of all places. I was amazed at how this man, who had suffered so much at German hands was able to trust in younger Germans like myself, and in Germany as a country, after all that he had suffered in his youth. I learned later that he had received a reparations pension of about \$2,000 a month from the 1970s all the way to 2015 when he unfortunately passed away. Over a period of 45 years this would amount to a little over \$1 million, an amount, of course, that is merely symbolic as it could not possibly compensate for all that Mieciu had suffered – he lost his entire larger family and barely survived himself. The purpose of the reparations pension was to serve as a material token of sincerity, giving weight to German promises to never let it happen again. And I think this is all that reparations can be – a symbolic gesture giving weight and credibility to words of apology for historical injustices.

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Appendix:**Table 1:** 2019 Household and Per Capita Black-White Wealth Gap Estimation

	Household Wealth ¹		Household Size ²	Per Capita Wealth	
	Median	Mean		Median	Mean
White non-Hispanic	\$188,200	\$983,400	2.36	\$79,745.76	\$416,694.92
Black non-Hispanic	\$24,100	\$142,500	2.44	\$9,877.05	\$58,401.64
Gap	\$164,100	\$840,900		\$69,869	\$358,293

¹) Bhutta et al., 2020; ²) U.S. Bureau of the Census, 2019a.

October 13, 2021

California Reparations Task Force Public Hearing



The Wealth Gap and Lost Wages due to Slavery

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The Wealth Gap

Introduction

The Black-White Wealth Gap

Estimating Lost Wages due to US Slavery

Conclusions

Personal Motivation

Introduction

Introduction

My name is *Thomas Craemer*, I am an *Associate Professor* at the *University of Connecticut's Department of Public Policy*.

The Black-White Wealth Gap

The Black-White Wealth Gap



William Darity and Kirsten Mullen (2020):
From Here to Equality. USC Press.

<https://cornellsun.com/2016/10/03/pointing-to-institutions-ties-to-slavery-speakers-call-for-federal-reparations/>

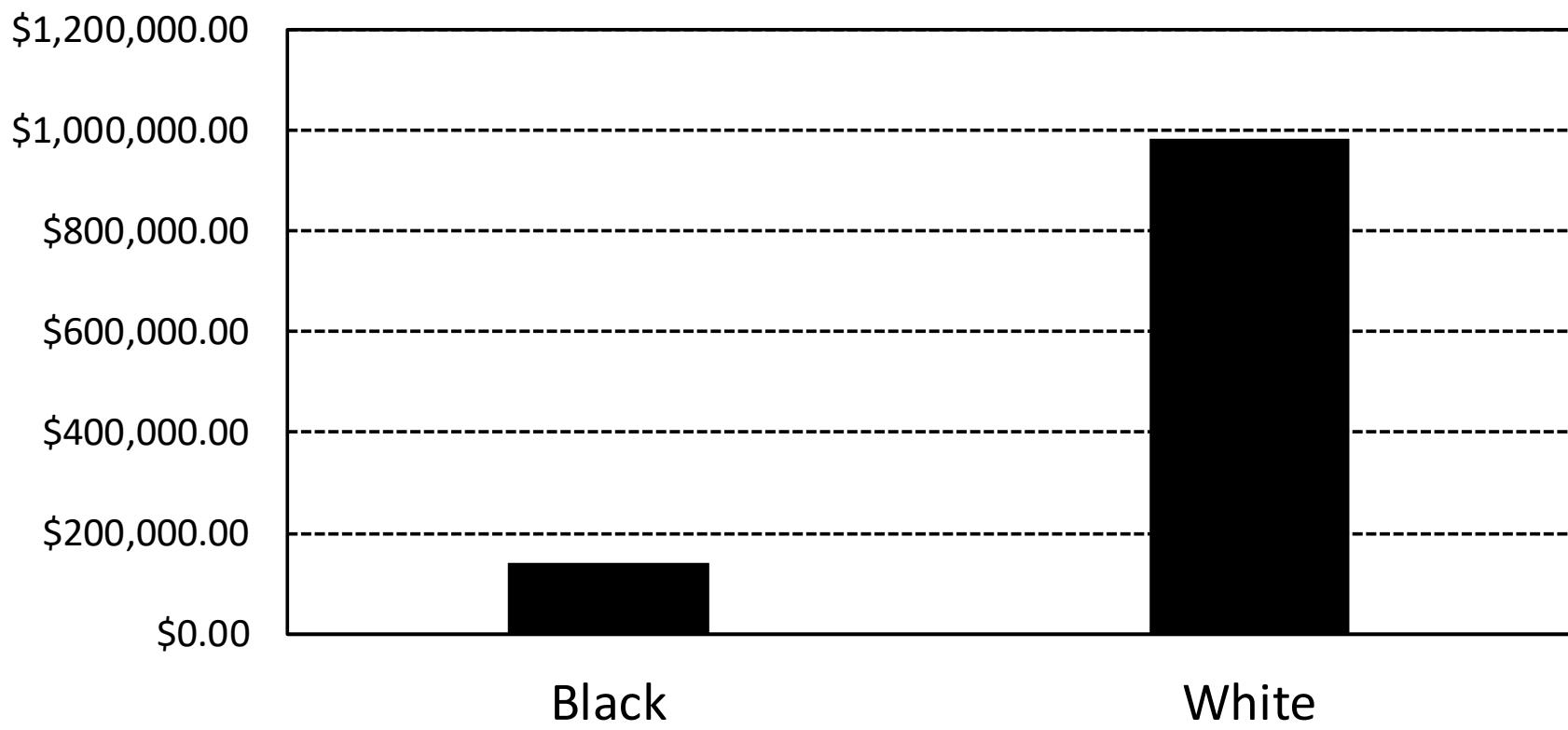
The Black-White Wealth Gap

William Darity and Kirsten Mullen (2020):

“we view the racial wealth gap as the most robust indicator of the cumulative economic effects of white supremacy in the United States” (p. 263).

