



Justice, Equity, and Repair

How Local Governments in the US Are Designing Reparations Programs

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Two hundred fifty years of slavery and 90 years of Jim Crow,¹ followed by racist housing policies, mass criminalization and incarceration, and other policies of structural discrimination and exclusion (Ritchie et al. 2019), have led to massive racial inequities in many domains, including housing, employment, and even life expectancy. Though legal chattel slavery for Black Americans ended in 1865, its effects endure and have been multiplied by many other subsequent racist policies and programs (Alexander 2010; Rothstein 2017; Trounstine 2018). For instance, racist housing policies that prevented people who are Black from purchasing homes in the suburbs, combined with massive investments in highways, segregated people who are Black far from opportunity and denied them the wealth that homeownership generates (Rothstein 2017).² Black-headed households are still less likely to own homes, because that wealth was not passed down generation to generation to support down payments and mortgage costs.³

Wanting to chip away at these lasting harms and repair relationships with Black communities, localities across the United States have begun crafting local reparations programs to help eligible recipients overcome the enduring intergenerational consequences of anti-Black discrimination and human rights violations. Though chattel slavery was a federal policy, many local policies contributed to slavery, and other local laws, such as Jim Crow laws, caused direct long-lasting harm to Black residents' health, wealth, well-being, and equity.⁴ Proponents of local reparations programs argue that they do not take the place of a national program—each government body is responsible for repairing the damage stemming from its own policies and actions, and local reparations address local harms. Rather, local

reparations programs can complement a much-needed federal program to address the harms perpetuated at the national level, and emerging lessons from these efforts could inform a national reparations program.⁵

To inform burgeoning local reparations programs, this brief provides examples of how different localities are designing such programs across the country. Included in this analysis are 23 local governments that had passed legislation to study, design, and/or implement reparations initiatives for harms perpetrated against Black residents as of March 2023 that we were able to find in our research. We assembled this list by searching online for local/municipal/city/county reparations initiatives; reviewing articles on local reparations; assessing other reparations-initiative-tracking websites (e.g., <https://reparations4slavery.com>); documenting all mentions in news articles, books, and online forums; and consulting local reparations experts. Not included are the localities that are discussing reparations or making movements toward them but have not passed legislation to study, design, or implement them. Also not included are state-level efforts. We base our analysis of these reparations on discussions with leaders in jurisdictions that were in the process of designing reparations initiatives, consultants, and legal professionals, and on our review of legislation, news, administrative documents, and academic literature surrounding reparations initiatives.

What Are Reparations?

Reparations refer to the process of repairing, healing, and restoring people who have been injured, because of their group identity, in violation of their fundamental human rights by a government, corporation, institution, or individual (Ritchie et al. 2019). Reparations are not simply equity initiatives that invest in historically disadvantaged communities or disproportionately benefit Black residents writ large: they must provide specific types of repair to specific groups of people for specific harms they have experienced, such as descendants of residents who were harmed by a locality's specific Jim Crow laws (Ritchie et al. 2019). According to the United Nations, to be considered reparations, an initiative must include five core components, defined in figure 1.⁶

FIGURE 1

The United Nations' Five Necessary Components of a Reparations Program

Restitution

- Restoring victims to their original status before the human rights violation.
- **Example:** Restoring property ownership to Black residents from whom a city wrongfully seized land through eminent domain, by condemning the property, or through targeted taxation.

Compensation

- Monetary payments made for any economically assessable damage (physical or mental harm, lost opportunities, material damage and loss of earnings, moral damage, and costs of assistance).
- **Example:** Paying the owners of wrongfully seized property rent for the number of years for which the city used the property and for the value the city got from it.

Rehabilitation

- Medical and psychological care as well as legal or social services.
- **Example:** Canceling debts or providing financial and property-ownership education to ensure the rightful owners of the seized property no longer suffer ongoing harms from the missing years of property ownership.

Satisfaction

- Cessation of continuing violations, full and public disclosure of the truth of harms perpetrated, search for or identification of whereabouts of disappeared/killed/abducted victims, official declaration restoring dignity and reputation of victims, public apology, commemoration and tributes to victims, and publicization of accurate historical account of harms.
- **Example:** Renaming the property in public records, formally issuing a statement documenting and apologizing for the wrongful seizure of the land from the Black resident, posting signage acknowledging the historical account related to the property's ownership, and creating satisfactory leasing or property usage arrangements going forward between the city and the rightful landowners.

Guarantees of nonrepetition

- Reviewing and reforming laws contributing to or allowing gross violations of human rights.
- **Example:** Passing a measure preventing eminent domain abuse or targeted property taxation that dispossesses any members of marginalized communities of their homes or real estate.

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Sources: "Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law," United Nations Human Rights Office of the High Commissioner, adopted December 15, 2005, [https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation#:~:text=Adequate%2C%20effective%20and%20prompt%20reparation,violations%20and%20the%20harm%20suffered; Ritchie et al. \(2019\); "Reparations," International Center for Transitional Justice, accessed July 20, 2023, <https://www.ictj.org/reparations>; and "Anti-Racism, Diversity, and Inclusion Initiative: Bruce's Beach," County of Los Angeles, accessed September 8, 2023, <https://ceo.lacounty.gov/ardi/bruces-beach/>.](https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation#:~:text=Adequate%2C%20effective%20and%20prompt%20reparation,violations%20and%20the%20harm%20suffered;Ritchie%20et%20al.%20(2019);%20Reparations,%20International%20Center%20for%20Transitional%20Justice,accessed%20July%2020,%202023,%20https://www.ictj.org/reparations;and%20Anti-Racism,%20Diversity,%20and%20Inclusion%20Initiative:%20Bruce's%20Beach,%20County%20of%20Los%20Angeles,accessed%20September%208,%202023,%20https://ceo.lacounty.gov/ardi/bruces-beach/)

Notes: We use property-related examples in this figure to be illustrative. Many other types of reparations are possible for addressing harms locally, such as harms related to racially discriminatory policies in education, policing, housing, health care, and community economic development and investment.

A larger debate exists around whether local reparations programs truly are reparations. Darity and Mullen, for instance, argue that local or piecemeal attempts at racial atonement do not constitute proper reparations and that a series of local initiatives is highly unlikely to match the minimum bill for Black reparations, which will require at least \$10 trillion to eliminate the Black-white wealth disparity.⁷

The United Nations framework makes clear, however, that human rights violations perpetrated by any government entity require reparations, and local governments did originate many racist policies that have left lasting damage within Black communities today. And the National African-American Reparations Commission argues that local reparations can "begin a process of healing the wound and giving folks an

experience with making reparations that will, like other social movements that begin locally (think marriage equality), support the national movement.”⁸ We do not delve into this debate in this brief but rather document what local governments are doing in regards to what they term as reparations. For an in-depth review of the evolution of reparations in the United States, an exploration of how they are formulated in government policy proposals, and how they could help close centuries-old racial inequities and repair past harms, see Ford and Sankofa (2023).⁹ For a thorough documentation of the progress made on reparations-related research for people who are Black in America, areas that require new or additional inquiry, ways that researchers from various disciplines can inform the design and evaluation of a national reparations program, and explorations of how to understand the roles of local governments and the private sector in complementing or informing a national program, see Ford and Balu (2023).

