

## **Meeting Materials Part 2 Table of Contents**

- Agenda Item 9: Potential Action Item-Report of Bunche Center Regarding Community Engagement Plan (pg.4067)
- Agenda Items 16 and 18: Available Witness Statements and Presentations (Not all witnesses have submitted written statements and presentations) (pg.4120)
- Agenda Item 20: Potential Action Item-Schedule of Future Meetings (pg.4151)

AGENDA ITEM 9

POTENTIAL ACTION ITEM:  
REPORT OF BUNCHE CENTER REGARDING  
COMMUNITY ENGAGEMENT PLAN

# California Task Force to Study and Develop Reparations Proposals for African Americans:

## Community Engagement Research Project



**Project Director:**

Michael A. Stoll

*Director, Black Policy Project*

Prof. of Public Policy

**Research Team:**

Gadise Regassa, M.A.

Broderick Dunlap, M.A.

Jendalyn Coulter, M.S.W., M.P.P.

Elliot Woods, B.A.

Chinyere Nwonye, B.A. **4068**

# Presentation Agenda



## BACKGROUND AND PURPOSE

### FINDINGS:

- COMMUNITY LISTENING SESSIONS
- PERSONAL TESTIMONIES
- SURVEYS

## KEY TAKEAWAYS

# Background and Purpose



# Community Engagement Stakeholders



## PROJECT LEADS

*Mary Lee*

Project Convener Organizer

*Ama Nyamekye Anane*

Professional Facilitator of Listening Sessions

## BUNCHE CENTER

## ANCHOR ORGANIZATIONS

California Black Power Network

Othering & Belonging Institute

Afrikan Black Coalition

Black Equity Collective

Black Equity Initiative

Coalition for a Just and Equitable California

Repaired Nations

# Purpose and Method of the Community Engagement Project

The purpose of this project was to investigate, collect, and document community perspectives on four topic areas outlined by the Task Force:

Type  
Of  
Harm

Support  
For  
Reparations

Forms  
Of  
Reparations

Eligibility  
Of  
Recipients

5

# Research Overview

---



**Community Listening  
Sessions**



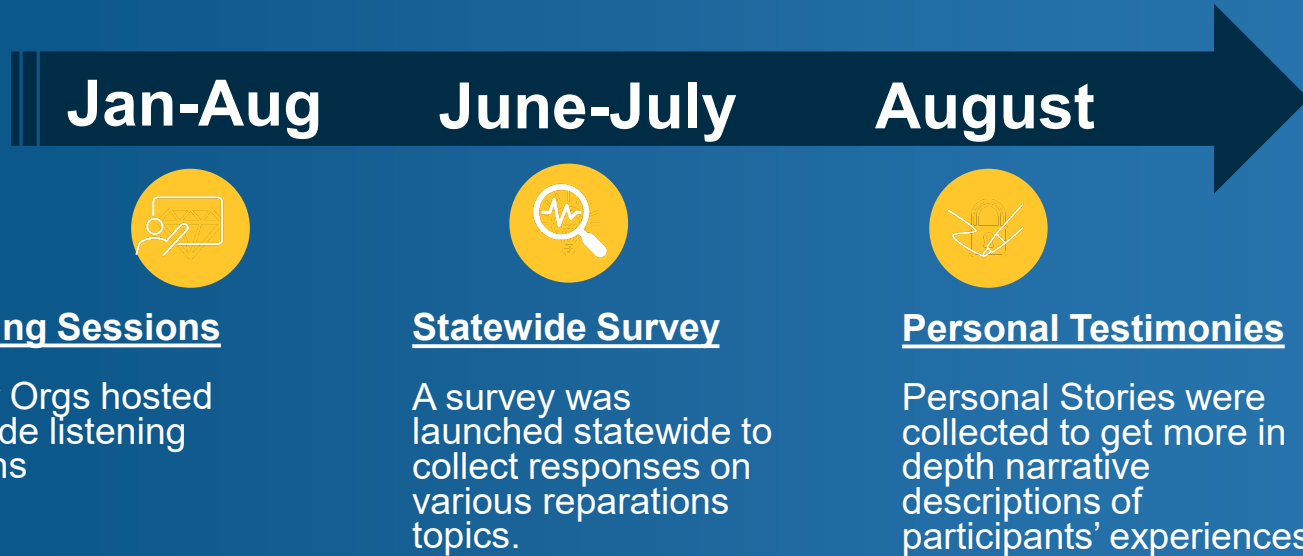
**Personal Testimonies**



**Survey –  
Statewide &  
for Listening Session  
Participants**



# Project Timeline



# Findings



# Community Listening Sessions: Summary of Findings



Community Listening  
Sessions



Personal Testimonies



Statewide Survey

# Select Guiding Research Questions



What is your *vision* for the *future* of Black California? What does it look like, sound like, feel like (for CA to be a place where Black people are thriving)?

In order to *repair harm*, we have to acknowledge harm. If you had to lift up the 1-3 harms you would want to see reparations *acknowledge*, what would they be?

As you think about some of the harms discussed, how would you want to see reparations structured in a way that could help Black people *heal* and *thrive* in CA?



# Timeline



# Community Listening Sessions: General Overview



Listening Sessions	Amount
In-Person	11
Virtual	6
<b>Total</b>	<b>17</b>

On average, there were **51** participants at each session.



**867**  
Participants  
Statewide

# Analysis of Listening Session Content



## Analysis Software

- Otter.ai
- Adept
- Atlas.ti



## Analysis Process

- Inductive and Deductive Coding
- Thematic Content Analysis



## Trustworthiness

- Peer Debriefing
- Member Checking

# Organization of Findings



## Types of Harm

Types of harm stemming from the historical and present day impacts of slavery & anti Black racism.

## Extent of Support

## Resolutions

Ideas about what reparations should look like and how they will remedy past and current harms.

## Eligibility

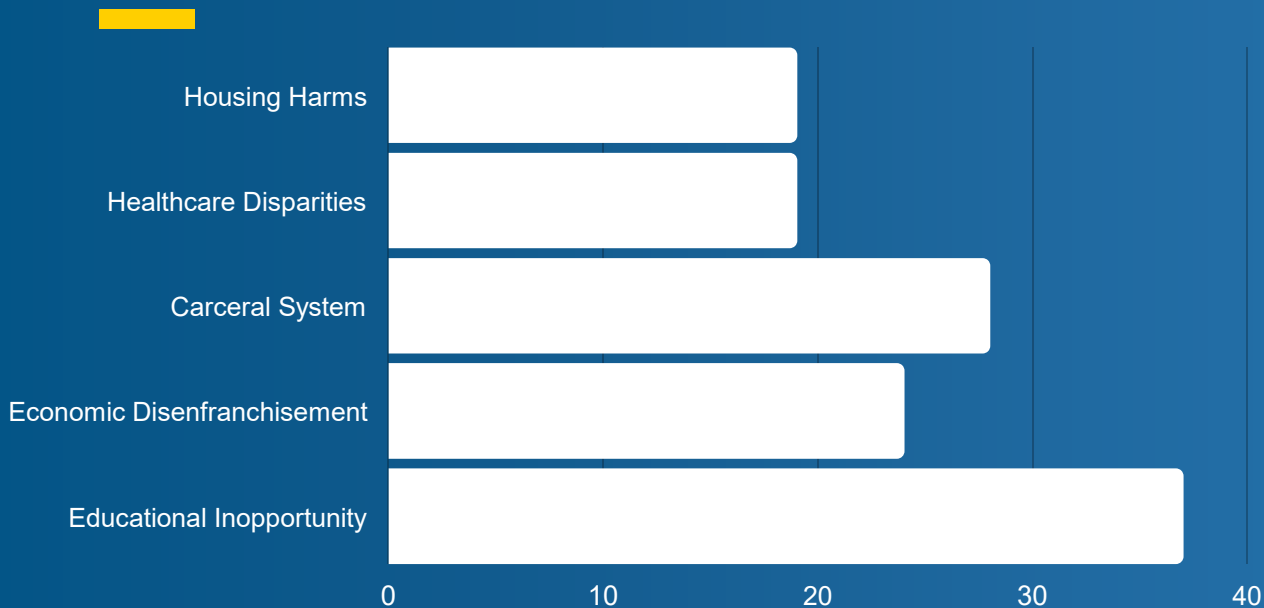
Refers to who would be eligible for reparations (i.e., lineage, identity, etc.)

## Significant Trends

Other prevalent phenomena and themes that were not encapsulated by the four pre-determined categories.



# Harms Experienced



## Other Harms Mentioned:

- Food Inaccessibility
- Employment & Workplace Disparities
- Inadequate Business Support Infrastructure
- Gentrification
- Neighborhood/Urban Disinvestment

# Educational Inopportunity

Lack of Black  
Instructors

Insufficient Resources  
and Supports at  
predominantly Black  
schools

Disproportionately High  
Student Debt rates

School — to — prison  
pipeline

Lack of culturally  
responsive curriculums

" Our kids are suffering lack of education, the lack of the ability to have the support that they need, and also being kind of put into a space where they're just wanting to push them out. And if they can create these structures for them to be put in the prison system, then it creates a space where they essentially don't have to be bothered with them in the classroom space, and they can continue with their narrative of whatever they're creating. So how do our kids regain what they've lost in that space?"

# Economic Disenfranchisement

Longstanding  
History of Legal  
Provisions  
suppressing Black  
folks' Earning  
potential and  
outcomes

Racially motivated  
destruction of  
assets and  
property

Lack of  
comparable  
payment of forced  
labor outputs

Insufficient funding  
and investment  
into Black-owned  
organizations,  
businesses, and  
communities

Lack of financial  
safety nets

Disproportionate  
opportunities for  
economic upward  
mobility between  
Black and non-  
Black individuals

“The vast amount of blood money gained by the US government and some of its citizens can be directly tied to the uncompensated labor from my ancestors. With that blood money, the government and some of its citizens have been reaping the benefits passing down to generations their wealth from the institution of slavery, and we’ve been systematically locked out of that.”

# Discriminatory Policing & Criminalization

Racial Profiling

Poor Incarceration  
Conditions

Excessive use of  
force and violence  
within policing

Racial  
disproportionately in  
convicting &  
sentencing decisions

Lack of Equity in  
Legal process &  
proceedings

Extensive History  
of legalized Racism  
and Anti-  
Blackness

“I’m one of those people who Obama released from prison when he did his clemency project. I was serving two life sentences for a crime that I did not commit, but during that time, I believe that time is our most valuable asset and that we need to be very cautious on how we spend our time, what we spend our time on and who we spend our time with. It’s most valuable asset that we have, and that you need to treat it like you treat your money like you treat your property.”

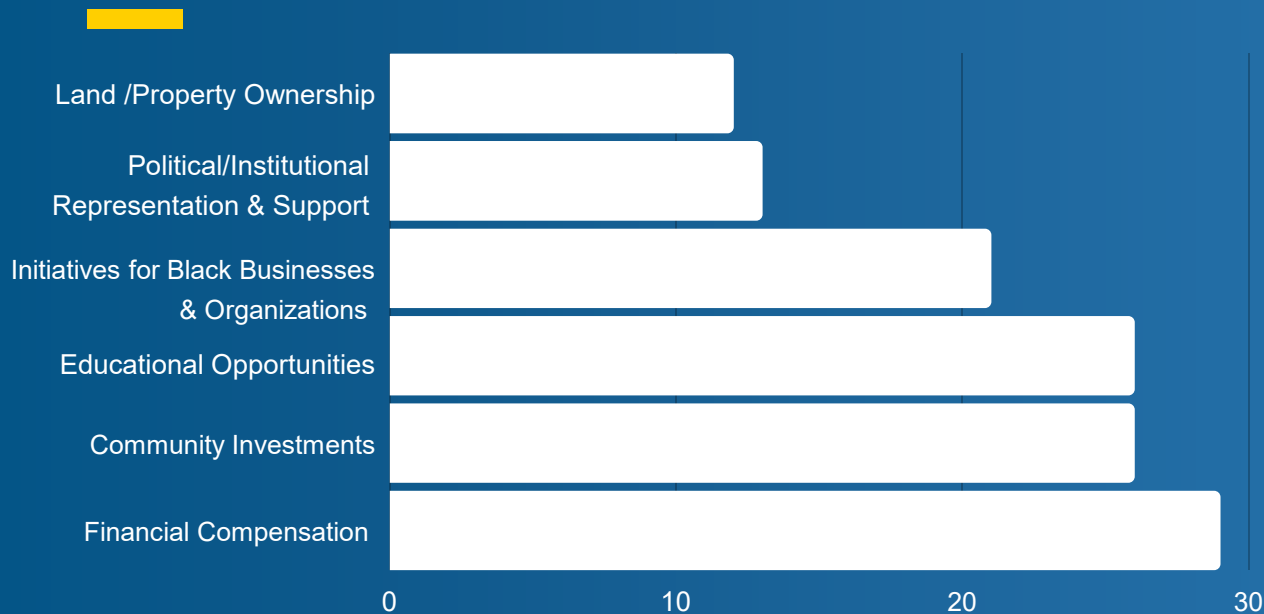
# Level of Support for Reparations



“...people say what can [you] do? One thing, wherever you go, talk about reparations. Write it on your mail, Reparations in memory of our ancestors. You don’t never hear me talk without beginning with reparations in memory of our ancestors. You could talk about it, write it up for our ancestors, find you a grassroots organization, get involved, document everything that you did.”