The Black-White Wealth Gap

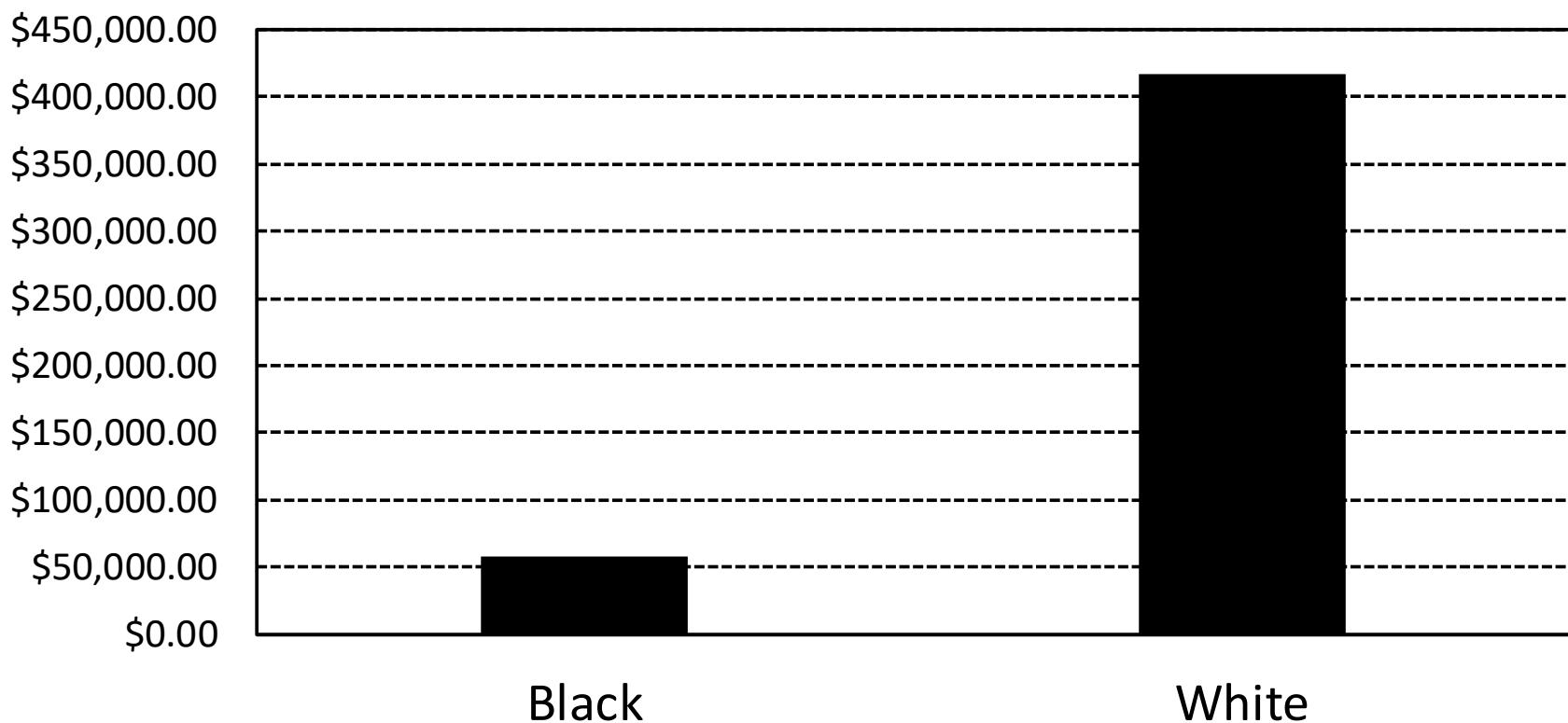
Average Household Wealth Gap 2019:
\$840,900



(Bhutta et al. 2020)

The Black-White Wealth Gap

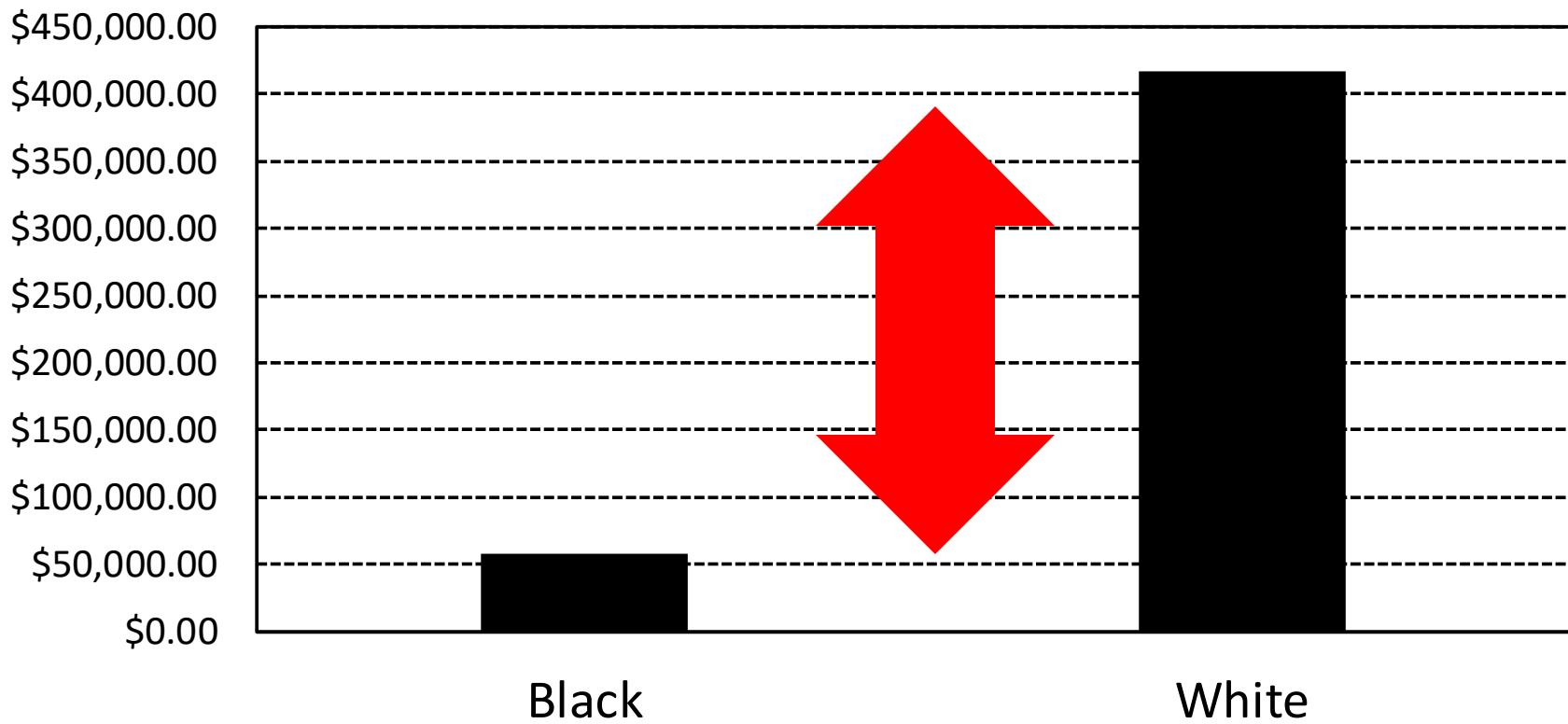
Average Per-Capita Wealth Gap in 2019:
\$358,293



