

**AB 3121 TASK FORCE TO STUDY AND DEVELOP
REPARATIONS PROPOSALS FOR AFRICAN AMERICANS**

MEETING MINUTES
December 14, 2022, 9:00 A.M.
<https://oag.ca.gov/ab3121>

Oakland City Hall-Council Chambers
1 Frank H. Ogawa Plaza
Oakland, CA 94612

Members Present: Chairperson Kamilah V. Moore, , Senator Steven Bradford, Member Lisa Holder, Assembly Member Reginald Jones-Sawyer, Dr. Cheryl Grills, Dr. Jovan Lewis, Member Monica Montgomery-Steppe, and Member Don Tamaki.

Members Absent: Vice Chair Dr. Amos Brown

1. Chairperson Call to Order

Chairperson Moore called the December 2022 AB 3121 Reparations Task Force meeting to order at 9:03 a.m., on December 14, 2022 at the Oakland City Hall Council Chambers in Oakland California. Chair Moore welcomed everyone to the California Reparations Task Force Hearing.

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

Members present: Chair Moore, Member Bradford, Member Grills, Member Jones-Sawyer, Member Lewis, Member Montgomery-Steppe, and Member Tamaki.

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

Vice Chair Brown and Member Lisa Holder joined the meeting after the roll was called.

Chair Moore acknowledged City Council Member Carol Fife and Assembly Member Mia Bonita. **Council Member Carol Fife** provided welcoming comments and thanked the Task Force and participants for their important work.

Chair Moore reminded everyone that Public Comment was scheduled for one hour, of which 30 minutes was allocated for in-person comments and 30 minutes was allocated for phone-line comments.

2. Public Comment

Aisha Martin-Walton moderated the public comment portion of the meeting agenda. There was a hybrid audience, some in-person and others participated virtually. There were approximately 33 comments, 19 in-person and 13 comments provided via the phone line. Public comments reflected individuals, businesses, and community organizations in support of reparations. Several commenters thanked Task Force members for their vote in support of lineage-based eligibility for reparations. Several commenters requested future Task Force hearings be held on Friday and Saturday and the time allowed for public comment extended in order to encourage participation. Many encouraged Task Force Members to begin drafting legislation now based on reparations proposals. Some commenters suggested that reparations should work to repair harms through present day, cash payments should be a priority and processed immediately, and housing compensation should be considered based on the median price of a home in California. Education grants, business grants and low or no interest insurance should be provided and the anchor organizations continued. It was suggested that discrimination complaints filed by African Americans with the Department of Fair Employment and Housing be adequately investigated and the laws protecting African Americans against discrimination be enforced. It was also suggested that structural racism by the Department of Parks and Recreation exists and should be reviewed. It was requested that the Task Force review “Demand Letter 2018”. Some commenters proposed forms of reparations such as designating Black Americans as a protected class, the creation of an Office of Freedman Affairs, and Redress Administration, current occupants of land expropriated by eminent domain to pay descendants of landowners such as those who owned land in Russell City, and finally a formal apology.

3. Action Item: Approval of the September 2022 Meeting Minutes.

Chair Moore stated that the September minutes had been sent to the Task Force members in advance for review. She asked if the Task Force had any questions, comments, or corrections for the September 2022 minutes?

Member Tamaki stated that the testimony provided by Ms. Iwataki should be corrected to change the Army Unit number from 142 to 442 and to insert the word American after the word Japanese, in the same sentence, referencing the correct name of Army Unit.

There were no further questions, comments, or corrections, raised. **Chair Moore** then called for a motion to approve the September 2022 Meeting Minutes as corrected.

MOTION: Member Bradford moved to approve the September 2022 Meeting minutes as corrected.

Member Jones-Sawyer Seconded the Motion.

There was no further Discussion, and the vote was called by **Parliamentarian Johnson** as follows:

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

Nays: 0

Not Present: Vice Chair Brown

There were 8 members present and voting: **8 Ayes, 0 Nays** and 1 Not Present.

The motion passed and the September 2022 meeting minutes were approved as corrected.

Chair Moore explained that at the advice of Parliamentarian Johnson and with respect to Task Force Committee reports, any motions made will need to clearly state the direction they are giving to the DOJ Staff. Specifically, it should be stated by the maker of the motion to:

Chair Moore explained that any additional proposals that the members wanted made would have to be discussed during this meeting and or referred to the DOJ staff in the form of a motion so that it could be put in the form of a proposed recommendation that will be considered during the January meeting. The deadline for the receipt of any comments, new proposals or requests for further research is **December 23, 2022**.

4. Discussion and Potential Action: Advisory Committees' Report on Recommended Answers to Experts' Five key Questions- Presenters: Chair Moore, Member Lewis, and Experts

Chair Moore opened this discussion by welcoming Economic Experts:

- **Professor Kaycea Campbell**
- **Professor Thomas Kramer**

Chair Moore asked the Economic Experts to provide some background and purpose of the five key questions that are being asked of the Task Force.

Economic Expert Kaycea Campbell reviewed their assigned Scope of Work regarding the Harms/Atrocities related to slavery as an institution and the process of providing reparations. The questions presented to the Task Force were specifically designed to provide calculations that will quantify the burdens associated with institutional slavery. Dr. Campbell noted that institutional slavery continues to be historically burdensome and that calculations will centered on the Harms/Atrocities that the State of California should compensate. The Five Harms/Atrocities have already been identified by the Economic Experts and the methodology to calculate damages associated with each of the categorized Harms/Atrocities will be developed by the Economic Experts subjected to the approval by the Reparations Task Force. The framework categories for the five Harms/Atrocities are listed below:

- **Unjust Property taken by Emanate Domain**
- **The Devaluation of Black Business**
- **Housing Discrimination and Houselessness**
- **Disproportionate Black Mass Incarceration and Over Policing**
- **Health Harms**

Chair Moore and Member Lewis presented suggested answers to the above five key framing questions based on each of the five Harms/Atrocities Model outlined by the Economic Team and including the broader context of international human rights law and compensation.

The Tenets of the Model were Eligibility, Time, and Residency. The community of eligibility, as defined by the Task force, is based on lineage, and includes individuals who are descended from at least one African American chattel enslaved person or the direct descendant of a Free Black person who lived in the US prior to the end of the 19th century.

The Five Key Questions posed by the Economic Experts and the Task Force Committee’s preliminary responses and comments are listed below. The Committee stated additional research is needed to develop final recommendations.

I. What are the damage time frames for potential compensation?

Unjust Property Taking: 1920- Present

Devaluation of Black Business: 1900- Present (lineage requirement) - present (AB 3121)

Housing Discrimination and Homelessness: 1937 -1977 (Home Owners Loan Corporation (HOLC) – Community Reinvestment Act)

Mass Incarceration: 1970 – Present and **Over Policing:** 1971 - Present_(War on Drugs)

Health Harms -1900-Present

II. Will there be a California residency requirement? If yes, how will it be determined?

Yes, there should be a California residency requirement based on the factors such as:

- Claimants must be an individual or come from a family that moved to California at least 2 or 3 generations ago (1992). This framework includes people who have since left California, but were born and raised in CA
 - Claimants collectively experiencing or suffering from state-sanctioned violence
- How Will Residency Be Determined?

Voter registration records; car registration records; organization/membership records, professional license records; real estate records; letter from homeless shelters/organizations; home utility bills; school documents; medical records, insurance records; mortgage bills; employment document lease agreements.

genealogical evidence; court documents, bank documents etc.

- III. What year determines the beginning of harm? Are there different starting points and end points for each atrocity category?

Harm begins at CA state founding (1850) or enactment of California Fugitive Slave Act (1852). Regarding possible end points the Committee stated that historical events could be considered and gave examples such as the 1965 Watts Riots, 1966 Black Panther Party founding, the 1972 Watts Tax Benefit concert, and 1992 LA Riots.

- IV. Will direct victims and/or all African American descendants of U.S. slavery in California (who meet the residency requirement) be compensated?

The Committee suggests that the Task force must agree if harms serve as individual criteria or general condition. The Committee recommends general condition criteria be used.

- V. How will reparations be paid and measured to ensure the form of payment aligns with the estimate of damages?

The Committee stated they had no preliminary recommendations for this question at this time.

Chair Moore asked the Task Force if there were any questions regarding the Economic Experts five questions and answers as presented by the Advisory Committee? If there were no questions/concerns, she asked for the acceptance of the proposed preliminary recommendations as presented, so that they can be forwarded to DOJ for refinement in preparation for a final vote at the January 2023 Task Force meeting. Some Task Force members suggested that more time should be allocated for review and discussion around the five questions submitted by the Economic Experts, as well as the responses provided by the Task Forces.

SAAG (Senior Assistant Attorney General) Newman of DOJ stated that there is no need to make a motion for this action. In response to the Task Force members request for more time to review the Committee recommendations, SAAG Newman suggested the possibility of reserving a day in January for further discussion prior to the regularly scheduled meeting. Vice Chair Brown stated he would rather have a motion for clarification.

MOTION: Vice Chair Brown moved to allow Task Force members to continue to submit amendments to DOJ and to update the Five Question Answers/recommendations between now and the January Task Force meeting vote.

The **motion** was **seconded** by Member Montgomery-Steppe

Chair Moore reminded everyone that December 23, 2022, had been previously established as the deadline for providing amendments.

Chair Moore then asked Parliamentarian Johnson to take the vote:

Ayes: Chair Moore, Vice Chair Brown, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Jones-Sawyer, Member Montgomery-Steppe, Member Tamaki

Nays: 0

Chair Moore announced that the vote was 9 ‘yes’ and 0 “nays” and **the motion passed**

Chair Moore stated based on the discussion with the Economic team the Harms/Atrocities Item #3 Housing and Discrimination damage time frame should be codified to begin 1933 (beginning of Hope) – 1977 (Community Reinvestment Act)

Member Lewis requested the Economic Experts assistance with guidance on where to begin their investigative research for additional data that is required to substantiate the calculations for Harms/Atrocities. For key questions 1,3, and 4, there was some existing data available to assist with determining the damage time frames and based on existing research, however, there was almost no data to substantiate key question 2 and 5.

