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COUNCIL OF THE CITY OF PHILADELPHIA

4

PUBLIC HEARING - COMMITTEE ON FINANCE

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Room 400, City Hall

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Philadelphia, Pennsylvania

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Monday, February 28, 2005, 11:00 a.m.

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10 040133 - An Ordinance amending Section 17-104
11 entitled "Prerequisites to the Execution of City
12 Contracts" by adding a new subsection (2) entitled
13 "Slavery Era Business/Corporate Insurance
14 Disclosre" to promote full and accurate disclosure
15 to the public about any slavery policies sold by
16 any companies or profits from slavery by other
17 industries (or their predecessors) who are doing
18 business with the City of Philadelphia and
19 recodifying Section 17-104 by incorporating
20 various technical changes; all under certain terms
21 and conditions.

16

17 PRESENT:

18

COUNCILWOMAN JANNIE L. BLACKWELL, Chair

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COUNCILWOMAN ANNA C. VERNA, President

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COUNCILWOMAN BLONDELL REYNOLDS BROWN

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COUNCILMAN W. WILSON GOODE, JR.

22

COUNCILMAN JAMES F. KENNEY

23

COUNCILMAN RICHARD T. MARIANO

24

COUNCILMAN JUAN F. RAMOS

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V A R A L L O Incorporated

27

Litigation Support Services

28

1835 Market Street, Suite 600

29

Philadelphia, Pennsylvania 19103

215.561.2220 215.567.2670

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3 P R O C E E D I N G S

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5 COUNCILWOMAN BLACKWELL: We will now
6 call into session our hearing before the
7 Committee on Finance, with regard to Bill
8 Number 040133.

9 A quorum is present. To my left,
10 the far left, is Council President Anna
11 Verna. To her right is Vice Chair
12 Councilwoman Blondell Reynolds Brown; to my
13 right, Councilman W. Wilson Goode; and to his
14 right, certainly, is Councilman Rick Mariano.
15 So, we have a quorum present, and we will now
16 ask the clerk to read the title of the bill.

17 THE CLERK: Bill Number 040133, an
18 Ordinance amending Section 17-104 entitled
19 "Prerequisites to the Execution of City
20 Contracts" by adding a new subsection (2)
21 entitled "Slavery Era Business/Corporate
22 Insurance Disclosure" to promote full and
23 accurate disclosure to the public about any
24 slavery policies sold by any companies or
25 profits from slavery by other industries (or

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2 their predecessors) who are doing business
3 with the City of Philadelphia and recodifying
4 Section 17-104 by incorporating various
5 technical changes; all under certain terms
6 and conditions.

7 COUNCILWOMAN BLACKWELL: Thank you
8 very much.

9 We will now have remarks from the
10 sponsor of the bill, Councilwoman Blondell
11 Reynolds Brown. And this bill is
12 co-sponsored by Councilman W. Wilson Goode.

13 COUNCILWOMAN BROWN: Thank you,
14 Madam Chair. Good morning.

15 COUNCILWOMAN BLACKWELL: Good
16 morning.

17 COUNCILWOMAN BROWN: Let me say at
18 the door a special thank-you to my staff and
19 to the tech staff who have worked very
20 thoughtfully and diligently on this bill over
21 the past 12 months. I appreciate their due
22 diligence.

23 Many of us might agree that this
24 discussion is long overdue, but Martin Luther
25 King said, the time is always right to do

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2 that which is right. So, be that as it may,
3 we're here to have this important discussion
4 on this important issue.

5 And just let me put my teacher hat
6 on for 60 seconds or my former teacher hat on
7 and remind us that on this day in 1932
8 Richard Spikes, an African American, applied
9 for the patent of the automatic gear shift.

10 So that which is a normal part of
11 life for us, it was an African American man
12 who made that possible. And we should always
13 seize the moment and lift up those from our
14 community who are now making a difference
15 some 100 years later.

16 On behalf of my colleagues, I want
17 to welcome all of you to this important
18 proceeding. And let me say thank you to the
19 members of the administration and individuals
20 representing various civic and civil rights
21 organizations who have joined us today.

22 And let me give a special hello to
23 the young people, to the students, who will
24 see this on a public school network.

25 Let me seize the moment and mention

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2 also that 225 years ago on this day
3 Pennsylvania became the first state to
4 abolish slavery.

5 Our hope is that the learning that
6 the young people and members of this audience
7 today will -- it will move us to making a
8 difference on this particular issue.

9 This public hearing of City
10 Council's Finance Committee is on Bill Number
11 040133, known as the Philadelphia business
12 corporate and slavery era insurance
13 ordinance.

14 This legislation is patterned after
15 legislation enacted by the Chicago City
16 Council in late 2002. So, it is not new. It
17 is always helpful to look to see what is
18 happening in other major cities across the
19 country.

20 It would require all corporations
21 and businesses who seek city contracts to
22 search their records and disclose, disclose
23 in bold letters, underscored, whether or not
24 they have derived profit from the business of
25 slavery.

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2 States and local governments all
3 across the nation have adopted and
4 implemented financial, environmental and
5 social disclosure and accountability
6 legislation.

7 These policies make it possible for
8 government officials to review levels of
9 quality and the nature of outcomes resulting
10 from corporate, public and private
11 interactions.

12 And polls reveal that between 75 to
13 85 percent of the American public favor these
14 measures. Let's repeat that. Between 75 to
15 85 percent of the American public favor the
16 measures like that which we are considering
17 today, especially when public dollars are
18 involved.

19 These proactive policies are vital
20 because they aid in determining if any
21 corporate relationship will be helpful or
22 harmful to patrons and purchasers of goods
23 and services, to providers of goods and
24 services, to our labor forces, to our
25 environmental surroundings and resources and

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2 to our local and regional communities at
3 large.

4 What is the value of disclosure?
5 Why have this hearing? Through disclosure a
6 message is sent to all stakeholders that a
7 company is willing to abide by the terms of a
8 social contract which will require the
9 company to be collectively and consistently
10 responsible for its behaviors, responsive to
11 quality standards of operation and
12 universally committed to fair and humane
13 principles.

14 Today, on this last day of African
15 American history month, we will hear
16 testimony about an aspect of our history,
17 African American history, and American
18 history, that has not received enough
19 exposure, particularly in our school
20 curriculum, the role that certain as yet
21 unidentified private businesses played in
22 promoting and profiting from the slave trade,
23 a most embarrassing and I would say fragile
24 part of African American history.

25 Where are we now? We will arrive at

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2 a new era when corporations are able and
3 willing to face their past and make proper
4 amends, whatever they may be, for any
5 egregious wrongdoings, while the corporations
6 of today in many ways may not reflect related
7 entities of the past.

8 Present day management cannot escape
9 the results nor the implication of a legacy
10 buried in our history.

11 What is our goal? As mentioned, I
12 modeled Bill Number 040133, known as the
13 business corporate and slavery era insurance
14 ordinance, after a Chicago measure passed a
15 little more than two years ago.

16 With this legislation, we are
17 seeking the answer to basic questions about
18 the companies doing business with the City of
19 Philadelphia. What was your relationship to
20 slavery? What did your company do during the
21 slavery era? Did you accumulate profits from
22 slave trade, labor and/or ownership?

23 What can we expect? Companies
24 disclosing slavery ties will not be banned
25 from securing city contracts. Instead, they

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2 will be required to turn over the findings to
3 city officials.

4 Companies falsely claiming that they
5 had no slave history will render their
6 contacts voidable.

7 The Chicago legislation has had a
8 significant impact on bringing home and
9 making relevant our understanding of
10 corporate ties to the slave trade.

11 That's just one example. The
12 Chicago ordinance forced J. P. Morgan Chase &
13 Company to acknowledge that its roots are
14 linked to the 19th century slave trade and
15 that it profited from the free labor of more
16 than 13,000 Africans.

17 The company wrote in a statement,
18 and I quote, recently J. P. Morgan completed
19 extensive research to meet a commitment to
20 the City of Chicago.

21 Today our research found that
22 between 1831 and 1865, two of our predecessor
23 banks, Citizens Bank and Canal Bank in
24 Louisiana, accepted approximately 13,000
25 enslaved individuals as collateral on loans

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2 and took ownership of approximately 1,200 of
3 them when the plantation owners defaulted on
4 the loans.

5 Other cities, including Los Angeles
6 and Detroit, have passed slavery era
7 disclosure legislation. And I understand,
8 again, based on some homework, that New York
9 City is currently considering similar
10 legislation.

11 This is an important public hearing
12 for our city, not only because it sheds a
13 powerful light on a very dark time in the
14 life of our nation. It also brings to the
15 open the secrets that some, if not many, have
16 kept hidden and/or discarded.

17 It also helps to set and keep in
18 motion the determination of the majority of
19 us who want to take advantage of the
20 opportunity this new age of enlightenment
21 presents.

22 And that is a chance to put in place
23 an essential element, corporate disclosure
24 and transparency in the social contract of
25 the 21st century, agreements that will indeed

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2 protect and promote the common good for all
3 of us, today and tomorrow. That is our goal.

4 We will now commence with the
5 hearings. And again, I thank each one of you
6 for your interest, for your presence because
7 you could be any place else today, but you
8 chose to be here. And you need to know we
9 appreciate that.

10 (Applause.)

11 COUNCILWOMAN BROWN: We will now
12 with proceed with the testimony.

13 COUNCILWOMAN BLACKWELL: Thank you
14 very much.

15 Would anyone else like to make a
16 statement?

17 (No response.)

18 COUNCILWOMAN BLACKWELL: All right.
19 We will begin with Commissioner for
20 Procurement, Mr. William Gamble.
21 Commissioner Gamble.

22 Thank you very much for being here.
23 Your next witness will be your Deputy Finance
24 Director, Michael Williams, from MBEC.

25 Good morning and thank you.

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2 MR. GAMBLE: Good morning.

3 COUNCILWOMAN BLACKWELL: Please
4 identify yourself for the record and begin
5 your testimony.

6 MR. GAMBLE: My name is William
7 Gamble, Procurement Commissioner. Good
8 morning, Councilwoman Reynolds.

9 COUNCILWOMAN BROWN: Good morning.

10 MR. GAMBLE: And members of the
11 Finance Committee.

12 I am William Gamble, Commissioner of
13 Procurement Department. I am here there
14 morning to testify regarding Bill Number
15 040133, known as the Philadelphia business
16 corporate and slavery era insurance
17 ordinance.

18 As a public official and as African
19 American, I view this ordinance as important
20 to the City of Philadelphia. It is
21 imperative that the City of Philadelphia
22 participates in a process that does not
23 exclude anyone from the competitive process.

24 As Procurement Commissioner, it is
25 my job and responsibility to ensure that

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2 everyone is given the opportunity to bid on
3 city contracts.

4 Procurement has participated in
5 workshops that inform businesses about city
6 opportunities. Procurement implemented
7 program has allowed small business and
8 minority business to compete for contracts up
9 to \$25,000.

10 It is socially and economically
11 wrong to do business with companies who are
12 receiving the benefits of people working hard
13 and not being paid a decent wage so that they
14 can increase their profits.

15 These companies should be exposed.
16 The community needs to know who they are and
17 how they are exploiting individuals.

18 Thank you for this opportunity this
19 morning. I'll be happy to answer any
20 questions you may have.

21 COUNCILWOMAN BLACKWELL: Thank you
22 very much, Commissioner. And we thank you
23 for your cooperation. Whenever we have
24 called, you've always responded. We thank
25 you for that.