“... A debt is owed. Otherwise, we will continue to be disadvantaged and left out of what our ancestors have built. Reparations now, cut the check and protect the descendants of those who were enslaved in the united states.”

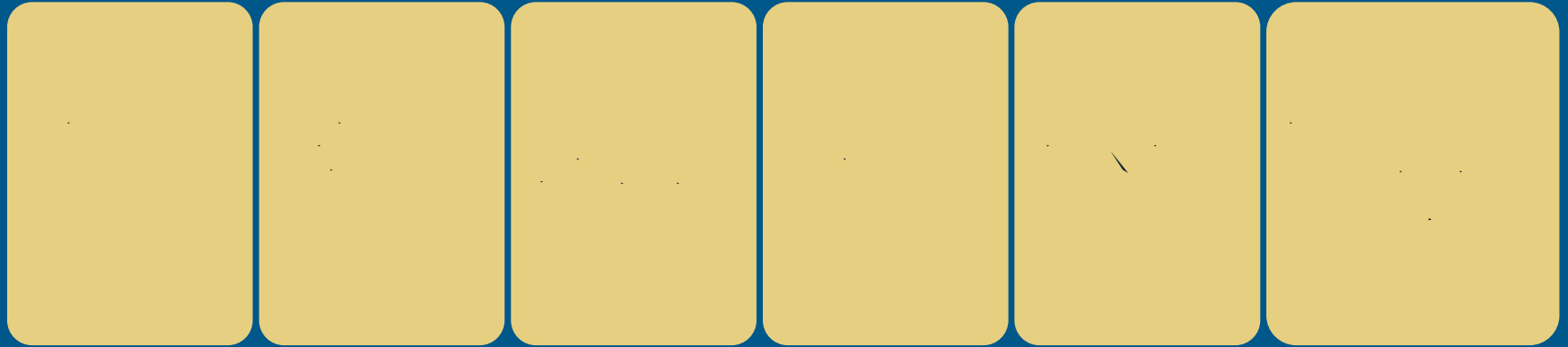
# Reparations-Based Resolutions



## Other Resolutions Referenced:

- Employment Initiatives
- Tech Investments
- Food/Environmental Justice
- Amendments to Law
- Neighborhood Investments
- Policing/Prison Reforms
- Support for Black Family Unit
- Healthcare Justice
- Housing Support & Access

# Financial Compensation & Opportunities

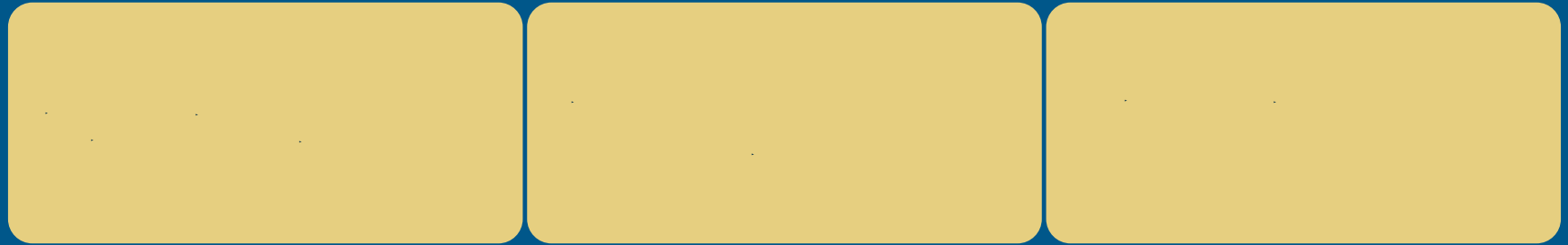


# Investments Towards Sustaining Community Spaces & Initiatives





# Institutional Representation & Support *(politically & otherwise)*





"We need more Black representation ... so that we can have a better opportunity to influence the policies in our daily lives and in the country as a whole."

# Resolutions

"the redistribution of wealth, number one, bar none, right? the money that most people have acquired—it

# Eligibility

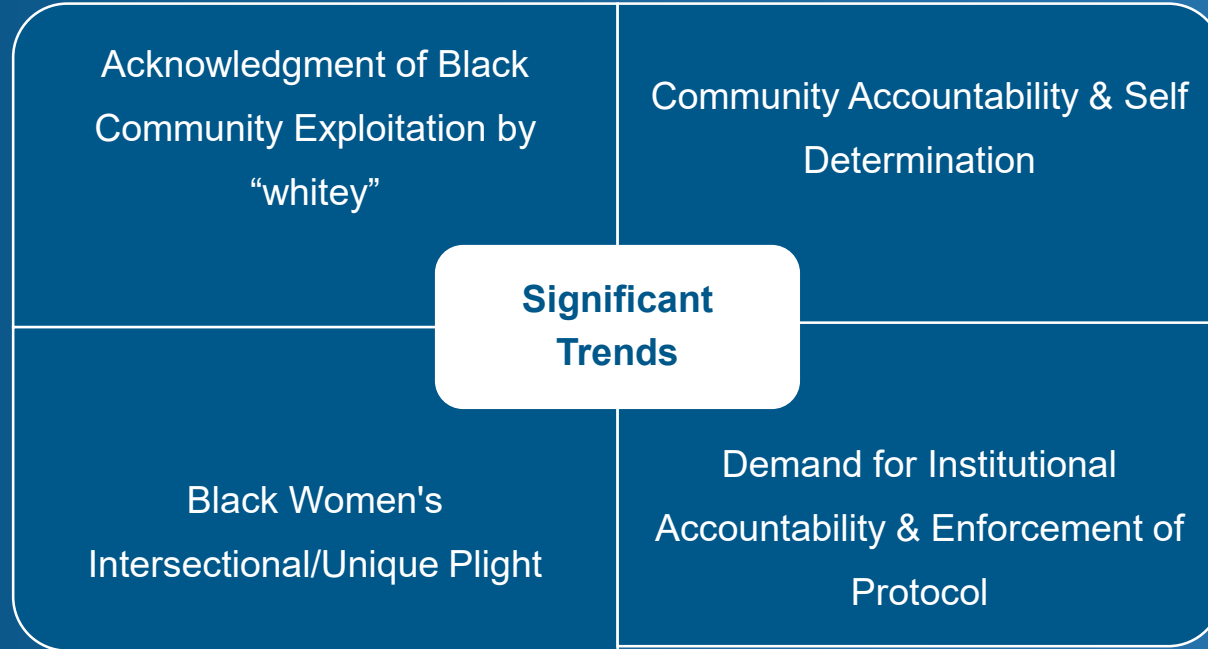
## Most Common Perspectives

“I think the people who should be eligible for reparations should be descendants of enslaved people. And the reason why is because we were all offered our forty acres in the mule.”

“I think we all should be eligible for reparations—all the Africans here. We don’t even really need to justify it....All of us. I mean, if—some cats are born in an oven, but they’re not biscuits. They’re cats.”

“I just hope that whatever is decided upon that it’s not so much connected on what we can prove because I would not be able to prove anything, but that it is just open to anyone of us who has been burdened by being Black in this country.”

# Significant Trends



# Personal Testimony: Findings



Community Listening  
Sessions



Personal Testimonies



Statewide Survey

# Data: Personal Testimony Portal



## Box Link Dispersed

- UCLA Bunche Center website
- Anchor Organizations & Task Force Members

## 46 materials submitted

- Written, video, and audio testimony & photos

## Participants

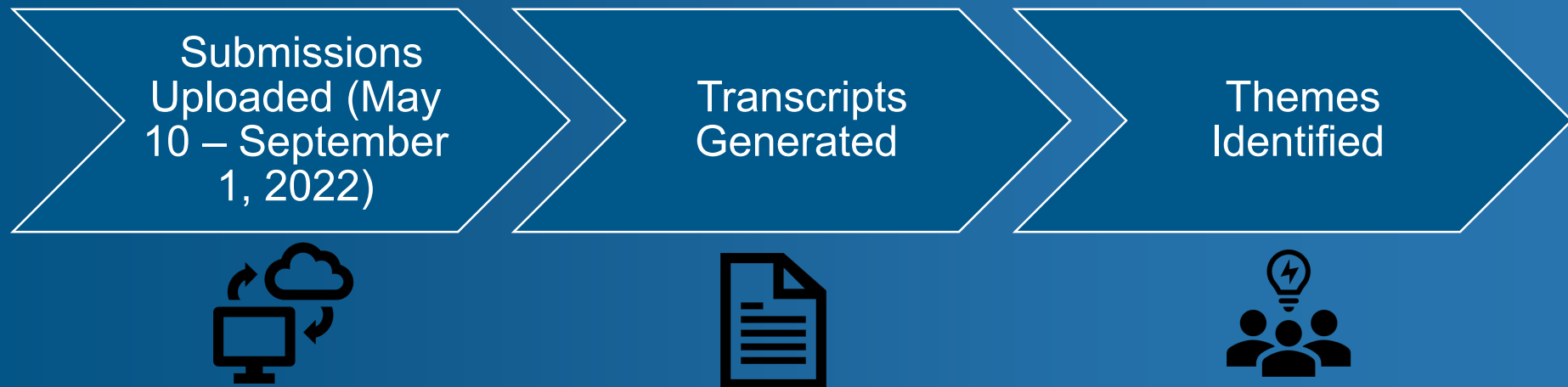
- Predominantly African-Americans in CA
- Minority participation from out-of-state & non-African-Americans

# Data: Oral History Interviews

- Seven narrator (4 women, 3 men); 11 interviews total
- African-American
- Interviewed between August 4 – 31, 2022
- Age Range: 38 to 88 years of age
- California residents (2 born out of state)
- Split between northern and southern California



# Methodology: Personal Testimony Portal





# Methodology: Oral History Interviews



# Findings: Personal Testimony Portal (Remedies)



Financial  
Compensation



Education (Support  
Programs &  
Financial  
Assistance)



Housing & Land  
Ownership



Lineage-Based Eligibility



Setting a  
Precedent Beyond  
California

# Personal Testimony Portal Submission: Questions for the Task Force



[Audio Link](#)

[Transcript Link](#)

Length: 58 sec

# Findings: Oral History Interviews (Harms)



Employment, Forced  
Labor, Business  
Hardship



Education  
Inaccessibility



Housing & Land  
Ownership  
Disrupted



Failure to Acknowledge True  
History



Psychological &  
Emotional Trauma

# Oral History Interview: Higher Education Inaccessibility



[Audio Link](#)

[Transcript Link](#)

Length: 1 min 50 sec

# Oral History Interview: Lack of Social Capital



[Audio Link](#)

[Transcript Link](#)

Length: 2 min

# Oral History Interview: Psychological & Emotional Trauma



[Audio Link](#)

[Transcript Link](#)

Length: 1 min 27 sec

# Survey: Findings



Community Listening  
Sessions



Personal Testimonies



Survey – Statewide  
and Community  
Sessions

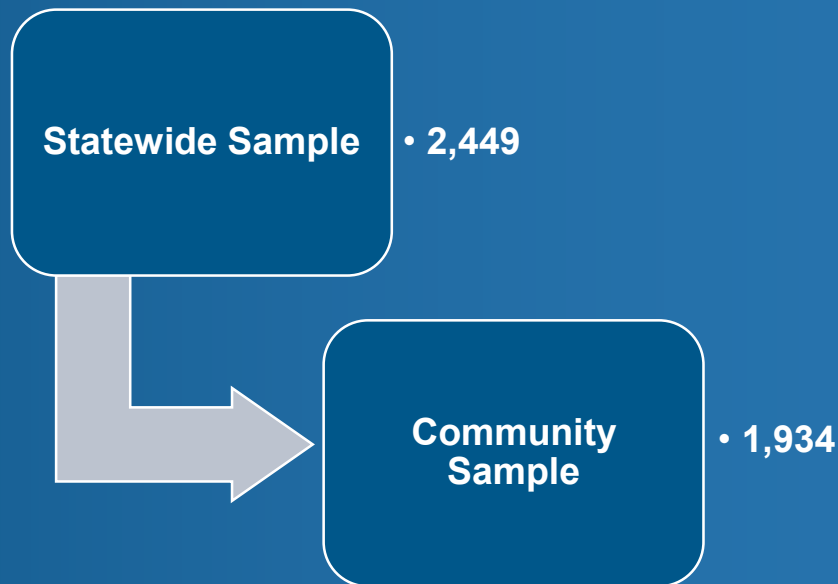


# Survey Data Collection

Conducted May 10, 2022, to June 6, 2022 (State) and

January to August 31, 2022 (Community)

