

AMENDED IN ASSEMBLY FEBRUARY 21, 2024

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

Assembly Concurrent Resolution

No. 135

Introduced by Assembly Member Weber

(Principal coauthors: Assembly Members Bonta, Bryan, Gipson, Holden, Jackson, Jones-Sawyer, McCarty, McKinnor, and Wilson)

(Principal coauthors: Senators Bradford and Smallwood-Cuevas)

(Coauthors: Assembly Members Kalra, Addis, Aguiar-Curry, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Boerner, Calderon, Wendy Carrillo, Connolly, Mike Fong, Friedman, Gabriel, Garcia, Grayson, Haney, Hart, Irwin, Lee, Low, Lowenthal, Maienschein, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Santiago, Schiavo, Soria, Ting, Valencia, Waldron, Ward, Wicks, Wood, and Zbur)

January 30, 2024

Assembly Concurrent Resolution No. 135—Relative to state government.

LEGISLATIVE COUNSEL’S DIGEST

ACR 135, as amended, Weber. Human rights violations and crimes against humanity on African slaves and their descendants.

This measure would acknowledge the harms and atrocities committed by representatives of the State of California who promoted, facilitated, enforced, and permitted the institution of chattel slavery and the legacy of ongoing badges and incidents of slavery that form the systemic structures of discrimination. The measure would affirm the State of

California’s role in protecting the descendants of enslaved people as well as their civil, political, and socio-cultural rights.

Fiscal committee: no.

1 WHEREAS, This resolution may be cited as the
2 “Acknowledgment of Gross Human Rights Violations and Crimes
3 Against Humanity on African Slaves and their Descendants;” and

4 WHEREAS, The State of California—its executive, judicial,
5 and legislative branches—denied African Americans their
6 fundamental liberties and denied their humanity throughout the
7 state’s history, from before the Civil War to the present; and

8 WHEREAS, Although California entered the Union in 1850
9 outlawing slavery, the California Supreme Court stated that the
10 antislavery law in the California Constitution was only a
11 “declaration of a principle” and did not enact laws to enforce this
12 provision and emancipate slaves; and

13 WHEREAS, The California Supreme Court enforced the federal
14 fugitive slave law until the official end of enslavement in 1865;
15 and

16 WHEREAS, The State of California prevented African
17 Americans from testifying in court against a white person until
18 1863; and

19 WHEREAS, The California Legislature opposed Congress’
20 Reconstruction civil rights laws and delayed ratifying the 14th and
21 15th Amendments to the federal constitution; and

22 WHEREAS, The State of California disenfranchised African
23 American citizens through racial barriers to voting such as poll
24 taxes and literacy tests; and

25 WHEREAS, The California Legislature prohibited interracial
26 marriage and passed an anti-miscegenation law in its first
27 legislative session in 1850. ~~Interracial marriage was not allowed~~
28 ~~until 1959; The Legislature repeatedly refused to repeal the law~~
29 ~~after the California Supreme Court struck it down in 1948, and~~
30 ~~only did so 11 years later; and~~

31 WHEREAS, The State of California constructed monuments,
32 memorials, state markers, and plaques memorializing and
33 preserving confederate culture and glorifying slavery and white
34 supremacy; and

35 WHEREAS, From the brutality of enslavement to contemporary
36 police killings, state and local government-sanctioned violence,

1 such as lynching, coercive sterilization, torture, and property
2 destruction inflicted death, physical injuries, and psychological
3 harms on African Americans in California; and

4 WHEREAS, The State of California openly allowed segregation
5 and discrimination against African Americans with respect to
6 musicians, workers, and artists; and

7 WHEREAS, State and local governments in California enacted
8 restrictive zoning ordinances, licensing laws, fire and safety codes,
9 and anti-nuisance laws to disrupt African American businesses
10 and their customers; and

11 WHEREAS, Discriminatory housing policies including
12 redlining, residential zoning ordinances, and loan practices have
13 produced persistent and longstanding housing segregation and
14 inequities in home ownership for African Americans in California;
15 and

16 WHEREAS, State and local governments in California targeted
17 property owned by African Americans in urban renewal and
18 development projects for unjust uses of eminent domain, often
19 without providing just compensation; and

20 WHEREAS, State and local segregation laws in California
21 historically excluded African Americans from outdoor recreation,
22 public transit, and other public infrastructure; and

23 WHEREAS, The eugenics movement thrived in California and
24 thousands of African Americans were forcibly sterilized or were
25 the subjects of medical experiments without consent; and

26 WHEREAS, Black Californians experience persistent
27 discrimination in healthcare services and access through inaccurate
28 diagnoses, use of involuntary force, high costs, and a lack of
29 culturally competent services; and

30 WHEREAS, African Americans have been routinely excluded
31 from professional careers in California. For example, African
32 American physicians, psychologists, and psychiatrists are
33 underrepresented in California's medical fields, further
34 exacerbating the inequities in the healthcare system; and

35 WHEREAS, California's child welfare system has experienced
36 some of the worst racial disparities in the country, with African
37 American children suffering the highest rate of system involvement
38 and correspondingly heightened risks and harms associated with
39 entering foster care; now, therefore, be it

1 *Resolved by the Assembly of the State of California, the Senate*
2 *thereof concurring*, That the State of California recognizes and
3 accepts responsibility for all of the harms and atrocities committed
4 by representatives of the state who promoted, facilitated, enforced,
5 and permitted the institution of chattel slavery and its legacy of
6 ongoing badges and incidents of slavery that form the systemic
7 structures of discrimination; and be it further
8 *Resolved*, That the State of California now affirms its role in
9 protecting the descendants of enslaved people as well as their civil,
10 political, and socio-cultural rights; and be it further
11 *Resolved*, That the Chief Clerk of the Assembly transmit copies
12 of this resolution to the author for appropriate distribution.

13
14
15 **REVISIONS:**
16 **Heading—Line 6.**