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2 MR. GAMBLE: You're welcome.

3 COUNCILWOMAN BLACKWELL: How would
4 your office, then, react to a company, such a
5 company that you became aware of who admitted
6 or didn't admit that they were -- that they
7 were involved in this infraction of the
8 rules?

9 MR. GAMBLE: Well, Councilwoman,
10 what we would do is that we would require all
11 our companies who are doing business with us
12 to divulge whether or not they have currently
13 or in the past been engaged or profited from
14 slave labor.

15 And if individuals, if they're self
16 insured -- self-certifying situation, and it
17 would find that they have violated it, then
18 one of the benefits that we have for us is to
19 deem that company to be non-compliant, and
20 also to find them not responsive, and also to
21 bar them up to five years of doing business
22 with the City of Philadelphia.

23 COUNCILWOMAN BLACKWELL: Repeat that
24 last statement. And to what?

25 MR. GAMBLE: We would bar them from

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2 doing business with the City of Philadelphia
3 up to five years.

4 COUNCILWOMAN BLACKWELL: Great. Are
5 there further questions for the Commissioner?

6 Councilwoman Brown.

7 COUNCILWOMAN BROWN: Currently
8 Philadelphia does not have the practice that
9 we are advocating for today and past
10 professional experiences.

11 Do you have any experience that
12 speaks to what we're proposing today and
13 other professional opportunities where you've
14 worked, Commissioner?

15 MR. GAMBLE: Well, Councilwoman, I
16 have worked in city governments that had
17 ordinances similar to this, South Africa as
18 an example, where if a company was doing
19 business with South Africa, then they would
20 not be allowed to do business with South
21 Africa and have a city contract. So that, I
22 think, is similar to it.

23 And also, we have had experience in
24 dealing with Northern Ireland, where there
25 was an ordinance that the city passed that

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2 required that if you do business with
3 Northern Ireland, that you could not do
4 business with the city.

5 COUNCILWOMAN BROWN: So, clearly we
6 have examples of where this interest and
7 initiative has worked effectively.

8 MR. GAMBLE: That's correct.

9 COUNCILWOMAN BROWN: Would you
10 agree?

11 MR. GAMBLE: I agree.

12 COUNCILWOMAN BROWN: If my memory
13 serves me correctly, I remember when former
14 Congressman Bill Gray was in the House of
15 Representatives, and our former dearly
16 beloved State Representative David P.
17 Richardson was in the state house, and they
18 put forth similar legislation regarding South
19 Africa. And they were both successful in
20 getting that passed through.

21 I thank you for your testimony.

22 MR. GAMBLE: You're welcome.

23 COUNCILWOMAN BLACKWELL: Thank you.

24 Other members of the committee have
25 questions for the Commissioner?

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2 (No response.)

3 COUNCILWOMAN BLACKWELL: Thank you

4 very much, Commissioner.

5 MR. GAMBLE: Thank you.

6 COUNCILWOMAN BLACKWELL: Mr. Michael

7 Williams, Deputy Finance Director, Minority

8 Business Enterprise Council.

9 Good morning. Thank you for being

10 here.

11 MR. WILLIAMS: Thank. Good morning.

12 COUNCILWOMAN BROWN: Good morning.

13 COUNCILWOMAN BLACKWELL: Good

14 morning.

15 Would you identify yourself for the

16 record and begin your testimony.

17 MR. WILLIAMS: I'm Michael P.

18 Williams, Deputy Finance Director.

19 COUNCILWOMAN BLACKWELL: Pull your

20 microphone closer, Mr. Williams. Thank you.

21 MR. WILLIAMS: How's this?

22 COUNCILWOMAN BLACKWELL: That's

23 better.

24 MR. WILLIAMS: Okay. Good.

25 Michael P. Williams, Deputy Finance

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2 Director, Minority Business Enterprise
3 Council.

4 Good afternoon, Councilwoman
5 Reynolds Brown and members of the City
6 Council and this committee.

7 I am here today to offer testimony
8 on Bill 040133, which requires entities doing
9 business with the City of Philadelphia to
10 provide full public disclosure of any slavery
11 policies sold by their company or profits
12 from slavery received by their predecessors.

13 Slavery is the United States of
14 America's greatest shame and tragedy. The
15 trafficking of human beings, the brutality,
16 the forced labor under intolerable and
17 inhumane conditions, the purposeful and
18 frequent breaking up of families, the
19 beatings, whippings, rape and wholesale
20 slaughter...

21 (Sound turned higher.)

22 COUNCILWOMAN BLACKWELL: That's much
23 better.

24 MR. WILLIAMS: I apologize.

25 COUNCILWOMAN BLACKWELL: That's all

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2 right.

3 MR. WILLIAMS: Should I continue
4 from where I started or should I start over
5 again?

6 COUNCILWOMAN BROWN: Why don't you
7 start over for all of us.

8 MR. WILLIAMS: Okay.

9 COUNCILWOMAN BROWN: In case someone
10 behind you did not hear.

11 MR. WILLIAMS: So sorry.

12 COUNCILWOMAN BROWN: That's all
13 right. Technology.

14 MR. WILLIAMS: Good afternoon,
15 Councilwoman Reynolds Brown and members of
16 City Council.

17 I am here today to offer testimony
18 on Bill 040133, which requires entities doing
19 business with the City of Philadelphia to
20 provide full public disclosure of any slavery
21 policies sold by their company or profits
22 from slavery received by their predecessors.

23 Slavery is the United States of
24 America's greatest shame and tragedy. The
25 trafficking of human beings, the brutality,

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2 the forced labor under intolerable and
3 inhumane conditions, the purposeful and
4 frequent breaking up of families, the
5 beatings, maimings, whippings, rape and
6 wholesale slaughter... This will always be
7 part of America's legacy.

8 The slave trade in this country
9 lasted approximately 270 years, beginning in
10 the early 1600s, 170 years before the
11 American revolution. There are some that say
12 we, as Americans, should get over this
13 horrendous time in American history and move
14 on.

15 Well, I would remind those people
16 that slavery's children, lynching, the rise
17 of the Ku Klux Klan, forced segregation, Jim
18 Crow laws, kept slavery's insidious influence
19 in this country alive almost 100 years after
20 slavery was officially banned.

21 Other vestiges of slavery: Poverty,
22 inadequate educational resources, covert and
23 overt racism, racial discrimination, inequity
24 in the justice system, still exist to this
25 day.

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2 To say that we are still fighting
3 for complete racial equality after over 400
4 years of systemic degradation is
5 unbelievable. Yet, here we are today.

6 Racial discrimination, one of
7 slavery's longest-lasting and most
8 destructive remnants, has played a
9 significant and extremely detrimental role in
10 the overall lack of significant minority
11 participation in City of Philadelphia
12 contracting, as well as in private
13 contracting in this region.

14 The statistics, which chronicle the
15 lack of significant minority participation,
16 tell only half the tale. It is minority
17 vendors that have had and still face an
18 uphill battle and an unfair struggle to fully
19 and significantly participate in contracting
20 opportunities within city government and in
21 the private sector.

22 To hear their stories, to listen to
23 their tales of being excluded from
24 contracting opportunities, finding
25 inappropriate and inadequate financing and

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2 bonding, and thus having little opportunity
3 to compete on a fair and level playing field,
4 is absolutely heartbreaking.

5 While overt racial discrimination is
6 relatively easy to root out, covert racial
7 discrimination is unfortunately alive and
8 well.

9 Covert racial discrimination, in the
10 form of, for example, unfair and burdensome
11 barriers put up to discourage and/or outright
12 deny minority contractors business
13 opportunities is part and parcel of any
14 minority businessperson's attempt to do
15 business here in Philadelphia.

16 Racial discrimination also, of
17 course, has deeply affected work force
18 development, as well as minority
19 participation in city and private sector
20 contracting.

21 All one has to do is to stroll by a
22 construction site anywhere in this region to
23 see the dearth of people of color working on
24 these construction sites, is evident and
25 shameful.

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2 Racial discrimination is a direct
3 descendent of slavery. Although racial
4 discrimination permeates every aspect of
5 modern day society, its power and influence
6 are felt most in business and economics.

7 The minority business enterprise
8 council, MBEC, was created by the city in
9 recognition of the fact that racial
10 inequality in business and commerce exists,
11 despite the abolition of slavery and
12 institutionalized discrimination.

13 At MBEC, our ultimate goal is to
14 further the city's commitment to equalizing
15 the imbalance of wealth and power that
16 slavery created in this country.

17 In restructuring MBEC to ensure that
18 minority contractors have greater access to
19 business opportunities with the city, we will
20 increase M.B.E. participation in city
21 contracting, partner with private sector
22 entities to increase M.B.E. business
23 opportunities throughout the Philadelphia
24 region, improve the MBEC certification
25 process, establish a compliance and

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2 enforcement unit to monitor compliance,
3 partner with ethnic chambers of commerce to
4 initiate economic development projects, and
5 initiate outreach programs to the minority
6 communities to educate them about MBEC and
7 encourage their participation in the MBEC
8 certification process.

9 Any and all attempts to eradicate
10 the vestiges of slavery should be supported,
11 lauded and applauded.

12 Therefore, MBEC enthusiastically
13 supports Councilwoman Reynolds Brown and her
14 fellow Council members in this effort to
15 extinguish the legacies of slavery.

16 Thank you very much for this
17 opportunity to testify. And I will take any
18 questions that you have.

19 COUNCILWOMAN BLACKWELL: Thank you.

20 I have two. Number one, how would
21 your office react to such a company? And
22 number two, what could your office do, you
23 think, to better -- to foster better
24 relationships between such a company and the
25 city?

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2 MR. WILLIAMS: Well, first of all,
3 the most of the vendors that we deal with are
4 minority women or disabled vendors. So, we
5 would hope that wouldn't be one of the
6 minority companies.

7 But if were found that, through our
8 due diligence of this bill, that if it was a
9 woman or a disabled vendor who was a majority
10 vendor who had what -- some of these
11 practices in the past, we would remove them
12 from our database. We would feel that that
13 would not be in the city's interest to
14 support a business like that.

15 Now, to foster relationships to
16 them, I actually don't know what we would do.
17 I would have to take the lead from Council to
18 see how they -- how they would want to react,
19 if we had a large company who was found to do
20 that, how we could get them back into the
21 graces of trying to do business with the
22 city.

23 COUNCILWOMAN BLACKWELL: Questions
24 or follow up?

25 Councilwoman Brown?

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2 COUNCILWOMAN BROWN: We thank you
3 for your testimony. And I believe that your
4 testimony firmly stands on its own. So, I
5 thank you very much.

6 COUNCILWOMAN BLACKWELL: Absolutely.

7 MR. WILLIAMS: Thank you very much.

8 COUNCILWOMAN BLACKWELL: Thank you.

9 Thank you, Mr. Williams.

10 (Applause.)

11 COUNCILWOMAN BLACKWELL: Paris

12 Frazier. That is COBRA/CAREY.

13 Good afternoon.

14 MS. FRAZIER: Good morning,

15 Chairwoman Blackwell.

16 COUNCILWOMAN BLACKWELL: Good

17 morning.

18 MS. FRAZIER: And members of the

19 Finance Committee.

20 I am Paris Frazier, co-chair of the
21 Philadelphia Chapter of N'COBRA, the National
22 Coalition of Blacks for Reparations in
23 America.

