

MOTION BY SUPERVISORS JANICE HAHN

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AND HOLLY J. MITCHELL

Combating Racially Motivated Eminent Domain – County Support for SB 1050

In 2023, the California Task Force to Study and Develop Reparation Proposals for African Americans (Task Force) examined the ongoing and compounding harms experienced by Black Americans as a result of slavery and the State of California’s role in perpetuating these harms. The Task Force released a Final Report on June 29, 2023, that included a recommendation for the California Legislature to take actions to restore property taken during race-based uses of eminent domain to its original owners or to provide another effective remedy, such as restitution or compensation. Eminent domain occurs when a government takes private property for public use, and the government is required by law to provide property owners with “just compensation” in exchange for the property. However, eminent domain was used for decades by many government entities as an excuse to seize property from minority families and keep neighborhoods segregated. Many Black families in California suffered the experience of these land grabs, with little or no recourse. The lasting impacts of these racially-motivated eminent

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MITCHELL

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domain seizures are still felt today, creating barriers to homeownership for minority groups, denying many the ability to accumulate generational wealth, and contributing to the widening wealth gap.

Examples of racially motivated eminent domain seizures in California include the construction of various freeways in Southern California, the Burgess Family land in Colona that now comprises the Marshall Gold Discovery State Historic Park, and the seizure of Bruce's Beach by the City of Manhattan Beach. In the 1920s, Bruce's Beach was the site of a small African American enclave in Manhattan Beach that centered around a resort owned by Willa and Charles Bruce that welcomed Black patrons, who were restricted from accessing other public beaches, to enjoy a day at the beach. This successful business, as well as its Black patrons, faced the ire of surrounding white neighbors, and the Manhattan Beach City Council, motivated by racism, used its power of eminent domain to condemn the property and force the Bruces to relocate under the excuse of building a public park. The land, however, sat empty for decades. The City of Manhattan Beach finally built a park in 1956 on the land behind the Bruce's Beach resort, nearly 30 years after the land was acquired, and the Bruce's Beach land itself was never turned into a park. Through a series of land transfers, the County of Los Angeles (County) acquired the land that was originally owned by Charles and Willa Bruce. In 2021, the County Board of Supervisors announced their intention to return the land to the descendants of Charles and Willa Bruce, and in 2022, the land that had formerly been the site of Bruce's Beach was transferred from the County to the living heirs of Charles and Willa Bruce.

Bruce's Beach is not the only example of land taken from families via eminent domain for racially motivated reasons and it should not be the only one returned. Historically, the construction of public infrastructure disproportionately displaced and fractured minority communities. Senate Bill 1050, introduced by Senator Steven Bradford, would establish a process for the State of California to review and investigate public complaints from individuals who claim their property was taken without just compensation as a result of racially motivated eminent domain and establishes a process for providing compensation to the rightful owner. The bill would define "racially motivated eminent domain" to mean when the state acquires private property for public use and does not distribute just compensation at the time of the taking due to racist or discriminatory motives. Additionally, the bill would require the California American Freedmen Affairs Agency to create and update a database of state properties acquired as a result of racially motivated eminent domain.

While we cannot change the past, we can act now in the present to right historic wrongs by identifying and returning land that was unjustly taken. People will not be able to litigate themselves out of historical real estate discrimination. It is the function of decades, if not centuries, of racially discriminatory acts, policies, and laws. Continual changes in government policies are necessary to further promote racial equity and address the systemic barriers of structural racism. It is essential to ensure property owners' rights and public welfare by providing fair compensation for any private land or property seizure under the authority of eminent domain. The Los Angeles County Board of Supervisors became the first government entity in the United States to return land that had been taken via racist eminent domain policy, but it should not be the last. It is

important that the Board support this Senate Bill 1050 for its ability to identify and rectify racially motivated eminent domain that has threatened property rights, fairness, and the public interest, with potential harms to property owners and communities.

WE, THEREFORE, MOVE that the Board of Supervisors direct the Chief Executive Office Legislative Affairs and Intergovernmental Relations branch to advocate in support of Senate Bill 1050.

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