

MEMORANDUM

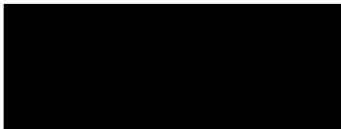
OFFICE OF COUNCILMEMBER JOSE PRECIADO



DATE: August 6, 2024
TO: City Manager, Honorable Mayor and Councilmembers
FROM: Councilmember Jose Preciado
SUBJECT: Resolution in Support of California Legislative Black Caucus (CLBC) 2024 Reparations Priority Bill Package

Seeking Council consensus to add the attached resolution for consideration at the August 13, 2024. Resolution supporting the California Legislative Black Caucus (CLBC) 2024 Reparations Priority Bill Package.

Respectfully,



Jose Preciado
Councilmember



The City of San Diego

Staff Report

DATE ISSUED: 7/25/24
TO: City Council
FROM: Council District 4
SUBJECT: Resolution in Support of California Legislative Black Caucus
2024 Reparations Priority Bill Package

Primary Contact: Tiffany G. Harrison Phone: (619) 236-6644
Secondary Contact: Daniel H. Horton Esq. Phone: (619) 236-6644

Council District(s): Citywide

OVERVIEW:

This item seeks council approval for a resolution supporting the California Legislative Black Caucus (CLBC) 2024 Reparations Priority Bill Package. In 2020, Secretary of State Dr. Shirley Weber introduced and advocated for Assembly Bill 3121 (AB 3121), initiating a task force to research and formulate reparations proposals for African Americans. Last year, the California Task Force to Study and Develop Reparations Proposals for African Americans (Reparations Task Force) completed a report that compiled empirical data and evidence on chattel slavery and the harm inflicted on Black residents. The CLBC is drafting responsive legislation to act on the legislative recommendations from the report. The CLBC 2024 Reparations Priority Bill Package includes 14 bills currently progressing through the state legislature.

PROPOSED ACTIONS:

Pass a resolution in support of the CLBC 2024 Reparations Priority Bill Package.

DISCUSSION OF ITEM:

AB 3121, enacted on September 30, 2020, established the Reparations Task Force. California's involvement in slavery is intricate and often ignored. The Reparations Task Force issued its final report to the California Legislature on June 29, 2023.¹ This report examines the continued and

¹ [California Task Force to Study and Develop Reparation Proposals for African Americans – Final Report: https://oag.ca.gov/ab3121/report](https://oag.ca.gov/ab3121/report)

cumulative injustices and harms faced by African Americans due to slavery and its enduring impacts on contemporary American Society.

In response to the Legislature's mandate under AB 3121, the report puts forward a thorough reparations plan aimed at addressing these historical and ongoing inequalities. The completed report included 150 recommendations that covered a wide range of areas. The bill charged the Reparations Task Force to study the legacy of slavery and its ongoing detrimental effects, specifically targeting living Black Americans who are descendants of enslaved individuals.

Recognizing this history is essential for understanding current racial disparities and tackling ongoing issues related to racial justice and equality. Scholars estimate that up to 1,500 enslaved African Americans lived in California in 1852.² San Diego County is home to at least 211,354 Black Californians.³ Enslaved people trafficked to California often worked under dangerous conditions, lived in unclean environments, and faced brutal violence.

In 1852, California passed a fugitive slave law that was much harsher than its federal counterpart. California unequivocally emerged as a more proslavery state than most other free states. Here, California did not ratify the Fourteenth Amendment, which protected the equal rights of all citizens, until 1959. Further, California did not ratify the Fifteenth Amendment, which prohibited states from denying a person's right to vote on the basis of race, until 1962.

The federal government financed many whites only neighborhoods throughout the state. The federal Home Owners' Loan Corporation maps used in redlining described many Californian neighborhoods in racially discriminatory terms. In California, discriminatory federal housing policies, zoning ordinances, and redlining practices have perpetuated housing segregation and inequities in home ownership. In San Diego, there were "servant's areas" in La Jolla and several areas "restricted to the Caucasian race" for housing. The impacts of redlining can be seen today.