24 Today I would like to express some
25 of the benefits from an ordinance for

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2 slavery, for ties to slavery disclosure.

3 Philadelphia and New York are in the
4 spotlight during Black History Month, with
5 proposed -- with proposed ordinances for
6 slavery era disclosure.

7 Similar laws now exist in Detroit,
8 Chicago and Los Angeles. Philadelphia would
9 benefit from responsible city vendors willing
10 to research their history on ties to slavery.

11 It would be advantageous to school
12 children by providing them with an
13 opportunity in their early education by
14 showing how the institution of slavery was
15 intertwined in the American history and
16 ingrained in American society.

17 All Philadelphians would be
18 beneficiaries from exposing and confronting
19 the past, and would learn to live without
20 discrimination, to live without prejudice and
21 intolerance today. Thank you.

22 COUNCILWOMAN BROWN: Thank you.

23 COUNCILWOMAN BLACKWELL: Thank you.

24 Very much.

25 Are there questions?

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2 COUNCILWOMAN BROWN: Just one
3 comment. Your remarks with regards to how
4 advantageous it would be for school children
5 is ironic that we had these hearings right on
6 the heels of the School District's new
7 mandate to see that African American history
8 becomes an integral part of the curriculum
9 from K through 12 another year from now.

10 So, for the city to move in the
11 direction of disclosure and link that, if you
12 would, in a responsible way with what the
13 school system is now mandating would be
14 welcome. So I couldn't agree with you more
15 on that. I thank you for your testimony.

16 Can you recommend anything further
17 than what you've given in your testimony on
18 how we on this side of the table can move
19 this, based on your own experience? Anything
20 further you believe we should do on this side
21 of the table?

22 MS. FRAZIER: Well, we would like...
23 My fellow reparators and I would like the
24 opportunity to meet with you in the future to
25 add to this. I think we have a number of

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2 things that we would like to discuss further
3 with this.

4 COUNCILWOMAN BROWN: Subsequent
5 incremental steps, apart and separate from
6 what this measure seeks to accomplish today?

7 MS. FRAZIER: No. Even to -- Even
8 to add further.

9 But I would refrain until I had the
10 opportunity of my fellow reparators to, you
11 know, discuss it.

12 COUNCILWOMAN BROWN: Okay. Then, we
13 will welcome a sit-down.

14 MS. FRAZIER: Okay.

15 COUNCILWOMAN BROWN: Thank you
16 again.

17 (Applause.)

18 COUNCILWOMAN BLACKWELL: Thank you.

19 Mr. David Hansen, Philadelphia
20 Historical Society.

21 MR. MOLTKE-HANSEN: Good morning.

22 COUNCILWOMAN BLACKWELL: Good
23 morning.

24 Please identify yourself and begin
25 your testimony.

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2 MR. MOLTKE-HANSEN: I'm David
3 Moltke-Hansen, President of the Historical
4 Society of Pennsylvania.

5 COUNCILWOMAN BLACKWELL: Is it
6 Moltke?

7 MR. MOLTKE-HANSEN: Moltke-Hansen.
8 It's a hyphenated last name.

9 COUNCILWOMAN BLACKWELL:
10 Moltke-Hansen. Okay. Thank you.

11 MR. MOLTKE-HANSEN: Thank you.

12 The Historical Society of
13 Pennsylvania and its representatives do not
14 advocate for or against legislation. Neither
15 do we advocate for or against historic
16 preservation actions.

17 Rather, we support and share the
18 work of those who bring history to the public
19 by making available one of the great
20 libraries of American history, 20 million
21 items, curricular materials for teachers,
22 programs for historic site interpreters and a
23 variety of publications and web-based
24 materials aimed at researchers and our
25 community history partners.

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2 Here today, however, I may speak to,
3 one, slavery's roles in Pennsylvania history;
4 two, the question of who in Pennsylvania
5 benefited from slavery; three, the issue of
6 researching and documenting such benefits.

7 Slavery's roles. Slavery was
8 present across Pennsylvania, southern border,
9 in Maryland and Virginia long before William
10 Penn founded his colony.

11 Although later the Society of
12 Friends in the colony worked for slavery's
13 abolition, William Penn owned slaves.
14 Slavery continued in Pennsylvania through the
15 Colonial period.

16 As before the American revolution,
17 some wealthy Pennsylvanians owned plantations
18 and slaves after the war, in the south,
19 although the Commonwealth had eliminated
20 continuing slave ownership within its
21 borders.

22 Indeed, some of the wealthiest slave
23 owners in the country in 1860 had grown up in
24 Pennsylvania before migrating to Natches,
25 Mississippi.

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2 These slave owners were not the only
3 Pennsylvanians to benefit from slavery. The
4 Philadelphia area was the chief center of the
5 American insurance and textile industries.

6 And enslaved African Americans
7 produced most of the cotton that Irish
8 immigrants and others turned into cloth and
9 clothing in the area factories owned and
10 insured by wealthy Pennsylvanians.

11 The people who built the homes and
12 factories for and provided the goods and
13 services to these magnates and their kin all
14 received pay that derived in some part from
15 slavery.

16 The same may be said of everyone who
17 dealt with the Philadelphia merchants and
18 bankers who had business relations or often,
19 too, family ties with the south.

20 Tourists now also are involuntary
21 beneficiaries of this wealth when they visit
22 the historic sites and see the art and
23 furniture acquired by these leading
24 Philadelphia families.

25 Indeed, many of the area's

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2 non-profit institutions and their publics in
3 some degree are the incidental and
4 inadvertent beneficiaries of wealth and
5 collections developed by participation in an
6 economy in part based on slavery.

7 Intellectually, too, we have been
8 the heirs, in some degree, of slavery. All
9 the Christians, Jews and Muslims who honor
10 Abraham, father of Isaac, as a spiritual
11 ancestor, are claiming attachment to a slave
12 holder.

13 Plato and Aristotle, the great
14 ancient Greek philosophers, had their lives
15 made easier by slaves. Even Beowulf, the
16 Anglo-Saxon writer, lived in a society with
17 slaves.

18 Scholars have long known these broad
19 implications of slavery in the life of
20 Philadelphia and Pennsylvania.

21 It is more difficult to establish
22 which one of today's individual domestic
23 corporations, foreign corporations,
24 associations, syndicates, joint stock
25 companies, partnerships, joint ventures or

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2 unincorporated associations, including any
3 parent company, subsidiary, exclusive
4 distributor or a company affiliated
5 therewith, engaged in a business or
6 commercial enterprise, derived profits from
7 slavery.

8 Does one include an auction house
9 that has collected a commission on the sale
10 of something once owned by a slave holder?
11 Does one look to the boards of directors or
12 the members of an association or partnership
13 to determine whether anyone had a
14 slave-owning ancestor?

15 Many company's records no longer
16 exist or exist only in part. Smaller
17 businesses often did and do not have
18 elaborate records. Some records are
19 scattered among many institutions and are not
20 always adequately cataloged or inventoried.

21 An aside: We're working very hard
22 on that issue for Philadelphia area
23 institutions.

24 British government -- British
25 government records may tell part of the

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2 story. Federal records may tell part, as may
3 Commonwealth records.

4 To determine with a fair degree of
5 certainty that an antecedent enterprise had
6 no profits, however broadly or narrowly
7 defined, that derived from slavery can be
8 enormously expensive and time-consuming.
9 Historians would welcome the employment.

10 In the end, failure to find proof of
11 involvement in slavery-derived profits will
12 not certainly clear a current enterprise from
13 the imputation of such profits made by an
14 antecedent enterprise because of those
15 difficulties and full research.

16 Thank you. I'd be pleased to take
17 questions, if there are any.

18 COUNCILWOMAN BLACKWELL: Thank you
19 very much.

20 Are there questions for Mr.
21 Moltke-Hansen?

22 Councilwoman Brown.

23 COUNCILWOMAN BROWN: I will yield to
24 Councilman Goode.

25 COUNCILWOMAN BLACKWELL: Thank you.

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2 Councilman Goode.

3 COUNCILMAN GOODE: Thank you.

4 Why does the Historical Society take
5 no position on the legislation?

6 MR. MOLTKE-HANSEN: Well, for three
7 reasons. One, we are a non-profit, and we
8 are under 501-C3. And we are very concerned
9 about the perception of our lobbying. Two --

10 COUNCILMAN GOODE: Taking a position
11 on legislation is not necessarily lobbying.

12 MR. MOLTKE-HANSEN: Understood.

13 Two, we have a small staff, and are
14 being requested frequently to take positions
15 on a variety of issues that confront the
16 historical community.

17 And as a matter of policy, at some
18 point in the past it was decided that we
19 would not respond to any such inquiries
20 except in an informational capacity, such as
21 I have tried to provide today. And --

22 COUNCILMAN GOODE: Aside from a
23 formal policy position, do you have a
24 personal opinion on legislation?

25 MR. MOLTKE-HANSEN: I do. But that

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2 is -- As I'm here as a representative from
3 the Historical Society, and was invited in
4 that capacity, it's inappropriate for me to
5 share that in this venue.

6 I'd be pleased to speak to you
7 privately outside.

8 COUNCILMAN GOODE: Thank you.

9 Thank you, Madam Chair.

10 COUNCILWOMAN BLACKWELL: Thank you.

11 Councilwoman Brown.

12 COUNCILWOMAN BROWN: I'd be pleased
13 to hear your point of view off the record as
14 well.

15 What is the defined role of the
16 Historical Society of Pennsylvania?

17 MR. MOLTKE-HANSEN: We are created
18 to document and provide access to and to
19 share materials from the history of the city,
20 Commonwealth and nation, and are preeminent
21 in the nation in documentation of elements of
22 the nation's founding, and in documenting the
23 ethnic and racial diversity of the nation.

24 COUNCILWOMAN BROWN: Do you have a
25 floor, a corner, files, a portion of the

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2 Pennsylvania Historical Society... The
3 Historical Society of Pennsylvania -- let me
4 get it correct -- devoted to this period in
5 our state's history?

6 MR. MOLTKE-HANSEN: We have very
7 extensive documentation. However, archival
8 principles require that we organize this
9 material according to the people who created
10 the records and for the -- and with regard to
11 the ways in which the records were created
12 and stored, rather than by subject matter, so
13 that the research required in these records,
14 many of which are not yet fully inventoried,
15 is very extensive, which was the point of
16 part of the point of my latter comment.

17 And these records are shared by us
18 with other institutions in the community, and
19 the Library of Congress, and the Schlesinger
20 Library at Harvard. And the list goes on and
21 on and on.

22 So then, even for Pennsylvania
23 subjects, it is not possible to do all the
24 research in Philadelphia or Pennsylvania.

25 COUNCILWOMAN BROWN: Well, you make

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2 the comment in your last paragraph, and I
3 quote, many company's records no longer exist
4 or exist only in part.

5 That is based on what? Requests
6 from companies who have come to you seeking a
7 historical information or what? Help me out.

8 MR. MOLTKE-HANSEN: We are the
9 recipients of records on an ongoing basis --

10 COUNCILWOMAN BROWN: I see.

11 MR. MOLTKE-HANSEN: -- from
12 companies.

13 And for instance, we've just entered
14 into a contract to sort and house and provide
15 research as access to the records of the
16 Philadelphia Cotton Exchange. I mean
17 Philadelphia Stock Exchange. Excuse me.

18 And we have many records of
19 businesses, often involved in family papers
20 as well, because, of course, the separation
21 between corporate and private lives in the
22 18th century was not nearly so substantial as
23 it has become for many in the 20th century.