Key Decisions When Designing State and Local Reparations Programs

Local leaders designing reparations programs must craft them carefully based on local context and the types of harm involved, and the process must be driven by the affected community—that is, people who experienced the injustices or whose relatives experienced them (FirstRepair 2022; Ritchie et al. 2019).¹⁰ Elevating the role of the harmed community can help change power dynamics in local governments by enabling community members to drive these programs and treating them, intentionally and continually, as valued collaborators, partners, and experts in shaping their communities’ futures (Torres Rodríguez et al. 2022) (see box 1 for best practices for local governments doing community engagement). Community engagement is indicative of an intentionally democratic process designed to gather public input in the formation of local reparations policy. It can also be a healing environment for people who have been harmed. Specifically, engagement vehicles such as public hearings, public testimony, surveys, and community forums provide intentional opportunities for local communities to give voice to reparations policy development.

BOX 1

Best Practices for Local Governments Doing Community Engagement

Community engagement only increases equity when done intentionally and inclusively. Otherwise, it can serve to amplify the voices of people who already have power. To ensure community engagement amplifies the voices of people who have historically been excluded from decisionmaking, local governments can follow best practices, such as the following:

- **Prioritize engaging people with low incomes, people of color, and other historically excluded people.** This engagement can be done by hosting events in locations such groups already regularly visit (such as recreation centers, libraries, schools, or service locations) or partnering with grassroots or community-based organizations that regularly serve or interact with them. Hiring local residents to do outreach with communities of color and communities with low incomes is another way to make community engagement more inclusive.
- **Provide many options for discussion and input.** Online participation in community engagement can exclude people who do not have access to computers or broadband, who are often

disproportionately people of color and people with low incomes.³ But it can also provide opportunities for input for people who cannot travel to in-person meetings because they are immunocompromised or face other constraints, such as child care duties or a lack of access to transportation. Therefore, providing in-person and online engagement options can increase the likelihood that everyone can participate. Moreover, providing several discussion opportunities, including small sessions for people with similar backgrounds (e.g., people who all speak a language other than English), can increase the likelihood that participants feel comfortable engaging.

- **Pay people for their time and provide other supports at meetings.** Although paying everyone who participates in community meetings is likely financially prohibitive, compensating participants when feasible can increase inclusion by reducing the financial barrier for participation and outreach activities for community members with low incomes, and it can signal to residents that their expertise and time are valued. In particular, localities may attract quality participation and be fair to participants if they adequately compensate residents in key leadership roles, such as committee members and leaders, and advertise these roles to people who have not typically been well represented in community engagement. Localities can also help increase regular participation by providing travel vouchers, child care, and food at meetings.
- **Follow up with community members.** After input has been analyzed and decisions have been made, local leaders should follow up with community members in person and online about those decisions and next steps and to hear about their experiences with the engagement process. A lack of transparency about what happens after engagement can erode the trust developed during the input process. Building long-term trust and increasing transparency with community members require a clear understanding of next steps, including how their input is being acted on and what the timeline is for implementation.
- **Track and monitor outreach and inclusion goals.** Localities can ensure they are achieving outreach and inclusion goals by tracking and monitoring in real time how inclusive their community engagement processes are. For example, they can collect participants' demographic data to see whether participants are representative of their localities' populations, or better, whether groups that have historically been marginalized and excluded from decisionmaking are overrepresented. They should also host in-depth discussions and focus groups with community members to better understand which parts of the process worked and which could be improved.

Sources: Christina Plerhoples Stacy, Karolina Ramos, Donovan Harvey, Sonia Torres Rodríguez, Jorge Morales-Burnett, and Sabina Morris, *Disrupting Structural Racism: Increasing Transportation Equity in South Dallas* (Washington, DC: Urban Institute, 2022).

³ Christina Plerhoples Stacy, Martha Fedorowicz, and Rebecca Dedert, "Best Practices for Inclusive Participatory Budgeting," Urban Institute, September 16, 2022, <https://www.urban.org/research/publication/best-practicesinclusive-participatory-budgeting>.

Members of reparations task forces we spoke with noted that even the decision of who makes which decisions should be driven by affected community members. Although some community members may want to be involved in or lead decisions about reparations programs, others may not feel it is their job to do so. Some task force members we spoke with, for example, felt it was not their job to decide how to fund reparations payments. Others may want to be involved in or lead those decisions as well.

The goals of such local reparations programs have varied. For instance, the goals of Evanston, Illinois, are to "revitalize, preserve and stabilize Black/African-American owner-occupied homes in Evanston, increase homeownership and build the wealth of Black/African-American residents, build intergenerational equity amongst Black/African-American residents, and improve the retention rate of Black/African-American homeowners in the City of Evanston."¹¹ Providence, Rhode Island's, executive

order states that reparations are intended to reverse injuries caused by the experiences documented in the city's reconciliation process and to actively eliminate state and local laws and policies that continue to disproportionately and negatively impact Black people, Indigenous People, and other people of color.¹² Amherst, Massachusetts's, executive order commits the city to engaging in a path of remedy for Black Amherst residents who have been injured or harmed by discrimination and racial injustice, and its title names ending structural racism and achieving racial equity for Black residents.¹³

The next sections summarize how localities that had passed legislation to study, design, and/or implement reparations initiatives for harms perpetrated against Black residents as of March 2023 have navigated the decisions communities need to make at each stage of the reparations design process.