Several California cities did not hire Black workers until the 1940s and certain public sectors continued to avoid hiring Black American workers even in 1970. One study has estimated that, because of Proposition 209⁴, minority and women-owned business enterprises lost about \$1 billion. Federal and state governments, including California, failed to protect Black artists, culture-makers, and media-makers from discrimination and simultaneously promoted discriminatory narratives. And the criminalization of African Americans is an enduring badge of slavery and has contributed to over policing of Black neighborhoods.

Government laws and policies perpetuating badges of slavery have helped white Americans accumulate wealth, while erecting barriers that have prevented African Americans from doing the

² [California Task Force to Study and Develop Reparation Proposals for African Americans – Interim Report: Executive Summary, p. 7.](#)

³ [California Task Force to Study and Develop Reparation Proposals for African Americans – Interim Report, p. 40.](#)

⁴ [CA Secretary of State - Vote96 - Proposition 209 – Prohibition Against Discrimination or Preferential Treatment by State and Other Public Entities. Initiative Constitutional Amendment.](#)

same. These harms compounded over generations, resulting in an enormous wealth gap between Black and white Americans today in the nation and in California.⁵

There is a need for deliberate efforts to dismantle systemic racism and promote inclusive policies that rectify historical injustices and ensure equitable opportunities for all citizens. AB 3121 represents a significant legislative effort aimed at addressing the enduring impact of slavery on African Americans in California.

Thus, the CLBC has issued its priority bill package to implement legislative recommendations within the report. This includes:

Education

- **California Assembly Bill 1929 (2023-2024 Reg. Sess.) (A.B. 1929), introduced by Assemblymember Tina McKinnor** – Expands access to career technical education by creating a competitive grant program to increase enrollment of descendants in STEM-related CTE programs at the high school and college levels.
- **California Assembly Bill 3131 (2023-2024 Reg. Sess.) (A.B. 3131), introduced by Assemblymember Kevin McCarty** – Career Education Financial Aid for redlined communities. The change was not introduced.

Civil Rights

- **California Assembly Concurrent Resolution 135 (2023-2024 Reg. Sess.) (C.R.C. 135) introduced by Assemblymember Akilah Weber** – Formally recognizes and accepts responsibility for all of the harms and atrocities committed by representatives of the state who promoted, facilitated, enforced and permitted the institution of chattel slavery.
- **California Assembly Bill 1815 (2023-2024 Reg. Sess.) (A.B. 1815), introduced by Assemblymember Akilah Weber** - Prohibits discrimination based on natural and protective hairstyles in all competitive sports by extending the CROWN Act to explicitly include competitive sports within California.
- **California Senate Bill 1050 (2023-2024 Reg. Sess.) (S.B. 1050), introduced by Senator Steven Bradford** – California American Freedmen Affairs Agency: racially motivated eminent domain. Property takings: Restore 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.
- **California Assembly Bill 3089 (2023-2024 Reg. Sess.) (A.B. 3089), introduced by Assemblymembers Reggie Jones-Sawyer** – Issues a formal apology for human rights violations and crimes against humanity on African slaves and their descendants.
- **California Constitutional Amendment 7 (2023-2024 Reg. Sess.) (A.C.A. 7), introduced by Assemblymember Corey Jackson** – Proposes amendments to the California Constitution to allow the State to fund programs for the purpose of increasing the life expectancy of, improving educational outcomes for, or lifting out of poverty specific groups based on race, color, ethnicity, national origin, or marginalized genders, sexes, or sexual orientations.

⁵ [Full Report - The California Reparations Report - Final Report - AB 3121 - California Department of Justice, p. 508: https://oag.ca.gov/ab3121/report](https://oag.ca.gov/ab3121/report)

Criminal Justice Reform

- **California Constitutional Amendment 8 (2023-2024 Reg. Sess.) (A.C.A. 8), introduced by Assemblymember Lori Wilson** – Amends the California Constitution to prohibit involuntary servitude for incarcerated persons.
- **California Assembly Bill 1986 (2023-2024 Reg. Sess.) (A.B. 1986) introduced by Assemblymember Issac Bryan** – Eliminates the California Department of Corrections and Rehabilitation (CDCR) practice of banning books without oversight and review.
- **California Assembly Bill 2064 (2023-2024 Reg. Sess.) (A.B. 2064) introduced by Assemblymember Reggie Jones-Sawyer** – Funds community-driven solutions to decrease community violence at the family, school and neighborhood levels in African American communities by establishing a state-funded grant program.
- **California Assembly Bill 280 (2023-2024 Reg. Sess.) (A.B. 280), introduced by Chris Holden** – Mandela Act: Restricts solitary confinement within CDCR detention facilities.

