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**Testimony of Jen Jenkins  
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**Before the Committee on Business and Economic Development  
Council of the District of Columbia**

**Public Hearing Regarding:**

**Bill B25-0152  
“Reparations Foundation Fund and Task Force Establishment Act of 2023”**

**June 15, 2023**

Legal Aid of the District of Columbia<sup>1</sup> submits the following testimony in support of Bill 25-0152, the Reparations Foundations Fund and Task Force Establishment Act of 2023. This bill would create a reparations task force and fund to address the impacts of slavery and institutional racism in Washington, DC, and requires the Commissioner of the Department of Insurance, Securities, and Banking (“DISB”) to establish a slavery-era database to determine who qualifies for reparations as determined by the task force. Legal Aid believes it is essential for DC to acknowledge that slavery, colonialism, and

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<sup>1</sup> Legal Aid of the District of Columbia was formed in 1932 to “provide legal aid and counsel to indigent persons in civil law matters and to encourage measures by which the law may better protect and serve their needs.” Legal Aid is the oldest and largest general civil legal services program in the District of Columbia. Over the last 91 years, Legal Aid staff and volunteers have been making justice real – in individual and systemic ways – for tens of thousands of persons living in poverty in the District. The largest part of our work is comprised of individual representation in housing, domestic violence/family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal justice system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. More information about Legal Aid can be obtained from our website, [www.LegalAidDC.org](http://www.LegalAidDC.org).

systemic racism have left deep scars in DC and to begin rectifying those impacts for Black DC residents through enacting this bill.

Legal Aid DC supports the proposed reparations fund and task force because it will begin to address our clients' socially and politically constructed needs, caused and exacerbated by centuries of intentionally racist and exclusionary policies. These policies began, but did certainly not end, with slavery. Our clients are typically living at or below 200% of the federal poverty level, majority Black, and residents of Wards 5, 7, and 8. Our clients come to us in moments of crisis for assistance with various civil legal needs they are experiencing in no small part due to entrenched racist choices and policies. Our clients are denied a better living standard by current political and economic structures, but would be a step closer to needed reparations with the passage of this measure.

### **The Reparations Task Force Should Prioritize Stabilizing Income and Housing**

This bill would create a task force that will consider the entire scope of slavery and institutional racism throughout the history of DC and their effects today. Based on Legal Aid's client and advocacy experience, we ask that the task force pay special attention to stabilizing the incomes and housing of Black residents. Income should be guaranteed and provided through government policies and regularly adjusted for the cost of living, inflation, and price gouging. Housing should be easily accessible, affordable, and in quality condition. Our emphasis on these items is due to their importance for our clients and the fact that they remain unaddressed systemically to this day.

#### Reparations Should Include Guaranteed Income

Guaranteed income would be a strong foundation on which reparations could be built. Racial wealth and income disparity in DC is staggering. White households in the District hold 81 times the wealth of Black households in the District.<sup>2</sup> Nationwide, the racial wealth gap can be traced to the multitude of legal and policy decisions made post-emancipation, but slavery itself remains a significant cause; even if Black people had the same

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<sup>2</sup> The Color of Wealth in the Nation's Capital, A Joint Publication of the Urban Institute, Duke University, The New School, and the Insight Center for Community Economic Development (Nov. 2016)

[https://www.urban.org/sites/default/files/publication/85341/2000986-2-the-color-of-wealth-in-the-nations-capital\\_8.pdf](https://www.urban.org/sites/default/files/publication/85341/2000986-2-the-color-of-wealth-in-the-nations-capital_8.pdf)

opportunities as white people to build wealth from Emancipation to today, the white-to-Black per capita wealth ratio would still be three to one.<sup>3</sup>

Available public benefits do not even begin to address this disparity. In seeking assistance from the government, our clients face means testing, restrictions on how their money can be spent, being unexpectedly cut off, prohibitive work requirements, language barriers, unresponsiveness from agencies, benefits cliffs, and other systemic failures that prevent access to a stable source of income and support. Systemic gatekeeping excludes many eligible low-income residents from accessing benefits to which they are legally entitled. Even those who are able to access these programs receive benefits that are far too low to help them escape the cycle of poverty.

Expansive and numerous guaranteed income programs without the current restrictions would lift descendants of enslaved people out of poverty, and can be achieved in myriad ways. For example, a child tax credit, which does not force people off public benefits, would greatly address poverty in the District.<sup>4</sup> Existing permanent guaranteed income programs in DC such as Let's Go DMV are also a viable model for targeted guaranteed income.<sup>5</sup> The types of guaranteed income programs selected by the reparations task force, should be inclusive of the range of human experiences such as people living with disabilities, LGBTQ+ people, and people who experienced incarceration.

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<sup>3</sup> See DC's Extreme Wealth Concentration Exacerbates Racial Inequality, Limits Economic Opportunity, DC Fiscal Policy Institute (Oct. 20, 2022), <https://www.dcfpi.org/all/dcs-extreme-wealth-concentration-exacerbates-racial-inequality-limits-economic-opportunity/>.

<sup>4</sup> See Myrto Karaflos, Child Tax Credit or Guaranteed Income: What's in a Name?, (Sept. 14, 2021), <https://prosperitynow.org/blog/child-tax-credit-or-guaranteed-income-whats-name>; A Child Tax Credit Would Reduce Child Poverty, Strengthen Basic Income, and Advance Racial Justice in DC, DC Fiscal Policy Institute, (Mar. 6, 2023), <https://www.dcfpi.org/all/a-child-tax-credit-would-reduce-child-poverty-strengthen-basic-income-and-advance-racial-justice-in-dc/>.