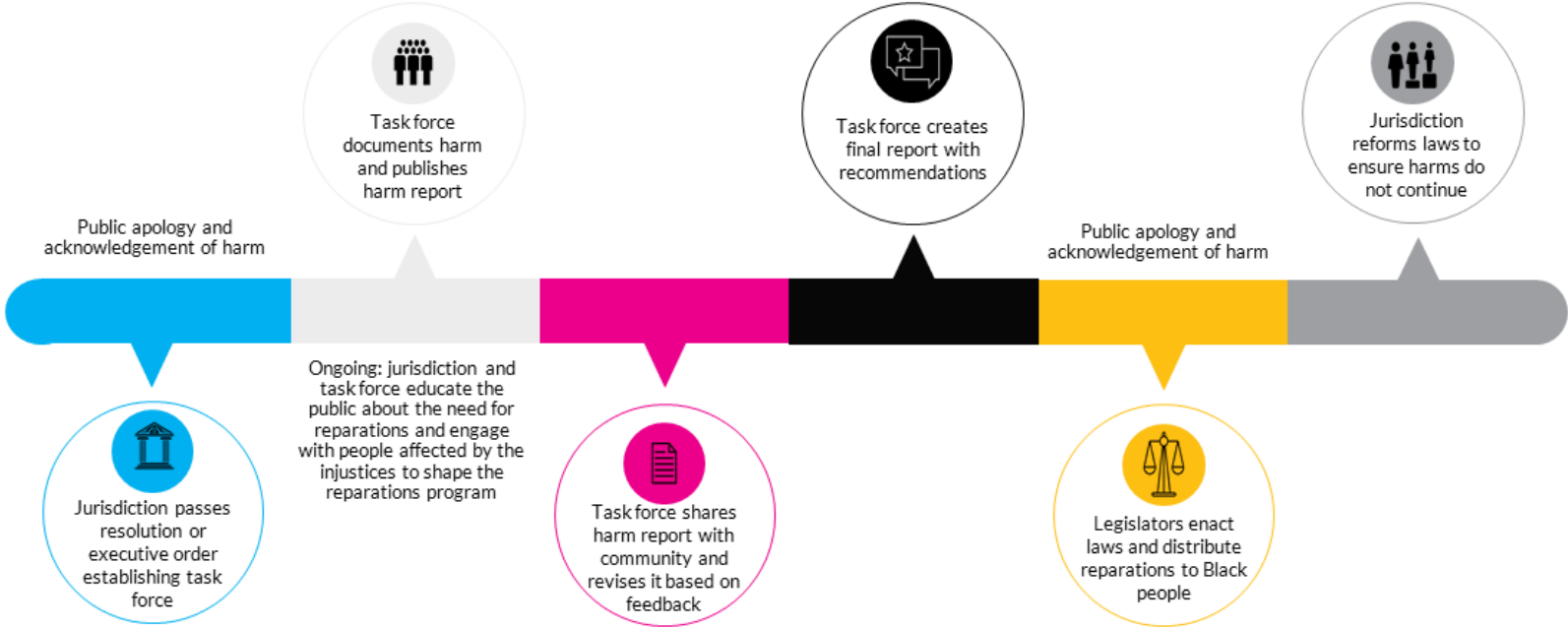
What Will the Process Look Like?

Although the formal work of designing a reparations initiative can emerge from many different contexts (e.g., local organizing, extensions of private initiatives, individual political champions, etc.), many localities begin their public work on reparations with a legislative resolution or executive order that expresses the need to document and quantify harms against Black residents and establishes a committee or task force to assemble evidence and recommend a design for reparations. A reparations task force member we spoke with recommended that the initial resolution authorizing the task force create funding for the task force to accomplish its work but also, crucially, establish a reparations fund or include public commitments to fund the task force's recommended actions to repair and address harms against Black residents.¹⁴

This first formal step, or the authorization step, involves an executive order or legislative resolution authorizing the creation of a task force or commissioning research to document, quantify, and design a program to redress harms perpetrated by the local government against Black residents. This authorization is especially important for establishing the structure, charge, and powers of any entity leading the harm documentation and reparations design. Without clear authorization delineating reparations initiative designers' powers, structure, and scope of work, governments' reparations efforts can flounder. In their authorizations, some governments have included initial documentation of harms and formal apologies to Black residents.

Generally, the task force then uses historical information such as census records, plantation documents and records, personal family histories, institution records (e.g., from organizations, businesses, public service providers, courts, etc.), property records, and national and local legislation, combined with information on inequities resulting from those histories, to create a "harm report" (FirstRepair 2022). This report is then shared with members of the Black community, elected officials, residents, and other stakeholders through community forums, corporate presentations, and closed sessions. Through this process, the local government and task force collect feedback, make revisions, and create a final report. After this final report is submitted to the locality's legislative body, legislators must vote on whether to enact laws giving reparations to eligible Black people. Even if a locality includes an apology in its initial authorization, an apology is usually also issued in the public authorization acknowledging receipt of the report documenting local harms, along with full and public disclosure of the harms perpetrated. Figure 2 illustrates an example timeline a locality might use for its reparations process.

FIGURE 2
Example Timeline for Implementing a State or Local Reparations Program



Source: Authors' analysis of public legislative documents establishing reparations commissions, task forces, or harm studies.

Stakeholders we spoke with noted that throughout the entire process, public education about the need for reparations is essential to fulfill the “satisfaction” component of the reparations framework and to build support for policy reforms that guarantee nonrepetition. Localities should also continuously engage with the people affected by the injustices to enable them to shape the initiative. Stakeholders noted that you can never do too much community engagement and that local leaders should take their time to engage community members fully and deeply, ensuring that as many residents as possible understand the structures and harms underlying the need for reparations locally.

To guarantee nonrepetition of harms, during this process the locality must also analyze ongoing policies and programs to identify those they must change to ensure harms are not perpetuated. For instance, if a study team determines injustices are being perpetuated by the ongoing siting of environmentally polluting industries in Black communities, then the laws that permit that pollution and others giving inadequate deference to community preferences in local planning must be changed to ensure those harms do not continue or reappear. Of the localities reviewed in this brief, only one (Chicago, in its reparations for victims of police torture in 2015) had documented progress toward this step in its reparations process.

HOW LOCALITIES ARE DESIGNING REPARATIONS PROGRAMS

Many localities throughout the US are making progress toward designing and/or implementing local reparations programs. Table 1 shows the progress made by localities that had passed initial legislation to study, design, and/or implement reparations initiatives for harms perpetrated against Black residents as of March 2023. Table 2 shows what form the official authorization took for each locality’s task force or harm documentation process. Figure 3 shows a more detailed timeline for five of the localities furthest along in the process.¹⁵

TABLE 1

Progress Made by Selected Local Reparations Initiatives

Locality	Task force authorization	Harm report	Program design	Reparations funding assembled/funding resolution	Funding disbursement (compensation) ^b	Reforms to ensure nonrepetition of harms ^c
Evanston, IL	●	●	●	●	◐	○
Durham, NC	●	●	●	●	◐	○
Providence, RI	●	●	●	●	◐	○
Chicago, IL 2015 ^a	●	○	●	●	●	◐
Chicago, IL 2021 ^b	●	○	○	○	○	○
Saint Paul, MN ^c	○	○	●	◐	◐	○
Saint Paul, MN ^d	●	◐	○	○	○	○
Denver, CO ^e	○	○	●	◐	◐	
Asheville, NC	●	●	◐	●	○	○
Amherst, MA	●	◐	◐	●	○	○
San Francisco, CA	●	●	●	○	○	○
Los Angeles, CA	●	◐	◐	○	○	○
Austin, TX	●	◐	○	○	○	○
Boston, MA	●	◐	◐	○	○	○
Berkeley, CA	●	○	◐	○	○	○
Culver City, CA	●	○	○	●	○	○
Detroit, MI	●	◐	○	○	○	○
St. Louis, MO	●	◐	○	○	○	○
West Hollywood, CA	●	◐	○	○	○	○
Wilmington, DE	●	◐	○	○	○	○
Fulton County, GA	●	○	○	○	○	○
Greenbelt, MD	●	○	○	○	○	○
Iowa City, IA	●	○	○	○	○	○
Kansas City, MO	●	○	○	○	○	○
Northampton, MA	●	○	○	○	○	○

Sources: Authors’ analysis of all public legislative documents establishing reparations commissions, task forces, or harm studies as of March 2023. This table includes local governments that had passed legislation to study, design, and/or implement reparations initiatives for harms perpetrated against Black residents as of March 2023. Not included are the localities that are discussing reparations or making movements toward them, but have not passed legislation to study, design, or implement them. Also not included are state-level efforts.