24 COUNCILWOMAN BROWN: I see.

25 My final question. You mention in

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2 your testimony that your society provides
3 curricular materials for teachers.

4 MR. MOLTKE-HANSEN: We do.

5 COUNCILWOMAN BROWN: Just discuss
6 that briefly. How does that happen? A
7 teacher reaches out to you or you have a
8 standard relationship, partnership?

9 MR. MOLTKE-HANSEN: We have -- We
10 are a recipient of funds from the State
11 Department of Education.

12 COUNCILWOMAN BROWN: Okay.

13 MR. MOLTKE-HANSEN: And are working
14 very intensively with members of the
15 Philadelphia school community.

16 We are currently focusing on eighth
17 grade but hope to eventually go to high
18 school, and also to fourth grade in the other
19 direction.

20 And the reason for the focus on
21 eighth grade is, that's one of the areas
22 where the curriculum that we're developing
23 with state funding on ethnic and racial
24 history of Pennsylvania is central.

25 COUNCILWOMAN BROWN: Is it system

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2 wide?

3 MR. MOLTKE-HANSEN: It's...

4 COUNCILWOMAN BROWN: Is the program
5 system wide for all eighth graders across the
6 city?

7 MR. MOLTKE-HANSEN: It's available
8 to the entire state.

9 COUNCILWOMAN BROWN: Okay.

10 MR. MOLTKE-HANSEN: And the city is
11 making use of parts of it, and it's available
12 on our web site.

13 COUNCILWOMAN BROWN: Okay.

14 MR. MOLTKE-HANSEN: As well as
15 through printed materials.

16 COUNCILWOMAN BROWN: Okay. That's a
17 different answer to the question.

18 Can you tell me which schools in the
19 Philadelphia public school system are taking
20 advantage of this program? Because it's one
21 thing for it to exist, and teachers and
22 principals know about it.

23 It's another thing for it to exist
24 and they have no clue that it's available to
25 provide for their students.

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2 MR. MOLTKE-HANSEN: I would be
3 pleased to provide for you a list of all the
4 schools who are sending teachers to our
5 workshops and the people with whom we are in
6 contact.

7 I will ask my director of education
8 and interpretation, Kate Wilson, to develop
9 that material.

10 COUNCILWOMAN BROWN: Please. If you
11 could forward that to the Chair, that would
12 be very, very helpful.

13 MR. MOLTKE-HANSEN: We would be
14 pleased to do that.

15 COUNCILWOMAN BROWN: Final question
16 around that. How does the awareness happen?
17 Do you send out a notice to Mr. Vallas and
18 the head of the high school component, Mr.
19 Craig Williams, who's responsible for getting
20 that information to eighth graders? How does
21 that connect happen, in terms of awareness?

22 MR. MOLTKE-HANSEN: We are
23 developing a much more extensive list than
24 that. And we'll be pleased to share it with
25 you, the parameters of that list as well, and

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2 how we are going through building that.

3 COUNCILWOMAN BROWN: How old is this
4 particular program?

5 MR. MOLTKE-HANSEN: It began in an
6 experimental mode or developmental mode three
7 years ago. And we are -- we have just gone
8 live in the last year.

9 COUNCILWOMAN BROWN: So it's a
10 multi-year grant.

11 MR. MOLTKE-HANSEN: It's a
12 multi-year project, yes.

13 COUNCILWOMAN BROWN: And how many
14 years is it?

15 MR. MOLTKE-HANSEN: It's ongoing.

16 COUNCILWOMAN BROWN: I see. So...

17 MR. MOLTKE-HANSEN: And for so long
18 as the state department finds it worthwhile
19 to do so. There is no terminus ad quem that
20 I'm aware of.

21 COUNCILWOMAN BROWN: I'll anxiously
22 look forward that information you provide to
23 the Chair on the listing of schools currently
24 aware and using and taking advantage of that
25 program.

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2 MR. MOLTKE-HANSEN: We'll be pleased
3 to provide that material.

4 COUNCILWOMAN BROWN: Thank you for
5 your testimony.

6 MR. MOLTKE-HANSEN: Thank you very
7 much.

8 COUNCILWOMAN BLACKWELL: Thank you
9 again.

10 Mr. Ronald Johnson, NCA.

11 Gwen and Joe Ragsdale are next.

12 COUNCILWOMAN BLACKWELL: Good
13 morning. Thank you for your patience.

14 Please identify yourself for the
15 record and begin your testimony.

16 Good morning.

17 MR. JOHNSON: Good morning. My name
18 is Ronald Johnson. I'm here today
19 representing the National Coalition of Blacks
20 for Reparations in America, Philadelphia
21 Chapter.

22 To Councilwoman Jannie Blackwell and
23 all members of City Council, first and
24 foremost I want to pay tribute to my African
25 ancestors, whose trials, tribulations and

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2 great legacy is the foundation on which I
3 stand before you today.

4 I give respect to Alderwoman Dorothy
5 Tillman of Chicago, Illinois, for having the
6 wisdom to introduce a slavery era corporate
7 disclosure bill in the Chicago City Council
8 and have it signed into law.

9 I want to give respect to Council
10 members Blondell Reynolds-Brown and Wilson
11 Goode, Jr., for having the political courage
12 to introduce a slavery era corporate
13 disclosure bill in this City Council, and
14 Councilwoman Jannie Blackwell for having the
15 political will to conduct this public hearing
16 today.

17 COUNCILWOMAN BLACKWELL: Thank you.

18 MR. JOHNSON: Finally, I want to
19 give honor and respect to my Councilman,
20 Michael Nutter, for first introducing a
21 resolution in 1999 recognizing Reparations
22 Awareness Day in the City of Philadelphia.

23 Why must City Council Bill Number
24 040133 be made law in the City of
25 Philadelphia?

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2 The unpaid labor of my enslaved
3 African ancestors was the fuel that ran the
4 economic engine of this new nation known as
5 the United States of America. It was the
6 unpaid labor which propelled this new nation
7 to become one of the most powerful nations in
8 the world today.

9 Cotton, tobacco, and rice were just
10 a few of the products produced by the unpaid
11 labor of my African ancestors.

12 Financial institutions, such as
13 banks and insurance companies profited from
14 insuring enslaved Africans, as well as the
15 direct sale of enslaved Africans from one
16 plantation to another.

17 There are precedents in
18 international law that entitle descendants of
19 enslaved Africans to their just inheritance.

20 Even more important than
21 international law is a spiritual power behind
22 this movement to restore and repair
23 descendants of enslaved African people
24 stripped of their original land, names,
25 religion, language, and culture.

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2 In Collosians, Chapter 4, Verse 1 it
3 reads, masters, give unto your servants that
4 which is just and equal knowing that ye also
5 have a master in heaven.

6 In Jeremiah 22, Verse 13, it reads,
7 woe unto him that buildeth his house by
8 unrighteousness and his chamber by wrong,
9 that uses his neighbor's service without
10 wages and give him not for his work.

11 Those governments, businesses,
12 institutions of higher learning, and
13 religious denominations, as well as
14 individuals, who profited unjustly must be
15 held accountable and contribute financially
16 to the ongoing repair of the descendents of
17 enslaved African people, illegally kidnapped
18 and immorally forced into mental and physical
19 slavery in these United States of America.

20 Thank you. I'll take any questions.

21 COUNCILWOMAN BLACKWELL: Thank you
22 very much.

23 (Applause.)

24 COUNCILWOMAN BLACKWELL: Thank you
25 again.

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2 Councilwoman Brown.

3 COUNCILWOMAN BROWN: Yes. I'd like
4 to pose the same question. Let me first
5 thank you for your testimony.

6 MR. JOHNSON: You're welcome.

7 COUNCILWOMAN BROWN: And as much as
8 you give respect to my colleagues, Councilman
9 W. Wilson Goode and Councilwoman Jannie
10 Blackwell, let me also salute and applaud
11 your vigilance and what my mother calls
12 sticktoitiveness, in making sure that we
13 bring this up and put this up on the radar
14 screen.

15 MR. JOHNSON: I appreciate that.

16 COUNCILWOMAN BROWN: Can you
17 recommend anything further than what you have
18 given in your testimony, that we on this side
19 of the table should consider as we proceed?

20 MR. JOHNSON: The only thing is to
21 move this process as fast as we can, in a
22 reasonable amount of time, to bring this bill
23 before the full Council for a vote. I mean,
24 that's pretty much where I'm at with it.

25 COUNCILWOMAN BROWN: Have you

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2 participated in any other lobbying efforts
3 here or elsewhere around this issue?

4 MR. JOHNSON: Yeah. Washington,
5 D.C. We're constantly lobbying to have House
6 Resolution 40 passed in the Congress.

7 And we're also involved, not
8 actively but we do have to step up, trying to
9 get the... There's a state bill also
10 tailored after the bill in Washington. It's
11 called a Commission to Study Reparations for
12 African Americans Proposal. It's a state
13 bill introduced by -- originally introduced
14 by David Richardson.

15 COUNCILWOMAN BROWN: I see.

16 MR. JOHNSON: Currently introduced
17 by Representative John Myers.

18 COUNCILWOMAN BROWN: I see.

19 MR. JOHNSON: So, that's where...
20 You know, we're constantly lobbying for those
21 bills.

22 COUNCILWOMAN BROWN: And the status
23 of the bill in the State House is that it has
24 been introduced?

25 MR. JOHNSON: It's introduced every

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2 year, but...

3 COUNCILWOMAN BROWN: I see.

4 MR. JOHNSON: As well as the Federal
5 bill. They're in committee.

6 And I believe these hearings and
7 these bills that are being passed in the
8 cities around the country may be -- may be
9 the fuel to help move those bills out of
10 committee, on both the federal and state
11 level.

12 COUNCILWOMAN BROWN: Okay, then.

13 MR. JOHNSON: I have also, if I may
14 read a letter of support from an organization
15 called the Institute of African Senate
16 Education and Community Development. Can
17 that be read?

18 COUNCILWOMAN BROWN: Please.

19 MR. JOHNSON: Okay. Again, this is
20 from the Institute of African Senate
21 Education and Community Development.

22 Good afternoon. On Monday, February
23 28th, Council members will conduct a hearing
24 regarding Bill 040133, slavery era business
25 corporate insurance disclosure, which was

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2 introduced by Council members Blondell
3 Reynolds-Brown and Wilson Goode, Jr. on
4 February 19, 2005.

5 This meeting and hearing are very
6 important, particularly to people of African
7 descent in the City of Philadelphia, and the
8 United States, and are truly long overdue.

9 The members of the Institute of
10 African Senate Education and Community
11 Development want to give our support for the
12 Council record, for this hearing, and for the
13 passing of this bill into law.

14 This amendment will identify
15 corporate entities who benefited financially
16 from the slavery of African people, and
17 assist in the provision of evidence that will
18 serve as the foundation for the passing of
19 Federal legislation regarding reparations.

20 African people are owed, and it is
21 time to collect from guilty corporations and
22 the United States government.

23 Once the hearing process is
24 completed, the institute urges you to do the
25 right thing by voting this bill into law. No

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2 excuses will be accepted.

3 We request that you read this letter
4 into the Council record and send us any
5 information regarding this bill. Your
6 efforts will be greatly appreciated, and we
7 thank you in advance.

8 In closing, we want to especially
9 thank N'COBRA, the National Coalition of
10 Blacks for Reparations in America, for all
11 their hard work in bringing this issue to
12 City Council for consideration.

13 The institute also wants to thank
14 every one involved in this monumental and
15 historic accomplishment.

16 We salute and thank Council members
17 Blondell Reynolds Brown and Wilson Goode,
18 Jr., for having the courage to present the
19 bill to Council in spite of the controversy
20 surrounding it. May Allah bless them.

21 Thank you for your time and
22 attention and have a character-building day.
23 This is submitted by Peter Dixon, he's the
24 founder and Executive Director of the
25 Institute of African Senate Education and

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2 Community Development. I will see that all
3 Council members get a copy of this.
4 COUNCILWOMAN BLACKWELL: Thank you
5 very much.
6 MR. JOHNSON: Okay.
7 COUNCILWOMAN BLACKWELL: Thank you
8 for your excellent testimony.
9 MR. JOHNSON: All right. Thank you.
10 (Applause.)
11 COUNCILWOMAN BLACKWELL: Gwen and
12 Joe Ragsdale, Lest We Forget.
13 Next will be Ernest
14 Caldwell-Bannister, African American Freedom
15 and Re-construction League. Are you here?
16 You'll be next.
17 MS. RAGSDALE: Thank you, Finance
18 Committee for having us.
19 COUNCILWOMAN BLACKWELL: Thank you.
20 Good morning.
21 MS. RAGSDALE: Good morning to you
22 all.
23 We have a vast private collection of
24 slavery artifacts and Jim Crow memorabilia
25 which we call Lest We Forget.

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2 In the present stage it is a
3 traveling museum, where we go all over the
4 country exhibiting our collection at schools,
5 churches and other organizations.

6 Our belief is that once you see
7 articles and items that restrained and
8 punished enslaved Africans, it really brings
9 history alive and makes you realize that
10 slavery was a harsh thing that happened to
11 our people, and that it happened for a very
12 long time. And the vestiges of slavery still
13 exist today.

14 My husband started this collection
15 over 30 years ago. His passion is to make
16 sure our young people and all young people
17 recognize that slavery was a dark and tragic
18 period in American history, but it also
19 speaks to the enduring spirit of African
20 American people.

21 COUNCILWOMAN BLACKWELL: Thank you.

22 MR. RAGSDALE: I want to give honor
23 to God, from whom all blessings flow.
24 Without his tender mercy and kindness to me,
25 we wouldn't be here today.

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2 I am J. Justin Ragsdale, President
3 and C.E.O. of the Lest We Forget Black
4 Holocaust Museum and Slavery -- American
5 National, whatever it is, slavery.

6 MS. RAGSDALE: Museum of National.

7 MR. RAGSDALE: She keeps changing
8 the name on me. Okay.

9 But what we have here is a traveling
10 exhibit. We have a traveling exhibit that
11 I've been collecting, like she said, for 30
12 years.

13 This exhibit, I have the largest
14 collection of slavery hardware in the
15 country. We have 700 -- We have 7,500 pieces
16 of slavery artifacts. We have 500 pieces of
17 hardware.

18 Oh, strange as it may seem, like a
19 woman would go into her pocketbook and come
20 out with her kid's pictures, we happen to
21 have a few with us.

22 This article here (Indicating) is a
23 slave article that fixes it so slaves would
24 not run away. This also (Indicating) is a
25 slave catcher's shackle.

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2 This is what was done to black
3 people in America, disenfranchised people
4 brought off ships right down here in
5 Philadelphia on our docks, right there at
6 Head House Square, and brought up through 6th
7 and Walnut which was Congo Square and sold
8 like animals.

9 We're here to show the people,
10 mostly young people, give them a value of
11 what happened because without the past they
12 have no future. They don't know what's going
13 on, and it is up to us to tell them.

14 The reason our children are like
15 they are today is because we did not tell it.
16 My mother didn't tell me anything. I had to
17 go find out that my father didn't like butter
18 because he was a slave on a plantation that
19 had dairy farms and he didn't like butter. I
20 had to find these things out.

21 I had to find out that my parents
22 didn't talk about things because they were
23 afraid that we would be less than what we
24 are. We have to tell what happened in the
25 past.

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2 My thing is not to tell you about
3 buckets and brooms. And I'm not concerned
4 about a quilt, and how the shoes the slaves
5 wore. It does not interest me.

6 What interests me is the horrors of
7 the slaves coming down out of those mountains
8 into those chambers and onto those slave
9 ships, those death ships. That's what I'm
10 talking about.

11 This is my passion. That's why I'm
12 here.

13 (Applause.)

14 MR. RAGSDALE: The bill that you're
15 trying to push through... God help it. It
16 must go through. Anything that contemplates
17 or even gives a thought that slavery should
18 be abolished or there should be some kind of
19 recompense, then I am 100 percent for it.

20 But right now we must build a
21 foundation. And the foundation is knowledge.
22 And knowledge is power. And without the
23 knowledge of the things that happened in that
24 day, our children are going to die.

25 (Applause.)

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2 MR. RAGSDALE: Now, I'm here, I'm J.
3 Justin Ragsdale. And I'm able to answer any
4 question you ask me. And help yourself.

5 COUNCILWOMAN BLACKWELL: Thank you
6 very much, Mr. and Mrs. Ragsdale.

7 MR. RAGSDALE: You are not kicking
8 me out, are you?

9 COUNCILWOMAN BLACKWELL: Absolutely
10 not.

11 MR. RAGSDALE: Okay. I've been
12 kicked out of so many places. I'm telling
13 you.

14 COUNCILWOMAN BLACKWELL: Not here.
15 This is the people's chamber.

16 MR. RAGSDALE: Yes, ma'am. Thank
17 you so much.

18 COUNCILWOMAN BLACKWELL: You're
19 always welcome here.

20 Councilwoman Blondell
21 Reynolds-Brown.

22 COUNCILWOMAN BROWN: And your
23 passion on the issue is welcomed here.

24 Please brief us briefly what your
25 connect is with the Philadelphia public

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2 school system, how that happens.

3 MS. RAGSDALE: Actually, we work
4 with each school separately. We do not have
5 a contract with the School Board.

6 We would like to -- I was just
7 telling Mr. Moltke-Hansen, we would like to
8 talk to him about perhaps partnering with him
9 and his educational program.

10 But what we do is, we have a lot of
11 different schools that we have shown our
12 collection at: Sayre Jr. High, West
13 Philadelphia High, William Penn. But we do
14 it on an individual basis.

15 COUNCILWOMAN BROWN: So the
16 leadership of the school has to reach out to
17 you.

18 MR. RAGSDALE: That is correct, the
19 administration reaches out to us.

20 And many of the times it's through
21 word of mouth and people who have seen our
22 collection in other places.

23 But I can tell you that every time
24 that we do these exhibits, we change young
25 people. Seeing this collection and hearing

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2 the presentation from my husband is a
3 life-altering --

4 MR. RAGSDALE: Experience.

5 MS. RAGSDALE: -- experience.

6 And you cannot sit and see things
7 like this and hear about the horrors of
8 slavery and not recognize, as he said, some
9 recompense at some time needs to be taken
10 care of.

11 So, it's important to us. And not
12 only young people, but all people, white and
13 black alike, recognize that slavery was
14 horrible, but embrace it and realize that as
15 African Americans, this is our history. Like
16 it or not, this is how we came to America.

17 MR. RAGSDALE: You know,
18 understanding is a great thing, you know.
19 If, in fact, a person does something to you
20 and you can understand why he did it, then
21 you're not so harsh in your retribution, if
22 in fact you have it at all.

23 The one thing we must do is make
24 people understand that there is a past in
25 slavery. There is a past. And it's not

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2 over. It's not over. These chains now are
3 on the minds of our children.

4 You see, these are like Pavlov's
5 dog. Pavlov's dog was chained to the wall.
6 He was chained to the wall until he realized
7 that that was where he lived.

8 Our children have no clue as to
9 what's going on. Our children could walk
10 along the street and curse in front of older
11 people, something we were not allowed to do.

12 Miss Susie would tell everything we
13 did. But when Miss Susie came near us, we
14 gathered ourselves together and the cursing
15 stopped.

16 I never told nobody I didn't curse.
17 I was probably a sailor when I was four, but
18 nonetheless, we had some respect.

19 And the one thing we have not, we
20 don't have the discipline. Without
21 discipline, you have nothing. Without
22 discipline, rivers run over their banks.
23 That's how floods are formed because there's
24 no discipline.

25 Without discipline you couldn't hang

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2 the lights in here. The discipline is the
3 steel girder that holds it. You can't even
4 hang a man without a discipline. The
5 discipline is the tree or the branch you put
6 him on.

7 We must get that discipline. We
8 must take control. I've heard that they said
9 they've taken away from us the very vestiges
10 of energy that we need to correct our
11 children, meaning you can't put your hands on
12 them.

13 If we put our hands on our children,
14 then we can go to jail. We should load the
15 jails up. We should be sitting in jail
16 waiting in line to go in because unless we
17 take charge of our children, there are --
18 They're killing each other now. We're next.
19 I'm telling you.

20 There is no compassion to a gun.
21 There is no compassion to a 6-year-old.
22 There is no compassion to a 10-year-old who
23 picks up a gun and mutilates someone else
24 because he does not know his history. He
25 doesn't have a clue. He doesn't even know.

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2 It is up to us sitting here in
3 Council chambers to do something about it,
4 because we're in the driver's seat, white and
5 black, regardless of who we are.

6 We stand here. You make the rules.
7 How dare we sit here and say, there's nothing
8 we can do. We have to vote on it. Fix it.
9 You in charge.

10 (Applause.)

11 COUNCILWOMAN BLACKWELL: Thank you
12 very much. Thank you.

13 Councilwoman Brown.

14 COUNCILWOMAN BROWN: One final
15 question. Have you participated in any other
16 similar lobbying efforts like this any place
17 else around this issue?

18 MS. RAGSDALE: No, we have not.

19 MR. RAGSDALE: Well, we have been
20 asked to come to Washington to do it, to
21 lobby, and do a talk and bring a
22 presentation.

23 Our presentation was at the Visitors
24 Center Friday, Saturday and Sunday. It was
25 huge. We had out more things than you'd ever

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2 imagine. We have the largest collection.
3 Museums that you go in have nothing on Joe
4 Rags and Gwen Rags; nothing, absolutely
5 nothing.

6 You can go into any museum in this
7 country and find absolutely nothing because
8 we have it all. We have it here in
9 Philadelphia.

10 We have acquired a building. We
11 need help to renovate this building. We need
12 money to fix it. This is Philadelphia, the
13 vestige, and the place where liberty started.

14 How dare we not have something for
15 people to say slavery was here. We abolished
16 it. But Lest We Forget.

17 MS. RAGSDALE: Just to answer your
18 question again, Councilwoman. Yes, we have
19 been invited to the Black Caucus. However,
20 we have not been able to take part in
21 anything formally as we have today.

22 MR. RAGSDALE: Because they keep
23 kicking me out.

24 COUNCILWOMAN BROWN: Congressional
25 Black Caucus?

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2 MS. RAGSDALE: Congressional Black
3 Caucus, yes.

4 COUNCILWOMAN BROWN: Thank you very,
5 very much for your testimony.

6 MS. RAGSDALE: Thank you very much
7 for the opportunity.

8 (Applause.)

