

Submitter: Dr Carmen P Thompson

On Behalf Of:

Committee: House Committee On Emergency Management, General Government, and Veterans

Measure, Appointment or Topic: HB2995

My testimony is to establish the case for reparations based on the legal and legislative harm cause to Black people to live life freely and pursue happiness in the state of Oregon. As a result anti-Blackness was institutionalized into the State.

Oregon became an organized territory in 1848. The Oregon government passed laws designed to discourage Black people from making a life in Oregon, known today as Black Exclusion Laws. Black Exclusion Laws were passed in Oregon legislature in 1844 and 1849 and they were included in the states 1857 Constitution. There it stated "when any free negro or mulatto shall have come to Oregon, he or she...shall remove from and leave the country."

Those Black women or men who refused to leave within the allotted period were subject to flogging. The law read: "any free Black person over 18 who did not leave the territory in two years if male, and three years if female, would be subject to trial and if found guilty would receive upon his or her bare back not less than twenty nor more than thirty-nine stripes, to be inflicted by the constable of the of the proper county." "Should the individual refuse to leave, the punishment would be repeated every six months until he or she did." Black people were even barred from coming to Oregon by ship. A \$500 fine was issued to any negligent ship owner. The Black Exclusion clause remained in the Oregon Constitution until 1926. Oregon became a state February 14, 1859. It holds the distinction as the only free state admitted to the union with a Black Exclusion clause in the Constitution.

In the legislative session of 1861, Oregon legislators passed two bills that discriminated against Black people. The first was an annual poll tax of \$5 to be paid by: "every Negro, Chinaman, and Mulatto residing within the limits of the state." The second law passed in this session prohibited marriage between Whites and persons one-fourth or more "Negro blood."

The legislative session of 1866 passed another law prohibiting intermarriage. It was directed at not only against White/Black marriage, but against anyone with "one-fourth or more Negro or Chinese blood or any person having more than one-half Indian blood."

In addition to the the above laws and those excluding Black people from the state, there was the 1850 Donation Land Claim Act that legally conferred Native American land to White settlers without their consent or compensation. The law granted future

White settlers an unprecedented 320 acres for White men 21 and over or "half breed" Indian males and 320 acres to White women married to White men. For a total of 640 acres to married White couples.

Other legislative actions that demonstrate the institutional anti-Blackness in Oregon was the fact that the Oregon Legislature failed to ratify the Fifteenth Amendment until 1959.

The Fifteenth Amendment to the United States Constitution prohibits the federal government and each state from denying or abridging a citizen's right to vote "on account of race, color, or previous condition of servitude." The Fifteenth Amendment was ratified on February 3, 1870, as the third and last of the Reconstruction Amendments. The fact that Oregon did not ratify the Fifteenth Amendment until 1959 demonstrates the extent of institutional anti-Blackness in the state since statehood in 1859.

Other ways we see the anti-Blackness institutionalized in Oregon law is in its unwillingness to pass an accommodations bill. The Portland branch of the NAACP had drafted the first public accommodations bill in 1919. It stated that "All Oregonians have the right to full and equal accommodations, advantages, facilities and privileges of any place of public accommodation, without any distinction, discrimination or restriction on account of race, color, religion, sex, sexual orientation, national origin, disability, marital status or age." However, this Bill did not pass the Oregon legislature until 1953.