Notes: Localities are ordered in terms of how much of the reparations process they have completed. Circle shading indicates progress toward a step (e.g., full shading indicates completion, three-quarters shading indicates near completion, etc.).

^a Chicago passed a reparations initiative in 2015 for \$5.5 million for victims of police torture under commander John Burge between 1972 and 1991. It also began a more recent citywide reparations program in 2020 for which progress has not been publicly documented; see Heather Cherone, “Push for reparations in Chicago sputters,” WTTW, February 28, 2022, <https://news.wttw.com/2022/02/28/push-reparations-chicago-sputters>.

^b Three of the localities that have begun disbursing funding (Evanston, Durham, and Providence) have plans to continue doing so through a second round of grant recipients, yearly investment in green and equitable infrastructure in historically Black

neighborhoods, or continual investment in small businesses and programs, respectively. Chicago's 2015 reparations for victims of police torture included free college education for survivors and their families and \$5.5 million in financial compensation.

^c Saint Paul operates the Rondo Inheritance Fund, providing down payment assistance to direct descendants of Rondo residents who faced displacement 70 years ago. This program was created and funded separately from the city's reparations commission. "Inheritance Fund," Saint Paul Minnesota, <https://www.stpaul.gov/departments/planning-and-economic-development/housing/inheritance-fund>.

^d Saint Paul established the Saint Paul Recovery Act Community Reparations Commission on January 4, 2023, funded and organized separately from the Rondo Inheritance Fund. "City Council Reparations Efforts," Saint Paul, Minnesota, <https://www.stpaul.gov/department/city-council/city-council-reparations-efforts>.

^e The City of Denver operates the Denver Black Reparations Council, making foundation funds available to Black-led small businesses, artistic and creative projects, nonprofit organizations, and community-oriented projects. This process did not include the creation of a task force or a harm report. "Mission of DBRC," Denver Black Reparations Council, <https://denverblackreparationscouncil.org/mission-of-dbr/>.

TABLE 2

How Local Governments Have Authorized Reparations Studies

Locality	Date of study and design auth.	Auth. Type			Responsible Party			Team size	Funding for study and design? (if announced in auth.)	Mandate			
		Exec. order/action	Leg. res. or vote	Leg. budget appropriation	Public referendum	Task force	Commission or (sub)committee			City manager or consultant	Document harms	Plan for dissemination and eligibility	Develop funding plan
Evanston, IL	9/9/19		•				•	•	3		•	•	•
Durham, NC	7/16/20		•	•				•	NA			•	
Providence, RI	2/28/22	•	•	•				•	13		•	•	•
Chicago, IL (2021) ^a	6/17/20		•					•	16			•	
Saint Paul, MN ^b	1/4/23		•					•	13	Stipend	•	•	•
Denver, CO								•	12			•	•
Asheville, NC	7/14/20		•					•	5	Y		•	•
Amherst, MA	6/21/21		•					•	7		•	•	
San Francisco, CA	12/8/20		•			•			15	Stipend	•	•	
Los Angeles, CA	6/18/21	•				•			7		•	•	
Austin, TX	3/4/21		•					•	NA		•		
Boston, MA	12/14/22		•					•	15	Y	•	•	
Berkeley, CA	3/21/21			•				•	NA		•	•	•
Culver City, CA [†]	6/17/21		•						NA				
Detroit, MI	5/27/22		•		•	•			13		•	•	•
Saint Louis, MO	12/7/22	•						•	9		•	•	•

	Date of study and design auth.	Auth. Type			Responsible Party				Team size	Funding for study and design? (if announced in auth.)	Mandate		
		Exec. order/action	Leg. res. or vote	Leg. budget appropriation	Public referendum	Task force	Commission or (sub)committee	City manager or consultant			Document harms	Plan for dissemination and eligibility	Develop funding plan
West Hollywood, CA [†]	12/6/21		•										
Wilmington, DE	12/3/20		•			•			9		•	•	•
Fulton County, GA	1/18/23			•		•			14	Y	•	•	
Greenbelt, MD	8/9/21		•		•				21		•	•	
Iowa City, IA	9/15/20		•				•		9		•	•	
Kansas City, MO	1/12/23		•				•		13		•	•	
Northampton, MA	2/16/23		•				•		11			•	•

Sources: Authors' analysis of all public legislative documents establishing reparations commissions, task forces, or harm studies as of March 2023. Included in this figure are all localities that have passed legislation authorizing reparations studies, according to our scan.

Notes: Auth. = authorization. Leg. = legislative. NA = not available. Res. = resolution. Localities are ordered in terms of how much of the reparations process they have completed.