(Bhutta et al., 2020; U.S. Bureau of the Census, 2019a)

The Black-White Wealth Gap

Average Per-Capita Wealth Gap in 2019:
\$358,293



(Bhutta et al., 2020; U.S. Bureau of the Census, 2019a)

The Black-White Wealth Gap

Goal of Reparations to African American descendants of the enslaved:

At a ***minimum***, closing the average per capita Black–White wealth gap: **\$358,293** in 2019 dollars per eligible recipient.

With an estimated 41,147,488 eligible recipients this would amount to **\$14.7 trillion** in 2019 dollars.

The Black-White Wealth Gap

California can't do it alone:

With an estimated 2,173,172 eligible reparations recipients in California in 2019, reparations would ***cost \$778.6 billion***. The ***state's budget was “only” \$215 billion***.

Instead, ***California should exert pressure on the federal government*** because it allowed slavery to exist in the United States.

The Black-White Wealth Gap

Mean Wealth vs ***Median*** Wealth:

The median per capita wealth gap is lower (\$69,869) than the mean per capita wealth gap.

Median corrects for ***rich outliers***. But slave owners were rich outliers among Whites. The ***mean better represents*** the entire contribution, ***rich as well as poor in each group***.

Estimating Lost Wages due to US Slavery

Estimating Lost Wages due to US Slavery

Wage Based Estimation:

Number of enslaved from 1776 to 1860.

Historical unskilled wages from 1776 to 1860

Ignoring centuries of colonial slavery, and the years from 1861 to 1865 as the number of enslaved remaining is difficult to estimate.

Estimating Lost Wages due to US Slavery

Slave Population 1790-1860

	U.S. Census	Enslaved
Estimate annual population between decennial censuses by linear interpolation, and years from 1776 to 1789 by linear extrapolation	1790	697,681
	1800	893,602
	1810	1,191,362
	1820	1,538,022
	1830	2,009,043
	1840	2,487,355
	1850	3,204,313
	1860	3,953,760

Series B 13-23, Population, Decennial Summary – Sex, Urban-Rural Residence, and Race 1790 to 1940. Bureau of the Census (1949). Historical Statistics of the United States 1789-1945. Washington, DC: US Census Bureau, p. 25.

Production Workers Hourly Compensation in Nominal Dollars

Year	Wage	Year	Wage	Year	Wage	Year	Wage
1790	\$0.02	1810	\$0.05	1830	\$0.06	1850	\$0.06
1791	\$0.02	1811	\$0.05	1831	\$0.06	1851	\$0.06
1792	\$0.02	1812	\$0.05	1832	\$0.05	1852	\$0.07
1793	\$0.03	1813	\$0.05	1833	\$0.06	1853	\$0.07
1794	\$0.03	1814	\$0.05	1834	\$0.05	1854	\$0.07
1795	\$0.03	1815	\$0.05	1835	\$0.05	1855	\$0.07
1796	\$0.04	1816	\$0.05	1836	\$0.05	1856	\$0.07
1797	\$0.03	1817	\$0.05	1837	\$0.06	1857	\$0.07
1798	\$0.04	1818	\$0.05	1838	\$0.06	1858	\$0.08
1799	\$0.04	1819	\$0.05	1839	\$0.06	1859	\$0.08
1800	\$0.04	1820	\$0.04	1840	\$0.06	1860	\$0.08
1801	\$0.04	1821	\$0.05	1841	\$0.06		
1802	\$0.04	1822	\$0.05	1842	\$0.06		
1803	\$0.04	1823	\$0.05	1843	\$0.06		
1804	\$0.05	1824	\$0.05	1844	\$0.06		
1805	\$0.05	1825	\$0.05	1845	\$0.06		
1806	\$0.05	1826	\$0.05	1846	\$0.06		
1807	\$0.05	1827	\$0.05	1847	\$0.06		
1808	\$0.05	1828	\$0.05	1848	\$0.07		
1809	\$0.05	1829	\$0.06	1849	\$0.06		

Officer &
 Williamson. 2009.
<http://www.measuringworth.com/uswage/>

Estimating Lost Wages due to US Slavery

How Many Hours Should be Counted?

The enslaved lost control over all 24 hours of the day, 365 days a year for their entire lifetimes and the lifetimes of their offspring.

What would a slave owner have had to pay free laborers on the labor market to be on call 24 hours a day, 365 days a year?

Estimating Lost Wages due to US Slavery

Year	Enslaved	Wage	Hours per Year	Interest Rate:	0.03
				Annual Total	Cumulative debt with compound interest
1776	423,392	\$0.02	3,708,910,416	\$64,154,126.11	\$66,078,749.90
1777	442,984	\$0.02	3,880,537,212	\$73,415,568.88	\$143,679,148.34
1778	462,576	\$0.02	4,052,164,008	\$78,852,921.24	\$229,208,031.66
1779	482,168	\$0.02	4,223,790,804	\$70,777,035.09	\$308,984,618.76
1780	501,760	\$0.02	4,395,417,600	\$97,411,957.62	\$418,588,473.67
1781	521,352	\$0.02	4,567,044,396	\$106,152,923.80	\$540,483,639.39
1782	540,944	\$0.02	4,738,671,192	\$99,896,311.62	\$659,591,349.54
1783	560,536	\$0.02	4,910,297,988	\$95,551,744.63	\$777,797,387.00
1784	580,128	\$0.02	5,081,924,784	\$93,397,536.57	\$897,330,771.27
1785	599,721	\$0.02	5,253,551,580	\$124,949,334.88	\$1,052,948,509.33
1786	619,313	\$0.02	5,425,178,376	\$117,301,154.08	\$1,205,357,153.31
1787	638,905	\$0.03	5,596,805,172	\$145,214,404.46	\$1,391,088,704.51
1788	658,497	\$0.03	5,768,431,968	\$149,667,424.03	\$1,586,978,812.40
1789	678,089	\$0.02	5,940,058,764	\$134,855,388.16	\$1,773,489,226.57
1790	697,681	\$0.02	6,111,685,560	\$122,233,711.20	\$1,952,594,625.90
1791	717,273	\$0.02	6,283,312,356	\$125,666,247.12	\$2,140,608,699.21
1792	736,865	\$0.02	6,454,939,152	\$129,098,783.04	\$2,337,798,706.72
1793	756,457	\$0.03	6,626,565,948	\$198,796,978.44	\$2,612,693,555.72
1794	776,049	\$0.03	6,798,192,744	\$203,945,782.32	\$2,901,138,518.18

