Respect

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Reparations for Slavery at a Crossroads *by Sylvia Mendoza*

How best to make reparations for America's nearly 250 years of slavery and its remnants has been debated since all enslaved people were emancipated in 1865. Reparations can take many forms, including direct monetary payments, financial assistance for education, funding to start a business, or purchase a home, as well as land grants, social service benefits and formal apologies.

For instance, after the Civil War, the formerly enslaved were promised 40 acres of land (some also received mules) as part of a wartime order from General William Sherman. The day before his second inauguration, President Abraham Lincoln signed a bill that made the order official.

When President Andrew Johnson came to office after President Lincoln's assassination, he reversed Sherman's order. The formally enslaved people were evicted from the property they were given and most of the land that had been allocated to them was returned to the previous white owners.

Since that broken promise, African Americans have experienced discrimination in the form of Jim Crow laws, which enforced racial **segregation** and lasted until 1965 when several civil rights laws were passed. In addition, over the years when government programs were made available, Black citizens were often excluded.

For example, African Americans were not afforded the opportunity to take advantage of the Homestead Act (1862) that allotted 270 million acres of land to people who were poor and working-class. Similarly, Black Americans were excluded from both the G.I. Bill (1944) that provided returning World War II veterans with money for higher education, and the Federal Housing Administration Act (1934), which provided loans to families for home ownership and to build family wealth.

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Addressing Bias in New Jersey's Jury System *by Daryl E. Lucas*

One of the guarantees of the Sixth Amendment to the U.S. Constitution is the right of the accused to be tried by an impartial jury.

According to a video on juror impartiality produced by the New Jersey Courts, "The fairness of a jury's verdict depends on the impartiality of the jurors who serve." In 2021, the New Jersey State Supreme Court decided the case of *State of New Jersey v. Andujar*, which raised concerns about explicit and implicit bias in the jury system—among judges, attorneys, and potential jurors. The case prompted the court to call for reforms.

About *State v. Andujar*

In *State v. Andujar*, the **defendant**—Edwin Andujar—contended that he was denied a fair trial because the sole Black juror, called F. G. in court filings, was removed from the jury. In 2017, Andujar was convicted of the 2014 killing of his roommate. He was sentenced to 45 years in prison.

"The State [prosecution] challenged the juror for cause, alleging that his background, associations, and knowledge of the criminal

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Threading the Information Needle with Divisive Concept Laws

by Phyllis Raybin Emert

The history of the United States is complex with many highs and lows in its nearly 250 years. How and what to teach of that history is sparking debates across the country.

According to the RAND Corporation, a nonprofit research institute, 18 states have passed policies or laws that restrict what teachers are allowed to teach as of January 2023. Labeled "divisive concepts laws," they focus mainly on how issues of race and gender are taught in K-12 schools.

Reporting from *The Washington Post* reveals that more than 110 of these laws and policies have been enacted since 2017. *The Post* maintains a tracker of these state measures, and reports that "...among other things, [these measures] outlaw teaching a long list of concepts related to race, including the idea that America is systemically racist or that students should feel guilt, shame or responsibility for historical wrongs due to their race. For example, a 2021 Texas law forbids teaching that 'slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality.'"

These state measures stem from an executive order that former President Donald J. Trump issued in September 2020. The order, titled "Combating Race and Sex Stereotyping," listed nine "divisive concepts" that were prohibited from being promoted in federal agencies, or by federal contractors and subcontractors. The order effectively stopped any workplace diversity training at the federal level.

What do the state laws say?

President Joseph Biden **rescinded** the Trump administration's executive order in January 2021; however, some state legislatures based their divisive concepts laws on the nine concepts outlined in the order. Some states used the same language, while others use slightly different wording and added other concepts. For example, Tennessee's law, enacted in 2021, includes 16 banned concepts.

Laws in some states allow citizens to report educators for teaching something that they believe violates a divisive concepts law. Penalties for teachers that violate these laws often include the loss of their job and suspension of their teaching license. In addition, the schools where they teach could be in jeopardy of losing state funding.

The National Coalition for History, a group of 43 organizations representing historians, archivists, researchers, and educators, opposes divisive concept legislation. In a statement, the organization said, "What is especially **pernicious** about these bills is that they masquerade as **legislation** defending free speech, but in fact have been purposely designed to curb consideration of subjects controversial and in any way critical of American society or culture."