(State) Representative sample of Californians based on Age, Race and Gender



# Reparations Measures

## Direct Cash Compensation

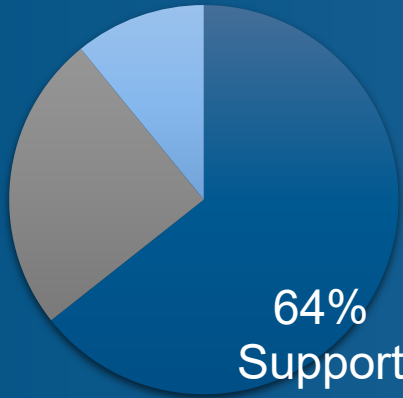
## MONETARY (NO CASH)

Business investments (grants, loans); College (grants & scholarships); Debt (forgiveness); Housing (down payment, revitalization grants); Medical coverage (Medi-Cal); Universal basic income

## NON-MONETARY

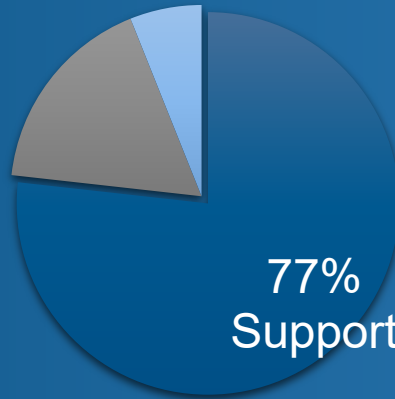
Apology; K-12 education reform (slavery/transatlantic slave trade); Monuments; Restoration of seized property

# Support for Reparations in California By Measure



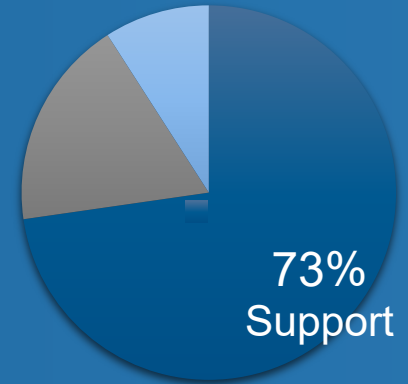
25% Oppose 11% Undecided

**Direct Cash**



17% Oppose 6% Undecided

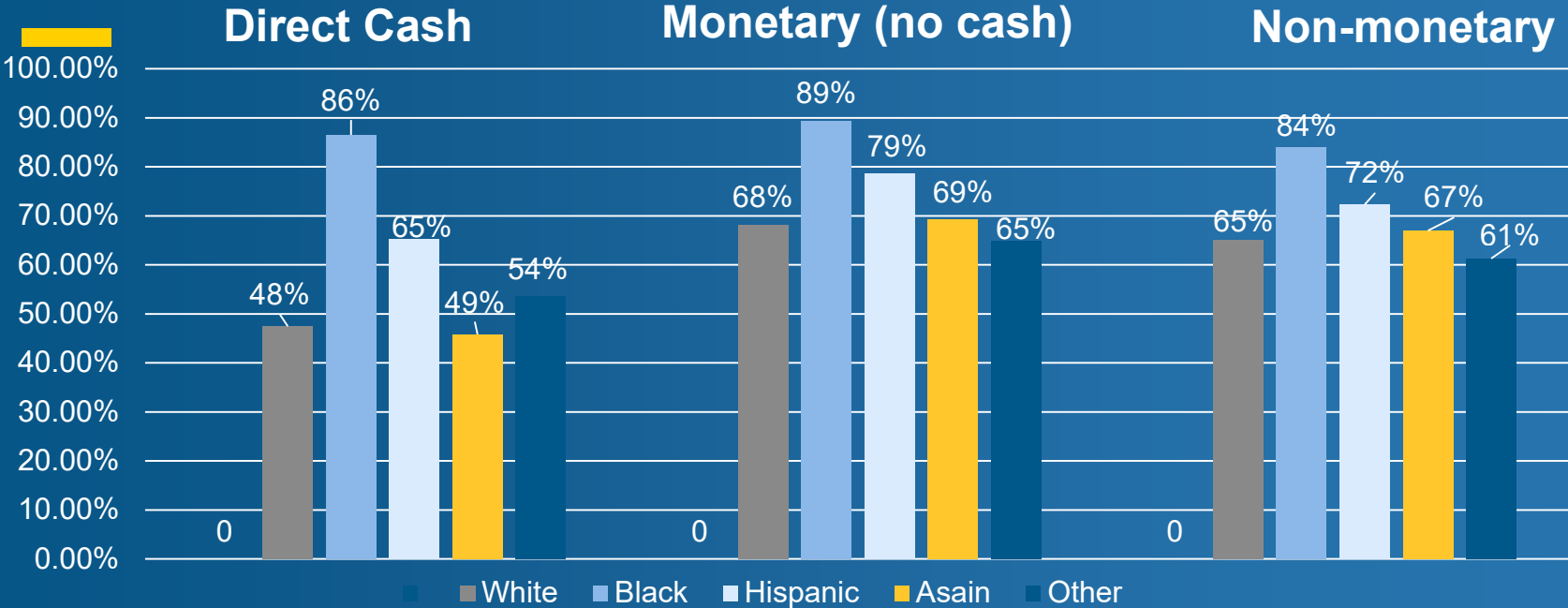
**Monetary (No Cash)**




18% Oppose 9% Undecided

**Non-monetary**

# Support for Reparations Measures By Race



# Key Findings: Support By Race



## Monetary (No Cash) & Non-Monetary Measures

- Supported by roughly two-thirds of all respondents, regardless of race.

## Direct Cash Measures

- Support is strongest amongst Black (89%) and LatinX (78%) respondents.
- Nearly half (48%) of white respondents support direct cash measures compared to (86%) of Black respondents.

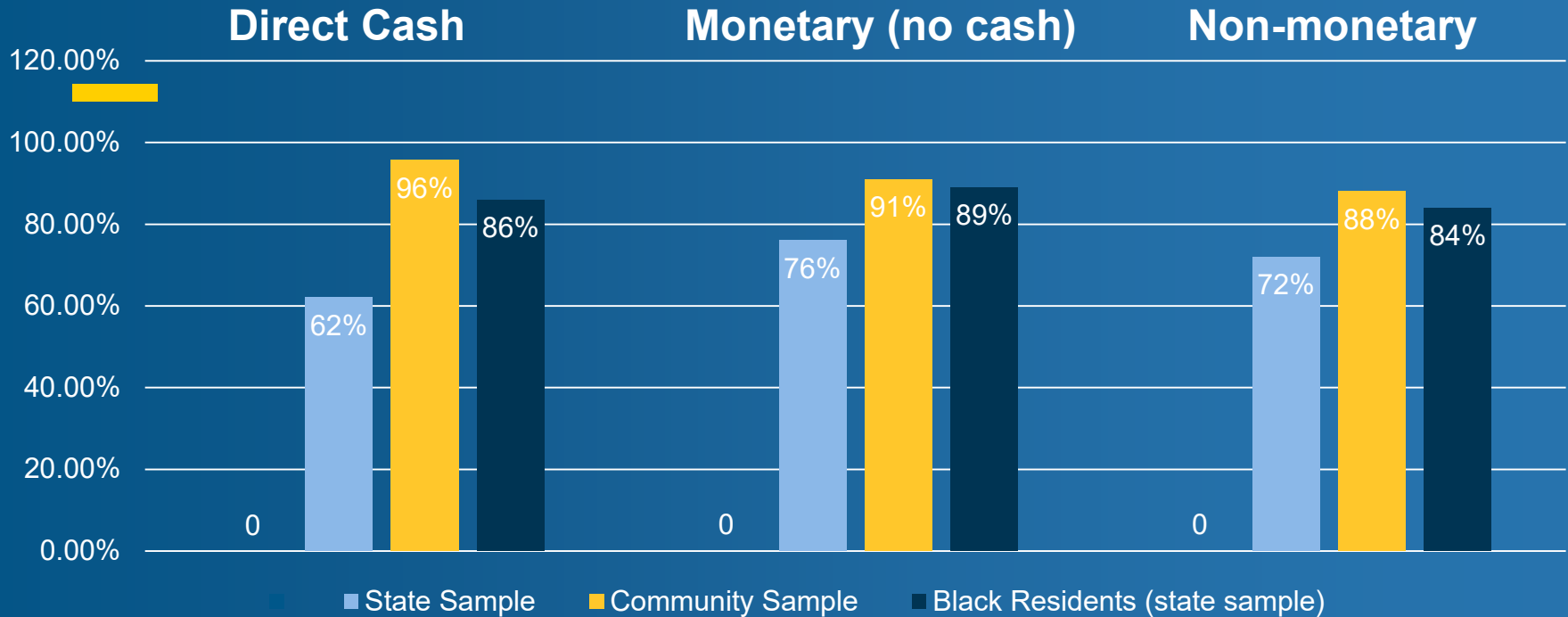
# Findings for Overall Sample Summarized Age, Gender, Educational Attainment and Political Affiliation



## Monetary (no cash) Measures Also Have Strong Support from:

- Younger Californians
- Women
- More educated Californians
- Democrats and to a lesser extent Independents

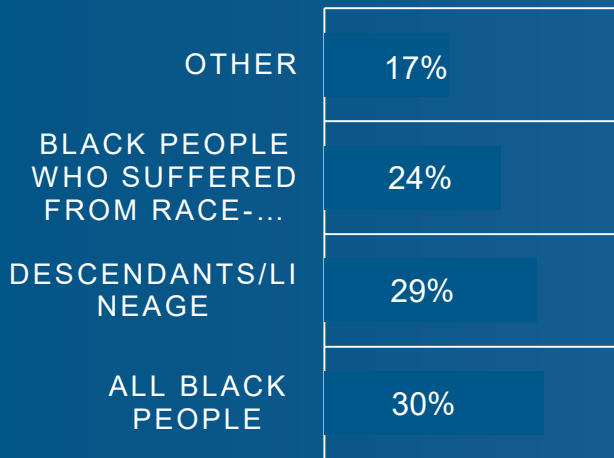
# Comparison of Statewide and Community Samples: Support by Reparation Measures



# Eligibility

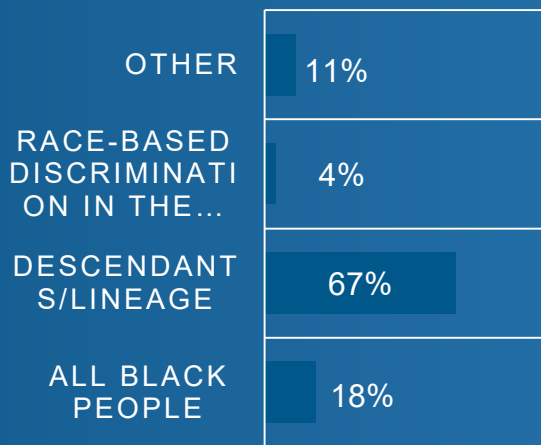
## State Sample

% of respondents



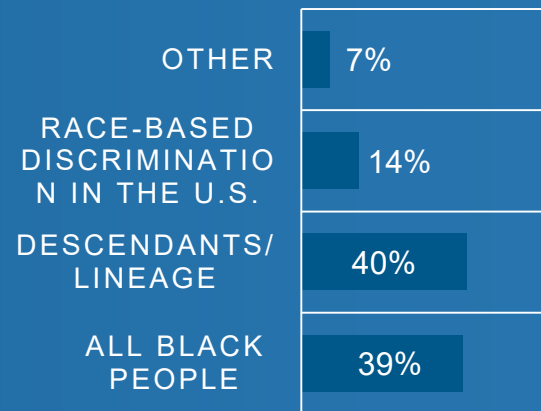
## Community Sample

% of...