Estimating Lost Wages due to US Slavery

Taking an *interest rate of only 3%* (barely sufficient to make up for inflation), I arrive at a total amount in 2019 Dollars of:

\$19.14 trillion 2019 Dollars

The US GDP in the fourth quarter of 2019 was **\$21.73 trillion**.

(U.S. Department of Commerce 2020)

Estimating Lost Wages due to US Slavery

Taking an *interest rate of 6%* (specified in the Georgetown University's sales contract of the 272 enslaved in 1838), I arrive at a total amount in 2019 Dollars of:

\$6.6 quadrillion 2019 Dollars

The US GDP in the fourth quarter of 2019 was ***\$21.73 trillion***.

(U.S. Department of Commerce 2020)

Estimating Lost Wages due to US Slavery

Thus, the ***interest rate*** will be the most important figure to negotiate between the descendant community and the federal government should such negotiations begin in earnest.

Estimating Lost Wages due to US Slavery

Taking an *interest rate of only 3%* (barely sufficient to make up for inflation), I arrive at a total amount in 2019 Dollars of:

\$19.14 trillion 2019 Dollars

The US GDP in the fourth quarter of 2019 was **\$21.73 trillion**.

(U.S. Department of Commerce 2020)

Estimating Lost Wages due to US Slavery

2019 US Population: 328,239,523

Black non-Hispanic: 41,147,488

(rough estimate of ***Black descendants of the enslaved***)

Per capita debt for each US resident:

\$19.14 trillion / 328,239,523 = \$58,302

Per capita amount due to Black non-Hispanics:

\$19.14 trillion / 41,147,488 = \$465,087

Net per capita amount due to Black non-Hispanics:

\$465,087 - \$58,302 = ***\$406,785***

<https://www2.census.gov/programs-surveys/popest/tables/2010-2019/national/asrh/nc-est2019-sr11h.xlsx>

Estimating Lost Wages due to US Slavery

Anti-Black Historical Injustices and their Intergenerational Wealth Implications

Colonial Slavery	Lost Income	Lost Freedom	Lost Capital	Pain & Suffering
US Slavery	Lost Income	Lost Freedom	Lost Capital	Pain & Suffering
Post-Slavery Discrimination	Lost Income		Lost Capital	Pain & Suffering

Swinton, 1990

Conclusion

Conclusion

The average per capita Black-White wealth gap should be considered a ***minimum*** amount of reparations to restore a status of fairness.

Conclusion

Slavery produced the *start-up capital* for the rise of the U.S. economy at the exclusive expense of the African Americans who were enslaved. Their *descendants deserve recognition* of this fact through a *comprehensive federal reparations program.*

Conclusion

Whatever *California* can do to support the call for *federal reparations* to the African American descendants of the enslaved in the U.S. will be an exercise in the *restoration of justice*.

Personal Motivation

Personal Motivation



My interest in questions racism and reconciliation is based on my experience of growing up in Germany .

<https://theculturetrip.com/europe/germany/articles/the-best-things-to-see-and-do-in-tubingen-germany/>

Personal Motivation



I learned about the Holocaust in every school subject
wishing to express to a Holocaust survivor how
ashamed I felt.

Personal Motivation



One day, I met Mieciu Langer, survivor of five concentration camps and a death march. In his retirement he relocated from Israel to Germany.

Personal Motivation

How was Mieciu ever able to regain trust in Germans or in Germany as a country after the suffering he went through as a young man?

Personal Motivation

Mieciu received a *reparations pension* from the 1970s to 2015, worth about *\$2,000 per month in 2018 Dollars*. In 45 years this would amount to *\$1 million*. Clearly not enough, merely a *symbolic gesture*.

Personal Motivation

The purpose of the reparations pension was to serve as a ***material token of sincerity***, giving weight to German promises to never let it happen again.

This is all that reparations can be – ***a symbolic gesture giving weight and credibility to words of apology for historical injustices***.

Thank You!

REPARATIONS COMMITTEE PRESENTATION
LAWRENCE LUCAS
OCTOBER 13, 2021

Thank you for this invitation to address this important effort. I am honored to be with you this afternoon. My name is Lawrence Lucas. I served as President of the United States Department of Agriculture Coalition of Minority Employees beginning in 1994, and I currently serve as President Emeritus. We focused in our earliest of days on the same things that we focus upon now: fair, ethical, and humane treatment of employees at USDA, especially, women employees who receive the most violent of treatment within the USDA Forestry Service, and the rights of Black farmers to fair and equal treatment in the areas of programs and services. Yes, for decades, hundreds of years Black farmers have suffered. Black farmers deserve the same treatment as white farmers here in America, but, sadly, they do not.

We can tell our stories back to the shores of Africa, our agricultural, communal societies. We can tell you of the brutalities of the Middle Passage, the degradation of the auction block, and the horrors of plantation life. We can tell you stories of joys of freedom and the systems set up to marginalize our people during and after Reconstruction. We can tell you of amazing efforts to achieve land ownership during a time when we were to work the land and not to own it.

Yes, the faces and voices you just saw and heard from the trailer of "**I'm Just a Layman in Pursuit of Justice: Black Farmers Fight the USDA**," are but the tip of the iceberg. This documentary, co-produced by Shoun Hill and Waymon Hinson, and funded by the Black Farmers and Agriculturalists Association of Tillery, North Carolina, Gary Grant, President, reflects the narratives of 9 of 15 African American farmers and families who prevailed against the United States Department of Agriculture and the Department of Justice, and insurmountable odds, between 1997 and 1999. Without the courage of these Black farmers and families, there

would be no Black Farmer Movement, and there would be no Pigford I, nor Pigford II. Even as they prevailed, the USDA found ways to deny them services.....the same services they give to white farmers.

Their stories are difficult to hear and see. They had to deal with racial epithets that include the “N-word,” “boy,” and “KKK signs.” Also, NAACP, “**Now Apes Are Called People,**” was found on the bathroom doors at two of the main USDA buildings in Washington, DC. Farmers were ignored by the county office personnel, they had to sit and wait while white farmers went in and out, and they even had to sit and talk to county personnel who wore their signs of white supremacy. Loans were delivered too late in the planting season, disaster relief funds were not offered, and payment restructuring options were also not denied.

We know the stories of the Whistleblowers One, for instance is Francis Haugen who was an employee at Facebook. We read and hear of the blowback to her expose. Many of us believe what she has been saying. In the US Department of Agriculture, we have had our fair share of Whistleblowers, especially those women who had the courage to expose the sordid truth as to how women were being mistreated, which included sexual abuse, sexual assault, harassment, intimidation, and fired for speaking out, in the Western Region, US Forestry Service. On December 1, 2016, Denise Rice and Lesa Donnelly, representing the USDA Coalition of Minority Employees, provided riveting testimony before the Committee on Oversight and Government Reform, chaired by Jason Chaffetz, Utah. Also, on November 15, 2018, Shannon Reed appeared before the same committee, chaired by Trey Gowdy, South Carolina. And on March 1, 2018, PBS reported on sexual harassment. Then retaliation began. Rosetta Davis, a civil rights office employee, told her personal story of sexual abuse that she experienced by top members in the Office of Civil Rights as she went on stage uninvited before a Black History

Month event in the USDA auditorium in February, 2018. And those persons responsible for that mistreatment who work in the Office of Civil Rights and work for the Secretary have not been held accountable. Top officials at the highest level of the Secretary's office had the opportunity to settle her case and didn't. We know that happens at USDA and nobody is held accountable.

The entire system at USDA's civil rights is toxic for employees, Black farmers, and others. We have had Whistleblowers in other departments of USDA. They tell different stories with common threads. The system is organized, and has been historically, especially since the era of the New Deal, to advantage white people and not people of color nor women. Power was placed in the hands of southern white men and remains. The plethora of class action suits and their settlements confirm these stories.

Black farmers were their own whistleblowers. The system at USDA is designed to protect itself. The stories of the farmers in the documentary are but the tip of the proverbial iceberg because of complaints against the USDA and its egregious system of favoring white farmers in programs and services. The USDA has indeed become "the last plantation."

Against insurmountable odds, racism, the KKK, public and private lynchings, black codes, and all manner of other machinations of white citizens, African Americans came to be prodigious landowners. In 1920, there were 950,000 Black farm operators; 22,000 Black farm land owners; and in 1910, Black farmers farmed 47,000,000 acres which dropped to 45,000,000 acres in 1920. In 1910, Black farmers owned over 19,000,000 acres, saw this drop to 16,700,000 in 1920, and then plummet to approximately 4,600,000 acres in 2017 when there were approximately 35,470 Black-owned farms with an average of 132 acres. By comparison in that latest census report, by comparison, over 2,000,000 farmers were farming 900,000,000 acres with an average of 441 acres. The comparison speaks volumes.

According to one news source (USA TODAY, September 24, 2021):

“Black farmers account for only 1.4% of all U.S. farmers, farm only 0.5% of the country’s farmland and generate only 0.4% of total U.S. agricultural sales every year. In contrast, about 14% of all U.S. farmers in 1920 were Black, according to that year’s agriculture census.”

This land theft has enormous economic consequences for Black Americans. Investigative reporters and researchers Joyce, Rosenberg, and Stucki have labeled the USDA as a “machine that eats” farmers. Their research indicates that 90% of Black-owned land has been lost, never to be returned.

Professors affiliated with Harvard University estimate that the value of Black land loss adds up to upwards of \$250 to \$300 billion and perhaps as high as \$1 trillion. Ancestors who worked so hard to own the land, knowing that land ownership is crucial to independence, and are not able, then, to pass this wealth on to the generations to follow is a travesty.

Why, we must ask, did the number of Black farmers drop so dramatically and why did the number of acres drop as well? This question haunts many people, those who would like to know, and it haunts those of us who do actually know, because we know the answers.

In addition to the incredible number of acres stolen through the years, we also must consider the damage to the health and well-being of Black farmers and to their families. Chronic, unremitting stress with intermittent and unpredictable stressors such as going to the county office, finding that loans have not been filed, that loans for white farmers have come in but not for the Black farmer, and the best rental lands and seeds and fertilizer are gone. Then the Black farmer gets his funds, but it is half of what he requested and it is too late in the growing season. Then, when disasters come, the Black farmer is not offered disaster relief. The list goes on and on, all of which indicate unspeakable levels of stress that grinds people to the bone. They have heart attacks or strokes, their kidneys fail, they lose their eyesight, and they die all too early.

These things are addressed by a researcher who has found that the greatest stress is shown in the mind and body of the farmer, then that of the spouse, followed by that of the children. Those of us who work in the Black Farmer Movement have lost count of those who have died waiting for justice which never arrives. Bottom line, there is a price for farming while Black in America.

The Secretary of Agriculture, Thomas Vilsack, has admitted that systemic discrimination has existed within USDA for decades. He indeed leads the system that works the way it was designed to work. It advantages white, male farmers and marginalizes Black, Hispanic, Native American, Asian American, and women farmers. He has established yet another equity commission despite the fact that USDA has internal and external documentation that reveals the problems and outlines the solutions all the way back to 1965, 1982, 1999, and on and on. During his term as Secretary of Agriculture under President Obama, he had the opportunity to change the Civil Rights landscape and he didn't. We do not need another lengthy expensive study to know what discrimination looks like. And to replicate The Jackson-Lewis Report (a cost of approximately \$10 million) with an Equity Commission is another waste of taxpayer dollars.

The Justice for Black Farmers Group came together in 2019 during the presidential campaign. This group plus the USDA Coalition of Minority Employees engaged initially with Senator Warren when we observed her attempt to explain Black land loss as a function of heirs property. While we agree with her that heirs property is a small part of the problem, she came to agree with us that in reality the USDA, county committee system, rural banks, real estate speculators, and others are responsible.

