



## CASE STUDIES

## M4BL

This section describes four campaigns to secure reparations for specific harms to Black people or disproportionately experienced by Black people in the United States. Each campaign sought a variety of remedies and each used different combinations of strategies. Each faced critical challenges and can teach us important lessons about how to envision, develop, implement, and evaluate reparations campaigns around our issues and in our communities.



## HOW TO USE – CASE STUDIES

Each case study starts with an opening page that gives you the highlights about that case study. Below, you will find the key features that will support you in building knowledge on each case study.

### TYPE OF REPARATIONS:

- ☒ Following the opening summary there is a description of what happened and some of the key lessons learned.

### MECHANISMS:

- ☒ The mechanism by which it was won—from legislation to litigation.

### TARGET:

- ☒ The targets who organizers and advocates had to push to get reparations.

### BENEFICIARIES:

- ☒ The beneficiaries, or the people who benefited directly from reparations.

### OUTCOMES:

- ☒ The concrete outcomes, or things that organizers and advocates won and some discussion questions to help you think about the case study.







## DISCUSSION QUESTIONS:

- ☒ These can help guide conversations and can be used in a training, classroom, or informal setting.

## NOTES FOR DISCUSSION:

A place to write your own notes about what you're learning as you're reading through the case studies.



## KEYWORDS/CONCEPTS



### STATUTE OF LIMITATIONS:

A statute prescribing a deadline for the bringing of certain kinds of legal action. Statutes of limitations restrict people's ability to sue people for violations or to indict them for crimes they may have committed if too much time has passed.

### ABLEIST/ABLEISM:

As defined by the Harriet Tubman Collective: a system that places value on people's bodies and minds based on societally-constructed ideas of normalcy, intelligence, and excellence. These ideas are deeply rooted in anti-Blackness, eugenics, and capitalism. This form of systemic oppression leads to people and society writ large determining who is valuable or worthy based on people's appearance and/or their ability to satisfactorily produce, excel, and "behave." Importantly, you do not have to be disabled to experience ableism.





**CASE STUDY ONE:  
REPARATIONS FOR  
POLICE TORTURE —  
CHICAGO**





## TYPE OF REPARATIONS:

- ☒ Apology
- ☒ Financial compensation
- ☒ Services and Support for Survivors
- ☒ Public Education
- ☒ Memorial

## MECHANISM:

- ☒ Legislative

## TARGET:

- ☒ Mayor of Chicago
- ☒ Chicago City Council

## BENEFICIARIES:

Black people tortured by Chicago Police Commander Jon Burge and detectives under his command at Areas 2 and 3 of the Chicago Police Department between 1971 and 1992.

## OUTCOMES:

- ☒ Official apology from the City of Chicago to living survivors.
- ☒ Creation of a Public Memorial (currently unfunded).
- ☒ Public Education: Chicago Public School curriculum to include a section co-developed with organizers and torture survivors entitled "Reparations Won: A Case Study in Police Torture, Racism, and the Movement for Justice."
- ☒ Compensation: \$5.5 million Reparations Fund for Burge Torture Victims divided equally (approximately \$100,000 per survivor) among 57 living survivors with credible claims of torture by Jon Burge and detectives under his command between 1971 and 1992.
- ☒ Free enrollment in City Colleges for torture survivors, immediate family, and grandchildren.
- ☒ Priority access to city employment for torture survivors.
- ☒ Creation of a counseling and organizing center for survivors and all people affected by police violence in Chicago.



## DISCUSSION QUESTIONS:



- ☒ What lessons from the Chicago reparations struggle might be applied to a fight for reparations in your community?
- ☒ What strategies seem most and least promising in a reparations fight?
- ☒ What does it mean to wage a multiracial struggle for reparations in which white allies play a leadership role? What are potential challenges? How might they be addressed?