## Black State Sample

% of respondents





# Eligibility Findings

- **Lineage-Based Eligibility** - Support is highest amongst the community sample, with nearly 2 out of three supporting it
- **Eligibility for All Black People** - More consistent support amongst the State Sample (30%) and Black State Sample (39%)

# Key Engagement Project Takeaways

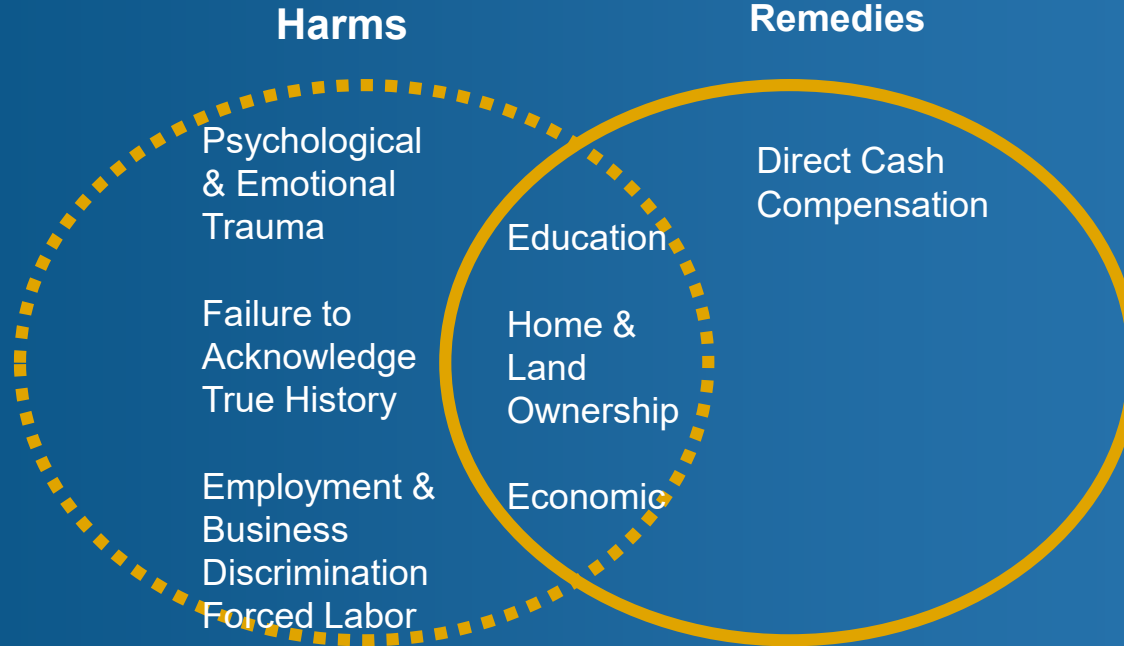


# Key Takeaways



- **The Community Engagement Project Documents Racially Based Harms Experienced by Member of the Black Community**
  - **These Harms Substantially Reduce Their Quality Of Life Within The U.S.**
- **The Community Desires Acknowledgement and Recognition of these Harms and to combat them Through Remedies**

# Key Harms and Remedies Identified in Community Listening Session and Personal Testimony



# Survey Findings Support Opinions Expressed in Listening Sessions and Personal Testimony

- **Majority Support for Direct Cash Remedies to Compensate for these Harms**
- **Even Stronger Support for Remedies that are Monetary Based but without Cash**
- **Support for Educational Grants, Universal Basic Income, Housing Supports and Business Investment Drive This Support**
- **The One Exception is Opinion on Eligibility: Statewide Opinion on this Question Differs than Expressed in the Listening Sessions, The Community Surveys, and from Personal Testimony**

# Thank You!



AGENDA ITEM 16 AND 18

AVAILABLE WITNESS STATEMENTS AND  
PRESENTATIONS

(NOT ALL WITNESSES HAVE SUBMITTED  
WRITTEN STATEMENTS AND PRESENTATIONS)

Mitchell T. Maki, Ph.D.  
President, Go For Broke National Education Center  
Lead author, *Achieving the Impossible Dream: How Japanese Americans Obtained Redress*

Testimony before the State of California's Task Force to Study and Develop Reparations Proposals for African-Americans  
September 24, 2022

Members of the Task Force,

Thank you for this opportunity to present my thoughts and insights to you regarding the Japanese American community's fight for redress and reparations.

My name is Mitch Maki and I am the lead author of the book, *Achieving the Impossible Dream: How Japanese Americans Obtained Redress*. As the title of the book suggests, for many people in the initial stages of the movement, the thought of obtaining redress was seen as an "impossible dream." And, yet it did become a reality. Such is the hope for the work that your task force has committed itself to exploring.

I would like to start off by emphatically stating that I, nor my fellow panelists, make any claim to equivalency between the incarceration of Japanese Americans during World War II and the institution of African American slavery which stained our nation for two and a half centuries. Rather, I intend to simply



share some insights from the Japanese American redress movement which I hope you will find relevant to the work of your task force.

I will focus my comments on three insights from the Japanese American Redress experience:

- 1) The importance of speaking with a unified voice;
- 2) The public commission hearings and education of the general public; and
- 3) The objective of redress for the Japanese American community.

### **Speaking with a unified voice.**

In the initial stages of the JA redress movement, there were many different perspectives on whether to pursue redress and reparations. There were basically three trains of thoughts amongst Japanese Americans:

The first group said let it go. It happened a long time ago. We're doing much better. We don't want to have to remember the pain. Don't make me tell those stories. Don't make me feel

those feelings again. It was primarily the elderly who felt this way.

The second group Believed what was done to us was wrong and we are deserving of a good, sincere apology. Don't give us money. Just give us a good sincere apology. Part of that was very pragmatic because the nation had never apologized nor provided redress to any particular group. However, there was also a very principled reason. Don't insult me. Don't take away my constitutional rights. Throw a few dollars at me and say, everything is now even. Don't put a price tag on my civil liberties. Just give me a sincere apology.

The final group believed that we were deserving of an apology, but we were also deserving of monetary redress. There were real losses. People lost their homes, people lost their jobs, people lost their businesses. It wasn't as if they just called us names and hurt our feelings. Give us an apology and give us money with that apology so that it is an authentic and legitimate atonement.

The debate between these three trains of thought tore the community apart through the seventies. The process of organizing and recruiting people to testify at the Commission on Wartime Relocation and Internment of Civilians and the

process of listening to their testimonies played a large role in facilitating the JA Community to come together behind the perspective that an apology and monetary reparations were what we wanted.

My co-panelists, Ron Wakabayashi and Miya Iwataki, were instrumental in those processes and will describe them more fully.

## **Education of the public**

The Commission hearings and their subsequent findings, *Personal Justice Denied*, played an invaluable role in educating the general public and the Japanese American community about the details of the World War II incarceration. In the early 1980s, the general American public and the US Congress knew very little about this violation of the Constitution. An important part of the redress movement was to educate mainstream America about what had occurred. An unintended consequence, was how the commission hearing process galvanized and energized the community as Japanese Americans themselves learned many new details and perspectives on the camp experience.

Of particular note, the Commission chose to release their findings and recommendations separately and six months apart. This was deliberate so that the general public and members of Congress would have time to be educated with the findings.

My co-panelists will share examples that will further illuminate this insight.

### **The objective of redress for the Japanese American Community**

In the Japanese American Community, there were competing perspectives on the objectives of the redress movement and what form redress should take. In the end, our community eventually agreed to a "symbolic" payment of \$20,000 for each affected individual and the creation of a \$50 million community fund, for many different reasons.

The question of what amount of monetary redress was appropriate was a critical issue for the Japanese American community. Was a "symbolic" payment for the forced exclusion and incarceration appropriate and sufficient? On one hand, the actual dollar amount of the harm was incredibly much higher and probably would have made redress politically impossible. On the other hand, the "symbolic" nature of the redress payments could be seen as a slap in the face or a disingenuous attempt to pay the issue away. In the end, the level

of monetary payments coupled with the presidential apology satisfied many in the community, but left others feeling less than satisfied.

I will end my comments here in order to allow time for my co-panelists to speak first hand of their observations, memories, and insights about the Japanese American redress movement. In closing, I wish to thank you for your work. It is certainly not an easy task, but it is a opportunity to bring all of us to a better place. Thank you.

Hello, Mitch, Miya and Ron:

Please confirm whether you will use any presentation materials for your testimony on Saturday. If so, please send them as soon as possible.

Additionally, please be reminded that your testimony will take place at the following time:

Saturday, September 24, 2022

10:05am - 12:00pm PT

Witness Panel: Examples of Domestic and International Reparations Initiatives and Models

Please arrive at least 30 minutes prior to the start of the panel. You will be the first three panelists in the following order (unless you'd prefer a different order):

1. Ron Wakabayashi
2. Miya Iwataki
3. Mitchell Maki

New address: California Science Center, 1st Floor-700 Exposition Park Drive, Los Angeles, CA 90037. Free parking is available on site.

Finally, here's the link to the agenda: <https://oag.ca.gov/system/files/media/task-force-notice-agenda-09232022-09242022.pdf>

My number is (916) 214-4539 should you need to reach me.

Thank you.

Cat



**September 24, 2022**

**Ron Wakabayashi**

**AB 3121**

**California Department of Justice**

**Examples of Domestic and International Reparations Initiatives and Models.**

-----  
----  
*(Self intro optional or further condensed. Can omit and reference in agenda)*

My name is Ron Wakabayashi. I am the retired Western Regional Director of the Community Relations Service, US Department of Justice. CRS is the federal community conflict resolution agency, established in Title X of The Civil Rights Act. I also served as the director of both the Los Angeles City and the Los Angeles County Human Relations Commissions in the 1990s. In the 1980s, I was the national director of the Japanese American Citizens League while we focused on redress for the wartime incarceration of Japanese Americans. In my retirement, I am contracted by the Divided Communities Project at the Moritz School of Law at the Ohio State University. My work with DCP is focused on Community conflict resolution, hate crime and Truth and Reconciliation Commissions. Your task force and California DOJ have received copies of our publications on “A Guide to Racial Equity.” The second edition was released just last month.

-----

**Auspicious Day (today)**

- 65 years ago to the day, federal troops were sent to Little Rock, Arkansas, to counter Governor Faubus deployment of the National Guard to prevent integration Central High School.



- Today, in a few hours, Japanese Americans and allies from throughout the country will convene at the Japanese American National Museum, representing 125,000 of us that were incarcerated in 75 different sites during World War II.
    - Before today, our incarceration was most frequently described as 120,000 of us incarcerated in ten concentration camps. From tomorrow, the reference will be updated to 125,000 in 75 sites. This first compilation of all the names of the incarcerated has just been completed and the book of names will be received in a ceremony in just a few hours. Our understanding of our experience is still unfolding.
    - The Book of Names, the Ireicho, will be on display for the very first time starting tomorrow.
    - When we conclude this panel, I will immediately leave to take my place in the ceremony.
    - Our understanding of our experience continues. Nearly 80 years since the incarceration 30 plus years since the Japanese American Redress Bill was sign, the story is still unfolding.
- 

## **CONTEXT**

### **INCARCERATION PERIOD**

- We are a generationally stratified community. The Issei, first generation, came to American in one window of time and their children, the Nisei, were born consequently also in a window of time. And so forth with following generations. This panel is, I think, third generation, Sansei. Now, perhaps, some even 8<sup>th</sup> generation are in this room. Do note that generational stratification is a result of American exclusion laws that limited and even stopped our migration by laws, policies and practices.

- WWII, the first generation, excluded by law from citizenship, are labeled as “enemy alien.” (Not as person ineligible by law for citizenship, but as “enemy aliens.” )
- The average age of the second generation, American citizens by birth, was 18 years old. The incarceration and enemy alien business, imposed on that generation the role of formal leadership status.
- We were less than ½ of 1% of the population of the country.

## BEGINNINGS

While the Japanese American experience, as wrong and hurtful as it was, it was not of the scale of this country’s legacy of chattel slavery. It was a different time and different journey. If there are helpful takeaways from our experience, I hope that they will be contribute. It would help repay a great debt. The Black Civil Rights Movement generated the Japanese American Redress Campaign and led the struggle for human rights in this country.

- In the late 1960s, the beginning of the **20+ year** process for Redress was a fringe outlier issue, embraced by young activist Japanese Americans (Sansei-third generation), and horrifying to the second generation Nisei, who would have preferred to have it remain quiet.
- It took 10 years for the Japanese American Citizens League to formally embrace the issue, which represents the beginning of the issue mainstreaming and it took another 10 years to get legislation.
- In the beginning, we didn’t know our own history. There was little research and documentation available on to us. Contrast this to this task force’s interim report which is such an asset in having the story made accessible.