The complete presentation and related materials by the Task Force addressing the five Key Framing Questions can be found on <http://oag.ca.gov/ab3121>

5. **Discussion and Potential Action: Advisory Committees’ Preliminary recommendation(s) on Potential Remedies, Remedial Programs, Laws, and Apologies for Atrocities in chapters 2 and 8 (Racial Terror) and (Pathologizing the African American Family) - Presenter: Member Grills**

SAAG Newman introduced the Deputy Attorney Generals Jesse Basbaum and Jennifer Gibson as well as Supervising Attorney General Christine Chuang from the DOJ Civil Rights section and thanked them for their support with the development of the presentations.

- **Racial Terror**

Member Grills gave the following overview of how Racial Terror leads to Racial Trauma. Racial Trauma is also known as Race Based Traumatic Stress. The stressful impact of the emotional pain of experiencing racism and discrimination is the process the of killing Black people or a person’s identity, culture, history, and language. One could argue that Black people are always on alert for the next thing that is going to happen that could cost them their lives. This state of mind is reflected in an increased sensibility to a threat of a shortened future as well as maladaptive responses to stress

like aggression, substance abuse, and defensiveness. Racial Terror affects one's psychological, emotional, spiritual, and physical wellbeing that is multidimensional and multigenerational. Black people live with a chronic sense of danger and a narrowed sense of time with a frequent view of dying as an expected outcome. As a result, there is a lost sense of hope. Member Grills concluded by stating that reparations should provide an escape plan to repair and restore community well-being and intervention is required at all levels, from the individual to the family, to the community, and to the nation to eliminate the Anti Black Narrative.

- **Task Force Committee Preliminary Recommendations**

1. Eliminate legal protections for peace officers who violate civil or constitutional rights and eliminate the requirement that a victim of police violence show that the officer “specifically intended” to violate a constitutional right
2. Conduct a comprehensive audit of California Department of Corrections and Rehabilitation (CDCR) and County detention facilities to determine extent of racially biased treatment of African American youth and adults
3. Incorporate behavioral health clinicians into 911 responses
4. Establish state funds and provide criteria to support culturally aligned trauma— informed practices in detention facilities and public schools in CA
5. Establish and fund community wellness centers within African American communities to
 - a. Decrease mental health stigma
 - b. Teach stress reduction and resilience tools
 - c. Create communal spaces
 - d. Support cultural and racial socialization to support mental health
 - e. Provide community-defined evidence and promising practices prevention and early intervention mental health programs
 - f. Offer mental health and health screening and referrals
6. Require the CA Department of Public Health to issue guidance on strategies under Medicaid and CHIP to increase African American care provider for those experiencing mental health and substance use disorder, education, training, recruitment, and retention.
7. Conduct a comprehensive audit of CA County Departments of Mental Health regarding their management of MHSA funds to date their management of MHSA funds to date a. To what extent are funds dispensed to the communities as intended by MHSA.

8. Fund community driven solutions to decrease community violence at the family, school, and neighborhood levels
 - a. (Possible funding source: MHSA dollars dispensed by County Departments of Mental Health)
 - b. Place emphasis on prevention as well as early intervention, environmental change strategies, and promotion of resilience in the face of stress

- **Pathologizing the African American Family**

Member Grills summarized that pathologizing the African American family has occurred since the beginning of this country. People have historically looked at White families as exemplars of social stability and Black families as exemplars of social instability. This narrative has been with us for generations and these impressions of Black families have been reinforced on the news, television, movies, and music videos. Consequently, governmental agencies and institutions implement policies and practices grounded in the racialized narrative.

- **Task Force Advisory Committee Preliminary Recommendations**
Guarantee of Non-Repetition

1. Reduce (eliminate) racial disparities in the removal of African American children from their homes and families
 - a). Audit removals by county Child Welfare Departments statewide, including use of neglect as reason for removal
 - b). Implement procedures and annual state audits to address implicit racial bias (contributing to disproportionate investigations and removals of Black children and termination of parental rights)
 - c). Reinvest in promising child welfare community-based prevention practices that involve CBO support
2. Establish a policy related to: Over-diagnosis of African American children in schools using a diagnosis of Social Emotional Disturbance
3. Curtail law enforcement activity in California schools and determine alternate methods to increase school safety
4. Institute implicit bias and de-escalation training for school based personnel (particularly law enforcement)
5. Eliminate or reduce charges for phone calls between those in custody in county jails and their families – consistent with California’s recent elimination of call fees for state prisoners
6. Eliminate interest on past-due child support and eliminate past-due child support owed to the government for non-custodial parents

7. Amend Section 5845 of the Welfare and Institutions Code, relating to mental health whereby the Governor would appoint an additional member to the Mental Health Services Oversight and Accountability Commission (MHSOAC) who has knowledge and experience in reducing mental health disparities, especially as they relate to African American communities.
8. Rehabilitation
 - a. Prioritize spending on Community Defined Evidence Practice (CDEP) services at other state and County levels pursuant to Welfare & Institutions Code Section 5840.7 (a) (6). The inclusion of CDEP language provides local jurisdictions with a concrete example of strategies that constitute culturally competent and linguistically appropriate prevention and intervention for Black residents of CA.
9. Increase the pipeline of funded culturally qualified CBOs to provide in CDEPs including provisions for technical assistance and program evaluation support.
10. Establish and fund early intervention programs that address intimate partner violence (IPV) within the African American community a. Support the victim(s), the abuser, and minor children within the family exposed to the violence
11. Establish policy related to addressing the disproportionate number of African Americans who are homeless and pathologized due to their unhoused status

- **Task Force Member Discussion**

Task Force Members thanked Member Grills for her very comprehensive presentation and suggested that all Advisory committees use her format going forward. They also thanked the DOJ Attorney Generals. Some specific suggestions raised by the Task force were:

1. Historic Black communities such as Allensworth should be restored and maintained as a part of reparations.
2. Charter Cities should designate known areas as historical African American Communities, so they are not overlooked when resources and funding is provided.
3. Early childhood trauma should be included in the community driven solution.
4. A Positive Racial Identity program should be offered as a construct for curriculum to help shift the implicit bias and negative narrative.

The complete presentation and related materials addressing Racial Terror and

Pathologizing the African American Family can be found on <http://oag.ca.gov/ab3121>

6. **Lunch Break** Chair Moore reminded the Task Force members that the schedule was tight and that the meeting would resume at 1:30 p.m.

The meeting resumed after the lunch break and **Chair Moore** asked the **Parliamentarian Doreatha Johnson** to call roll to reestablish a quorum. **Parliamentarian Johnson** called the roll. Members present during roll call included: Chair Moore, Vice Chair Brown, Member Bradford, Member Grills, Member Holder, Member Jones-Sawyer, Member Lewis, Member Montgomery-Steppe, and Member Tamaki.

Parliamentarian Johnson announced that five members are needed for a quorum, there were 9 members present and advised the Chair that a quorum was re-established.

Chair Moore acknowledged Oakland City Councilmember Treva Reid

7. **Discussion and Potential Action: Advisory Committees' Preliminary Recommendation(s) on Redress of the Unjust Taking of Property via Eminent Domain and Devaluation of African American Business (Chapters 5 and 10) — Presenters: Members Montgomery-Steppe, Bradford/Experts/ and DOJ staff**

- **Property Loss by Eminent Domain**

Member Bradford discussed preliminary recommendations to redress African Americans who were forced out of their legally owned property by racism and/or discrimination. Member Bradford also stated that Black homeownership has dropped more than any other ethnic group and is approximately 45% in the Nation and 41% in California. Some African Americans are 3rd and 4th generation renters. Home ownership today is actually less than it was in 1960. Member Bradford also discussed preliminary recommendations for a guaranteed income program for people with criminal records (One of the root causes of high recidivism rates is the inability of formerly incarcerated persons to obtain gainful employment), creating greater transparency on Gubernatorial appointments, as well as the need to raise the minimum wage to a living wage.

- **Preliminary Recommendations:**

1. **Redress for Racially Motivated Property Takings**

- a. Restore state property taken during race-based uses of eminent domain to its original owners or provide another effective remedy where appropriate, such as restitution or compensation • Create a Legislative agency to:
 - Research and identify California state properties acquired as a result of racially motivated eminent domain;
 - Create a database of property ownership in the state.
- b. Review and investigate public complaints from people who claim their property

was taken without just compensation; • Distribute just compensation for the fair market value, adjusted for inflation, of the property at the time of the taking; and • Develop and implement a public education campaign regarding the cycle of gentrification, displacement, and exclusion; the connection between redlining and gentrification; and the history of discriminatory urban planning in California.

2. **Making Ownership a Reality**

Provide funding through grants or otherwise to assist descendants of enslaved people with homeownership.

3. **Greater Transparency in Gubernatorial Appointments**

Promote greater transparency in gubernatorial appointments. • Governors appoint people to their cabinets, the judiciary, influential state boards, and influential state commissions. Having this information will allow for the advocacy of more diversity and inclusion in future appointments.

Require the Governor's Office to:

- a. Conduct a census of all current gubernatorial appointees to ascertain the percentage breakdown of their demographics, including the race and ethnicity of appointees and how many are descendants of slaves
- b. Publish an annual report with the demographic data, including the race and ethnicity of appointees, including how many are descendants of slaves.

4. **A Guaranteed Income Program for People with Criminal Records**

- a. Create a guaranteed income program for descendants of enslaved people and use the first state-funded guaranteed income program for foster youth administered through the California Department of Social Services as a blueprint.
- b. Eliminate the barriers created by governmental agencies to employment and to obtain an occupational license, by formerly incarcerated persons with criminal records who are descendants of slaves. This proposal could expand upon Assembly Bill (AB) 2138 below:
 - Consider eliminating or reducing the period in which a prior conviction for a “serious felony” can be held against a person, which is currently at seven years, with certain exceptions.
 - Change the requirement for “substantially related criminal convictions” held against a person with a criminal conviction.

- **Devaluation of African American Business**

Member Montgomery-Steppe presented highlights and preliminary recommendations of her investigative and analysis work around the Devaluation of African American Business. She discussed the importance and necessity of transforming minimum wage to a living wage due to the high cost of living index in the state of California, Member Montgomery-Steppe also addressed advancing pay equity, and to hold private businesses accountable for equal pay and under representation transparency, for the Apprenticeship grant program, Funding Black Businesses, and Repeal or Amend Proposition 209.