At the same time, we engaged with Senator Bernie Sanders, and shortly thereafter with Mike Bloomberg. We eventually engaged with the Biden/Harris campaign and ultimately their transition team.

By far, it was Senator Warren who grasped the significance of Black land loss. Her policy mirrored her understanding of the issues. It is easy to find on the internet. Bloomberg and Sanders were close.

We were then encouraged when Senator Warren engaged Senator Booker of NJ, and the Justice for Black Farmers Act of 2020 was submitted by Senator Booker, and then resubmitted by Senator Booker in 2021. We believed then and we believe now that with the stroke of his pen, Secretary Vilsack could bring about 90% of the changes needed within USDA.

Senator Warnock weaved the debt relief piece from the Justice for Black Farmers Act of 2021 into section 1005 of the American Rescue Plan Act of 2021 along with section 1006. This promised \$4,000,000.000 in section 1005 was designed to provide debt relief to socially disadvantaged farmers who had experienced decades of discrimination. Section 1006 of the ARPA of 2021 would direct the Secretary to make direct payments to Underserved Farmers and Ranchers where there is reasonable cause to believe that the person has suffered discrimination or bias in USDA programs. This provision can assist many of the 92 percent that will not get relief from section 1005 debt relief. Additional funds need to be added to this section to enable a large number of farmers and ranchers to get relief. Additionally, a new definition is being proposed that excludes race and outlines eight conditions for which a person must meet one or more in order to get complete debt relief. It is not clear how many of the 3,100 Black farmers that were included under ARPA will now be covered under the new definition. The relief in the new ACT will be for 100 percent and not 120 percent as under ARPA, which means the farmers might have to pay taxes on the debt relief.

Before the ink was dry on the Relief Act of 2021, several groups of white farmers stepped in to claim reverse discrimination. These lawsuits were both racist and frivolous. One

court issued a Temporary Restraining Order, and the DOJ decided ultimately not to appeal the court's decision to put a halt to these law suits across the country. At this point, we are deeply concerned about the inability of our country's leaders to respect Black farmers and the intense and unremitting discrimination that has robbed thousands of farmers and their families of their livelihood, culture, and way of life, and generation after generation of lost wealth and land which will never be returned to them.

Black land loss at the hands of USDA pulls together a coalition of the county committees, FSA offices, local banks, and white land farmers. The Black land owners often are kept in the dark while adjacent white farmers are all too ready to seize their property at oftentimes below market rates. These stories are written in our hearts as Black farmers and their families die all too early in the brutal struggle of unremitting and intense stress.

Black farmers know all too well that the issue at hand is the land. They are aware because they have felt the onslaught of egregious actions, all designed to put the land back into the hands of white farmers.

Therefore, it is imperative that America come to a reckoning of how it has treated its Black farmers and families and work toward justice.....you call it reparations. How does a family live in the space of loss of their land? How do family members continue to hope for a brighter day against the brutal realities that systems of government deprived them of their parents or grandparents or great-grandparents via strokes, heart attacks, psychotic breaks, kidney failure, loss of eyesight, and other physical problems which all too often end in premature death?

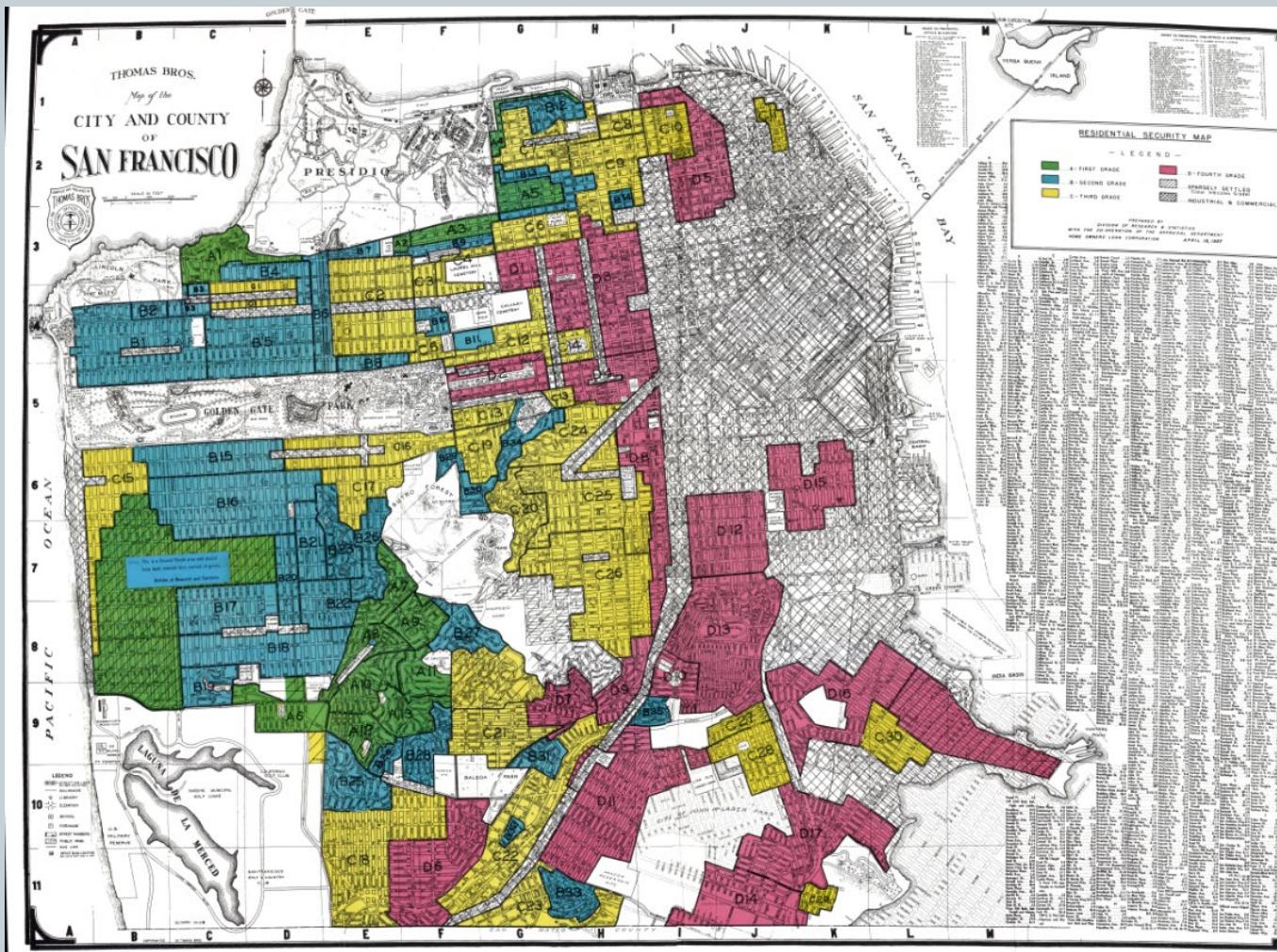
You cannot convince us that Janelle Waggoner, whistleblower and firefighter US Forestry Service, Western Region; Black farmers: Eddie and Dorothy Wise, Matthew and