- Viewed through the lens of the period, one of protest for civil rights and against the Vietnam War, the Nisei appeared to us as timid and weak.
- **It was, in fact, the Commission process that informed, educated and transformed our community as well as our internal relationships and relationship with allied communities.**
- The telling and the hearing of the **STORIES** was an essential part of ultimately achieving a legislative and social victory.
- A popular history at the time on the Japanese Americans community had the title, “Nisei: the Quiet American.” It was controversial, reflecting internal generational conflict. The third generation, Sansei, growing up in the environment of the civil rights and anti-war movements, took exception to the the concept of quiet as passive and submissive. **In many ways, we were a community painfully divided.**
- There were other divisions, ideological and strategic ones. The early period generated a brainstorm of contending thoughts on what strategies to take and what redress might look like. We didn’t have a Special Field Order #15 as a baseline.
- The earliest approaches included direct litigation and legislation based on an understanding that what took place was obviously wrong. But these approaches met challenges and never were fulfilled.
- **Privately, Japanese American Members of Congress communicated their sense that that the political situation was that we had no hope for a legislative victory,** but noted that there was an extraordinary opportunity for public education. This view would change over time.

STORY: Akio Morita and “Eyes on the Prize”

## TAKEAWAYS

## LEGAL/LEGISLATIVE

- Corum Nobis cases (Task Force Member Tamaki was a key contributor) to vacate the wartime Supreme Court case did much to provide public education as well as legal precedent.
- Few championed the CWRIC approach. It was a default approach, it followed initiatives that were felt to be more direct (NCJAR, Lowery and Dymally bills) thru class action litigation and direct money bills.
- All of the different approaches contributed toward building support for a remedy.
- It was legislators that advised the commission approach. Initially, no community organization favored the commission approach as a first option. It turned out to become an effective strategy.
- The hearing process and the transformational effect of building a community movement was central to the success of the campaign. Note the use of the word “movement” to describe what developed. It was a movement that made the effort successful at several levels.
- 750 community members gave testimony in 10 hearings throughout the country.
- The organization and mobilization of Japanese American communities and Allie’s across the country was a movement.  
*That’s the secret sauce.*

## THE PROCESS: SOCIAL/HISTORICAL/PSYCHOLOGICAL

**We didn’t know that we had heroes!** *Contrasting, even competitive or oppositional, there were many heroes.*

- RESISTERS. There were Nisei those that resisted. Many of them, like my older brothers and sisters, were moved to the camp at

Tule Lake where they were segregated and faced a process of deportation and renunciation of citizenship.

- 442<sup>nd</sup>. Other Nisei, adopted a cooperative approach, one that relied on the demonstration of loyalty to overcome the perception of being a “suspect” people. Some, even offered a creation of a suicide military battalion as a loyalty gesture. The 100/442<sup>nd</sup> Regimental Combat Team, composed entirely of Nisei, became the most decorated in history for size and length of service, winning 7 Presidential citations. This unit took 350% casualty. The notices of casualties were received by the Issei parents, held in concentration camps. Before the Commission hearings, I understood none of this. They were just the guys with the funny hats. Now, they are unquestionably at the top of our pantheon of heroes.
- The Public testimony served as a public communication strategy. The testimonies by the former incarcerated educated ourselves and in turn the American public on how wrong and how unnecessary the incarceration was.
- At local levels, communities approached local government to repair the wrongful termination of Nisei during the war. Over a hundred cities passed ordinances to compensate for wrongful termination. College and universities provided diplomas to Japanese Americans who were barred from completing their matriculation. This was not redress, but it was part of the movement of reparations to make right, which supported the federal legislative campaign.
- **Testimony that took place at the dinner table, after church, on the sidewalk, at the barber shop or the nail salon was the most important testimony.**
- The community restored itself and reshaped an identity that embraces other communities. It’s who we’ve become. Make note of right after 9/11, that Japanese Americans made

immediate outreach to Muslim, Middle Eastern, Sikh and other communities that were suffering being “suspect communities.” Just go back a little bit of time to the Judiciary Hearings on HR 40. You will see a large Japanese American presence in the testimony and letter writing support. Today, Japanese American groups are reaching out to Bar Associations, Human Relations Commissions, social welfare organizations and other to specifically endorse and support the mission of this task force in support of Reparations.

- Community organizations provided an national network throughout the country. The point is that there was an organized constituency in the Japanese American community and allies that was persistent.
- Last Saturday night, the 3 of us on this panel participated in the 50<sup>th</sup> Anniversary of AADAP.
  - The JA drug problem is tied to identity and self esteem. The child rearing strategy adopted by the Nisei, resided on the camp experience. The lesson was that it was disadvantageous to be Japanese. Use of Japanese language was discouraged along with anything that was associated with our culture. The consequence was self-medicating behavior to relief the pain and discomfort of being suspect, being different.
- In my work on Truth and Reconciliation Commissions, I’ve had the opportunity to speak with folks from Northern Island, South Africa and Palestine on their experience. These are all very different situations, but interestingly, all cited that the transformative reclamation of the understanding of themselves and embracing a transformed and enriched identity was the unanticipated prize of community transformation.
- Transformation is subtle, it sneaks up on you. In the compilation of stories shared, individual conceptualizations of community identity expanded and became enriched.

- The rift between generations was given a pathway to embracing the unknown sacrifices and the heroic acts that were made in difficult circumstances. We got heroes. We regain respect for the generation of our parents. We understood better the social and community alliances that are incorporated into our present identity. It was a very special prize that came about.

## THE MONEY

- Early sentiment on monetary redress ranged from a \$1 million to no amount is sufficient (including sentiment that money would cheapen our sacrifice and loss)
- A back of the envelop calculation ball parked minimum wage for the period of the operation of the camps would roughly total \$25,000. That number was debated and it eventually was adopted JACL (not without much scrutiny and public criticism.
- It let the Commission off the hook. How do calculate/compensate for human rights violations. Still, they adopted the \$20,000 figure to avoid being seen as being in the pocket of the JACL (as if we had the clout to drive the number).
- In the historical content, it was unprecedented, so it didn't feel immediately insulting. The number was backed into. In today's rear view mirror view, such amounts are forgiven for student loans. **It would feel different today.**

## THE SECRET SAUCE: 100,000 cups of tea

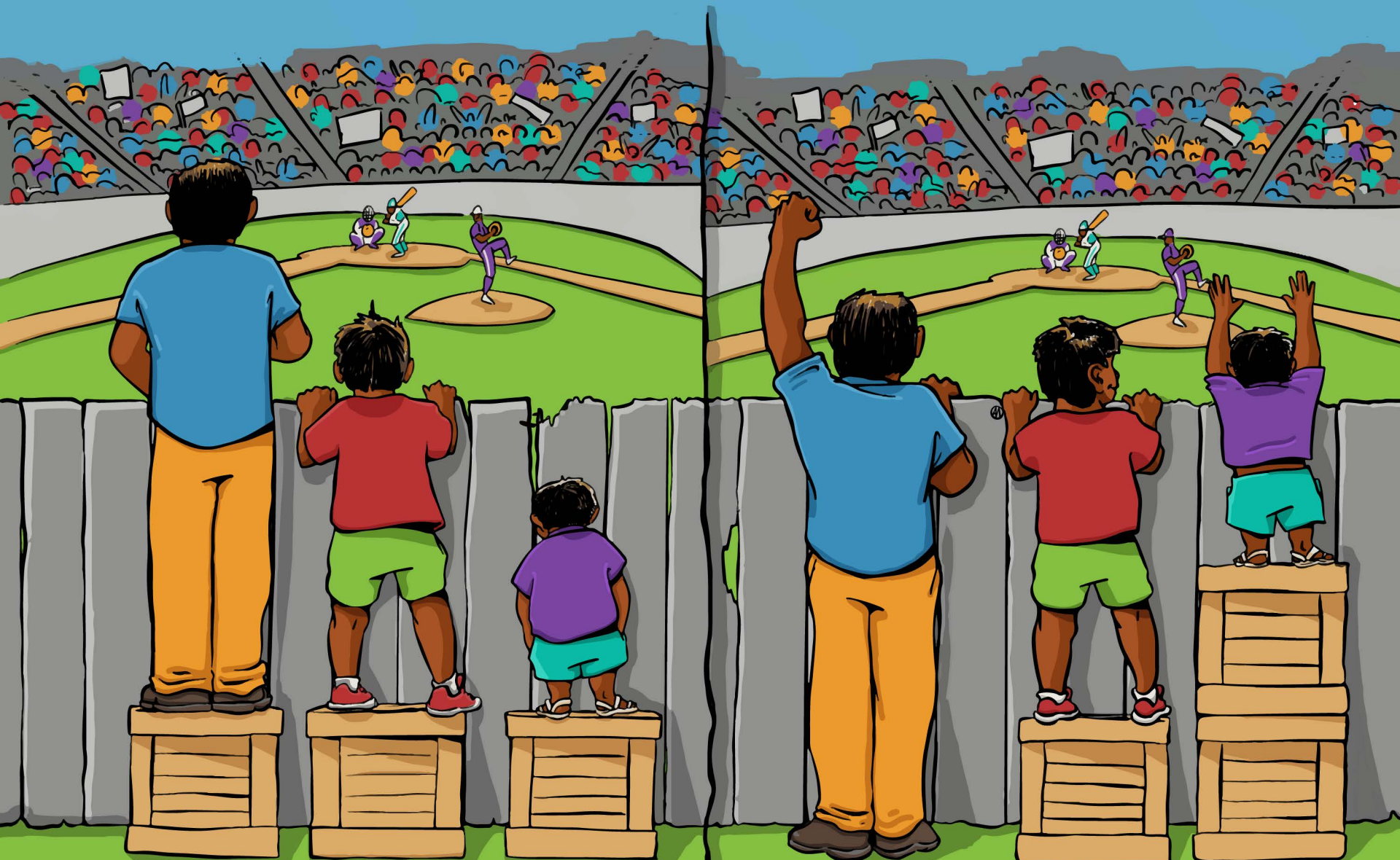
- The tea is symbolic.
- It represents hundred and thousands of meetings and organizing outreach, education and telling the story.
- It was a movement.
- The most important testimony (storytelling) was not before the federal commission, it was after church, at the market and at the

kitchen table. It was mom and dad, uncle and auntie finally answering some of the questions and bringing up questions. It was a hundred cities through America, passing ordinances to repair wrongful terminations of Japanese employees because they were Japanese. It was young attorneys like Don Tamaki, going to court and vacating the Supreme Court decision that upheld the incarceration. It was learning the the Nisei soldier, 442/100<sup>th</sup> was the most decorated in the history of of the country. It was hearing the stories directly from our elders. This was the energy that drove the movement and the campaign.

I was speaking with a friend this week, Andrew Thomas. He's from Sanford, Florida, and played an important role in the Travon Martin case. Andrew shared this insight.

- You may be familiar with the cartoon of three boys looking over a fence to see a baseball game. One kid is tall enough to see over. The two other boys, of different heights need a crate or two to stand on the see the game. It's supposed to represent equity. All those might be depictions of redress, of making things right. Or, maybe the focus should have been on why there was a fence in the first place





**EQUALITY**

**EQUITY**

AB 3121 African American Reparations Task Force  
Saturday, September 24, 2022  
**Examples of Domestic and International Reparations  
Initiatives & Models - Panel**  
Presentation by Miya Iwataki NP/NCRR/NNRC

**Presentation Outline:**

**Miya Iwataki is representing the Nikkei Progressives (NP), NCRR Reparations Committee, and the NNRC (National Nikkei for Reparations Coalition).**

*Miya Iwataki helped build Serve the People programs inspired by the Black Panther Party with JACS Asian Involvement in Little Tokyo, the first Asian movement center. An advocate for women, she became director of the first Asian Women's Center in the US; was a delegate to UN Decade for Women Convention in Nairobi, Kenya sponsored by United Nations NGO; on a Women's Healthcare Delegation to China; co-authored the first study on cultural barriers to women's reproductive health care in 8 AAPI communities. With National Coalition for Redress/Reparations, she helped lead the grassroots struggle for JA Redress/Reparations, and worked for Rep. Mervyn Dymally, chair of Congressional Black Caucus, and a mentor. As a poet, writer, KPFK Pacifica Radio host (East Wind); newspaper columnist, diversity/cultural competency program developer for LA County, her life experiences have informed her lifelong cultural and political activism. Today she is working with Nikkei Progressives and National Nikkei Reparations Coalition actively supporting Black Reparations. And is currently working to preserve the history, legacy and cultural soul of Little Tokyo in the ongoing face of gentrification.*

**1. Perspective**

~ Good Morning. First, I want to acknowledge the differences in our fight for reparations for the injustice of the incarceration of 120,000 Americans of Japanese ancestry into WWII Concentration Camps, and the 400-year history of enslaved people in the U.S.

**We are not here this morning to make recommendations or to prescribe "lessons learned." I'm here to share the experience of the National Coalition for Redress/Reparations, an all-volunteer grassroots organization that fought for Redress & Reparations; and to express our solidarity for Black Reparations today.**

~ Historically California was ground zero for anti-Japanese hate and anti-Asian legislation. This set the stage for imprisoning Japanese Americans (JAs) in WWII concentration camps. (eg, Alien Land Laws, Anti-Miscegenation laws, massacres, etc.). We recognize that the origin of this violence and racism began with the White Supremacist and Colonialist actions against indigenous peoples and kidnapped and enslaved Africans. We believe that winning Black Reparations is specific, deserved and long overdue; and your victory will also inspire and give hope to other communities of color who are struggling within this system.

## **2. Growing up after camp**

~ My Mother was incarcerated in the Manzanar Concentration Camp. My Father was a Staff Sgt. In the 100/442<sup>nd</sup>, an all-Japanese American segregated army unit that won more medals of valor, and suffered more casualties than any army unit of its size, in the history of the U.S. Army. A story akin to the Tuskegee Airmen.

~ Like so many Nisei (2<sup>nd</sup> generation JAs) they didn't talk to us about camp. *We grew up not knowing our own history. A history deliberately kept from us in school, just as we are seeing today with Critical Race Theory.*

~ Our parents' silence about Camp came out of trauma, anger, shame; wanting to shield us from the viciousness of racism and incarceration.

They carried an unspoken fear that this could happen again. They had heard of legislation in Congress to sterilize all JA women of childbearing age that had been narrowly defeated.

~ Intergenerational consequences – We were told to keep a low profile; the nail that sticks its head up gets pounded down. We were becoming invisible, the check box marked "other." Our parents told us we had to be twice as good as White people to succeed. That despicable label "model minority" – was used as a divide and conquer tactic to drive a wedge between us and other communities.

## **3. Finding our Voice. Seeds of Reparations**

~ In the 60s-70s the Civil Rights and Black and Chicano Movements energized young Asians. We were inspired by leaders like Malcolm X, Martin Luther King and Fred Hampton. We modeled our Serve the People programs after the Black Panthers Free Breakfast and Free Healthcare programs; worked in solidarity to free political prisoners like George and Jonathan Jackson. This set the stage for the future campaign to Free Chol Soo Lee.

~ We learned and lived Third World unity, the power of grassroots organizing, and our history through the movement for Social Justice.

~ I first heard about Reparations through the Republic of New Africa (who also talked about Queen Mother Moore, Deacons for Defense and more), and in the Black Panther Party's 10 point program.

## **4. National Coalition for Redress/Reparations (NCRR) Grassroots organizing. Building a Movement**

~ As previously talked about in this panel, there were several national organizations with different strategies for JA Redress and Reparations (R/R): the JAACL sought a more mainstream legislative approach, NCJAR focused on a Class Action suit, the Coram Nobis Supreme court cases (which Member Tamaki was a part of), and NCRR.

~ Many of the founding members of NCRR, the National Coalition for Redress/Reparations were 60s-70s Movement activists. We had Principles of Unity calling for uniting JAs around Reparations, restitution to the community, overturning the legal basis for the camps, and demanding direct individual monetary Reparations now.

*(\* How did we deal with differences in our community? One way was to ask the largest Japanese American daily newspaper to run a survey that presented the various strategies and options around the issue of Redress and Reparations. The newspaper*

*(Rafu Shimpo) did an extra large run of the survey issue for wider distribution. The results were conclusive – 95% support Redress. 89% direct monetary payment \$25,000.)*

~ **MMD and the NCRR Bill story.** These were the years before social media, when organizing and outreach meant jumping into your car and meeting face to face. I went to a Gardena Town Hall meeting where Congressman Mervyn Dymally was speaking. At that time Gardena had more JAs than any other city outside of Hawaii. I asked his position on Japanese American Reparations. He wanted to know more and invited me to his office to talk about the issue. The very next weekend he met with our NCRR steering committee and offered to introduce a Reparations bill. **That NCRR bill, Dymally Bill HR 7384, HR 7383 called for a Presidential apology, a Community education fund, and direct individual monetary reparations.**

~ Instead, legislation to establish a Presidential study **Commission on Wartime Relocation and Internment of Civilians (CWRIC) passed.** Most people were not happy with this bill. We/NCRR were concerned that the study commission would delay R/R for our elders who were already in their 80s & 90s; we wanted them to live to see Reparations. We were concerned that the Hearings might be Washington DC-centered with mainly legislators, academics, self-appointed “leaders.” We wanted to ensure that “the People,” those who had experienced Camp would have a voice.

~ NCRR lobbied the CWRIC Commissioners. We told them “to have meaningful hearings, you must go to every major city with a significant JA population.”

~ The CWRIC Commission held 20 days of hearings in 10 different cities. And heard over 750 testimonies. 750 people broke their 40-year silence!

##### **5. Importance of the Hearings. Reclaiming our History. Breaking a 40-year Silence:**

~ The first Hearing was in LA. We were determined to set the tone, to make it a “People’s Hearing.”

~ It was harder than we thought. Breaking a 40-year silence was difficult. It would be the first time many talked about camp, the first time they spoke in public. It was the first time anyone had ever spoken before a Presidential Commission! NCRR had to do extensive outreach with churches, at events, community marketplaces, posting flyers, ethnic media, etc. We held house meetings, workshops and practice sessions, typed up testimonies, coordinated transportation.

~ It paid off – from Day One, we had to get an extra hearing room at the State building for the overflow crowds (we needed more but didn’t get it); negotiated an extra evening hearing so working folks could participate. There was good mainstream media coverage each day. This was very important since most of country didn’t even know about the concentration camps.

~ During the lunch breaks we provided Japanese Obento box lunches and programs with Solidarity speakers from other communities to build allyship.

~ **The impact of the Hearings was beyond our expectations!** The Japanese American people stood up and spoke out! It was powerful, transforming, and unifying!

~ **Their testimonies educated my entire generation.** They exposed a little or unknown history. The CWRIC Hearings gained national media attention, and generated new support.

~ **Our People at those Hearings put a human face on the Japanese American concentration camp experience for the entire nation, and the world.**

~ Each testimony – of families separated (in some cases forever), lost lives, stolen farmland - Peeled off layer after layer...revealing an ugly core of White Supremacy, systemic racism and economic exploitation.

~ The CWRIC Report, “Personal Justice Denied” released in December 1982, called it “Race prejudice, war hysteria, failure of political leadership.” They found no military necessity justifying the Camps.

~ The Commission recommended a Presidential Apology, a Civil Liberties Education Fund, and direct individual monetary reparations.

## **6. Legislative Campaign. Building a Movement**

~ The CWRIC Report recommendations were quickly put into legislation – the symbology of the legislation SB 100 and HR 442, honored our 100/442<sup>nd</sup> Battalion. The bills went to Congress where we faced an uphill battle – similar to what the AB 3121 Task Force today will face when the recommendations of the Task Force are put into legislation and sent to the State Senate and Assembly.

~ Gaining allies was crucial to our campaign. Japanese Americans were a small percentage of the U.S. population, therefore allies and continued media attention was needed to get votes.

~ Again, Grassroots organizing was critical. We faced a long 18+ year struggle. To maintain interest and momentum we organized marches, rallies, demonstrations, candlelight vigils, community gatherings, media updates and coverage. A national community holiday was created, The Day of Remembrance, celebrated every February 19<sup>th</sup> to commemorate the date President Franklin D. Roosevelt signed EO 9066 authorizing imprisonment of 120,000 Americans of Japanese ancestry into WWII concentration camps. We generated media coverage with updates and human interest stories. All to keep the movement “alive.” Keep hope alive.

~ We were fortunate to have four JA legislators leading the fight in Congress: Congressmen Norman Mineta and Bob Matsui, and Senators Spark Matsunaga and Daniel Inouye.

~ **The Historic NCRR Grassroots delegation.**

Then in 1987 Congressman Mineta called. “The big vote is taking place. It’s do or die. NCRR has to pull out all the stops!” It was the call we were waiting for. We went into organizing mode...doing outreach through media, churches, campus, organizations, friends and family.

**The Historic 141-person NCRR Grassroots Lobby delegation to DC.** was made up of 141 people from all walks of life (truckdrivers, lawyers, gardeners, doctors, students, children, elders) who all saved up their money and vacation days to go to Washington, DC to lobby for **Justice and Reparations!** It was their first time lobbying, first time to Washington, DC and the Halls of Congress for most of the delegation. People today still tell me it was a transforming experience!

~ The Vote took place on a most meaningful date - the 100<sup>th</sup> Centennial Birthday of the United States Constitution, brilliant scheduling strategy executed by Rep. Barney Frank, the House Floor Manager.

Our NCRR Historic Grassroots Delegates were able to watch from the House Public Gallery, and savor victory as 243 members voted for Reparations, defeating the 141 opposed. Later, in the Senate, Sen. Sparky Matsunaga practically single-handedly got 69 votes for Reparations!

~ I want to give special recognition to Rep. **Mervyn Dymally, Chair of the Congressional Black Caucus**. Under his leadership, the CBC fully supported the Japanese American Reparations campaign from beginning to end, and were key in winning full support from the Hispanic Congressional Caucus. Rep. Dymally flew me to DC three weeks prior to the big vote. I was able to work from his office and schedule 101 Congressional visits for the NCRR lobby teams. Congressman Dymally's office became our delegation's "unofficial headquarters." Folks from various cities were able to call in press updates each day. His staff had our lobby schedules, it was a meeting place lost delegates, lost & found and more. I see Mervyn Dymally as a shining example of Black-Japanese American unity and support; and an unsung hero of Reparations.

~ In August 1988, The Civil Liberties Act was signed by President Reagan. Then began a whole new ordeal – fighting for the appropriations bills in Congress, then working with a newly formed Office of Redress Administration, working to get folks identified to receive Reparations and a Presidential apology, assisting those facing denials, and more. There is not enough time to talk about this today. You can read about in NCRR's book "NCRR: The Grassroots Struggle for Japanese American Redress and Reparations." (hold up book).

## **7. What is the legacy? What are the Takeaways.**

~ **The Importance of the Hearings, the voices, the testimonies of the People, cannot be over emphasized.** The Japanese American community stood up, spoke out - and it was unifying.

~ Their testimonies put a spotlight on role and character of United States government. And the community recognized a shared history experienced by other communities of color.

~ **It Connected the Dots between Japanese Americans and other communities:**

- In the aftermath of 9/11, JAs were among the first to speak out against the Racial Profiling of Muslims, because we know what racial profiling can lead to.
- When ICE (Immigration and Customs Enforcement) tried to open detention centers to imprison immigrant families seeking asylum, the very same used for our incarceration, JAs protested and were able to prevent the opening of the center at Fort Sills, OK.
- With the Black Lives Movement, national discourse around Black Reparations re-emerged, HR 40 gained traction in Congress, and other reparative efforts emerged. Japanese Americans recognized the immediate connection and basis for support. (And we are here today)

~ **The Importance of unity.** There were differences in our community. For NCRR, the immediate goal was to work to build a unified Japanese American effort to win Redress and Reparations. Our long term goal, stated in our Principles of Unity, was to build unity within, and with other communities, as part of building a movement for social justice. Striving for unity was key. Congressman Mineta consistently admonished all of us about the strategic importance of presenting a united front in public, and to keep infighting "within the family."

~ Reparations is more than a check. The Presidential apology was important to older folks who were angry and hurt by their unjust incarceration, and who had never felt accepted in this country. The issue of repairing harms, of healing, of rebuilding the community and its

institutions remains important and has still not been addressed. (eg., Before the war there were 43 Little Tokyos and Japantowns. Today there are only 3.) The issue of non-repetition which was to be addressed as part of the Civil Liberties Education Fund was not realized. Of the \$50 million that was legislated, only \$5 million was actually allocated.