9 COUNCILWOMAN BLACKWELL: Thank you.

10 MS. RAGSDALE: Thanks.

11 COUNCILWOMAN BLACKWELL: Ernest
12 Caldwell-Bannister, African American Freedom
13 and Re-construction League.

14 Thank you very much. Welcome.
15 Please introduce yourself for our record and
16 begin your testimony.

17 MR. BANNISTER: Good afternoon,
18 Council members.

19 COUNCILWOMAN BLACKWELL: Good
20 afternoon.

21 MR. BANNISTER: My name is Ernest
22 Caldwell-Bannister. I'm Co-chair of the
23 African American Freedom and Re-construction
24 League.

25 I'm here to testify in favor of Bill

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2 040133, introduced by Council members

3 Reynolds-Brown and Wilson Goode, Jr.

4 The African American and Freedom and

5 Re-construction League supports the passage

6 of Bill 040133, that will add a new

7 subsection entitled, Slavery Era Business and

8 Corporate Insurance Disclosure to the

9 existing section entitled, Prerequisites to

10 the Execution of City Contracts.

11 Our organization supports this bill

12 for the following reasons: In the face of

13 historic and current efforts by this

14 nation's, state's, and city's power elites,

15 to deny, demean, obfuscate or simply ignore

16 the holocaust, the MAAFA of the enslavement

17 of Africans brought to the Americas, this

18 bill is one small but important step toward

19 gathering the evidence, establishing the

20 facts and placing on record the legalized

21 theft of labor that allowed the unjust

22 enrichment of many of what are now the

23 leading corporate citizens of American

24 capitalism and commerce.

25 To the extent that this ordinance

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2 assists in making the case that America still
3 needs to make good on the historic bad check
4 written to black America by this government,
5 that Dr. Martin Luther King referred to in
6 his oft quoted "I have a dream" speech, then
7 we view it as a valuable tool in the tool box
8 needed to build the movement to obtain
9 reparations for nearly 500 years of
10 enslavement and neo-subjugation of African
11 people.

12 To the extent that this ordinance
13 helps put the lie to this society's claim of
14 insufficient funds, when it comes to
15 addressing the myriad problems that are
16 slavery's legacy, it is a welcomed and useful
17 public policy.

18 The exposure of those who have
19 profiteered directly or indirectly from the
20 theft of black labor is useful and educates.

21 The African American community in
22 Philadelphia and throughout this country face
23 a litany of crisis in health, education,
24 employment, economic development, crime, and
25 more.

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2 As we put forth in our
3 organization's mission statement over seven
4 years ago, quote, the white establishment and
5 many of its Negro spokes people blame the
6 victims for this horrific situation.

7 They seldom tire of telling the
8 masses: If you don't vote, you don't count
9 or you people are just too lazy, dirty, too
10 pathological, too criminal.

11 It is your behavior, they tell the
12 poor, which is the cause of your poverty. We
13 are a people with problems. We are not the
14 problems. But by blaming us, they seek to
15 divert attention from the social, economic
16 and historical sources of the problem.

17 We must boldly tell them that
18 poverty, joblessness, and despair find their
19 sources in eight generations that endured the
20 killing fields of chattel slavery and the
21 three-and-one-half swallowed up in the
22 semi-slavery of sharecropping and Jim Crow
23 segregation, unquote.

24 We rightfully level harsh criticism
25 at our black elected and appointed officials

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2 when they fail to stand up for the interests
3 of those who elected them and whom they are
4 supposed to represent.

5 We thank Councilwoman Reynolds-Brown
6 and Councilman Goode for introducing this
7 bill and urge your colleagues to support and
8 vote its passage.

9 Submitted with conviction by the
10 African American Freedom and Re-construction
11 League; and I hasten to add, Councilwoman
12 Jannie Blackwell as the Chair because she's
13 got the gavel.

14 COUNCILWOMAN BLACKWELL: Thank you
15 very much.

16 (Applause.)

17 COUNCILWOMAN BLACKWELL: Thank you
18 very much for your testimony and your
19 patience.

20 Mr. Leon Williams, attorney-at-law.

21 Mr. Michael Coard attorney, who is
22 here for Avenging the Ancestors Coalition.

23 We welcome you both.

24 Good afternoon.

25 MR. WILLIAMS: Good afternoon.

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2 COUNCILWOMAN BLACKWELL: Good
3 afternoon.

4 We thank you for your input on this
5 issue and your many years of hard work in
6 this regard.

7 MR. WILLIAMS: It's very good to be
8 here. I'm usually here as an antagonist.
9 I've been a big critic of City Council people
10 over the years. I even sat back there with a
11 broom several years ago advocating a full
12 sweep of the City Council.

13 But I want to be consistent. When I
14 found out about this proposed legislation, I
15 was elated. When I found out who had
16 introduced this, Councilman Goode and
17 Councilwoman Blondell-Reynolds, I was proud.
18 And I don't usually get proud of public
19 officials.

20 I'm sure that there's been some
21 pressure on you two because I know what the
22 impact of this bill will be. It will require
23 justice for a change. And it wouldn't in and
24 of itself bring about reparations, but it
25 will certainly shine a light on the crimes

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2 that have been committed against African
3 people and on the perpetrators of those
4 crimes.

5 African Americans make up at least
6 half of the population in this city, and I'm
7 glad to see the officials that we elected
8 come forth with some sort of legislation
9 designed to do justice to our ancestors.

10 When our leaders do wrong, of
11 course, we criticize them; and when they do
12 right, we need to support them.

13 I just want to say to all the rest
14 of the City Council, I hope you get behind
15 this bill because it's really meaningful.

16 I am surprised that I didn't see it
17 on the front page of the Inquirer or Daily
18 News today. This is the most important piece
19 of legislation that I've seen since I've been
20 here in Philadelphia, and I'm 56 years old.
21 Thank you.

22 (Applause.)

23 COUNCILWOMAN BLACKWELL: Thank you,
24 Mr. Williams.

25 The Chair also notes that Councilman

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2 Juan Ramos is here. We did not introduce him
3 earlier. Thank you.

4 Mr. Coard.

5 MR. COARD: Thank you.

6 My name is Michael Coard. I'm an
7 attorney, and I'm a member of ATAC, Avenging
8 The Ancestors Coalition.

9 ATAC is a broad-based coalition of
10 historians, students, lawyers, media
11 personalities, community activists, and
12 others, who are successfully petitioning the
13 Federal Government to officially,
14 permanently, and prominently memorialize the
15 Africans enslaved by George Washington at
16 America's first White House which, believe it
17 or not, was not in Washington, D.C. but was
18 right here in Philadelphia, beginning in
19 1790.

20 Just a few blocks from where we sit
21 today, George Washington, the father of this
22 country, held Africans in brutal bondage as
23 slaves.

24 In fact, the interesting thing that
25 most people don't realize is that

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2 Philadelphia itself, Philadelphia itself was
3 among the top ten leading slave ports,
4 leading slave ports ahead of southern slave
5 ports.

6 So, it's perfect that the City
7 Council of Philadelphia is now trying to
8 right the wrong of Philadelphia's history.

9 Having said that, I say, good
10 afternoon to you, Council member Rick
11 Mariano, to Council member Juan Ramos,
12 certainly to Council member Wilson Goode who
13 co-authored this bill, and to Jannie
14 Blackwell, Finance Chair, certainly I say
15 good afternoon to her, and especially to City
16 Councilperson Blondell Reynolds-Brown for not
17 only sponsoring the bill but also personally
18 inviting me and ATAC to be present.

19 I handed out a position paper from
20 ATAC. It's almost five pages long, so I'm
21 not going to spend half the afternoon reading
22 it. Just going to spend maybe two minutes
23 going over the highlights.

24 First of all, before I begin
25 explaining why ATAC supports this bill, I

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2 want to give credit where credit is due, and
3 that's to N'COBRA and Ron Johnson.

4 Much of the information that ATAC
5 has gotten and most folks have gotten in
6 connection with the reparations movement has
7 come from N'COBRA. So, they deserve credit
8 for that.

9 One of the things that I want to
10 make clear, and Leon Williams -- attorney
11 Leon Williams touched on it, is, this bill,
12 Bill 040133 does not -- I repeat -- does not
13 call for reparations.

14 It simply calls for disclosure. And
15 as an attorney, we always hear in court that
16 it's all about telling the truth, the whole
17 truth and nothing but the truth. And that's
18 exactly what the disclosure component of this
19 bill will do.

20 Without going through all the
21 arguments I set forth in my four- or
22 five-page position paper, I'm going to deal
23 with the basic argument. And the basic
24 argument is that there is a historical
25 justification for what we're trying to do

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2 here today and a legal justification.

3 We heard from N'COBRA earlier, and
4 we heard from the African American Freedom
5 and Re-construction League. And the term
6 MAAFA was used. And I think that's pertinent
7 because when you talk about the horrors of
8 slavery, you have to understand that it's
9 much more than what we read in historical
10 magazines.

11 Slavery was real. I mean, imagine
12 for a moment a brother taken away from his
13 little sister in West Africa, a husband taken
14 away from his wife, a father from his son, a
15 mother from her daughter, and you never ever,
16 ever will see that person again.

17 We're sitting here today. Can you
18 imagine some Martians from outer space
19 grabbing the person sitting next to you and
20 you'll never see that person again.

21 And it's horror -- the horror, the
22 horrific nature of slavery commands and
23 compels us to do the right thing here.

24 I talked about how brother was taken
25 from sister, husband from wife, father from

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2 son, mother from daughter. And it didn't end
3 there. They trekked for about 1,000 miles in
4 the African continent to get to the shores of
5 West Africa.

6 And once they got there, they were
7 placed in things called factories which were
8 basically bamboo jails, where they set there
9 for weeks on end.

10 And then after that they saw
11 approaching on the horizon what they came to
12 know as floating hell holes, where they were
13 packed like sardines, in their own feces, in
14 their own urine, in their own vomit for 200
15 years, from about 1619 to at least 1808.

16 And during this 90-day trek, they
17 were beaten, they were tortured, they were
18 raped, they were inflicted with disease and
19 frequently thrown overboard into
20 shark-infested waters.

21 So, when we talk about why even
22 discuss reparations, why even discuss
23 disclosure of those who were involved in
24 slavery, you look at what happened to these
25 Africans. They lost not only their freedom.

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2 They lost their culture.

3 And I just want to be clear here. I
4 don't mean to diminish or minimize the
5 horrors of any other ethnic group, but I can
6 say this about the African or I should call
7 it the Transatlantic slave trade.

8 Unlike any other group, from the
9 first time a human being set foot on this
10 planet, Africans lost more than anyone.

11 And folks say, well, what do you
12 mean by that?

13 Africans not only lost their
14 freedom. They lost their culture, their
15 lifestyle, their family, their language,
16 their land, their religion, their name, their
17 status as human beings, and often their
18 lives.

19 (Applause.)

20 MR. COARD: When you look at the
21 horror of this, you understand that this was
22 not something that happened for a day or for
23 a week or for a year.

24 But for at least 246 years, from
25 1619 to 1865; and I'd go beyond 1865 to say

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2 that things didn't begin to change until 1964
3 with the Federal Civil Rights Act.

4 So, we have at least 246 years of
5 uncompensated labor. And despite that,
6 Africans have contributed mightily each
7 century, from the 17th century up till today,
8 in terms of making America the great country
9 that it is.

10 And folks say, okay, Mike,
11 everything you say there might be true, but
12 the fact is slavery doesn't exist any more.
13 Why are you black folks still complaining and
14 whining and moaning today?