- **Preliminary Recommendations**

1. **Transforming the minimum wage back into a living wage.**
2. **Raise the minimum wage back into a living wage, as originally intended, by raising the minimum wage to an amount determined by the Legislature.**
3. **The minimum wage should also be adjusted on a regular basis to adjust for increases to the cost of living (including inflation).**
4. **Require an analysis of the impact that increasing the minimum wage would have on the costs of goods and services.**
5. **Advancing pay equity through employment transparency and equity in hiring and promotion, professional career training,**
 - a. Amend Senate Bill (SB) 973 and SB 1162 to further the advancement of pay equity and transparency. SB 973 requires employers with 100 or more employees to report pay and hours-worked data by establishment, job category, sex, race, and ethnicity to the Civil Rights Department. SB 1162 expands the requirement for annual pay data reports and requires employers to publish pay scales with job postings, as well as to retain certain pay records.
6. **Apprenticeship Grant Program, Funding Black Businesses, and Repeal or Amend Proposition 209.**
7. **Professional Career Training**
 - a. Create and fund professional training programs that would enable descendants of enslaved people to access employment opportunities from which they have been historically excluded from or underrepresented.
 - b. Some fields from which descendants of enslaved people have been historically excluded from or underrepresented include:

- c. Medicine, law, business, management, computer science, mathematics, construction, and the sciences.
- d. The legislation could amend the Song-Brown Healthcare Workforce Training Act (Song-Brown) or create a new program modeled after Song-Brown.
- e. The legislation could add the professions listed above to the list of training programs that are eligible to contract with the State pursuant to Song-Brown.

8. Apprenticeship Grant Program

- a. Create apprenticeship grant programs and/or target existing programs, to increase participation by descendants of enslaved people in apprenticeship industries and technical occupations:
 - The California Department of Industrial Relations (CDIR) could administer and award grants on a competitive basis to eligible registered entities to increase participation by descendants in registered apprenticeship programs.
 - The CDIR could target registered apprenticeship programs in traditional and nontraditional industries or occupations, such as:
 - Construction, welding, electrical engineering, plumbing, information technology, energy, green jobs, advanced manufacturing, health care, and cybersecurity.

9. Funding Black Business

- a. Create a Small Business Investors Fund, a forgivable, interest-free-loan program available to owners of small businesses in African American communities. The funds could be used for startup costs, store upgrades, and other business investments. The loans could range from \$10,000 to \$25,000 and a portion of the loan would be forgiven each year as long as the recipient remains in business in the same community. The success of Black-owned businesses is a critical path for economic empowerment in Black communities.
- b. Repeal or Amend Proposition 209: a Proposal that the Legislature take steps within its authority to repeal or amend Proposition 209.
- c. Proposition 209 declares that the state, including its political subdivisions, “shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting;”
- d. Impact of Proposition 209: between \$1 billion to \$1.1 billion in contract Dollars are lost annually by businesses owned by women and people of color due to Proposition 209.

- e. Impact of Proposition 209: admission declines for applicants from underrepresented groups in the UC system, including African Americans.
- f. Alternatively, consider ways to amend Proposition 209.

Chair Moore acknowledged Mayor of Pinole Devin Murphy and shared that Mayor Murphy is the first Black and youngest Mayor of the city of Pinole.

- **Task Force Member Questions/Discussion**

Member Grills offered contact information for the Association for Enterprise Opportunity (AEO) because of their interest in gathering more insight on issues relating to Black Businesses.

The assisting **DOJ Deputy Attorney Generals Vince Ghazzawi and Danielle Elliott** provided comments on some of the existing programs that could also be used as a model.

The material presented by the Task Force addressing **Redress of the Unjust Taking Property via Eminent Domain and Devaluation of African American Business** can be found on <http://oag.ca.gov/ab3121>

8. Witness Panel: Local Municipal Reparation Efforts:

City of Oakland

Ms. Darlene Flynn has served as the Director of the City of Oakland's Department of Race and Equity since 2016. Ms. Flynn has more than 10 years of experience implementing systemic change and increasing racial equity in city government. She was on the ground level in developing the Race and Social Justice Initiative in the City of Seattle's Office for Civil Rights.

- Ms. Flynn began her testimony with the following context, affirming her support for reparations: the fifth of American Indian land and Free Labor from stolen people of Africa are the original sins that stain the foundation of this country, including California. The damage has gone well beyond its original purview. Government sanctioned withholding of freedom from terrorism, land ownership, labor protections, public education, health care, public aid, full access to democratic participation, fair treatment in the justice system, and other forms of discrimination is the explanation in disparities of life outcomes for Black Americans.
- Ms. Flynn clarified that the City of Oakland does not currently have a reparations initiative and that her team does not have the physical and/or financial capacity to pay reparations to Black residents. Ms. Flynn believes that Oakland does have one of the most robust Race & Equity programs in the State of California. She states

that the program is well designed and intended to address some of the local impacts of race-based harms with available resources. Ms. Flynn reported that her team is building staff capacity to analyze current programs in an effort to transform city government. Ms. Flynn intends to continue the conversation about creating a local reparations initiative and supports the Task Force's work.

County of Alameda

Mr. Nate Miley, Alameda County Supervisor, was first elected to the Board of Supervisors representing District 4 in November 2000 and is currently serving his sixth term representing portions of the City of Oakland, the City of Pleasanton including the adjacent Unincorporated Communities of Castlewood and Happy Valley, as well as Ashland, Castro Valley, Cherryland, El Portal Ridge, Fairmont Terrace, Fairview and Hill Crest Knolls. In January 2021, he was appointed Vice-President by his colleagues on the Board of Supervisors.

- Supervisor Miley began by outlining examples of historical harms within Alameda County that have had the most negative impact including public housing, police violence, zoning and redlining, municipal fragmentation, and barriers to homeownership. Supervisor Miley outlined several critical milestones in the effort towards reparations in Alameda County. Recently, Alameda County has pursued an Office of Diversity, Equity, and Inclusion to create a standard of best practices and assist in coordinating reparations efforts across the county. Supervisor Miley plans to recommend that the Board of Supervisors create an ad-hoc committee on reparations and a citizen's commission to conduct community listening sessions and create an action plan for reparations.

City of Hayward

Ms. Regina Youngblood joined the City of Hayward on Jan. 3, 2022, as Assistant City Manager to oversee the City's internal services functions, including Finance, Information Technology, and the Human Resources Departments.

- The Russell City Reparative Justice Project (RCRJP) arose from a decision by the City of Hayward's Community Service Commission to make a recommendation to the City Council that a formal apology be issued for the forced relocation of Russell City residents from their homes and businesses. The City Council voted unanimously and creating the RCRJP Steering Committee. Ms. Youngblood outlined four project phases including pre-work, community building, storytelling, and discussion, proposal development, and finally, government body approval. Ms. Youngblood explained that there are unique challenges when collaborating with the community that has been harmed to seek reparative justice, but that those challenges are also opportunities.

City of Vallejo

Dr. Kerby Lynch (she/her) the Senior Program Manager at Ceres Policy Research. Dr. Lynch is a critical Black studies scholar of human geography, political economy, and intellectual history. In her current capacity, she conducts social science research on community reinvestment, racial equity analysis, and reparations policy implementation.

Patrice L. Taraji is a Community Builder and Educator from Vallejo, CA. She has served in multiple capacities within the City of Vallejo and the Vallejo City Unified School District for over 15 years serving the youth and homeless population.

- Historic Black neighborhoods in the City of Vallejo are under the threat of gentrification and rapid displacement. Currently, the reparations work in Vallejo is a Grassroots movement but Dr. Lynch shares they are actively working with the city government to secure proclamations and resolutions to support reparations. Ms. Taraji outlined the unnatural effects of historical redlining, racial segregation, exclusionary policies, and private housing discrimination in Vallejo. Dr. Lynch offered the Task Force several examples of harms experienced by the community in Vallejo and outlined the work ahead.

City of Culver City

Onyx Jones serves as the Assistant City Manager for the City of Culver City and is an appointed member of the Board of Investments for the Los Angeles County Employees Retirement Association.

Helen Chin (she/her) currently serves as an Equity Analyst for the City of Culver City and has previously served as the Assistant to the City Manager on Homelessness. She is a member of the Government Alliance on Race and Equity national steering committee, supporting a national network of jurisdictions working to achieve racial equity.

- Culver City was founded as a sundown town with city plans to ensure it remained a “model white little city”. Today, Culver City envisions a future where all residents experience belonging and well-being and live free from harm. To achieve this vision, Culver City seeks to undo the institutional racism baked into its current policies and practices. In order to move towards repair, the City must first face its history, understand the harm caused, and take meaningful steps toward healing. Ms. Chin outlined that Culver City’s current efforts, including Public Safety Reform, Equity Partnerships, Equality Projects, and an Equity & Human Relations Advisory Committee, will comprise a to-be-developed Racial Equity Action Plan. Ms. Chin outlined potential challenges to reparation initiatives like national politics, harassment and threats, increased polarization, and the proliferation of misinformation.

City of Los Angeles

Michael Lawson is the Chair of the LA Reparations Advisory Commission and the President & CEO of the Los Angeles Urban League and a former U.S. Ambassador in the Obama administration after three decades as a leading international attorney.

Khansa T. Jones-Muhammad is the Vice Chair of the LA Reparations Advisory Commission and the co-chair of the Los Angeles Chapter of the National Assembly of American Slavery Descendants. Ms. Jones-Muhammad was formerly an elected budget advocate in the City of Los Angeles.

- Executive Action established the LA Reparations Advisory Commission in June 2021. The Commission is tasked with developing and recommending the format and goals of a reparations pilot program in Los Angeles, and seeking opportunity for public and/or private dollars to fund the program. Additionally, the Commission will work to identify academic partners to assist in the formal process of development and implementation, maintain an active relationship with community based-organizations and other key stakeholders, and, finally, engage relevant experts to inform the development of the pilot program.

County of Los Angeles

Dr. D'Artagnan Scorza is the inaugural Executive Director of Racial Equity for Los Angeles County overseeing the Anti-Racism, Diversity, and Inclusion (ARDI) Initiative and working to expand the County's work on anti-racism, equity, and inclusion. The Inglewood native is also a lecturer at UCLA Fielding School of Public Health.