~ **Connecting the Dots. The Movement continues**

- ~ The Redress/Reparations movement **Connects the dots** from the Civil Rights and Black Liberation Movement which inspired the growth of the Asian movement of the 60s-70s to
- ~ The solidarity work that came out of the movement of the 60s-70s. Which **connects the dots** leading to the lessons and principles that informed NCRR's grassroots campaign for Reparations.
- ~ Those principles linked the campaign for JA Redress/Reparations to the overall struggle for social justice. This overall goal continues today and **connects the dots** to Nikkei Progressives and NCRR and their support for Black Reparations.
- ~ In May of this year, the National Nikkei Reparations Coalition (NNRC) was formed, bringing together Nikkei (Japanese Americans) and their allies around the country who have been working in solidarity with the fight to win Black Reparations today.

**8. The Value of the AB 3121 Task Force Interim Report**

- ~ I want to give special acknowledgement to the quality of the research, and the depth and thoroughness of the Interim Report of the CA Task Force to Study and Develop Reparations Proposals for African Americans. The history and knowledge in this report is important to all communities.
  - ~ It's a continuing part of our work towards non-repetition (The Civil Liberties Education Fund [CLEF] was a part of our Redress/Reparations Legislation that was intended to address non-repetition through education. It called for \$50 million for the CLEF, but we only got \$5 million).
  - ~ Currently the newly-formed National Nikkei Reparations Coalition (NNRC) plans to use the AB 3121 Interim Report as a tool for outreach and education to build support and advocacy for Black Reparations.
- We've developed a Powerpoint Outline on the Executive Summary for internal education purposes and to encourage more people to read the longer report.
- NNRC is also working to beta test a "book club" approach exploring a 1-2 chapter methodology to encourage reading and support for the Interim Report and for Black Reparations.

**In closing, Japanese American Redress and Reparations was not an isolated campaign; it was a continuation of our legacy of building a movement that continues today.**

**I'd like to thank the AB 3121 Task Force for providing the opportunity to be here today to share our experience, and to stand in solidarity with the fight for Black Reparations today.**

-----



## How Americans Should Think About Reparations for American Slavery

Michael S. Kochin, Tel Aviv University, [kochin@tauex.tau.ac.il](mailto:kochin@tauex.tau.ac.il)

Thank you for your time, and thank you for agreeing to take my presentation remotely. I should say at the beginning I speak as an American academic, a political philosopher and historian of the United States, and not on behalf of my institution, Tel Aviv University, itself a recipient of Holocaust reparations.

I was trained in political philosophy, that is to look for the questions not asked, and see how asking **those** questions changes our thinking on the questions **usually** asked in public debate. My goal in these few minutes is to shock you and perplex you into thinking a bit differently about some very familiar questions.

Now the pressure for reparations for American slavery comes from two sides. First, from moral outrage – for even though American slavery was ended by law in 1865, slavery then still outrages us today. It is part of a legacy that in other respects and for other reasons we Americans are not ashamed of but proud to claim. That is to say, as Americans, we participate in and aim to perpetuate institutions – the union of the states, the Constitution, the free market, that, a century and a half ago, actively worked to hold innocent men, women, and children in wrongful slavery.

Second, pressure for slavery reparations comes from the recognition of persistent, castelike inequality between the descendants of persons held as slaves in the United States and other Americans. As I wrote in 2018, “the descendants of American slaves live shorter lives than other Americans, are less likely to have [stable families](#), are more likely to be [victims of violence](#), have [lower incomes](#), [less wealth](#), and lower levels of [educational attainment](#).” As Americans,



dedicated, as Lincoln said, to the proposition that all men and women are created equal, this persistent inequality outrages us.

The outrage is all the worse because it is incoherent. It is incoherent because we do not have a current term or a word that marks out the people whose unequal condition today outrages us. The relevant category is not a racial category, we do not feel the same obligation to mitigate inequalities toward Black immigrants and their descendants, even Black immigrants from other places outside the United States where black men, women, and children were held in legal slavery by Whites or Europeans. The people whose relative deprivation outrages us are not an organized community or people separate from other Americans: we are not speaking of a nation, or of what in political science is called an intentional community. We all know or should know the exchange from Jordan Peele's 2019 horror movie Us, a film that is an allegory of the relation between privileged and less privileged Black Americans. "What are you people?" asks father of the Black upper middle class family Gabe Wilson of their newly emerged clone rivals and enemies. "We're Americans."

The problem of reparations is to find some way of mitigating inequalities that distinguish some Americans from other Americans, in order to atone for a moral outrage that still stains the institutions that we Americans cherish and wish to continue. When we put the problem that way, we see that two frequently cited modern examples of reparations provide limited guidance in thinking about reparations for American slavery.

In 1988 the United States government agreed to pay reparations to those Japanese-Americans who were interned by the United States during World War 2. The payments were modest, almost token, \$20,000 for each survivor of internment still alive in 1988, and were not intended to nor could mitigate persistent inequalities. Why were the payments so modest? Partly

I think, because the kind of persistent inequalities that concern us regarding the descendants of persons held as slaves in the United States are simply not found in relation to Japanese Americans, whether we speak about those individuals who were interned, the generation of those interned, or their descendants.

There is also the example of Holocaust reparations, cited in Te-Nihisi Coates's well known 2014 essay "[The Case for Reparations](#)." Those reparations were paid from one community to two other communities, from the German state to the Jewish community organized in various bodies such as the World Jewish Congress and the Claims Conference; and from the German state to the State of Israel, the national state of the Jewish people. The whole point is to repair by compensation in money and goods the relation between one people and another, between Germans and Jews and between the Federal Republic of Germany and the State of Israel, even when the recipients are or were individuals, and when their claim is calculated on the basis of individual deprivation by Nazi crimes.

This matters because the State of Israel could use the payments it received for the benefit of Jewish Israelis, it had a parliament, a government, and a bureaucracy to debate and decide how to use reparations for the common benefit of the Jewish people, the collective victim of Nazi outrages. For slavery reparations the problem is within a single community, the American people, and is an attempt to deal with the outrages that some Americans inflicted on other Americans through the American institutions that for other reasons and in other respects we esteem and wish to perpetuate. Unlike in the case of Holocaust reparations, reparations for American slavery, in whatever form it takes, will have to be worked out by the same institutions and for the same American people as both victims and as perpetrators. Unlike in the case of reparations for Japanese internment, also paid on behalf of Americans to Americans, the problem

to be addressed by slavery reparations is not symbolically to atone but to respond to persistent inequalities which reparations should do something visible and tangible to mitigate.

What about affirmative action? I was asked to be here today because I published an essay in 2018, [“The Whipped-Cream Boys of Affirmative Action,”](#) arguing that affirmative action programs of the kind that exist today are not a suitable vehicle for mitigating the persistent inequality between the descendants of persons held as slaves in America and other Americans. First, and most important, they haven’t worked: in fact, those inequalities such as crime victimization are in important respects, as bad if not worse today in 2022 as they were in 1965, when President Johnson announced his affirmative action policy in a speech at Howard University. The failure of affirmative action programs is obscured because government, media, think tanks and universities use racial categories such as Black and white to study inequality instead of gathering separate data on the descendants of persons held as slaves in the United States. Second, because affirmative action policies are defined in racial terms they are not an answer to the real problem: Reparations are for victims – and while it is true that slavery in America (and everywhere else on the globe where slavery was practiced) was racialized -- in the United States of 2022 programs such as affirmative action that designate beneficiaries by race are not reaching those harmed by the persistent legacy of American slavery.

In my view, California’s response to the question of reparations should be to seek out programs that, in the light of more than half a century of modern experience, have some prospect of mitigating the relevant inequalities. Here I think, the best thing to focus on is education at the K-12 level: make it easier for the descendants of persons held in slavery in the United States to get a good school education. My authority is California economist Thomas Sowell, a descendant of persons held as slaves in the United States, born in 1930 in Gastonia, South

Carolina amid the last living memories of American slavery. As Sowell details in his 2020 book [\*Charter Schools and their Enemies\*](#), the 2019 California charter school reform legislation goes the wrong way, making harder for impoverished parents, and, I would add, especially for impoverished parents descended from persons held in slavery in America, to ensure that their children are enrolled in schools that will teach them adequately. Rather, Californians need to make sure that every California child, and in particular every California child the descendant of persons held in slavery in the United States, is guaranteed a free K-12 education. Education does not mean time in a classroom chair between birth and prison or the streets. Education must mean actual scholastic attainment that will give these children and all California children the skills and talents required for a fulfilled adult life.

Charter schools and easy access to them, Sowell shows, are a vital part of such an education policy. Because of the importance of school for remedying inequalities, California should annul or obliterate other public policies that stand in the way of educating each California child the descendant of persons held in slavery in the United States – and I speak as a unionized teacher well aware of the benefits of unionization for teachers, especially uncommitted, distracted, or incompetent teachers.

At the postsecondary level, I think the thing the state can do is to identify and increase access to programs that pipeline students from the classroom to rewarding careers. Such programs are often co-ops, where job placement is part of the curriculum and students work at their careers through their time in school. The State of California, in my view should identify inequalities in access to those programs. The State should then formulate, apply, study, reformulate, and reapply policies to mitigate those inequalities in the State of California.

Race is fundamental to understanding the history and legacy of American slavery,

but thinking beyond racial categories is vital to formulating and implementing public policies that will mitigate the inequalities that are the legacy of American slavery. If the Civil War settled one thing, it made all of us, Black and white, Americans. Thus it made the problem of repairing relations between the victims and the perpetrators and perpetrating institutions a problem for all of us together as Americans. We Americans of 2022 want to find a policy response that will make it possible for us to go on together as Americans.

AGENDA ITEM 20

POTENTIAL ACTION ITEM:  
SCHEDULE OF FUTURE MEETINGS

*Proposed Motion (Sept 2022):* The task force moves to adopt the following proposal for future hearings (encompasses dates, topics, and locations).

*Background: During the December 2021 hearing, the California Reparations Task Force voted to create an advisory committee tasked with reconceptualizing the remainder of the public hearings. The advisory committee consists of Chair Moore and Member Scott Lewis. See below for the proposed public hearing schedule:*

**January 2022 (Virtual)**

**Technology and Health**

Discuss anti-black discrimination in technology

Discuss anti-blackness in health sectors (i.e. public health, mental health, physical health)

**Feb 2022 (Virtual)**

**Black History Month Commemoration**

Honor current and past reparations advocates/movements (i.e. Callie House, Queen Mother Moore, John Conyers, Tulsa/Rosewood, Charles Henry/Damario Solomon Simmons, Cochran/Ogletree/Farmer-Paellman etc.)

Report 1 Update

**March 2022 (Virtual)**

**Criminal Legal System, War On Drugs, and Mass Incarceration**

Discuss history of policing, and the War On Drugs

Discuss criminal legal system, mass incarceration (including juvenile justice), prisons/policing and the impact on Black Californians

**April 2022 (In Person) (1) San Francisco**

**Education, Final Report Approval, and Educating the CA Public (Comms)**

Education (K-12; College; Post Grad)

Discuss Report 1, Final Report Approval

Discuss how to educate the CA Public on findings

Planning Session

COMMUNITY ENGAGEMENT PUSH (MAY-AUGUST 2022)

*June 1 2022 → REPORT RELEASED*

**June 2022 Sacramento**

**Gathering**

**September 2022 (2) Los Angeles**

**Forms of Reparations and Comparative Models**

1. Discuss comparative reparations models (domestic and international)
2. Discuss how recommendations must comport with international standards of remedy for wrongs and injuries caused by the state, that include full reparations and special measures, as understood by various relevant international protocols, laws, and findings.

**November 2022 (3) Allensworth (Bakersfield area)**

**General Forms of Reparations + Redressing Harms Outlined in Report 1**

1. What form(s) should general reparations take (Government Code § 8301.1, subds. (b)(2)(F))
  - Whose Responsibility: Task Force and Economics expert team
  - Tasks needed:
    - A. Task Force and Economics experts agree on scope of work and what is included in the scope of these provisions (as opposed to subds. (b)(2)(A)&(G))
    - B. Economics experts develop proposals for forms and report back to Task Force
    - C. Full TF vote and adoption, and inclusion with report in final Report 2
2. Redressing the harms covered by each chapter of Report 1 through specific remedies (Government Code § 8301.1, subd. (b)(3))
  - Whose Responsibility: Task Force (recommended this be done through multiple advisory committees addressing different topics), with assistance from DOJ attorneys and economics expert group
  - Tasks needed:
    - A. Economics experts and DOJ attorneys need to prepare reports (and possibly presentations in meetings) on how to reverse the impact of the harms through “appropriate policies, programs, projects, and recommendations” (Government Code § 8301.1, subd. (b)(3)(D))
    - B. TF needs to determine final recommendations regarding remedies



- C. Economics experts need to prepare reports (and possibly presentations in meetings) on each of the harms/remedies addressing each of the following questions: (Government Code § 8301.1, subd. (b)(3)(A)):
- o How does the remedy/remedies recommended provide “full reparations and special measures” to those injured by the harms detailed in Report 1?
  - o How does the remedy/remedies recommended comport with international standards of remedy for wrongs and injuries caused by the state?
  - o How does the remedy/remedies recommended comport with by various relevant international protocols, laws, and findings?
- D. DOJ staff to conduct legal analysis and to take the work product of the experts and combine to prepare Report 2.