## NOTES FOR DISCUSSION:





## WHAT HAPPENED?

Between 1971 and 1992, Chicago Police Commander Jon Burge and detectives under his command tortured over 120 Black men and women during interrogations. Detectives used electric shock, suffocation, beatings, Russian Roulette, rape, and denial of food, water, and bathrooms to obtain confessions, which were then used to secure criminal convictions and severe sentences, up to and including the death penalty. Torture survivors, their mothers, other family and community members, along with reporters, organizers, and lawyers, led a 30-year struggle. As a result, they won Burge's termination from the Chicago Police Department, an official acknowledgment of a systemic practice of torture, and the exoneration of 21 Burge torture survivors who were subsequently released from death row and prison. Some survivors were able to file successful civil lawsuits for wrongful conviction and obtain financial compensation. However, many survivors could not successfully file lawsuits because the statute of limitations had passed. Additionally, almost 30 remained behind bars based on convictions secured through confessions obtained by torture. Beyond Burge's termination with a full pension, no police officers or county officials responsible for the torture and subsequent cover-up, or for pursuing and upholding prosecutions based on confessions obtained by torture, were held accountable— in fact, one went on to become the Mayor of Chicago, and many others became prosecutors and judges.





In 2005, Standish Kwame Willis, founder of Black People Against Police Torture (BPAPT), called for reparations for survivors of police torture in Chicago before the Inter-American Commission for Human Rights that same year. In 2006, Joey Mogul, a white attorney from the People's Law Office, who has represented and organized on behalf of dozens of torture survivors, secured a finding from the UN Committee Against Torture calling on the United States government to investigate the cases and bring the perpetrators to justice.

Following widespread media coverage and public pressure, former Chicago Police Commander Jon Burge was prosecuted and convicted for perjury and obstruction of justice for lying about the torture he and other detectives committed (he could no longer be prosecuted for his acts of torture due to the expired statute of limitations).