- In July 2020, the LA County Board of Supervisors passed a motion that created the Board's Eighth-Board directed priority known as the Anti-racism, Diversity, & Inclusion (ARDI) Initiative with a mission to end structural racism and its consequences in Los Angeles County. It is also charged with boldly articulating an anti-racist agenda that will guide, govern, and increase the County's ongoing commitment to fighting systemic and institutional racism in all its forms and dimensions by directing, building capacity for, and sustaining the development of equitable policy, workforce culture, data analysis, and resource distribution. LA County's vision is that the County is a place where all residents are healthy, experience justice, and thrive. Dr. Scorza outlined the rationale and process of returning Bruce's Beach to the heirs of the rightful owners. Several key legislative findings underscore the harmful effects of unjust property takings and racial discrimination,

Task Force Comments and Questions

9. Break

Following a break, **Chair Moore** asked Parliamentarian Doreathea Johnson to call the roll to reestablish a quorum. **Parliamentarian Johnson** called the roll.

Members present during roll call included: Chair Moore, Vice Chair Brown, Member Bradford, Member Grills, Member Holder, Member Jones-Sawyer, Member Lewis, and Member Tamaki.

Not Present: Member Montgomery-Steppe

Parliamentarian Johnson announced that there were nine members of the Task Force, five members are needed for a quorum and there were 8 members present and **a quorum was re-established.**

10. Discussion and Potential Action: Communications Advisory Committee and Scope of Work of Communications Firm – Presenters: Member Grills, Chair Moore, Communications Firm, and Michael Stoll

Member Grills reported that after being selected in August 2022 by the Ralph Bunch Center, the UCLA Purchasing approved the contract with Charles Communications Group (CCG) on approximately September 30, 2022, allowing them to legally begin the Communications work for the Bunch Center. Member Grills turned the meeting over to **Dr. Shawna Charles** of CCG. Dr. Charles' shared the education, and professional experience of both she and her partner Mitch Christopher. Dr. Charles provided a detailed background on CCG communications firm along with their 360-degree approach of devising winning communications and public relations strategy.

Dr. Charles provided detailed information regarding the Scope of Work identified to serve the Task Force, which included a Communications Plan, development of the target audience, key message, implementation, timeline, and tracking mechanism for deliverables.

This included a high-level view of the tasks that have been completed since the CCG onboarding by UCLA in September. She also shared that their firm's objective is to inform and educate California Citizens about the work of the Reparations Task Force, the Interim Report released on June 1, 2022 and release of the Final Report scheduled for release June 2023.

Various members of the Task Force thanked Dr. Charles for a thorough and comprehensive presentation. Task Force members expressed appreciation to hear such an impressive systematic approach. It was also expressed that efforts should be made to saturate communities with information and announcements about the Task Force.

Member Tamaki stated that there have many attempts to get a Communications Firm on board and in light of the fast approaching sunset of the Task Force, he asked Dr. Charles if there was a good working relationship between her firm and the Task Force's Communications Advisory Committee. **Member Tamaki** advised that this was a good time to discuss this matter to ensure that a cooperative and collaborative work

environment would be maintained. **Dr. Charles** stated that it had been challenge to get them to the point that they were today.

Member Grills then asked to read a portion from an email written by Dr. Michael Stoll with the UCLA Ralph Bunche Center to Chair Moore in response to a December 6, 2022 email received from Chair Moore expressing concerns with the Bunche Center's selection process for the Charles Communication Group (CCG) and his assessment of the quality of CCG's work. She stated that it might answer Member Tamaki's questions about the working relationship between the CCG Communications Firm and the Task Force's Communications Advisory Committee to date. Member Grills then read the following statement.

“Once CCG was selected and agreed to contracting, we turned over paperwork to UCLA Purchasing, the fiscal agent who enters into contract with the vendor, and this process is involved and time consuming, as we have previously explained. UCLA Purchasing approved the contract with CCG at or around September 30, 2022, at which time CCG could legally perform work for Bunche.

As to my assessment of the work performed by CCG, I find nothing egregious about the quality of the work. Indeed, I agree with the assessment of Cheryl Grills, a member of the communications sub-committee, in her December 5th email that the edits and corrections required on submitted drafts were not major errors, and were in fact editable errors. The work was submitted as drafts to be edited. CCG also submitted updated documents incorporating reviewer edits/suggestions. This work contained only minor edits. Moreover, my understanding from speaking with other communications firms is that the onboarding process for new firms doing this type of work is lengthy (usually 3 to 6 months) and includes trials and tribulations as the new firm learns the desired facts, processes, narratives, messaging, etc., of the client.

Last, given CCG's email to you on December 8th citing concern over the tone, attitude, and demeanor shown to them in interactions with you regarding the work, I am concerned about the pattern of emails I have received from past vendors hired by Bunche to do communications work with the Task Force. As a reminder, all three previously engaged clients resigned from doing this work, and all three cited personal interactions with you as being the main reason for their resignations. These outcomes have prevented Bunche from fully doing the work it was contracted by the DOJ to do, that is to hire communication firms to support the Tasks Force, and has prevented the Task Force from receiving communications support as it conducts its important work. I am urging the communications sub-committee to find a way to move forward with CCG to do this important communications work for the Task Force”.

Member Tamaki asked the Task Force members if perhaps a fresh start was needed and whether this would be a good time to cycle in a new Task Force Communications Advisory Committee to work with the new Communication's Firm. **Member Tamaki**

stated that he wanted to support Dr. Charles and in turn have Dr. Charles support the Task Force in order to amplify the work that is being done.

Member Tamaki made a recommendation to cycle in Member Bradford and Member Lewis. He suggested Member Bradford because of his experience in marketing, he has a statewide reach and a staff poised to work in lock step with CCG. He suggested Member Lewis because he is a Chair of a department at UC Berkeley and is a Professor of African American Studies. Member Tamaki added that by nature of his job, Member Lewis communicates with the press on a regular basis.

MOTION: Member Tamaki moved that with due regard, and gratefulness to the work of Member Grills and Chair Moore that the Communications Advisory Committee be reconstituted and the new members would be Senator Bradford and Member Lewis.

The Motion was **Seconded by Member Jones-Sawyer**

Chair Moore Called for the **discussion:** Member Bradford said he would be happy to assist but respectfully declined the request to serve as the Communications Advisory Committee co-chair.

Member Grills stated that for the record, she agreed with the reconstitution.

Member Tamaki moved to amend the motion to remove Member Bradford and replace it with Member Montgomery-Steppe.

Discussion: Following some discussion, Member Montgomery-Steppe respectfully declined the nomination. Member Bradford then stated he would accept the nomination “if drafted” (nominated), he would serve.

Member Tamaki re-stated his original motion that the Task Force Communications Advisory Committee be reconstituted and the new members would be Senator Bradford and Member Lewis.

The motion was **Seconded by Member Jones-Sawyer**

Chair Moore restated the motion and asked for further discussion on the matter. Chair Moore called for the question and asked **Parliamentarian Johnson** to call for the vote on the matter.

Parliamentarian Johnson stated that there would need to be two separate votes: One vote to end the debate and one vote for the Motion.

Chair Moore asked **Parliamentarian Johnson** to take the vote to end the debate: **Parliamentarian Johnson** took the vote

Ayes: Chair Moore, Vice Chair Brown, Member Grills, Member Bradford, Member Holder, Member Jones-Sawyer, Member Montgomery-Steppe, Member Tamaki, Member Lewis

Nays: 0

There were 9 members voting, **9 Ayes, 0 Nays**

The Motion to end debate Passed

Chair Moore asked **Parliamentarian Johnson** to take the vote for the Original Main Motion: **Parliamentarian Johnson** took the vote.

Ayes: Chair Moore, Vice Chair Brown, Member Grills, Member Holder, Member Jones-Sawyer, Member Tamaki

Nays: Member Montgomery-Steppe

Abstentions: Member Bradford and Member Lewis

There were 9 members present and voting, **6 Ayes, 1 Nay, 2 Abstentions**

The Motion Passed

The new Communications Advisory Committee is comprised of Members Bradford and Lewis.

Chair Moore was advised by DOJ staff at 5:45 p.m. As it was 5:30 p.m., the Task Force agreed by consensus, to table agenda items 11 and 12 until the next day December 15.

11. **Discussion and Potential Action: Advisory Committees' Preliminary Recommendation(s) on Educating the Public and Formal Apologies — Presenters: Member Tamaki/Communications Firm/DOJ-** (In the interest of time, by consensus this item was moved to December 15, 2022 agenda)
12. **Discussion and Potential Action on Department of Justice Updates:**

In the interest of time, by consensus, this agenda item was moved to December 15, 2022 agenda.
13. **Chair Moore recessed the meeting until the next day, December 15, 2022, at 9:00 a.m.**

December 15, 2022

Redressing the Harms delineated in Report 1

14. Chairperson Call to Order

Chairperson Moore called-the 2nd day of the December 2022 AB 3121 Reparations Task Force meeting to order at 9:07 a.m.

Chair Moore asked **Parliamentarian Doreathea Johnson** for a roll call vote to establish a quorum. **Parliamentarian Doreathea Johnson** called the roll. Members present during roll call included: Chair Moore, Vice Chair Brown, Member Bradford, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe, and Member Tamaki.

Parliamentarian Johnson stated that 5 members were needed for a quorum, 8 members were present at the time the roll was called, and a quorum was established.

Member Jones-Sawyer joined the meeting after roll call.

Chair Moore turned the meeting over to Aisha Martin Walton for Public Comment.

15. Public Comment.

Parliamentarian Johnson, raised a point of order to ask Chair Moore that based on previous meetings, would the Chair like to seek input from other Task Force members to have flexibility during the public comment period, in the amount of time each person is allowed to speak from the established 3 minutes? Chair Moore sought input from other Task force members and entertained a motion.

MOTION: Member Grills moved that the time for public comment be three minutes per speaker with the flexibility for the Task Force to reduce the time in response to the volume of people who wish to speak.