Florenza Grant, Welchel and Emma Long, George Hildebrandt, and Harry Young; class agent for the Hispanic class action against USDA, Lupe Garcia; and so many others, would have not lived another hour, another day, another month, another year, if not for the deprivation and abuse of a failed civil rights process and administration at the US Department of Agriculture

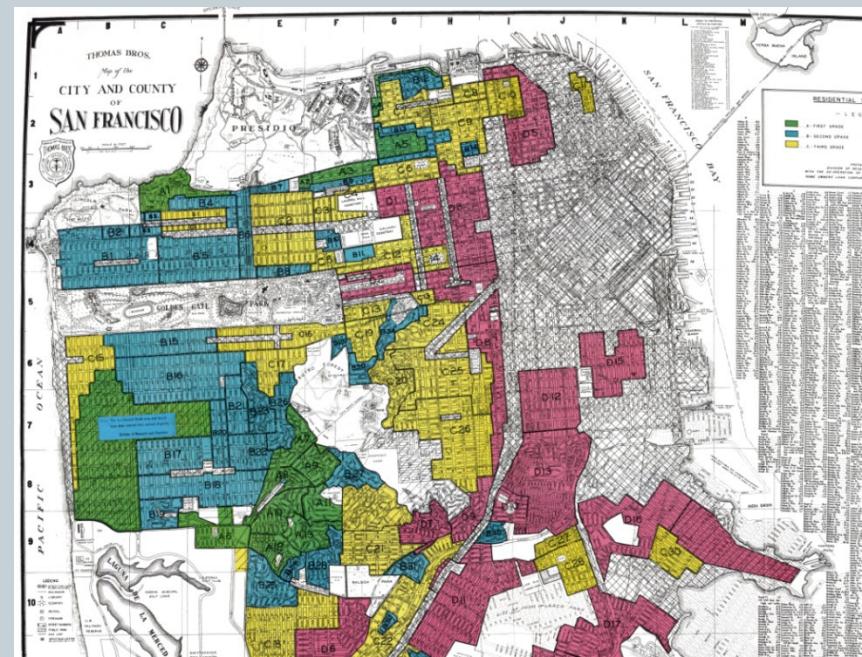
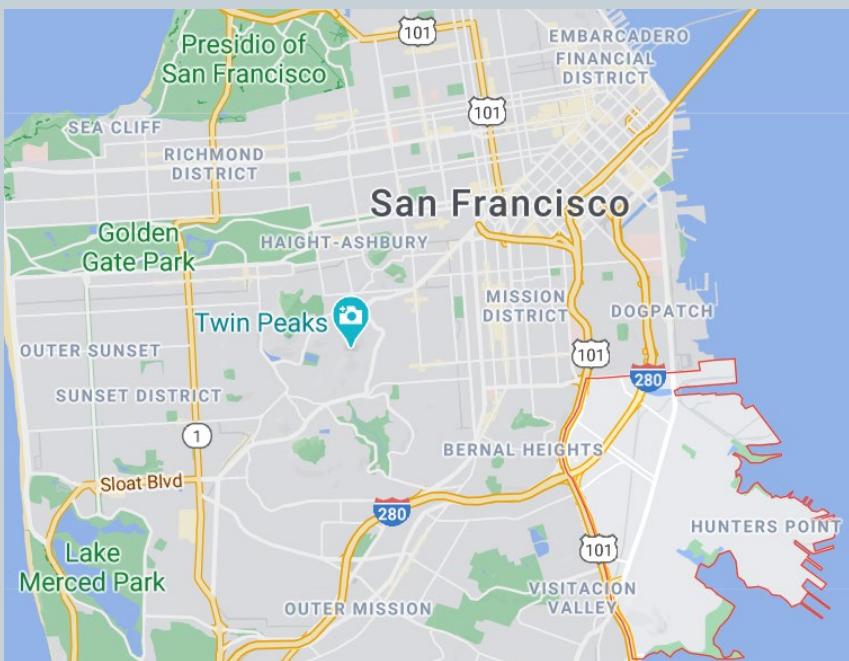
Testimony Before the Task Force on Reparation