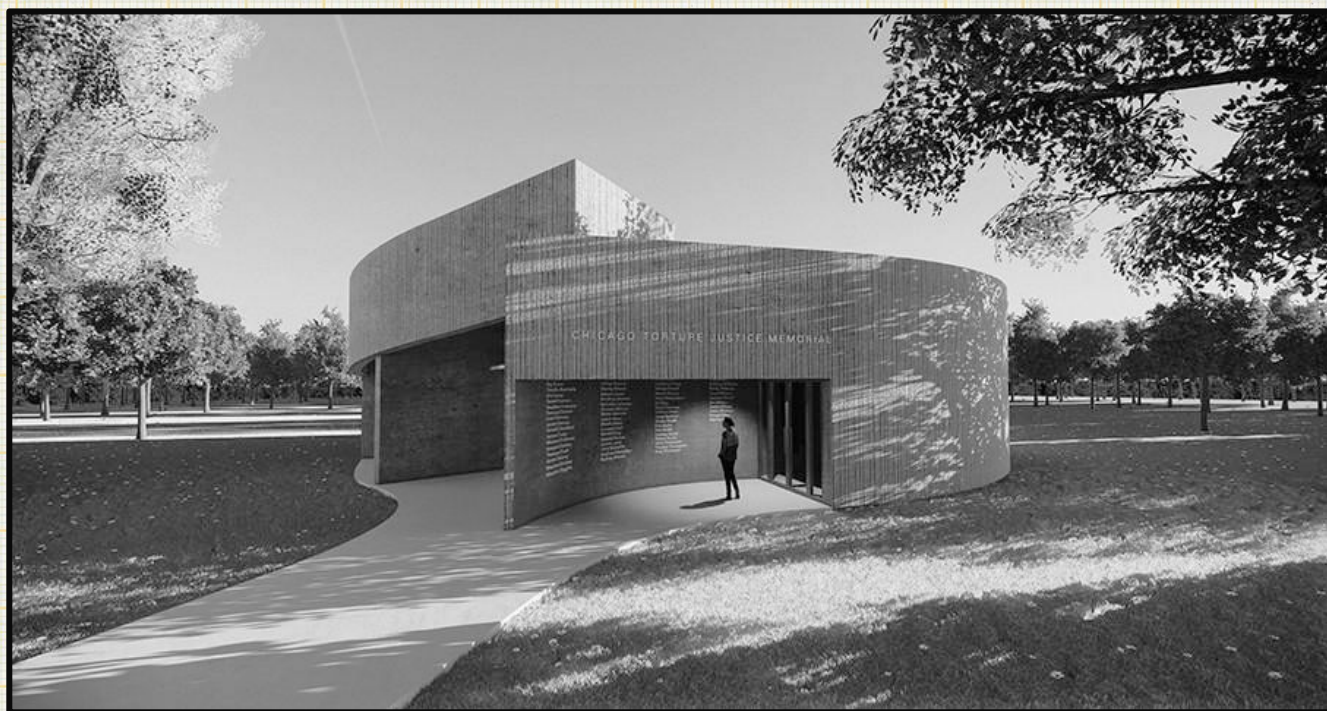


In 2013, Mogul founded the Chicago Torture Justice Memorials (CTJM) with survivors, artists, organizers, and lawyers to explore what justice for survivors of police torture could look like, and how to publically memorialize the Burge torture cases. CTJM issued a call for proposals and mounted dozens of exhibits and events exploring visions for individual and collective justice and healing for survivors and Black communities on the South Side of Chicago. In September 2013, Mogul drafted and submitted a municipal reparations ordinance as a proposed memorial to the survivors and the struggle for justice.



In the Spring of 2014, a delegation of Black youth from We Charge Genocide, an organization named after the 1951 Civil Rights Congress We Charge Genocide petition, returned from a second successful effort to call for justice in the Burge torture cases before the UN Committee Against Torture.

In 2014, within the context of heightened outrage around police violence, Chicago community organizations came together under the leadership of CTJM, Mariame Kaba and Project Nia, We Charge Genocide, and Amnesty International USA to secure passage of the reparations ordinance. Through weekly protests and actions, including train takeovers, sing-ins, light actions, banner drops, public rallies, art exhibits, and demonstrations at Chicago's City Hall over a six month period leading up to a mayoral and city council election, organizers eventually secured passage of the reparations legislation and creation of a \$5 million compensation fund.



In addition to individual monetary compensation, the reparations legislation included provisions for restitution and repair, including a full official public apology to the survivors by the City of Chicago, construction of a memorial to the survivors and their struggle for justice, inclusion of a section on the torture cases in the Chicago Public Schools 8th and 10th grade curricula, free tuition at the City Colleges for torture survivors, their immediate family members, and grandchildren, priority for city jobs, and creation of a counseling and organizing center on the South Side of Chicago.





## CHALLENGES AND LESSONS

### LEARNED:

The Chicago reparations package represents a significant victory in a local struggle for reparations. That said, beyond the creation of a counseling and organizing center that is open to anyone affected by police violence in Chicago, it only provides reparations and redress for a limited group of people who experienced particularly egregious forms of police torture and brutality at the hands of a specific group of officers during a particular time frame. Chicago's reparations package did not produce any policy change, and there are no guarantees of non-repetition. While the specific forms of torture deployed by Burge may no longer be used, Chicago police officers continue to kill, torture, rape, and use Tasers, violating the rights of Chicago residents with impunity.

Additionally, there is currently no guaranteed city funding for the Chicago Torture Justice Center beyond 2019, and while the City has identified land upon which the memorial can be built, it has not yet appropriated any funds to do so.

One of the most significant lessons learned in the Chicago campaign for reparations is how hard implementation can be. It is important to think ahead, beyond passage of legislation, and to build a team (including and beyond organizers) who possess the necessary knowledge, skills, experiences, and most importantly, energy and commitment, to help ensure robust and principled implementation of a comprehensive reparations legislation package.







**CARICOM**  
REPARATIONS COMMISSION

## **CASE STUDY TWO: CARICOM**







## TYPE OF REPARATIONS:

- ☒ Apology
- ☒ Repatriation
- ☒ Rehabilitation
- ☒ Education

## MECHANISMS:

- ☒ Legislative
- ☒ Administrative

## TARGET:

- ☒ European nations who hold or held colonies in the Caribbean, Central and South America.

## BENEFICIARIES:

Indigenous and African descendant communities in the Caribbean who have experienced genocide, slavery, slave trading, and racial apartheid.

## OUTCOMES:

- ☒ While none of the European countries targeted have met all of the reparations demands, CARICOM's campaign has kept the issue of reparations for colonialism, slavery, and genocide alive in the international community and has kept the issue within conversations at the United Nations.