The motion was **Seconded** by **Vice Chair Brown**

Member Bradford suggested that the motion also include a change to the volume of time for the public comment period. **Parliamentarian Johnson** advised that the amount of time allowed overall for public comment is a different from the motion on the floor and that it might want to be reviewed separately. After further discussion, **Chair Moore** asked **Parliamentarian Johnson** to take the vote on the motion, to set the time for each speaker at 3 minutes with the flexibility to reduce the time depending on the number of speakers.

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

Nays: 0

There were 9 members present and voting. 9 Ayes and 0 Nays.

The motion passed

Chair Moore announced the results of the vote.

Aisha Martin-Walton moderated the public comment portion of the meeting agenda. There was a hybrid audience, some in-person and others participated by calling in, but unfortunately, due to technical difficulties, only commenters who appeared in person were able to participate. There were approximately 29 in-person comments. Public comments reflected individuals, businesses, and community organizations in support of reparations. Several commenters thanked Task Force members for their vote in support of lineage-based eligibility for reparations. It was suggested that the Economic Consultants should review their estimates related to discrimination in homeownership and include a review of the impact assets and property owned by universities like UC Berkeley may have contributed. It was suggested that an anti-hate bill be introduced and adopted in part because of targeted traffic stops and mass incarceration. It was suggested that Oakland be a model for the Task force because of the historical government protected discrimination directed towards Black people over a long period of time.

MOTION: Member Bradford made a motion to limit all remaining speakers to two minutes and extend the overall time of public comment period by 15 minutes or to conclude at 10:30 a.m. The motion was **Seconded** by **Member Holder**.

Chair Moore asked if there was any discussion; hearing none **Chair Moore** requested that **Parliamentarian Johnson** call the role.

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

Nays: 0

Abstentions: Member Jones-Sawyer

There were 9 members present and voting. 9 ayes, 0 nays and 1 abstention

The motion passed

Public Comment resumed, with each speaker given two minutes, and public comment extended to 10:30 a.m.

Chair Moore acknowledged Councilmembers Treva Reid and Loren Taylor.

Some commenters suggested that Black Americans should be a protected class and that reparations should include both legal and anonymity protections for Black people who file discrimination lawsuits against violating employers. Some other suggestions for reparations proposals include calculating the cost of harms using Black tax revenue and profits the State of California has gained from encouraging and protecting discriminatory practices. Elevate early childhood education, establish a state-funded bank that will provide interest free loans for housing and small businesses, create community wellness centers to improve health outcomes, offer free state college, and exemption from paying taxes for a specified time period. One commenter asked that there be more accessibility for the hearing impaired during the in person meetings.

Ms. Martin-Walton thanked the public and turned the meeting back over to Chair Moore

11. Discussion and Potential Action: Advisory Committees' Preliminary Recommendation(s) on Educating the Public and Formal Apologies — Presenters: Member Tamaki/Communications Firm/DOJ

Chair Moore called for item #11, which was tabled to December 15, with the consent of the Task Force.

Discussion and Potential Action: Advisory Committees' Preliminary Recommendation(s) on Educating the Public and Formal Apologies — Presenters: **Member Tamaki/Communications Firm/DOJ-**

Member Tamaki stated that AB 3121 requires the Task Force to recommend ways to educate the public of the Task Force Findings in the Interim and Final Reports.

He explained that the purpose of this Advisory Committee is to educate the public on the harms of slavery, forms of racial oppression and exclusion resulting in cumulative, compounding, and cascading consequences that persist today. The goal is to change public opinion that creates Political Will both within and outside the African American community. He stated it is about defending the program so that it is not just an issue of reparations but an issue of simple justice.

- Preliminary Recommendations

1. Educating the Public

- a. Establish a new state agency to implement and oversee public education after the Task Force ends to carry out its mandate to educate the public, implement, oversee, and solicit grants to fund a public education process. If such agency is not created, the California Department of Education, State Board of Education, state universities, or other relevant agencies.
- b. Make Hard Copies of the Report Accessible

Member Tamaki explained that the Interim Report is arguably the most significant government report of its kind since the Kerner Commission Report on Civil Disorders of 1968. To ensure that the Interim Report is not similarly ignored, we need to make hard copies widely and easily available.

c. Development of a Curriculum

- Retain a consultant now to develop curriculum and who will continue working with the California Department of Justice to complete and implement it after the Task Force ends.
- The curriculum should be adopted by the Legislature and become part of State-mandated educational requirements. The curriculum can include: Lesson Plans for K-12, Middle School, High School, collegiate undergraduate and for graduate schools in History, Civics, Race & Society classes, Ethnic Studies and teacher training sessions—like the public, most teachers are unaware of the history detailed in the Interim Report

d. Create Derivative Works and Provide Funding for Such Works.

- Examples of recommended derivative and creative works include developing and distributing PowerPoint presentations of the Interim Report and for each of the 13 Chapters.

e. Retain Producers to Create:

- Documentary films (e.g., standard 1-hour, or 30 minute, or 6-minute YouTube shorts, one minute social media viral videos, or 15 second Tik-Tok bits)
- Audio books and audio chapter excerpts recited by civil rights luminaries, actors, or other relevant celebrities
- Student contests for essays and video and/or multi-media productions
- Public presentations on reparations with participation of Task Force members or other leaders
- Opportunities to work with thought leaders, influencers and scholars to produce podcasts, meet with editors of mainstream and ethnic media to discuss the Interim Report, to develop opinion editorials and partner with philanthropists to create grant funds for creative and artistic works

f. Retain a Communications Consultant Post June 30, 2023

Member Tamaki explained that we are living in a “short-attention span” society,

wherein sound bites move public opinion more easily than deep analysis. He closed by stating that in order to support the understanding by the public of the rationale for the expenditure of public funds through any legislative change, as well as counter misunderstanding or bias, a consultant retained post-June 30, 2023, would be helpful to ensure that such rationale is plainly communicated.

MOTION: Member Tamaki moved that the Task Force retain a Curriculum Consultant to be hired as soon as the contracting process will permit.

The motion was Seconded by **Member Bradford**.

Chair Moore asked for the discussion:

SAAG Newman informed the Task Force that the motion should direct DOJ to retain a Curriculum Consultant.

Member Tamaki Amended the motion:

Member Tamaki moved that the Task Force direct the Department of Justice to retain a consultant to begin the work on the Curriculum and to be open to entertain further resolutions that would enable the consultant's work to continue to produce these deliverables after the Task Force ends.

The Motion was **Seconded by Member Holder**.

Chair Moore asked for the Discussion: No discussion

Chair Moore asked **Parliamentarian Johnson** to take the vote:

Ayes: Chair Moore, Vice Chair Brown, Member Bradford, Member Grills, Member Holder, Member Jones-Sawyer, Member Montgomery-Steppe, Member Tamaki

Nays: 0

Not Voting: Member Lewis

There were 8 members present and voting: 8 Ayes, 0 Nays, 1 Not Voting

The Motion Passed

2. Formal Apologies

Not addressed at this meeting

- Task Force Member Questions/Discussion

Task Force members discussed the importance of affecting the Political Will of the State

Legislature and the US Congress.

Member Bradford stated that the Task Force's work needs to live beyond June 2023 and the final Report.

Task Force Member Potential Action

By consensus, the Task Force agreed to place the issue of extending the shelf life of this Task Force and body of work to provide additional direction beyond June 2023 on the January 2023 Agenda for further discussion.

The material presented by the Task Force addressing Educating the Public and Formal Apologies can be found on <http://oag.ca.gov/ab3121>

12. Chair Moore called for item #12, which was tabled to December 15, with the consent of the Task Force.

Discussion and Potential Action on Department of Justice Updates:

SAAG (Special Assistant Attorney General) Damon Brown informed the Task Force that the Conflicts Code document previously voted on and approved by the Task Force and the Fair Political Practices Commission (FPPC) now needs a final signature that can be made by a designated Task Force member or DOJ on behalf of the Task Force.

Chair Moore called for a motion:

MOTION: Member Tamaki moved to designate DOJ to sign the Conflict Code document on behalf of the Task Force.

The motion was **Seconded** by **Member Grills**

No Discussion

Chair Moore asked **Parliamentarian Johnson** to take the vote:

Ayes: Chair Moore, Vice Chair Brown, Member Bradford, Member Grills, Member Holder, Member Jones-Sawyer, Member Lewis, Member Montgomery-Steppe, Member Tamaki

Nays: 0

There were 9 members present and voting: 9 Ayes, 0 Nays,

The Motion Passed

SAAG Brown also reminded everyone that the meeting dates for the January 2023 Task Force has been confirmed for Friday, 27th and Saturday, 28th. These dates were confirmed

in an effort to allow for more public participation and engagement. The meeting will be hosted by San Diego and DOJ is working with Member Montgomery-Steppe to secure a location. Once the location has been secured, DOJ will inform the Task Force and the Communications Firm so that it can be publicized.

SAAG Brown also noted that the February 2023 dates have been confirmed for Monday, February 27 and Tuesday, February 28, in Sacramento. DOJ will be working with Member Bradford and staff to secure the logistic details. Based on the direction of the Task Force, this will be the last in-person meeting.

Chair Moore asked **SAAG Brown** to revisit the dates of the February meeting and to send out another doodle poll to verify if there were still no Saturday dates available

SAAG Brown said he would conduct another Doodle Poll to determine if any Friday or Saturday dates have opened up.

SAAG Brown raised the issue of whether or not an additional Advisory Committee should be established based on Chair Moore and Member Lewis' presentation on the Five Key Framing questions from the Economic Experts to focus and address the actual calculation of compensation. A discussion and decision needed to be made on whether Chair Moore and Member Lewis would like to include the fiscal aspects related to the calculation of compensation in their Advisory Committee, have each individual committee address the calculations based on the harms they are addressing, or establish a second Advisory Committee to be dedicated for this purpose. After much discussion, it was agreed that the fiscal aspects related to calculations and computation should remain with the Advisory Committee – Five Key Framing Questions under the leadership of Chair Moore and Member Lewis.