In a 2023 hearing to pass an additional divisive concepts law, Tennessee state Senator Joey Hensley, who sponsored the 2021 law, argued against diversity, equity and inclusion (DEI) programs, saying they are "really divisive concepts" and "favor one group over another."

"We're not saying schools should not be diverse, because they should be," Senator Hensley said. "DEI has come to mean other things—it's come to mean favoring one group over another one and trying to make some people feel inferior to others, and we just don't think that's right."

Proponents of divisive concepts laws often mention the teaching of critical race theory (CRT) as a need for these laws, even though the notion that the controversial theory is being taught in K-12 schools has been disputed by education experts. The theory, which is introduced in graduate level courses and law school, examines the premise that racism is a systemic problem and is embedded in U.S. institutions. CRT is often lumped in with teaching anti-racism or used as an "umbrella term" for any lesson dealing with race or racism, including lessons on slavery or the civil rights movement.

Challenges in court

So far, legal challenges to state divisive concepts laws have been brought in Arizona, Florida, Georgia, New Hampshire, Oklahoma, and Tennessee. Most of the challenges cite the vagueness of the laws, with teachers not sure what is allowed and what is not.

"Teachers are in this gray area where we don't know what we can and can't do or say in our classrooms," Kathryn Vaughn, a visual arts teacher at a Tennessee elementary school, told *Chalkbeat*, a nonprofit news organization that covers education.

Vaughn, along with four other educators and the Tennessee Education Association, are challenging Tennessee's Prohibitive Concepts Act in a Nashville federal court.

"This law interferes with Tennessee teachers'

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job to provide a fact-based, well-rounded education to their students," Tanya Coates, president of the Tennessee Education Association said in a statement.

The lawsuit, filed in July 2023, gives examples of how the state's nearly one million students are being affected by the law in terms of what they are not learning.

"In Tipton County, one school has replaced an annual field trip to the National Civil Rights Museum in Memphis with a trip to a baseball game," according to the lawsuit. "In Shelby County, a choir director fears that his decades-long practice of teaching his students to sing and understand the history behind spirituals sung by enslaved people will be perceived as 'divisive' or otherwise violate the ban."

Chilling discussion

According to findings from the 2023 State of the American Teacher Survey, conducted by RAND Education and Labor, funded by the National Education Association and the American Federation of Teachers, and published in 2024, 36% of educators teach in one of the 18 states that have divisive concepts laws on the books. The survey, which is a representative sample of more than 25,000 teachers across the nation, also revealed that 55% of educators that teach in states with no restrictions admitted they limit class discussion on political or social issues for fear of reprisal.

"We suspect that teachers who are not subject to state-level restrictions are nevertheless experiencing the consequences of these policies and adjusting their instruction accordingly," according to RAND's report.

Art Worrell is the director of history instruction at Uncommon Schools, a charter school network serving over 19,000 students in New Jersey, New York and Massachusetts.

"History is messy. It is complicated and full of people and societies capable of outstanding achievements and brutal atrocities," Worrell wrote in an op-ed for *The Star-Ledger*. "By embracing that messiness and helping our students embrace it, we come to understand our world and what it means to be human."

PEN America is a nonprofit organization that raises awareness for the protection of free expression worldwide. PEN refers to divisive concepts laws as educational gag orders.

"Teaching of history, civics, and American identity has never been neutral or uncontested, and reasonable people can disagree over how and when educators should teach children about racism, sexism, and other facets of American history and society," a PEN America 2021 report said. "But in a democracy, the response to these disagreements can never be to ban discussion of ideas or facts simply because they are contested or cause discomfort. As American society reckons with the persistence of racial discrimination and inequity, and the complexities of historical memory, attempts to use the power of the state to constrain discussion of these issues must be rejected."

Exploring history classes

The American Historical Association (AHA), a professional association for historians, embarked on a two-year study, gathering practical data regarding middle and high school history classes. AHA reviewed the K-12 social studies content standards in all 50 states and interviewed district officials and history department heads. In addition, they surveyed 8,000 educators in nine states.

"The divisive concepts legislation that have been introduced by lawmakers make assumptions about what teachers are teaching," James Grossman, a historian and the executive director of AHA, told *EdWeek*. "We always knew that teachers don't really teach critical race theory in the classrooms. But not one [piece of legislation] had any data on what's being taught." Grossman also told *EdWeek* that for the most part teachers keep politics out of their classrooms.