## DISCUSSION QUESTIONS:



- ☒ What kinds of pressure do you think the international community could put on the European countries targeted by CARICOM to push them toward meeting any of the reparations demands?
- ☒ What should be key elements of an African knowledge program?
- ☒ In addition to potentially getting reparations, what other benefits could come from the CARICOM countries working together to develop this set of joint reparations demands?

## NOTES FOR DISCUSSION:



## WHAT HAPPENED?

In 2013, the Caribbean Community, or CARICOM, a group of 20 countries in the Caribbean, Central and South America working together for cooperation and economic integration, began discussions about Reparations for Native Genocide and Slavery, and to lay out a case for reparatory justice for the region's Indigenous and African descendant communities who experienced forms of genocide, slavery, slave trading, and racial apartheid.

In 2014, CARICOM developed a 10-point plan for reparatory justice demanding:

- ☒ A full formal apology, as opposed to "statements of regrets" that some European nations have Issued.
- ☒ Repatriation, asserting the legal right of the descendants of more than 10 million Africans stolen from their homes and forcefully transported to the Caribbean as enslaved chattel and property to return to their homelands.
- ☒ An Indigenous Peoples Development Program for survivors.
- ☒ Cultural institutions through which the stories of victims and their descendants can be told.
- ☒ Attention to the "public health crisis" in the Caribbean: the Caribbean has the "highest incidence of chronic diseases which stem from the nutritional experience, emotional brutality, and overall stress profiles associated with slavery, genocide, and apartheid."
- ☒ Eradicating illiteracy, as Black and Indigenous communities of the Caribbean were left in a state of illiteracy, particularly by the British.
- ☒ An African knowledge program to teach people of African descent about their roots.
- ☒ Psychological rehabilitation for healing and repair of African descendant populations.
- ☒ Technology transfer for greater access to the world's science and technology culture.
- ☒ Debt cancellation to address the "fiscal entrapment" that faces Caribbean governments that emerged from slavery and colonialism.

**OPPORTUNITIES:** If successful, this case could be a model for future reparations campaigns aimed at seeking reparations from other colonial powers.





## CASE STUDY THREE: GEORGETOWN UNIVERSITY





## TYPE OF REPARATIONS:

- ☒ Services
- ☒ Policy change
- ☒ Investment in institutions
- ☒ Education

## MECHANISMS:

- ☒ Administrative

## TARGET:

- ☒ Georgetown University

## BENEFICIARIES:

Descendants of enslaved Africans held by Georgetown University who were sold by the university to prevent financial hardship.

## OUTCOMES:

- ☒ **Restitution:** Preferential admissions to Georgetown University for descendents of people sold by the university.
- ☒ **Memorial:** Campus building names changed: one to the name of one of the slaves that had been sold; one to a free woman of African descent.
- ☒ **Education:** Create a booklet called, "What We Know: Georgetown University and Slavery," which was distributed across campus and used in an on-campus teach-in.
- ☒ **GU272 descendant groups formed.** One group sought legal representation, others are interested in pushing the university to do more, others are interested in establishing a foundation.





**DISCUSSION QUESTIONS:**

- ☒ What do you think about the fact that the student body agreed to raise student fees to pay into Georgetown's reparations fund? Should those resources come from student fees? Why or why not?
- ☒ What do you think about Georgetown offering "preferential admissions" to descendants of the slaves it sold? Should those descendants receive any other supports?

**NOTES FOR DISCUSSION:**



## WHAT HAPPENED?

In 2014, pressure from the student body pushed Georgetown University to publicly acknowledge that the university had held slaves and sold 272 people in order to save the university financially in 1838. In 2015, Georgetown established a working group that came up with the following recommendations:

- ☒ Establish a working group of faculty, staff, students, and alumni.
- ☒ Create a booklet called, "What We Know: Georgetown University and Slavery," which was distributed across campus and used in an on-campus teach-in.
- ☒ Establish a memorial for the 272 people sold by the university.
- ☒ Rename campus buildings currently named for the presidents involved in the sale.
- ☒ Establish a Department of African American Studies.
- ☒ Create the Institute for Racial Justice and a Center for the Study of Slavery and Its Legacies (still not established in 2018).
- ☒ Give admissions preference to descendants of people sold. This applies to about 7,700 people (similar to legacy students, and with no financial assistance offered to attend).