Health

- **California Assembly Bill 1975 (2023-2024 Reg. Sess.) (A.B. 1975), introduced by Assemblymember Mia Bonta** – Makes medically supportive food and nutrition interventions, when deemed medically necessary by healthcare providers, a permanent part of Medi-Cal benefits in California.
- **California Senate Bill 1089 (2023-2024 Reg. Sess.) (S.B. 1089), introduced by Senator Lola Smallwood Cuevas** – Addresses food injustice by requiring advance notification to community stakeholders prior to the closure of a grocery store in underserved or at-risk communities.

Business

- **California Assembly Bill 2862 (2023-2024 Reg. Sess.) (A.B. 2862), introduced by Assemblymember Mike Gipson** – Eliminates barriers to licensure for people with criminal records. Expansion of AB 2138 to prioritize African American applicants seeking occupational licenses, especially those who are descendants.

Staff recommends that the Council pass a resolution in support of the California Legislative Black Caucus 2024 Reparations Priority Bill Package.

City of San Diego Strategic Plan:

Strategic Plan Operating Principles

Equity & Inclusion:

- We value equity by taking intentional action to create equal access to opportunity and resources.

Strategic Plan Priority Areas & Outcomes

Priority Area: Protect & Enrich Every Neighborhood

- San Diegans have equitable access to a network of libraries, including robust services and programming, that are tailored to local needs and interests.
- San Diegans in all communities are connected to neighborhood assets that anchor community life, foster interaction, and promote well-being.

Priority Area: Foster Regional Prosperity

- San Diego residents and businesses are supported by a strong local economy, with well paying jobs, economic activity, and opportunities in every community.
- San Diego businesses benefit from programs and funding opportunities that are accessible and equitably distributed.

Priority Area: Create Homes For All of Us

- Every San Diegan deserves to have a safe place they call home, making the creation of diverse types of affordable and accessible housing a priority.
- San Diego live in vibrant communities with healthy hoes and access to opportunity⁶.

Fiscal Considerations:

None Available

Charter Section 225 Disclosure of Business Interests:

None Available

Environmental Impact:

This activity is not a project pursuant to CEQA Guidelines Section 15378(b)(5), as it is an administrative or organizational activity of a government that will not result in direct or reasonably foreseeable indirect physical changes in the environment. As such, this activity is not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

Climate Action Plan Implementation:

None Available

Equal Opportunity Contracting Information (if applicable):

None Available

Previous Council and/or Committee Actions:

None Available

Key Stakeholders and Community Outreach Efforts:

Residents of the City of San Diego

Daniel H. Horton Esq.

Chief of Staff

⁶ [Strategic Plan Dashboard | The City of San Diego](#)

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO SUPPORTING THE CALIFORNIA LEGISLATIVE
BLACK CAUCUS'S 2024 REPARATIONS PRIORITY BILL
PACKAGE.

WHEREAS, in 2020, as a member of the California Assembly, now Secretary of State Dr. Shirley Weber introduced California Assembly Bill 3121 (2019-2020 Leg. Sess.), initiating a task force to research and formulate reparations proposals for African Americans; and

WHEREAS, on June 29, 2023, the California Task Force to Study and Develop Reparations Proposals for African Americans (Reparations Task Force) issued its final report to the State legislature, which compiled empirical data and evidence on chattel slavery and the harm inflicted on Black residents; and

WHEREAS, the California Legislative Black Caucus introduced the 2024 Reparations Priority Bill Package in response to the historic California Reparations Task Force Report released last summer; and

WHEREAS, the 2024 Reparations Priority Bill Package includes the following fourteen measures:

- (1) California Assembly Bill 1929 (2023-2024 Reg. Sess.) (A.B. 1929) that expands access to career technical education by creating a competitive grant program to increase enrollment of descendants in STEM-related CTE programs at the high school and college level.