15 And the answer's pretty simple.
16 It's all about the vestiges of slavery.
17 That's the key thing here. When you look at
18 slavery, you look not only at those who went
19 through that hell -- and certainty they went
20 through that hell -- but you look at what
21 happened to the offspring, the offspring of
22 those who were enslaved.

23 Their status as victims of
24 institutional racism today, as exhibited in
25 the dejour and defacto vestiges of slavery.

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2 And more important, when you look at
3 our plight today, we're on the bottom of the
4 totem pole when it comes to economics, when
5 it comes to social issues, political issues
6 and educational issues.

7 And when you look at that, you say
8 well, one or two reasons exist for that.
9 Either one, black folks are genetically
10 predisposed to be at the bottom; or two, the
11 vestiges of slavery caused it.

12 And I think the answer there is
13 quite simple. When you talk about historical
14 reasons -- I could go on and on, but I want
15 to wrap this up. History mandates support
16 for this bill.

17 And then I jump to the legal
18 arguments. And as an attorney, I can let you
19 know that if this case -- if any reparations
20 case went to court, there would be solid
21 legal arguments in support of it.

22 Before I get into the legal
23 arguments that would support it, when you
24 look at the law, the law made slavery. And
25 the law can correct slavery and the vestiges.

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2 And people say, what do you mean by
3 that?

4 Let's start with the first official
5 legal/political document to come out of this
6 country, 1776, The Declaration of
7 Independence. 30 -- I'm sorry -- 55. 55
8 white male property owners signed that
9 document.

10 And while they were complaining
11 about taxation without representation from
12 Britain, they held -- at least one third of
13 those 55 held black folks in brutal bondage.
14 These are the founding fathers, those who
15 laid the foundation for this country.

16 (Applause.)

17 MR. COARD: So, beginning... So,
18 beginning with the first official
19 legal/political document of this country, the
20 racism exists right there, not only in regard
21 to the fact that one third of the 55 owned
22 Africans as slaves, but there was strong
23 language condemning slavery that was in the
24 first draft of the Declaration of
25 Independence, but Thomas Jefferson and others

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2 purposely removed that strong language that
3 condemned slavery.

4 Then you jump to 1789 with the U.S.
5 Constitution. And Leon and I both as
6 attorneys understand that when you talk about
7 the law, the fundamental laws of the U.S.
8 Constitution, well, if that's so -- and it
9 is -- the Constitution itself, the most
10 fundamental document in American history
11 itself is a racist document.

12 And folks say, how is that?

13 And the answer is pretty simple. If
14 you go to Article 1, Section 2, Clause 3 of
15 the U.S. Constitution, you'll see the
16 three-fifths clause.

17 And people say, well, Mike, the
18 three-fifths clause was actually a benefit to
19 you black folks because the south actually
20 would have had more power if they could count
21 their slaves as humans.

22 So, we all did you a favor by saying
23 that we would dilute the power of the south
24 by making slaves only three-fifths.

25 And I say, that would make sense if

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2 it were consistent. It's okay to make us
3 three-fifths, in terms of votes, but also
4 give us three-fifths of the jobs. Pay us
5 three-fifths of the salaries. Give us
6 three-fifths of the land. So, you have to be
7 consistent.

8 And then you look at Article 1,
9 Section 9, Clause 1 of the U.S. Constitution.
10 That's the 20-year continuation of the
11 importation of slavery.

12 In 1789 the founding fathers said,
13 it's too much money being made to end slavery
14 now. So, we're going to carry it on for
15 another 20 years, another two decades.

16 And I got to be clear. They didn't
17 say they would end slavery in 20 years. They
18 said they would end the importation of slaves
19 in 20 years.

20 So, what that meant is in 1808 we
21 stopped bringing in new slaves. But we make
22 new slaves. We find the strongest black
23 woman on the plantation. We find the
24 strongest black man on the plantation. And
25 we force them to breed together, and we make

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2 new slaves, because the new laws of 1808 says
3 we can't bring any more in, but nothing stops
4 us from building more.

5 And the third blatantly racist
6 component of the U.S. Constitution, Article
7 4, Section 2, Clause 2, the runaway return
8 clause, which said, if an enslaved African
9 left a slave state and went to a free state
10 or left a slave territory and went to a free
11 territory, the U.S. Constitution, Article 4,
12 Section 2, Clause 2 mandated that that
13 African be brought back into bondage.

14 The law made slavery. The law
15 supported slavery. And you all as lawmakers
16 can help bring an end to slavery and the
17 vestiges.

18 (Applause.)

19 MR. COARD: It gets even worse with
20 the 1857 Dred Scott decision. People know
21 that Justice Taney stated that the black man
22 has no rights that the white man is bound to
23 respect.

24 But what we don't know is that when
25 Dred Scott first brought that case into court

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2 he went to a jury of six white men, who
3 actually ruled in his favor.

4 The six white men said, okay. You
5 were a slave. You left the slave territory,
6 went to a free territory. Based on the law,
7 you're a free man.

8 Well, his former master and the
9 family filed an appeal, went up to the U.S.
10 Supreme Court, and they decided that he was
11 not a citizen; he was not a human.

12 In fact, Justice Taney made it
13 clear. Your legal argument is sound, but you
14 are a black man making it. And because
15 you're a black man making it, it's like a
16 horse or a dog or a chicken making the same
17 argument. The black man has no rights that
18 the white man is bound to respect.

19 And then when slavery ended,
20 allegedly, in 1865, the south and some
21 northern states came up with what they called
22 the black codes to keep blacks in the
23 slave-like position.

24 1865 there was a chance to move
25 toward changes with the 13th Amendment and

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2 the so-called Emancipation Proclamation, but
3 they really didn't really go as far as they
4 could have.

5 There were attempts in 1865 by
6 people like General William T. Sherman, who
7 issued Special Order 15, which is the famous
8 40 acres and a mule. Unfortunately, that
9 order was reversed by President Andrew
10 Johnson.

11 Then in 1866 Pennsylvania
12 Congressman Thaddeus Stevens came up with a
13 40 acres and a mule amendment to the
14 Freedom's Bill. Again, that was reversed.

15 Just recently in 1989 Congressman
16 John Conyers attempted through House
17 Resolution 40, H.R. 40, to do the same kind
18 of thing toward reparations. And we heard
19 N'COBRA talk about that.

20 What we need to do at this point,
21 from a lawyer's standpoint -- And that's why
22 I said earlier -- And I promise you I'll wrap
23 this up in 30 seconds. What we need to
24 understand is that as horrible as what I laid
25 out -- and certainly it is horrible -- it's

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2 not just an emotional argument. It's a legal
3 factual argument.

4 When you talk about reparations,
5 it's defined in lay terms as repairing. In
6 legal terms it's about a remedy for a wrong
7 done. So, if it's about a remedy for a wrong
8 done, any lawyer can tell you that the
9 fundamental rule of law is that for every
10 wrong there must be a remedy.

11 (Applause.)

12 MR. COARD: And the remedy here
13 would be, first, disclosure as the bill calls
14 for and ultimately reparations.

15 Now, folks say, well, Mike, what do
16 you mean? When you go into court, what are
17 you going to argue? How can you justify an
18 argument for reparations?

19 The answer is simple. Five basic
20 arguments. One is called unjust enrichment.
21 Unjust enrichment is the inequitable
22 possession of benefits belonging to another
23 person.

24 For example, a lot of folks today
25 say -- white folks, I must point out, say --

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2 well, I didn't enslave you. So, why should
3 we talk about reparations?

4 The answer is simple. And this is
5 the example I always give. I could be
6 walking down Market Street. And I see a
7 white man. He has a really nice watch on.

8 And I say to the man, can I see that
9 watch?

10 And he shows me. And I see engraved
11 on the back, Michael Coard, Sr.

12 And I say, my great grandfather was
13 Michael Coard, Sr. How did you get that
14 watch?

15 And he says, well, my great
16 grandfather gave it to -- He says, my father
17 gave to it me.

18 I said, where did your father get it
19 from?

20 He got from it my grandfather.

21 Where did your grandfather get it
22 from?

23 He got it from his grandfather.

24 And I find out that his great great
25 grandfather stole my great great

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2 grandfather's watch.

3 So, I'm saying to the man, sir, I'm
4 not accusing you of stealing my watch. I'm
5 not accusing you of stealing my great great
6 grandfather's watch.

7 I'm saying the watch was stolen.
8 You got it. You got to give it up. That's
9 the theory of unjust enrichment.

10 (Applause.)

11 MR. COARD: And in addition to
12 unjust enrichment, there's something called
13 theft of services. That's the unlawful
14 taking of the labor of another person.

15 We all know about people who steal
16 cable. You might not pay for the cable but
17 you get it. That's theft of services.

18 So, if somebody does the labor, like
19 enslaved Africans did, and you didn't pay
20 them, that's theft of services.

21 There's also something, another
22 theory called conversion. That's the
23 wrongful exercise of control over that which
24 belongs to another person, to the exclusion
25 of that person.

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2 Number four is the intentional
3 infliction of emotional distress. That
4 pretty much speaks for itself. That's the
5 purposeful causing of mental pain,
6 despondency, despair, distress, anxiety,
7 anguish and/or humiliation. And certainly
8 the enslaved Africans more than 200 years
9 suffered that.

10 And finally, the breach of an
11 implied or quasi-contract. That's the
12 breaking of an unstated, albeit lawfully
13 and/or equitably inferred agreement, to
14 provide a benefit in exchange for a benefit.

15 What we have here is a situation
16 where slavery was wrong. We all agree with
17 that. And the residue of slavery which
18 exists today, the vestiges, that's wrong.

19 Something needs to right that wrong.
20 And this bill which will force us to force
21 companies to tell the truth, the whole truth
22 and nothing but the truth should be
23 wholeheartedly supported.

24 And that's why ATAC and others
25 wholeheartedly support it.

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2 And we thank you all, especially
3 Councilperson Blondell Reynolds-Brown. Thank
4 you.

5 (Standing ovation.)

6 COUNCILWOMAN BROWN: Any questions
7 from members of the committee?

8 (No response.)

9 COUNCILWOMAN BROWN: Let me thank
10 both of you for your testimony and your
11 support of this measure. And let me pose the
12 same question to you that I've posed to
13 others, because I don't consider me -- I can
14 only speak for Blondell -- to be the end all
15 be all of knowledge. So I'm open to
16 recommendations and/or suggestions.

17 First, have either of you
18 participated in similar lobbying efforts of
19 this type elsewhere?

20 MR. WILLIAMS: I've supported
21 N'COBRA. I've gone to Washington with
22 N'COBRA and I support ATAC.

23 MR. COARD: In fact, I'm so glad you
24 posed the questions, in terms of suggestions.
25 And I heard you ask other persons.

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2 And I have three suggestions. One
3 is to use Ron Johnson and N'COBRA as a key
4 resource. When it comes to reparations,
5 that's pretty much one-stop shopping. You go
6 to N'COBRA and you get all your questions
7 answered.

8 Number two, I would request that the
9 Council actively spread the word about this
10 bill and similar bills by using, for example,
11 the Tribune, the New Observer, the Sunday
12 Sun, Scoop, WHAT and WRD.

13 And the third suggestion would be to
14 simply pass the bill.

15 Thank you.

16 COUNCILWOMAN BROWN: Thank you very
17 very much, gentlemen.

18 (Applause and cheers.)