## CHALLENGES AND LESSONS LEARNED:

- ☒ Challenging to identify the descendants.
- ☒ Not all descendants have felt the reparations offered are sufficient.
- ☒ Some of the descendants wanted to play a larger role in determining the shape reparations would take, but they were not invited to participate in the working group; others want Georgetown to establish a foundation to support efforts of descendants and groups working to alleviate impacts of slavery; other descendants want support for family reunification; others think educational support for descendants needs to start during early childhood education so that people have a chance at even being competitive to take advantage of preferential admissions status.

**OPPORTUNITIES:** This model could be used as a starting place for other campaigns to demand reparations from private institutions.



**STOP FORCED STERILIZATION!**  
**HALT A ESTERILIZACION FORZADA!**

**CASE STUDY FOUR: FORCED  
STERILIZATION —  
NORTH CAROLINA**

**PUBLIC HEARINGS ON STERILIZATION —**  
**FEB 12TH ▲ 10▲ STATE BUILDING 350 McALLISTER ST SF**

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## TYPE OF REPARATIONS:

- ☒ Apology
- ☒ Policy change
- ☒ Financial compensation
- ☒ Memorial

## MECHANISMS:

- ☒ Legislation
- ☒ Executive Order
- ☒ Budget appropriation

## TARGET:

- ☒ State legislature
- ☒ Governor

## BENEFICIARIES:

Living survivors who can establish by documentary evidence that they were involuntarily sterilized pursuant to an order of the North Carolina State Eugenics Board.

## OUTCOMES:

- ☒ **Apology** to living survivors.
- ☒ **Memorial plaque** and creation of traveling exhibit (unfunded).
- ☒ **Policy change:** Eugenics Board closed (1974); law allowing forced sterilization repealed (2003).
- ☒ **Public Education:** Public school curriculum is supposed to include history of eugenics, but has not been widely implemented.
- ☒ **Compensation:** \$10 million fund divided equally (approximately \$45,000 per survivor) among living survivors with provable claims against the State Eugenics Board. Compensation received by survivors does not count toward calculations of eligibility for state benefits or state tax liability.







## DISCUSSION QUESTIONS:



- ☒ How could survivors have been more involved in the struggle for reparations for sterilization in North Carolina? How might that have changed the process and outcomes?
- ☒ How could this struggle for reparations have made stronger connections between forced sterilization and anti-Black ableism (historic and structural violence against Black people who are—or are framed as—disabled)?
- ☒ What challenges do we see in seeking reparations for harms experienced predominantly, but not exclusively, by Black people?
- ☒ How can we specifically highlight the ways many harms committed are directly connected to slavery and anti-Blackness even though they may impact non-Black people or may have started after the passage of the 13th Amendment? *For instance, shackling incarcerated pregnant people while giving birth is driven by the fact that the majority of women historically and currently incarcerated are Black women—and, therefore, the treatment of incarcerated people giving birth is rooted in the assumption that the people experiencing this treatment will be Black women.*
- ☒ How can we address documentation challenges in our demands for reparations, particularly where the documentation of harm is in the hands of the state or records are likely to have been destroyed?





**NOTES FOR DISCUSSION:**



**WHAT HAPPENED?** Between 1929 and 1974, the North Carolina State Eugenics Board ordered the sterilization of 7,600 people against their will. Hundreds more were sterilized under orders issued by county governments based on petitions by local doctors and social workers. Eighty-five percent of people overall, and 98% of people sterilized in the 1960s, were Black. More than 75% of forced sterilizations in North Carolina occurred at the height of the Jim Crow era.