<sup>5</sup> See Greater Washington Community Foundation, Guaranteed Income: A Strategy To Support Economic Mobility, (Mar. 16, 2023), <https://www.thecommunityfoundation.org/news/guaranteed-income-a-strategy-to-support-economic-mobility#:~:text=In%20DC%2C%20The%20Community%20Foundation,payments%20started%20in%20March%202022>

## Reparations Should Include Guaranteed Homes

Legal Aid has a long history of fighting for housing justice in DC. Despite these efforts, access to affordable housing in DC remains tenuous at best. If DC does not invest in equitable policies and laws for those impacted by the legacy of slavery and the discriminatory laws that followed, many of our clients, who would likely qualify for reparations, will remain disadvantaged in housing. For example, in April of 2023, the Chief Financial Officer (“CFO”) reported that out of 3,529 buildings, there were 175,810 total housing units in DC.<sup>6</sup> Despite the great need for housing, approximately 15,598 of those units are vacant.<sup>7</sup> The number of vacant units is enough to house the total unhoused population of DC, which is nearly 5,000 people,<sup>8</sup> with more than enough left over for other residents in need. The units notably vary by affordability and quality. There are 7,412 empty A class units, 5,066 B class empty units, and 3,107 empty Class C units.<sup>9</sup> The A, B, and C real estate designations are comparable to the economic-social statuses of upper-, middle- and lower-class people, with the poorest people receiving the least investment despite having the highest need.

A lack of racial justice-based housing policies also threatens DC's affordable housing construction future. The CFO reports that 10,904 Class A units will be built, 4,994 B class units will be built, and only 18 C class units will be built over approximately the next 17.5 months in DC.<sup>10</sup> Class A units are estimated to cost \$2,679 per month, Class B units cost

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<sup>6</sup> Government of the District of Columbia, Office of the Chief Financial Officer, District of Columbia Economic and Revenue Trends: April 2023, Table 11. Market rate apartments in DC: 2023q1, <https://ora-cfo.dc.gov/page/economic-and-revenue-trend-reports-april-2023>.

<sup>7</sup> *Id.*

<sup>8</sup> Sarah Y. Kim, Homelessness In D.C. Increases For The First Time In Years, DCIST (May 5, 2023), <https://dcist.com/story/23/05/05/dc-homelessness-increase-2023-pit-count/>.

<sup>9</sup> Government of the District of Columbia, Office of the Chief Financial Officer, District of Columbia Economic and Revenue Trends: April 2023, Table 11. Market rate apartments in DC: 2023q1, <https://ora-cfo.dc.gov/page/economic-and-revenue-trend-reports-april-2023>.

<sup>10</sup> See Government of the District of Columbia, Office of the Chief Financial Officer, District of Columbia Economic and Revenue Trends: April 2023, Table 11. Market rate apartments in DC: 2023q1, <https://ora-cfo.dc.gov/page/economic-and-revenue-trend-reports-april-2023>; National Association for Homebuilders Completion Time of

\$2,027, and Class C units cost \$1,458 per month.<sup>11</sup> Notably, Black people in DC will disproportionately face the greatest difficulty in accessing the numerous A and B units due to income restraints and limited housing vouchers and will effectively be competing for the 18 C class units. Black people in DC have the lowest per capita annual median income and the most significant disparities in income at \$29,927 (~\$2,493/month) compared to white people at \$92,758 and Latine people at \$41,151.<sup>12</sup> These economic realities illustrate that the CFO's projections are untenable for Black people in DC. By creating a reparations task force and fund, DC's residents that qualify for reparations could have affordable quality housing built, priced, and maintained.

### **Amendments to Strengthen the Bill**

Legal Aid offers the following recommendations to strengthen the bill's effect and language. First, we recommend requiring the use of the National Archives and Records Administration ("NARA") to supplement the slavery era database required to be created by the DISB.<sup>13</sup> The NARA collection contains documents such as petitions, claims, and correspondence that provide details about formerly enslaved people in DC and their owners.<sup>14</sup> Second, we recommend that the definition of reparations mentions the Slave Codes, Black Codes, the vagrancy act, the war on drugs, redlining, and voting disenfranchisement. Adding these atrocities to the definition further reinforces subsequent provisions in the measure and recognizes the various forms of institutional racism that affect descendants of formerly enslaved people today.

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Multifamily Projects Keeps Getting Longer, (July 7, 2022), <https://www.nahb.org/blog/2022/07/completion-time-of-multifamily-projects-according-to-the-2021-survey-now-risen-to-17.5-months>

<sup>11</sup> Government of the District of Columbia, Office of the Chief Financial Officer, District of Columbia Economic and Revenue Trends: April 2023, Table 11. Market rate apartments in DC: 2023q1, <https://ora-cfo.dc.gov/page/economic-and-revenue-trend-reports-april-2023>.

<sup>12</sup> See Economic disparities in the Washington, D.C. metro region provide opportunities for Policy Action, BROOKINGS INSTITUTE (April 27, 2022), <https://www.brookings.edu/blog/how-we-rise/2022/04/27/economic-disparities-in-the-washington-d-c-metro-region-provide-opportunities-for-policy-action/>.

<sup>13</sup> See Reparations Foundation Fund and Task Force Establishment Act of 2023, as introduced on February 24, 2023 (Bill B25-0152).

<sup>14</sup> See National Archives, The District of Columbia Emancipation Act, <https://www.archives.gov/exhibits/featured-documents/dc-emancipation-act>.

## **Conclusion**

Reparations symbolize our collective resolve to right the wrongs of the past, foster reconciliation, and promote a shared understanding of our history here in DC. We ask the Committee to pass this measure so that DC can move forward on its path to reparations, which we believe would significantly benefit and impact our client community. Thank you.