3. Appropriate ways to educate the California Public of the TF’s findings (Government Code § 8301.1, subd. (b)(2))
- Whose Responsibility: Task Force, with assistance from communications expert, or possibly an expert on curriculum development to be retained by DOJ
  - Tasks needed:
    - A. TF needs to direct DOJ to retain an expert consultant
    - B. Consultant(s) needs to prepare scope of work (work product should be a proposal for public education (incl. potential development of curriculum guidance), and explanatory materials)
    - C. Consultant works with DOJ to draft report, report needs to be endorsed/accepted by the TF, and then report needs to be incorporated into final TF report

**December 2022 (4) Oakland (first two weeks)**

**Reparation and Compensation**

1. Discuss how in consideration of the Task Force’s findings and recommendations, any form of compensation to African Americans, with special consideration for African Americans who are descendants of persons enslaved in the United States, is calculated.
2. What form of compensation should be awarded, through what instrumentalities, and who should be eligible for such compensation?

3. Based on the form for general reparations, how should they be calculated (Government Code § 8301.1, subds. (b)(2)(E))

- Whose Responsibility: Task Force and Economics expert team
  - Tasks needed:
    - A. Task Force and Economics experts agree on scope of work and what is included in the scope of these provisions (as opposed to subds. (b)(2)(A)&(G))
    - B. Economics experts calculate and develop cost estimates and report back to Task Force
    - C. Full TF vote and adoption, and inclusion with report in final Report 2
4. Updates: forms of reparations; redressing harms in report 1; education of CA public

### **January 2022 (5) *San Diego***

#### **Reparation and Compensation**

Continue discussion on compensation (see above)

Updates and discussion: general forms of reparations; redressing harms in report 1; education of CA public

### **February 2023 (6) *Sacramento***

#### **Reparation and Restitution/Rehabilitation**

1. Discuss how to provide appropriate policies, programs, projects, and recommendations for the purpose of reversing the injuries.
2. Discuss how, in consideration of the Task Force's findings and recommendations, any other forms of rehabilitation or restitution to African descendants are warranted and what form and scope those measures should take.
3. What other forms of *other* restitution and rehabilitation are warranted (Government Code §8301.1, subd. (b)(2)(G))
  - Whose Responsibility: Task Force and Economics expert team
  - Tasks needed:
    - A. Task Force and Economics experts determine whether additional forms are warranted and if so, what those may be
    - B. Economics expert calculate amounts and develop proposals for forms and report back to Task Force
    - C. Full TF vote and adoption, and inclusion with report in final Report 2
4. Updates and discussion: general forms of reparations; redressing harms in report 1; education of CA public; compensation

### **March 2023 (7) *Inland Empire***

#### **Reparations Recommendations (Guarantees of Non-Repetition)**

1. Recommend appropriate remedies and discuss how the State of California will provide other forms of reparations in the form of guarantees of non-repetition OR Elimination of racist laws and policies (Government Code § 8301.1, subd. (b)(2)(C))
  - Whose Responsibility: Task Force (recommend that an advisory committee be created to develop a proposal), supported by DOJ attorneys, and also supported by already-retained legal experts currently developing compendium of laws
  - Tasks needed:
    - A. Legal expert group led by Marne Campbell estimated completion of compendium end of 2022
    - B. Designation of advisory committee to work with DOJ attorneys and legal expert group to propose specific and general proposals for elimination (statutory amendments/repeal, laws that supersede racist legal opinions or other materials)
    - C. Advisory committee presents proposal for full TF vote and adoption, and inclusion (with any desired background explanation) in final Report 2
2. Updates and discussion: general forms of reparations; redressing harms in report 1; education of CA public; compensation; rehabilitation; restitution

### **April 2023 (8) *Richmond***

#### **Reparations Recommendations (Guarantees of Non-Repetition) + Satisfaction**

1. Continue discussion on guarantees of non repetition (see above)
2. Satisfaction- How and what form a formal apology should take (Government Code § 8301.1, subd. (b)(2)(B))
  - Whose Responsibility: Task Force (recommend that an advisory committee be created to develop a proposal), supported by DOJ attorneys
  - Tasks needed:
    - D. Designation of advisory committee
    - E. Advisory committee develop proposal, work with DOJ to address any legal issues or questions
    - F. Advisory committee presents proposal for full TF vote and adoption, and inclusion (with any desired background explanation) in final Report 2
3. Updates and discussion: general forms of reparations; redressing harms in report 1; education of CA public; compensation; rehabilitation; restitution

**May 2023 (9) Watts**

**Finalizing Recommendations**

1. Updates and discussion: general forms of reparations; redressing harms in report 1; education of CA public; compensation; rehabilitation; restitution; satisfaction; guarantees of non repetition.

**June 2023 (10) Inglewood/TBD**

**Presentation and Approval of Second Report**

*July 1 2023 → Sunset of CA Reparations Task Force*

## **REMAINING TASK FORCE WORK**

1. Redressing the harms covered by each chapter of Report 1 through specific remedies (Government Code § 8301.1, subd. (b)(3))
  - Process: Advisory Committees working with Retained Experts and DOJ staff
  - Tasks needed:
    - A. Preparation of report components and possibly presentations in meetings on how to reverse the impact of the harms through “appropriate policies, programs, projects, and recommendations” (Government Code § 8301.1, subd. (b)(3)(D))
    - B. Analysis addressing each of the following questions: (Government Code § 8301.1, subd. (b)(3)(A)):
      - How does the remedy/remedies recommended provide “full reparations and special measures” to those injured by the harms detailed in Report 1?
      - How does the remedy/remedies recommended comport with international standards of remedy for wrongs and injuries caused by the state?
      - How does the remedy/remedies recommended comport with by various relevant international protocols, laws, and findings?
    - C. What form(s) should reparations take (Government Code § 8301.1, subds. (b)(2)(F))
    - D. Where relevant and possible based on data, how should reparations be calculated (Government Code § 8301.1, subds. (b)(2)(E))
    - E. TF votes to adopt findings and recommendations of Advisory Committees
    - F. DOJ staff to conduct legal analysis and to take the work product of the experts and combine to prepare Report 2.
4. What other forms of *other* restitution and rehabilitation are warranted (Government Code § 8301.1, subd. (b)(2)(G))
  - Task Force
  - Tasks needed:
    - A. Task Force determine whether additional actions, restitution, etc., are warranted and if so, what those may be
    - B. If relevant and possible based on data, economics experts calculate amounts and develop proposals for forms and report back to Task Force
    - C. Full TF vote and adoption, and inclusion with report in final Report 2

## **REMAINING TASK FORCE WORK (cont'd.)**

5. Elimination of racist laws and policies (Government Code § 8301.1, subd. (b)(2)(C))
  - Whose Responsibility: Advisory Committees working with Retained Experts and DOJ staff
  - Tasks needed:
    - A. Legal expert group led by Marne Campbell working to create a compendium of racist laws
    - B. Advisory Committee works with DOJ attorneys and legal expert group to propose specific and general proposals for elimination (statutory amendments/repeal, laws that supersede racist legal opinions or other materials)
    - C. Advisory committee presents proposal for full TF vote and adoption
  
6. Appropriate ways to educate the California Public of the TF's findings (Government Code § 8301.1, subd. (b)(2))
  - Whose Responsibility: Advisory Committees working with DOJ staff and potentially an expert on curriculum development to be retained by DOJ
  - Tasks needed:
    - A. Task Force vote to direct DOJ to retain an expert consultant
    - B. Expert(s) work with Advisory Committee and DOJ to develop a scope of work
    - C. Expert(s) develop work product in coordination with Advisory Committee and DOJ staff
    - D. Presentation of materials for adoption by Task Force
  
7. How and what form a formal apology should take (Government Code § 8301.1, subd. (b)(2)(B))
  - Whose Responsibility: Advisory Committee, supported by DOJ attorneys
  - Tasks needed:
    - A. Advisory committee develop proposal, work with DOJ to address any legal issues or questions
    - B. Advisory committee presents proposal for full TF vote and adoption

## **Staff Recommendation Regarding Advisory Committees to Handle Remaining Workload**

### **Advisory Committee(s) Working with Experts on Reparations for Atrocities**

One or Two Economic Expert Atrocities Advisory Committee(s) to handle the five topics delineated by the Experts as the atrocities for which reparations can be calculated, plus education:

- 1: Unjust Property Takings by Eminent Domain (Chapter 7); Devaluation of Black Businesses (Chapter 10); Housing Discrimination and Houselessness (Chapter 5)
  
- 2: Disproportionate Black Mass Incarceration and Over-Policing (Chapter 11); Health Harms (Chapter 12); Education [added during Day 1 of meeting] (Chapter 6)

These Advisory Committee(s) will need to answer these 5 questions laid out by the economics experts plus work with DOJ staff and the experts to develop the discussions on these topics for Report 2:

1. What are the damage time frames? This becomes even more important for the prioritization of Black descendants of persons enslaved in the United States. 1865-1960?
2. Will there be a California residency requirement? If yes, how will it be determined?
3. What year determines the beginning of harm? Are there different starting points and end points for each atrocity category?
4. Will direct victims and/or all Black descendants of U.S. slavery in California (who meet the residency requirement) be compensated?
5. How will reparations be paid and measured to ensure the form of payment aligns with the estimate of damages?

### **Working with DOJ Staff on Areas not Addressed in Experts' List of Atrocities**

Advisory Committee on Issues from Report 1 Not Covered Above (these will be policy recommendations): Enslavement (Chapter 2); Racial Terror (Chapter 3); Political Disenfranchisement (Chapter 4); Pathologizing the Black Family (Chapter 8); Control Over Creative, Cultural & Intellectual Life (Chapter 9); The Wealth Gap (Chapter 13)

### **Remaining Issues**

Advisory Committee on Remaining Statutory Requirements: Elimination of racist laws and policies (Government Code § 8301.1, subd. (b)(2)(C)); Appropriate ways to educate the California Public of the TF's findings (Government Code § 8301.1, subd. (b)(2)); How and what form a formal apology should take (Government Code § 8301.1, subd. (b)(2)(B)).

## **Report on Existing/Previous Advisory Committees**

Communications Advisory Committee: Moore and Grills

Subpoena & Survey Advisory Committee: Tamaki and Holder

Designee for Bunche Center: Grills

Economics Expert AC (complete): Moore and Lewis

Report Finalization AC (complete until Report 2): Jones-Sawyer and Bradford



# **Moore/Lewis Advisory Committee Potential Hearing Schedule**

**(city notations is if vote to hold in person)**

**\*\*Currently only quorum dates are not until December 14-16**

**December 14-15 or 15-16, 2022 (OAKLAND)**

**Report out from experts and Advisory Committees on Interim or Final Recommendations**

Witness Panel 1: testimony and suggestions regarding potential remedies and remedial programs

Witness Panel 2: legal, legislative, and program administrative experts' suggestions for addressing harms delineated in Report

**January, 2023 (SAN DIEGO)**

**Final Report out from experts and Advisory Committees**

Witness Panel 1: testimonials regarding individuals' experiences with racist laws

Witness Panel 2: legal experts and legislative experts' suggestions for addressing

**February, 2023 (SACRAMENTO)**

**Presentation of Outlines of "Report 2" by Advisory Committees, Experts, and DOJ Staff, for Task Force Vote**

**March, 2023 (INLAND EMPIRE)**

**Presentation of Initial Draft of "Report 2" by Advisory Committees, Experts, and DOJ Staff for Task Force Discussion**

**Presentation of Draft Compendium of Racist Law and Policies and Proposal for Elimination**

**April, 2023 (RICHMOND)**

**Discussion Regarding Public Education and Apology**

**May, 2023 (WATTS)**

**Presentation of Final Report for Task Force Approval**

**June 2023 (ALLENSWORTH)**

**Discussion of Recommendations to the Legislature Regarding Implementing Reparations**