16. Discussion and Potential Action: Advisory Committees' Preliminary Recommendation(s) on Redress of Disproportionate African American Mass Incarceration, Over Policing, and Housing Discrimination and Houselessness (Chapters 11 and 5) Presenters: Members Holder, Jones- Sawyer

Member Holder focused her presentation on Housing Discrimination. She spoke of the phases of terror, dehumanization, and extreme hostility inflicted upon the enslaved that carried over for generations to come. Brutal policies and inhuman limitations were forced upon Black People by Klansman with police badges enforced restrictive covenants, redlining and gentrification. Sundown Towns were formed with all white municipalities or neighborhoods throughout the United States that practiced racial segregation against enforced by discriminatory local laws, intimidation, and violence against Black People. Mass Incarceration, Over Policing, and Housing Discrimination were a result of racial terror forced upon Black people.

Member Jones-Sawyer shared his concerns for the Criminal Justice System's mistreatment, unfair civil rights practices, and the criminalization of Black Families. Mass incarceration of Black people are a result of over policing, redlining, marginalized

communities, and often results in re-entry into the prison system due to sentencing for minor crimes.

Members Holder and Jones-Sawyer thanked the DOJ advisors Jesse Basbaum and Danielle Elliott and partners for their insights and graciousness while assisting them with their presentations. **Member Holder** also thanked the staff of Member Jones-Sawyer for their support and reminded everyone that the recommendations are not exhaustive or final.

- **Preliminary Recommendations**

1. Mass Incarceration and Over Policing

2. Unjust Legal System Policy Proposals

a. Require Legislative Findings on Compelling, Statewide Interest, and Narrow Tailoring For all policies, require legislative findings:

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

b. Require Disparate Impact Analysis

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

c. Abolish Involuntary Servitude from the California Constitution

Remove clause allowing involuntary servitude as criminal punishment.

d. Allocate Funds to Remedy Harms and Promote Opportunity

- Expand grants to community-based organizations that work in the areas of reentry and public safety.
- Abolish cash bail.
- Fund education for students who are descendants of enslaved people pursuing

legal, medical, and science degrees.

- Establish grants to incentivize Black employment in law enforcement.
- Allow expungement and/or compensation for loitering convictions.
- Increase exoneration reimbursements, including lost wage calculations
- Compensate individuals on probation.

e. Three Strikes Sentencing and Anti-Bias Policing End Three Strikes Sentencing

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

f. Mandate and Promote Anti-Bias Policing

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

g. Restore Civic Rights for Justice-Involved Individuals

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

h. Decriminalize Public Disorder Infractions

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

i. Prohibit Pretext Stops and End Qualified Immunity Prohibit Pretext Stops

- Bar traffic stops for low-level traffic violations.
- Preclude officers from inquiring as to probation status or from requesting

(absent probable cause) consent to search during traffic stops. Call on Federal Government to End Qualified Immunity

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

j. Eliminate School-to-Prison Pipeline

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

k. Strengthen and Expand Racial Justice Act (RJA)

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

3. Housing Discrimination and Houselessness

a. Legal /Constitutional Construct

Require Legislative Findings on Compelling, Statewide Interest, and Narrow Tailoring for all policies, require legislative findings:

- Declaring the State's compelling and statewide interest in remedying the longstanding and ongoing harm caused by chattel slavery, as documented by

the Task Force's reports and any other supplemental findings necessary.

- Identifying the specific harms caused by chattel slavery that the statute seeks to remedy (e.g. housing segregation) and how the government was involved in such discrimination
- Demonstrating that such policies have been narrowly tailored to remedy that harm.

b. Require Disparate Impact Analysis

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

c. Data Collection

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

d. Intersectional Justice -Housing & Environment

- Prioritize Responsible Development and Environmental Health in Communities and Housing Development
- Enact Statewide “Responsible Development” Standards.
- Increase tree canopy coverage and access to green space in formerly redlined communities.
- Develop local climate resilience hubs in redlined communities.
- End highway expansion in areas with high levels of pollution.
- Restore communities split by highways.

- Remove lead in drinking water.
 - Rent control policies to prevent gentrification pushout.
- e. Prioritize Responsible Development and Environmental Health in Communities and Housing Development**
- End Food Deserts:
 - Subsidize pipelines for healthy, whole foods – subsidies for black farmers to supply organic and whole foods to black families in urban communities; including subsidized “black farmers markets” and urban gardens in redlined neighborhoods and emerging displacement communities in suburban neighborhoods.
- f. Fix Redlining and Gentrification and Expand Affordable Housing**
- g. Enact Policies Overhauling the Housing Industrial Complex**
- Increase enforcement of mandatory acceptance of housing vouchers (i.e., Section 8, etc.).
 - Implement rent caps (not just rent control) for historically redlined zip codes.
 - Provide funding for developers, land trusts, and CBOs of affordable housing operated by or serving descendants of enslaved people.
 - Redefine what qualifies as affordable housing by readjusting area median income limits for state subsidies.
 - Provide funds for research on land grabs/land displacement/land theft.
 - Provide for a private right of action (or immediate action) against banks/private entities that knowingly or purposefully appraise Black-owned homes at lower values.
 - Provide compensation for predatory “housing industrial complex” issues – i.e., those having to pay higher costs on insurance, etc. due to race/contributing factors
- h. Require State Review and Approval of Residential Land Use Ordinances**
- Address local zoning laws that reinforce and recreate housing segregation by requiring state agencies to review and approve all residential land use

ordinances enacted by cities and counties with high levels of historic and ongoing housing segregation.

i. Housing and Anti-Racism

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

j. Repeal Crime-Free Housing Policies

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

k. Increase Affordable Housing for Descendants of Enslaved People

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

l. Provide Resources for Expansion of Public Health Infrastructure

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

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

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

n. Fix Wealth/Asset Gap and Expand Homeownership

o. Provide Property Tax Relief to Increase Home Ownership

- Provide property tax relief by allowing descendants of enslaved people, who live in formerly redlined neighborhoods, to transfer the assessed value of their primary home to a newly purchased or constructed primary residence anywhere in California. Provide Direct Financial Assistance to Increase Home Ownership
- Provide shared appreciation loans and subsidize down payments, mortgage payments, and homeowner's insurance fees for descendants of enslaved people who reside in formerly redlined areas.

- Task Force Member Questions/Discussion

Task Force members thanked Members Holder and Jones-Sawyer for their comprehensive presentation.

Member Grills also asked DOJ Staff what mechanism would be used to reconcile the overlaps in the preliminary recommendations of the Advisory Committees.

SAAG Newman assured the Task Force that in keeping with the rules of the Bagley Keene Act, DOJ will include a synthesis of all preliminary recommendations into one document of which all Task Force members will be able to review and discuss during the January 27th and 28th 2023 meeting, prior to voting on final recommendations.

- Task Force Member Potential Action

Because the recommendations submitted are preliminary, no action items were initiated.

The material presented by the Task Force addressing **Mass Incarceration, Over Policing, and Housing Discrimination and Houselessness** can be found on <http://oag.ca.gov/ab3121>

17. Lunch Break (The Task Force decided by consensus to break for lunch).

Chair Moore asked the **Parliamentarian Doreathea Johnson** to call roll to reestablish a quorum. **Parliamentarian Johnson** called the roll:

Members present during roll call included: Chair Moore, Vice Chair Brown, Member Bradford, Member Grills, Member Holder, Member Jones-Sawyer, Member Lewis, and Member Tamaki.

Five members are needed for a quorum, there were 8 members present. A quorum was re-established.

18. Discussion and Potential Action: Advisory Committees' Preliminary Recommendation(s) on Potential Remedies, Remedial Programs, Laws, and Apologies for Atrocities in Chapters 2 and 9 (Enslavement) and Cultural & Intellectual Life-Presenters: Chair Moore

Chair Moore thanked the September & December 2021 Personal/Expert Witnesses; Vince Ghazzawi, Deputy Attorney General; Jeremy Payne, Associate Governmental Program Analyst; Newton N. Knowles, Deputy Attorney General for their support in developing this presentation.

Chair Moore provided a brief background of California's role in the enslavement of African Americans. She stated that California was in fact complicit in perpetuating the institution of slavery. California's legislature and courts were friendly to and supported the southern enslaving states, they believed enslaved people should have no legal rights, and they thought that the U.S. Constitution should protect enslavers and enslavement.

The Cultural and Intellectual Life aspects are centered around International Law and encompassed the areas of Satisfaction, Restitution, and Guarantees of Non-Repetition. 1.

- Preliminary Recommendations

1. Enslavement

a. Adopt legislation to create a California Freedmen's Bureau in recognition of perpetuating and maintaining slavery and its afterlife:

- A branch to process claims with the state and assist claimants in filing for eligibility.
- A genealogy branch in order to support potential claimants with genealogical research and to confirm eligibility.

- A reparations tribunal in order to adjudicate substantive claims for past harms
- An office of immediate relief to expedite claims.
- A civic engagement branch to support ongoing political education on African American history and to support civic engagement among African American youth.
- A freedmen education branch to offer free education and to facilitate the free tuition initiative between claimants and California schools.
- A social services and family affairs branch to identify and mitigate the ways that current and previous policies have damaged and destabilized Black families. Services might include treatment for trauma and family healing services to strengthen the family unit, stress resiliency services, financial planning services, career planning, civil and family court services
- A cultural affairs branch to build/restore and maintain African American cultural/historical sites, creative centers, public displays, and monuments; advocate for removal of racist relics; support knowledge production and archival research with community archives and repositories; support legacy families; and to provide support for African Americans in the entertainment industry, including identifying and removing barriers to advancement into leadership and decision-making positions in the arts, entertainment, and sports industries.
- Recommending the cultural affairs office be designated to allocate state funding for the above duties, as well as supporting descendants of enslaved people for the following: business licenses; re-creation of cultural hubs/leisure sites (including coastal sites), news publications, arts (film, radio, TV, art, podcasting etc.), and lifestyle activities, and supporting parity amongst sports played by white and African American Californians.
- A legal affairs office to coordinate a range of free legal services, including criminal defense attorneys for criminal trials and parole hearings; free arbitration and mediation services; and to advocate for civil and criminal justice reforms
- A division of medical services for public and environmental health
- A business affairs office to provide ongoing education related to entrepreneurialism and financial literacy; to provide business grants and business licenses; state funding to support the re-creation of cultural hubs/leisure sites (including coastal sites), news publications, arts, and lifestyle activities; and to establish public-private reparative justice-oriented

partnerships.