"They aren't telling students to feel guilty about what their parents or grandparents did," Grossman said.

In an essay published in *Time* magazine, AHA researchers revealed the key finding of its study was that "the typical American history classroom is neither awash in white supremacy nor awoke with critical race theory." In addition, teachers surveyed by AHA strongly agreed that the goals of social studies are to promote critical thinking and informed citizenship.

"History teachers instruct and inspire, but they do not indoctrinate," the researchers wrote in *Time*. "Ultimately, what history teachers teach their students about (cause and consequence, structure and agency, context and complexity, contingency and continuity) bears little resemblance to what **partisan** culture warriors argue about ('who we are as a nation' and how we should feel about it). The former trains the mind for judgment, the latter for **propaganda**. Everyone should agree on which one of these we want for the next generation of Americans." •

1. According to the RAND research report, some teachers self-censor regarding political and social issues. How do you think that affects classroom discussion? Have you ever hesitated to ask a question in class for fear it might be controversial? Explain your answer.
2. Have you ever felt discomfort in class when learning about race or gender-related issues? Do you think possible discomfort should be a factor in whether, or how topics such as slavery, the civil rights movement, or LGBTQ+ issues are taught? Explain your answer.

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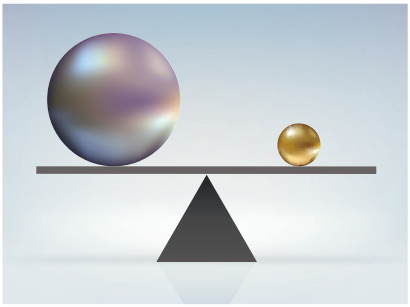
In a 2014 article titled "The Case for Reparations," published in *The Atlantic*, author Ta-Nehisi Coates wrote, "Two hundred fifty years of slavery. Ninety years of Jim Crow. Sixty years of separate but equal. Thirty-five years of racist housing policy. Until we reckon with our compounding moral debts, America will never be whole."

Several years later, in 2019, the U.S. House of Representatives asked Coates to speak at its first-ever public hearing to discuss reparations. During his testimony, Coates rebutted the often-touted argument that no one alive today is responsible for the evils of slavery, so reparations are not necessary. Coates pointed out that treaties signed centuries ago are still honored.

"Many of us would love to be taxed for the things we are solely and individually responsible for. But we are American citizens, and thus bound to a collective enterprise that extends beyond our individual and personal reach," Coates testified. "We recognize our lineage as a generational trust, as inheritance, and the real dilemma posed by reparations is just that: a dilemma of inheritance. It is impossible to imagine America without the inheritance of slavery."

Coates also noted in his testimony that reparations wouldn't just address the sin of slavery but the discrimination that came after.

"Enslavement reigned for 250 years on these shores. When it ended, this country could have extended its hallowed principles—life, liberty and the pursuit of happiness—to all, regardless of color," Coates said. "But America had other principles in mind. And so, for a century after the Civil War, Black people were subjected to a relentless campaign of terror."



Federal efforts

H.R. 40, a federal bill named after the unfulfilled promise of 40 acres of land, was first proposed in 1989. The measure would create the Commission to Study and Develop Reparation Proposals for African Americans, a task force that would study the role of federal and state governments in supporting the institution of slavery, analyze discriminatory laws and policies, and recommend solutions, such as formal apologies and compensation. The bill requests that $12 million be allocated for a 13-member commission. Since 1989, the bill has been re-introduced in Congress every year.

The **legislation** had previously never made it out of committee until 2021 when the House Judiciary Committee voted to advance the measure. Its progress stopped there, however, as it never received a hearing by the full House of Representatives.

In separate resolutions, the U.S. House of Representatives and the U.S. Senate apologized for slavery—the House in July 2008 and the Senate in June 2009. The House's resolution acknowledged "the injustice, cruelty, brutality and inhumanity of slavery and Jim Crow" and states that "the **vestiges** of Jim Crow continue to this day." The Senate resolution echoed some of what the House resolution stated, however, it also explicitly states that the resolution cannot be used for claims of restitution—in other words reparations.

In May 2023, Rep. Cori Bush of Missouri introduced H.R.414, which would allocate $14 trillion "to eliminate the racial wealth gap." The proposed legislation states: "Scholars have estimated that the United States benefitted from more than 222 million hours of forced labor between 1619 and the end of slavery in 1865, which would be valued at $97 trillion today." At press time, the legislation had been referred to the House's Judiciary Committee.

Who should pay?

A 2021 Pew Research Center survey found that 70% of those surveyed were opposed to the descendants of the enslaved receiving reparation payments. When broken down along racial lines, 77% of Black respondents said the descendants of people enslaved in the U.S. should be repaid in some way, versus 18% of white respondents.

Jean-Pierre Brutus, Senior Counsel for the Economic Justice Program at the New Jersey Institute for Social Justice, acknowledges that the term "reparations" makes some people uncomfortable.

"People think slavery was so far in the past, it has no effect on the future, that people who were alive then, aren't alive now," Brutus says. "People will say that the U.S. doesn't have the money or the resources, or that we've made a lot of progress as a nation around race."

Brutus is clear that paying reparations is not just about money.

"I want people to understand that reparations is comprehensive, not just about financial or cash payments to individuals, but understanding the history and how expensive the harms of slavery have been, and making demands that are commensurate and proportionate to the harms, and understanding that the repairs have to be even bigger than the harms," Brutus says. "The demand has always been more than just cash. We've seen things like land and other requests for all kinds of things around health, around food and housing justice, around democracy—all these different elements have been part of the vision of reparations."

According to the Pew report, three-quarters of those who support reparations say the federal government alone should be the one to pay reparations. Reparations advocates, however, contend there are three groups that should pay—federal and state governments that protected the institution of slavery, private businesses that financially benefitted from slavery, and prosperous families that owe their wealth to slavery. For example, Southern families that built their wealth from free Black labor.

"I don't think you can legislate and have those families pay," Malik Edwards, a professor at North Carolina Central University School of Law, told CNN. "If you're going to go after individuals, you'd have to come up with a theory to do it through litigation."

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A number of companies have issued apologies for their role in slavery. In 2000, Aetna, the leading health insurer in the United States, was one of the first companies to apologize for its actions. According to a statement issued by Aetna at the time, the company admitted that prior to the Civil War, Aetna had issued insurance policies for enslaved people, with the benefits paid to owners, not their families.

In 2021, Amalgamated Bank, the largest union-owned bank, came out in favor of reparations, acknowledging that the banking industry contributed to the exclusion of Black people from financial resources throughout history, preventing them from accumulating wealth.

Who is entitled?

In addition to the question of who should pay reparations is the debate over who is entitled to receive them. Some advocates think it should only be the descendants of the enslaved—those that can trace their lineage to slavery—that should receive compensation.

"This needs to be lineage-based," Jaylynn Conway, a Boston-based activist, said during a local task force meeting, according to reporting by *The Washington Post*. "If not, you would be giving away our money to immigrants who came over here willingly. We came over here forcibly because we were sold by our own people."

Other advocates think that Black immigrants should also be compensated in some way since they are subject to the same discrimination.

"If you relegate reparations to just slavery, then you've missed the mark," Michael Curry, former head of the Boston NAACP told *The Washington Post*. "Because if you're Nigerian or Cape Verdean or Black Brazilian, you've experienced the same things, been stopped by the police, you've been denied a job, you've been denied that bank loan. This is about repositioning a whole people."

State & local governments fill a gap

While reparations efforts have stalled at the federal level, the issue has been taken up at the state and local levels. In 2020, California became the first state to form a reparations task force, which produced a more than 1,000-page report on

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Reparations in the Garden State

It may be surprising to some, but slavery was legal in Northern states as well as Southern states. Vermont was the first state to abolish slavery in 1777. New Jersey, however, took considerably longer. New Jersey was the last Northern state to abolish slavery, passing a gradual emancipation law in 1804.

New Jersey's law stipulated "Every child born of a slave...after the Fourth of July (1804) ... shall be free but shall remain the servant of the owner of his or her mother... until the age of 21 for women and 25 for men."

The law, passed in February 1804, made no provision to free those already enslaved people. According to the Equal Justice Initiative, a nonprofit organization that provides representation to the wrongly convicted, the law actually delayed the end of slavery in New Jersey for decades. The Garden State also initially rejected ratification of the 13th Amendment in 1865. It was the last Northern state to ratify the amendment on January 23, 1886.

At a 2023 Juneteenth celebration held in Perth Amboy, Leslie Wilson, a history professor and associate dean at Montclair State University, talked about how New Jersey was "well entrenched" in the slave trade.

"We now know that North Jersey was involved in the exchange of human cargo and also keeping people in bondage," Professor Wilson said, noting that "Perth Amboy was the largest slave port in the state."

Grappling with reparations

In 2019, a bill was introduced in the New Jersey Legislature that would form a reparations task force to study the issue and come up with recommendations. At press time, there has been no movement on the bill.

To fill the gap, in 2023, the New Jersey Institute for Social Justice, a nonprofit advocacy organization, launched the New Jersey Reparations Council, an 11-member commission comprised of experts that will address different aspects of slavery's enduring impact in New Jersey.

According to its mission, the Council "will shine a light on structural racism in New Jersey from slavery to today, and propose bold, transformative policy recommendations for repair. Through its recommendations, the Council will seek not only to end the harm to Black people from slavery and what followed, but also to answer the affirmative question: What kinds of reparative systems does New Jersey need to build and invest in for Black people to thrive?"

The Council expects to release a report with its findings and recommendations by June 2025. *—Jodi L. Miller*

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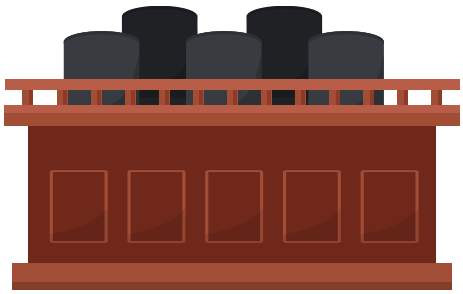
justice system were problematic, and also suggested that F.G. had been evasive [during the jury selection process]," explains Michael G. Donohue, a certified civil trial attorney who practices in Hamilton, NJ.

There are certain legal grounds for which a juror may be challenged "for cause" and excused from a jury. For example, if a juror is incapable of being impartial due to prior dealings with a witness or the attorney involved in the case, they would be excluded from the jury. In other words, "for cause" simply means there is a specific justification for excluding a potential juror.

In the case of "for cause" exemptions, the side calling for the juror's exclusion must provide a valid reason for the exclusion and the judge will rule on it. In addition, each side can excuse a certain number of jurors without providing a reason. That type of exclusion is called a **peremptory challenge**. If a trial judge does not allow an attorney's challenge of a juror "for cause," then the attorney must either accept the juror or use one of their peremptory challenges.



According to Donohue, the trial judge in Andujar's case rejected the State's "for cause" challenge and found F.G. "would make a fair and impartial juror." The next day, the prosecutor in the case ran a criminal background check on the juror and discovered he had an outstanding municipal court warrant. As a result, F.G. was arrested and did not serve on the *Andujar* jury.

The New Jersey Supreme Court sided with Andujar, finding that he did not receive a fair trial because the state prosecutors improperly removed F.G. during jury selection. In the court's **majority opinion**, issued in July 2021, Chief Justice Stuart Rabner wrote that the juror's removal "may have stemmed from implicit or unconscious bias on the part of the State which can violate a defendant's right to a fair trial in the same way purposeful discrimination can." In addition, the court ruled that in the future background checks would need to be approved by a judge.

Edwin Andujar received a new trial In January 2024. He was again convicted of murder and other weapons charges.

Call for reform

The impropriety of the criminal background check of a potential juror was the focus of the *Andujar* **appeal** to the New Jersey Supreme Court; however, the case came to represent much more.

"Although the law remains the same, our understanding of bias and discrimination has evolved considerably since the nineteenth century," the New Jersey Supreme Court's opinion stated. "It is time to examine the jury selection process and consider additional steps needed to prevent discrimination."

In addition to ruling on the merits of the case, the New Jersey Supreme Court's *Andujar* opinion called for a Judicial Conference to address the issue of implicit bias in jury selection. Donohue was the co-chair of the New Jersey State Bar Association's Working Group on Jury Selection, which submitted a report with its recommendations to the Committee of the Judicial Conference on Jury Selection.

"In *Andujar*, the New Jersey Supreme Court recognized that implicit (or unconscious bias), not just explicit (or intentional) bias, could lead to discrimination against a juror because of race or other improper reasons," says Donohue. He explains that the court used *Andujar* to highlight implicit bias and whether the State's reasons in its "for cause" challenge against F.G. (background, associations, and knowledge of the criminal justice system) as well as the decision to run the background check in the first place were the product of implicit bias.

Making recommendations

In November 2021, legal scholars, attorneys, legislators, judges, as well as members of advocacy groups, such as the NAACP, the American Civil Liberties Union and the New Jersey Institute for Social Justice, participated in a two-day conference to discuss the means of combatting implicit bias in the jury selection process and to make juries more representative of the communities they serve. The Committee of the Judicial Conference on Jury Selection ultimately submitted a 63-page report where it made 25 recommendations to the New Jersey Supreme Court. The court adopted all of them; however, some recommendations require the New Jersey Legislature to pass laws and others are being implemented gradually.

Among the recommendations suggested at the Judicial Conference was the requirement of implicit bias training for judges and attorneys, as well as educating jurors on implicit biases. Potential jurors are now shown a seven-minute video before the jury selection process begins that is devoted to explaining implicit and explicit bias.

Another recommendation made was in how *voir dire* is conducted. *Voir dire* is the part of the jury selection process where potential jurors are questioned by either the judge or the lawyers in the case. It is a French phrase that is literally translated as "to speak the truth."

During this process, jurors might be asked if they know any of the parties in the case, if they've ever been involved in a civil or criminal trial before, or what their beliefs are about the legal system. The questions are intended to determine whether a juror can be impartial during the trial. Depending on the potential juror's answers, either side can ask for a potential juror to be excused from the jury. This is when the "for cause" and peremptory challenges come in.

In New Jersey, *voir dire* has been led by the trial judge—one of eight states and the District of Columbia that conducts the process this way. In the rest of the states, *voir dire* is led by the attorneys in the case.

In September 2022, the New Jersey Supreme Court instituted an Attorney-Conducted Voir Dire (ACVD) pilot program. The pilot was launched in Bergen, Camden and Middlesex counties to

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start. Under ACVD, both parties must consent to participate and accept a reduced number of peremptory challenges. NJSBA's Working Group on Jury Selection made the suggestion to switch to an attorney-led *voir dire* process. The thought was that jurors may not be truthful when judges ask them questions and that attorneys are more skillful at asking targeted questions that would lead to relevant information for that specific trial.

The ACVD program expanded to Monmouth County in March 2023 and to Atlantic, Cape May, Burlington, and Hudson counties in April 2024.

Jury representation

Several recommendations to address the demographics of New Jersey juries were made at the Judicial Conference. The concern was that the jury pool—where those who are chosen for jury duty come from—is not reflective of all the people in a community. The race, ethnicity, and gender will now be collected for potential jurors.

"By collecting juror information at the earliest possible stage, New Jersey will for the first time have a clear picture of the degree to which our jury pools align with their communities," Judge Glenn A. Grant, Acting Administrative Director of the Administrative Office of the Courts, said in a statement. "Attorneys and parties in a trial will be able to obtain demographic data in advance of a trial to determine if there is an underrepresentation of a particular race, ethnicity, or gender in a jury pool."

In the past, the jury pool was developed from voter registration lists, driver's license information, tax returns and property tax rebate applications. To increase the jury pool, it will now also be compiled from state labor records, as well as lists of those receiving public assistance.

Legislation needed

Currently, New Jersey residents are barred from jury service if they have been convicted of an **indictable offense**, or have pled guilty to or been convicted of a federal crime. According to the Judicial Conference report, this disproportionately impacts New Jersey's communities of color from serving on juries, which led to a recommendation to increase the jury pool by restoring eligibility for anyone who has completed their **parole** or **probation** supervision. This recommendation would require the New Jersey Legislature to pass a law.

A New Jersey Assembly bill would remove the automatic disqualification of formerly incarcerated persons, so long as they have served their sentences. The proposed legislation makes two exceptions—convictions for murder or aggravated sexual assault would still be disqualifying.

"There is no rational reason, in my opinion, to categorically bar from jury service the persons this bill seeks to include." Donahue says.

The bill passed the New Jersey Assembly in the last legislative session; however, it died after substantial debate on the issue. The bill was reintroduced in the current legislative session and remains pending.

Addressing compensation

Another barrier to jury service has also historically been the poor compensation provided for service. In New Jersey, all employees are entitled to time off for jury duty; however, most employers are not required to pay their employees for that leave. According to the New Jersey Office of the Public Defender, New Jersey compensation for jury service is one of the lowest pay in the nation—$5 per day for the first three days of a trial and $40 a day for every day thereafter.

The New Jersey Supreme Court recommended increasing compensation for jury service; however, the New Jersey Legislature would also need to pass a law for that to happen.

Donahue says providing citizens the opportunity to serve on a jury in their community is the most important right to protect. It fulfills a civic duty for all Americans and is a fundamental part of the justice system. •

1. According to the video produced by the New Jersey Courts, "The fairness of a jury's verdict depends on the impartiality of the jurors who serve." What do you think of that statement? If you were called for jury duty, do you think you would be able to be impartial? Explain your answer.
2. How does having a diverse jury pool benefit the judicial system? Do you think a diverse jury is important? Why, or why not? Explain your answer.

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its findings in 2023. The task force report contains more than 100 policy proposals, including compensation limited to descendants of "free and enslaved Black people who were in the U.S. before 1900."

A San Francisco reparations committee, formed in 2020, made more than 100 recommendations in a nearly 400-page report released in December 2022. Those recommendations included payments of $5 million to every eligible Black adult and eliminating taxes for Black-owned businesses.

Critics of the plan told the Associated Press that monetary compensation made little sense for a state and city that never enslaved anyone. However, Eric McDonnell, who chaired San Francisco's committee, told the Associated Press the legacy of slavery is misunderstood.

"There's still a veiled perspective that, candidly, Black folks don't deserve this," McDonnell said. "The number itself, $5 million, is actually low when you consider the harm."

In December 2023, CBS News reported that San Francisco Mayor London Breed authorized $75 million in cuts to the city's budget. By January 2024, the $4 million allocated for creating a permanent office for the reparations committee was eliminated and the committee was disbanded.

The cities of St. Louis and Boston also formed reparations task forces. The St. Louis Reparations Commission expects to issue a report in 2024. In February 2024, the Boston Peoples Reparations Commission proposed a $15 billion plan to be split three ways—direct cash payments, financial investments in Black-owned businesses and homeownership, and racial education. Public hearings in Boston on the proposal are scheduled for May 2024 and October 2024.

In 2021, Evanston, Illinois, became the first U.S. city to implement a reparations plan, disbursing checks of up to $25,000 to Black residents for a down payment on a new home or to make repairs on an existing home. To qualify, Black Evanston residents had to reside in the city between 1919 and 1969 or be descended from someone who did.

The vision for reparations goes deep, explains Brutus, and the demand has always been more than cash.

"What reparative policies are meant to do is bring us to a future where we have racial equity and racial justice by repairing the harms of the past, by restoring and healing, that's the idea," Brutus says. "That's how we achieve a genuine multiracial democracy." •

1. Do you think reparations for the harms of slavery and the discrimination that came after is necessary? If no, explain why. If yes, select two forms of reparations mentioned in the story and explain why you think those forms would be an equitable solution.
2. The article mentions the debate about who would be eligible for reparations—only descendants of the enslaved or Black immigrants as well. Who do you think should be entitled? Explain your answer.

Glossary

appeal — legal proceeding where a case is brought from a lower court to a higher court to be heard. **defendant** — in a legal case, the person accused of civil wrongdoing or a criminal act. **indictable offense** — an offense that requires a determination of whether to prosecute. **legislation** — the enactment of law by a legislative body (i.e., Congress or a state legislature). **majority opinion** — a statement written by a judge or justice that reflects the opinion reached by the majority of their colleagues. **parole** — a conditional release from prison which allows a person to serve the remainder of his or her sentence outside of an institution but under state supervision. **partisan** — someone who supports a particular political party or cause with great devotion. **peremptory challenge** — objection to a proposed juror, made without needing to give a reason. **pernicious** — having a harmful effect, especially in a gradual or subtle way. **probation** — a non-jail sentence that judges can impose on someone who has been convicted of a crime. **propaganda** — misinformation or half-truths. **reparations** — to make amends for a wrong one has done, by paying money to or otherwise helping those who have been wronged. **rescind** — take back or cancel, repeal; to void an act or an order. **segregation** — the policy of separating people from society by race or social class. **vestiges** — a trace of something that is weakening.