Helen H. Kang
Professor of Law
Director, Environmental Law and Justice Clinic

Government-Created Segregation

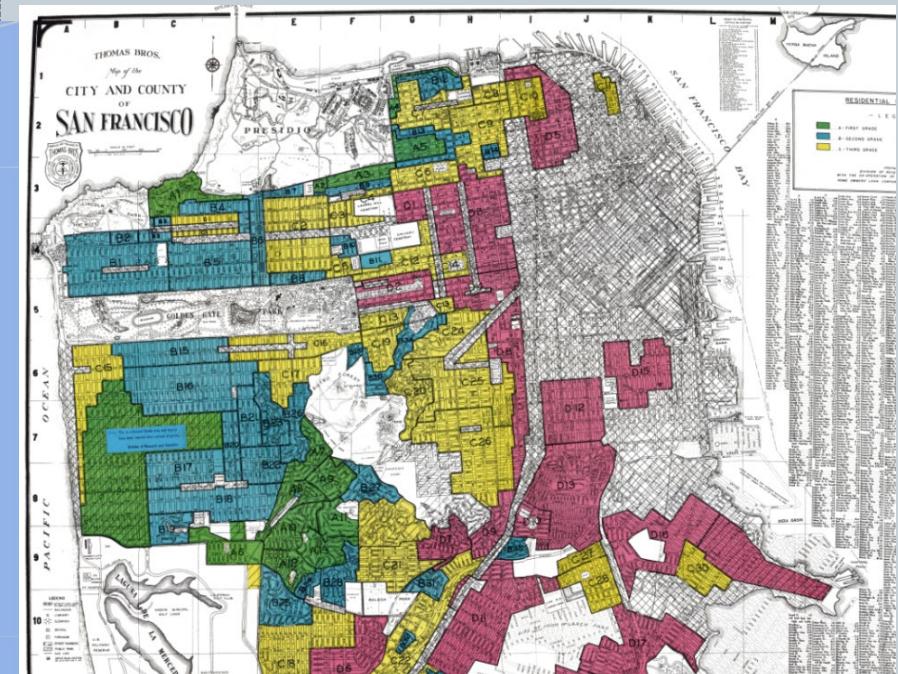
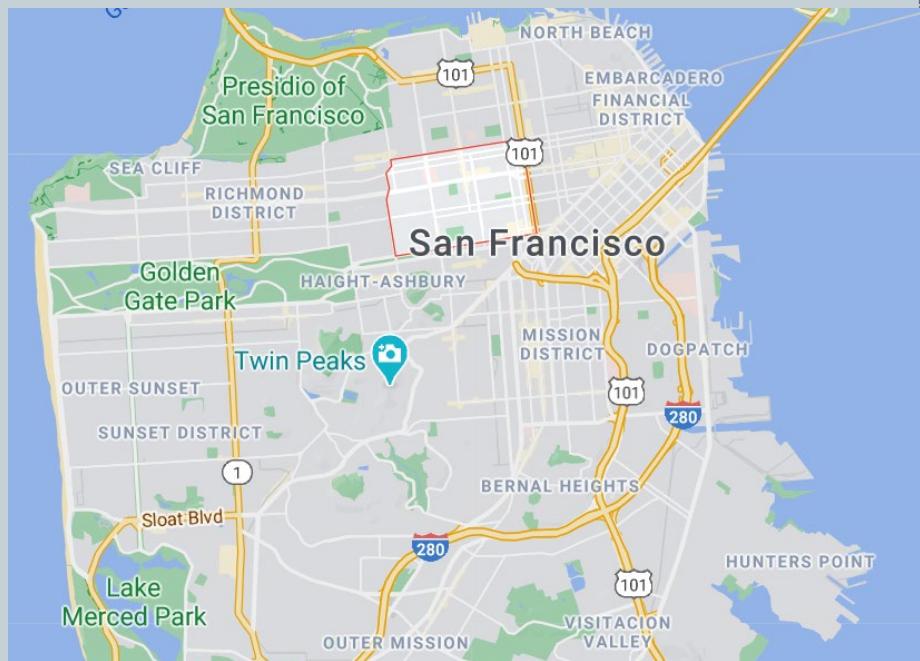


Credit: Robert K. Nelson, LaDale Winling, Richard Marciano, Nathan Connolly, et al., "Mapping Inequality," *American Panorama*, ed. Robert K. Nelson and Edward L. Ayers



Bayview Hunters Point

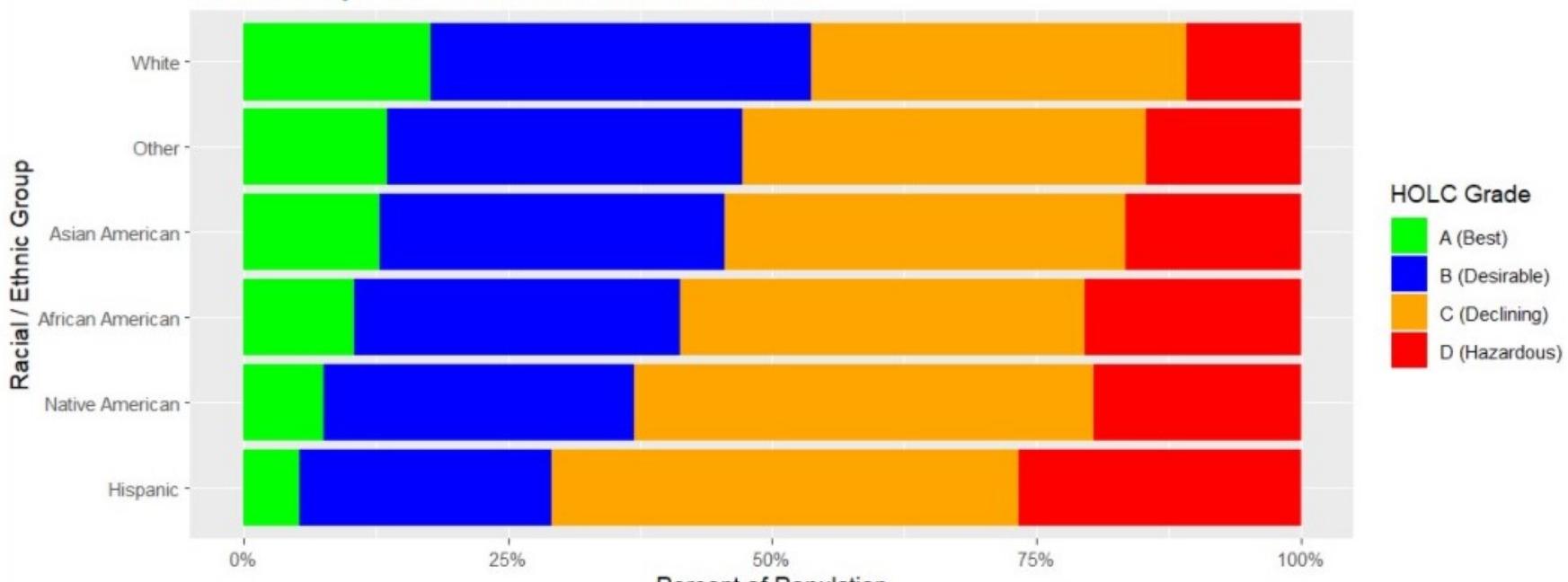
Sources: Map Data 2020 Google (left); Mapping Inequality (right – modified with color lavender)



Western Addition

Sources: Map Data 2020 Google (left); Mapping Inequality (right)

Present-Day Distribution of Racial / Ethnic Group Populations Within Neighborhoods Assessed by the HOLC in the 1930s in California



Credit: Cal EPA,
<https://storymaps.arcgis.com/stories/f167b251809c43778a2f9f040f43d2f5>