- Two new Agency functions that the Task Force could propose to increase the efficiency and effectiveness of the Agency are establishing:
 - Data Research and Collection Branch to identify and analyze trends in past, current, and future harms.
 - A Community Support Branch to improve accessibility, transparency, and public trust with California's reparations claims program.

2. Cultural & Intelligent Life

a. Control Over Creative, Cultural & Intellectual Life Satisfaction

The California State Legislature sponsor a resolution that would issue a formal apology on behalf of the State of California for its role in discrimination and exclusion of Descendants in the field of creativity, culture, and intellectual life:

- An apology that addresses the endorsement of minstrel shows
- An apology that addresses openly allowing segregation and discrimination against Descendant musicians, workers, and artists
- An apology that addresses restrictive zoning ordinances, licensing laws, fire/safety codes, and anti-nuisance laws that adversely affected Descendants;
- An apology that addresses state censorship of cinematic depictions of discrimination and Black people integrating in white society
- An apology that addresses the targeting of African American hip-hop artists and targeted harassment of African American owned businesses that provided leisure opportunities to Black Californians.
- An apology that addresses the implementation of anti-cruising/anti-gathering laws and curfews that adversely affected Descendants. This subpart might include a legal resolution condemning anti-cruising/anti-gathering, and curfew laws in recognition of anti-Black history

3. Restitution

The Reparations Task Force may consider recommending proposals to:

- a. Provide state funding to Descendants to address disparity in compensation among athletes: disparity in compensation derives from a history of discrimination against Descendant athletes.
 - Provide funding to the proposed California African

American Freedmen Affairs Agency specifically for creative, cultural, and intellectual life: to address the disruption of Descendant cultural centers in the name of redevelopment; and to address the history of censorship of Descendant-produced media and arts.

- b. Require public disclosure of compensation and benefits for artists across all media industries in California: to address the inequities and disparity that Descendant artists and Descendant media executives face in recruitment, compensation, and promotion.

4. Guarantees of Non-Repetition

The Reparations Task Force may consider recommending proposals to:

- a. Identify and remove monuments, plaques, state markers and memorials memorializing and preserving confederate culture: to address the history of state-sponsored monuments on state property glorifying slavery and white supremacy
- b. Repeal or amend proposition 209: to address systemic discrimination faced by Descendant artists and Descendant culture, and the general barriers imposed by Proposition 209, which continue to have limited effects on Descendants.
- c. Require a racial impact assessment for all future legislation: to ensure that there is a long-term and ongoing commitment to remedying the harms caused by the history and trauma of state-sponsored discrimination against Descendant across all sectors, including art and culture

- Task force Members Questions/Discussions

Vice Chair Brown voiced that the final report should have an abbreviated statement of how Peter Barnett (California's first Governor) set the stage for these harms to begin and created the climate for the exclusion of Black people in California.

Member Montgomery-Steppe stated that the Freedman's Bureau ties into Member Tamaki's presentation on Education. The institutions of today are inherently racist and should be noted by the Task Force.

Member Grills had a few clarifying questions concerning the Freedman's Bureau for the next iteration:

1. Could the Civic Engagement Branch of the Freedman's Bureau be extended to include both Youths and Adults?
2. What free levels of education will be offered by the Education Branch of the Freedman's Bureau?
3. Will the medical component of the Medical Branch of the Freedman's Bureau provide

support to the community based Wellness Centers?

- **Task Force Potential Actions**

Because the recommendations submitted are preliminary, no action items were initiated.

The material presented by the Task Force addressing Enslavement and Cultural & Intellectual Life can be found on <http://oag.ca.gov/ab3121>

19. Discussion and Potential Action: Advisory Committees' Preliminary Recommendation(s) On Potential Remedies, Remedial Programs, Laws, and Apologies for Atrocities in Chapter 4 (Political Disenfranchisement) – Presenters: Members Montgomery-Steppe and Bradford.

Members Montgomery-Steppe and Bradford discussed the areas of disenfranchisement of African Americans concerning racial barriers, protections under the law, law enforcement overreach, and voting rights, glorifying slavery, and white supremacy.

- **Preliminary Recommendations**

a. Political Disenfranchisement

a. Formal Apology on Behalf of the State of California for its Role in Political Disenfranchisement of Descendants

- Apology could address • California's ban preventing Descendants from testifying in court against a white person.
- California's opposition to the Fourteenth and Fifteenth Amendments to the United States Constitution and the subsequent delay in guaranteeing equal protection of law to Descendants, including the right to vote.
- California's history of political disenfranchisement through the use of racial barriers to voting.
- The construction of monuments, plaques, state markers, and memorials memorializing and preserving confederate culture glorifying slavery and white supremacy;
- California's role in disrupting the Black Panther Party and its founders through law enforcement overreach.

b. Require District-Based Voting and Independent Redistricting Commissions

- To protect the strength of the African American and Descendant voting bloc from political gerrymandering, which correlates to racial gerrymandering.

- Increase State enforcement of claims of voter dilution pursuant to California Voting Rights Act and federal laws;
 - Increase voting education for Descendants, who are vital to the political process.
- c. Pass Legislation to Support Education and Civic Engagement Activities Related to Voting**
- Amend education and election codes to integrate academic and political participation in elections;
 - Implement aspects of previously introduced Assembly Bill (AB) 2576;
 - Fund activities and organizations that increase civic engagement and train or support potential political candidates and organizers
 - Make Election Day a paid state holiday and provide free public transportation
 - Fund grants for Descendants to meet voter registration requirements, for example, so they may obtain all necessary identification and documents needed to vote.
- d. Increase Jury Participation by Those who are Formerly Incarcerated**
- Existing law allows people with previous felony convictions to be called to serve on juries as long as they are not on parole or probation, and they are not registered felony sex offenders
 - Propose legal guidance or affirmative code amendments that a prior felony conviction cannot be used as a sole basis to disqualify a potential juror.
- e. Require Legislative Policy Committees to Conduct Racial Impact Analysis of all Proposed Legislation, Budgets, and Regulations**
- Assessments should be in writing and include findings of the impact proposed legislation, budgets, and regulations might have on Descendants.
- f. Increased Efforts to Restore the Voting Rights of the Formerly Incarcerated.**
- Proposition 17 was approved in November 2020 and amended the California Constitution to permit people on parole for felony convictions to vote in California.

- Continue public education campaigns.
- Require California Department of Corrections and Rehabilitation to provide returning citizens with voter registration information.

- **Task Force Member Questions/Discussion**

- **Task Force Member Potential Action**

Because the recommendations submitted are preliminary, no action items were initiated.

The material presented by the Task Force addressing Political Disenfranchisement can be found on <http://oag.ca.gov/ab3121>

20. Discussion and Potential Action: Advisory Committees' Preliminary Recommendation(s) On Redress of Health Harms and Education (Chapters 6 and 12) Presenters: Vice Chair Brown, Member Tamaki

- **Preliminary Recommendations**

1. Health Harms

a. Address Health Inequities Among Black Californians- Proposal:

- Fund the Health Equity and Racial Justice Fund within the California Department of Public Health's Office of Health Equity to provide grants directly to community based organizations, including clinics to identify and address the most pressing health care issues.
- Expand healthcare coverage for Black Californians or descendants of enslaved people who lack coverage or alternatively endorse previously introduced Assembly Bill 1400 providing comprehensive universal single-payer health care coverage for all residents.
- Close gaps in access to primary and specialty care for those covered under Medi-Cal subject to denial by providers due to low reimbursement rates.
- Adopt the additional proposals outlined here to remedy ongoing discrimination in the delivery of health care services.

b. Address Anti-Black Discrimination in Health Care- Proposal:

- Add evidence-based anti-bias training and an assessment based on such training to the graduation requirements for all medical schools and other health care provider programs, including mental and behavioral health, in California

receiving state funding.

- Mandate an annual study of California health care laws and policies to evaluate their effect on Black Californians and publish findings and recommendations to the Legislature.
- Create statewide standards for data collection and reporting of demographic and social needs data to assess “the individual cultural, linguistic, and health-related social needs of patients to address health disparities and improve health care quality and outcomes.

c. Remedy the Higher Rates of Injury and Death Among Black Birthing People- Proposal:

- Require California to adequately support doula services to provide physical and emotional support during pregnancy, childbirth, and the postpartum period (covered as a Medi-Cal preventive service starting in 2023) by requiring the California Department of Health Care Services to take additional steps to implement doula care services.

d. Advance the Study of the Intergenerational Impact of Racism- Proposal:

- Fund the study of the intergenerational impact of racism and formulate recommendations for enhanced mental health care, including educating mental health care workers.

e. Promote Community Health- Proposal

- Require grocery store closure guidelines and advance closing notice in food deserts;
- Facilitate innovative farmer’s markets initiatives and/or mobile vendors.
- Promote urban agriculture through various tax credits and mixed-use zoning ordinances.
- Distribute grants to community-based organizations within neighborhoods that have been redlined to address environmental and infrastructure inequity.

f. Increase the Number of Black Health Care Providers- Proposal:

- Fully fund and expand the UC Programs in Medical Education (UC PRIME) for African, Black, and Caribbean Communities (UC PRIME-LEAD-ABC) to all UC medical campuses, a successful model of both recruiting and mentoring

Black medical students while also increasing the number of medical professionals dedicated to serving predominantly-Black communities. The program provides specialized coursework, structured clinical experiences, advanced independent study, and mentoring programs for Black communities.

- Create and fund equivalents to the UC PRIME programs for psychologists, licensed counselors, and licensed therapists.
- Permanently fund the California Medicine Scholars (pilot) Program and create and fund equivalent pathway programs for students in the California State Universities (CSU) and University of California (UC) systems. This program: connects community college students to medical schools, clinics, and practitioners to promote pathways for underrepresented college students to enter medicine; Provides mentorship by practitioners, academic advising, enhanced curriculum, and priority enrollment to that student when the student applies to that particular medical school.
- Fund or expand similar pathway programs for high school students and/or for other medical professions, such as nurses, physician assistants, and nurse practitioners
- Prevent racially biased disciplinary practices by the Medical Board; require the Medical Board of California to undergo implicit bias training; Conduct an annual review by an independent party of the Board's records to determine racial bias in disciplinary proceedings; implementation of remedial measures if bias is found.

g. Increase Trees In Redlined Communities -Proposal

- Amend Senate Bill (SB) 1000 to require local governments to identify redlined communities within their jurisdiction and make plans to increase tree canopy coverage and access to green space to limit pollution exposure, ameliorate heat island effects, and improve air quality.

h. Climate Resilience Hubs in Redlined Communities Proposal:

Utilize existing programming and funding from the California Strategic Growth Council to provide economic support to redlined communities that lack the public infrastructure to adapt to the gravest climate change risks by:

- Supporting local resilience hubs to facilitate communication, distribute aid, and become more self-sustaining during climate emergencies
- Provide grants to local redlined communities to improve infrastructure, climate

resiliency, and other health harms associated with the legacy of redlining.