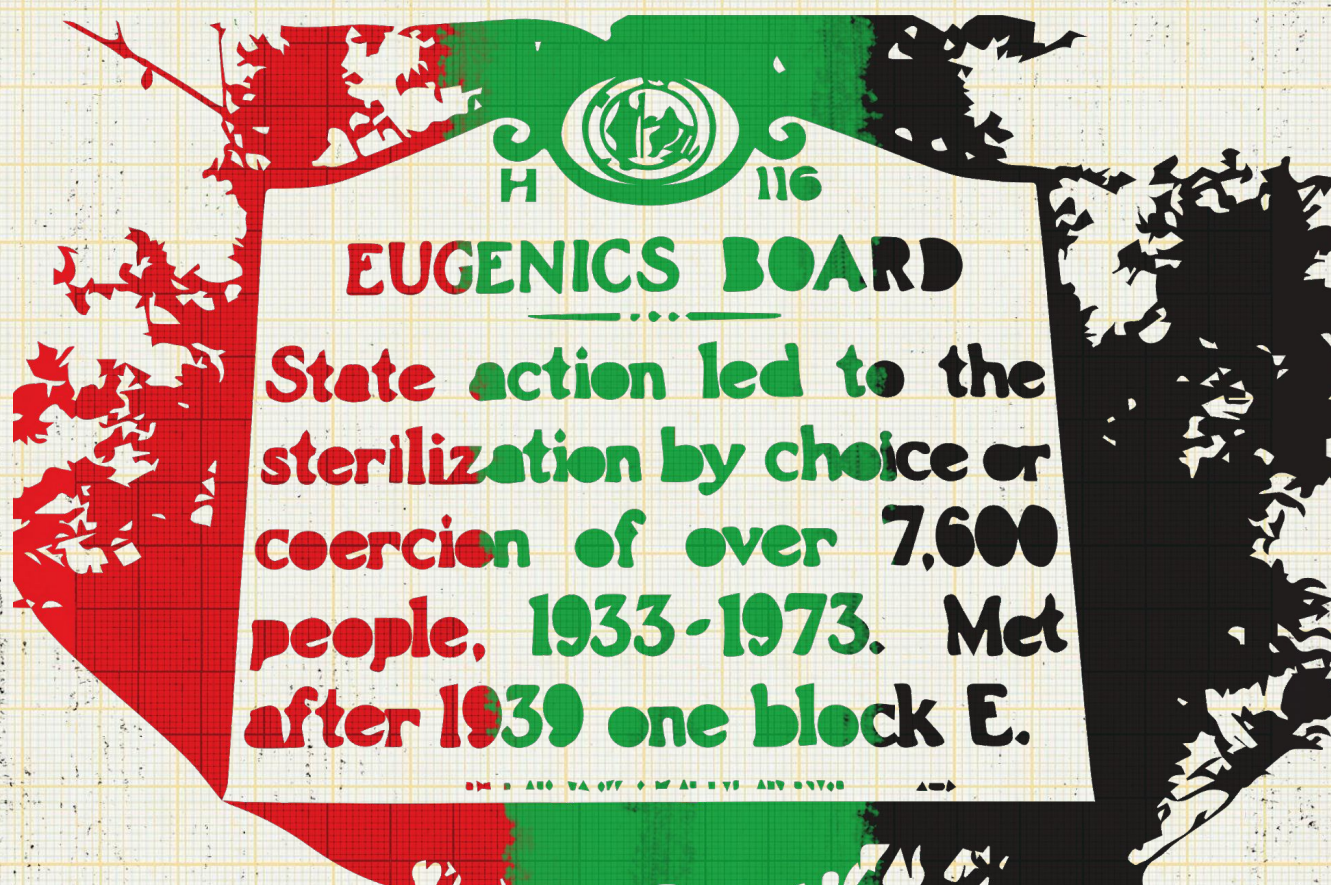
North Carolina's sterilization program was first challenged through two lawsuits filed against the state in 1973 and 1974 by Black women sterilized under threats of institutionalization or termination of welfare benefits. The lawsuits did not produce compensation from the government, but raised awareness of the issue, leading to **policy change**: the Eugenics Board was closed in 1974, and the state law that allowed forced sterilization was eventually repealed in 2003.

Thirty years after the lawsuits were filed, the Winston-Salem Journal newspaper published a 5-part series on the eugenics program in 2002, prompting North Carolina state representative Larry Womble to call the practice a "holocaust" and demand an apology, acknowledgment, and compensation. The Governor of North Carolina issued an **apology** later that year, and established a Eugenics Study Committee charged "with exploring the history of the [eugenics] program, ensuring it was never repeated, and making recommendations on how to assist program survivors." After the Committee released its recommendations, a **memorial** was created in the form of a traveling Eugenics Exhibit and a Eugenics Board Historical Marker. Additionally, the history of eugenics was to be added to North Carolina public school curriculum as part of **public education** efforts.