19 COUNCILWOMAN BLACKWELL: We will now
20 ask to come to the podium... And please
21 forgive me if I mispronounce your name...
22 Dadrea, is that correct? Dadrea... last name
23 P-a-e-l-l-m-a-n-n, Restitution Study Group;
24 and Viola Plummer, National Chair of Millions
25 for Reparations. You're welcome to come to

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2 the testimony -- to the table to provide
3 testimony.

4 We'll now say good afternoon.

5 MS. PLUMMER: Good afternoon.

6 COUNCILWOMAN BLACKWELL: Please
7 state your full name and proceed with your
8 testimony.

9 MS. PLUMMER: My name is Viola
10 Plummer, and I'm the Chairperson of Millions
11 for Reparations. My office is at 456
12 Nostrand Avenue in Brooklyn, New York.

13 Let me say that I am honored to have
14 received your request to participate this
15 morning with you on this extremely important
16 bill.

17 I am sure that the information of
18 our quest for reparations has reached those
19 of you who have had the insight and
20 understanding that exposure, recognition of a
21 wrong, is of the utmost importance, in terms
22 of correcting that wrong.

23 We, those of us in the reparations
24 movement, are energized by the number of city
25 councils and state legislatures across the

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2 country -- yea, across the world -- who have
3 finally put on the agenda the issue of
4 repair, of compensation, for reparations.

5 I call your attention in the first
6 instance to a bill passed by the French
7 legislature by an attorney, black woman, who
8 said to France that unequivocally the
9 Transatlantic slave trade was a crime against
10 humanity.

11 That bill gave rise to some of the
12 work that I was involved in because I belong
13 to a non-governmental organization called The
14 December 12th International Secretariat.

15 We had the opportunity of lobbying
16 for a world conference against racism by the
17 United Nations that took place in 2000. That
18 conference was of extreme importance because
19 what it did was to have the world body
20 declare the Transatlantic slave trade a crime
21 against humanity.

22 I'd like to just read a section of
23 that bill because -- that declaration,
24 because what it suggests is that the slave
25 trade was a crime against humanity, that it

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2 always was and should have always been
3 declared so.

4 The declaration says that because of
5 the abhorrent barbarism, the magnitude
6 thereof, that it laid the basis for the
7 continued exploitation and human rights
8 violations of millions of African people
9 across the world.

10 I heard the attorney before me talk
11 about pursuit in the legal arena. One of the
12 reasons why the United Nations bill was of
13 extreme importance because the United States
14 government had said that slavery from its
15 inception until its abolition was legal.

16 The declaration said that slavery
17 was and should always have been declared
18 illegal, a crime against humanity.

19 Therefore, the United States, in its
20 desire to say slavery was legal then, it was
21 not a crime then; therefore we do not have
22 any responsibility legally to remove -- to
23 repay, let me say, those descendants of
24 slaves.

25 The major sources of today's racism

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2 lie in its origin of the Transatlantic slave
3 trade. What do I mean by that?

4 I mean that if you'll look at any
5 African American at any level in this
6 society, we must imagine what that African
7 American would have been, could have been,
8 ought to be had it not been for the
9 historical exploitation, racism, that he or
10 she encountered to this very day.

11 In New York, the City Council, as
12 you probably know, have initiated a similar
13 bill. And one of the most important things
14 about a bill that talks about businesses that
15 do business with the City of New York, in
16 this instance, and the City of Philadelphia,
17 as your bill, I know, will pass and say, that
18 those corporations inherited stolen, or as
19 I'm sure the attorneys would say, would
20 inherit fruit from the rotten tree. And
21 therefore, they owe repayment.

22 I tried to look at a particular
23 corporation in Philadelphia. And one of the
24 people that benefited from Philadelphia,
25 Pennsylvania and New York was William

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2 Havermeyer.

3 And William Havermeyer is of extreme
4 importance. And his legacy from 1845 to 1872
5 made him, through his Pennsylvania Coal
6 Company, one of the most richest individuals
7 in the world.

8 He launched his successful political
9 and business careers from the family's sugar
10 refining business, first called the American
11 Sugar Company and then Domino Sugar.

12 He then went to City Bank in New
13 York. When I say "he," I mean the
14 corporation that he founded from American
15 Sugar to Domino, from Domino to the
16 Philadelphia National Bank. From the
17 Philadelphia National Bank, it morphed into
18 what we now know as the Mellon Foundation --
19 I mean, the Mellon Financial Group.

20 And so, therefore, full disclosure
21 by any and all of these corporations
22 presently doing business is of the utmost
23 importance.

24 The disclosure will enable us to
25 prepare evidence, to show ties to modern

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2 corporations and their benefits from slavery.

3 Very recently, in New York we
4 commemorated Elhaj Malik El-Shabazz, Malcolm
5 X. And Malcolm X in a letter here at Penn
6 State, when questioned about reparations by
7 some of the students, who said, my father may
8 have been involved in slavery, but I was not
9 involved in slavery; therefore, I have no
10 responsibility for it.

11 To wit: Malcolm responded, if you
12 inherit any -- any profit, property, status
13 from your father or grandfather or great
14 grandfather, you also inherit his debt.

15 And so, your father may not be here
16 to pay, but you are here to pay, and we are
17 here to collect.

18 (Applause.)

19 MS. PLUMMER: And finally, the issue
20 of... How can I say... verbal contracts.
21 And again, I was pleased to hear the brother
22 before me. And he talked about that. So, I
23 won't go into that in any detail.

24 But the aborted promise of 40 acres
25 and a mule and decades of disenfranchisement,

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2 Jim Crow, systemic racism, had and has as its
3 real intent the super exploitation and the
4 ultimate goal of forever keeping African
5 Americans economically oppressed and
6 depressed.

7 Reparations, therefore, is no longer
8 a forgotten promise, but a debt that must be
9 paid. Thank you.

10 (Applause.)

11 COUNCILWOMAN BLACKWELL: Thank you
12 very much.

13 Are there any comments or questions
14 from members of the committee?

15 (No response.)

16 COUNCILWOMAN BLACKWELL: Thank you
17 very much.

18 MS. PLUMMER: Thank you.

19 COUNCILWOMAN BLACKWELL: Is there
20 anyone here who would like to who has not
21 testified and who would like to testify with
22 regard to this bill?

23 (No response.)

24 COUNCILWOMAN BLACKWELL: Any other
25 testimony, any comments from members of the

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2 committee?
3 (No response.)
4 COUNCILWOMAN BLACKWELL: Seeing
5 none, we will now close out the public
6 hearing portion of this hearing, and we will
7 enter into... One moment, please.
8 (Pause.)
9 COUNCILWOMAN BLACKWELL: Councilman
10 Kenney, for purposes of us continuing, would
11 you serve as part of a quorum to...
12 COUNCILMAN KENNEY: Yes.
13 COUNCILWOMAN BLACKWELL: Thank you.
14 Thank you.
15 Councilman Kenney, since others have
16 stepped out will serve so that we may
17 continue the business of this hearing.
18 Thank you very much, Councilman.
19 COUNCILMAN KENNEY: You're welcome.
20 COUNCILWOMAN BLACKWELL: We will now
21 conclude our hearings part of this meeting,
22 and enter into the stated meeting.
23 (Public hearing concluded at 1:03
24 p.m.)
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CERTIFICATE

I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the public hearing of The Philadelphia City Council, taken on February 28, 2005, and that this is a true and correct transcript of same.

DAVID A. DEIK, RPR and
Commissioner of Deeds

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COUNCIL OF THE CITY OF PHILADELPHIA

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PUBLIC MEETING - COMMITTEE ON FINANCE

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Room 400, City Hall

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Philadelphia, Pennsylvania

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Monday, February 28, 2004, 1:03 p.m.

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10 040133 - An Ordinance amending Section 17-104
 11 entitled "Prerequisites to the Execution of City
 12 Contracts" by adding a new subsection (2) entitled
 13 "Slavery Era Business/Corporate Insurance
 14 Disclosre" to promote full and accurate disclosure
 15 to the public about any slavery policies sold by
 16 any companies or profits from slavery by other
 17 industries (or their predecessors) who are doing
 18 business with the City of Philadelphia and
 19 recodifying Section 17-104 by incorporating
 20 various technical changes; all under certain terms
 21 and conditions.

16

17 PRESENT:

18

COUNCILWOMAN JANNIE L. BLACKWELL, Chair

19

COUNCILWOMAN ANNA C. VERNA, President

20

COUNCILWOMAN BLONDELL REYNOLDS BROWN

21

COUNCILMAN W. WILSON GOODE, JR.

22

COUNCILMAN JAMES F. KENNEY

23

COUNCILMAN RICHARD T. MARIANO

24

COUNCILMAN JUAN F. RAMOS

25

- - -

V A R A L L O Incorporated
 Litigation Support Services
 1835 Market Street, Suite 600
 Philadelphia, Pennsylvania 19103
 215.561.2220 215.567.2670

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3 P R O C E E D I N G S

4 - - -

5 COUNCILWOMAN BLACKWELL: The Chair
6 recognizes Councilwoman Blondell
7 Reynolds-Brown for a motion.

8 COUNCILWOMAN BROWN: Yes. Madam
9 President, I would like to offer an amendment
10 to Bill Number 040133.

11 COUNCILMAN GOODE: Second.

12 COUNCILWOMAN BLACKWELL: It is moved
13 and seconded that the bill be amended.

14 Councilwoman, would you like to
15 circulate that or read what the amendment is?

16 COUNCILWOMAN BROWN: First let me
17 read what the language currently states for
18 the record.

19 Page 3 of the bill, Section 2, small
20 letter d: Any contract between a city agency
21 and a contractor which fails to provide the
22 requisite affidavit within 90 days of the
23 contract's execution or which includes
24 materially false information on such an
25 affidavit shall be rendered null and void.

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2 I'd like to offer an amendment to
3 delete the words null and void and insert the
4 word voidable.

5 COUNCILWOMAN BLACKWELL: All right.

6 It has been moved and seconded that
7 this be done.

8 All in favor will say aye.

9 (Chorus of "ayes.")

10 COUNCILWOMAN BLACKWELL: Opposed?

11 (No response.)

12 COUNCILWOMAN BLACKWELL: The ayes
13 have it. And so, the bill is amended.

14 Now, we will ask Councilman Goode
15 for a motion on the bill as amended.

16 COUNCILMAN GOODE: Thank you, Madam
17 Chair.

18 I move that Bill 040133 as amended
19 be reported out of committee with a favorable
20 recommendation, and a further recommendation
21 that the rules of Council be suspended so as
22 to permit reading at our next Council
23 session.

24 COUNCILMAN RAMOS: Second.

25 COUNCILWOMAN BROWN: Second.

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2 COUNCILWOMAN BLACKWELL: All in
3 favor will say aye.

4 (Chorus of "ayes.")

5 COUNCILWOMAN BLACKWELL: Opposed?

6 (No response.)

7 COUNCILWOMAN BLACKWELL: The ayes
8 have it, and so the bill as amended is passed
9 out of committee and will be heard at our
10 next session of Council.

11 We thank you all. Our hearing is
12 adjourned. Thank you all for your
13 participation and attendance.

14 COUNCILWOMAN BROWN: Thank you.

15 (Applause.)

16 COUNCILWOMAN BLACKWELL: Let the
17 record reflect that Councilman Mariano was
18 back in the room and voted yes for both the
19 amendments and the bill. Thank you,
20 Councilman.

21 (Public meeting concluded at 1:06
22 p.m.)

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DAVID A. DEIK, RPR and
Commissioner of Deeds

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