- Retrofit public buildings to serve as climate resilience hubs to respond to climate disasters by providing clean water, food distribution, high-speed internet, electricity, heat, or cool air, etc.
- Develop accessible warning/alert systems and climate shelters for unhoused residents.
- Ensure investments in lowering greenhouse gas emissions and climate change projects do not cause displacement by increasing property values and spurring cycles of gentrification that make the now-improved communities unaffordable for original residents.

i. Remove Lead in Drinking Water: Proposal:

- Fund full lead service line replacement on privately-owned property to remove lead in drinking water and ban partial lead service line replacement (which leads to greater health risks);
- Allocate 40% of the federal Infrastructure Investment and Jobs Act funds received by the State of California for full lead service line replacement to go directly to disadvantaged or low-income communities and Black communities that were formerly redlined.

j. Prevent Highway Expansion and Mitigate Transportation Pollution Proposal:

- Reduce the pollution burden of Black communities by ending highway expansion in areas with high levels of pollution.

2. Education

a. Reducing K-12 Public School Segregation - Proposal:

- Follow the Berkeley model, permitting students to transfer to public schools within their district or between neighboring districts if doing so would improve racial integration (and other diversity measurements, such as socioeconomic status).

b. Provide Additional Funding to Schools with Students Experiencing the Greatest Level of Need- Proposal:

- Direct substantial additional funding to schools with students experiencing the greatest educational disparities, require that the funds be used to address

academic needs directly, and monitor to ensure that such funding is deployed in the required manner.

c. Provide Funding to the California Department of Education for Targeted Grants- Proposal:

Provide additional COVID-19 relief grants for local educational agencies, with a requirement to focus on reducing racial disparities and mitigating the pandemic's harmful impacts on Black students. Ensure sufficiently long- term funding to support the measures identified as necessary to close the pandemic-exacerbated educational opportunity gap, including:

- Expanded-day and full-year instruction and enrichment for elementary students, including summer school
- Tutoring and other instructional interventions, including learning acceleration;
 - Counseling and mental health services.
- A proposal relating to Science, Technology, Engineering, Art, and Math (STEAM) disparities in education is in progress; cross reference to high quality career and technical education (CTE) and training.

d. Diversify the Teaching profession and Provide Training to Ensure Black Students Receive High-Quality, Bias-Free, Culturally Respectful Teaching - Proposal:

- Adopt mandatory curriculum for teacher credentialing and trainings that includes culturally responsive teaching methods
- Identify and support teachers who give culturally nurturing instruction and adopt new models to improve teacher habits in the classroom.
- Develop proactive strategies to recruit African American K-12 teachers.

e. Reforming Curriculum in K-12 Schools – Proposal:

- Conduct a review of curriculum to assess whether it is inclusive, free of bias, and honors the contributions and experiences of all peoples regardless of ethnicity, race, gender, or sexual orientation.
- Advance the timeline for ethnic studies classes in public and private high schools
- Adopt a K-12 Black Studies curriculum.

f. Reform the School-to-Prison Pipeline by Addressing Disparities in Discipline-Proposal:

Require:

- Annual review of school disciplinary records to determine racial bias
- Implementation of racially equitable disciplinary practices.
- Mandated training on implicit bias and cultural competency and positive behavioral interventions.
- Improved access to educational opportunities for all incarcerated people in both juvenile and adult correctional facilities.

g. Eliminate Barriers to Higher Education Including Tuition and Discriminatory Standardized Testing-Proposal:

- Fund free tuition to the State's community colleges, California State Universities, and Universities of California for California residents who are descendants of enslaved people
- Eliminate standardized testing as a requirement for admission into graduate programs within the California State Universities and Universities of California.
- Require the California Department of Education to conduct an annual review of racial bias in the design and administration of the California Assessment of Student Performance and Progress, a standardized test purporting to measure proficiency.

- Task Force Member Questions/Discussion

There were no questions.

- Task Force Member Potential Action

Because the recommendations submitted are preliminary, no action items were initiated.

The material presented by the Task Force Advisory Committee addressing Health Harms and Education can be found on <http://oag.ca.gov/ab3121>

Member Tamaki thanked Deputy Attorney Generals Meena Visvanathan, Robin Goldfaden, Delbert Tran, Danielle Elliott, and Anthony Seferian for their support with the development of the presentation.

21. Break

Chair Moore reconvened the meeting at 3:00 p.m. and asked **Parliamentarian Doreathea Johnson** for a roll call vote to determine whether we had a quorum. **Parliamentarian Doreathea Johnson** called the roll. Members present during roll call included: Chair Moore, Vice Chair Brown, Member Bradford, Member Grills, Member Holder, Member Jones-Sawyer, Member Lewis, Member Montgomery-Steppe, and Member Tamaki.

Parliamentarian Johnson stated that there were nine members on the Task Force, and 5 members were needed for a quorum. There were 9 members were present at the time the roll was called, and a quorum was re-established.

22. Discussion and Potential Action: Advisory Committees' Preliminary Recommendation (s) on Potential Remedies, Remedial programs, Laws, and Apologies for Atrocities in Chapter 13 (The Wealth Gap) – Presenters: Member Lewis.

- Preliminary Recommendations

1. The Wealth Gap

Member Lewis thanked Dr. Campbell and Dr. Kramer for their assistance and support as well as the contributions made by the remainder of the Economic Expert Team including Dr. William Spriggs, Kirsten Mullen, and Dr. William Darity.

Member Lewis stated that the Racial Wealth Gap is not the result of a failure of Black American productivity, industry, or entrepreneurship. It is the consequence of the interruption and undermining due to outright Racism and securing the wealth of White Americans. As recent as 2021, a Federal Reserve survey determined that White Households have 80% of all overall wealth in the country. Conversely, Black Americans hold only 3% of the wealth.

Contributors to the Wealth Gap are Racial Differences in Home Equity, Financial Assets, and Income.

Member Lewis stated that the research is still being done to determine the Wealth Gap in California. He provided three options:

1) Proceed with the five atrocities and have them serve as a proxy for the wealth gap as a primary form of compensatory reparations

2) Determine what the wealth gap is in California

3) Continue to make plans using the five areas of atrocity and to further explore the actual number of the racial wealth gap

As a result, Member Lewis asked the Task Force for guidance on what strategy should be

used going forward?

After much discussion, Member Lewis agreed to option 3, to continue to work with the Economic Experts using the available data collected and/or derived based upon the 5 Atrocities as a proxy.

He would also continue to explore the actual numbers of the Racial Wealth Gap to supplement future finding those five areas. Member Lewis advised that the Economic Experts have already obtained data on three of the five Atrocities.

SAAG Brown reported that DOJ is still working with the State of California to gather and compile the requested data. The expectation is that the data should be available soon.

- **Task Force Member Questions/Discussion**

Task Force members discussed the importance of ensuring the calculations can withstand scrutiny and the possibility of obtaining the data to include a sixth harm on Education.

- **Task Force Member Potential Action**

Because the recommendations submitted are preliminary, no action items were initiated.

The presentation by the Task Force Advisory Committee addressing The Wealth Gap can be found on <http://oag.ca.gov/ab3121>

23. Discussion and Potential Action Item: Subpoena Advisory Committee Report and Recommendations – Presenters: Member Holder and Tamaki with DOJ Research Center.

Members Holder and Tamaki provided an update on the advisory committees' work concerning the enforcement issues centered around the California Racial Justice Act, which passed in 2020 and became effective on January 1, 2021. The Racial Justice Act prohibits the use of discriminating language and conduct both inside and outside the courtroom and provides the defendants a way to challenge disparities based on race, charging conditions and sentencing. Almost 100% of the questionnaires that were sent to all prosecutors' offices, all Superior Courts, and all City Attorneys offices throughout the state of California were returned. However, it was discovered that there is no uniform approach to reporting the data. Member's Holder and Tamaki are now working on a new more direct questionnaire that will assure more pertinent data is received. The goal is to be able to gather enough data to develop recommendations to create a more uniformed system of data collection.

The presentation by the Task Force Subpoena Advisory Committee can be found on <http://oag.ca.gov/ab3121>

24. Discussion and Action Item: Next Meeting Agenda: Task Force Members

SAAG Brown stated that the agenda will include space for special acknowledgements. **SAAG Newman** stated that the agenda will include the Advisory Committee Report Status.

Task Force member agenda suggestions include, an Expert Panel on Federal Tax and Law an Expert Panel on Implementation (this panel could also be February), removing item #14 Personal Testimonies and reschedule to coincide with a special occasion, a discussion to consider that the Task Force stay intact after June 2023 to address any issues that may need to be resolved, documenting Reparations that need to be remedied by the Federal government, and sending the United States Congress a Resolution regarding the Reparations work being done.

Chair Moore asked for a motion.

MOTION: Member Grills moved that the Task Force accept the agenda with the additions, edits, and deletions for the January 2023 meeting.

The Motion was **Seconded** by **Member Montgomery-Steppe**.

Chair Moore asked if there was any discussion: No discussion

Chair Moore asked **Parliamentarian Johnson** to take the vote:

Ayes: Chair Moore, Vice Chair Brown, Member Grills, Member Holder, Member Lewis, Member Montgomery-Steppe, Member Tamaki

Nays: 0

Abstentions: Member Jones-Sawyer

Not Present: Member Bradford

There were 8 members present: **7 Ayes, 0 Nays, 1 Abstention, 1 Not Present**

The Motion Passed

25. Unfinished Business and Potential Action

SAAG Newman requested that any witness panel names should be submitted for confirmation by Wednesday, December 23, 2022

26. Chair Moore Adjourned the meeting