Representative Womble introduced a bill in 2003 calling for compensation for people subject to forced sterilization, and every year thereafter until 2013. In 2010, the Governor set aside \$250,000 to establish the House Select Committee on Compensation for Victims of the Eugenic Sterilization Program to develop a proposal for compensation, including health care, counseling, and educational assistance. Once established after some delay, the Committee heard testimony from survivors and family members, but did not include any survivors in the decision-making process. The Committee recommended \$50,000 in compensation per person to living survivors of forced sterilization, and that the funds not be counted as income for the purpose of calculating state taxes or benefits. It also recommended that mental health services be provided for survivors, and revival of the traveling exhibit. After a long legislative debate, the Governor signed a budget including a \$10 million compensation fund for living survivors.





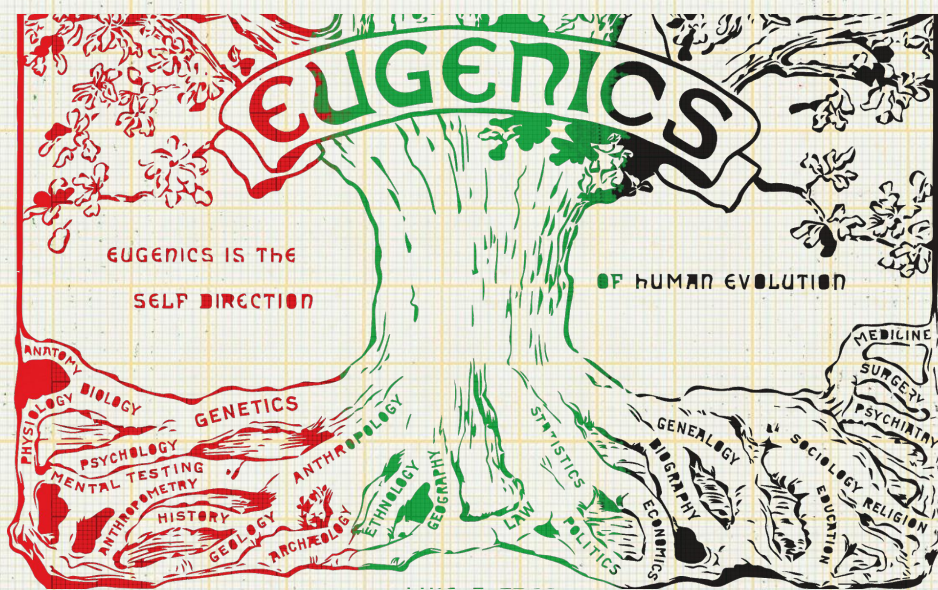
**CHALLENGES AND LESSONS LEARNED:** The fight for comprehensive reparations for people who were sterilized against their will in North Carolina faced several challenges, including:

- ☒ A state budget crisis.
- ☒ Concerns that the state would face unlimited liability if there was no cap on the compensation fund.
- ☒ A sense that taxpayers were being asked to pay for past wrongs committed by others.
- ☒ Many people who were forcibly sterilized were no longer alive when compensation was offered in 2013 to living survivors of a practice that took place between 1929 and 1974. No compensation was available to the descendants of people harmed by the practice.
- ☒ Many survivors were unable to provide documentary proof that they qualified for compensation because many records had been lost or destroyed.
- ☒ Many survivors or their guardians signed consent forms under threat of being denied welfare entitlements or being institutionalized (although the reparations law created a presumption that minors and adults deemed "incompetent" under the law were involuntarily sterilized).
- ☒ Reparations were **not** provided for people sterilized under orders by county officials that were not officially sanctioned by the State Eugenics Board.
- ☒ Survivors were given a relatively short time period to file a claim, and no official efforts were made to conduct outreach to survivors.
- ☒ Individual survivors received a relatively small amount of compensation.



Due to these challenges and more, the number of people who received compensation (220-250) was small compared to the number of people who were harmed (more than 7,600). Payments are exempt from state tax and income eligibility requirements for state and federal programs, but are still counted as income for the purpose of federal taxes.

The State of North Carolina is one of two of the 33 states that operated forced sterilization programs to provide financial compensation to survivors. The State of Virginia issued an apology and recently approved legislation providing for a \$400,000 compensation fund to pay the 11 survivors remaining out of over 7,600 people subjected to forced sterilization approximately \$25,000 each.



California is currently considering passage of AB 1764, which would provide compensation to people sterilized under California's state-sponsored sterilization program between 1909 and 1979, as well as to survivors of involuntary sterilizations in women's state prisons after 1979. The California legislation would be the first to offer compensation to survivors of involuntary sterilizations at a women's penal facility.

These represent some of the few instances in which Black women received or would receive reparations for reproductive harms which could be characterized as a "badges and incidents" of slavery because they are connected to abuses experienced by enslaved African descended women, and represented an exercise of total control over Black women's reproductive autonomy and bodily integrity. This was also one of the only instances where reparations were paid for forced sterilization, which is a common manifestation of ableism and harm to Black disabled people.



However, the struggle for reparations for forced sterilizations presents some complicated questions for those pursuing reparations as part of struggles for Black liberation. First, reparations for state forced sterilization programs are not exclusively owed or given to Black people, but to all individuals who are able to prove they were sterilized against their will, including white people. In fact, legislators actively promoted the fact that white people would be receiving benefits under the legislation in order to avoid perceptions that only Black people would receive compensation.

Secondly, the movement to obtain reparations for forced sterilization in North Carolina was not driven or led by the survivors, but rather by legislators, governors, and other system players without a direct stake in the outcome—and competing interests with survivors.

**STOP FORCED  
STERILIZATION**



**NOW!**

Third, the reparations ultimately obtained were limited to monetary compensation to living survivors who were able to prove entitlement through documentary evidence, and did not reach the hundreds of people who were illegally sterilized pursuant to county orders. Survivors only had three years to make a claim. The total amount of compensation was also capped at \$10 million, regardless of how many people came forward, creating a disincentive for survivors to seek out others, as that would reduce everyone's compensation. Although survivors received an apology and a permanent memorial of the program was created, the healing and educational services for survivors and their families originally recommended by the Task Force never became a reality and changes to the public school curriculum were never fully implemented.



## ACTIVITY: REPARATIONS CASE STUDIES

### DESCRIPTION:

In this exercise, participants will be given a scenario and will be asked to respond to the scenario by developing a set of reparations demands and a plan for seeking to have those demands met. Each group will be given the same short, pre-written scenario, relevant to the specific group of participants, laying out the harm being done to Black people in the scenario, the generational impacts of the harm, and contemporary expressions of the harm (note: you can use the case studies from this toolkit as scenarios).



### OBJECTIVES:

To support participants to understand the foundational elements of reparations claims.

To encourage participants to articulate and think collectively about the range of means through which reparations may be won.



### TIME REQUIRED:

45-90 minutes



### MATERIALS:

Pre-written scenarios (enough copies for each group)

Easel pads, markers, and tape



### PARTICIPANTS:

8-Unlimited



### SET-UP AND

### TECHNOLOGY:

Not needed



### FORMAT:

Small Groups. Break participants into groups of 2-4 depending on the number of participants. Ask each group to gather and do the following:

- ☒ Identify someone to write down the group's demands and plan, and someone to report back to the large group.
- ☒ Read the scenario together.





- ☒ Develop reparations demands to address the harm outlined in the scenario, keeping the five conditions of reparations in mind:

- ☒ Cessation and guarantees of non-repetition
- ☒ Restitution
- ☒ Compensation
- ☒ Satisfaction
- ☒ Rehabilitation

Describe what mechanisms or tools the group recommends to compel the demands to be met (i.e. legislation, executive orders or resolutions, budget allocations, direct action, media campaigns, etc.).

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Give each group at least 30 minutes to develop demands and make plans, and at least 10 minutes to share their demands and plans with the larger group. *Note:* facilitators should be careful to calculate time for report backs from all small groups into the overall time allotted for this exercise.