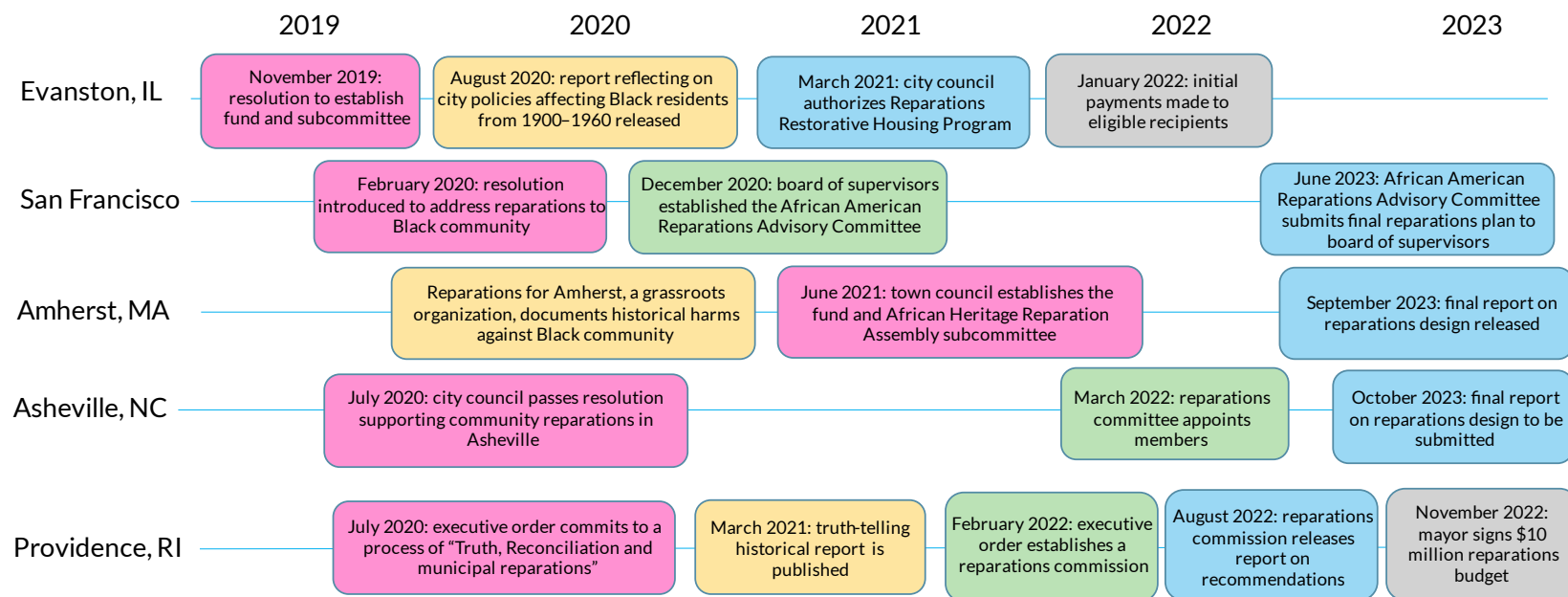
[†] Denotes localities that have not yet established formal task forces, though the legislation authorizing their formation exists. In all cases we studied where public referendums on whether to establish a task force resulted in an affirmative decision to do so, the local legislature passed legislation authorizing the creation of that task force and assigning it powers and responsibilities. Information on funding for the investigation was missing in almost all cases where the city manager was placed in charge of the study.

^a Chicago passed an earlier reparations initiative in 2015 for \$5.5 million for victims of police torture under commander John Burge between 1972 and 1991. But that earlier reparations initiative did not have a task force and did not authorize a reparations study. The process was led by citizens and involved years of organizing and advocacy (Taylor 2016).

^b Saint Paul operates the Rondo Inheritance Fund. This reparations initiative was driven by Mayor Carter in 2023 and did not involve a task force or authorize a reparations study.

FIGURE 3

Example Timelines for Five Localities Furthest along in the Process



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Sources: “Evanston Local Reparations,” City of Evanston, accessed April 20, 2023, <https://www.cityofevanston.org/government/city-council/reparations>; “African American Reparations Advisory Committee,” City and County of San Francisco, accessed April 20, 2023, <https://sf.gov/departments/african-american-reparations-advisory-committee>; “African Heritage Reparation Assembly,” Town of Amherst, accessed April 20, 2023, <https://www.amherstma.gov/3625/African-Heritage-Reparation-Assembly>; “Announcement of new City of Asheville Reparations Commission members,” City of Asheville, accessed April 20, 2023, <https://www.ashevilenc.gov/news/announcement-of-new-city-of-asheville-reparations-commission-members/>; “Providence Municipal Reparations Commission,” accessed April 20, 2023, <https://aaagpvd.com/providence-municipal-reparations-commission/>.

Notes: Pink boxes show the dates of the localities’ resolutions to address reparations, green boxes the establishment of reparations committees (if established separately from the resolutions), yellow boxes the release of truth-telling historical reports, blue boxes the submission of final reports on reparations, and gray boxes dates on which the first reparations disbursements were made. The initial payments made in Evanston were expanded in 2023 to include direct cash transfers for nonhomeowners. Omitted from this figure is Chicago’s reparations program for victims of police torture, which occurred on an earlier timeline, having been passed in 2015.

Where Will the Funding Come From?

Deciding where the funding will come from is an important part of designing a reparations program. Sufficient funding must be allotted not only for the monetary reparations to be paid, but also for the process, for the task force members, and for the four other necessary components of a reparations program: restitution, rehabilitation, satisfaction, and guarantees of nonrepetition (see figure 1).

In the localities furthest along designing their reparations initiatives, funding for the monetary payments to victims of harms or their descendants is coming from (or is proposed to be funded by) myriad sources, including cannabis taxes, American Rescue Plan Act funds, sales and property taxes, and donations (table 3). Reparations can be financed through taxpayer dollars, tax revenue from certain sales (e.g., taxes of property transfers or cannabis), state or federal program dollars, or private fundraising (table 3) (Simone 2021). Some scholars say reparations can be funded through an invest/divest framework in which dollars are reallocated from systems that harm marginalized communities to supportive community-based programs (Simone 2021), while others argue that invest/divest initiatives are not really reparations because they do not provide specific forms of repair to specific groups of people for specific harms (Ritchie et al. 2019). Funding reparations through general taxpayer dollars may be the easiest method, because the government does not have to create a separate framework to collect the funds. It also avoids the lack of funds that can result if tax revenues from certain sales falter or are not as large as expected. Funding reparations through general taxes, however, means some of the beneficiaries will be taxpayers and will therefore be contributing to their own reparations. One way around this is to levy a special surcharge or tax on people not part of the beneficiary group. Reparations dollars can also be privately fundraised, but this fails to hold institutional wrongdoers accountable for the injustices. Asheville, North Carolina, devised a creative way of funding its reparations program when it approved a budget amendment to pull the money from city land purchased in the 1970s as part of the city’s urban renewal program that tore apart Black communities.¹⁶ Table 3 shows how it and other localities have funded their reparations programs.

TABLE 3
How Localities Have Committed to Funding Reparations

	Cannabis taxes	Public and/or philanthropic donations	Property, land, or transfer taxes and sales	ARPA funds	Sales taxes	Federal block grants
St. Louis, MO		•				
Denver, CO		•				
Evanston, IL	•		•			
Amherst, MA	•					
Durham, NC			•			
Asheville, NC			•			
Providence, RI				•		
Saint Paul, MN		•			•	•
Culver City, CA	•					

Source: Authors’ analysis of municipal legislation on funding for reparations initiatives as of March 2023.

Note: ARPA = American Rescue Plan Act.

Who Will Be Eligible to Receive Reparations?

There are three main categories of potential reparations beneficiaries: directly harmed individuals, the descendants of directly harmed individuals, and all members of a specific group, such as people who identify as a certain race or people in a certain income bracket (Simone 2021). This last category, however, is less likely to fulfill the strict scrutiny requirements discussed below if it is based on race or ethnicity, and if based on income or other nonracial categories, it runs the risk of benefiting people not affected by structural racism.

As a result of US Supreme Court cases such as *Regents of the University of California v. Bakke* (1978) and *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* (2023) that issued decisions on the constitutionality of affirmative action in college admissions, localities designing reparations initiatives must thread a narrow needle in defining eligibility for reparations.¹⁷ Any definition of an eligible recipient for reparations must prove that the harms perpetrated against eligible recipients stem directly from harms perpetrated by the government body in question and not from their race alone.¹⁸ Generally tracing one's lineage to slavery broadly, which was a federal policy, will not meet the standard needed to redress the local harms of a local policy. This standard, called strict scrutiny, may prove difficult to meet when the harms were directly race-based and often took the form of exclusion on the basis of race. The legal environment surrounding reparations, however, is fluid, not static, and could change in the years ahead.

Proving harm from exclusion (especially when the laws excluding Black residents from local benefits or protections are widely and tacitly adhered to) is more difficult than proving direct injury. For instance, if a local reparations program were tied to a housing policy that harmed not only Black homeowners but also Black people interested in becoming homeowners who were dissuaded from attempting to purchase homes because of their race, the latter group would likely be left out of the reparations program. Localities designing reparations may wish to find ways to include such groups because they may have been the most harmed by past policies. Nevertheless, local governments' race-based harms can be and have been documented and repaired by defining specific people whom specific policies intentionally and directly harmed.

The three localities below offer examples of how different jurisdictions might establish eligibility requirements for reparations in line with the harms their task forces document, the goals of the reparations initiatives, and/or the sources of funding for the initiatives.

In **Evanston, Illinois**, to be eligible an individual must have lived in Evanston between 1919 and 1969 or be a direct descendant of someone harmed by discriminatory housing policies or practices during that period. People who have lived in Evanston after 1969 and can demonstrate having experienced discriminatory housing practices by the City may also be eligible. This program does not require people to have direct links to enslaved people or slavery, focusing on people who faced housing discrimination in Evanston (City of Evanston 2021).

In **San Francisco**, the African American Reparations Advisory Committee's plan recommends that eligible residents must be 18 or older, have been identifying as Black or African American on public

documents for at least 10 years, and meet two of eight additional criteria, which include having been born in or having migrated to the city between 1940 and 1996 and showing proof of at least 13 years of residency; having been incarcerated “by the failed War on Drugs” (San Francisco Human Rights Commission Staff 2022, 30) or being the direct descendant of someone who was; being a descendant of someone who was enslaved through US chattel slavery before 1865; having been displaced between 1954 and 1973 or being a descendant of someone who was; and being part of a marginalized group of people who experienced lending discrimination in the city between 1937 and 1968 or in “formerly redlined” communities in the city between 1968 and 2008 (San Francisco Human Rights Commission Staff 2022, 30).

In **Providence, Rhode Island**, eligibility focuses on race and income: an applicant must be a Providence resident of Native American or Black ancestry, and/or must earn less than half of the area median income or live in certain neighborhoods (Providence Municipal Reparations Commission 2022). Because the funding source—the American Rescue Plan Act—mandates race-neutral distribution, residents of all races qualify. Based on these criteria, half of the city’s white residents can apply, which has angered critics who say it is unclear how much of the money will flow to Black residents who have been harmed by systemic racism.¹⁹ It also calls into question whether this initiative constitutes reparations, since it may not provide “specific forms of repair to specific groups of people for specific harms they have experienced.”

Other cities, such as Asheville and Durham, North Carolina, are pursuing reparations in the form of community investments (such as investments in housing, education, or health care), but whether community investments are reparations is unclear. As noted earlier, reparations are not simply equity initiatives that invest in historically disadvantaged communities or disproportionately benefit Black residents writ large: they must provide specific types of repair to specific groups of people for specific harms they have experienced (Ritchie et al. 2019).

What Forms Could Monetary Reparations Take?

The monetary component of reparations can take different forms, including direct payments, housing benefits, tax credits or deductions, and reinvestment in Black communities (Simone 2021). General reinvestment in Black communities, however, does not guarantee that Black residents will benefit, and in some instances, it can cause harm if it spurs gentrification and displacement.

Some advocates say housing policy reparations like homeownership support are the optimal form of local reparative compensation because of the prevalence of unequal access to homeownership in Black communities, whereas others argue that direct cash payments (or other forms of less liquid assets, like endowments that take the form of trust accounts) are the only way to truly achieve equity and hence the only just form of reparations (Darity and Mullen 2020).²⁰ Darity and Mullen write that “the aim of elimination of the racial wealth gap is best accomplished by the precision of direct payments to eligible recipients. While it may be reasonable to have some intermediary organizations receive support on a highly selective basis, intermediaries can divert resources from the ultimate

beneficiaries, and they have an incentive to continue to exist to receive funding on an indefinite basis. The vast majority of payments should go to individuals.”²¹

Still others note that one-time cash transfers may be insufficient to close the racial wealth gap, and that investing in Black entrepreneurs and in investment infrastructures that provide opportunities to recipients to invest in Black communities and Black-owned businesses and create Black-owned financial institutions might better alter the trajectory of the racial wealth gap (Boerma and Karabarbounis 2022; Ford and Balu 2023; Francis 2020). It is also important to note that local reparations alone are likely insufficient to fully close the racial wealth gap, since the full cost of closing this gap is estimated at at least \$10 trillion. Nor is closing the racial wealth gap the purpose, but rather providing proportionate repair to harms inflicted.²²

Moore argues that any reparations plan for Black Americans needs to include material redress, meaning, for example, that if the harm being rectified is a historical exclusion from a local housing program, the descendants of those excluded should be the beneficiaries of a new housing program *and* be materially compensated for the potential wealth lost from having been excluded.²³ Mullen and Darity also argue that to be reparations, payments must be made directly and recipients must have discretion over the funds.²⁴ They argue that by limiting the funds to homeownership payments, the Evanston plan ignores deficits in other asset categories that beset Black Americans, such as nonresidential real estate, business equity, retirement accounts, savings, and stocks and bonds. They argue that restricting spending to housing disempowers recipients, denying them choice over how best to use the funds.

Evanston was the first city to distribute reparations, however, and according to Robin Rue Simmons, who served as the alderman of the Fifth Ward in Evanston and led the passage of the reparations legislation, getting something done rather than waiting for the perfect initiative that might never have been passed was necessary to get the movement started. Simmons noted that they had to start somewhere and that this was just a first step.²⁵

Ultimately, the affected community should decide what forms reparations take given the political windows and funding restrictions they face. As more localities take on the task of designing reparations initiatives, they can continue to push the boundaries of what has been done to design initiatives that respond to the wishes of people affected by injustices. Examples of the forms reparations and reparations proposals are taking include the following:

- Evanston, Illinois, was the first city to implement its reparations program. It deployed grants of \$25,000 that can only be spent on housing repairs, mortgage payments, or down payments.
- San Francisco has not made reparations payments, but its reparations commission has recommended a one-time lump sum payment of \$5 million that, according to the commission’s plan, “would compensate the affected population for the decades of harms that they have experienced and will redress the economic and opportunity losses that Black San Franciscans have endured, collectively, as the result of both intentional decisions and unintended harms perpetuated by City policy.” The committee also recommended that the city supplement the

income of lower-income households to match the area’s median income for at least 250 years as a way to address the racial wealth gap in San Francisco (San Francisco Human Rights Commission Staff 2022, 32).

- Durham, North Carolina, allocated \$6 million toward green and equitable infrastructure in historically Black neighborhoods.²⁶²⁶
- Asheville, North Carolina, has dedicated \$2.1 million in funding for programs intended to increase homeownership and business and career opportunities for Black residents as part of a reparations initiative.²⁷
- Providence, Rhode Island, is investing \$10 million in programs including homeownership and financial literacy programs, workforce trainings, city employment programs, legal defense funds, and educational curricula, and in grants for urban renewal neighborhoods, expansions of Black- and Indigenous-led organizations, and public recognition of harm (Providence Municipal Reparations Commission 2022).²⁸

What Other Policies Do Localities Need to Reform to Ensure Historic Harms Do Not Continue?

Though direct payments are necessary to begin to close the racial wealth gap and achieve equity (although likely insufficient to do so on their own, as noted above), they are not enough to build sufficient power in marginalized communities or to ensure historical inequities will not continue. The “satisfaction” and “guarantees of nonrepetition” components of the UN reparations framework require reforms to ensure harms cease and are not perpetuated. As the last necessary component of a reparations program (guarantees of nonrepetition), a locality must review and reform laws that its task force identifies as having allowed or fostered the gross violations of Black residents’ human rights.

Each locality’s study of harm and each affected community’s chosen scope for reparations will determine the laws that must be reformed to guarantee nonrepetition. The initiative’s leaders should also work closely with affected community members to examine the locality’s laws and regulations to determine which ones that contributed to racial inequities still exist or continue to have an effect. They must then work with those community members to determine what reforms will best ensure those inequities are not perpetuated. Below are possible areas of local harm and reparative reforms.

EDUCATIONAL REFORMS

Local governments can address disparities in educational outcomes by investing in schools in underresourced areas, improving access to quality early-childhood education, and increasing support for students from historically harmed communities. They might also undertake curricular reforms to ensure students are taught about the history of racism and inequities in their communities and the nation.

CRIMINAL JUSTICE REFORMS

Local governments can review and revise their policing and criminal justice policies and practices to ensure they are fair and equitable for all residents, regardless of race. This might include implementing community policing strategies; increasing transparency and accountability in police departments; eliminating cash bail, fees, and fines; and reducing or eliminating the use of biased policing practices, such as racial profiling. It might also involve investing in reentry services for people returning from jail or prison.

LAND USE AND HOUSING REFORMS

Local governments can take steps to ensure all residents have access to safe, affordable, and quality housing. This might include investing in affordable housing programs, strengthening fair housing laws and regulations, addressing housing discrimination practices, reviewing and revising eminent domain laws, reexamining historic district designations, and removing exclusionary zoning regulations.

ECONOMIC AND EMPLOYMENT REFORMS

Local governments can take steps to promote economic development and increase access to quality employment opportunities for all residents. This might include creating job training programs, supporting small businesses in underresourced areas, and implementing policies that promote diversity and inclusion in the workforce.

TAX AND PROPERTY ASSESSMENT REFORMS

Local governments can implement policies that promote fairer tax systems and reduce disparities in taxation. This might include increasing the diversity of and oversight over property tax assessors, providing tax credits or exemptions for historically harmed (and/or overtaxed) communities, and eliminating tax breaks or loopholes that primarily benefit wealthier residents.

TRANSPORTATION REFORMS

Local governments can take steps to ensure all residents have access to safe, reliable, and affordable transportation options, regardless of their race or income. This might include implementing policies that promote public transportation, such as policies that increase funding for public transit systems, create bus rapid transit or light rail systems, and provide subsidies for low-income residents to use public transit. Local governments can also address disparities in transportation access by building new bike lanes and pedestrian walkways, improving the condition of roads and sidewalks, and increasing access to bike-share or car-share programs in underresourced or underconnected areas.

COMMUNITY ENGAGEMENT AND EMPOWERMENT

Local governments can work to engage and empower communities that have been historically marginalized or excluded from decisionmaking processes. This might include creating community advisory boards, increasing access to public information and data, and providing opportunities for community members to participate in local government decisionmaking. For more information on best practices for community engagement and empowerment, see Torres Rodríguez and coauthors (2022) and Sankofa, Daly, and Falkenburger (2021).

Areas for Future Research

This brief provides a high-level overview of local governments that have passed legislation to study, design, and/or implement reparations initiatives for harms perpetrated against Black residents. Additional research is needed to better understand how cities and other localities are designing reparations programs and to learn from them about best practices and lessons learned. Questions to explore in future research include the following:

- What conditions (civic advocacy, political leadership, administrative reviews, environmental crises, active community engagement, etc.) prompted conversations about reparations in localities that have pursued them?
- What do affected community members think the five forms of reparations should look like?
- What different governance approaches for reparations initiatives have localities considered?
- What are the goals of local reparations initiatives and how well do they achieve those goals?
- Do local reparations initiatives contribute to closing the racial wealth gap?
- How are reparations task forces formed, who is on them, what task force authorizations work best, and what duties do task forces have in different localities?
- What have local governments' community engagement processes looked like?
 - » Which methods of community engagement have been successful at shifting power and which have not?
- What have been the barriers to getting actual payments decided on and delivered?
- Why has this idea stayed in the realm of conversation and commissions in so many places?
 - » How much does this relate to the ongoing debate or lack of consensus on reparations at any level (federal, state, or local)? What have been the areas of disagreement at the local level about eligibility?

Moving toward Repair

As cities and other localities continue to design new and innovative reparations initiatives, sticking as closely as possible to the desires of affected community members while navigating the unclear legal boundaries of reparations should be a key goal of any local initiative.

In addition, a reparations program can serve not just as a one-time initiative but as a pattern of new relationships and power shifting between local governments and historically harmed Black communities. Evanston, Illinois, has set an example in seeking to expand and build on its initial housing reparations initiative. Other localities can similarly consider their first forays into reparations as seeds and groundwork for future expansions leading to deeper, more holistic repair, healing, and equity.

Notes

- ¹ Ta-Nehisi Coates, “The Case for Reparations,” *The Atlantic*, June 2014, <https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>.
- ² Emma Fernandez, Katie Fallon, Brendan Chen, and Samantha Batko, “The Ghosts of Housing Discrimination Reach Beyond Redlining,” Urban Institute, March 15, 2023, <https://www.urban.org/features/ghosts-housing-discrimination-reach-beyond-redlining>.
- ³ Alexander Herman, “In Nearly Every State, People of Color are Less Likely to Own Their Home Compared to White Households,” Joint Center for Housing Studies of Harvard University, February 8, 2023, <https://www.jchs.harvard.edu/blog/nearly-every-state-people-color-are-less-likely-own-homes-compared-white-households>.
- ⁴ Although the Constitution did not mention slavery, it provided important protections for slavery at the very founding of our nation. The most notable constitutional protection of slavery is the “three-fifths clause” (in Article 1, Section 2), which essentially declared enslaved people to be three-fifths of a human. See Steven Mintz, “Historical Context: The Constitution and Slavery,” Gilder Lehrman Institute of American History, accessed October 12, 2023, <https://www.gilderlehrman.org/history-resources/teaching-resource/historical-context-constitution-and-slavery>.
- ⁵ States can play a significant role in reparations as well, both by creating reparations initiatives for their own human rights violations, and by preempting or affirming local policies.
- ⁶ “Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law,” United Nations Human Rights Office of the High Commissioner, adopted December 15, 2005, <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation#:~:text=Adequate%2C%20effective%20and%20prompt%20reparation,violations%20and%20the%20harm%20suffered>.
- ⁷ William “Sandy” Darity and A. Kirsten Mullen, “True Reparations Are a National Debt: Localities and Individuals Should Not Foot the Bill and Cannot Build Systemic Remedies Alone,” Roosevelt Institute, February 25, 2020, <https://rooseveltinstitute.org/2020/02/25/true-reparations-are-a-national-debt-localities-and-individuals-should-not-foot-the-bill-and-cannot-build-systemic-remedies-alone/>.
- ⁸ Michele Miller, “The case for local reparations,” National African-American Reparations Commission, January 20, 2022, <https://reparationscomm.org/reparations-news/the-case-for-local-reparations/>.
- ⁹ Ford and Sankofa’s brief documents the progress made on reparations-related research for Black people in America, highlights areas that require new or additional inquiry, outlines ways researchers from various disciplines can inform the design and evaluation of a national reparations program, and explores how to understand the roles of local governments and the private sector in complementing or informing a national program.

Note that there are at least two examples of the US government paying reparations to specific communities, including \$20,000 a person plus a formal apology from the federal government to Japanese Americans interred during World War II, and about \$1.3 billion to 176 tribes and bands for lost territories. “Indian Claims Commission”, Encyclopedia of the Great Plains, accessed November 3, 2023, <http://plainshumanities.unl.edu/encyclopedia/doc/egp.law.021>.
- ¹⁰ Also per conversation with a reparations task force member, February 24, 2023.
- ¹¹ “Evanston Local Reparations,” City of Evanston, accessed September 8, 2023, <https://www.cityofevanston.org/government/city-council/reparations#:~:text=The%20goal%20of%20the%20Program,amongst%20Black%2FAfrican%2DAmerican%20residents>.
- ¹² Exec. Order no. 2020-13, Declaration on Truth, Reconciliation, and Reparations (July 15, 2020), <https://www.providenceri.gov/wp-content/uploads/2020/07/Mayors-Executive-Order-2020-13-1.pdf>.

- ¹³ Amherst Town Council resolution, “A Resolution Affirming the Town of Amherst’s Commitment to End Structural Racism and Achieve Racial Equity for Black Residents,” <https://www.amherstma.gov/DocumentCenter/View/54310/2020-12-07-Resolution-Affirming-Commitment-to-End-Structural-Racism-and-Achieve-Racial-Equity-for-Black-Residents>.
- ¹⁴ Per conversation with a reparations task force member, February 24, 2023.
- ¹⁵ This excludes Chicago, which passed a reparations initiative in 2015 for victims of police torture under commander John Burge between 1972 and 1991.
- ¹⁶ Derek Lacey, “Asheville recognizes Juneteenth, commits \$2.1M for reparations,” *Citizen Times*, last updated June 9, 2021, <https://www.citizen-times.com/story/news/2021/06/09/asheville-recognizes-juneteenth-commits-2-1-m-reparations/7606295002/>.
- ¹⁷ *University of California Regents v. Bakke*, 438 U.S. 265 (1978); *Students for Fair Admissions v. Harvard*, 600 U.S. ___ (2023).
- ¹⁸ Per conversation with a legal expert on reparations, February 20, 2023.
- ¹⁹ Emmanuel Felton, “Providence offers reparations to address racism. White people can apply,” *Washington Post*, November 29, 2022, <https://www.washingtonpost.com/nation/2022/11/29/reparations-program-providence-rhode-island/>.
- ²⁰ William “Sandy” Darity and Kirsten Mullen, “Black reparations and the racial wealth gap,” Brookings Institution, June 15, 2020, <https://www.brookings.edu/articles/black-reparations-and-the-racial-wealth-gap/>; Rashawn Ray and Andre M. Perry, “Why we need reparations for Black Americans,” Brookings Institution, April 15, 2020, <https://www.brookings.edu/articles/why-we-need-reparations-for-black-americans/>.
- ²¹ Darity and Mullen, “Black reparations and the racial wealth gap.”
- ²² Darity and Mullen, “True Reparations Are a National Debt.”
- ²³ Kyle K. Moore, “Five Principles for Making State and Local Reparations Plans Reparative,” Economic Policy Institute, February 15, 2023, <https://www.epi.org/blog/five-principles-for-making-state-and-local-reparations-plans-reparative/>.
- ²⁴ A. Kirsten Mullen and William A. Darity Jr., “Evanston, Ill., approved ‘reparations.’ Except it isn’t reparations,” *Washington Post*, March 28, 2021, <https://www.washingtonpost.com/opinions/2021/03/28/evanston-ill-approved-reparations-housing-program-except-it-isnt-reparations/>.
- ²⁵ Vivian Ho, “‘We have to take the first step’: inside the fight for reparations in America,” *The Guardian*, January 16, 2023, <https://www.theguardian.com/tv-and-radio/2023/jan/16/robin-rue-simmons-the-big-payback-documentary-pbs>.
- ²⁶ Naomi P. Brown, “Durham Commits \$6 Million for Reparations in Approved Budget,” WUNC, June 22, 2021, <https://www.wunc.org/race-demographics/2021-06-22/durham-commits-million-reparations-approved-budget-slavery>.
- ²⁷ Neil Vigdor, “North Carolina City Approves Reparations for Black Residents,” *New York Times*, July 16, 2020, <https://www.nytimes.com/2020/07/16/us/reparations-asheville-nc.html>.
- ²⁸ COVID-19 Equities Program Budget, City of Providence Ordinance ORD-2022-59; Gabriella Abdul-Hakim, Lulit Tadesse, Morgan Norwood, and Allie Weintraub, “Providence establishes reparations program to praise and criticism,” ABC News, January 31, 2023, <https://abcnews.go.com/US/providence-establishes-reparations-program-praise-criticism/story?id=96662287>.

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