- (2) California Assembly Bill 3131 (2023-2024 Reg. Sess.) (A.B. 3131) that provides career education financial aid for redlined communities. This change was not introduced.
- (3) California Constitutional Amendment 7 (2023-2024 Reg. Sess.) (A.C.A. 7) that proposes amendments to the California Constitution to allow the State to fund programs for the purpose of increasing the life expectancy of, improving educational outcomes for, or lifting out of poverty specific groups based on race, color, ethnicity, national origin, or marginalized genders, sexes, or sexual orientations.
- (4) California Assembly Concurrent Resolution 135 (2023-2024 Reg. Sess.) (C.R.C. 135) that formally recognizes and accepts responsibility for the harms and atrocities committed by representatives of the State of California who promoted, facilitated, enforced and permitted the institution of chattel slavery.
- (5) California Assembly Bill 1815 (2023-2024 Reg. Sess.) (A.B. 1815) that prohibits discrimination based on natural and protective hairstyles by extending the CROWN Act, including in competitive sports within California.
- (6) California Senate Bill 1050 (2023-2024 Reg. Sess.) (S.B. 1050) that establishes an Office of Legal Affairs within the California American Freedmen Affairs Agency responsible for investigating racially motivated eminent domain and provides a process to restore 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.

- (7) California Assembly Bill 3089 (2023-2024 Reg. Sess.) (A.B. 3089) that issues a formal apology for human rights violations and crimes against humanity on African slaves and their descendants.
- (8) California Constitutional Amendment 8 (2023-2024 Reg. Sess.) (A.C.A. 8) that proposes amendments to the state constitution to prohibit involuntary servitude for incarcerated persons.
- (9) California Assembly Bill 1986 that eliminates the California Department of Corrections and Rehabilitation's (CDCR) practice of banning books without oversight and review.
- (10) California Assembly Bill 2064 (2023-2024 Reg. Sess.) (A.B. 2064) that funds community-driven solutions to decrease community violence at the family, school and neighborhood levels in African American communities by establishing a state-funded grant program.
- (11) California Assembly Bill 280 (2023-2024 Reg. Sess.) (A.B. 280) amending the Mandela Act to restrict solitary confinement within CDCR detention facilities.
- (12) California Assembly Bill 1975 (2023-2024 Reg. Sess.) (A.B. 1975) that makes medically supportive food and nutrition interventions, when deemed medically necessary by healthcare providers, a permanent part of Medi-Cal benefits in California.
- (13) California Senate Bill 1089 (2023-2024 Reg. Sess.) (S.B. 1089) that addressed food injustice by requiring advance notification to community stakeholders prior to the closure of a grocery store in underserved or at-risk communities.

- (14) California Assembly Bill 2862 (2023-2024 Reg. Sess.) (A.B. 2862) that eliminates barriers to licensure for people with criminal records and expands Assembly Bill 2138 to prioritize African American applicants seeking occupational licenses, especially those who are descendants.

WHEREAS, the CLBC's 2024 Reparations Priority Bill Package recognizes the need for deliberate efforts to dismantle systemic racism and promote inclusive policies that rectify historical injustices and ensure equitable opportunities for all citizens; and

WHEREAS, the Council desires to affirm the City of San Diego's commitment to equity and inclusion; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council declares its full support of the California Legislative Black Caucus's 2024 Reparations Priority Bill Package containing the following fourteen measures pending in the California State Legislature: AB 1929; AB 3131; ACA 7; ACR 135; AB 1815; SB 1050; AB 3089; ACA 8; AB 1986; AB 2046; AB 280; AB 1975; SB 1089; and AB 2862.

BE IT FURTHER RESOLVED, that the Council urges the California State Legislature to approve and the Governor to sign all the bills in the California Legislative Black Caucus's 2024 Reparations Priority Bill Package.

BE IT FURTHER RESOLVED, that the Council requests the City's Government Affairs Department staff transmit this Resolution to the City's state lobbyists and other appropriate

individuals to ensure this Resolution is received by state representatives and made part of the official record of support for the California Legislative Black Caucus’s 2024 Reparations Priority Bill Package.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____
Heather M. Ferbert
Senior Chief Deputy City Attorney

HMF:jdf
06/26/2024
07/26/2024
Or. Dept: Council District 4
Doc. No. 3706213_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor