

FOR SUCH A TIME AS THIS:

# THE NOWNESS OF REPARATIONS

FOR BLACK PEOPLE IN NEW JERSEY

A REPORT  
FROM THE  
NEW JERSEY  
REPARATIONS COUNCIL





**JUNE 2025**



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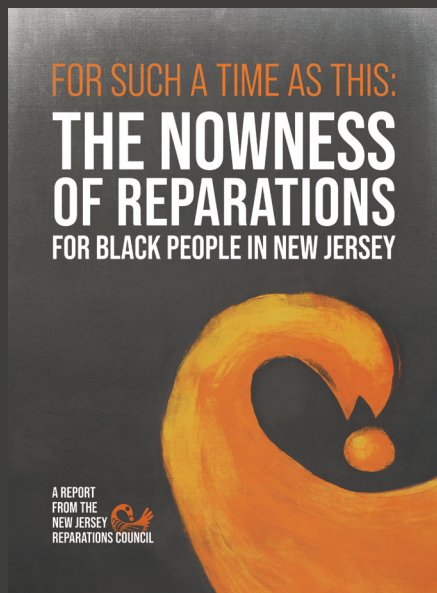


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# Executive Summary

Slavery was not just a sin of the south.

It flourished in the north, growing some of its deepest roots in New Jersey.

Although slavery shaped almost every aspect of New Jersey, from its founding through today, too many believe it never happened here.

In 2023, the New Jersey Institute for Social Justice partnered with the Robert Wood Johnson Foundation to convene the New Jersey Reparations Council to confront this reality.

Through an intensive two-year study, the Council engaged deeply to tell the story, from an evidence-based

perspective, of New Jersey's deep but often overlooked history of slavery and its enduring impact on the contemporary life of Black people in our state.

*For Such a Time as This: The Nowness of Reparations for Black People in New Jersey* is the product of that study – and an urgent call for transformative change through reparative justice.

This report draws a throughline from New Jersey's deep embrace of slavery, through its own Jim Crow period and the state's systemic racism in more modern times, to the Two New Jerseys today, which are characterized by a staggering \$643,000 racial wealth gap between Black and white families.



The report invites us into a period of self-discovery, to see through our perception of a New Jersey that is a northern progressive state, to one that was, and is, also profoundly shaped by its original sin of slavery and its enduring legacy.

That self-discovery will be the foundation for the repair that is urged by the report's bold and transformative policy and investment recommendations.

These recommendations are designed to help create a new New Jersey where Black people are empowered to finally be free, to be whole and to flourish.

In addition to the Preface, Introduction and Conclusion, this report tells New Jersey's story in thematic sections:

- **NEW JERSEY: SLAVE STATE OF THE NORTH:** New Jersey's commitment to slavery was so complete that historian and Council member Elaine Buck has called it the "slave state of the North."

This section provides a detailed examination of New Jersey's embrace of slavery; describes how the forced labor of enslaved Black people built New Jersey and laid the foundation for its wealth; documents the brutality and inhumanity enslaved people endured, as well as the many ways they resisted, fought and escaped; and exposes the New Jersey laws and practices that authorized, defended and clung to slavery even when other northern states turned away from it.

- **NEW JERSEY AND THE JIM CROW ERA:** Despite the official end of slavery and Black people obtaining "freedom" and "equality" under the law, and at a time when other groups benefited greatly from American prosperity, New Jersey's policies and practices held Black people in a status of second-class citizenship that thwarted their ability to pursue opportunity and build wealth for future generations.

This section discusses the growth of New Jersey's Black population during Reconstruction and the later Great Migration, and examines the racially discriminatory policing, violent intimidation and widespread segregation that the state's white officials and white communities developed in response.

- **TWO NEW JERSEYS:** Today, New Jersey at once embodies both the success of one of the wealthiest states in the country and the shame of staggering rates of racial disparity. From life expectancy and maternal and infant mortality, to rates of segregation in the state's public schools and neighborhoods leading to disparate exposure to environmental toxins, to racial gaps in wealth and income, to devastating disproportionate rates of incarceration, New Jersey's Black communities, by design, have largely been separated from the benefits of the state's wealth and prosperity.

This section examines how this reality is a direct legacy of the eras of slavery and Jim Crow, and New Jersey's ongoing failure to address those generational harms through reparative action.

- **THE STORIES NEW JERSEY TELLS ITSELF:** New Jersey, taking comfort in its identity as a northern state, has failed to confront its own history and present-day reality when it comes to slavery and racial inequality.

This section reviews the stories we have told ourselves through past and present historical scholarship, state reports, school curricula and public memory sites to illustrate how we have obscured the truth. These lessons reveal valuable insight into the need to see ourselves clearly and the new stories that will be required to empower Black people to flourish through reparations.

- **A BLUEPRINT FOR REPAIR: ADDRESSING THE HARM AND EMPOWERING BLACK PEOPLE TO FLOURISH:** Building on a foundation of truth and acknowledgment, this report draws a blueprint for a new story – a new New Jersey – by outlining recommendations for bold, strategic and transformative policies and investments to not only repair the enduring harm of slavery, but also to answer this affirmative question: What kind of reparative system does New Jersey need to build and invest in for Black people to finally be free? To be whole? To flourish?

Black people flourishing is at the heart of reparations, and history shows us that when Black people flourish, everyone benefits.



The report proposes policy recommendations in the following areas: Democracy, Economic Justice, Social Programs and Well-Being, Health Equity, Desegregation, Higher Education, Environmental Justice, Public Safety and Justice, Public Education and Narrative, Faith Institutions and Accountability. The recommendations include strategic policies that would lead to systemic, sustainable change, commensurate in scope with the widespread and lasting harms of slavery and its aftermath, to be implemented in tandem with direct payments.

The policy recommendations are transformative - not just in the impact they will have on Black people in the state, but in how some will require a shift in our current legal and social presumptions. Some of the recommended policies require race-conscious remedies that would require a reimagining of current constitutional jurisprudence. We therefore urge New Jersey to pass a constitutional amendment reflecting the Fourteenth Amendment's original purpose to empower lawmakers to pass remedial legislation, as well as federal constitutional interpretation consistent with that. This kind of transformational change will take time, but so does all transformational progress. This report plants the seeds for that long-term change, even as it also recommends policies that are achievable sooner.

It is the Council's and Institute's intention that this report, built on an evidentiary record of truth, will serve as a blueprint for New Jersey to become a robust multiracial democracy where Black people, and everyone, can flourish.





Counterclockwise: Ryan P. Haygood, NJ Institute for Social Justice; Newark Mayor Ras Baraka; Jean-Pierre Brutus, NJ Institute for Social Justice; Taja-Nia Henderson, Rutgers Law School; NJ Assemblywoman Shavonda Sumter; Maisha Simmons, Robert Wood Johnson Foundation; Khalil Gibran Muhammad, Princeton University; Rev. Charles Boyer, Salvation and Social Justice; U.S. Senator Cory Booker and Perth Amboy Mayor Helmin Caba at the Launch of the New Jersey Reparations Council, June 19, 2023, Perth Amboy, NJ



# Preface

By Ryan P. Haygood  
President & CEO, New Jersey  
Institute for Social Justice



Reparations Rally, Newark, June 19, 2021



**[F]or such a time as this.**

— Esther 4:14



**The conversation has to  
be about reparations.**

—New Jersey Lieutenant  
Governor Sheila Oliver<sup>1</sup>



# On May 3, 1802, an enslaver offered a \$20 reward for the capture and return of “Bill” and his wife “Hannah,” who fled captivity in Newark, New Jersey.<sup>2</sup>

For over two centuries, from 1630 to 1866,<sup>3</sup> New Jersey authorized the enslavement of Bill, Hannah and more than 12,000 Black people.<sup>4</sup> Although slavery has shaped almost every aspect of New Jersey from its founding through today, too many believe it never happened here.

That is why, on Juneteenth 2023, the New Jersey Institute for Social Justice stood with partners and elected officials in Perth Amboy, a primary port for the trafficking of enslaved African people, to launch the first-of-its-kind New Jersey Reparations Council.<sup>5</sup>

With sober minds and heavy hearts, we honor the two million African people who – after being stolen from their homes, chained and tightly packed in

dark, filthy, hot ships for tortuous trips across the Atlantic Ocean – died during the Middle Passage from abuse, disease and heartbreak.<sup>6</sup>

We also honor the millions of African people who fought, resisted death and survived those months-long trips, only to be sold into a system of slavery in New Jersey that lasted for more than 200 years.<sup>7</sup>

From the beginning, Black people in New Jersey fiercely resisted, escaped and fought to liberate themselves. Yet for generations, the brutal system of slavery extracted uncompensated Black labor to build New Jersey into one of the wealthiest states in America.



# SLAVERY AND THE TWO NEW JERSEYS

As this report makes clear, a deep and persistent commitment to slavery made New Jersey, in the words of historian and Council member Elaine Buck, the “slave state of the North.”<sup>8</sup>

This goes back to the colony’s founding in 1664, when each white family settling in the territory was given 150 acres of land, plus 150 more for each enslaved person they brought with them.<sup>9</sup>

New Jersey was one of the first northern states to codify white supremacy in its laws when it restricted the vote to white men in 1807<sup>10</sup> and established a legal presumption that Black residents were enslaved until proven otherwise in 1821.<sup>11</sup>

By 1830, over two-thirds of all people enslaved in the north were held in New Jersey.<sup>12</sup>

Even as other northern jurisdictions moved towards abolition in the early 19th century, lawmakers in New Jersey passed gradual abolition legislation, which held Black people captive well into the 1860s.<sup>13</sup> Through that system, New Jersey paid reparations to some former enslavers of Black people for their “lost property.”<sup>14</sup>

New Jersey also opposed the Emancipation Proclamation<sup>15</sup> and at the end of the Civil War in 1865, despite being part of the victorious Union, initially refused to ratify the Thirteenth Amendment to abolish slavery. It wasn’t until a state constitutional amendment in 1866 that slavery finally ended in the state – the same day that New Jersey became the last northern state to finally ratify the Thirteenth Amendment.<sup>16</sup>

Even after slavery finally ended, the oppression of Black people in New Jersey continued through the cottager system (a form of sharecropping) and then into the 20th century through the state’s own Jim Crow segregation, including the widespread use of racially restrictive covenants, denial of GI Bill homeownership opportunities for Black World War II veterans, and exclusionary zoning and lending practices like redlining.<sup>17</sup>

All of this led directly to today when Black people in New Jersey face some of the worst racial inequalities in the nation – in health, education, incarceration, exposure to environmental toxins, school segregation and in wealth, with a staggering \$643,000 wealth gap between Black and white families.<sup>18</sup>

New Jersey is a modern-day illustration of Dr. Martin Luther King Jr.’s “Two Americas.”

The New Jersey Reparations Council was convened to confront this reality.

## SAY THE WORD: REPARATIONS

The journey to the Council’s creation began in 2019, when the Institute and partners worked with the late State Senator Ronald Rice, Assemblywoman Shavonda Sumter and the Legislative Black Caucus to introduce a bill to establish a Reparations Task Force.

The bill, modeled in part on federal bill H.R. 40, would create a commission to study New Jersey’s enduring history of slavery and recommend reparative policies to address the enduring harms to Black people.<sup>19</sup>

Our advocacy for reparations accelerated during the COVID-19 pandemic, which devastated Black communities.<sup>20</sup> In 2020, COVID-19 was the leading cause of death for Black people in New Jersey.<sup>21</sup> Even then, New Jersey resisted the opportunity to create a New Jersey Reparations Task Force<sup>22</sup> – even as the Legislative Black Caucus had consistently urged its passage, along with numerous other prominent officials, including the late New Jersey Lieutenant Governor Sheila Oliver.

This resistance inspired the creation of our Say the Word: Reparations campaign, which urged passage of the task force legislation and sparked a movement.



# THE NEW JERSEY REPARATIONS COUNCIL

On Juneteenth 2023, the Institute partnered with the Robert Wood Johnson Foundation to convene the first-of-its-kind New Jersey Reparations Council, who authored this report.

Co-chaired by Khalil Gibran Muhammad, Inaugural Professor of African American Studies and Public Affairs at Princeton University, and Taja-Nia Henderson, Professor of Law at Rutgers University, the Council – comprised of university professors, heads of cultural institutions, practitioners, faith leaders and community-based advocates – undertook a mission to finally confront and begin to repair New Jersey’s deep and often overlooked history of slavery, as well as its enduring impact on the contemporary lives of Black people in our state.

Over a period of two years, the Council’s nine subject-matter committees studied New Jersey’s unique history of slavery, identified the throughline to today’s vast racial inequities, and proposed bold, strategic and transformative policies and investments.

These proposals aim to not only repair the enduring harm of slavery, but also to answer this foundational question:



*What kind of reparative system does New Jersey need to build in order for Black people to finally be free, to be whole, and to flourish?*

Empowering Black people to flourish is at the heart of the fight for reparations.

American history demonstrates that empowering Black people to flourish creates a more just society for everyone.

Over the course of nine public sessions and other community-rooted events, the New Jersey Reparations Council engaged thousands of people across New Jersey and beyond to help inform the report and its policy proposals.

These policies are designed to serve as a blueprint for how New Jersey can repair slavery’s enduring harm to Black people and as a resource for the Council, the Institute, partners and policymakers who will bring the proposals to fruition.

## FOR SUCH A TIME AS THIS

We recognize that the Council’s reparations report arrives at a moment of crisis for our nation.

Troubling echoes of the past signal difficult and treacherous times for multiracial democracy and racial justice.

This landscape is marked by the evisceration of diversity initiatives in higher education, a decimated Voting Rights Act, the rollback of reproductive rights, outright attacks on civil rights and the rule of law, detention and deportation of immigrants without due process, and an effort to erase America’s racial history altogether.

**Jean-Pierre Brutus, Sr. Counsel, NJ Institute for Social Justice, Delivering Remarks at the Launch of the NJ Reparations Council, Perth Amboy, NJ, June 19, 2023**



In this moment, Sherrilyn Ifill writes, we are experiencing attacks that have:

... upended every fairy story Americans have ever told themselves, every myth we have indulged about who we are, about merit, the rule of law, about the unshakeable strength of our Constitution, and about American exceptionalism. [They have] smashed through every norm, every basis for deference and good faith, every presumption of good will, and every rational approach to policy. [And they have] identified and taken advantage of our every weakness. And in so doing, revealed America to itself.<sup>23</sup>

New Jersey is being revealed to itself, too.

Some see this challenging moment as a reason to adopt a safer, more sanitized vocabulary, and avoid terms like “diversity,” “equity” and “inclusion”; “race,” “racism” and “racial disparities”; “freedom,” “justice” and “Black” – and certainly, “reparations.”

This moment does not call for retreat.

Justice will never be achieved by a movement that does not speak its name.

We have been called *for such a time as this* to advocate for reparations.

Through the work in this report, the New Jersey Reparations Council, the Institute and our partners aim to inspire state action by building power from the ground up in New Jersey, and by serving as a model for organizations throughout the nation.

We are convinced that every movement for justice, truth, reconciliation, healing and reparations for Black people requires people to speak up when others will not.

## THE WAY FORWARD

Through this report and the work that follows, the Institute, the Council and our partners will build on the centuries-long fight for reparations for Black people in this state and in this country.

Our ultimate aim is to shift the perception of reparations from unsafe, unpalatable and impossible to inevitable.

With support from the Robert Wood Johnson Foundation and others, our multi-pronged reparations strategy will include community organizing, public education, narrative change, policy advocacy and more.

The Council's report presents the study of slavery's impact and its enduring legacy in New Jersey. It is now incumbent upon New Jersey's elected officials to implement the report's reparative recommendations.

Finally, our work is informed and inspired by lessons learned by our courageous colleagues and partners doing important reparations work in other communities across the United States and beyond.

Though our focus is New Jersey, we remain connected to the broader fight for freedom, liberation and reparations for Black people around the globe.



# Introduction

By Khalil Gibran Muhammad and  
Taja-Nia Henderson, Council Co-Chairs



Photo/Aristide Economopoulos



**Tell me the wretched truth  
about America, because that  
speaks to our greatness.**

–Sen. Cory Booker (D-NJ),  
floor speech to the U.S. Senate,  
March 31-April 1, 2025<sup>24</sup>

## **WHY REPARATIONS IN NEW JERSEY?**

As its history is commonly understood, New Jersey has been a beacon of opportunity and fairness, a model for other states both north and south. The reality, though, is different. Beginning in the 1600s and continuing beyond the ratification of the Thirteenth Amendment, New Jersey was a state where racial chattel slavery thrived and where thousands of Black people were enslaved.

The institution of slavery impacted every aspect of New Jersey's economy, from agriculture to shipping, from domestic labor to skilled artisanal labor. Enslaved hands literally built the New Jersey

colony, from the ground up, brick by brick.<sup>25</sup> And slavery was practiced across the colony's (and later, the state's) civic institutions, including its churches and colleges. Sometimes referred to as the "Slave State of the North," by 1830, New Jersey held more people of African descent in bondage than all other northern states combined.<sup>26</sup>

New Jersey was the last of the northern states to abolish slavery, rejecting ratification of the Thirteenth Amendment. At the end of the Civil War, when every other northern state ratified the full and unequivocal abolition of slavery, New Jersey kept people enslaved within her borders. Not until the following year (1866) and a state constitutional amendment did New Jersey finally ring a death knell for the institution.<sup>27</sup>



# 1830

## Enslaved Population





# THE HISTORY OF SLAVERY IS THE HISTORY OF NEW JERSEY

During slavery, and even after abolition, free and enslaved people of African descent in New Jersey were subjected to pernicious differential treatment and exclusion on the basis of race. One scholar has suggested that New Jersey likely had the “most severe slave code of the northern colonies.”<sup>28</sup> While nearly every other northern colony was devising less barbaric punishments for enslaved and free people of African descent accused of criminal offenses, New Jersey was still burning Black people at the stake.<sup>29</sup>

As the nation’s founders fought Great Britain, characterizing the American revolution as a fight against their own enslavement to the British Crown, New Jersey distinguished itself as the only northern colony to forego ending slavery by judicial decree. By 1799, after New York passed a gradual abolition law, New Jersey stood alone for several more years as the only slave state in the north.

Even when New Jersey finally passed a gradual emancipation law in 1804, lawmakers never freed Black people born before July of that year: they remained enslaved for life. And children born after July 1804 remained enslaved until their twenties.

New Jersey legislators also authorized a form of reparations to enslavers, paying restitution to some enslavers for their lost “human property.” As described in this report, New Jersey’s gradual emancipation scheme provided a state-funded financial remedy – reparations – to enslavers whose “human property” was nominally “freed” by law.

The individual payouts were substantial, amounting to about \$1 million over a six-year period (in today’s dollars) and up to 27% of the state’s annual budget at the time. The enslaver’s reparations program ended in 1811.<sup>30</sup>

The enslaved are still waiting for theirs to begin.

During the Revolutionary period, both women and free people of African descent were permitted to vote in New Jersey.<sup>31</sup> But in 1807, New Jersey’s lawmakers instituted a white supremacist government, limiting voting rights to propertied adult white males.<sup>32</sup> Black New Jerseyans did not regain the right to vote in the state until 1870, after ratification of the Fifteenth Amendment to the U.S. Constitution.

New Jersey’s commitment to the ongoing subjugation of its Black residents, irrespective of status, persisted. As detailed in this report, at the dawn of independence and in the wake of the American Revolution, New Jersey state lawmakers criminalized the settlement of formerly enslaved Black persons who had been duly freed in other jurisdictions (Pennsylvania, for example).<sup>33</sup> Going even further, New Jersey criminalized residents who merely helped formerly enslaved persons to settle in the state.<sup>34</sup>

In 1821, despite a growing free Black population in the state, New Jersey embraced a presumption of enslaved status for all persons of African descent within its borders.

In *Gibbons v. Morse*, the New Jersey Supreme Court reinforced this pernicious presumption, declaring that in New Jersey, “all black men, in contemplation of the law, are prima facie slaves, and are to be dealt with as such.”<sup>35</sup> To be “dealt with as such” meant that Black people in New Jersey could and should be treated as base subordinates to white residents. With *Gibbons*, New Jersey embraced the same presumption of inferiority undergirding slavery elsewhere in the nation, including throughout the slaveholding south: “[A]ll black men ... are prima facie slaves.”<sup>36</sup>

These political, civic, economic and social limitations on Black life in New Jersey persisted well after emancipation. As a result, multiple successive generations of Black New Jerseyans suffered, with the repercussions still felt today.



# BLACK HARM DESERVES REDRESS

Reparations present the opportunity to transform society through policymaking focused on redressing harm to Black people. The chapters that follow catalog some of those harms. As in other jurisdictions across the U.S., civic and political leaders in New Jersey embedded white supremacist beliefs and practices into every aspect of society.

Specific acts and omissions of the state itself (through its agents), together with the acts of private parties that were either sanctioned or actively supported by public officials, combined to wreak havoc across the lives of generations of Black New Jerseyans, beginning with the first African people trafficked onto Jersey's shores. Those same beliefs in a hierarchy of human value and potential have functioned historically to circumscribe Black progress and wellbeing in the state. And those beliefs persist.

The systematic diminution of economic opportunity for Black New Jerseyans has been profound, beginning during the era of slavery and continuing into the present day. Persistent discrimination against Black people in education, housing and employment resulted in generations of Black New Jerseyans having little to no opportunity for economic progress.

Rutgers University, the state's leading public university, did not admit a Black student until James Dickson Carr enrolled in 1888. The College of New Jersey (later renamed Princeton University) laid the bricks of Nassau Hall with donations from enslavers. Later becoming a bastion for slaveholding elites from the West Indies and the southern American colonies, the college (and the town) owed its prosperity to racial chattel slavery.

This dependency was palpable in the culture of the place: "Slavery was everywhere in town, surrounding and permeating the school."<sup>37</sup> Generations later, lawyer and activist Paul Robeson (1898-1976) would describe his own upbringing

around Princeton's Witherspoon Street at the turn of the 20th century as fraught with the college's legacy of white supremacy and perceived Black inferiority:

Almost every Negro in Princeton lived off the college and accepted the social status that went with it. We lived for all intents and purposes on a southern plantation. And with no more dignity than that suggests – all the bowing and scraping to the drunken rich, all the vile names, all the Uncle Tomming to earn enough to lead miserable lives.<sup>38</sup>

Rutgers and Princeton were not the only early institutions of higher learning in New Jersey that affirmatively denied opportunity to generations of Black residents on the basis of race. New Jersey's College for Women, Douglass College, did not enroll a Black woman until 1934, and only then admitted Julia Baxter on the mistaken belief that she was white.<sup>39</sup>

For most of the state's history, Black children were subjected to lawfully segregated public schools. In 1944, the New Jersey Supreme Court struck down segregation, and in 1947, the legislature amended the state constitution to ban mandated segregation in schools. But "home rule," exclusionary zoning and white flight drew a dynamic and ever-evolving color line. Today, residential and educational segregation in New Jersey is among the worst in the nation.

The city of Newark and its surrounding Essex County suburbs hold the dubious honor of being the most segregated metropolitan region in America with a large Black population.<sup>40</sup> And New Jersey schools rank as the seventh most segregated nationwide.<sup>41</sup> Recent trends show that racially and economically segregated schools are growing, rather than diminishing, in the Garden State.<sup>42</sup> In housing, the cumulative effect of these patterns makes New Jersey among the most segregated states in the nation.<sup>43</sup>

After the end of World War I in 1918, Black people from the southern states and a smaller number from the West Indies moved to New Jersey in search of economic opportunity.



This was later termed “the Great Migration.” For Black Americans, in particular, New Jersey held the possibility of greater personal freedom, dignity and safety from the terrors of the Jim Crow south. They found jobs with better pay, but still limited opportunities: by 1940, for example, 75% of the 32,000 Black women employed in New Jersey worked as domestic workers.<sup>44</sup>

Men and women of African descent in New Jersey were largely excluded from the professional class, including in medicine, law and other fields. Though the Great Migration increased the number of trained Black doctors, nurses and dentists in the region, Newark’s City Hospital did not admit a Black doctor to

practice in the facility until 1946: Dr. E. Mae McCarroll.<sup>45</sup>

Persistent racial discrimination stole opportunities from generations of New Jersey’s Black residents: opportunities for education, employment advancement, wealth building and more. In turn, that deprivation still fuels ongoing economic gaps between racial groups in the state: while white New Jerseyans have an average per capita income of \$63,808, the per capita income for Black residents is just \$38,362.<sup>46</sup>

New Jersey also has one of the nation’s largest wealth gaps.<sup>47</sup> The median net wealth for Black New Jerseyans is \$14,000, while the median net wealth for white residents is

## Average Per Capita Income by Race in New Jersey





a staggering \$192,700 – more than 13 times the Black figure. Among family units, this disparity is even more stark: while the median wealth of white families in the state has risen to \$662,500, Black wealth is just \$19,700 per family.<sup>48</sup>

Homeownership is a foundational way to build wealth, but buying a home remains inaccessible for many Black residents of New Jersey. Newark has the highest proportion of Black residents of any New Jersey municipality that has a population of 75,000 or more, and 78% of people living in Newark are renters.<sup>49</sup>

Housing, education, income and wealth are major determinants of health outcomes. In 2022, Black New Jerseyans had the lowest life expectancy (at 74.6 years) of any racial group in the state.<sup>50</sup> Despite progress in science, technology and medical knowledge over the past century, the health effects of systemic racism have widened the racial gap in infant mortality. Today, Black infants die at 3-4 times the rate of white infants,<sup>51</sup> up from a rate of 1.9 times higher in 1925.<sup>52</sup>

As this report describes, New Jersey's enduring treatment of Black residents as second-class citizens predictably and systematically limited Black economic progress and well-being. In the decades following Reconstruction, and despite achieving equal status under the law, Black New Jerseyans frequently occupied a "shadow" status of citizenship, with their political rights varyingly enforced, ignored or stripped – whether by state agents or by New Jersey's leading political, social and cultural institutions.

Throughout New Jersey, these harms also extend to the built environment. Federal and state officials planned and constructed major road projects in New Jersey during the height of the Civil Rights Movement: Interstate 280 and Interstate 78 in 1958; the Garden State Parkway in 1956; and the New Jersey Turnpike (I-95) in 1951. These projects were routed to bisect many parts of Newark, separating neighborhoods and further stressing the affected communities.<sup>53</sup>

Where these roads pass through more affluent areas of the state, they often feature tree-lined, walled-off buffers or commercial corridors protecting residential areas from smoke,

smog, noise, pollutants and other known byproducts of the highway system. In and around Newark, Trenton, Camden and other urban, largely Black communities, these roads rarely feature efforts to mitigate the polluting impact of traffic, though they pass directly through neighborhoods filled with schools, homes, parks, outdoor restaurants and recreational facilities.<sup>54</sup> Highway construction decisions made decades ago still shape the air that residents of these neighborhoods breathe on a daily basis.

One can draw an unbroken line of Black racialized subjugation in New Jersey from racial chattel slavery to Jim Crow (1880-1940), to urban "renewal" (1941-1967), and disinvestment (which reached an apex in 1967 and continued for decades after the Newark Rebellion). These "compounding moral debts"<sup>55</sup> – to borrow the words of writer Ta-Nehisi Coates – cannot endure and must be redressed.

## **RACIAL TERROR MUST BE RECKONED WITH THE HISTORY NEW JERSEY TELLS ITSELF**

Prior efforts to excavate these historical patterns of slavery, racial discrimination and racial exclusion in New Jersey have faced strong headwinds. While the earliest published scholarly historical accounts of colonial and early American New Jersey included the history of slavery, later generations of historians omitted the state's complicity with enslavement and Jim Crow in favor of a narrative of unending progress.

This scholarly theory cast the American slaveholding south as a "backward" region, and the north as a bastion of progress and equality. This narrative has sanitized our collective histories, here in New Jersey and elsewhere.

New Jersey's civic leaders have carefully crafted a public-



facing narrative as “the State of Opportunity.”<sup>56</sup> That self-story leaves no room to consider or acknowledge the historic and present-day measures that specifically exclude Black New Jerseyans from that “opportunity.” The state’s image as a model northern jurisdiction – a state that wears a “progressive halo” – is belied by the history of racial violence and mob terror white residents perpetrated against their Black neighbors.

In 1809, as described in the pages that follow, white residents of Newark organized a committee to surveil Black residents, enslaved and free. Supposedly concerned with vagrancy and rioting, the committee’s primary activity was terrorizing Black people. Later that year, the committee ransacked homes in Newark’s Black neighborhoods, destroying property and assaulting individuals. Law enforcement rarely intervened to protect Black New Jerseyans from organized white violence.

In 1834, a white pastor in Newark delivered a sermon entitled “The Sin of Slavery” while a Black man stood alongside him at the pulpit. In response to this perceived affront, a white mob forcibly entered the church, kidnapped and assaulted the Black man, and destroyed the sanctuary. After the mob ransacked the church, “[v]iolence quickly spread to other areas of Newark where white mobs targeted free black businesses.”<sup>57</sup>

The horrific lynching of Samuel “Mingo Jack” Johnson in 1886 was another example of racial violence in New Jersey. After Johnson was accused of the rape and assault of a white woman, white locals kidnapped him from the Eatontown Jail just hours after his arrest and hanged him without trial or sentence. Johnson was officially in the custody of Constable Hermann Liebenthal when lynched, but Liebenthal had abandoned the jail and left Johnson to the mercy of a mob that had already gathered outside to plan the Black man’s death.<sup>58</sup> Though Liebenthal was subsequently arrested for manslaughter, the charges were later dropped. None of the men responsible for Johnson’s killing ever faced justice.

The Ku Klux Klan established a foothold in New Jersey in the 20th century, with one estimate claiming the state was

home to at least 60,000 members in the 1920s (“more than Alabama or Louisiana, and only slightly less than Georgia”).<sup>59</sup> Members of the New Jersey Klan – reportedly including some of the state’s most prominent citizens<sup>60</sup> – burned churches, engaged in cross burning as an intimidation tactic and staged mass rallies that sometimes attracted thousands of attendees.<sup>61</sup> In 1949, Klan members burned a cross on the grounds of a Black school in Union, New Jersey, “after a meeting protesting the death sentence against the so-called Trenton Six Negroes.”<sup>62</sup>

This is the foundation of racism, violence and dehumanization that underlies New Jersey’s past and continues to shape its present. Black people seeking opportunity and equality in this state instead found discrimination and systemic barriers that restricted their possibilities and still impact the lives of their descendants.

Repair is long overdue.

## REPARATIONS = HUMAN RIGHTS

Around the world today, reparations are widely recognized as foundational to securing redress for those whose rights have been systematically violated. The New Jersey Reparations Council’s mission to achieve reparations for the state’s Black residents rests on a foundation of centuries of precedent.

Reparations have long been integral to the legal frameworks of Europe and America, dating back to Roman law where wrongful acts were often redressed by financial compensation. In American legal culture, civil litigation and monetary damage awards have long been the primary basis for addressing injuries perpetrated by individuals and the government.

Some of the earliest examples of reparations payments to individual Black people occurred in the late 18th century.



In a Massachusetts court in 1783, Belinda Sutton sued the estate of her former enslaver, Isaac Royall, a white owner of West Indian plantations whose wealth underwrote the founding of Harvard Law School. Sutton petitioned for a pension and argued that she had been “denied the enjoyment of one morsel of that wealth,” while Royall had been enriched “by her own industry and the whole augmented by her servitude.”<sup>63</sup>

Indeed, researchers have used archival records to document a significant and surprising number of Black people who sued for reparations during the 19th century. Many of these cases centered on Black litigants’ efforts to enforce enslavers’ wills. “More often than not, freedpeople won their suits,” concludes historian Giuliana Perrone. “In victory, they acquired their proverbial (and similarly promised) forty acres not from the federal government, but from the enslavers who once owned them.” In a sample of cases Perrone studied, in addition to grants of freedom, she found that Black people regularly received the same four provisions: land, money, transportation costs to relocate and education.”<sup>64</sup>

These centuries-old cases demonstrate that claims for slavery reparations are not only possible, as evidenced by long-standing precedents, but also that such claims have been historically recognized as valid when brought by individuals.

Even large-scale slavery reparations programs designed to provide payments to an entire class of people existed in this country in the 19th century. But those programs paid reparations to enslavers rather than to the enslaved.

When New Jersey passed its Gradual Abolition Act in 1804, it authorized compensation payments to white enslavers who stood to lose their “human property.”

At the federal level, in April 1862, President Lincoln granted reparations to enslavers in the nation’s capital. The District of Columbia Compensated Emancipation Act freed roughly 3,000 enslaved Black people in Washington D.C. and paid their enslavers reparations of \$300 per person freed. The Act authorized payments amounting to nearly \$35 million in today’s dollars.<sup>65</sup>

This is not only a U.S. phenomenon.

According to a team of researchers led by the economist William Darity Jr., nearly fifty countries or territories have paid enslavers reparations “as a matter of course, based on the number of enslaved.”<sup>66</sup>

After Haitians successfully revolted to end slavery, the Republic of Haiti was forced to pay reparations to its former colonial power, France. This arrangement bankrupted and financially devastated the small, Black island nation in ways still felt in the present day.<sup>67</sup>

“Disconcertingly,” writes Darity and coauthors, “in virtually all cases where slavery reparations have been paid, the compensation went to the former enslavers for the loss of their property, not to the formerly enslaved.”<sup>68</sup>

## THE HISTORICAL MOVEMENT FOR REPARATIONS IN THE UNITED STATES

Black Americans have faced long odds for achieving justice and compensation in a nation and world that derived great wealth and power from their suffering and oppression. But this has not stopped them from taking up the fight. The very foundation of America’s prosperity rests upon anguished Black shoulders, and boundless Black toil laid the cornerstones upon which this economic empire was built.

When Union General William Tecumseh Sherman and Secretary of War Edwin Stanton asked a delegation of Black freedmen what they needed to achieve independence after the Civil War’s end, they replied: “We want to be placed on land until we are able to buy it and make it our own.”<sup>69</sup>



In response, Sherman issued Field Order No. 15 in January 1865, setting aside 5.3 million acres of land confiscated from Confederate rebels to be allocated into forty-acre plots for Black families. By that fall, 40,000 Black people had claimed roughly 400,000 acres.

Then President Andrew Johnson revoked Sherman's order, re-confiscated the land and ordered it returned to the former Confederate owners who had waged war against the Union.

At this same time, the United States government was virtually giving away Indigenous-occupied land to white settlers. Between 1862 and the 1930s, the Homestead Act distributed 270 million acres of land – about 10% of the entire land mass of the United States<sup>70</sup> – in 160-acre plots for roughly \$40 an acre in today's dollars. Of approximately 1.6 million claimants, only 3,500 – or 0.2% – were Black.<sup>71</sup> White Americans, to varying degrees, have always been the direct and targeted beneficiaries of redistributionist government programs, at the expense and to the near exclusion of others.

Although individual Black litigants sued for reparations in earlier periods, the centuries-old fight for comprehensive reparations began when Black Civil War veterans sought pensions for their service.

In 1897, Callie House, a Black woman born enslaved in Tennessee, helped found the National Ex-Slave Mutual Relief, Bounty and Pension Association, a grassroots movement to demand reparations for the formerly enslaved. House worked with a minister named Isaiah Dickerson and a lawyer named Cornelius F. Jones to mobilize an estimated 300,000 Black people to petition the federal government for pensions to compensate Black people for the labor that helped build the nation's wealth. House also sought \$68 million (over two billion dollars today) in reparations for stolen labor, based on a calculation of the revenue the U.S. Treasury had collected from 1862-1868 via a tax on cotton. For her pioneering and just cause, House was convicted of mail fraud by the federal government and served a year in prison.<sup>72</sup> She died in 1928 at age 67.

In the continuing decades of the 20th century, Black leaders and activists pursued reparations in the United States and internationally, from Audley "Queen Mother" Moore's Reparations Committee for United States Slaves' Descendants (1957) to the Student Nonviolent Coordinating Committee leader James Forman's "Black Manifesto" (1969), to TransAfrica President Randall Robinson's 2000 book, *The Debt*, and others.

In 1963, Moore published "Why Reparations" and urged "every well-meaning and patriotic American," regardless of their station in life, "to help this long overdue and just effort to erase the blot and stigma from the unfortunate past of America's history, by public and official expiration for the wrongs heaped in multiplicity upon a large mass of American Citizens who have contributed so richly to America's culture, welfare and safety."<sup>73</sup>

In the 1990s, Harvard Law professor Charles Ogletree sued the state of Oklahoma for reparations for the survivors of the 1921 Tulsa Race Massacre. While the effort did not result in a court victory, elements of a state-level reparatory process without compensation have proceeded more recently.

The remedies have included acknowledging the mass killings of hundreds of Black people and the entire destruction of the thriving, wealthy and all-Black Greenwood district. Local and state officials have also supported the efforts of Black people to memorialize the victims with monuments and a museum.

At the national level, a reparations study bill has languished in Congress for more than 35 years. First introduced in 1989 by the late Congressman John Conyers from Michigan, H.R. 40 has been reintroduced in session every year since. The National Coalition of Blacks for Reparations (N'COBRA) was formed in 1987 to organize support for the bill.<sup>74</sup> In 2015, the National African American Reparations Commission (NAARC) was founded to build momentum for H.R. 40 and coordinate international efforts among African descendant people.<sup>75</sup>



# THE CASE FOR NEW JERSEY REPARATIONS

At nearly every juncture in the fight for reparations, Black New Jerseyans have made their case and taken their place in history. In 1951, New Jerseyan Paul Robeson led a coalition to the United Nations to present a petition by the Civil Rights Congress titled, “We Charge Genocide: The Crime of Government Against the Negro People.”<sup>76</sup>

Just a few years before, the United Nations had adopted the Genocide Convention to prevent another Holocaust in the world. Black activists used the occasion to fight for the rights of Black people within a new global legal framework: human rights.

“Shocked by the Nazis’ barbaric murder of millions of Jews and millions of Poles, Russians, Czechs and other nationals on the sole basis of ‘race’ under Hitler’s law,” the Civil Rights Congress petition read, “just as Negroes are murdered on the basis of ‘race’ in the United States.”<sup>77</sup>

“We Charge Genocide” provided a gruesome catalog of thousands of instances of state-sanctioned violence and discrimination against Black Americans. While most incidents took place in the Jim Crow south, some occurred in the north – including cases of police violence and cross-burnings cited in New Jersey.<sup>78</sup> The petition’s authors called for redress, accountability and a cessation of harm – central components of the modern reparations framework.

Despite the legislative victories of the Civil Rights Movement, which did not provide redress for centuries of harm, Black activists in New Jersey increasingly organized for greater political and economic independence during the late 1960s and early 1970s.

Amiri Baraka, a Newark native and celebrated poet and writer, emerged as one of the most prominent New Jersey-based national figures arguing for reparations.

In 1972, Baraka organized and co-chaired the National Black

Political Convention held in Gary, Indiana. Reparations were among the many convention resolutions ratified as part of a newly-created National Black Political Agenda.<sup>79</sup> The agenda called for establishing “a national Black commission [chosen by the National Black Assembly] to determine a procedure for calculating a reparations schedule in terms of land, capital and cash, and to explore the ways in which the Black community prefers to have this payment implemented.”<sup>80</sup>

During this period, Baraka and other Black New Jerseyans pursued housing and economic development initiatives designed to improve living conditions for Black people in the state. Black developers in Essex County embarked on two housing development projects in the early 1970s: Newark’s Kawaida Towers championed by Baraka, and East Orange’s Kuzuri Kijiji designed by one of the first Black architects in the state, Edward Bowser, Jr.<sup>81</sup> At the time of its 1973 opening, Kuzuri Kijiji Housing Development was considered one of the nation’s largest public housing projects developed by and for Black people.<sup>82</sup>

In 1982, the People’s Organization for Progress (POP) was established in Newark and led by Larry Hamm, the youngest delegate to attend the 1972 National Black Political Convention. Hamm is a member of the New Jersey Reparations Council and a contributor to this report, and POP is today a grassroots, volunteer organization working for racial, social and economic justice and peace.<sup>83</sup>

Since POP’s founding, reparations have been among the organization’s core demands.<sup>84</sup> While POP has been part of national efforts to seek reparations for Black people, it has also been involved in nearly every local and state effort to pursue reparations in New Jersey and continues to lead educational campaigns and demonstrations.

In 2005, POP worked with former Essex County Assemblyman Craig Stanley to introduce the “Racial Reconciliation” act, which called for the creation of a 29-person commission to study New Jersey’s history of slavery and anti-Black racial discrimination.<sup>85</sup>

Leadership in the legislature wanted to call the legislation a reconciliation bill rather than a reparations bill. The proposal’s



explicit focus was to “identify policies and practices” that perpetuated discrimination, to “examine the effects” of these policies, and to “make recommendations” for “actions” to “follow up” on the report, as well as to pursue “appropriate ways to educate the New Jersey public about the findings.”

Like H.R. 40, still pending in the U.S. Congress, the New Jersey reconciliation bill only sought to authorize the study of historical and contemporary racism in New Jersey as a prerequisite for redress. Also like H.R. 40, despite the bill’s cautious title and limited call for study and education, the New Jersey legislature has not passed it.

In 2008, Craig Stanley and William Payne led the New Jersey legislature to pass a bill apologizing for slavery in New Jersey – with an explicit caveat that the apology was not an admission of liability for any of slavery’s harms.<sup>86</sup>

By 2019, America was several years into the Black Lives Matter movement and, in large part due to Ta-Nehisi Coates’s 2014 article, “The Case for Reparations,” the topic of reparations had gained much wider attention and support. Nikole Hannah-Jones’s *The 1619 Project* was published in August 2019, and soon after, the late State Senator Ronald Rice and Assemblywoman Shavonda Sumter were among a group of Democrats to co-sponsor a bill to establish a New Jersey Reparations Task Force.

“I believe the country is ready to have a conversation on the history of slavery and racism, giving us a special opportunity ... to develop reparations proposals for African Americans in New Jersey,” State Senator Rice explained at a November 2019 press briefing.<sup>87</sup>

Assemblywoman Sumter told the press that, as a great-granddaughter of New Jersey sharecroppers, the issue was for her a personal one. From slavery to redlining to educational and “environmental inequities,” she said, everything had been done “by design.” This bill was a chance to change history. “New Jersey will be an example of our country and for the world to look at,” she said, “as far as how we repair these irreparable harms and move into a future that will be great for generations to come.”<sup>88</sup>

Despite the hopes of its sponsors, the New Jersey Reparations Task Force legislation failed to advance in 2019. It has since been reintroduced unsuccessfully in multiple legislative sessions, including in 2025. Yet support and momentum for this effort remains. Eighteen municipalities and two counties have passed resolutions or proclamations supporting passage of the bill.<sup>89</sup>

Following the May 2020 murder of George Floyd, together with the earlier killings of Breonna Taylor and Ahmaud Arbery – and after nearly a decade of high-profile police killings of unarmed Black people – as many as 26 million Americans took to the streets at the height of the COVID-19 pandemic demanding racial justice and an end to police violence.<sup>90</sup>

In May 2021, after the New Jersey legislature failed to advance the task force bill – and in response to some lawmakers’ voiced discomfort with the term “reparations” – the New Jersey Institute for Social Justice commenced the Say the Word: Reparations campaign.

When the legislation continued to stall, the Institute launched the New Jersey Reparations Council on Juneteenth 2023.

During a press conference held in Perth Amboy to announce the Council’s work of convening a two-year reparations study, United States Senator Cory Booker (NJ) characterized reparations as the country’s unfinished business.

“It is time ... to not accept the reality that we live in but begin to challenge the fact that we still are a nation in the quest for justice, equality and inclusion,” Sen. Booker told the gathered crowd. “When you have a specific measurable harm, and you can see the economic impact of that measurable, specific harm, why aren’t we calling the question for justice?”<sup>91</sup>

That time is now.

The report that follows is the work of the New Jersey Reparations Council. This publication takes its place in a long tradition of efforts to document the effects of historical and ongoing harm to Black people, and to measure the impact of those injuries to victims, survivors and descendant populations. The report also puts forth an affirmative vision



for how we can repair generations of harm endured by Black people and create true Black freedom in our state.

## EXAMPLES OF SUCCESSFUL REPARATIONS PROGRAMS

The future of reparations in New Jersey, the United States and throughout the world can be determined by the response to this report.

What happens next depends upon the choices made by the reader: What you do to educate yourself. What you do to educate others. And most of all, whether you choose to advocate, organize and demand that political and other leaders at the helm of this state and this nation finally choose to repair, redress and cease the enduring harm of anti-Black oppression.

Fortunately, we can learn many lessons from past reparations programs in the U.S. and around the globe.

From Germany's reparations to Holocaust survivors, we know that effective reparations programs are characterized by international oversight, meaningful financial restitution, worldwide memorialization projects, a robust international human rights infrastructure to monitor, prevent, and fight identity-based oppression, and an ongoing commitment to adapting to the evolving needs of victims – in that case, the survivors of the Nazi genocide against European Jews.

After World War II, Germany's reparations program was initiated and overseen by British, French and American officials. The program established payments and restitution of property for victims and survivors, along with monies to help fund the state of Israel. In 1952, the Conference on Jewish Material Claims Against Germany, also known as the Claims Conference, became the key body established to ensure ongoing payments and policy implementation. An estimated "more than 80 billion euros" have been paid to victims and living survivors of the Holocaust, and the work of the Claims Conference continues to this day.<sup>92</sup> During the COVID-19 pandemic, the

Claims Conference made "one-time payments" to help elderly survivors during the global health crisis.<sup>93</sup>

In Germany and across the globe, museums and monuments memorialize Holocaust victims, including near the National Mall in the United States. In widely adopted school curricula and annual remembrance ceremonies in this country and beyond, students and citizens are urged to join the effort to ensure genocidal violence like the Holocaust cannot be repeated: "Never Again."

Reparations for Holocaust victims were initiated in the wake of the formation of the United Nations and the establishment of the Universal Declaration of Human Rights and the Genocide Convention. These international bodies and documents form the basis of human rights law, humanitarian aid and an international commitment to prevent war and genocide by member nations anywhere in the world. It is an imperfect framework; the largest and most powerful nations, including the United States, are not governed or subjected to international human rights law to the same (if any) degree as smaller nations of the Global South.

Nevertheless, since 1948, an entire infrastructure of international legal precedent not only makes it possible to hold accountable many past perpetrators of systemic oppression and genocide but also works as a bulwark against further (ongoing) harm. These same documents formed the basis of Paul Robeson and William Patterson's 1951 petition, "We Charge Genocide."

For decades, Germany's reparations program has influenced the response to subsequent instances of genocide, war and conflict, and shaped pro-democracy movements such as the fight to end apartheid in South Africa. In settings as varied as Northern Ireland, Rwanda, South Africa and Chile, leaders have looked to the German model. While reparative efforts have differed across jurisdictions, most have included financial restitution payments to victims.

Since releasing its initial findings in 1998, the South African Truth and Reconciliation Commission (TRC) has also been a model for reparations programs. Delegations of U.S. public



officials and researchers have traveled to South Africa over the past two and a half decades in hopes of learning from the country's transition to a multi-racial democracy following the end of apartheid. Under that system, the majority-Black (but ethnically diverse) nation was brutally controlled by a white minority that borrowed many racial theories of white supremacy and Black inferiority from the U.S., and that oppressed Black communities through similar policies and practices.

Today, South Africa's transitional reconciliation process reveals that the TRC was a very limited enterprise. Under the commission's very narrow and individualized conception of what constituted actionable claims of police or state violence, only 21,000 Black South Africans were able to participate, each receiving reparations of about \$4,000. Neither the system of apartheid nor colonialism were on trial, and the vast majority of South Africa's Black population never received any reparations. The democratically elected Black government's promise of community reparations and land redistribution have largely gone unfulfilled, and many Black South Africans today live under conditions similar to those experienced during apartheid.<sup>94</sup> White people are about 7% of the country's current population but hold roughly 75% of the land.<sup>95</sup>

In the United States, Japanese Americans were granted federal reparations in 1988. During World War II, from 1942-1946, the U.S. government forcibly detained 120,000 people of Japanese ancestry, including 80,000 who were Americans by birth. More than 40 years later, with the 1988 Civil Liberties Act, the Civil Rights Division of the Department of Justice established the Office of Redress Administration. The ORA oversaw, acknowledged, apologized for and offered restitution for "injustices of the evacuation, relocation and internment of Japanese Americans during World War II."<sup>102</sup> Each claimant received \$20,000, based on a decision among living victims to pursue symbolic payment "to call attention to the issue for non-victims, rather than make victims whole for what they lost."<sup>103</sup>

Modern reparations examples in this country include compensation to the victims of the 1923 Rosewood, Florida, massacre, authorized by the Florida legislature in the 1990s;<sup>98</sup> and a 2004 effort to provide redress to Black community members harmed when public schools in Prince Edward

County, Virginia, closed from 1959-1964 to evade judicial desegregation orders.<sup>99</sup>

In 2015, Chicago paid reparations to the victims of racially motivated police torture on the city's West Side between the 1970s and 1990s and became the first U.S. city to compensate victims for that type of harm.<sup>100</sup>

In 2020, California became the first state to enact a Reparations Task Force bill. The Task Force was created to study the history of the state's harm to Black residents, make recommendations for acknowledging and making restitution for the harm, educate Californians about this history in schools, memorialize the victims of anti-Black oppression, and enact legislation to eliminate and prevent new harm. The Task Force published "The California Reparations Report" in July 2023, including findings and more than 115 recommendations.<sup>101</sup>

Regarding financial restitution, the California report calls for specific payments based on specific types of harm such as healthcare discrimination and policing. Each harm has a recommended payment paid per year of residence. For example, the report recommends \$13,169 be paid for health care discrimination per year of California residence and \$2,352 per year for discriminatory policing during the war on drugs (1971 to 2020). For housing discrimination, a one-time payment of \$145,847 would be due. One expert estimates that two million Black Californians would receive \$800 billion based on the current plan. As of this writing, the legislature has acted on a handful of the report's recommendations.<sup>102</sup>

In 2019, after years of research by a local archivist examining housing discrimination in the city of Evanston, Illinois, the City Council agreed to pay reparations to victims or their descendants who resided in the city between 1919 and 1969. These were the years between the Great Migration and the passage of the U.S. Fair Housing Act, when a significant population of Black people were lawfully barred from having equal access to housing in Evanston.

The city established a \$10 million reparations fund by taxing cannabis sales.<sup>103</sup> Since 2021, each person eligible for reparations under the Evanston plan has received \$25,000 towards housing repairs, a down payment for a home

purchase or mortgage assistance. Only about 200 victims had been awarded reparations by December 2024,<sup>104</sup> when a conservative activist group sued Evanston officials and claimed the program unlawfully discriminates against white residents.<sup>105</sup>

## **WHAT REPARATIONS SOLVE: SLAVERY, SEGREGATION AND SYSTEMIC RACISM WERE ABOUT CAPITALISM AND EXPLOITATION; HATE WAS AN INDIVIDUAL BY-PRODUCT**

New Jersey should build on what California and Evanston have done and learn from successful reparations programs around the world. Slavery and subsequent institutionalized discrimination in the United States were fundamentally about economic exploitation.

Historian Edward Baptist emphasizes, “Slavery was central to American capitalism, not peripheral to it.”<sup>106</sup> Such exploitation was rationalized economically, minimizing moral considerations among America’s founders. Modern reparations thus require confronting the lasting economic disparities resulting directly from systemic racial injustices.

As outlined in the Council’s policy recommendations, comprehensive reparations require cash payments as well as policy investments that take into account non-market damages such as health disparities, environmental racism and social disruption resulting from urban renewal and infrastructure displacement disproportionately affecting Black communities.

Recognizing and quantifying these impacts ensures reparations more accurately reflect broader social harm.

Accountability remains crucial for a successful reparations program in New Jersey. Reparations without systemic policy changes would lead to continued injustices. “Without structural reforms,” Kathryn Edwards and co-authors write, “reparations risk failing to alter the conditions perpetuating racial inequalities.” Accountability requires continuous adjustments to prevent the recurrence of injustices. This ongoing accountability, in addition to monetary compensation, should underpin reparations efforts, ensuring dynamic, iterative redress processes exemplified by successful models such as Germany’s reparations to Holocaust survivors.

Sustained public support remains critical for the success of reparations. Mass mobilization and consistent education initiatives are essential for shifting societal attitudes. “Effective public mobilization requires sustained educational outreach that connects contemporary inequalities directly to historical injustices,” Jesse Rhodes and co-authors explained in a study of public opinion on reparations. The study found that negative racial attitudes were far more predictive of opposition to reparations than either ideology or partisanship.<sup>107</sup>

Wealth disparities between educated Black and white individuals demonstrate persistent racial inequities. Nonprofit leader Garrett Neiman underscores the importance of intergenerational wealth, noting that even successful, high-income earning Black individuals often lack the inherited wealth accessible to their white counterparts. Reparations thus aim to rectify inequities that compounded over generations. These inequities will never be redressed by one generation’s hard work in pursuit of the American Dream.<sup>108</sup>

Moreover, the presence of a visible Black middle and upper class does not negate racial disparities in income and wealth, particularly when considering cumulative generational wealth transfers predominantly benefiting white Americans.

When comparing apples to apples, the largest racial disparities in wealth nationally are at the top and bottom. For the top 20% of income earners, Black households have



\$554,100 in total wealth compared to \$1,429,800 for white households. At the bottom 20% of income earners, Black households hold \$5,101 in wealth compared to \$43,100 for white households.<sup>109</sup> Reparations advocates remind us that financial success among Black individuals often occurs despite systemic barriers rather than because of equitable opportunities.

Reparative measures are needed to achieve true equity. There is no such thing as trickle down justice.

Just as some white enslavers were paid reparations, white settlers were given land virtually for free, and white homeowners were given access to the American Dream through subsidized housing and educational loans, Black people in New Jersey and in the nation must finally be made whole.

This report is organized, chronologically and thematically, to reflect major eras in New Jersey's history. As detailed herein, New Jersey is not and never has been an exceptional place of opportunity – nor has it ever been a “colorblind” society.

Race, and an enduring belief in white supremacy, impacts nearly every aspect of life in the Garden State. And racism is a system of laws, policies and practices that structure everyone's lives.

Instead of asking “what rule was broken and who broke it?” a visionary reparations framework asks, “what is the harm caused and to whom?” Individuals can undoubtedly perpetuate racial hatred, racial discrimination, bigotry and prejudice.

But reparations are about reckoning with and redressing the systems that perpetuated harm and still do.

Given this reality, the popular and comforting notion of colorblindness is not the answer – nor has it ever been. That approach only blinds and anesthetizes people to the way inequality was built by design and the way opportunity continues to be unfairly distributed.

We must collectively and directly address societal disparities attributable to race, racism and the legacy of racial chattel

slavery, American apartheid and today's ongoing policies of mass incarceration, health exclusion and environmental racism.

The future of New Jersey rests on your commitment to read this report thoroughly, to advocate for its reparative recommendations, and to purposely live with a renewed passion for justice and equality for all.

Thank you for joining us in this movement.

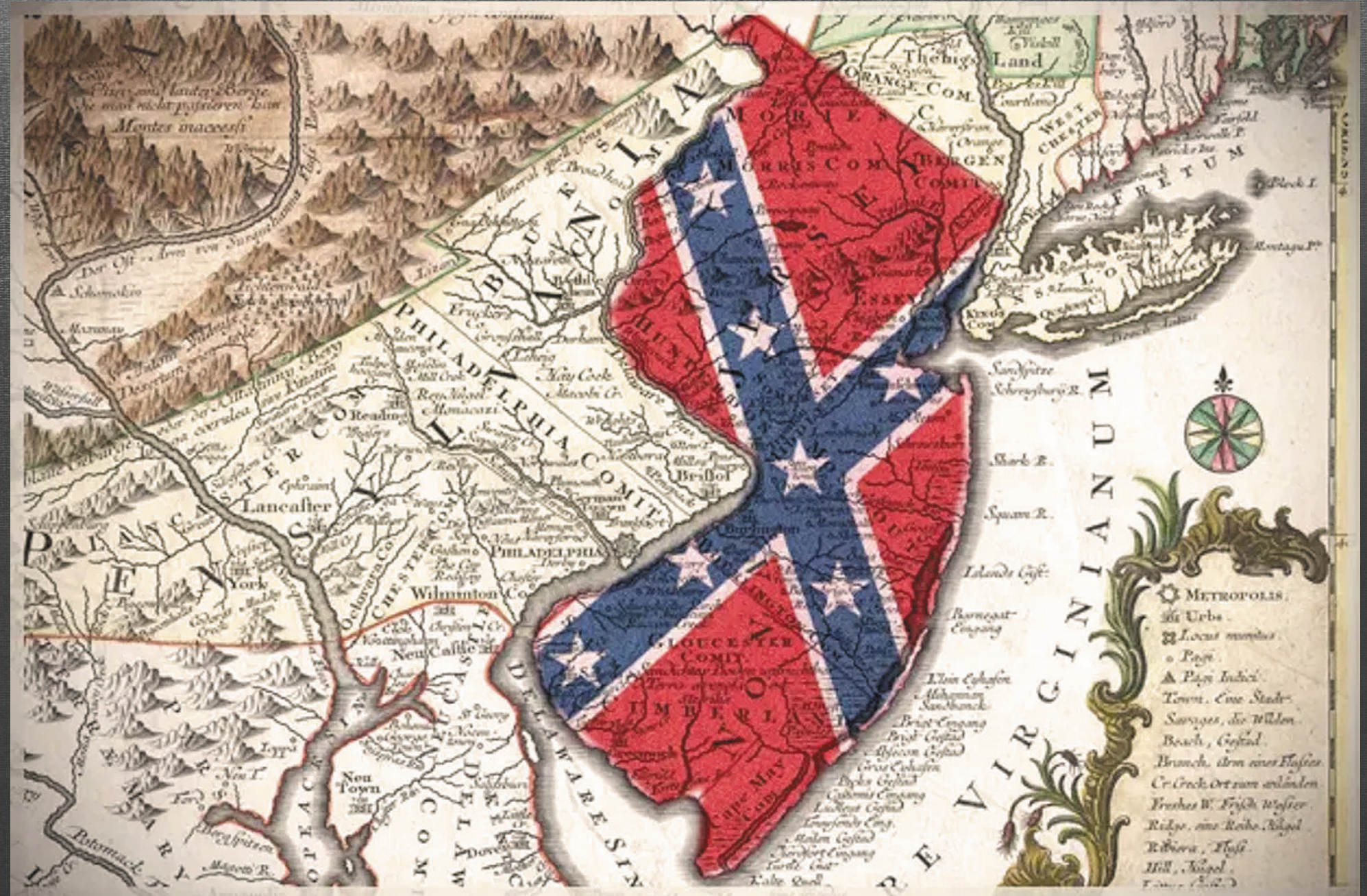


U.S. Senator Cory Booker Delivers Remarks at the Launch of the NJ Reparations Council, Perth Amboy, NJ, June 19, 2023



# New Jersey: Slave State of the North

Colonial Era - 1870





**History, despite its wrenching pain,  
cannot be unlived, but if faced with  
courage, need not be lived again.**

—Maya Angelou<sup>110</sup>



**New Jersey is a state in which are found,  
so far as Negroes are concerned, practices  
that many people believe to exist only in  
the southern area of the country.**

—Marion Thompson Wright<sup>111</sup>



# Slavery was not just a southern sin.

It was a national sin that infected all thirteen British mainland colonies, including New Jersey – a slave society where the institution grew some of its deepest northern roots.<sup>112</sup>

New Jersey's commitment to slavery was so complete that it has been called the "slave state of the North."<sup>113</sup>

As discussed below, when New Jersey finally passed legislation seeking to end slavery for Black people, it did so only on a gradual basis and only pursuant to a "compensated abolition" scheme that paid reparations *to the enslavers* of Black people.<sup>114</sup>

No such compensation – or reparations – was provided to the enslaved, whose uncompensated labor over more than two centuries built New Jersey into one of the wealthiest states in America.

This section discusses slavery in New Jersey, tracing its origins, development, reluctant abolition and enduring impact on the contemporary lives of Black people in the state.

## SLAVERY TAKES ROOT IN NEW JERSEY

As early as 1626, on the land of the Lenape and Ramapough peoples, the Dutch West India Company brought enslaved African people to New Netherland<sup>115</sup> as part of the Dutch settlement of a territory comprising all of modern-day New Jersey and part of modern-day New York.<sup>116</sup>

By 1630, 50 African people enslaved on a plantation across the Hudson River became "the first Black residents of New Jersey."<sup>117</sup>

Enslavement under the Dutch was based on "custom and usage, rather than law."<sup>118</sup> Those customs were frequently adapted from elsewhere.

In the first two decades of the colony's existence, as enslavers from Barbados flocked to New Jersey for the "fertile and relatively untapped land ripe for

settlement,” the state was heavily influenced by harsh forms of slavery in the British Caribbean.<sup>119</sup> Initially, as scholars have observed, New Jersey was a “feeder colony” for plantation owners in Barbados:

Because of extensive deforestation, Barbados lacked wood to keep the sugar boilers running. And with little land available to grow foodstuffs, they were reliant on outside supplies. New Jersey, with its extensive forests and arable lands (especially in East Jersey), became an ideal feeder colony[.]<sup>120</sup>

New Jersey provided timber for those Barbadian sugar plantations and food for the enslaved people toiling on those plantations – helping to keep them alive for the continued extraction of their labor.

New Jersey’s position as a colony feeding the economy of the Caribbean slave colonies facilitated the flow of goods and capital and the continued trafficking of enslaved African people between Africa, the Americas and Europe.<sup>121</sup>

In British North America, the highly profitable trade in people was monopolized by the Royal African Company (RAC), chartered in 1664 by the British Monarchy and financed by merchants to exploit the various resources of western Africa.<sup>122</sup>

In 1664, slavery gained legal recognition under “the Articles of Capitulation, which transferred sovereignty from the Dutch to the English, [and] recognized Dutch slave titles.”<sup>123</sup> That same year, the *Concession and Agreement* incentivized bound labor by offering 150 acres of land to every English family that settled in the territory, with an added 150 acres for each “servant” they trafficked with them.<sup>124</sup>

By the time New Jersey was formally established as a British colony, racial chattel slavery had established roots as a social and legal phenomenon; white landowners in the colony built a legal system around slavery designed to hold Black people captive for life.

Those landowners also created a property tax on enslaved people, which functioned to transfer wealth from enslavers to the county coffers. In its 1694 term, for example, “[t]he Gloucester County Court ... placed a tax on the ownership of Negroes.”<sup>125</sup>

Between 1664 and 1703, New Jersey was comprised of East Jersey and West Jersey: distinct political entities with distinct laws and different positions on slavery.<sup>126</sup>

Slavery was prevalent in East Jersey, which originally included the counties of Bergen, Essex, Middlesex and Monmouth. Perth Amboy was East Jersey’s primary port for trafficking enslaved people, and home to one of East Jersey’s custom houses.<sup>127</sup>

In the 1680s, Colonel Lewis Morris, an English sugar planter from Barbados, enslaved 60 to 70 Black people in Shrewsbury, Monmouth County.<sup>128</sup>

In West Jersey, Cooper’s Ferry (now Camden) emerged as the principal port of entry for enslaved African people.<sup>129</sup>

After years of contention, the governance of New Jersey was officially surrendered to the Crown in 1702. New Jersey was thereafter led by a Crown-appointed governor. Lord Cornbury, cousin to Queen Anne, was chosen to be the first Governor of New Jersey.<sup>130</sup>

Queen Anne ordered Cornbury to “contribute to the advantage” of the colony by encouraging trade in both goods and persons.<sup>131</sup> The Queen also instructed Cornbury to protect the trading monopoly enjoyed by the Royal African Company, on the grounds that the Crown itself would “recommend” to the Company that it increase its trafficking to ensure “a constant and sufficient supply of merchantable negroes, at moderate rates.”<sup>132</sup>

Towards this end, the Queen required the Governor to annually report to her the number and value of enslaved African people imported into the colony.<sup>133</sup>





Map of East and West Jersey, 1706; Library of Congress

## LABOR PERFORMED BY THE ENSLAVED

Unlike Virginia and Carolina, which were dominated by a mono cash-crop culture, enslavement in New Jersey varied widely according to region.<sup>134</sup>

Colonial New Jersey's economy was primarily rural and agricultural, focused on raising livestock, crop production,

spinning linen, making wool, tanning leather, and constructing brick and timber houses. The colony's early Barbadian planters attempted to replicate the plantation-style slavery they had established in the sugar-growing islands.

In northern New Jersey, where wheat, corn and rye thrived, enslaved Black people endured intense physical labor on booming agricultural enterprises:<sup>141</sup> "[I]n 1740 three-fourths of the corn that was planted and hoed, the flax that was raised and dressed, and other work done was performed by Negro slaves."<sup>136</sup>



**Marker in Perth Amboy, NJ at Former Port for the Arrival of Enslaved People**

The farm, the “locus for home industry,” was sustained by enslaved labor.<sup>137</sup> Enslaved Black farmworkers in New Jersey worked as “carpenters, blacksmiths, copper, tanner and leatherworkers, raising crops and livestock, taking care of horses and driving carriages, potash cultivator, saw and grist mill operator, cook, houseworker, and barber.”<sup>138</sup>

Similar patterns proliferated in Central and Eastern Jersey, where white colonists exploited the land grant system and established large, flourishing plantations.<sup>139</sup> Enslaved men and women performed every aspect of settlement and expansion: clearing land, planting and harvesting staple crops, tending animals, and performing daily farm labor such as chopping wood and repairing fences. Enslaved women also provided vital domestic labor like caring for children, preparing food and tending house.

Enslaved people in New Jersey were also used in industrial and other nonagricultural labor, including in the Andover Furnace

and Forge Co. in Sussex County; in Charles Read’s ironworks in Burlington County; in copper mining on the prominent New York Schuyler family’s lands in Bergen County; and in the skilled trades including ship carpenters, quarry workers, ferry workers and seamen.<sup>140</sup>

The labor of Black people enslaved in New Jersey produced rubber, shoes, clothing, glass, leather and iron goods.<sup>141</sup> Southern states were large-scale consumers of the industrial goods produced in New Jersey by enslaved laborers, such that the products and practices of New Jersey industry became intricately tied to the mechanics and material conditions of slavery across the nation.<sup>142</sup>

New Jersey’s economic interests were interdependent on the labor of enslaved Black people, both at home and in the south. Historian Giles Wright has observed that “white New Jerseyans increasingly felt that the abolition of southern slavery would ruin them economically.”<sup>143</sup>

As the demand for labor in the agricultural regions increased, so did the number of enslaved Black people imported into New Jersey. In the early 18th century, the number of enslaved people in the eastern counties doubled. By 1745, an estimated 4,606 individuals were in bondage in New Jersey,<sup>144</sup> with the largest populations of enslaved people found in Bergen, Somerset and Monmouth counties. In Bergen County, enslaved people comprised nearly 20% of residents.<sup>145</sup>

By the onset of the American Revolution in 1775, more than 8,000 enslaved Black people were living in New Jersey: about 10% of the colony’s population<sup>146</sup> and the “majority of farm workers in the state.”<sup>147</sup> Slavery had significant impact and influence across the colony’s villages and towns; by the Revolution, there were 300 white households in Perth Amboy, and all but one held enslaved Black people.<sup>148</sup> Around the same time in Morris County, “there was approximately one enslaved person living in Morristown for every free individual.”<sup>149</sup>

By the early 19th century, more than 12,000 Black people were enslaved in New Jersey – more than were then enslaved in all of the other New England states combined.<sup>150</sup>



# 1790

11,423  
Enslaved Population

184,139  
Total Population

6.2%

or 1 in 16 people were enslaved





# SPOTLIGHT: LOCKEY WHITE

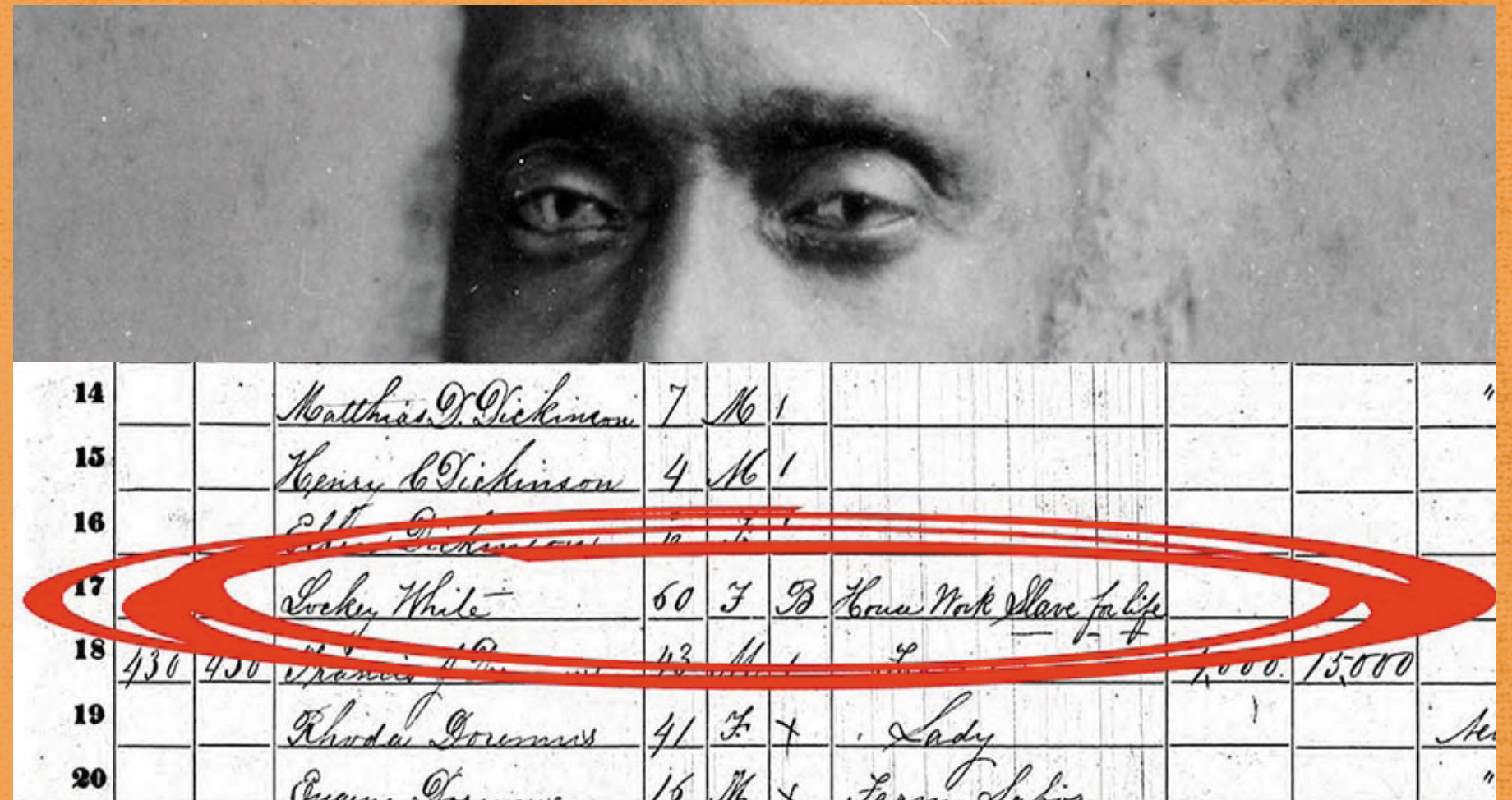
**Lockey White, one of thousands of Black people enslaved in New Jersey, didn't receive her first taste of freedom until January 1866.**

By then, Ms. White had lived her entire life in bondage. Her lifetime spanned the War of 1812, industrial revolutions in the U.S. and Europe, the expansion of the United States from “sea to shining sea,” and the Civil War.

Through it all, Ms. White remained enslaved, toiling without compensation for generations of “owners” and part of a system that helped build great wealth for New Jersey.

News of freedom reached enslaved people in the Texas frontier lands in mid-1865. Six months later, as the new year of 1866 dawned, Ms. White and more than a hundred other souls were still laboring in bondage in New Jersey.

Some, like Ms. White, had been labeled in the 1860 federal census as “slaves for life.”<sup>151</sup>



**Peter Lee, possibly enslaved by Stevens Family in Hoboken, NJ, and Lockey White's 1860 Census Entry**  
New Jersey Historical Commission



# SICKNESS, VIOLENCE AND THE LAW IN THE ERA OF SLAVERY

The institution of slavery decimated Black health, safety and well-being.

## *Health and Well-Being*

Throughout American history, Black people have suffered particularized health harms directly linked to the institution of slavery and prevailing beliefs grounded in race-based pseudoscience.<sup>152</sup>

Slavery rendered Black people vulnerable to infectious diseases that spread through inadequate sanitation, ventilation and other conditions inherent to human trafficking; sexual and physical abuse associated with labor extraction and sexual reproduction; medical experimentation; and the lasting mental and physical traumas associated with dehumanization and brutality.

These practices began with the warehousing of kidnapped and trafficked African people in slave forts on the West African coast:

In these dungeons, individuals were crammed inside of tiny spaces for weeks or sometimes months, often without water or ventilation, where they ate, slept (often standing), vomited, menstruated, urinated, and defecated. Conditions within the dungeons were so dangerous that cleaning them was discouraged due to risk of smallpox and intestinal infections [for the cleaners].<sup>153</sup>

Upon arriving in the Americas, kidnapped African people who survived the horrors of the dungeons and the Middle Passage were assigned value based on their physical condition. Seen as commodities rather than humans, their lives were valued through a property lens that combined labor exploitation with the horrors

of physical and sexual violence, and the ever-present threat of death and disability.<sup>154</sup>

Several modern life-giving medical practices, including in surgery and gynecology, were developed through routine, violent medical maltreatment and experimentation on enslaved Black people.<sup>155</sup>

Enslaved Black women suffered particular harms.

At a time when the bodies of Black people were marketable products, care for pregnant enslaved women and the children they bore did not reflect the respect or care due pregnancy, childbirth and infancy.

Enslaved girls frequently bore children before reaching maturity, and scholars have documented dangerously short intervals between enslaved women's births.<sup>156</sup> Enslaved women were also frequently forced to continue engaging in difficult physical labor during their pregnancies, sometimes in horrid conditions.<sup>157</sup>

The "[f]requent childbirth and over-work had a detrimental impact on enslaved women's health, as well as maternal and infant mortality."<sup>158</sup> Poor medical care for enslaved women before, during, and after pregnancy and childbirth, coupled with inadequate care for infants born into slavery, led to enslaved women and their infants dying during or soon after birth at high rates.<sup>159</sup>

## *Early Inequality and Brutality*

Even as the system of slavery – and the nation itself – was still forming, New Jersey quickly established a separate and unequal system of justice for Black people.

In 1676, West Jersey revised its charter to outlaw slavery,<sup>160</sup> while East Jersey expressed a commitment to slavery by passing laws to codify the system's existence. These laws required enslavers to provide food and clothing rations for enslaved people; forbade enslaved people from carrying guns, owning property, or staying in a home longer than two hours without their enslaver's consent; and established penalties for Black people who fled enslavement and anyone who assisted them.<sup>161</sup>



Enslaved Black people in East Jersey faced gruesome punishments when accused of crimes.

In 1680, several enslaved Black people in Bergen County were punished with 20 lashes after hogs in their care allegedly damaged a white person's property.<sup>162</sup> In 1685, an enslaved person named Cuffy was "executed for arson, then disinterred, and hung in chains."<sup>163</sup>

An enslaved person called Quack was convicted of stealing "sundry goods" and sentenced to being "dragged along by a cart" and "whipped precisely 117 times ... at eight different locations in Hackensack, Bergen County."<sup>164</sup>

After an enslaved Black man named Caesar was convicted of murder in 1694, a judge ordered his right hand cut off and "burned before his eyes."<sup>165</sup> Caesar was then to be hanged to death, after which his body was to be cut down and burned in a fire.<sup>166</sup>

As early as 1694, before New Jersey became a British colony, laws called for monitoring and punishing any sign that the enslaved might flee from bondage. Enslavers were responsible for carefully surveilling their "human property" and could face escalating fines if an enslaved person was found away from their enslaver's property or homestead unaccompanied by a white person.<sup>167</sup>

In 1695, East Jersey established separate courts to try enslaved Black people accused of felonies or murder. Enslaved people accused of stealing could be tried by two justices of the peace, with no jury, and sentenced to public whipping.<sup>168</sup> These separate courts allowed East Jersey to "dispense[ ] quick 'justice'" within several hours, before governors and other colonial leadership could grant clemency.<sup>169</sup>

According to historian Graham Hodges, the separate East Jersey court's first trial was of seven enslaved Black people accused of murdering Lewis Morris of Passage Point in Monmouth County. Two Black men, Jeremie and Agebee, were charged and convicted with murdering Morris after Morris allegedly killed an enslaved woman.

While local law enforcement refused to investigate the

woman's murder, Jeremie and Agebee were quickly sentenced to hang for the white man's death.<sup>170</sup>

### *The Slave Codes*

Through legislation, generations of New Jersey lawmakers enshrined the state's laws and culture with a commitment to white supremacy and a belief in Black inferiority.

In 1704, within two years after East and West Jersey were consolidated into one British colony, white settlers enacted legislation, "An Act for Regulating Negro, Indian, and Mallatto Slaves within this Province of New-Jersey," which codified the brutal and discriminatory measures New Jersey's legal system would employ against Black people in the colony.

The law authorized enslavement for life, held that conversion to Christianity would not earn an enslaved person their liberty<sup>171</sup> and denied property ownership to any Black person who had already gained their freedom.

The law also criminalized enslaved people who sought to free themselves and urged white colonists to pursue enslaved people who escaped.<sup>172</sup> Under the law, any suspected enslaved person who escaped could receive up to 20 lashes "on the bare back," and white people could receive five shillings for every enslaved person re-captured.<sup>173</sup>

Under the 1704 law, a Black or Indigenous person convicted of stealing property valued between five and 40 shillings could receive up to 40 lashes and be "burnt with a hot iron on the most visible part of the left cheek near the nose, with the Letter [T]."<sup>174</sup> The Act further prescribed capital punishment for any "Negro, Indian or Mallatto Slave" convicted of "attempting by force or persuasion to Ravish or have carnal Knowledge of any White Woman, Maid or Child."<sup>175</sup>

The 1704 Act also stipulated that any enslaved Black person convicted of physically attacking their enslaver or willfully burning any house, barn, stable or haystacks would be summarily executed.

Enslavers who suffered "loss" of their "human property" under this provision were compensated, receiving 30 British pounds



from the colonial government for each enslaved man executed and 20 pounds for each enslaved woman executed.<sup>176</sup>

A 1709 law eliminated castration as a legally sanctioned punishment for “carnal knowledge” of a white woman,<sup>177</sup> and a 1713 law set the punishment at death.<sup>178</sup>

Also in 1713, on the heels of a rebellion by enslaved people in New York City, white New Jerseyans passed another round of slave codes that reiterated previous regulations and declared that enslavement should be a lifelong status. The law also authorized death as punishment for enslaved people convicted of attempted murder, murder or arson.

The 1713 Act expanded beyond enslaved people and identified free Black residents of the colony as a threat to the safety and well-being of white inhabitants.

Free Black people, the law stated, were an “Idle and Slothful People” whose mere existence was dangerous. To limit their growing numbers, the 1713 Act sought to deter enslavers from freeing enslaved people: any enslaver who sought to voluntarily free their “human property” would be forced to pay the colony 200 British pounds, followed by an annual fee of 20 pounds for each person freed.<sup>179</sup> This pronouncement “stripped slaves of almost any chance at becoming free in colonial New Jersey.”<sup>180</sup>

### ***Control through Violence, Deprivation and Punishment***

Before New Jersey established its first state prison, corporal punishment was the primary sanction imposed upon people convicted of crimes. Counties also operated workhouses. In Middlesex County, a workhouse was established in 1748 in part to punish Black people who had fled enslavement and been re-captured.<sup>181</sup>

In the colonial and antebellum period, city watchmen and private citizens enforced vagrancy laws that declared “all poor indigent persons strolling ... about this colony ... shall be esteemed vagrants and vagabonds.”<sup>182</sup> Those persons caught “strolling” could also be forced to labor in the local workhouse. As intended, this broad criminalization of poverty coincided with growing communities of Black people. In 1823, concerned with the influx of residents considered undesirable, wealthy New Brunswick

residents formed an association to protect their property against so-called “vagrants.”<sup>183</sup>

As the 18th century progressed, colonial lawmakers strengthened the institution of slavery.

In 1751, to restrict enslaved Black people’s ability to meet and gather, East Jersey enacted a law prohibiting anyone from selling liquor to enslaved Black people and setting punishments – up to 20 lashes – for enslaved Black people found congregating in groups larger than five.<sup>184</sup>

State law also made it illegal for enslaved people to supplement their diet by taking animals, grains or other food provisions for their own use; those convicted of such offenses faced up to 40 lashes in the public square.<sup>185</sup>

While some enslaved men labored away from their enslavers’ homes as sailors, boatmen, stablemen or stage drivers,<sup>186</sup> enslaved women were confined to their enslavers’ households and surrounding landholdings. Because the law declared that children took on the enslaved status of their mothers, enslavers were economically incentivized to sexually exploit enslaved Black women by committing rape or forcing them to “breed” with enslaved men of their enslaver’s choosing. These violations of Black women were routine, rampant and immune from legal recourse.<sup>187</sup>

## **CLINGING TO SLAVERY: GRADUAL ABOLITION**

By the turn of the 19th century, decades after white New Jerseyans had fought and killed for their own liberty from British rule, New Jersey remained deeply committed to enslaving Black people.

A 1798 state law reinforced the colonial legislature’s earlier edicts establishing enslavement as a lifelong status: “every negro, indian, mulatto or mestee, within this state, who, at the time of passing this act, is a slave for his or her life, shall continue such during his or her life...”<sup>188</sup>



New Jersey also prohibited enslaved people from testifying in court (unless they were offering testimony against another enslaved person), re-enacted harsh punishments for enslaved people who gathered in groups, and reaffirmed restrictions on Black mobility passed decades earlier.<sup>189</sup>

Even as other northern states legally ended slavery within their borders, New Jersey was reluctant to abandon its deep attachments to slavery. In 1804, New Jersey passed the Gradual Abolition Act. Under this law, enslaved Black people born before July 4, 1804, remained enslaved for life, and Black infants born to enslaved mothers after that date remained enslaved until their twenties.<sup>190</sup>

The Act also included a clause that entitled enslavers to compensation. If they emancipated their "human property" and then reclaimed them as "bound out of labor," enslavers could collect state funds to cover the cost of acting as custodians over the Black people they had recently enslaved.<sup>191</sup>

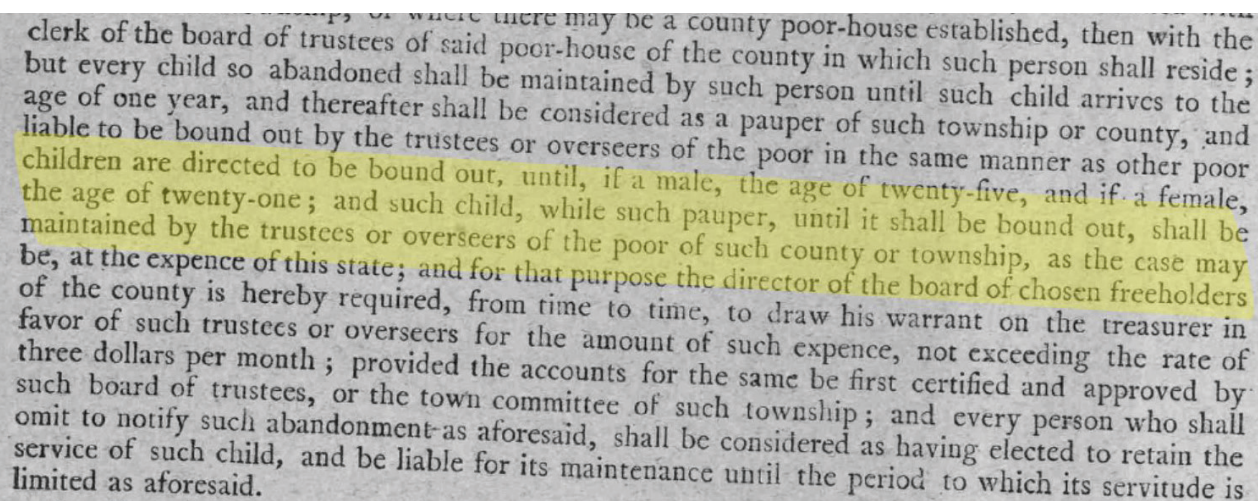
Thus, New Jersey paid reparations to the *enslavers* of Black people while paying nothing to the enslaved themselves.

New Jersey's "gradual abolition" laws reflected lawmakers' interest in maintaining slavery for as long as possible.

Elected officials in the state regularly found common ground with southern states where slavery was thriving. In the decades leading up to the Civil War, while other states in the north seemed to have "disowned their former slave state status, New Jersey politicians consistently drew upon the past to communicate solidarity with southerners, a desire for law and order on the border, and support for gradual approaches to abolition."<sup>192</sup>

As in the south, Black people in New Jersey faced mob violence and racial terror before and after Emancipation.

In 1809, white Newark residents organized to target Black people under the guise of enforcing law and order. New Jersey officials claimed social problems were worsening due to an influx of Black residents who had escaped slavery and joined communities of free Black people already living in the state.<sup>193</sup> White Newark residents formed a "citizens committee," assigning two members to each district to enforce laws against vagrancy and rioting.



clerk of the board of trustees of said poor-house of the county in which such person shall reside ; but every child so abandoned shall be maintained by such person until such child arrives to the age of one year, and thereafter shall be considered as a pauper of such township or county, and liable to be bound out by the trustees or overseers of the poor in the same manner as other poor children are directed to be bound out, until, if a male, the age of twenty-five, and if a female, the age of twenty-one ; and such child, while such pauper, until it shall be bound out, shall be maintained by the trustees or overseers of the poor of such county or township, as the case may be, at the expence of this state ; and for that purpose the director of the board of chosen freeholders of the county is hereby required, from time to time, to draw his warrant on the treasurer in favor of such trustees or overseers for the amount of such expence, not exceeding the rate of three dollars per month ; provided the accounts for the same be first certified and approved by such board of trustees, or the town committee of such township ; and every person who shall omit to notify such abandonment as aforesaid, shall be considered as having elected to retain the service of such child, and be liable for its maintenance until the period to which its servitude is limited as aforesaid.

A. Passed at Trenton, Feb. 15, 1804.

New Jersey's 1804 Gradual Abolition Act  
Library of Congress



Even Black religious practices were targeted for condemnation.

In 1811, a letter in Newark's weekly *Centinel of Freedom* newspaper "decried the behavior of [Black people] on the Sabbath. The writer accused them of 'the most scandalous' behavior, including 'hovering around the Church doors yelling and whooping to the great disturbance of those worshipping inside.'" <sup>194</sup>

Free Black people faced the constant threat of losing their liberty while residing in New Jersey because they could be sold into slavery at any moment. New Jersey's position as a southern conciliator cleared a pipeline for hundreds of free Black people to be kidnapped in the state, illegally trafficked to slave traders and sold into bondage in the south. <sup>195</sup>

In the 1820s, the Cannon-Johnson Company kidnapped and trafficked more than 200 Black people. The company "bribed sheriffs, employed black associates, drafted false documents, and created safe houses in a sort of 'reverse underground railroad.'" <sup>196</sup> Jacob Van Wickle, a county judge, ran a "slave ring" that illegally trafficked Black New Jerseyans to Louisiana. <sup>197</sup> Van Wickle and his fellow abductors "produced false affidavits of slave's consent for their sale out of state" in order to traffic Black New Jerseyans (enslaved and free) to lucrative markets in the south. <sup>198</sup>

Many of New Jersey's oldest cities and towns established police forces in the mid-to-late 19th century to centralize efforts to control and surveil Black residents. Jersey City traces its modern police force back to 1829. <sup>199</sup>

Newark's first mayor, William Halsey, was elected on April 11, 1836, and soon thereafter established the "City Watch" <sup>200</sup> that, by 1857, became the Newark Police Department. <sup>201</sup> The Elizabeth Police Department was established in 1858. <sup>202</sup>

These efforts, combined with laws that required enslavers to provide financially for any enslaved person they wished to free, made freedom an elusive and vulnerable status for Black people in New Jersey – and led some free Black people to leave the state. <sup>203</sup>

Watchmen, marshals and police often made no distinction between free and enslaved Black people, asserting that all Black people in New Jersey "pretended to be free." <sup>204</sup> Sheriffs in

New Jersey apprehended and detained Black people unable to produce (on command) papers proving their free status. <sup>205</sup>

Through these efforts, New Jersey criminalized Blackness.

New Jersey's highest court also refused to protect Black residents from illegal removal and trafficking. In the 1821 decision in *Gibbons v. Morse*, <sup>206</sup> the New Jersey Supreme Court declared:

[A]ll black men, ... are prima facie slaves, and are to be dealt with as such. The colour of the man was sufficient evidence that he was a slave until the contrary appeared. All our laws ... upon this subject are founded on this principle, and all men of this colour are to be dealt with upon this principle. <sup>207</sup>

This decision came 36 years before the United States Supreme Court's infamous *Dred Scott* decision, in which Chief Justice Taney described Black people as having no rights a white man was bound to respect. <sup>208</sup>

In 1850, New Jersey's U.S. Senator Jacob Miller said that the greatest "difficulty in New Jersey" was "how to get rid of those worthless slaves [that] remain there to the annoyance of our people." <sup>209</sup>

Bounty hunters colluded with New Jersey lawmakers, law enforcement and jailers to respond to Miller's challenge, resulting in the forced trafficking of Black New Jerseyans to slaveholding states in the south.

## THE COMPLICITY OF HIGHER EDUCATION

The history of New Jersey's colleges and universities is deeply intertwined with the history of slavery and racial exclusion in the state.

### *Princeton University*

Princeton University, formerly known as the College of New Jersey,



opened in 1746. Its history is closely linked to slavery, reflecting broader societal norms and economic structures of colonial and early America.<sup>210</sup>

Nine Princeton presidents who served between 1747 and 1854 were enslavers of Black people,<sup>211</sup> and at least five of these nine presidents brought enslaved people to serve them on campus in the President's House.<sup>212</sup> In 1756, college president and future U.S. Vice President Aaron Burr paid 80 pounds to purchase a "Negro Man" named Caesar to work in Burr's new home on campus.<sup>213</sup> In 1784, John Witherspoon's household listed two enslaved people as property; Witherspoon served as president of the college from 1768 to 1794, and was one of the original signers of the Declaration of Independence.<sup>214</sup>

Beyond his personal status as an enslaver, Witherspoon publicly opposed the emancipation of enslaved people, including in lectures to Princeton students and in formal political settings. In a lecture titled "Politics," Witherspoon recognized that slavery might be "unjust," but maintained that this did not require masters to "make them free to their own ruin."<sup>215</sup>

Financial support was key to the survival and success of the college, and many of the college's early trustees, donors and faculty were enslavers or involved in businesses that benefited from the institution of slavery.<sup>216</sup> These connections enabled the college to secure the resources necessary for its establishment and growth.<sup>217</sup> Moreover, the college's endowment and funding sources were often tied to the profits of enslaved labor.<sup>218</sup> Donations and bequests from individuals who owned plantations or were involved in the transatlantic trafficking of enslaved African people provided essential financial support.<sup>219</sup>

Over time, the College of New Jersey emerged as a bastion of privilege for slaveholding elites, paralleling the spread and increasing influence of racial chattel slavery. Historian Craig Wilder, author of *Ebony and Ivy: Race, Slavery, and the Troubled History of America's Universities*, notes that the college's growth was largely driven by enrollment of young men from wealthy slaveholding families:

The percentage of young men from the South more than doubled [between 1768 and 1794], while the proportion from elite backgrounds more than tripled. The

population of students from New Jersey fell as the president engineered classes with slaveholding majorities ...<sup>220</sup>

Slavery's influence extended to the daily operations of the college.

Enslaved Black people worked on campus, performing essential tasks that ranged from maintenance to serving students and faculty. At events, dinners and meetings, enslaved people were in service to the college: "Slaves lived and worked at the President's House and were sold at auction within sight of Nassau Hall."<sup>221</sup> Though often unnamed and unrecognized in historical records, enslaved people played a seminal role in the college's culture and in shaping the attitudes and beliefs of generations of students.<sup>222</sup>

The young white men who attended the College of New Jersey during this period moved on to occupy every corner of American politics and society. The College of New Jersey churned out leaders including President James Madison, three Supreme Court Justices, 13 governors, 20 United States senators, 23 congressmen, and countless military officers, college professors and presidents.<sup>223</sup>

Princeton and its foundation rooted in slavery helped to create the leaders that cultivated early America.

### ***Rutgers University***

Queen's College, now known as Rutgers University, was founded in 1766. Like many other universities founded during the colonial period, the school used the labor of enslaved Black people to build campus buildings and to serve students, faculty and the administration.<sup>224</sup>

The school's finances and endowment were also tied to the profits of enslaved labor. Philip Livingston, one of the signers of the Declaration of Independence and an early trustee of the college, was a prominent enslaver whose wealth was derived in part from the labor of enslaved Black people. Livingston traded enslaved people from Jamaica and Antigua, owned plantations in Jamaica and owned enslaved people in New York.<sup>225</sup>

Livingston's wealth helped support the college's early operations and growth.



While the names of many enslaved people who lived and labored at Queen's College are lost to history, scholars have uncovered the identities of some individuals. For example, a man named Will was enslaved by Dr. Jacob Dunham, whose father Azariah Dunham was a trustee of Queen's College.

Will's labor helped to build the foundation for the original school. Records of Will's life are sparse, often limited to mentions in account books and personal correspondences - fragments revealing a life of relentless labor and subjugation.<sup>226</sup>

The college's curriculum and the perspectives of its faculty often mirrored the broader pro-slavery sentiments of the period.<sup>227</sup> Queens, like other institutions of higher learning, grappled with the moral and ethical implications of slavery. Some faculty members and students questioned the institution of slavery and contributed to early abolitionist movements, but those voices were often in the minority.

## COMPLICITY OF FAITH INSTITUTIONS AND RELIGIONS OF THE ENSLAVED

In New Jersey, religious denominations and congregants varied greatly in their practice and tolerance of chattel slavery. In the end, even clergy and churches that opposed slavery enslaved people and benefited from the institution, financially and socially, including through ongoing ties to branches in the slaveholding south.

### *Quakers*

In the 1650s, Quakers began settling in New Jersey and fostering relations with Indigenous inhabitants.<sup>228</sup> Though they were one of the first religious orders to disavow the institution of slavery, some Quakers also enslaved Black people; one Quaker family owned a plantation in West New Jersey starting in the late 1600s

and enslaved people there for a century.<sup>229</sup>

Colonial Quakers in West and East Jersey relied upon enslaved labor until abolition became a contentious issue within the faith. In 1676, the West Jersey Quaker territory revised its charter to outlaw slavery,<sup>230</sup> causing a division between East and West Jersey Quakers, and "ensur[ing] that almost all Jersey Friends gravitated there instead of to East Jersey for the remainder of the colonial period."<sup>231</sup>

The anti-slavery Quakers' radical emphasis on egalitarianism, rooted in the teachings of Jesus and Paul, led many members to question the institution of slavery and the inferior status accorded Black people.<sup>232</sup> Their members spearheaded international and ecumenical campaigns against racial chattel slavery,<sup>233</sup> petitioned state governments for the rights of free and enslaved Black people,<sup>234</sup> and were active in forming and participating in organizations such as the American Convention for Promoting the Abolition of Slavery and Improving the Condition of the African Race.<sup>235</sup>

In the 18th century, this activism was spearheaded by individual Quaker adherents and not the denomination's leadership. Though individual Quakers lobbied forthrightly against allowing church members to buy and sell human beings, the most that the Quaker Yearly Meeting would do before 1758 was caution members against the practice.<sup>236</sup>

### *The Catholic Church*

The Catholic Church had a minor presence in New Jersey until the late 18th century brought an influx of migrants from Ireland, Germany and Italy.<sup>237</sup>

While there is scant evidence related to Catholic churches owning or renting enslaved people in New Jersey, specifically, there is ample evidence that the Church benefited from the patronage of enslavers in the state.<sup>238</sup> The Catholic Church supported and profited from the enslavement of millions of Black and Indigenous people across the Americas, Africa and Asia. It also sanctioned the colonization and exploitation of lands and resources that belonged to these peoples.



The Catholic Church received a share of the profits from the slave trade, as well as taxes and tithes from the colonies where enslaved people worked. It also invested in companies and plantations that relied on enslaved labor. The denomination acquired land and money from enslavers who died without heirs and, in some regions of the New World, from enslaved people themselves.<sup>239</sup>

In New Jersey, the church benefited from the donations and patronage of some enslavers. Though the Council was not able to determine specific details through secondary literature, the historical context supports the inference that Catholic churches in New Jersey received support from the larger denomination – and its slavery profits – through the establishment of dioceses, the appointment of bishops, the influx of clergy from abroad, and the political and financial support rallied by influential figures within the Church.<sup>240</sup> More research – including archival research of church documents – is needed to fully determine and understand the role the Catholic Church played in the institution of slavery in New Jersey.

### ***The Dutch Reformed Church***

The Dutch Reformed Church in the American colonies began in New Amsterdam (now New York City) in 1628 and did not separate from its parent church in Holland until 1772. After separation, the church was called the Reformed Dutch Church until 1867, when it was renamed the Reformed Church in America.<sup>241</sup> Throughout this period, and even after its split with the parent church in Holland, the church benefited from its association with enslavers.

According to one historian, “in the Raritan and Minisink valleys of New Jersey, [the Dutch] were among the most extensive users of slave labor in these two colonies.”<sup>242</sup> Many lay officials, including some with high social status in New Jersey, were enslavers during the 18th century.<sup>243</sup>

Church member Arent Schuyler, a rich and prominent 18th century trader and a member of New York’s prominent Schuyler family, lived and held enslaved people in New Jersey. As documented in his 1724 will, Schuyler’s household included multiple enslaved Black and Indigenous people.

The Dutch Reformed Church did not condemn Schuyler’s ownership of enslaved people; instead, he was a highly esteemed lay official in the church and helped to start a congregation at Belleville, New Jersey, around the year 1700.

Similarly, upon the 1764 death of Theunis Post, a lay helper in the church at Readington, New Jersey, an inventory of his “property” included six enslaved Black people valued between 10 and 70 pounds sterling each.<sup>244</sup>

The Hopper Slave Cemetery in Mahwah, Bergen County, is now overseen by the Upper Saddle River Historical Society, but bears historical ties to the Old Stone Church – a Dutch Reformed Church organized in New Jersey in 1784.<sup>245</sup>

[T]hose buried in the graveyard worked for the Hopper family, early Dutch settlers who were among the area’s largest landholders and proprietors of an 18th-century sawmill on the Saddle River.<sup>246</sup>

About 50 burials are believed to have occurred in the Hopper Slave Cemetery between the 1770s and 1850s.

The cemetery was restored in 2016, and though most of the grave markers were knocked down, some have been located and retained at the Hopper-Goetschius House Museum.<sup>247</sup> The Hopper-Goetschius house dates to 1739 and, in 1814, became the home of Rev. Stephen Goetschius who led the Old Stone Church.<sup>248</sup>

Researchers believe that enslaved Black people who attended the Ramapo Reformed Church, founded in Mahwah in 1715, are interred outside of the church cemetery.<sup>249</sup> And according to the Old Paramus Reformed Church, founded in 1725 in Ridgewood, New Jersey, “from early colonial times, slaves were members of the church congregation, the upper galleries on both sides being designated for their use during services.”<sup>250</sup>

### ***The Presbyterian Church***

According to available data, an estimated 50,000 to 75,000 white Presbyterians throughout the United States enslaved Black



people by 1860.<sup>251</sup> The Presbyterian Church in New Jersey held varying positions on slavery, and its leaders included enslavers, moderate opponents of slavery and abolitionists.

In the colonial period, American Presbyterians were Scottish and Irish immigrants who settled in the middle colonies from New York to Virginia. The Reverend Francis Makemie, regarded as the founder of the denomination, was an enslaver; his 1708 will listed 33 enslaved Black people and directed their distribution to various heirs following the minister's death.<sup>252</sup>

Samuel Davies, the fourth president of the College of New Jersey (Princeton University), helped spread Presbyterianism in the Piedmont area of Virginia in the 1740s and '50s. Davies was also an enslaver in Virginia.<sup>253</sup>

The First Presbyterian Church in Woodbridge Township is the third-oldest Presbyterian Church in New Jersey and the sixth oldest in the nation. Its cemetery is home to many historic headstones, including one that reads: "In memory of Jack a colourd [sic] man who belonged to Jonathan Freeman He was a faithful servant and died July 23, 1825, in the 43rd yr of his age."<sup>254</sup> According to a 2000 report by the *New York Times*, Jack was enslaved by Jonathan Freeman, a carpenter who constructed the second building of the First Presbyterian Church in 1803.<sup>255</sup>

Antislavery sentiments began to emerge within the Presbyterian Church early in the 19th century, and some white clergy gave voice to those views from the pulpit.

In 1834, Reverend William Weeks, pastor of Fourth Presbyterian Church in Newark, preached a sermon titled "The Sin of Slavery" with a Black man seated next to him. In response, a white mob stormed the church, kidnapped the Black man and locked him in jail, while thousands of white rioters destroyed the church and chased Reverend Weeks and his wife into hiding.

The mob then extended its rampage, breaking into and vandalizing Black businesses in Newark.<sup>256</sup>

Despite individuals' anti-slavery actions, the Presbyterian Church did not proclaim a denominational opposition to slavery and remained largely ambivalent to the plight of enslaved and free Black people.

After the December 1818 founding of the American Colonization Society, the church's General Assembly urged all Presbyterians to support and promote the organization's goal to relocate free Black people from the United States to Africa.<sup>257</sup>

Colonization was driven by a variety of motives, including a belief that relocation would improve the lives of freed Black people, and a wish to "whiten" America by reducing the Black population.<sup>258</sup>

One of the Society's founders was Robert Finley, a pastor in Basking Ridge, New Jersey, a graduate of the College of New Jersey and a director of Princeton Seminary. The New Jersey Colonization Society, chartered in 1824, shared the goal of relocating free Black people to Africa.<sup>259</sup>

### *The Episcopal Church*

The Episcopal Church also derived financial benefits from slavery and its slaveholding congregants, creating a complex and multifaceted relationship with the system of human bondage.<sup>260</sup>

The Episcopal Church actively supported slavery and, in New Jersey, benefited from the donations and patronage of some enslavers, such as John Stevens, who founded the city of Hoboken.<sup>261</sup> On April 22, 1728, Nathaniel Horwood of St. Mary's Church in Burlington – the first Episcopal Church in colonial New Jersey – recorded church minutes that discussed local residents' involvement in the slave trade and Horwood's efforts to have enslaved Black people brought to church and baptized:

There are no large plantations here about so that the substance of the inhabitants does [not] consist in negro slaves but in trade, they keeping only white servants generally, and they few that keep negroes not above one to a family who are persuaded, since my abode here to send them to church on sabbath days and attend instructions in order to their being baptized which that they may all in time come in and embrace Christianity shall be the prayers and most constant endeavors of your most devoted servant and missionary.<sup>262</sup>



In the 1770s, on the eve of the American Revolution, Anglicans comprised the largest group of enslavers in Monmouth County.<sup>263</sup> Episcopal Bishop John Henry Hobart, who served in New Jersey and New York from 1811 to 1830, advocated the delay of emancipation. Statesman and abolitionist John Jay described Hobart as “part of the clergy that used the Bible to justify slavery.”<sup>264</sup>

The Episcopal Church is the only major denomination that had a strong presence in both the north and south during the Civil War and did not split over slavery.<sup>265</sup> After the Civil War began, the church’s dioceses in the south formed the Protestant Episcopal Church in the Confederate States.<sup>266</sup>

In the north, the church did not denounce slavery, benefited financially from its association with enslavers as congregants and donors, and preserved denominational ties to the south even after the start of the Civil War.<sup>267</sup>

### ***The Jewish Faith***

American Jewish people were financially involved in the transatlantic slave trade, and Jewish people living in the colonies and later in the United States also enslaved Black people.<sup>268</sup>

The limited demographic and biographical data currently available indicate that Jewish settlement in the colony of New Jersey was sporadic. Most were families living and working in New York or Philadelphia who had business interests in New Jersey and/or settled in the state briefly.<sup>269</sup> More research is needed to fully understand the relationship of New Jersey Jewish residents to the trafficking of enslaved people to the colony or country, the ownership of enslaved people, and the domestic trade of enslaved people within and outside of the state.

### ***Methodist and Baptist Churches***

Protestant denominations in New Jersey and the northeast, particularly Methodists and Baptists, had a complex relationship with the institution of slavery.

These denominations produced significant theological works that appealed to Black believers but initially tolerated slavery.

This reflected white northerners’ broader societal ambivalence towards abolition, underscoring the intricate interplay between religious affiliation and American social ethics in this period.<sup>270</sup> Ultimately, Methodist and Baptist denominations contributed to both the perpetuation and the eventual dismantling of slavery in the northeast.<sup>271</sup>

Methodist teachings contributed to the moral discourse surrounding slavery and, eventually, galvanized support for abolitionist efforts through a broader commitment to social justice.<sup>272</sup> Between 1784 and 1844, William Capers, James Osgood Andrew, and Freeborn Garrettson were influential leaders in the Methodist Church who represented varied positions on slavery. The Methodist Church ultimately split in 1844 over Andrew’s slaveholding.<sup>273</sup>

Black people of faith also helped to catalyze change in the church, as they left white-led Methodist and Baptist churches to establish Black-led congregations like the African Methodist Episcopal (A.M.E.) Church.

Baptists’ insistence on the autonomy of each congregation meant that Black people – enslaved and free – could exercise more control over their religious affairs within the denomination.<sup>274</sup> Until the 19th century, Baptist churches offered enslaved and free Black people full membership,<sup>275</sup> and occasionally allowed Black people to hold roles like exhorter or deacon within their congregations.

While the church restricted leadership roles like elder and pastor to white members, Black people were free to lead their own separate Baptist congregations, providing a level of autonomy and religious freedom that was nonexistent for Black people in most other realms of southern society.<sup>276</sup>



# SPOTLIGHT: FRIDAY

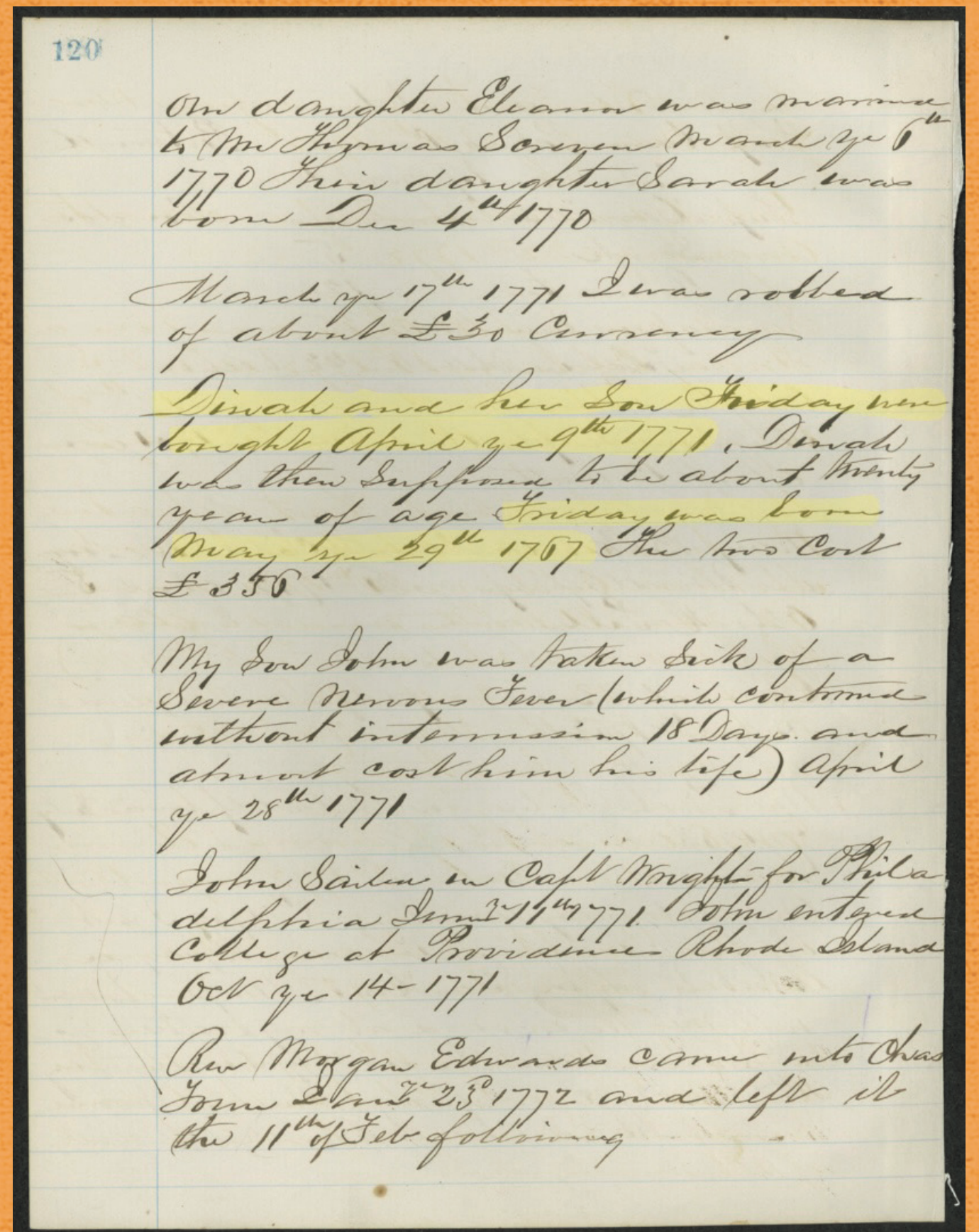
Some church leaders in New Jersey were also enslavers.

In 1780, Reverend Oliver Hart, who had spent 30 years ministering to the congregation of First Baptist Church in Charleston, South Carolina, relocated to Old School Baptist Church in Hopewell, New Jersey. Hart brought with him a 13-year-old enslaved Black boy named Friday.

Hart's diary was found in a South Carolina attic in 1949, more than 150 years after his death, and contained a notation dated April 9, 1771: "Dinah and her son Friday were bought April ye 9th 1771 ... Friday was born May ye 29th, 1767."<sup>277</sup>

When Hart died in 1795, Friday was 28 years old and remained enslaved.

By the time of his manumission in 1801, Friday had married and begun a family of his own. In 1817, Friday was finally able to have agency over his life when he became a property owner and purchased 20.57 acres of land in Hunterdon County for \$617.10.<sup>278</sup>



From Oliver Hart's Diary, Apr. 9, 1771



Baptist ministers, citing Old and New Testament scriptures, preached sermons claiming that Christianity supported the growth of slavery throughout the south.<sup>279</sup>

It was the 19th-century prophetic discourse of A.M.E. and Baptist preachers – exploring topics like God's concern for the oppressed, the critique of unjust laws and authority, the liberation from bondage and racism, the Black self-image through divine lenses, and the civil rights based on universal humanity – that attracted enslaved and free Black people to these religions.<sup>280</sup>

While Black people experienced oppression within the white Methodist and Baptist religious structures, the denominations' theologies also provided a means of resistance.

### ***Islam and Traditional African Spiritual Practices***

Enslaved African people often brought their own faith traditions and spiritual practices from the African continent, dating back millennia.

Prior to the European encounter, colonization and enslavement, African people practiced a multitude of faiths and engaged in various spiritual and faith practices. This included “African traditional religions,” Christianity and Islam.<sup>281</sup>

Traditions varied throughout the continent and underwent transformation as enslaved people were trafficked and brought in contact with African people of other ethnicities, tribes and religious backgrounds – all shaping and influencing the crucible of slavery.<sup>282</sup>

Broadly, African religious traditions shared “reverence for ancestors, belief in the unity of the sacred and the secular realms, and ritual communion with otherworldly powers.”

Though often overlooked, Islam was also a major religious faith among enslaved people. Scholars estimate that close to 50% of the African people kidnapped and trafficked to the Americas through the slave trade hailed from parts of the African continent “where Islam was either a state religion or at least

the religion of significant minority populations.”<sup>283</sup>

About a third of the Black people enslaved in the United States were Muslim.<sup>284</sup>

The significant presence of practicing Muslims amongst enslaved Black people throughout the United States is further evidenced by “runaway slave” ads that made note of the self-emancipated person's faith.<sup>285</sup>

Enslaved Muslims were more likely to be literate (necessary to read the Koran), and this led many into positions of social leadership. Enslaved Muslims' literacy also helped to facilitate documentation of the violence and brutality of enslavement.<sup>286</sup>

“Yaff,” an African person enslaved in Tinton Manor at Falls Creek (Pine Brook), New Jersey, embodied the literacy and leadership of enslaved Muslims in the state.<sup>287</sup> Yaff, a name linguists suggest was common among people from Sena-Gambia,<sup>288</sup> was enslaved by Colonel Lewis Morris of Monmouth County. Morris was the richest man in East Jersey and chose Yaff to be his personal attendant. Upon Morris' death, Yaff was bequeathed to Morris's friend, William Penn – a Quaker and the “founder of Pennsylvania.”<sup>289</sup>

## **FAITH AND BLACK RESISTANCE**

Some of the first examples of Black resistance to slavery were tied to faith.

From the earliest days of slavery, enslaved Black people were deprived of the freedom of religious exercise, such as owning and attending their own houses of worship.<sup>290</sup> New Jersey's enslaved population was not able to worship God “in a Manner agreeable to the Dictates of [their] own Conscience”<sup>291</sup> but instead was forced to do so within the visible structures of their enslavers' organized religions.



For nearly two centuries, enslaved Black people living or working in New Jersey and elsewhere had to supplement their Sunday worship in their enslavers' churches with "illicit, or at least informal, prayer meetings on weeknights."<sup>292</sup> These secluded spaces for Black worship outside of the enslavers' watchful eye became collectively known as the "Invisible Institution":

From the abundant testimony of fugitive and freed slaves it is clear that the slave community had an extensive religious life of its own, hidden from the eyes of the master. In the secrecy of the quarters of the seclusion of brush arbors ["hush harbors"] the slaves made Christianity truly their own... [They] frequently were moved to hold their own religious meetings out of disgust for the vitiated Gospel preached by their masters' preachers.<sup>293</sup>

It was not until after New Jersey passed its Gradual Abolition Act in 1804 that emancipated Black people could publicly and legally worship in manners agreeable to their own conscience.<sup>294</sup>

Many of the state's Black churches were founded in this period and stood as important institutions working to abolish slavery.<sup>295</sup> The Black Methodist and Baptist congregations, in particular, arose as resistant faith traditions opposing slavery.

The African Methodist Episcopal (A.M.E.) Church, founded in Philadelphia in 1816, was the first independent Black denomination in the United States.<sup>296</sup> Black-led Methodist churches offered enslaved people a spiritual and emotional experience that resonated with their African heritage and affirmed their humanity as believers.<sup>297</sup>

Black Methodist preachers throughout the northeast and the south, such as Richard Allen (Founder of the A.M.E. Church), Denmark Vesey and Nat Turner, challenged the oppressive and hypocritical Christianity of the enslavers and advocated for freedom.<sup>298</sup>

African Methodist churches were instrumental in the Underground Railroad, a network of Black- and white-led connections and safe houses that helped enslaved people escape to freedom by following a path from the south to the north (and sometimes on to Canada). Examples of Black Methodist participation in the escape network can be found in the history and establishment of Black societies and A.M.E. churches across Maryland, Pennsylvania and New Jersey.<sup>299</sup>

Most who came from southern states would travel through Maryland to Delaware or Pennsylvania, northern bound to New York or New Jersey. Those who came from areas such as Baltimore and Howard County, Maryland, traveled through Pennsylvania, crossing over from Bethlehem, Easton, and Stroudsburg into Trenton, New Jersey. There, Mt. Zion A.M.E. served as a local station.<sup>300</sup> Freedom seekers then continued their journey to New Brunswick, the largest free Black community in New Jersey at the time.<sup>301</sup> Other A.M.E. churches across the state may also have served as local stations on the Underground Railroad, including a congregation in Belvidere (Warren County).<sup>302</sup>

Henry McNeal Turner (1834-1915), a Bishop in the A.M.E. Church and a trailblazer of Black Liberation Theology,<sup>303</sup> declared "God is a Negro" and emerged as the most radical political voice of the late 19th century.<sup>304</sup> Turner was the predecessor to Malcolm X and led the A.M.E. Church to "connect theology to politics and the world."<sup>305</sup>

"Bishop H. M. Turner's Address before New Jersey Conference" provides insight into the A.M.E. church's role in addressing social issues, including slavery, within the context of New Jersey and the northeast.

Bishop Turner's 1891 address underscored the responsibility of ministers to actively engage in the welfare of their communities, suggesting that the church's leadership was pivotal in advocating for social justice and the abolition of slavery during a critical period in American history.<sup>306</sup>



# SEEKING FREEDOM AND THE UNDERGROUND RAILROAD

The story of slavery in New Jersey cannot be accurately told without examining how Black people fiercely resisted by fighting for their own freedom and liberation.

From the beginning, enslaved Black people in New Jersey fought for their freedom.

New Jersey newspapers in the colonial era overflowed with advertisements from desperate enslavers trying to locate their freedom-seeking "human property." In 1724, Cornelius Van Horne sought assistance in locating "Tom" after he fled from a plantation near the Raritan River. Van Horne promised three British pounds for anyone who would capture Tom and bring him to the local jail.<sup>307</sup>

Similarly, in 1753, Nell, an enslaved woman, fled a plantation in Saddle River, taking with her clothing, shoes and "several other things too tedious to mention." Her enslaver, Isaac Kingsland, offered a reward to anyone who would bring her to a local jail.<sup>308</sup>

Black resistance in New Jersey during this period also took the form of organized rebellion.

New Jersey played an integral role in the activities of the Underground Railroad because of its geographical location between New York and Pennsylvania. In addition to Trenton's Mt. Zion A.M.E. Church, New Jersey hosted a number of other sites on the Underground Railroad, including a base of operations in Cape May that served as a node of abolitionist organizing between the north and south.

This New Jersey hub of Black mobilization also hosted the most well-known Underground Railroad conductor, Harriet Tubman, who lived in the Cape from 1850 to 1852.<sup>309</sup> During her time there, Tubman raised money to fund her various liberatory expeditions into Maryland by working as a cook and domestic laborer.<sup>310</sup> Over the course of her courageous

life, Tubman led hundreds of enslaved people out of slavery through her work on the Underground Railroad and her leadership of the Combahee River Raid during the Civil War.<sup>311</sup>

New Jersey's leading Black abolitionist, William Still, has been recognized as a prominent leader in the abolitionist movement. He is credited with aiding several hundred Black people in their escape to freedom. After teaching himself to read and write, Still documented hundreds of stories of formerly enslaved people who escaped bondage. His prominence in the movement was known throughout the country. When Still died in 1902, he was referred to as the "father of the Underground Railroad."<sup>312</sup>

In 1826, formerly enslaved and free Black people established the settlement of Timbuctoo in Burlington County. Timbuctoo was also a stop on the Underground Railroad and, at its peak, had more than 125 residents.<sup>313</sup>





Harriet Tubman  
Library of Congress



# SPOTLIGHT: TIMBUCTOO AN EXPERIMENT IN BLACK SELF- DETERMINATION

The establishment of free Black towns in New Jersey during the early 19th century served as a form of communal self-determination as Black people joined together to resist slavery and white supremacy.

In September 1826, four Black men who had fled slavery in Maryland – Wardell Parker, Ezekiel Parker, David Parker and Hezekiah Hall – purchased parcels of land from a Quaker entrepreneur named William Hilyard. In 1829, a fifth man, John Bruer, purchased land from Samuel Atkinson, another Quaker farmer, and joined the group of Black settlers.

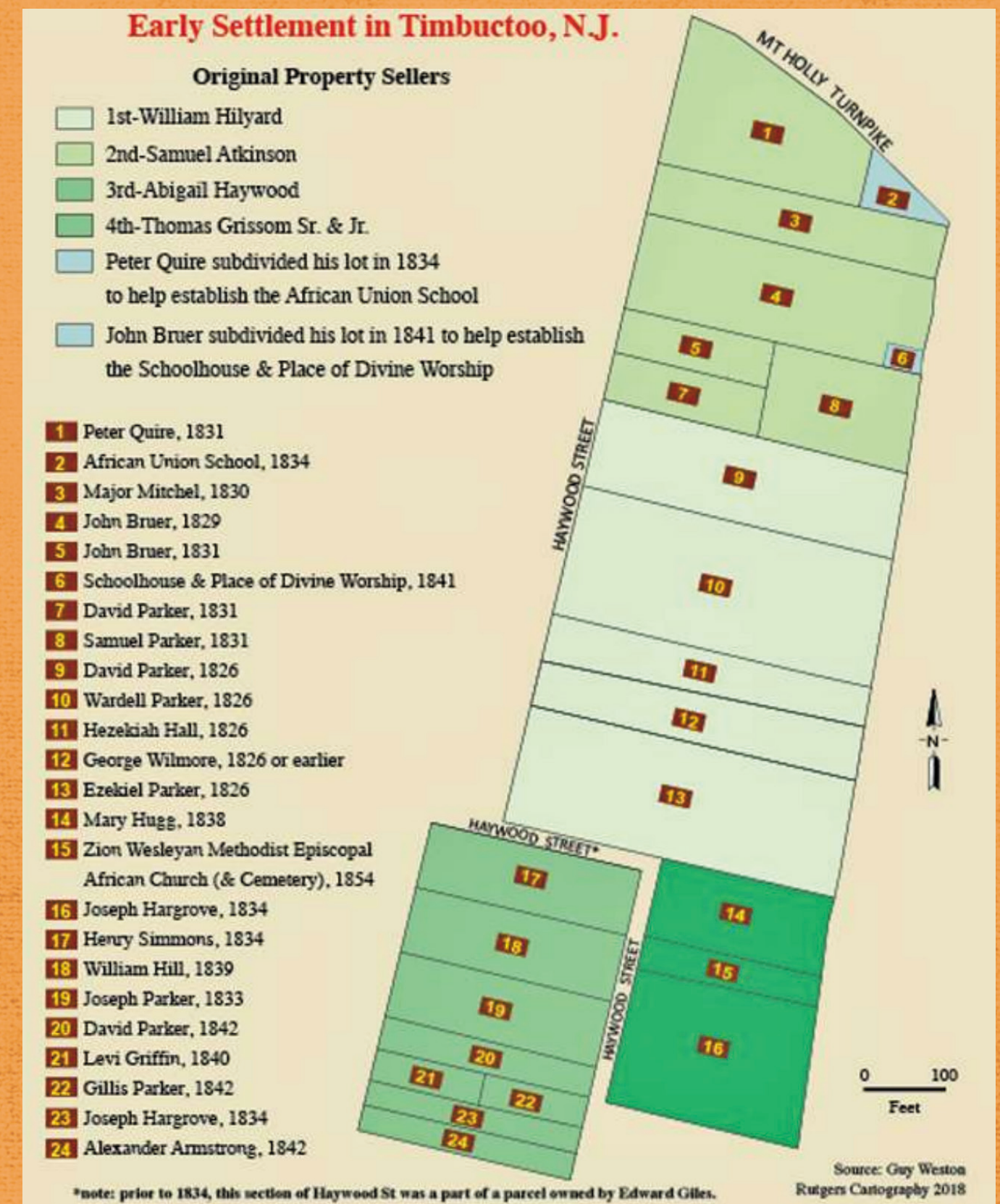
During the next 20 years, about two dozen more land transactions took place, including the purchase of homesteads and development of a “schoolhouse and place of divine worship.”

The settlement became Timbuctoo, a part of Westhampton in Burlington County. The community’s name first appeared on deeds in 1830 to 1831 and was seen on maps as early as 1849.<sup>314</sup>

As the population grew to about 125 people,<sup>315</sup> residents made livelihoods from farming and employment in two major brickyards located north of the settlement, owned by local Quakers.<sup>316</sup>

Today, Timbuctoo is one of the most well-known free Black communities established in New Jersey. It included landmarks such as the African Union School and the Zion Wesleyan Methodist Episcopal African Church and cemetery.<sup>317</sup>

It was also easily accessible from the Delaware River, making it a strategic location for the Underground Railroad.<sup>318</sup>







Timbuctoo Memorial, Westhampton Township, NJ



Black resistance also took the form of individual and collective acts of rebellion.

In 1860, a group of enslavers came to New Jersey in search of Perry Simmons, a Black man who had escaped slavery in Maryland 10 years earlier.

The enslavers arrived late one night at Simmons' home outside Timbuctoo. After Simmons barricaded himself and his family in the attic, the enslavers camped outside of the home waiting for an opportunity to capture him.

Early the next morning, a resident saw the unfamiliar men and rallied the Black people of Timbuctoo to come to Simmons' defense.<sup>319</sup> As reported in local papers:

The war tocsin was sounded, and in a few minutes, the inhabitants [of Timbuctoo] turned out en masse, and armed with every conceivable weapon, were soon on a 'quick march' for the field of strife, yelling and screaming at the top of the voices. The kidnappers hearing the unearthly noise, turned their eyes in the direction from whence it proceeded, and saw the negroes rapidly approaching - 'terrible as an army with banners' - looking more infuriated and determined than a battalion of Zouaves, making a charge. They once concluded that "discretion was the better part of valor," and hastily retreating to the carriages, left the scene of their brilliant achievement as though Old Satan was after them.<sup>320</sup>

Another path to freedom was through military service, whether with the Continental Army or the British.

The stories of "Colonel" Tye and Cudjo Banquante exemplify this history in New Jersey.



# SPOTLIGHT: COLONEL TYE

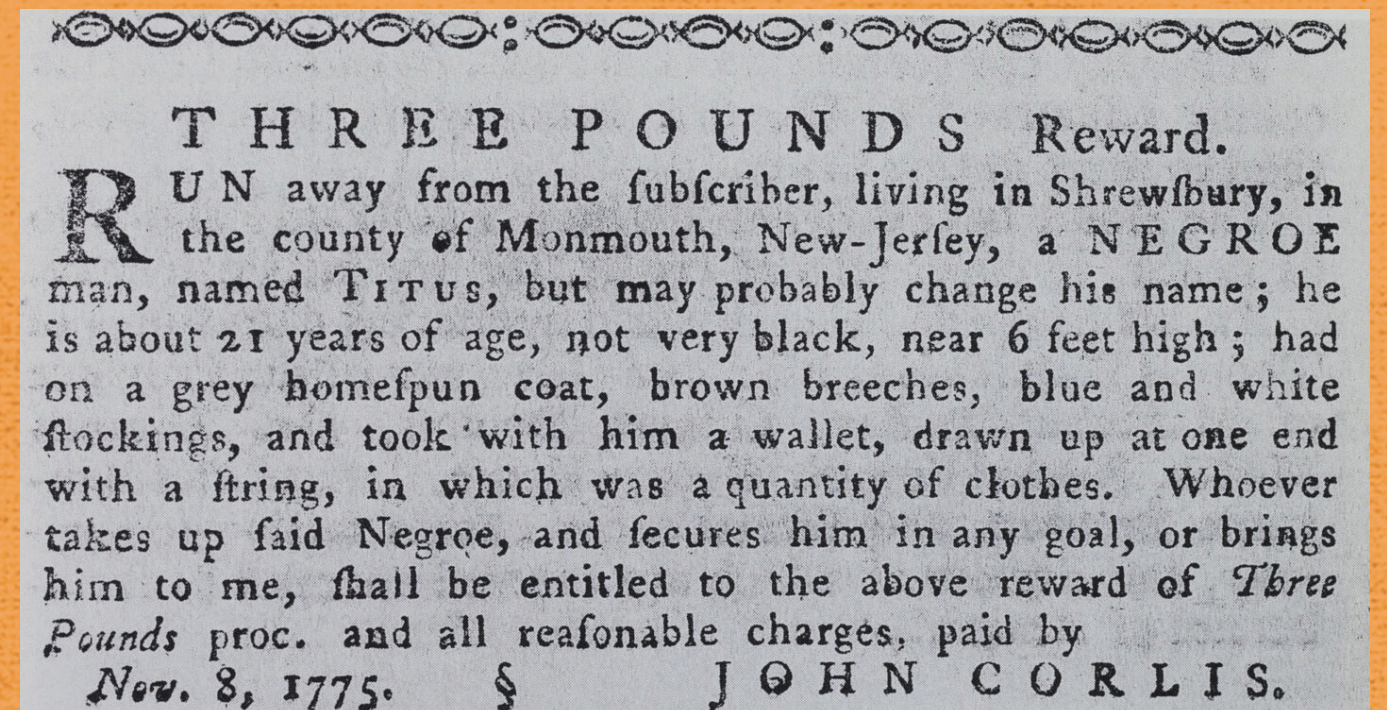
One night in November 1775, an enslaved man named Titus fled the Monmouth County farm where he had labored for most of his life.<sup>321</sup> Just one day before enslaver John Corlis reported Titus missing, John Murray, the Earl of Dunmore and Royal Governor of Virginia, issued a proclamation that promised freedom to all enslaved men who fled their American enslavers and joined the British Army to bear arms against the American Revolutionaries fighting for independence.

Titus seized the opportunity to secure his freedom and, adopting the name “Tye,” enlisted in the British Army. He quickly won respect and became a celebrated and decorated member of the “Ethiopian Regiment,” Lord Dunmore’s most famous and successful Black troop. Proudly wearing uniforms emblazoned with the words, “Liberty to Slaves,” Tye and 300 other members of the Ethiopian Regiment fought valiantly for the British in hopes that their success would bring an end to slavery.<sup>322</sup> When Lord Dunmore disbanded the Ethiopian Regiment, Tye and other Black soldiers continued to fight with the British in integrated units. Although he was not allowed to become a commissioned officer, due to the British military’s racial restrictions, Tye was given the honorary title of “Colonel” as a sign of respect for his tactical skills and leadership.

In late 1778, Colonel Tye left the British Army and amassed a group of followers that peaked at nearly 800 men. Tye led this army to aggressively target wealthy white families throughout New Jersey, raiding slaveholders’ farms, destroying their property, and freeing the enslaved.<sup>323</sup> Drawing upon an extensive knowledge of Monmouth County’s swamps, rivers, and inlets, Tye and his comrades were able to strike suddenly and disappear without a trace.

By 1780, Colonel Tye’s Army had become a powerful and feared force. Colonel Tye led a series of campaigns that summer, including one that destroyed General George Washington’s ability to bring reinforcements into the region. Although New Jersey Governor William Livingston attempted to impose martial law, the move failed to defeat or even slow down Colonel Tye and his troops.

As enslaved people in the region heard about Colonel Tye’s raids, more and more Black men fled nearby farms and plantations to join his forces. Tye and his army struck fear across the New Jersey countryside until September 1780, when Colonel Tye fell ill after being wounded in a surprise attack. Though the wound was minor, it developed an infection, and he died shortly thereafter. As a testament to their commitment to freedom, Colonel Tye’s Army fought on – even after his death – and remained a powerful fighting force until the Revolutionary War ended with the British surrender at Yorktown in 1783.<sup>324</sup>



Ad for the Capture of “Titus,” Nov. 8, 1775  
Photo/monmouthtimeline.org



# SPOTLIGHT: CUDJO BANQUANTE

Born free in the 1720s into a royal family in present day Ghana, Cudjo Banquante was stolen from Africa and trafficked to Newark, where he spent much of his life enslaved in the state. Cudjo, named in the Akan tradition for “one born on a Monday,” was enslaved by the wealthy Newark family of Benjamin Coe.

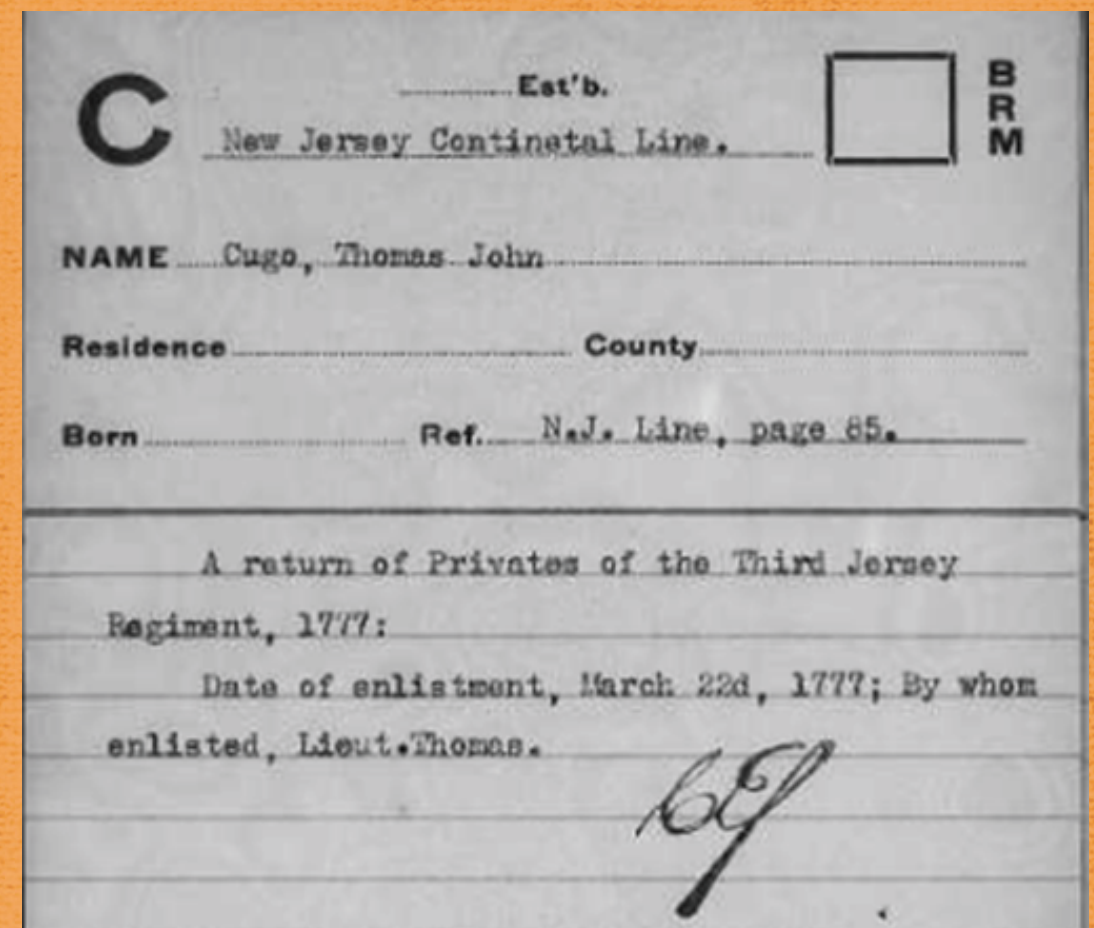
When the Revolutionary War broke out, Cudjo served as a substitute soldier on behalf of his enslaver, who fled with his family to another town. By sending an enslaved man to fight for him, Coe avoided risking his own life in military service.

Cudjo fought courageously in a number of key revolutionary battles, including the Battles of Monmouth and Germantown. He was with George Washington at Valley Forge in the winter of 1777 and later served with General Sullivan at the determinative Battle of Yorktown in 1781.

After the war ended in 1783, Cudjo was emancipated for his military service as a Revolutionary War hero. In 1793, the Coe family gave him a one-acre plot of land in Newark on present-day Martin Luther King Jr. Boulevard.

Cudjo established a nursery selling ornamental plants on his land, becoming the first Black business owner in Newark – and perhaps in New Jersey.<sup>325</sup>

Cudjo was believed to be around 100 years old when he died in Newark in 1823.<sup>326</sup> He was buried in the cemetery of Newark’s Trinity Church, located where the New Jersey Performing Arts Center now stands.



Top: Marker for Cudjo Banquante, Newark, NJ  
Bottom: New Jersey Historical Society



## DEMOCRATIC EXCLUSION

Black resistance to enslavement took the form of rebellion, self-emancipation and grassroots organizing through social groups like churches and free settlements.

For much of the era that slavery was in place, the vast majority of Black people in this country and in New Jersey did not have access to formal and institutional means of expressing their grievances and seeking redress, such as voting, running for office and petitioning lawmakers. Even after the United States fought a war against the British to gain independence and launch a national experiment of democracy, freedom and equality, enslaved Black people remained barred from democratic representation.

Early 19th century New Jersey lawmakers enacted race-based restrictions that banned all Black people from the ballot box until after the Civil War. But New Jersey law initially allowed free Black men and free Black women – a small proportion of the state’s mostly-enslaved Black population – to vote.

Under the state’s first Constitution of 1776, all “inhabitants... of full age” (irrespective of sex and race) could vote as long as they met the property and residency qualifications.<sup>327</sup> New Jersey was then the only state to legally allow non-white men to vote, and in the 1790 constitution, lawmakers reaffirmed that women had voting rights, too.<sup>328</sup>

While the state constitution’s wealth and land-ownership requirements were impediments for many would-be Black voters, records indicate that some Black people did vote in New Jersey during this period. Thomas Blue and Ephraim Hagerman, for example, were Black men who voted in Montgomery Township in Somerset County in 1801.<sup>329</sup>

That said, political actors used vulnerable Black voters as political scapegoats. In 1794, John Condict alleged that Black people engaged in “voter fraud” had nearly caused him to lose an election in Essex County.<sup>330</sup> Legislators, local officials and

others accused Black people of voting by lying about their free status, concealing that they were fugitives from slavery, or failing to meet the law’s property and wealth requirements.

Though these claims were regularly made with no evidence, they served to effectively undermine the perceived legitimacy of voters who were not white men. In reality, politicians launching this “anti-fraud” campaign feared that recognizing a broad, race-blind and sex-blind right to vote would lead to women, Black people and other groups becoming eligible to hold elected office, shape state law and policies, and challenge white men for power and influence.<sup>331</sup>

New Jersey newspapers covered the unsubstantiated accusations of voter fraud in great detail, influencing public attitudes about the voting rights of Black people, women and immigrants, and ultimately leading to restrictions on the franchise in the state.<sup>332</sup>

Passage of the 1804 Gradual Abolition Act further fueled this anti-democratic sentiment, as state officials anticipated population growth among the state’s free Black residents (and a growth in the Black electorate).<sup>333</sup> White New Jerseyans, objecting to free Black people coming into their towns seeking opportunity, referred to them as “vicious intruders” and “fugitive slaves.”<sup>334</sup>

There were seeds of political competition in these objections, as well. Black voters typically supported the Federalist Party, founded by Alexander Hamilton, due to its anti-slavery views.<sup>335</sup>

New Jersey supported Federalist President John Adams in the 1800 election, but by 1804, the state cast its electoral votes for Democratic-Republican Thomas Jefferson. When the Democratic-Republicans lost close elections, they accused the Federalists of manipulating women and Black voters, or of encouraging illegal participation by ineligible voters.<sup>336</sup> While the Federalists were generally not opposed to universal suffrage – so long as it helped them win elections – they were not champions of Black voting rights.<sup>337</sup>



These forces collided in 1807 when, for the first time in state history, New Jersey restricted voting to free, white male citizens, 21 years of age or older and “worth fifty pounds proclamation money, clear estate, and have resided in the county where he claims a vote for at least twelve months immediately preceding the election.”<sup>338</sup>

At the time, only seven other states specifically barred Black people from voting: Virginia, Georgia, South Carolina, Delaware, Kentucky, Maryland and Ohio.<sup>339</sup>

Almost half a century later, without much fanfare, New Jersey enshrined its prohibition on Black enfranchisement into its 1844 Constitution, embedding white supremacy into its political and legal foundation.<sup>340</sup>

That same year, the state barred people with criminal convictions from voting, in order to “maintain the purity” of the state’s elections.<sup>341</sup> In reality and in practice, laws prohibiting people with convictions from voting were intended to target newly-freed Black people.<sup>342</sup> Following the Civil War, a series of states – particularly in the south – enacted laws to strip away voting rights as punishment for offenses believed to be disproportionately committed by Black people.<sup>343</sup>

In New Jersey, Black people did not regain their voting rights until passage of the Fifteenth Amendment in 1870.<sup>344</sup> Even then, the state legislature refused to ratify the amendment.<sup>345</sup>

On March 31, 1870, Thomas Mundy Peterson cast a ballot in Perth Amboy one day after the Fifteenth Amendment took effect granting Black men the right to vote nationwide – including in New Jersey.

With the new federal constitutional provision, Peterson thus became the first Black person to vote in New Jersey since passage of the 1807 state law that barred Black voters.<sup>346</sup> This ended an era in which at least two generations of Black New Jersey residents had been entirely disenfranchised solely on the basis of their race.

Though emancipation and the Thirteenth, Fourteenth, and Fifteenth Amendments supposedly granted Black Americans

equality under the law, Black people in New Jersey living in the decades after the Civil War frequently occupied a “shadow” status of citizenship, and saw their political rights varyingly enforced, ignored or stripped away by the state’s leading political, social and cultural institutions.

Nothing more directly foretold that future, or more aptly illustrates New Jersey’s commitment to Black subjugation, than the state’s long, winding and reluctant path to abolition.

## LAST IN THE NORTH: ABOLITION WITH REPARATIONS TO ENSLAVERS

In 1799, New York joined the list of northern states to pass an abolition statute, leaving New Jersey as the last remaining northern state without an abolition law.<sup>347</sup> For years, New Jersey’s lawmakers tabled such requests from abolitionists, refused to even consider outright emancipation,<sup>348</sup> and warned of the “dismal consequences” that would result from freeing Black people from enslavement in the state.

Just one year earlier, in 1798, New Jersey had declared its commitment to the policy of Black enslavement for life and to upholding all existing slave codes.<sup>349</sup>

In 1790, New Jersey legislators rejected abolition campaigns by insisting slavery would simply “die a natural death” in the state, and legislative action would “do more harm than good” by creating political conflict among white residents.<sup>350</sup>

But in 1804, in response to mounting anti-slavery pressure, New Jersey passed the Gradual Abolition Act.

Under the statute, lawmakers maintained enslavement for life for some enslaved people, and slowly phased slavery out over the span of years for others.<sup>351</sup> The Act provided



future freedom only for children born to enslaved mothers after July 4, 1804. Those children would become known as “slaves for a term,” and remain enslaved until adulthood: age 21 if female and age 25 if male.<sup>352</sup> The Act declared that enslaved Black people born before July 1804 would remain enslaved in New Jersey for life.<sup>353</sup>

Beyond the dubious moral victory found in the 1804 Act’s delayed, partial, and incomplete grant of freedom, the law also had considerable logistical failings.

In most cases, recordkeeping to establish parentage and birth dates for the enslaved was imprecise or nonexistent: enslaved children’s fathers were rarely documented and records only identified children by first names, making birth dates difficult to confirm. Much of the Act’s enforcement relied upon establishing these “facts,” but without standardized and verifiable documentation, New Jersey law left enslaved people’s freedom to be granted or denied at the discretion of their enslavers.

Indeed, enslavers sometimes falsified or concealed birth dates in order to extend an enslaved person’s term of labor. In the end, the Act failed to establish a true enforceable right to freedom, even for those who fell within its narrow entitlement to eventual emancipation. Black people enslaved in New Jersey only secured freedom under the 1804 law if and when an enslaver chose to grant it.

As mentioned earlier, New Jersey’s Gradual Abolition Act also paid reparations to enslavers to mitigate the financial impacts of emancipation.

As discussed below, this policy was in place from 1806 to 1811 and halted only after it nearly led New Jersey into bankruptcy.<sup>354</sup>

In this way, the state took on great expense to pay enslavers for the hardship of losing their “human property” but allocated zero funds to go directly to the Black people who had been dehumanized and forced to labor for free.

The recorded story of Anthony is illustrative.

Surviving records indicate that a white man named Marten Nevins sought state payments under the Abolition Act:

To the maintenance and support of Anthony a male Negro child born of the body of a female negro slave, the property of Marten Nevins, on the 22nd Aug 1804, and abandoned 19th August 1805, placed by the overseers of the poor of said Township, with Martin Nevins at \$3.00 per month Augt. 28th 1805 is one year six days \$36.00.<sup>355</sup>

In fact, Nevins held Anthony’s mother in slavery and took “ownership” of Anthony when he was born. Under Section 3 of the Act, Nevins and other enslavers could declare enslaved children born after July 1804 “abandoned,” continue to hold them in bondage as laborers, and collect funds from the state to “reimburse” them \$3 per month in “maintenance” costs until the enslaved people reached the legal age to be freed – in Anthony’s case, age 25.

Alternatively, Nevins could have falsified records to claim Anthony was born before July 1804, giving up the ability to collect the maintenance payments but gaining the right to enslave Anthony for life. In this way, the law empowered white men like Nevins to decide how to classify enslaved people based on a calculation of the enslaver’s economic interests rather than based on the enslaved people’s legal rights.<sup>356</sup>

For the time that compensation payments continued, the claim on Anthony allowed Nevins to collect \$36.00 per year in state funds (approximately \$977.45 in current dollars).<sup>357</sup> This was not an anomaly. Historical records from Montgomery Township in Central New Jersey name 10 children whom enslavers claimed as “abandoned” within a year of their births. For each of the children – Susannah, Anthony, Richard, Betty, Pompey, George, Phoebe, Andrew, Bett and John – enslavers sought and received \$3 in maintenance payments, per month and per child.<sup>358</sup>

The law’s compensation scheme became a significant drain on the New Jersey treasury.



At the November 2, 1807, legislative session, lawmakers paid \$35.50 [\$958.49 in modern dollars]<sup>359</sup> to a Hunterdon County enslaver for one “abandoned” Black child; \$58.70 [\$1,598.36] for two children in Somerset County; and \$888.60 [\$24,345.65] for an undisclosed number of additional children in Somerset County.

The following year, on January 2, 1808, disbursements included \$720.00 [\$19,717.51] to enslavers in Essex County and \$2,932.50 [\$80,239.31] to Bergen County. On May 2, 1808, additional disbursed funds included \$163.10 [\$4,491.21] to Middlesex County; \$30.00 [\$821.56] to Somerset County; \$640.25 [\$17,526.68] to Bergen County; and \$225.00 [\$6,161.72] to Hunterdon County.<sup>360</sup>

In addition to being expensive, compensation under the Act was rife with corruption.

From 1806 to 1811, enslavers collected a total of about \$1 million (in current dollars) under the so-called “abandonment clause,” almost bankrupting the state.<sup>361</sup>

In the fiscal year spanning November 1808 to November 1809, New Jersey paid enslavers approximately \$12,000 (about \$305,000 in current dollars<sup>362</sup>); this amounted to 27% of the state’s annual budget, excluding the prison and militia.”<sup>363</sup>

In 1808, the legislature required the overseers of the poor “to advertise the availability of abandoned Negro children and to bind them out where possible to persons, who without requiring any payments, would take care of them in return for their services.”<sup>364</sup>

The next year the legislature noted that “large and unusual sums of money have been drawn from the treasury ... for maintaining abandoned blacks which has caused suspicions of fraud.”<sup>365</sup>

On November 2, 1809, the New Jersey House Assembly voted overwhelmingly to suspend the support payments due “to the increasing financial burden of the subsidies.”<sup>366</sup> Despite the repeal of the abandonment clause, the state retained its

obligations for the maintenance of children abandoned before the policy change.

The burden of this scheme on the state’s coffers remained roughly consistent until 1811, when state legislators decided that they could no longer afford to subsidize enslavers and ended the program entirely.<sup>367</sup> “In 1811, the final year of the provision, the costs decreased to \$1,956.”<sup>368</sup>

Explaining its decision to terminate the payments, the legislature stated:

[I]t appears that large sums of money have been drawn from the treasury by citizens of the state for maintaining abandoned black children, and that in some instances the money drawn for their maintenance amounts to more than they would have brought if sold for life.<sup>369</sup>

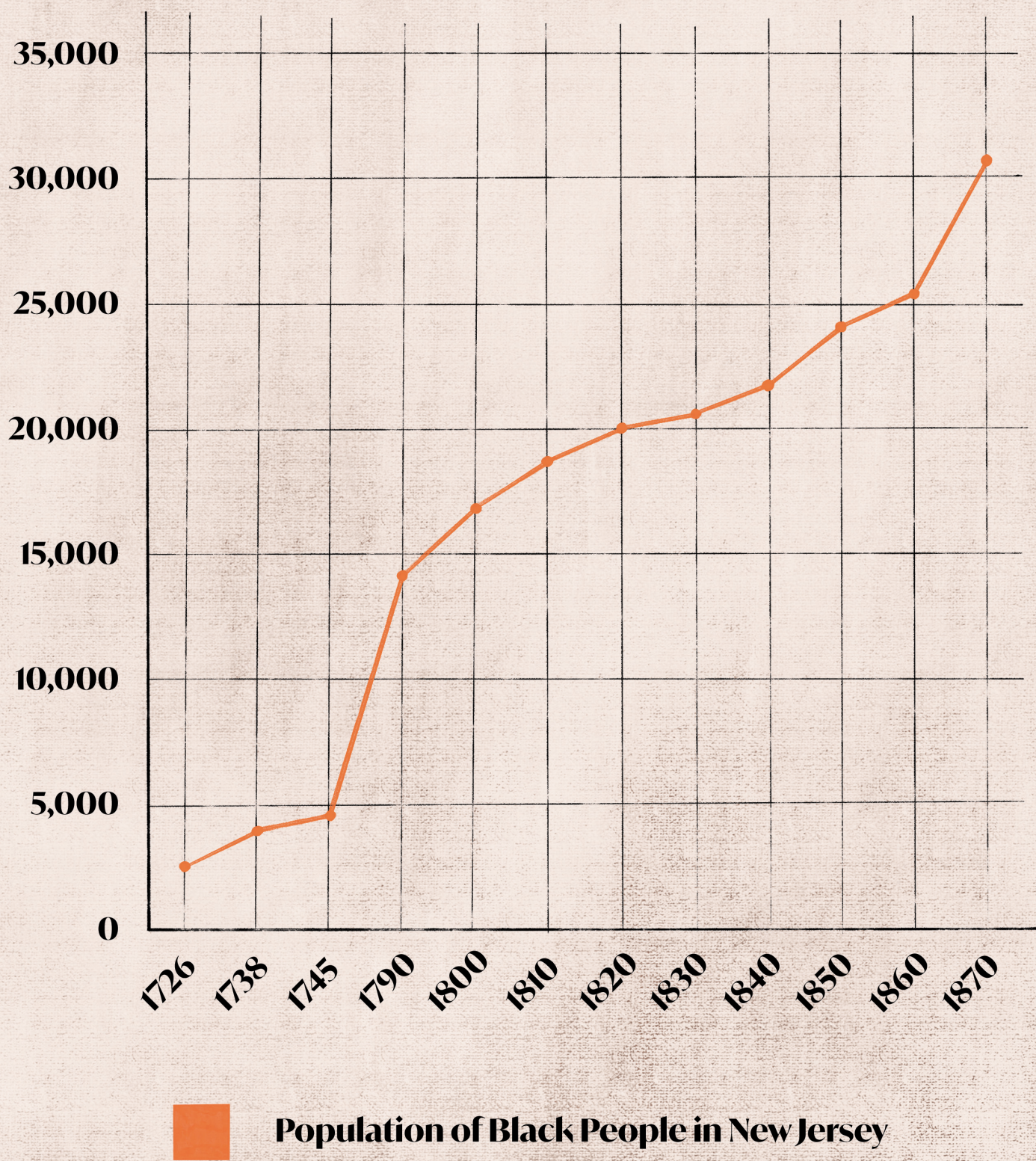
For decades after the start of gradual abolition, New Jersey remained a complex mix of freedom and bondage.

By 1830, 26 years after the Gradual Abolition Act’s passage, one in 10 Black New Jerseyans were still “slaves for life,” and about 25% of the Black population occupied some type of enslavement.<sup>370</sup>

The census data enumerating Black New Jerseyans enslaved for life fails to account for the untold numbers of people who languished in a term of involuntary servitude under the terms of the Gradual Abolition Act and were not considered “enslaved” under census definitions.



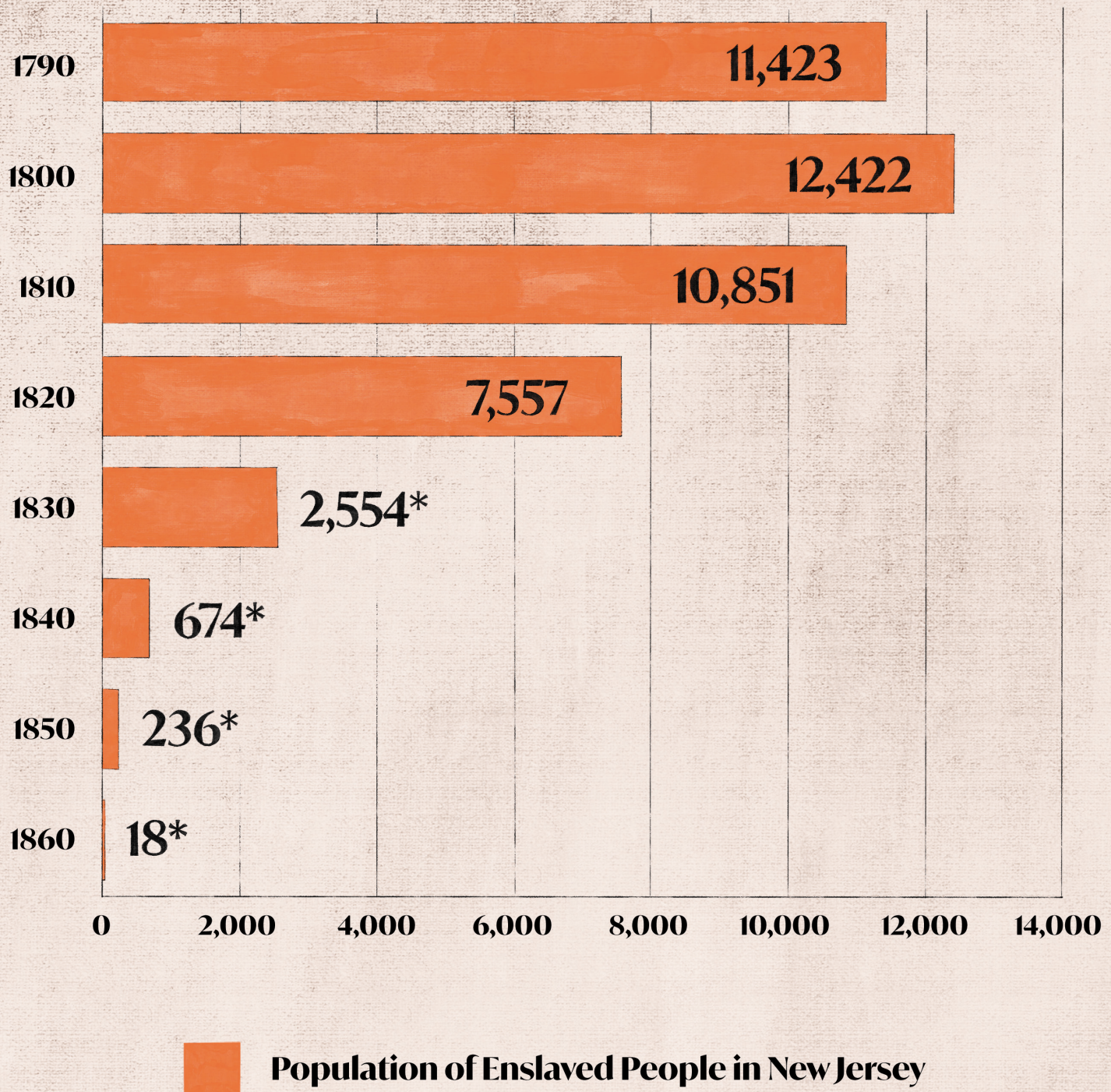
# Black Population Growth in New Jersey, 1726-1870



From *Afro-American in New Jersey: A Short History*, by Giles R. Wright



# Enslaved in New Jersey<sup>371</sup>



\*These numbers reflect only those born before July 4, 1804, enumerated in the Census as “slaves for life.”<sup>372</sup> These figures do not include those born after July 4, 1804, who were enslaved until adulthood under the terms of the Gradual Abolition Act.

*From Afro-American in New Jersey: A Short History, by Giles R. Wright*



In response to the failures of the Gradual Abolition Act, leaders in the free Black community advocated for the state legislature to take more decisive action towards full abolition.

In 1841, Black activists in Paterson delivered an address to the state legislature, urging political leaders to enact an immediate abolition act to end the “disabilities, privations, and sufferings under which the colored population of our state labor.”<sup>373</sup> Free Black children, they noted, were denied education, and were still viewed for “all intents and purposes” as being enslaved. After all, “compulsory servitude” was little more than “a continuation of slavery for the time being...”

In the address, free Black leaders also advocated for the “659 souls” who had been born in New Jersey before 1804 and were still subjected to lifelong bondage:

We ask for the liberation of these slaves, a right which ought never to have been taken from them, for it is one which they hold by the appointment of the God of nature. We ask for their liberation that they may enjoy the consciousness of freedom; that they may be put in possession of that gift designed for all by the beneficent Creator and declared to be inalienable in the declaration of independence.<sup>374</sup>

For five years, their plea was met with stony silence.

In 1846, New Jersey passed another emancipation act.

Although it purported to abolish slavery, it simply reclassified enslaved people as “apprentices for life.” In nearly every regard, these “apprentices for life” born before 1804 remained enslaved, while “slaves for a term” (those born after 1804) were still bound to their enslavers until they reached the statutory age of abolition.<sup>375</sup> In other words, the 1846 law changed nothing but the title assigned to enslaved people.

Despite these setbacks, Black people in New Jersey continued to advocate for abolishing slavery. The famed self-emancipated abolitionist and orator Frederick Douglass traveled to New

Jersey on a number of occasions, advocating for the end of the peculiar institution and establishment of full Black citizenship. In April 1849, after being invited by local abolitionists, Douglass visited Newark and, in a speech at the Plane Street Colored Church, condemned slavery and fundraised for his abolitionist newspaper, *The North Star*.<sup>376</sup>

During the era of Gradual Abolition in New Jersey, which began with the law’s passage in 1804, increasing numbers of free Black people were subject to an early and exploitative precursor of sharecropping and were known as “cottagers.” They lived on former enslavers’ property and provided labor in exchange for shelter, food, and equipment.<sup>377</sup>

In the shadow of Gradual Abolition’s aftermath, Black people continued to live as enslaved people in many ways.

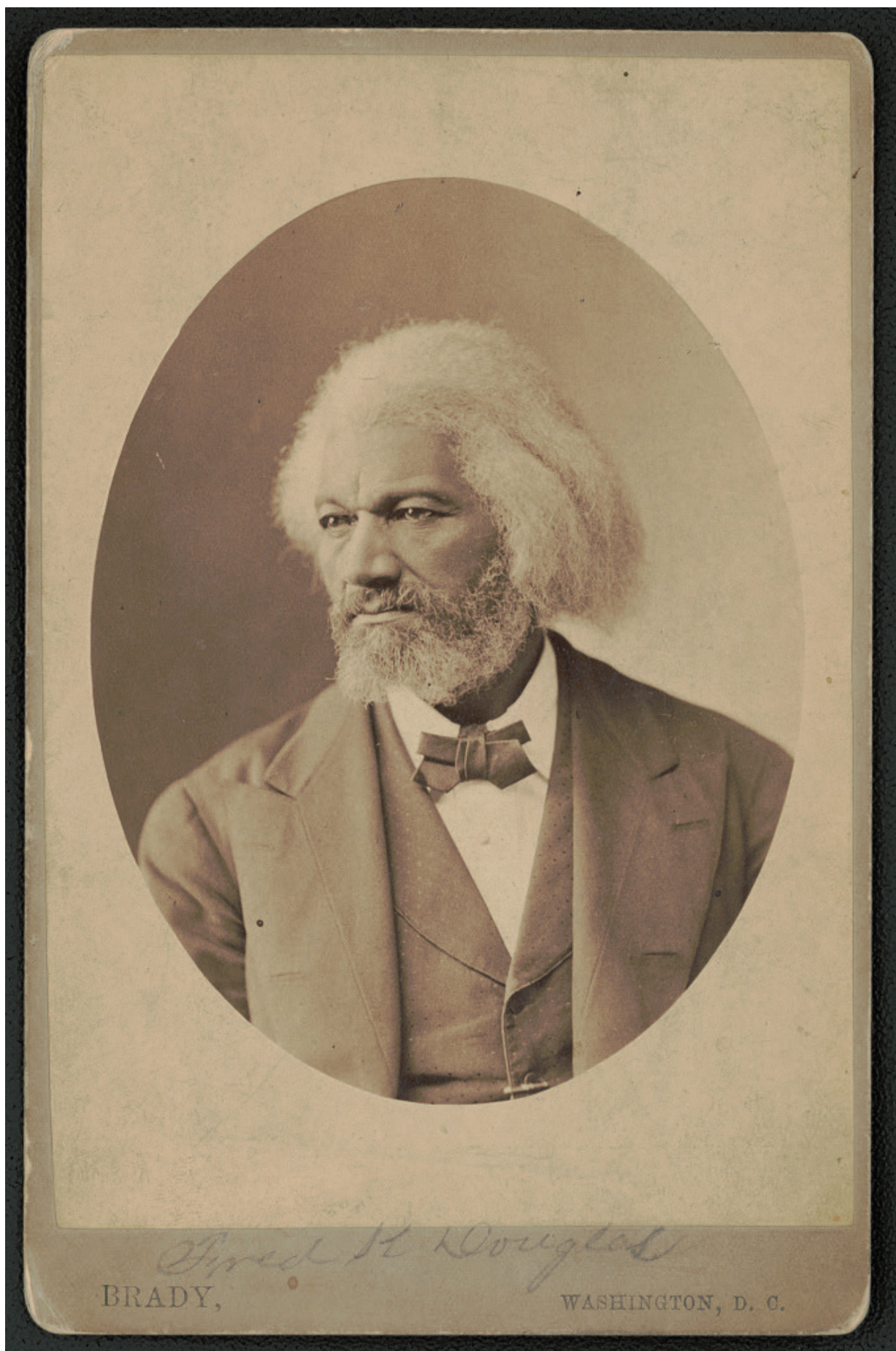
At the end of the Civil War, New Jersey state leaders still supported slavery and resisted abolition – in part due to fears of an influx of Black migration.<sup>384</sup>

New Jersey Civil War Governor Joel Parker was a fierce critic of Abraham Lincoln and, with New Jersey political allies, had even challenged Lincoln’s Emancipation Proclamation. With Parker’s support, the New Jersey legislature in 1863 passed the “Peace Resolutions,” which denied Lincoln’s power to emancipate enslaved people.<sup>385</sup> That resistance remained even after the Confederacy’s defeat.

New Jersey initially refused to ratify the Thirteenth Amendment that abolished slavery nationwide, and did not do so until January 1866 – more than a month after the provision officially became binding throughout the country.<sup>386</sup>

New Jersey lawmakers also initially rejected the Fifteenth Amendment that barred racial restrictions on voting and rescinded their initial ratification of the Fourteenth Amendment (which includes the Equal Protection clause). This defiant resistance foreshadowed the persistent discrimination and inequality Black people would continue to experience in the state long after slavery’s end.





Frederick Douglass  
Photo/Mathew B. Brady, 1880



# New Jersey and the Jim Crow Era

1870 - 1960s



Segregated Chicken Bone Beach, Atlantic City, NJ, 1950s  
John W. Mosley Photograph Collection, Charles L. Blockson Afro-American Collection, Temple University Libraries, Philadelphia, PA



# Even after legal slavery ended, its enduring legacy continued to erect daunting obstacles for Black people seeking the opportunity to fully realize equality and freedom in New Jersey.

As literary scholar Saidiya Hartman notes, the afterlife of slavery lived on through Jim Crow segregation, which constrained the life chances of Black people much like slavery was designed to do.<sup>381</sup> The fundamental racial asymmetries of power established during slavery in New Jersey continued in the 19th and 20th centuries through rigid social and economic stratification and remain with us today.

In June 1950, 21-year-old Martin Luther King Jr. and three other young Black men and women carried out a nonviolent sit-in protest at Mary's Cafe in Maple Shade, New Jersey.<sup>382</sup> This was during the period, from 1948-1951, that King attended seminary and lived in Camden. At the cafe that day, the owner Ernest Nichols refused to serve King and his friends, threatened them with violence, and fired a gun before they fled. The four Black youth afterward contacted the Camden branch of the National Association for the Advancement of

Colored People (NAACP), which helped them to file a civil rights complaint. Nichols was subsequently convicted of a weapons possession charge, but King and his friends dropped their case after several customers refused to testify as witnesses before a grand jury.<sup>383</sup>

Recalling this incident later in life, Dr. King compared it to sit-ins later waged at lunch counters across the south. "They refused to serve us," he said. "It was a painful experience because we decided to sit in." Dr. King's friend Walter McCall, who was with him at the cafe that day, dubbed this incident Dr. King's first "civil rights struggle."<sup>384</sup> And it happened in New Jersey.

King's experience in Maple Shade, 85 years after emancipation, illustrated the enduring impact of slavery, and the racial segregation and discrimination that was still shaping Black people's experiences in schools, employment,

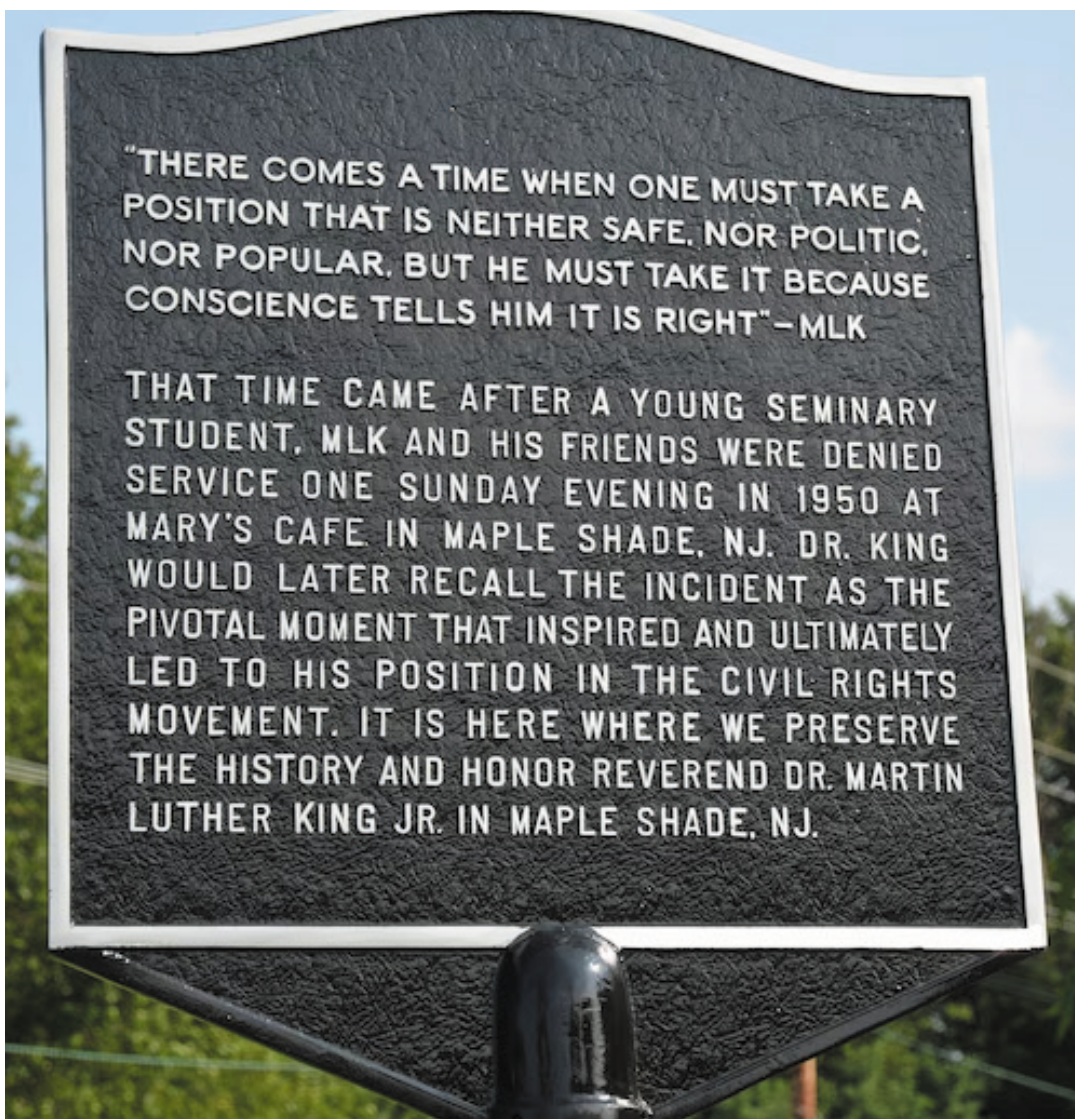


retail establishments, public spaces, daily social life, and at the ballot box. As a result, and by design, Black people in New Jersey continue to confront some of the worst racial inequality in America.<sup>385</sup>

This section explores segregation, racialized law enforcement and voting discrimination in New Jersey from the 19th century through the mid-20th century: the period encompassing the end of slavery through the early Civil Rights Movement.

## BLACK MIGRATION AND SEGREGATION

After the colonial period, many Black people migrated to New Jersey and contributed to the state's population growth. This migration increased in the decades before the Civil War, fueled by free Black New Jerseyans and those who had fled slavery in other parts of the country.



Marker Commemorating Maple Shade Sit-In, Maple Shade, NJ



Black migration then grew even more significantly after emancipation and continued throughout the first half of the 20th century.<sup>386</sup>

Formerly enslaved people established Black communities in New Jersey as early as the beginning of the 19th century. Springtown, in Cumberland County, was formed after Quakers sold land to formerly enslaved people “who had been manumitted or who had escaped from bondage in Delaware, Maryland or states further south.”<sup>387</sup>

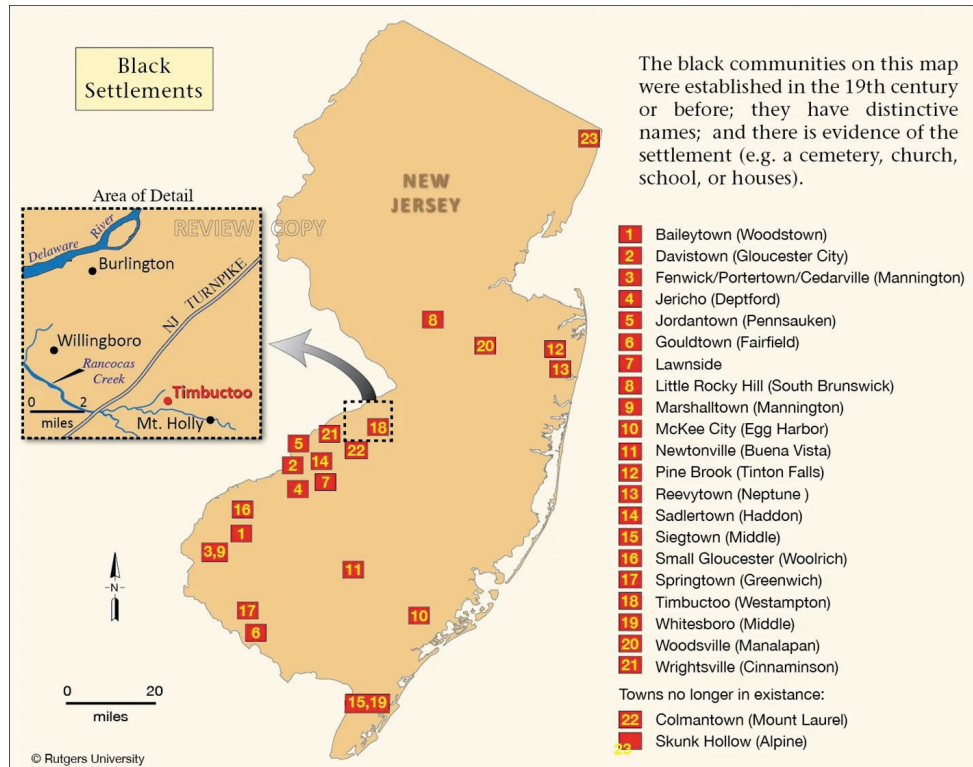
Lawnside, in Camden County, shares a similar history: the community was previously known as Snowhill and Free Haven and served as an Underground Railroad stop.<sup>388</sup> Other Black communities in New Jersey included Skunk Hollow in Bergen County, Guineatown and Saddlertown in Camden County, Gouldtown in Cumberland County, and Timbuctoo in Burlington County (discussed in the previous section).<sup>389</sup>

The Black town of Whitesboro, in Cape May County, was

established by Black people who left Wilmington, North Carolina, in 1898 after white supremacists staged a political coup and race riot, murdering dozens of Black residents, destroying businesses and homes, and seizing political control of the city.<sup>390</sup> George H. White, a Black man who represented North Carolina's second district in the U.S. House of Representatives from 1897-1901, helped the group of Wilmington refugees buy land in New Jersey in 1899. White was considered a town co-founder and Whitesboro was named in his honor.<sup>391</sup>

The 1900 Census documented a key period of population growth and industrialization in New Jersey. New Jersey's Black population increased by 46.6% between 1890 and 1900, in large part due to the in-migration of Black people from the south.<sup>392</sup>

White residents wielding violence and racist local governance structures limited where new Black residents could live and work, leading Black migrants to cluster in isolated places where they were often able to create Black spaces of protection and sanctuary. These areas were marked by early toxic industrial use,



**New Jersey Black Communities in the 19th Century**  
Rutgers University



or located in ecologically vulnerable places that white people did not want, such as near swamps and low-lying areas prone to flooding.<sup>393</sup>

As earlier efforts to resettle or displace Black residents to Africa or other territories within the U.S. proved unsuccessful, New Jersey turned to segregation as its next dominant strategy. During the first half of the 20th century, private housing market segregation and public housing segregation converged with white flight from cities to produce the residential landscape for which New Jersey is now known: Black cities and white suburbs. This stratification made continuing institutional discrimination against Black people easier, as zip codes came to define racial and economic status.<sup>394</sup> As researcher E. Rosie Driscoll writes:

[T]he introduction of federal public housing programs in the 1930s, intended to increase quality housing access, allowed Trenton's government officials to place Black residents in segregated projects, thereby reinforcing existing segregated residential patterns. Simultaneously, financial institutions and realtors infringed upon Black Trentonians' agency in the private market through discriminatory lending and realty practices that discouraged integration.<sup>395</sup>

Discriminatory lending processes were sometimes institutional – as with redlining by banks and insurance companies – and other times the result of unchecked private race discrimination.<sup>396</sup>

In *New Jersey Home Builders Ass. v. Division of Civil Rights* in 1963, a group of real estate professionals known as the New Jersey Home Builders and the New Jersey Association of Real Estate Boards challenged a variety of provisions in the state's Law Against Discrimination (LAD), passed in 1945.<sup>397</sup> The real estate professionals wanted to preserve segregated housing markets and asked the court to hold that the LAD discriminated against them in requiring their compliance with anti-discrimination rules. The court rejected the argument, but the attempt demonstrates the persistence of discrimination in New Jersey: racial segregation was so fundamental to the state's real estate market, industry leaders sought a judicial decree that they deserved immunity from laws banning discrimination.<sup>398</sup>

### ***Segregation of Public Spaces***

New Jersey passed its first major civil rights act guaranteeing all New Jersey residents equal access to public accommodations and jury service in 1844 – the same year it amended its Constitution to restrict voting rights to white men. The public accommodations law was not thoroughly enforced, however, and thus had little impact on the development of racially restrictive segregationist customs in places like the Jersey Shore.<sup>399</sup>

Before large-scale Black migration to the state, early Black migrants arriving from the south were attracted to the Jersey Shore for its employment opportunities in the travel and leisure industries. These were considered palatable alternatives to low-wage agricultural work and domestic service Black people had back home. An initial wave of Black migrants settled in Atlantic City, increasing the local Black population from just 15 people in 1870 to 9,834 people by 1910.<sup>400</sup> This was in large part fueled by Atlantic City's establishment as a "major seaside resort."<sup>401</sup>

With increased migration came increased segregation in housing and public spaces. The residential areas of Atlantic City were likely segregated from the time of the city's incorporation in 1854: Black people were restricted to living in an 80-square-block neighborhood on the northside that housed Black professionals and workers of all types, as well as Black-owned businesses and segregated schools.<sup>402</sup> Atlantic City's beaches and hotels became segregated around 1900, soon after southern white tourists complained about the community's integrated facilities. In the wake of this segregationist advocacy, Black beachgoers were relegated to a newly segregated Missouri Avenue Beach.<sup>403</sup>

Of course, segregation was not limited to Atlantic City. At the Jersey Shore in the 1880s, middle-class white residents sought to enjoy the kind of leisure time associated with the wealthy: a chance to be served by Black people but not share recreation space with them. White vacationers soon worked "to persuade local authorities to adopt segregationist measures."<sup>404</sup>

In 1885, white visitors at James Bradley's resort in Asbury Park demanded that Bradley and other local officials remove Black patrons and workers who mingled after working hours,



NEGROES - ASBURY

432-8



Asbury Park Beach, 1908  
Library of Congress



essentially calling for permanently enforced segregation.<sup>405</sup> Black people were soon subject to unwritten but consequential “clock-time segregation” or “seasonal segregation”; they could only enjoy the beach at Asbury Park and similar locations during these off-peak, less desirable periods, while white people were not present.<sup>406</sup>

In 1933 and 1938, officials in the City of Long Branch, in Monmouth County, passed ordinances that required residents to apply for a permit in order to access local beaches or use public bathing facilities. While the ordinances made no explicit mention of race, the city clerk routinely assigned Black applicants to a single designated beach, Beach No. 3, informally establishing all other city beaches as white-only. When a Black woman and Long Branch resident named Allie Bullock applied for a permit, she requested access to her preferred beach, which was not Beach No. 3. According to records, the city clerk would not issue the requested permit and would only offer Bullock access to the segregated beach restricted to Black permit holders. Bullock sued and took the case to the New Jersey Supreme Court.<sup>407</sup>

In a 1939 opinion, the court rejected Bullock’s claim because she had not yet been convicted of violating the beach permit ordinances and, as a result, lacked standing to challenge their application. At the same time, the court acknowledged that Ms. Bullock was entitled to a permit assigned “without regard to the color question,” and even held that the beach segregation plans implicated city officials.<sup>408</sup> The court opinion read, “The true reasons for the clerk’s action is that the city clerk was carrying out an agreed and determined policy or plan of the city authorities to segregate all members of the negro race on Beach No. 3 and no other beach.”<sup>409</sup>

Before long, segregation became the rule in urban centers, as well. Black people were excluded from dining in Newark’s downtown restaurants, even as they were hired to work there as cooks and waiters. In city department stores, Black applicants were limited to jobs as elevator operators and janitors.<sup>410</sup> Newark emerged as a hub of Black jazz, but in white-owned jazz clubs, Black people were found only on stage – barred from patronizing the clubs as customers. Even charity became segregated: during the Great Depression, organizations like the Salvation Army, the Goodwill Mission and the local Red Cross – which segregated blood plasma by race – denied aid to Newark’s Black residents.<sup>411</sup>

By 1932, a state-funded report titled “The Negro in New Jersey” recognized that policies of racial segregation were becoming commonplace in the state:

Segregation instead of lessening has increased. Thus, because of a tremendous increase in population, the Negro group has noted tendencies toward an increasing social separation in housing, theatres, restaurants, hotels, swimming pools, beaches, and other public accommodations.<sup>412</sup>

World War II ignited a new wave of Black migration to New Jersey, increasing the state’s Black population by approximately 40% between 1940 and 1950.<sup>413</sup> Within a decade, both public and private institutions in New Jersey had expanded racially restrictive segregationist policies. At theatres and movie houses, though they paid the same admission fees as white New Jerseyans, Black people were relegated to side sections or balconies known as “nigger heavens.”<sup>414</sup> Department stores prohibited Black shoppers from trying on clothing items, and restaurants often refused to serve Black clientele altogether.<sup>415</sup>

In May 1942, while starring in a stage production of *Native Son* in Asbury Park, a Black actor named Canada Lee and two other cast members – one Black and one white – attempted to dine at a local tea house. The group was ignored and repeatedly told the staff was too busy to serve their party, even after watching all-white groups arrive and receive service immediately. When Lee and his companions complained that they were being refused service, a waiter and another white man in the establishment threatened and accosted them. The waiter was arrested and later held on \$500 bail, but Lee and his castmates did not dine in the restaurant that day.<sup>416</sup>

Earlier that month, while *Native Son* was being staged at the Central Theater in Passaic, New Jersey, Lee had written a public letter decrying a separate incident where several other Black cast members were refused service at a restaurant in that city. Signed by 29 more members of the cast and published in Passaic’s *Herald-News*, Lee’s letter described the treatment as “an un-American and unpatriotic act which today is out of place as a horse drawn plow” and an example of “Jim Crow-ism, which reaches its peak in our southern states.”<sup>417</sup> Lee went on to experience this treatment himself at the Asbury Park tea



house – on the same day his letter about the earlier Passaic incident was published.

As the Black population in New Jersey grew, persistent segregation took many forms, and Black communities continued to resist them all. Swimming pools, bowling alleys and skating rinks closed their doors to Black clientele, claiming private club status and making admission available only to members. Palisades Amusement Park in Bergen County faced protests and pool “stand-ins” after refusing to let Black residents swim in its pool.<sup>418</sup>

In the early 1930s, Robert Carter, a Black 16-year-old student at East Orange High School, protested the practice of only permitting Black students to use the school pool on alternate Fridays after classes ended. Afterward, the pool was drained, cleaned and refilled for white students to use the following Monday.<sup>419</sup> In response to protests by Carter and other students, the school closed the pool entirely.<sup>420</sup>

Robert Carter went on to become a renowned civil rights lawyer, an architect of the landmark *Brown v. Board of Education* litigation and a federal judge.<sup>421</sup> Reflecting on the high school pool experience in his memoir years later, Judge Carter wrote:

In May 1933, I read in the local newspaper that the New Jersey Supreme Court in a case from Trenton had held that all public-school facilities available to white children had to be available to black children as well. Armed with this knowledge, during the next gym class period I joined the white boys when they retired to the swimming pool. The teacher was, of course, surprised, and at first tried to intimidate me by threatening me with expulsion. When that did not work, he pleaded with me to give in because otherwise he would lose his job. I was unmoved, insisting that the [S]upreme [C]ourt of New Jersey had said I had a right to use the pool when the white boys used it.

At every physical education class thereafter until graduation I went to the pool when the white boys did. I told the other black

students in my gym class to join me, but no one did. It was a difficult, emotional effort for me. I could not swim at the time, but at every gym class, choked up and near tears with emotion and defiance, I would get in the pool at its shallow end and cling to the side of the pool until the period ended. None of the white boys used the pool with me in it, so there I was clinging to the side of the pool for dear life until the period ended. Rather than open the pool to all students, the school closed the pool the next school year. White-supremacy culture sometimes exacts a terrible toll on whites.<sup>422</sup>

Similar forms of Black resistance occurred in Fort Lee and Asbury Park, where Black people challenged segregation by holding “wade-ins” at public pools and public beaches.<sup>423</sup>

In 1949, New Jersey enacted a state Civil Rights Act. Also referred to as the Freeman Bill, the law guaranteed “all persons” the right “to obtain all the accommodations, advantages, facilities, and privileges of any place of public accommodation,” including beaches, pools, public boardwalks, and hotels, “without discrimination because of race, creed, color, national origin or ancestry.”<sup>424</sup>

Around the same time, Louis Kaplan led campaigns against segregated hotel swimming pools with members of the Asbury Park Black Progressive Party. These campaigns also exposed beach attendants who refused to sell beach tags to Black tourists. In 1952, as Kaplan lobbied against discrimination, he informed the New



Judge Robert Carter  
Photo/Dustin Ross, Columbia University



Jersey state delegation that Black activists were repeatedly denied access to the Monte Carlo Pool Club “even though no other white person was asked whether they belonged to the club.” In 1954, the issue was resolved after local authorities claimed to have reached a “satisfactory and amicable agreement.”<sup>425</sup>

### ***Segregated Health Care***

As humiliating and disheartening as it was for New Jersey’s Black residents to endure racial exclusion from restaurants, theaters, pools, beaches and other places of public recreation and amusement, segregation had even more dire consequences when it restricted access to critical services like health care. This era saw an effort to root racism and ideas of racial difference in science – often to the detriment of Black community health.

In the early 20th century, segregation was partially rooted in the growing scientific field of eugenics: a theory that science could achieve “racial improvement” and “perfect human beings ... with the use of methods such as involuntary sterilization, segregation, and social exclusion.”<sup>426</sup>

Many prominent promoters of eugenics practiced in New Jersey, including Henry H. Goddard, a psychologist and segregationist who ran the Vineland Training School and introduced intelligence testing to the United States.<sup>427</sup> In 1913, the New Jersey Supreme Court struck down state lawmakers’ 1911 attempt at a sterilization law and held that it violated the Fourteenth Amendment.<sup>428</sup> Proponents of eugenics continued to lobby for sterilization legislation in New Jersey, and in the 1930s, Marian Olden campaigned to re-introduce the bill. Olden was a member of the League of Women Voters and wife of a Princeton University professor. When her legislative efforts failed, she went on to start the Sterilization League of New Jersey.<sup>429</sup>

While sterilization did not ultimately become law in the Garden State, neither law nor science objected to medical segregation. Racial segregation in hospitals was common and widespread in New Jersey well into the 20th century. Black people seeking medical care in Atlantic City, for instance, were restricted to receiving treatment at a segregated clinic at City Hall, while white patients were seen at Atlantic City Hospital.<sup>430</sup>

Likewise in Newark, where the Black population nearly quadrupled between 1910 and 1930, the tax-funded public

hospital and affiliated nursing school refused to permit Black doctors, nurses or patients.<sup>431</sup> Some improvement came through the efforts of Black medical staff. Born to formerly enslaved parents in 1875, John Kenney trained at Shaw University’s Leonard Hall – a Raleigh, North Carolina, medical school for Black students. After more than a decade heading the Tuskegee Institute Clinic and serving as personal physician to Booker T. Washington, Dr. Kenney protested the all-white medical staff hired to run a new VA clinic for Black veterans in Alabama – and became a target of the Ku Klux Klan. He and his family relocated to New Jersey in 1922 and, five years later, Dr. Kenney opened Kenney Memorial Hospital in Newark to improve care for the city’s Black residents.<sup>432</sup>

In 1932, a New Jersey hospital superintendent interviewed for a state report on segregation explained that Black patients were typically seen last in white-run hospitals because employed persons received priority. Few Black people were employed, he reasoned, and “anyway, they really have nothing to do but wait.”<sup>433</sup>

The relative absence of Black doctors made white doctors’ indifference even more detrimental to Black patients. Though Black people could receive medical training during this era, including at several Black medical schools, they were regularly denied staff privileges in white-run hospital facilities and prevented from properly attending to their patients. Hospitals were also reluctant to allow Black physicians and nurses to practice “because white patients and students would object.”<sup>434</sup>

The 1932 New Jersey report on segregation observed:

Although the law requires a doctor to spend at least a year as a hospital intern before practicing, there is no hospital in the state that admits a Negro intern or trains a Negro nurse. Several hospitals reported applications from Negro girls which were refused ... Hospital accommodations for New Jersey Negroes are generally limited to ward beds. Segregation is not uncommon, and two hospitals keep one four bed ward for Negro patients. One institution confines this segregation to colored women only. Other hospitals keep Negroes together because “they prefer it.”<sup>435</sup>



Kenney Memorial became a community hospital in 1934. Until its closure in 1953, three years after Dr. Kenney's death, the hospital employed Black medical professionals and served Black patients. While doing so, it dealt with disrespect from other facilities, including some that routinely sent critically ill patients to Kenney Memorial so the deaths would not count against those facilities' own death rates.<sup>436</sup>

For most of its existence, Kenney Memorial was one of few medical institutions in New Jersey specifically created to care for Black people. The tax-supported Newark City Hospital did not accept Black patients until 1946 – the same year the hospital hired its first Black physician.<sup>437</sup>

### ***Segregated Education***

Educational segregation in New Jersey also served to restrict Black communities' access to critical resources and opportunities vital to economic and social advancement.

Although records suggest that New Jersey never explicitly outlawed the education of enslaved people, the educational opportunities afforded to Black people in New Jersey before and directly following the Civil War were limited and inconsistent.

Early education for Black people in New Jersey was provided by churches or private associations. One of the earliest Black schools was created in or around 1817 by the American Colonization Society, which sought to relocate free Black people from the United States to Africa. American Colonization Society schools were established in Parsippany and Newark to teach Black students to read the Bible so they could emigrate to Africa as missionaries.<sup>438</sup>

Black communities also created their own schools to educate their children. The A.M.E. Zion Church of Newark established a common school for Black students in 1826, followed by a second common school in 1828.<sup>439</sup> In Princeton, members of the Witherspoon Street Presbyterian Church opened a Sunday school to educate Black children. These and other schools, for the most part funded by churches or other voluntary associations, were initially the sole educational opportunities available to Black students.<sup>440</sup>

In 1829, New Jersey established a state board of education

and began to provide meager funds for public schooling.<sup>441</sup> Many school districts attempted to supplement that funding by levying taxes or charging tuition fees, while some cities provided free education.<sup>442</sup>

In *The African American Struggle for Freedom and Equality: The Development of a People's Identity, New Jersey, 1624 - 1850*, George Fishman describes a letter published in the *New Jersey Freeman* in 1846. The letter described the difficulty advocates faced in getting public support to educate Black students:<sup>443</sup>

[T]here is public free school supported by tax levied on the inhabitants without distinction. Last year, the colored children, whose parents paid their proportionate share of this tax, were put in a basement by themselves where the teacher visited them a few times a day to instruct them. Those parents of colored children who are willing to submit to such outrage, continued their children at school until it got too cold to be in the basement without fire, when they took them away.<sup>444</sup>

Later, the Plainfield school refused to accept Black students at all.<sup>445</sup>

In 1871, New Jersey lawmakers barred communities from charging educational fees to public school students, becoming the last of the then 37 states to provide free education for its residents.<sup>446</sup> Ten years later, in 1881, the state passed a law that prohibited "exclusion from any public school on account of nationality, religion, or race," with an exception for "officials ... offering segregated facilities in the lower grades that might be voluntarily accepted."<sup>447</sup>

After this statute was enacted, Black people in the Monmouth County community of Fair Haven demanded the right to send their children to a local all-white public school. The New Jersey Supreme Court enforced the 1871 law and sided with the Black families.<sup>448</sup> As a result, segregation in public schools was explicitly prohibited through a state constitutional provision.<sup>449</sup> Nevertheless, some Black communities continued to send their children to separate all-Black schools in order to maintain autonomy and self-determination, ensure the presence of Black teachers and administrators, and protect Black children from racism.<sup>450</sup>



# SPOTLIGHT: THE BORDENTOWN SCHOOL

The Bordentown School was founded in 1886 by Rev. Walter Rice, a formerly enslaved man and Civil War veteran. Officially named the New Jersey Manual Training and Industrial School for Colored Youth, Bordentown was a coeducational public boarding school for Black students.<sup>451</sup>

Following the era of slavery and in the midst of an increasingly segregated New Jersey, the state began operating Bordentown as its state vocational school in 1894 and continued doing so until 1955. Recognized as the “Tuskegee of the North” after Booker T. Washington’s Tuskegee Institute in Alabama, Bordentown was an exclusive school focused on preparing young Black men and women to be future leaders that emphasized vocational training in addition to academics.

State officials closed Bordentown in 1955, one year after the U.S. Supreme Court’s seminal *Brown v. Board of Education* decision that struck down racial segregation in public schools. The facility was later repurposed for use by the state department of corrections. As a result, a campus that once served as an example of Black striving and leadership, welcoming visits from heralded figures like Mary McLeod Bethune, W.E.B. DuBois, Booker T. Washington, Nat King Cole, Duke Ellington, Albert Einstein, Eleanor Roosevelt and Paul Robeson, now hosts New Jersey’s only youth prison for girls – the Female Secure Care and Intake Facility.

Across the street from that facility sits the Juvenile Medium Security Facility (JMSF), the state’s most secure youth prison for boys.<sup>452</sup> Together, these sites symbolize the Bordentown School’s transformation from a symbol of Black educational promise to a realization of New Jersey’s school-to-prison pipeline.<sup>453</sup>



Group Photo in Front of Bordentown School Administration Building  
Photo/New Jersey State Archive



While New Jersey was one of the first states to prohibit racial segregation in public schools, separate schools for Black and white students were the reality for generations – and school segregation intensified in the first half of the 20th century. Between 1920 and 1940, the number of all-Black schools in the state increased by 33%. By 1935, the state had seventy schools that solely served Black students.<sup>454</sup>

In Bergen County, even white and Black children who attended the same school were taught in separate classrooms. Similarly, “[s]tudents in Asbury Park were segregated within the school buildings, while students in Trenton were segregated within the school system by grade level.”<sup>455</sup>

In 1941, 70 school districts in New Jersey had some form of segregation, mostly in South Jersey and in Bergen County. In South Jersey, separate Black public schools remained the norm until the 1950s.<sup>456</sup>

It was not until 1944 that the New Jersey Supreme Court prohibited public school districts from segregating students or denying admission on the basis of race.<sup>457</sup> In 1947, New Jersey amended its constitution to prohibit mandated racial segregation in public schools.<sup>458</sup> The United States Supreme Court made this the law of the nation seven years later, with its landmark 1954 decision in *Brown v. Board of Education*.<sup>459</sup> Black resistance to segregation played an important role throughout those years of progress.

Beyond public K-12 schools, discriminatory education policies were also implemented in New Jersey’s colleges and universities. As Princeton University President from 1902 to 1910, Woodrow Wilson “refused to consider Black students for admission.”<sup>460</sup> While earlier research indicates that Princeton had no Black graduates between 1848 and 1945, renewed efforts have uncovered Black graduates like Abraham Parker Denny (1891) and James Monroe Boger (1893).<sup>461</sup> Both men earned masters degrees when the school was known as the College of New Jersey, and both men pressured President William McKinley and Congress to recognize and pass laws against lynchings within the United States. Because of their political activism, Denny and Boger were forced out of their jobs. Their educational records were not maintained either, which may reflect the college’s discriminatory nature at that time.<sup>462</sup>

### ***Black Resistance to Segregation***

For as long as segregation policies have shaped major aspects of New Jersey public life and accommodation, from explicit Jim Crow laws to persistent systemic legacies, Black people have resisted and protested that inequality. Their resistance included political and legal advocacy and grassroots activism aimed at securing equal access to public spaces, quality education, wealth-creating homeownership and essential employment opportunities.

Black women were key figures in Black New Jerseyans’ campaigns of resistance. In 1918, members of the New Jersey Federation of Colored Women’s Clubs joined “thousands of marchers carrying American flags to the sound of muffled drums in a ‘silent protest’ through downtown Newark” to denounce the U.S. Congress’s failure to pass the Dyer Anti-Lynching Bill.<sup>463</sup>

Despite their efforts to advocate for change in American law and society, the Federation also prioritized displays of patriotic support during times of international conflict. In the midst of World War I, Federation leaders insisted that it was important to “bury every injustice done to us until the war is over; and then we shall keep up the old struggle” of fighting against racial discrimination.<sup>464</sup>

Trade unions emerged as another site of advocacy and agitation in this era. Black people were first accepted into white labor unions during the 1860s, but many organized in Black unions.<sup>465</sup> The first, the Colored National Labor Union, was formed in December 1869 with delegates from New Jersey present at the founding meeting.<sup>466</sup>

After East Orange segregated its public schools in response to an influx of Black residents, local Black parents engaged in multiple efforts to desegregate local schools between 1899 and 1905.<sup>467</sup> Over one hundred parents and supporters were at the city’s Board of Education meeting after the city’s school board made the decision to place Black children in a separate, ungraded class.<sup>468</sup> While ultimately unsuccessful, the East Orange community’s engagement in mass meetings, petitions and boycotts demonstrated Black New Jerseyans’ efforts to exercise their right to assemble, petition and engage in politically protected speech as acts of resistance and



political participation. Other tactics included “Buy Where You Can Work” boycotts against white-owned businesses that discriminated against Black customers, and picket protests to denounce racist overcharging.<sup>469</sup>

Black residents protesting housing discrimination staged rent strikes to demand better housing conditions and gathered support to block evictions.<sup>470</sup> In 1941, Reverend Elias S. Hardge led a committee of Jersey City residents to protest segregation in housing at the Lafayette Gardens Housing Project. He later wrote letters to the mayor of Jersey City and alerted the NAACP that “the Lafayette Gardens had rejected all Black applicants who sought to live in the newly constructed housing development.”<sup>471</sup>

Black parents in New Jersey frequently challenged segregationist practices that relegated their children to intentionally under-resourced “negro schools.” Throughout the mid-20th century, municipalities such as Trenton, Asbury Park (1946), Englewood (1955 and 1963), Newark and Montclair (1961), Orange (1962-1963), and Teaneck (1963) were sites of “protests, including marches, rallies, picketing, sit-ins, boycotts, and lawsuits.”<sup>472</sup>

## RACIAL VIOLENCE IN NEW JERSEY: LEGAL AND EXTRALEGAL

### *Building A Racialized System of Incarceration*

After the end of slavery, New Jersey significantly expanded its criminal justice system to exert increased control and surveillance over Black communities.

New Jersey established its first state penitentiary in 1798 in Trenton, decades before slavery ended in the state.<sup>473</sup> The prison population remained relatively low at first but grew from roughly 150 people in the 1830s to over 600 by 1868.<sup>474</sup> The desire to control and confine Black people fueled much of that growth.

By the mid-1800s, New Jersey’s incarcerated population was disproportionately Black, reflecting racial hierarchy within the state: in 1837, Black people comprised 6% of the state’s overall population, but approximately one third of the total number of people incarcerated in the state penitentiary.<sup>475</sup> By the 1850s, Black people were 5% of the state population and averaged around 24% of those in New Jersey’s state prisons.<sup>476</sup>

Between 1856 and 1886, New Jersey’s prison population tripled in size.<sup>477</sup> The proportion of Black people in prison fluctuated between 14-24% between 1866 and 1890, although the Black population in the state was no higher than 3.8% during the same period.<sup>478</sup> Between 1906 and 1930, Black people made up 26% of the prison population, on average, while the state population was no more than 5% Black.<sup>479</sup>

New Jersey’s prison system engaged in practices reflective of slavery in the south – including exploiting the labor of imprisoned people. In the system of convict leasing, which was common in the south and existed in New Jersey, companies or landowners purchased the labor of incarcerated people through contract with the state. The state in turn forced the incarcerated people to work for the contracting company or landowner for no direct wages. The incarcerated person’s unpaid labor was simply part of their punishment, and they were “leased” to the private employers for state profit.<sup>480</sup>

Incarcerated people were forced to perform farm labor at New Jersey prison farms in Rahway, Leesburg, Bordentown and Clinton.<sup>481</sup>

New Jersey’s approach to punishing people in prison also strongly resembled the treatment that enslaved Black people suffered when they defied the orders of enslavers and overseers. Corporal punishment, or physical torture, was a regular form of prison discipline in New Jersey.<sup>482</sup> As described by the authors of an 1868 report on the state corrections system:

In one of [the Commissioners’] visits to the State Prison in Trenton, they found five men fastened in separate cells, prostrate and in a prone position, straps of strong leather passing around both wrists of each convict,



and secured to iron rings in the floor, allowing very little movement of the person, obliging the condemned to void his excrements in his clothing and rendering the air of the cell nauseatingly offensive ... In some cases, suspension by the hands or wrists is resorted to, tying culprits up with arms elevated above the head and allowing feet scarcely to touch the floor. This is a painful infliction, and few can bear it without danger ... These practices of fastening down and tying up, to which females also have been subjected are obvious deviations from the letter and spirit of our statute upon the subject; for while it allows other punishments than those defined to be inflicted in certain cases, it disallows, in all cases, "corporal punishment." If the practices named are not corporal punishment, to what species of punishment would they belong?<sup>483</sup>

New Jersey's use of corporal punishment was unusual for a state in the northeast, particularly in comparison to prisons in New York, New Hampshire, Connecticut and Massachusetts.<sup>484</sup> And these "punishments" could prove deadly.

In 1917, an incarcerated person at the Trenton State Prison accused prison officials of murdering an incarcerated Black man named James Williamson in his cell. The witness told prosecutors that the prison workers beat Williamson with gas pipes,<sup>485</sup> and that the matter had been hushed by prison authorities.<sup>486</sup> The state later concluded that Mr. Williamson died of heart palpitations.<sup>487</sup>

Soon after the Civil War, incarcerated Black women also suffered documented sexual exploitation in New Jersey prisons. An 1868 report referenced a "colored woman" who gave birth to a "mulatto child" in prison after several years of incarceration.<sup>488</sup> There was no investigation into how the woman became pregnant while incarcerated, nor any effort to identify or punish the father of the child.<sup>489</sup> The impunity that followed the apparent sexual exploitation of a Black incarcerated woman by a white man reflected the legacy of sexual violence endured by enslaved Black

women throughout the United States.

Black women also endured segregated facilities in New Jersey's only women's prison, Edna Mahan, which opened in the early 20th century.<sup>490</sup>

### ***Institutionalizing Black People: Another Kind of Imprisonment***

The oldest asylum in New Jersey, known today as the Trenton Psychiatric Hospital, was opened in 1848.<sup>491</sup> A 1904 examination of the country's state mental hospitals by the U.S. Census Bureau found that 254 (4.1%) of New Jersey's 6,155 state mental health patients were Black.<sup>492</sup> This number increased along with the state's Black population. According to a state report published in December 1932, the number of Black mental patients held in two state hospitals and a county hospital had increased by 142% between 1920 and 1930<sup>493</sup> – compared to a mere 31% increase among white patients.<sup>494</sup>

Early asylums were a systematic attempt to remove "undesirable" people from the community, and they quickly became notorious for imposing horrific treatment upon patients. In October 1909, a popular and well-liked Black man named Henry D. Crusen was admitted to the New Jersey State Lunatic Asylum in Trenton due to "overwork and extraordinary religious zeal." Mr. Crusen had been a letter carrier in Trenton for 18 years and, since the death of his brother two years earlier, he was the only Black letter carrier in the city. "He would attend early mass every morning and then ride a bicycle to Morrisville where he has a vegetable garden," the Trenton Evening Times reported.

There he would spend some time at work and then rush back to his work at the post office. Nothing could persuade him to give up his practice. Finally he became unfitted [sic] for work and yesterday became very violent. He called several places on the telephone and claimed that he had killed a number of post office officials and mail carriers. In the afternoon, the police were called and he was taken to the asylum.<sup>495</sup>



In November, within weeks of admission, Mr. Crusen died at the asylum from unexplained injuries, including multiple broken ribs.<sup>496</sup>

The press initially covered the story closely.<sup>497</sup> New Jersey Governor John Franklin Fort visited the asylum, called for an investigation, and vowed to have criminal charges filed against everyone responsible. But after the initial investigation failed to identify a guilty party, press coverage ceased.<sup>498</sup>

Dr. Henry A. Cotton, Director of the Asylum from 1907 to 1930, oversaw practices that reportedly included the removal of body parts and experimental surgeries that permanently disabled people.<sup>499</sup> Cotton also prescribed “treatments” that included hard labor such as farming, building maintenance and groundskeeping – and historical records indicate that there was a common practice of over-prescribing labor as treatment for Black patients as compared to white patients.<sup>500</sup> After Mr. Crusen’s death, Dr. Cotton reportedly stated he would shift to hiring only women nurses, for their gentler hands.<sup>501</sup>

### ***Racial Terror in New Jersey***

While Black people in New Jersey were regularly the targets of law enforcement and imprisonment in the decades following emancipation, they were rarely able to depend upon the protection of police and other legal authorities. This was especially true when Black people were targeted in acts of racial violence.

Researchers have identified one documented instance of racial terror lynching in New Jersey. The victim was Samuel “Mingo Jack” Johnson, a 66-year-old Black man and former jockey. On March 5, 1886, Constable Hermann Liebenthal arrested Johnson at his Eatontown home based on an allegation that he had sexually assaulted a young white woman. Liebenthal took the Black man to the local jail, and his wife and five children never saw him alive again.<sup>502</sup>

At the jail, Liebenthal left Johnson unguarded after commenting that the man would likely be lynched that night. Before any authorities held a trial or even mounted an

investigation of the charges, an angry white mob broke into the two-room brick jailhouse near Wampum Pond and seized Johnson. According to news reports, they beat him savagely and then hanged him from the doorway of the jail.<sup>503</sup>

Nearby residents later described hearing Johnson’s screams.<sup>504</sup> His body hung all night until a child found it the next morning.<sup>505</sup> One account later described Johnson’s heinous injuries: “The face had been so badly beaten that it was impossible to tell whether the corpse was that of a colored man or a white one. The right eye had been knocked out and lay upon the cheek.”<sup>506</sup>

In subsequent years, two different men confessed to raping the woman Samuel Johnson was accused of assaulting, but neither was charged.<sup>507</sup> No one was ever held accountable for Johnson’s lynching.<sup>508</sup>

In October 2021, a coalition of New Jersey residents partnered with the Equal Justice Initiative (EJI) to collect two jars of soil from the site where Johnson was murdered: one jar was then taken to Montgomery, Alabama to be displayed as part of a lynching exhibit at the EJI National Memorial for Peace and Justice, and the other jar is displayed at the T. Thomas Fortune Cultural Center in Red Bank, New Jersey.<sup>509</sup> The following June, that same coalition and EJI erected a historical marker in Eatontown bearing a description of Samuel Johnson’s lynching.<sup>510</sup>

The Ku Klux Klan was also active in New Jersey beginning in the early 1920s, when Klan members marched through several towns and cities.<sup>511</sup> The state’s Klan membership numbered in the thousands, with many Klansmen in towns along the Jersey Shore<sup>512</sup> and several active chapters in Somerset and Morris counties.<sup>513</sup> Klan members threatened Black New Jerseyans with violence if they settled in their towns and regularly held cross burnings near Black homes and businesses.<sup>514</sup> In May 1923, hundreds of Klansmen marched in Point Pleasant in Ocean County. They ended their procession in a local church, where leaders permitted a robed and hooded Klansman to address the congregation from the pulpit. After the Klansman’s remarks, the other robed and hooded attendees took up a collection in support of the church.<sup>515</sup>





Marker Recognizing the 1886 Lynching of Samuel Johnson, Eatontown, NJ  
Photo/monmouthtimeline.org

Despite their numbers, the Klan faced resistance from New Jerseyans including Black New Jerseyans, who protested and rallied against them.<sup>516</sup> The Klan's power in the state started to wane by the 1940s, but racial intimidation, the brandishing of Klan symbols and cross-burning continued.<sup>517</sup> These white supremacist practices were also seen among law enforcement officers and prison guards.<sup>518</sup>

The scope and breadth of Klan activity in New Jersey was not always explicitly known, so it is difficult to definitively determine the extent of the Klan's influence on New Jersey life and politics. Some scholars have suggested that some of the state's leading elected officials in the 20th century were among the Klan's members.<sup>519</sup>

### *Racialized Policing*

Just as policing developed in New Jersey as a tactic of racial control aimed at controlling growing Black populations before and after emancipation, racialized policing remained a feature of law enforcement in the state during the 20th century. This included tactics like arbitrary curfews for Black residents, as well as enforcement of laws against vagrancy, disorderly conduct and other offenses that empowered police to harass and physically detain Black people.<sup>520</sup>

On December 7, 1920, Jersey City Police Chief R. T. Battersby ordered officers "to arrest all Negroes found on the streets after nine o'clock" to address what he claimed to be a "[B]lack



crime wave.”<sup>521</sup> After pressure from the NAACP, and James Weldon Johnson and A.L. Jackson of the National Urban League, Battersby backtracked and “denied that he had issued an order against the entire Black community.” Instead, he claimed that he had informed his officers to “pick up strange negroes” and admitted, “Jersey City is pretty free from crime.”<sup>522</sup>

Similarly, in 1924, the *Pittsburgh Courier* and other newspapers reported that Trenton Police Commissioner George B. LaBarre had increased police patrols and issued a shoot-to-kill order targeting the city’s Black community: “Commissioner LaBarre found it advisable to issue orders to the police to shoot-to-kill should their own lives or those of law-abiding residents be menaced by southern negroes who have recently come to Trenton in large numbers.”<sup>523</sup>

Though local Black leaders denounced the order, LaBarre remained in office; eight years later, he was appointed Trenton’s mayor.<sup>524</sup>

After Trenton furniture store owner William Horner was murdered in 1948, witnesses claimed to have seen two or three light-skinned Black men leaving the store.<sup>525</sup> Three days later, Trenton’s director of public safety, Andrew Duch, announced that 15 police officers would patrol and arrest Black people wandering at night without good reason.<sup>526</sup> The so-called “Crime Crushers” and “Trenton Gestapo” had orders from Duch to shoot-to-kill, and they “created a reign of terror” in Trenton’s Black community.<sup>527</sup> In a book about the incident, historian Cathy Knepper writes that “[p]olice with tommy guns rounded up random black men whom they questioned, bludgeoned, and then released without charge.”<sup>528</sup>

Ultimately, Trenton police arrested Ralph Cooper, Collis English, McKinley Forrest, John McKenzie, James Thorpe and Horace Wilson – “the Trenton Six” – in connection with the Horner murder investigation. The men had been coerced into signing confessions, and in 1949, the New Jersey Supreme Court reversed all six of their convictions and ordered a new trial.<sup>529</sup> In 1951, four of the six men were found not guilty, while Collis English and Ralph Cooper accepted plea deals. English died behind bars in 1952 and Cooper was released on parole in 1954.<sup>530</sup>

This 1948 terror campaign against Black Trentonians was not a singular event nor the beginning of racialized police terror. With a growing Black population in the city following World War II, the NAACP documented more than 30 instances of police violence against Black people in Trenton, including six shootings for “resisting arrest.”<sup>531</sup> As tension and official abuses mounted, urban areas throughout the state stood as intensifying powder kegs poised to erupt.

In 1965, when Black Newarkers called for a police review board to establish community oversight of city law enforcement, local officers and leadership opposed the idea. Then-Mayor Hugh Addonizio called in the FBI to investigate the Newark police, but the FBI claimed it “could act only if there had been a violation of a person’s federal civil rights” and “[n]o complaint was ever heard.”<sup>532</sup>

Although Newark’s white population shrunk by 70,000 residents between 1960 and 1967, its police force remained predominantly Italian-American and arrested mostly Black people.<sup>533</sup> During this period, white Newarkers drew closer to police in what historians call a blurring of “the lines between police officer and civilian.” “[W]hite activists took on the role of law enforcer, and law enforcement officers pushed the politics of rights and grievance that had begun to take hold in white communities.”<sup>534</sup>

Addonizio’s inaction, combined with the increased racial polarization around policing in the city, proved consequential. On July 12, 1967, following years of community frustration, residents of Newark took to the streets to protest police abuse of a Black cab driver named John W. Smith, sparking the five-day Newark Rebellion that claimed 26 lives and injured hundreds.<sup>535</sup> This seminal event is described in detail later in this report.



# “HOME RULE” AND ENVIRONMENTAL RACISM

Despite federal constitutional amendments intended to ensure equality, the principles of labor extraction and commodification continued to affect Black people after emancipation. The emergence of Jim Crow laws during the early 20th century, alongside New Jersey’s practices of “home rule” that empowered local governments to enforce segregation, created a dual structure of racial discrimination that dominated the state.

Home rule is the sovereign right of New Jersey’s 566 municipalities to exercise police powers for the welfare of resident taxpayer-voters, and thus limit non-residents’ access to public goods including schools, parks, libraries and affordable housing. “Home rule” effectively allowed local governments to circumvent federal and state anti-discrimination laws, maintaining segregation and economic disparity for Black residents across generations.<sup>536</sup>

For at least the last 100 years, “home rule” has governed municipal decision-making on issues of land use and fiscal and educational policy – all aimed at supporting the wealth accumulation of local homeowners. Some scholars call it “localism” or “defensive localism”; the political rights of localism create a kind of localized citizenship for New Jerseyans, with race and class outcomes strongly determined by geography. State courts are highly deferential to localism and reluctant to find it in violation of anti-discrimination statutes because the racially disparate outcomes that localism creates usually result from seemingly race-neutral decision making.<sup>537</sup>

Nevertheless, localism has led to several of the race-based harms articulated within this report, including unequal exposure to environmental hazards, employment discrimination, housing segregation and more.

## ***Environmental Racism***

Environmental racism, a phrase coined by Dr. Benjamin F.

Chavis Jr., is a form of systemic racism established through local, state and municipal planning practices and laws relating to land use and zoning regulations.<sup>538</sup>

The well-documented racist origins of zoning represent an especially heinous and entrenched example of how planning practices have embedded racism into New Jersey’s landscape.<sup>539</sup> Relevant zoning laws and practices include the historical placement of polluting infrastructures like highways, industry, factories and chemical plants in or near established Black communities. As discussed below, redlining also codified segregation through federally-sanctioned insurance maps that created exclusionary single-family districts designed to limit Black residents to certain areas, while racially restrictive covenants in residential real estate foreclosed Black home-buying opportunities – spatializing a so-called property interest in whiteness.<sup>540</sup>

The phenomenon spans generations in New Jersey. Many of the industrial zones or so-called “nuisance industries” in which Black people sought employment in the late 19th century have been proximate to areas intentionally created with substandard housing – places considered undesirable by white residents and/or places with few protections of any kind.<sup>541</sup> In a discussion of New Jersey’s post-Civil War and early industrialization patterns, Peter Kizima IV notes that “New Jersey once hosted robust pockets of industry in Paterson, New Brunswick, Trenton, and Camden that today coincide with clustered neighborhoods of overburdened communities.”<sup>542</sup> Kizima goes on to cite both the New Jersey Department of Environmental Protection’s Environmental Justice Mapping Project and the New Jersey Almanac to understand how and why Black people settled as they did within the state.<sup>543</sup>

As addressed later in this report, New Jersey’s early industrial sites have today morphed into formal, industrially zoned areas disproportionately hosting sludge facilities and scrap metal facilities.

Communities like these are “overburdened EJ communities,” impacted by what historian Walter Johnson calls “synthesized racial domination, profit, and economic development.”<sup>545</sup>



State and federal policymakers played an integral role in creating a regulatory environment that incentivized racial segregation through local codes, maps and policies. Together, the legacies of these practices continue to produce disproportionate harm and inequity in Black communities, while simultaneously providing benefits, privileges and protections to those who can “buy their way out” of vulnerable places. Today, some districts in New Jersey continue to reject attempts to build inclusive fair housing.<sup>546</sup>

## HOUSING DISCRIMINATION: REDLINING AND MORE

Before the Great Migration, New Jersey’s Black communities consisted of small enclaves sprinkled in and among several small towns, such as Mount Laurel, or in neighborhoods of the state’s industrial urban areas. Migration from the south changed that. As Black newcomers arrived to fill labor shortages in Newark and an array of northern cities, beginning around World War I, they greatly increased the demand for housing. Yet as the Black population grew, the new arrivals were expected to live within existing, already-crowded segregated areas designated for Black residents.<sup>547</sup>

The Great Depression, which spanned from 1929 to the start of World War II, is largely remembered as an employment crisis – but the collapse of the early 20th century economy was also a nationwide housing crisis. Approximately half of all mortgage debt was in default and many families were forced out of their homes due to foreclosure and eviction.<sup>548</sup>

For the first time, the federal government intervened to rescue and radically reshape the American housing market through a suite of policies. The most notable of these policies were the Home Owners’ Loan Corporation (HOLC), the Federal Housing Administration (FHA) and the Veterans Administration (VA). Together, these agencies birthed the “American Homeownership Society” and, by largely excluding Black households, critically exacerbated racial disparities in wealth and segregation.<sup>549</sup>

HOLC was the earliest and smallest of these programs. Beginning in 1933, HOLC was designed to address the most severe foreclosure crisis America had faced to that point by allowing homeowners to refinance mortgages at risk of default and buy back properties already lost to foreclosure. HOLC is perhaps most well-known for its infamous “Residential Security Maps,” which graded mortgage lending risks across neighborhoods in hundreds of cities.

HOLC’s lowest grades (like “D”) were given to “hazardous” neighborhoods populated by low-income immigrant and/or Black residents living in dilapidated housing. These areas were colored red on the HOLC maps. Conversely, wealthy, white neighborhoods were given the highest grades (like “A”) and colored green. The term “redlining,” which has come to mean the denial of mortgage credit to communities of color, originates from these maps, where mortgage applications to purchase properties in red-designated neighborhoods were routinely denied.<sup>550</sup> In its first two years of existence, HOLC allocated three billion dollars to assist more than one million households, and by 1936, HOLC held 20% of all non-farm, owner-occupied mortgages in the country.<sup>551</sup> Redlining was systematically enforced by federal, state and local policies and practices throughout the 20th century. The roots of segregation in many New Jersey municipalities are often traced back to the racist mapping of Black communities by the HOLC.

Unlike HOLC, the FHA and the VA did not lend directly to individuals. Instead, they insured and guaranteed home mortgages through private lenders.<sup>552</sup> These two programs were also different from HOLC in size – they were far larger – and in purpose; they were created to employ Americans in housing construction and to facilitate household wealth accumulation. Recent research has shown that the FHA and VA were also likely far more racially discriminatory than HOLC. This can be seen in the mortgages the agencies subsidized and in the racially restrictive covenants and segregationist zoning policies commonly found among properties the agencies insured or guaranteed.<sup>553</sup>

Although anti-Black racism was common in the housing market prior to the Great Depression, the radical interventions of the







HOLC, FHA and VA served to 1) standardize the long-term, fixed-rate mortgage, which was rare before this period, and 2) institutionalize racial discrimination in housing across the entire country.<sup>554</sup> This regime of segregationist housing provision marked a new era in the market.<sup>555</sup> The “American Homeownership Society” not only explicitly excluded Black buyers, but established a strong financial incentive for homeowners to protect their property values by living as far from Black people as possible.<sup>556</sup> Even Black people who managed to purchase property during this time period were unable to generate nearly as much wealth from their investments when compared to white households.<sup>557</sup>

In 1941, the FHA told banks in Fanwood, New Jersey, that “no loans will be given to colored developments.”<sup>558</sup>

This is confirmed by statistics on mortgage characteristics in the New York-Northeastern New Jersey Metropolitan Area in 1950. Only 1.7% of the 449,458 mortgaged properties where the race of the owner was reported belonged to “nonwhites.” An analysis also reveals that “non-whites owned 2.1% of the properties with conventional first mortgages, 0.9% of the FHA-mortgaged ones, and only 0.1% of those with VA mortgages, when total VA mortgages amounted to 15.5% of the total mortgaged properties.”<sup>559</sup>

According to historian Lizabeth Cohen:

[A]lthough the VA kept no accounting of the race of its loan recipients, its records did show that almost half of its 5291 mortgage guarantees granted for multi-dwelling suburban developments in Essex County between World War II and 1956 went to Livingston and Cedar Grove. When the *Newark News* investigated, there were no Black residents in 1956.<sup>560</sup>

The HOLC, FHA and VA were federal agencies, but their policies were heavily influenced by state and local officials.<sup>561</sup>

The segregationist maps of HOLC and FHA were drafted in consultation with local real estate concerns and municipal

planners. Much of northern New Jersey was covered in these maps, including Bergen, Essex, Hudson, Passaic and Union counties. Atlantic City, Camden and Trenton were also mapped by HOLC.<sup>562</sup> The siting of public housing was also under the purview of city officials, as were/are zoning and land use policies; both have been employed to exclude low-income and Black households since their earliest uses in New Jersey.<sup>563</sup>

New Jersey’s history of discriminatory zoning policies has also contributed to de facto segregation across school district boundaries, with wide-ranging consequences for inequality in educational opportunity.<sup>564</sup> This included class-based zoning against multiple dwellings, inexpensive housing, local land-use controls and building regulations.<sup>565</sup> Urban redevelopment legislation also contributed to housing segregation. As Cohen writes, East Orange utilized the Preiser Act “to condemn as ‘blighted’ the area where almost all of the town’s [Black residents] lived and replace their homes, many of them owner-occupied, with garden apartments far too expensive for the displaced to afford.”<sup>566</sup>

William Levitt, of the infamous Levittowns, was a prime example of a real estate developer employing discriminatory policies to maintain suburban segregation and exclude potential Black homeowners.<sup>567</sup> At a press conference for the opening of his Burlington County, New Jersey, housing development, Levitt announced that he would not sell to Black buyers. He was also known to attempt to bar resales to Black residents.

By 1953, Levittown had 70,000 residents and none were Black.<sup>568</sup> In 1960, the New Jersey Supreme Court ruled against Levitt based on a new state law prohibiting discrimination in federally subsidized housing.<sup>569</sup>

But it was not only private development that disadvantaged Black New Jersey residents and their communities. In Camden, New Jersey, the building of an interstate highway led to the demolition of approximately 3,000 low-income housing units from 1963 to 1967.



A report by the New Jersey Attorney General's office concluded, "It is obvious from a glance at the ... transit plans that an attempt is being made to eliminate the Negro and Puerto Rico ghetto areas by... building highways that benefit white suburbanites, facilitating their movement from the suburbs to work and back."<sup>570</sup>

Within New Jersey, racially discriminatory administration of the GI bill and the use of restrictive covenants also contributed to Black residents' experiences of housing discrimination.

### *The GI Bill*

The Servicemen's Readjustment Act of 1944, also known as the GI Bill, provided veterans returning from World War II with funding for housing, college education and unemployment insurance.<sup>571</sup> The overt exclusion of Black veterans from the bill's benefits became apparent soon after its enactment.

"To Secure These Rights," a 1947 report by President Truman's Committee on Civil Rights, detailed the problem:

When Negro veterans seek 'GI' loans in order

to build homes, they are likely to find that credit from private banks, without whose services there is no possibility of taking advantage of the GI Bill of Rights, is less freely available to members of their race. Private builders show a tendency not to construct new homes except for white occupancy.<sup>572</sup>

Though 25,000 Black men served in World War II from New Jersey alone, fewer than 100 of the 67,000 mortgages insured by the GI Bill in New York and the northern New Jersey suburbs were home purchases made by Black buyers.<sup>573</sup>

### *Restrictive Covenants*

In addition to violence and social norms, racial boundaries were policed by racially restrictive covenants that sought to prevent Black people from purchasing homes in specific neighborhoods in the 20th century.<sup>574</sup> These covenants, found in land deeds, contained language that explicitly prevented Black and other non-white occupants from buying real estate in named areas, in an effort to maintain white neighborhoods and protect property value.<sup>575</sup>

Not more than one single dwelling building may be built or maintained on the above described premises.

No part or parcel of said property shall be conveyed to, rented, leased to, used or occupied by any person not of the White or Caucasian race, and eligible for membership in the Cozy Lake Country Club; and the said premises cannot be rented or sold without the written consent of the Cozy Lake Estates, Inc., or its successors or assigns.

No building shall be commenced until the plans and specifications therefor shall have been approved in writing by the Cozy Lake Estates, Inc. and or its successors and assigns; no structure may be erected less than 15 feet from the street line or less than 2 feet from the buyer's side boundary line; except that the Cozy Lake Estates, Inc., and or its successors and assigns reserves the right for itself, its successors and or its assigns to make modifications in any restriction clause.

Racially Restrictive Covenant, Cozy Lake, NJ, 1947  
Morris County Clerk's Office



These binding promises not to sell or rent to nonwhite residents were common features in the deeds of homes sold between World War I and World War II. When the covenants were not honored by private customs, they could be enforced in court, through litigation often bought by community associations. In New Jersey, a series of three post-war legal changes weakened the force of racial covenants as tools of segregation.

The first change was the Law Against Discrimination statute.<sup>576</sup> Passed by the New Jersey legislature in 1945, the law banned discrimination in employment based on race, national origin, creed, color or ancestry. The law was successfully upheld in a 1960 case that challenged its application to housing, thus establishing that housing discrimination was also prohibited.<sup>577</sup>

Next, New Jersey drafted a new constitution in 1947 and included this provision: "No person shall be denied the enjoyment of any civil or military right, nor be discriminated against in the exercise of any civil or military right, nor be segregated in the militia or in the public."<sup>578</sup>

Then, in 1948, the U.S. Supreme Court issued its seminal decision in *Shelley v. Kraemer*, which held that judicial enforcement of racially restrictive covenants constituted discriminatory state action in violation of the Fourteenth Amendment's Equal Protection Clause.<sup>579</sup> That same year, in *Rich v. Jones*, a New Jersey court applied *Shelley v. Kraemer* and held it could not lawfully enforce a restrictive covenant.<sup>580</sup>

Despite this progress, systematic barriers to homeownership and wealth building impacted the economic well-being of generations of Black people within New Jersey and contributed greatly to the state's staggering racial wealth gap.<sup>581</sup>

### ***The Health Toll of Housing Segregation and Oppression***

At the same time that federal programs and subsidies provided white people with opportunities to own homes and accumulate wealth by buying property in segregated suburban neighborhoods, Black people were disproportionately confined to urban neighborhoods with suppressed property values and low public investment.<sup>582</sup> These circumstances created

the conditions for exploitation in the housing market through racially discriminatory practices such as contract buying, "blockbusting" and rent setting.<sup>583</sup> Black households were ultimately prevented from generating intergenerational wealth through homeownership and forced to pay more for worse housing – further exacerbating wealth inequality.<sup>584</sup>

Segregation's impact on Black communities extends beyond economic concerns to include serious health consequences. In the early decades of the 20th century, tuberculosis was of particular concern for public health officials – and Black residents of New Jersey were at heightened risk due to the crowded living conditions created by racial exclusion.<sup>585</sup>

New Jersey had some of the worst tuberculosis disparities in the country.<sup>586</sup> In 1932, the Interracial Committee of the New Jersey Conference of Social Work joined with the New Jersey State Department of Institutions and Agencies to conduct a study titled, "The Negro in New Jersey."<sup>587</sup> One of their most urgent findings concerned health: "In no field of Negro health is there a more serious problem than that of pulmonary tuberculosis," the report read, "where the colored death rate is four times that of the white rate."<sup>588</sup>

Between 1929 and 1930, Black people made up 5% of the state population but 20% of tuberculosis deaths and 35% of tuberculosis deaths among victims under age five.<sup>589</sup> Despite these alarming figures, Black people were underrepresented in New Jersey sanitariums, where the sick could receive treatment and care. The 1932 report concluded that the "relatively small number of admissions, and the even smaller percentage of Negroes in the sanatoria population, are due to a ... (1) lack of confidence and faith in hospitals and sanatoria by the newly urbanized Negro; (2) late discovery of Negro cases; (3) inadequate facilities."<sup>590</sup>

The report emphasized that the conditions in which Black New Jerseyans lived were likely contributing to their rates of illness: "[C]ongestion and heavy industry produce high rates for both races; better living conditions and higher standards of living of a suburban community produce comparatively low rates for both."<sup>591</sup>



Researchers of that time so clearly recognized the tie between segregation, low-quality housing and poor health outcomes among Black residents of the urban north that actuarial professionals used that link as a reason to deny (or charge higher premiums for) life insurance coverage on Black people. The New Jersey State Temporary Commission on the Condition of the Urban Colored Population observed in its 1939 report:

It was widely deduced from these findings that Negroes were physiologically unsuited to the demands of urban life, and that the race would tend to die out as it increased its proportion of urban residence. The largest [life] insurance company of New Jersey, whose actuary adopted this point of view and expounded it in a widely published work, refused on that score, and still refuses, to insure Negro risks.<sup>592</sup>

Yet harmful housing segregation policies persisted.

### ***Suburbanization and “Urban Renewal”***

Home-rule has long been celebrated as democracy in action for its expression of local control. As discussed, this principle has also functioned to exacerbate the city-suburb divide that came to define New Jersey’s extreme and stark patterns of racial segregation. Zoning also worked to allow segregation to fester for the sake of local character and the preservation of health, safety and welfare. In 1926, the U.S. Supreme Court decided *Village of Euclid v. Ambler Realty*, holding that zoning ordinances were within the power of local governments so long as they had a “substantial relation to the public health, safety, morals, or general welfare.”<sup>593</sup>

According to a Brown University study, New Jersey suburbs became increasingly segregated after *Euclid* was decided.<sup>594</sup> In addition to zoning, housing discrimination in New Jersey persisted through local administration of federal housing programs. As just one example, East Orange officials tried to maintain “separate but equal” public housing, even where it meant limiting the supply of available units for Black families, but the 1948 *Seawell v. Macwithy* decision rejected their arguments.<sup>595</sup>

The transition of Newark into a “Black” city began with the Great Migration-fueled increase in the city’s Black population, the redlining of parts of Newark in contrast to its more affluent suburban neighbors, and the resulting “white flight.” Population growth in the 1920s and 1930s, combined with persistent discrimination against Black renters, also led to an overcrowding crisis: the city’s vacancy rate had been 11% in 1934, but fell to 3% in 1940, and 0.05% in the years immediately after.<sup>596</sup> A strong reliance on federally funded public housing concentrated and strictly segregated working class populations.

By mid-century, norms of residential racial segregation already ran deep in New Jersey. “During the thirty-year period following World War II,” writes Jessica Trounstein, “Cherry Hill witnessed a tenfold population increase – nearly all white. Meanwhile Camden lost 13%.”<sup>597</sup> In response to suburbanization, many urban New Jersey municipalities like Newark received tens of millions of dollars in federal urban renewal program project funds.

The 1949 passage of the American Housing Act created a federal program designed to reduce “slums” in metropolitan areas. The Act provided federal funds to municipalities for clearing out deteriorating areas of their cities while providing funds for private development of public housing. In Newark, a 1947 report by the city’s Central Planning Board found the city’s housing stock was in dire need of repair and that one-third of all Newark dwelling units “needed major repairs and/or lacked private bathrooms or a private water supply.”<sup>598</sup> Instead of investing in repair and renovation of existing housing, local officials leveraged Housing Act funds to demolish established neighborhoods, replacing existing low-density housing with high-rise apartment towers.<sup>599</sup>

The urban renewal program’s funds were aimed at razing predominantly Black neighborhoods – a “slum clearance” program rationalized as blight removal. The effect was displacement without relocation, imposing mass evictions on Black communities and further destabilizing Black residents’ economic and social networks.<sup>600</sup> As the redevelopment history of New Jersey cities like Camden, Newark and Trenton attest, these urban renewal projects produced little private investment. White residents were not coming back to cities, and the disinvestment and resource deprivation facing city centers concentrated the state’s poorest, majority-Black



residents in ghettos ill-equipped to meet their needs. These conditions and related racial discrimination and mistreatment gave rise to civil unrest in the 1960s, which further devalued Black-identified urban space relative to white-identified suburban living.<sup>601</sup>

During the middle of the 20th century, automation resulted in the decline of industrial and working-class job opportunities, driving more families into poverty. In the same period, postwar assistance programs coupled with the expansion of the interstate highway system resulted in much of the white population fleeing urban centers for deliberately racially exclusive suburban oases.<sup>602</sup>

According to the U.S. Census, by 1960, the white population of Newark was 265,889. In contrast, Newark's Black population in 1960 was 138,035. Just a decade later, in 1970, the U.S. Census reported Newark's white population as just over 168,000, surpassed by a Black population of just over 207,000. Newark reached its peak population in the 1950s at over 400,000 and has not recovered since then. Facing a dwindling population and filled with failing tenement structures funneling the poor into a central hub, the city approved manufacturing facilities adjacent to residential areas in an effort to increase revenues.<sup>603</sup>

## ECONOMIC STRATIFICATION AND POLITICAL MARGINALIZATION

Even after the state legislature extended the Law Against Discrimination to include a prohibition against employment discrimination and, in 1945, created a Division Against Discrimination, Black New Jersey residents continued to face employment segregation. One of the first complaints the Division received described that a qualified shop operator was denied a job "by the employer who frankly stated that Negro

workers were not desired."<sup>604</sup> In response to an investigation of the complaint, the employer admitted that they had never hired Black people and had no desire to do so.<sup>605</sup>

James Baldwin famously wrote an essay about the discrimination he faced when he moved to New Jersey in 1942 for a job in Belle Mead. In *Notes of a Native Son* (1955), Baldwin described his time in the state:

I had been living in New Jersey, working in defense plants, working and living among southerners, white and black. I knew about the south, of course, and about how southerners treated Negroes and how they expected them to behave, but it had never entered my mind that anyone would look at me and expect me to behave that way. I learned in New Jersey that to be a Negro meant, precisely, that one was never looked at but was simply at the mercy of the reflexes the color of one's skin caused in other people.<sup>606</sup>

Baldwin described encountering strict segregation throughout the state, including in many restaurants that refused to serve him and other Black people. He was also fired – repeatedly – because of his color.<sup>607</sup>

That year in New Jersey lives in my mind as though it were the year during which, having an unsuspected predilection for it, I first contracted some dread, chronic disease, the unfailing symptom of which is a kind of blind fever, a pounding in the skull and fire in the bowels. Once this disease is contracted, one can never be really carefree again, for the fever, without an instant's warning, can recur at any moment. It can wreck more important things than race relations. There is not a Negro alive who does not have this rage in his blood – one has the choice, merely, of living with it consciously or surrendering to it. As for me, this fever has recurred in me, and does, and will until the day I die.<sup>608</sup>





James Baldwin, 1969  
Photo/Allan Warren



### ***Disenfranchisement and Exclusion from Democracy***

As Black people living in New Jersey in the 20th century continued to face discrimination and dehumanization at the hands of law and custom, they continued to seize protest and organizing as tools of resistance. At the same time, the promises of full and equal citizenship, unfulfilled in so many areas of Black American life, also remained lacking in the political realm.

Indeed, New Jersey's history reflects the nation's shortcomings with respect to both formal democracy, such as legal and electoral systems, and informal democracy, such as customs and cultural practices. Even after the end of slavery, Black people in New Jersey subjected to Jim Crow segregation were deprived of political power and basic citizenship rights, including the rights to self-expression, protest and the right to be represented in the state's leading political and social institutions.<sup>609</sup> At the same time, Black New Jerseyans were expected to fulfill the obligations of citizenship, such as payment of taxes and compulsory military service.

When New Jersey created a new Constitution in 1947, the document explicitly included a provision that "Every citizen of the United States, of the age of 21 years" who met residency requirements had the right to vote.<sup>610</sup> However, the constitution also stated, as it still does today, that "the legislature may pass laws to deprive persons of the right of suffrage who shall be convicted of such crimes as it may designate. Any person so deprived, when pardoned or otherwise restored by law to the right of suffrage, shall again enjoy that right."<sup>611</sup>

In 1948, New Jersey's legislature exercised that power by passing a law that disqualified people convicted of certain offenses from voting.<sup>612</sup>

This law disproportionately impacted Black voters and remained in effect until 1970. That year, the District of New Jersey struck down the law on the grounds that it was arbitrary. Under the law, the court observed, "embezzlers are eligible [to vote] but those convicted of larceny are ineligible."<sup>613</sup> In response, the New Jersey legislature passed legislation prohibiting those convicted of any crime from

voting while incarcerated, on parole or on probation.<sup>614</sup> This bar remained in place until 2020, when the advocacy of the 1844 No More campaign led New Jersey to restore voting rights to everyone on parole and probation.<sup>615</sup>

## **RESISTANCE IN THE CIVIL RIGHTS ERA**

In addition to resisting segregation in housing, discrimination in employment, and political disenfranchisement, Black people in New Jersey played crucial roles in the Civil Rights Movement that was taking place across the country by the 1950s.

Years after his first lunch counter sit-in in Camden, Dr. Martin Luther King Jr. visited New Jersey multiple times and spoke in cities including Paterson, Jersey City, Newark, Montclair, Teaneck, Orange and Rutherford.<sup>616</sup> As New Jersey's Black community and its allies developed an increasing passion for civil rights, Dr. King's visits attracted large audiences, including as many as 2,000 people at an appearance in Jersey City.<sup>617</sup>

New Jersey was also home to notable freedom fighters like Mrs. Barbara Kay and Byron Baer, who both spent over 40 days in a Mississippi prison;<sup>618</sup> Andrew Goodman, who was murdered by the Ku Klux Klan in Mississippi alongside Michael Schwerner and James Chaney; and Rabbi Israel S. Dresner, known as the "most arrested rabbi in America."<sup>619</sup>

Black people in New Jersey, and national civil rights leaders, did not see New Jersey as separate or unrelated to civil rights demonstrations in the south. In 1961, the Congress of Racial Equity (CORE) hosted the New Jersey to Arkansas Freedom Ride, which began in Newark and traveled to Little Rock, Arkansas.<sup>620</sup> And in 1963, Black residents picketed a New Jersey Woolworth's in solidarity with southern protests against lunch counter segregation.<sup>621</sup>

The Civil Rights Movement ushered in groundbreaking progress in the country and New Jersey. Still, racial disparities and the fight for racial justice persist.



# SPOTLIGHT: FANNIE LOU HAMER IN ATLANTIC CITY

New Jersey played a unique role in the struggle for voting rights for Black people in America. On August 22, 1964, Fannie Lou Hamer, who exemplified the spirit of the Civil Rights Movement, testified at the Democratic National Convention in Atlantic City. Hamer spoke on behalf of the Mississippi Freedom Democratic Party to unseat the all-white, all-male Mississippi delegation.

In a televised speech that resonated across the country, Hamer described the brutality and oppression she and other Black people in Mississippi faced for simply trying to vote – from getting fired from her job to being beaten in prison.<sup>622</sup> As Hamer’s gripping testimony riveted the nation, President Lyndon Johnson intentionally interrupted television coverage with an impromptu news conference. National television networks responded by televising the testimony later that night and for days afterward, leading people all over the world to see it.

“All of this is on account of we want to register, to become first-class citizens,” Hamer testified. “And if the [Mississippi] Freedom Democratic Party is not seated now, I question America. Is this America, the land of the free and the home of the brave, where we have to sleep with our telephones off of the hooks because our lives be threatened daily, because we want to live as decent human beings, in America?”<sup>623</sup>

The following year, Congress passed (and Johnson signed) the Voting Rights Act of 1965.



Fannie Lou Hamer at the Democratic National Convention in Atlantic City, NJ, 1964  
Photo/Warren K. Leffler, Library of Congress



# Two New Jerseys

1960s to Present



Dr. Martin Luther King Jr. Visiting Newark, NJ, 1968  
Charles F. Cummings New Jersey Information Center, Newark Public Library



**In 1967, Dr. Martin Luther King Jr. gave a powerful speech at Stanford University. In it, he explained that looking at cities like Newark, New Jersey, revealed to him that the country actually contained two Americas, separate and unequal.<sup>624</sup>**

In one America, King explained, “millions of young people grow up in the sunlight of opportunity,” with the resources to thrive and reach their full potential. However, in the “other America,” residents “find themselves perishing on a lonely island of poverty in the midst of a vast ocean of material prosperity.”<sup>625</sup>

From the time of slavery through the present day, this state has been and remains Two New Jerseys – segregated by race, zip code and the foundational conditions of daily life – with racial disparities manifesting in wealth, housing, education, health and innumerable additional indicators.

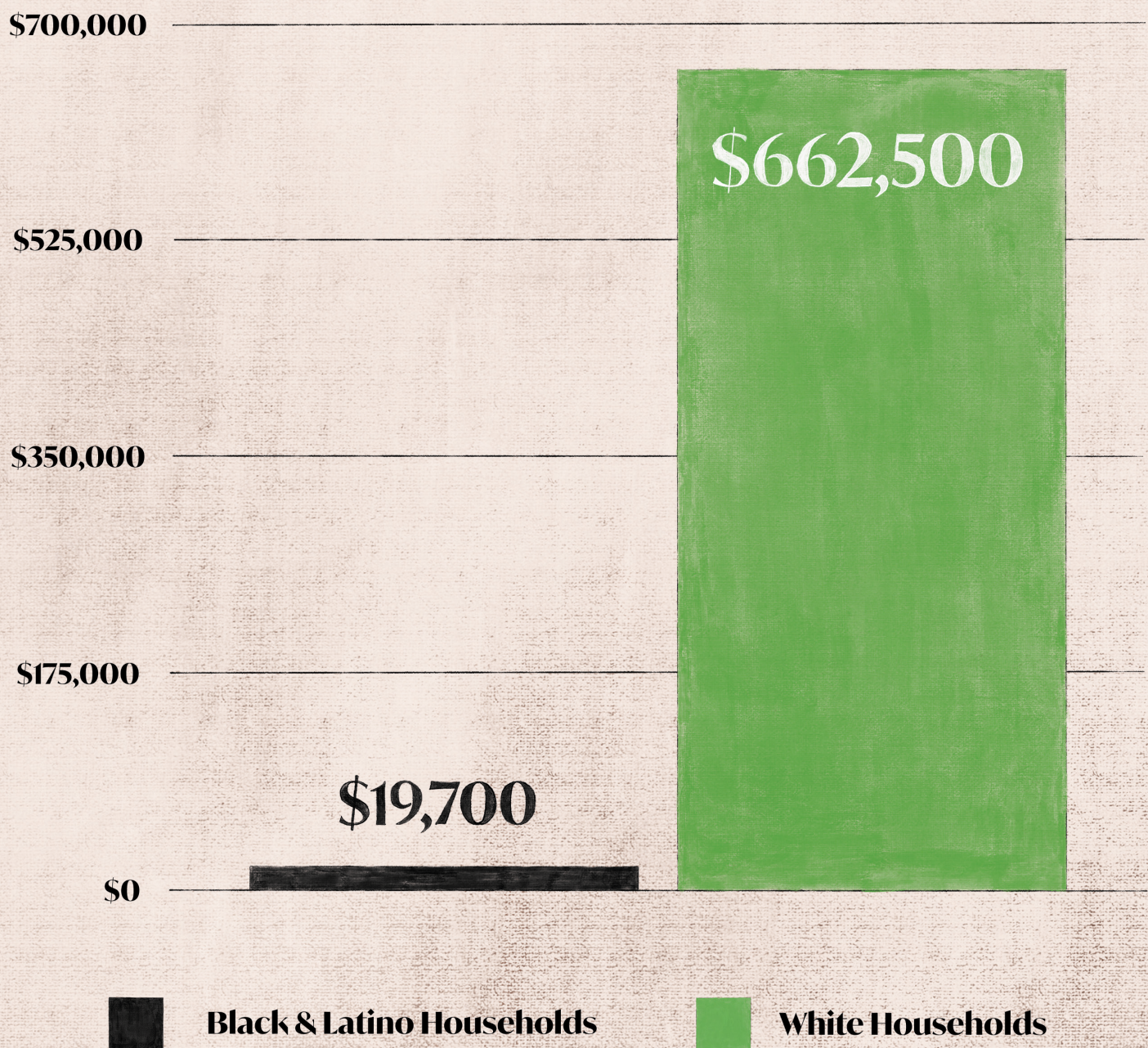
## **WEALTH AND INCOME GAPS**

Boasting the highest median wealth for white families of any state in the United States, New Jersey is today an “ocean of material prosperity.”<sup>626</sup> Yet, New Jersey’s racial wealth gap remains one of the starkest in the country.

In white New Jersey, the median household wealth is \$662,500.<sup>627</sup>



# Median Household Net Wealth by Race/Ethnicity in New Jersey





# Median Net Wealth for Individuals in New Jersey

**\$14,000**

**Black**

**VS.**

**\$192,700**

**White**



In Black New Jersey, the figure is approximately \$20,000 – resulting in a staggering wealth gap of approximately \$640,000 between Black and white families.<sup>628</sup>

New Jersey's racial wealth gap is a disaster at the individual level, too. Among white residents, median wealth is \$192,700; among Black residents, median wealth is just \$14,000 – leaving a racial wealth gap of more than \$175,000 between Black and white individuals.<sup>629</sup>

We can draw a direct line from New Jersey's history of slavery, when white families were given 150 acres of land and up to an additional 150 acres of land for each enslaved Black person they brought with them, through generations of policy violence rooted in structural racism, to the modern racial wealth gap.<sup>630</sup>

Like wealth, income disparities between Black and white households in New Jersey are substantial and persistent. In 2010, the median household income for Black residents of New Jersey was less than \$46,000, while the median household income for white households was \$76,000. In 2023, the median household income for Black households was less than \$69,000, whereas for white households, it was about \$110,100.<sup>631</sup>

These disparities in income, while significant and persistent, mask important disparities in job quality and job benefits as well as employment security. Black New Jerseyans are substantially less likely than white residents to have access to retirement benefits (50% compared to 68%).<sup>632</sup> Nationally, Black people also consistently experience higher unemployment, both overall and controlling for educational attainment, revealing ongoing discrimination in the job market.<sup>633</sup> In New Jersey, these patterns persist with Black people having the highest unemployment rates among all race/ethnicity groups (7.7% in 2023) and Black men facing particularly high rates (9.7%).<sup>634</sup> Equity in wealth, incomes and job benefits and security is crucial for racial justice in New Jersey.

## HOMEOWNERSHIP, AFFORDABLE HOUSING AND SEGREGATION

Today, as was the case at New Jersey's founding as a colony, land and homeownership are the key drivers of wealth building.

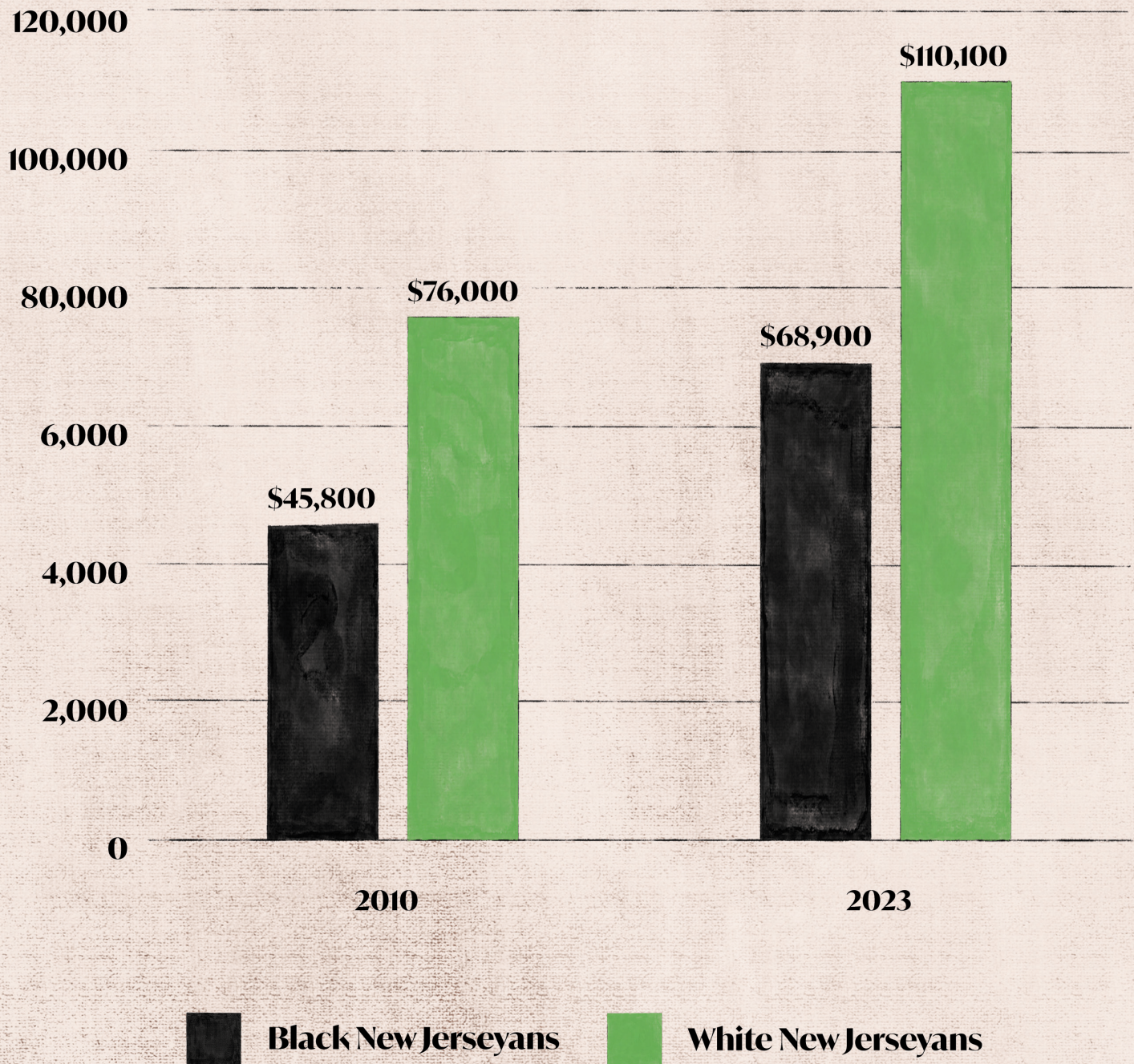
As designed during slavery and continued through generations of policies that created barriers to homeownership, Black families in New Jersey are significantly less likely to own homes.<sup>635</sup> The statewide homeownership rate for white New Jersey households in 2023 was 76.6%, nearly double the 41.3% rate for Black households.<sup>636</sup>

Even when Black families manage to buy homes, they often remain confined to segregated neighborhoods with lower property values and fewer opportunities for economic mobility and wealth building. The long-term effects of historical redlining are still evident today, as Black homeowners typically own properties with lower values compared to their white counterparts in our highly segregated state.<sup>637</sup> This disparity in home values continues to directly impact the overall wealth of Black families, contributing to the broader economic inequalities.<sup>638</sup>

New Jersey's racial wealth gap is inextricably linked to the intensity of its ongoing racial segregation built by discriminatory policies since its earliest days. Today, the state's residential segregation remains higher than the national average and greater than states such as Alabama and Mississippi.<sup>639</sup> Notably, Newark was recently ranked the third most segregated city in the U.S. among those with 200,000 or greater residents.<sup>640</sup> New Jersey also retains its suburban-urban segregated pattern of racial inequity in homeownership rates, housing instability, educational opportunity, health outcomes, public goods and wealth.<sup>641</sup>



# Median Household Income in New Jersey





As a result of historical policies and prejudices, modern New Jersey also has some of the most restrictive land use policies in the entire country. One study found that New Jersey was the fifth most restrictive state behind only Hawaii, Rhode Island, Massachusetts and New Hampshire.<sup>642</sup> A 2023 analysis found that the northern New Jersey-New York-Long Island metro area has the second most restrictive zoning policies in the country.<sup>643</sup> Despite a significant shortage of affordable housing in the state, these laws make building equitable and affordable housing much more challenging.<sup>644</sup>

New Jersey's zoning practices over decades have emboldened pro-segregation goals in white suburbs. Exclusionary zoning, also called "fiscal zoning," places an emphasis on property values and their relationship to wealth mobility, barring certain types of housing and construction in the name of maintaining prices. In New Jersey, that has taken the form of excluding rental property (such as multifamily housing) from municipal master plans; as a result, such housing options were largely absent in many predominantly white communities.

Additional measures of segregation highlight the ongoing persistence of segregation in the state. The Black-White Dissimilarity Index measures the share of people living in a given area who would have to move in order to achieve an even distribution of Black and white households within that area. In 2020, this index found that Newark, New Jersey was the most segregated metropolitan area with a large Black population in the United States.<sup>645</sup> According to the Black Isolation Index, which measures the average neighborhood-level Black population share for all Black households living in the area, Newark was the country's 14th most segregated metropolitan area.<sup>646</sup>

These two indexes are the two most commonly used measures of residential segregation, and a number of other New Jersey communities rank high on the national list. Camden ranks 36th and 35th on the Dissimilarity Index and Isolation Index, respectively, while the New York City metropolitan area – which includes some New Jersey suburbs – ranks fourth and 22nd.<sup>647</sup> Another way of measuring the impact of exclusionary land use policies is to compare the segregation between rental housing and owner-occupied housing. Renters in the Newark

metropolitan area were more segregated from homeowners than anywhere else in the country in 2014, rising from the second most segregated after New York City in 1990.<sup>648</sup>



# SPOTLIGHT: MOUNT LAUREL

The Township of Mount Laurel evolved from farmland to suburbia between 1950 and 1970. The town council implemented exclusionary zoning policies including “large lot zoning, single family detached housing with minimum floor space requirements, and a ban on apartments, attached townhouses, and mobile homes....”<sup>649</sup> The town’s small Black community of tenant farmers, which had lived in the area for generations, “realized Mount Laurel was headed in a direction that would exclude its own future generations if no action was taken.”<sup>650</sup>

Black residents then organized with housing advisers and asked the town to rezone thirty-two acres for thirty-six low-income garden apartment units for rent.<sup>651</sup> In 1970, the mayor informed community leaders that the town refused to rezone<sup>652</sup> and sparked a legal challenge: *South Burlington County N.A.A.C.P. v. Township of Mount Laurel*.<sup>653</sup>

A middle-aged Black woman named Ethel Lawrence brought the class action suit. Mrs. Lawrence’s ancestors had come to Mount Laurel via the Underground Railroad during the 19th century, and her civil rights activism challenging housing segregation led her to be dubbed “the Rosa Parks of affordable housing.”<sup>654</sup>

The legal challenges resulted in three key decisions from the New Jersey Supreme Court over about 11 years. *Mount Laurel I* (1975) established the unlawful nature of exclusionary zoning and obliged localities like Mount Laurel to “plan and provide for an appropriate variety and choice of housing.”<sup>655</sup> The decision did not, however, establish a mechanism for enforcement. Multiple New Jersey suburbs responded by building no low- or moderate-income housing at all.

In *Mount Laurel II* (1983), the New Jersey Supreme Court required proof that municipalities were meeting their “Mount Laurel obligation.” The court specified exactly how many units of affordable housing Mount Laurel had to build and instructed lower court judges to set similar goals when other towns were challenged. Developers were required to set aside a portion of new housing for low- and moderate-income inhabitants; if towns refused to comply, builders could take them to court, assured that if they won, they gained the right to build more market priced units than present zoning permitted.<sup>656</sup>

Though the case was brought by Black plaintiffs whose experiences were directly related to racial discrimination, the decision said nothing about race. Similarly, when the New Jersey legislature codified the Fair Share Doctrine in the state’s 1984 Fair Housing Act, that law was also silent on racial segregation. The only detailed study of the Mount Laurel doctrine’s effect on racial integration found negligible changes.<sup>657</sup>

In *Mount Laurel III* (1986) the New Jersey Supreme Court upheld the constitutionality of the Fair Housing Act and the Council on Affordable Housing (COAH), which was created to facilitate the process of ensuring that municipalities met their affordable housing obligations.<sup>658</sup> The New Jersey Supreme Court would later disband the COAH in 2015, finding it both inactive and ineffective.<sup>659</sup>

In cities where homes were deteriorating and large public housing projects were being destroyed, even before replacement housing had been built, the state Fair Housing Authority created a loophole for wealthy municipalities. The Fair Housing Act’s provision for “regional contribution agreements” (RCAs) cynically offered towns a way to “buy out” of their obligations by trading their fair share burden to the lowest bidder.

According to one study of RCAs, “[b]etween 1987 and 1996, New Jersey townships produced fifty-four such agreements involving a total of more than ninety-two million dollars and 4,700 units of affordable housing.”<sup>660</sup> Unfortunately, RCAs would not be prohibited for another twelve years,<sup>661</sup> further institutionalizing a system of residential racial segregation that concentrated poverty in the state’s underfunded cities while perpetuating the idea that racial exclusion increased property values in its suburbs. In 2024, after this history of challenges, new legislation, currently undergoing implementation, was passed to streamline the process for municipalities to meet their affordable housing obligations.<sup>662</sup>



Ethel Lawrence, Plaintiff in *Mt. Laurel* Litigation  
Photo/Fair Share Housing Development



While homeownership wealth was steadily accruing in New Jersey's segregated white suburbs protected by exclusionary zoning, and while the *Mount Laurel* doctrine went unenforced for 15 years (see Spotlight), New Jersey's cities entered the 1990s economic boom in crisis. Banks and traditional lending were largely absent in Black cities, creating barriers to homeownership, while also restricting Black homeowners' access to resources needed to complete major home maintenance and repair projects. Without an ability to borrow money, Black homeowners had to perpetually defer this work, to the detriment of their home equity and resident safety.<sup>663</sup>

During the early 2000s, Black and Latino families were targeted for subprime loans nationally, and wealthier families of color received subprime loans even when they could have qualified for prime loans.<sup>664</sup> This de facto modern redlining led to pernicious and predatory lending by unscrupulous and fraudulent lenders in the early part of this century. Although many would be known as "subprime lenders," they varied in their origins and purpose. According to a 2002 report by the New Jersey Institute for Social Justice:

[Predatory lending] practices disproportionately affect homeowners who are minority, low income, elderly, and urban ... They stem from the explosion of a new lending market that concentrates upon home improvement and refinance loans for borrowers who have (or are perceived to have) poor credit. Known as subprime lending, this market has expanded ten-fold in New Jersey between 1993 and 2000, now accounting for almost 42% of all home improvement loans made in the state and 27% of all refinancings.<sup>665</sup>

The unique cost of subprime lenders is especially concerning in light of their targeted presence in zip codes where people are most vulnerable. The 2002 New Jersey Institute for Social Justice report showed that ... predatory lending concentrated in predominantly Black, low-income areas, dramatically increased the costs of credit and led to overwhelmingly disparate foreclosure rates for Black people:<sup>666</sup>

The number of conventional single-family loans made by subprime lenders in New Jersey increased almost tenfold between 1993 and 2000. In 1993, subprime lenders made 2,693 loans on single-family properties, just over 1% of the total; by 2000, they accounted for 25,403 loans, or 14.6% of all loans made in the state. Between 1993 and 2000, subprime lenders' market share of approved loans increased from 0.5% to 5.5% for home purchases; from 25.3% to 41.8% in the home improvement market; and from 1.14% to 26.6% for refinance loans. In 2000, subprime lenders in the state made 5,958 home-purchase loans, 4,899 home improvement loans, and 14,546 refinance loans. This expansion is disproportionately concentrated in low-income, minority, and urban areas. Subprime institutions accounted for a majority of all refinance loans granted in the 1993 to 2000 period in large parts of Newark, Jersey City, East Orange, Paterson, Camden, Trenton, and several other New Jersey cities.<sup>667</sup>

Predatory lending led to disproportionate harm for Black families during the Great Recession of 2007-2009 and barriers to fair lending, together with modern-day redlining – where financial institutions avoid serving communities of color – persist. As of 2017, Black loan recipients were still the most likely of any group to receive subprime loans in New Jersey – about three times as likely as white loan recipients – and high-income Black single family home purchase applicants were more likely to be denied loans than low-income white applicants.<sup>668</sup> From 2015 to 2024, several financial institutions have agreed to settlements for modern-day redlining in New Jersey, essentially limiting Black people's access to lending and capital.<sup>669</sup>

In addition to restricting Black people to more limited financial opportunities and substandard housing options, segregation has also made Black people vulnerable to victimization by businesses aware that unregulated neighborhoods are buffets of "racial bargains;" that is, wealth-producing transactions are systematically devalued in racially segregated neighborhoods.<sup>670</sup>



This racial bargaining has provided extractive opportunities for outside sources of predatory capital while creating distinct trends in housing vulnerability for Black New Jerseyans in recent years.<sup>671</sup>

First, there is strong evidence to show that Black residents were targeted by waves of business interests (brokers, appraisers, home improvement contractors, investors and subprime lenders) eager to exploit homeowners with limited means, limited choice and little access to legal representation. Professors Kathe Newman and Elvin Wyly demonstrated that, in Newark, predatory lenders followed clues in a housing market infected with years of discrimination in deciding where and how to make high-risk loans for maximum gain despite increased risk of default.<sup>672</sup> Many of these discriminatory practices still happen today.

Second, racial bargaining in New Jersey's segregated Black neighborhoods produced perverse incentives for both institutional investors and the cities themselves to capitalize off the economic losses of housing-vulnerable residents. Since the Great Recession and associated housing crash, millions of American homeowners lost their homes to foreclosure.<sup>673</sup> Black homeowners had greater wealth losses than any other group nationally during the Great Recession.<sup>674</sup> Since that period, New Jersey has consistently had among the highest foreclosure rates in the country leading to substantial wealth loss and further predatory behavior. Fannie Mae and Freddie Mac inadvertently created a new asset class in foreclosed single-family homes when it began bundling them at a steep discount for purchase by institutional investors.<sup>675</sup>

In recent years, institutional investors – including some large, publicly traded companies – discovered a tremendous source of passive income for their own investors: buying low and renting high. The trend swept the nation, especially in Black, lower-middle class neighborhoods.<sup>676</sup> The Rutgers Center on Law, Inequality and Metropolitan Equity (CLiME) studied property deeds to determine if such activity was driving up rents in New Jersey cities like Newark.<sup>677</sup> The CLiME team determined that, from 2017 to early 2020, “47 percent of all arms-length residential sales in Newark were to institutional investor buyers.”<sup>678</sup>

The elaborate schemes by which investors bought foreclosed homes or homes in financial distress included direct cash offers and auction purchases as cities sold off abandoned or tax-delinquent properties. Institutional buyers in turn significantly raised rents, increased evictions and limited the supply of homes for ownership by first-time owner occupiers.<sup>679</sup> This would be impossible without housing segregation.

Eviction represents another trend associated with segregation's racial bargaining over place. Combined with lower income and wealth, racially-segregated housing options produce chronic housing instability.<sup>680</sup> Inside segregated neighborhoods, residents pay much more to live in housing that would be worth much less outside of those segregated boundaries.<sup>681</sup> The aggressiveness of institutional landlords seeking the highest rents leads to higher costs and burdens the housing market; when affordable supply cannot keep up with the demand, communities see high rates of eviction.<sup>682</sup>

Princeton University's Eviction Lab found that, in Essex County between 2000 and 2018, eviction rates were nearly twice the state average: 22.6% compared to 12.1%.<sup>683</sup> Essex County includes Newark, Irvington and other predominantly Black municipalities with above-average numbers of low-income renters. During this period, Essex County saw 104 eviction filings per day – a quarter of the 417 evictions filed each day throughout the entire state of New Jersey.<sup>684</sup>

To determine the effect of race, we need only compare communities. Essex and Passaic counties have comparable poverty rates (14.2% v. 13.9%) and similar home values, and Passaic County has a slightly higher rent burden.<sup>685</sup> Yet Essex County has an eviction rate of 22.6%<sup>686</sup> while Passaic County has an eviction rate very similar to the statewide figure of 12.6%.<sup>687</sup> Unlike Essex County, which is 41.0% Black, Passaic County is just 15.1% Black – also nearly matching the statewide figure of 15.5%.<sup>688</sup>

Housing and spatial segregation shape every aspect of the lives of Black New Jerseyans, as the remainder of this chapter makes clear – even while too many people are unaware of the extent to which New Jersey continues to be among the most segregated states in the country.<sup>689</sup> Educational segregation is



closely linked to housing segregation and New Jersey schools are among the most segregated in the country.

## SCHOOL SEGREGATION

Although New Jersey's public schools routinely rank among the top schools in the country,<sup>690</sup> public education in New Jersey also continues to be among the nation's most segregated.<sup>691</sup> The Garden State ranks seventh in terms of Black-white segregation in schools among states.<sup>692</sup> A 2022 study found that the Newark metro area was the most economically segregated in the country and second nationally in terms of Black-white segregation.<sup>693</sup>

The impacts of racially segregated and economically isolated public schools are not restricted to the students whose educational opportunities are limited; they also extend to intergenerational effects and cycles of reduced opportunity in every aspect of Black New Jerseyans' lives.

Highly racially- and economically-isolated schools are also associated with higher suspension and expulsion rates, higher drop-out rates, lower test scores and lower rates of college attendance and graduation.<sup>694</sup> Schools with less racial, ethnic and economic isolation provide more opportunities to learn from students with different backgrounds, which fosters a resistance to stereotypes and heightened capacities to make friends and live and work across racial lines.<sup>695</sup>

More than 70 years after the New Jersey Supreme Court's ruling in *Hedgepeth and Williams v. Board of Education* outlawed segregation in school admissions, New Jersey remains among the most segregated of states.<sup>696</sup>

In 1981, on behalf of 20 children attending public schools in Camden, East Orange, Irvington and Jersey City, the Education Law Center challenged the Public School Education Act of 1975. That statute relied heavily on property taxes – meaning those who live in wealthy (white) suburbs received much more education funding than those living in the state's urban districts.

In a series of historic rulings called the *Abbott* decisions, the New Jersey Supreme Court held the state's funding formula unconstitutional and held that, in the identified districts, the state was required to address the disparate amount of money spent on the education of those children. The court found "the children of poorer urban districts are as capable as all others; that their deficiencies stem from their socioeconomic status; and that through effective education and changes in that socioeconomic status, they can perform as well as others."<sup>697</sup> While the case led to significant investments in public education in under-resourced communities, which because of segregation were often Black communities, it did nothing to address the roots of segregation itself.<sup>698</sup>

Litigation to explicitly challenge racial segregation in New Jersey schools is currently pending. In 2018, the Latino Action Network, NAACP New Jersey State Conference and other organizations filed a lawsuit challenging the state's system of assigning students to neighborhood schools based on their zip codes and their residential addresses. This decades-old practice, the lawsuit argues, has emboldened segregation in New Jersey; in nearly 600 school districts, students are segregated by race, ethnicity and poverty.<sup>699</sup> Relying on state enrollment data, the lawsuit points out that 30% of Latino public school students and 25% of Black public school students in New Jersey attend schools where 90-99% of students are non-white.<sup>700</sup> Settlement negotiations with the state have repeatedly failed as those in power continue to defend the segregated status quo.<sup>701</sup>

### Higher Education

The impact of racism and segregation is not limited to elementary, middle and high school in New Jersey; it also extends to access and opportunities in higher education.

Over the last few decades, higher education has grown drastically more expensive. In the last 20 years, tuition and fees have risen 141% at public four-year institutions and 181% at private colleges.<sup>702</sup> In 2021-2022, average tuition, fees and room and board was \$28,633 at public and \$53,717 at private New Jersey four-year colleges – well above the national average.<sup>703</sup>



This rapid rise in tuition has been driven in large part by long-term state disinvestment in higher education.<sup>704</sup> New Jersey's education spending per student has dropped 28.7% since 1994.<sup>705</sup> This disinvestment has shifted the financial burden of college on to students, making higher education unaffordable for many young people and leaving others with decades of student debt.<sup>706</sup> In New Jersey, approximately 13.1% of residents have student loan debt, with an average balance of \$37,201.<sup>707</sup>

Black families are disproportionately affected by student loan debt, in large part due to the staggering racial wealth gap.<sup>708</sup> In New Jersey, 25.3% of Black residents hold student loan debt, compared to 16.0% of white residents and 15.6% of Latino residents.<sup>709</sup> With less generational wealth,<sup>710</sup> Black families borrow more, accumulate greater debt and possess fewer assets for repayment.<sup>711</sup>

At graduation, the average Black graduate owes 50% more student debt than their white counterparts – a gap that doubles within four years.<sup>712</sup> After 20 years, white borrowers in the U.S. have typically reduced their debt by 94%, while Black borrowers have paid off just 5%.<sup>713</sup> Nearly half of Black students nationwide default on their loans within the same time period.<sup>714</sup> In New Jersey, 15% of young adults in communities of color have debt in collections compared to 6% of young adults in predominantly white communities.<sup>715</sup>

While higher education generally leads to increased wealth, Black college-educated households possess less than one-fifth of the wealth of similarly educated white households.<sup>716</sup> These disparities stem from both historical and ongoing racial barriers to wealth accumulation – challenges that student loan debt has only exacerbated. With declining investments in higher education in the state, Black students in New Jersey increasingly struggle to afford college and face disproportionate debt burdens.

## ENVIRONMENTAL INJUSTICE

Environmental Justice communities (EJ communities) are racialized geographies that include Black neighborhoods and places enduring resource deprivation, abandonment, toxic exposure and premature vulnerability to death as a function of ongoing and cumulatively harmful racial capitalism.

In New Jersey, EJ communities are defined as communities where at least 35% of residents qualify as low-income, or at least 40% identify as people of color or as members of a state-recognized tribal community, or at least 40% of the households have limited English proficiency.<sup>717</sup> The U.S. Environmental Protection Agency (EPA) similarly describes overburdened communities as people of color, low-income, tribal or indigenous populations or geographic locations in the United States that potentially experience disproportionate environmental harms and risks.<sup>718</sup>

### *Contaminated Sites*

New Jersey's industrial legacy has left the state with numerous contaminated sites; 1,464 of these sites have no clean-up plans.<sup>719</sup> About three out of every four Black people living in the state reside near at least one of these contaminated sites; that is 75% of the Black population, compared to just 42% of New Jersey's white residents.<sup>720</sup>

Throughout the country, Black residents are similarly concentrated in “sacrifice zones” that suffer the burden and impacts of exposure to soot, ash, off-gassing, toxic dust and so-called “forever chemicals” in the air, soil or water.<sup>721</sup>

As part of a 2021 investigative report by WNYC, the New Jersey Department of Environmental Protection claimed that most of the contaminated sites without clean-up plans were abandoned properties with difficult-to-locate owners.<sup>722</sup> However, when WNYC investigated, reporters found that at least some of the sites were occupied by “open, functioning



businesses and institutions – including a state prison, hospitals, police and fire stations, churches, and schools.”<sup>723</sup>

Similarly, in 2019, researchers determined that New Jersey has 114 “Superfund” sites – the most of any state in the nation.<sup>724</sup> Superfund sites are areas contaminated with hazardous waste that the federal EPA has identified as needing to be remediated. That same year, research revealed that Newark has four Superfund sites located within its borders alone.<sup>725</sup>

Newark, Camden, Paterson, the Oranges and Trenton together host hundreds of acres of brownfield sites in need of remediation.<sup>726</sup> These sites fill community soil, water and air with lead dust, heavy metals and PFAS – also known as “forever chemicals.” Holding property owners accountable for illegal dumping and negligent handling of hazardous materials is often an onerous task, given the decades during which there was no accountability.

All of this speaks to the water infrastructure improvements necessary to reduce water toxicity in Black communities. This includes eliminating lead service lines connecting homes to municipal water mains, updating sewer systems to better manage flow and decreasing impervious surfaces to better manage stormwater runoff and planting trees. Issues such as the need for lead service line replacement are rampant across New Jersey, but hits high-renter urban communities the hardest because the residents often have little say in the infrastructure improvements of their own homes.<sup>727</sup>

In the end, Black communities’ concentration in “sacrifice zones” is a direct legacy of slavery, racism, poverty and discriminatory government policies.

### ***Ports and Heavy-Duty Vehicles***

Mobile sources emit significant amounts of air pollution in New Jersey that both erode local air quality and contribute to climate change. For example, in 2017, mobile sources released almost three-quarters (71%) of the state’s nitrogen oxides, more than a quarter (27%) of New Jersey’s fine particulate matter and 42% of its greenhouse gasses.<sup>728</sup> This air pollution

from the transportation sector, including the portion related to on-road vehicles, is a serious health concern.

One type of air pollution emitted by mobile sources, airborne fine particulate matter, is especially worrisome. Fine particulate matter (PM), also known as PM2.5, consists of all particles less than 2.5 micrometers in diameter. PM2.5 has been causally connected to detrimental cardiovascular, respiratory and nervous system impacts, as well as cancer and mortality.<sup>729</sup> According to the federal Environmental Protection Agency, Black and Latino residents in New Jersey face disproportionately high levels of exposure to fine PM.<sup>730</sup>

Also of special concern are the diesel emissions emitted by trucks and buses. In New Jersey and throughout the country, Black people tend to live in urban areas<sup>731</sup> exposed to high numbers of these heavy-duty vehicles.<sup>732</sup> The New Jersey Department of Environmental Protection has gathered evidence that diesel PM poses an elevated cancer risk to the Black population of Newark. Essex County, where Newark is located, has the highest percentage of Black residents of any of New Jersey’s 21 counties.<sup>733</sup> Essex County’s cancer risk rates far exceed the Clean Air Act’s goal of one in a million for hazardous air pollutants; this would also be a reasonable goal to establish for diesel PM related cancer risk.<sup>734</sup>

Relatedly, the Port of New York and New Jersey attracts several thousand heavy-duty diesel-powered trucks every day.<sup>735</sup> Located in northern New Jersey, adjacent to portions of both the cities of Newark and Elizabeth, it is the largest port on the east coast and one of the largest in the country.<sup>736</sup>

When trucks both enter and leave from the Port, they travel through the surrounding residential community<sup>737</sup> and bring health-harming air pollution with them. Because it concentrates so many polluting trucks in one area, the Port of New Jersey itself functions as a significant source of pollution and presents a health danger to bordering communities. There are more sources of air pollution connected to the Port than just trucks, like ships, harbor crafts, trains and cargo handling equipment.<sup>738</sup> The Port has invested a significant amount of funds in efforts to mitigate emissions from all of these sources, including trucks.<sup>739</sup>





**River Adjacent to the Former Diamond Alkali Facility, a Superfund Site in Newark, NJ**  
**Photo/NOAA**



### *Incineration*

There are currently five incinerators operating in the state of New Jersey.<sup>740</sup> Sometimes referred to as “waste-to-energy” facilities by the incineration industry, these facilities are major polluters.<sup>741</sup> The specific pollutants vary depending on the kind of waste being burned at any given time, but they frequently include NOx, SO<sub>2</sub>, lead, cadmium, PM<sub>2.5</sub> and PM<sub>10</sub>, among many others.<sup>742</sup> These contaminants are recognized by the EPA as criteria air pollutants, meaning they have been linked to a host of health risks and impacts, including cardiovascular disease, cancer and premature death.<sup>743</sup> The construction and operation of these incinerators in New Jersey have also precipitated a major environmental justice issue, as three of the largest facilities are located in majority-Black and Latino communities: Newark, Camden and Rahway.<sup>744</sup>

In addition to the toxic harm of incinerators, the state is financially contributing to the problem at the expense of New Jersey’s most vulnerable Black residents. Many incinerators are money-losing businesses that rely on renewable energy subsidies and waste disposal fees collected from their host municipalities to achieve financial viability.<sup>745</sup> In New Jersey, incinerators are given access to the state’s renewable portfolio standard program, qualifying them for renewable energy subsidies. As a 2021 report by Earthjustice explains, this has allowed incinerators to receive over \$30 million in ratepayer money from electric utilities, despite these facilities consistently failing to meet environmental and community impact requirements.<sup>746</sup>

ReWorld (formerly Covanta Essex) in Newark is among the worst permit violators in the state. Between 2005 and 2019, ReWorld was issued 824 air permit violations, making it among the “top” six polluters for 10 different air pollutants during that period.<sup>747</sup> The facility burns 2,800 tons of waste each day. In 2019, most of that waste came from New York City and parts of Essex County located outside of Newark.<sup>748</sup>

Under the guise of “clean” waste disposal and “renewable” energy, incinerators in New Jersey have been allowed to release tons of toxic air pollutants into nearby communities that are very often Black and overburdened. As a result, Black

children in Newark have an asthma rate four times higher than the statewide average.<sup>749</sup>

### *New Jersey’s Environmental Justice Law*

In 2020, New Jersey passed the nation’s leading Environmental Justice Law (also known as the Cumulative Impacts Law). It requires the New Jersey Department of Environmental Protection to evaluate the environmental and public health stressors certain facilities impose upon overburdened communities before approving certain permit applications.<sup>750</sup> The law begins with the following language:

The legislature finds and declares that all New Jersey residents, regardless of income, race, ethnicity, color, or national origin, have a right to live, work, and recreate in a clean and healthy environment; that, historically, New Jersey’s low-income communities and communities of color have been subject to a disproportionately high number of environmental and public health stressors, including pollution from numerous industrial, commercial, and governmental facilities located in those communities; that, as a result, residents in the State’s overburdened communities have suffered from increased adverse health effects including, but not limited to, asthma, cancer, elevated blood lead levels, cardiovascular disease, and developmental disorders; that children are especially vulnerable to the adverse health effects caused by exposure to pollution, and that such health effects may severely limit a child’s potential for future success; that the adverse effects caused by pollution impede the growth, stability, and long-term well-being of individuals and families living in overburdened communities; that the legacy of siting sources of pollution in overburdened communities continues to pose a threat to the health, well-being, and economic success of the State’s most vulnerable residents; and that it is past time for the State to correct this historical injustice.<sup>751</sup>



Unfortunately, the law sat unenforced for over two years before the NJDEP proposed regulations,<sup>752</sup> and did not take full effect until April 2024.<sup>753</sup> Even as the law's potential benefits have not yet been experienced, it is already facing litigation challenges from various industries resistant to addressing the environmental racism that Black communities have faced for generations.<sup>754</sup>

## HEALTH DISPARITIES

Racial health disparities have persisted in the United States for centuries, often imposing the worst and most disproportionate effects upon Black communities. These racial disparities grew out of slavery and its aftermath, persisting through systemic racism and socioeconomic factors that maintain unequal access to healthcare, education and economic opportunity.

New Jersey is no exception.

Black people in New Jersey have consistently had the lowest life expectancy among racial and ethnic groups in the state. In 2022, life expectancy for Black people was 74.6 years, five years lower than that for white people in the state. The life expectancy for Black men in New Jersey (70.9) was six and a half years less than the figure for white men.<sup>755</sup> In fact, New Jersey Black men's 2022 life expectancy nearly matched the life expectancy recorded for white men in 1979.<sup>756</sup>

Data from 2022 also shows that the average age at death (another proxy for life expectancy) is 77.6 years for white New Jerseyans but just 67.3 years for Black residents. Latino residents are the only demographic group in the state with a (slightly) lower average age at death: 66.5 years.<sup>757</sup>

Black mortality rates in New Jersey remain significantly higher than the rates for their white, Latino and Asian counterparts throughout the entirety of their lives.<sup>758</sup> In addition, when compared to their white, Latino and Asian counterparts, Black people in New Jersey are more likely to die prematurely from eight of the 10 leading causes of death.<sup>759</sup>

For generations, Black people in New Jersey have faced discrimination in housing, leading to overcrowded and substandard living conditions in urban areas. These conditions, often characterized by environmental hazards and limited access to nutritious food, have contributed to a higher prevalence of chronic illnesses among Black residents.<sup>760</sup>

Access to healthcare is also a fundamental determinant of health outcomes. Black New Jersey residents have historically faced barriers to accessing quality healthcare due to racial discrimination in the healthcare system, and exacerbated by factors like lack of insurance, inadequate access to transportation and more. In 2022, 7.7% of Black New Jersey residents under the age of 65 were uninsured, compared to 4.0% of white residents.<sup>761</sup>

A 2022 national report found that hospitals serving Black patients were also significantly underpaid when compared to hospitals serving predominantly white patients. The study found that "[h]ospitals caring for larger shares of Black patients were paid \$283 less for each day of a patient's hospital stay when compared to other hospitals. As a result, while many hospitals realized profits from their inpatient care, Black-serving facilities ran in the red."<sup>762</sup>

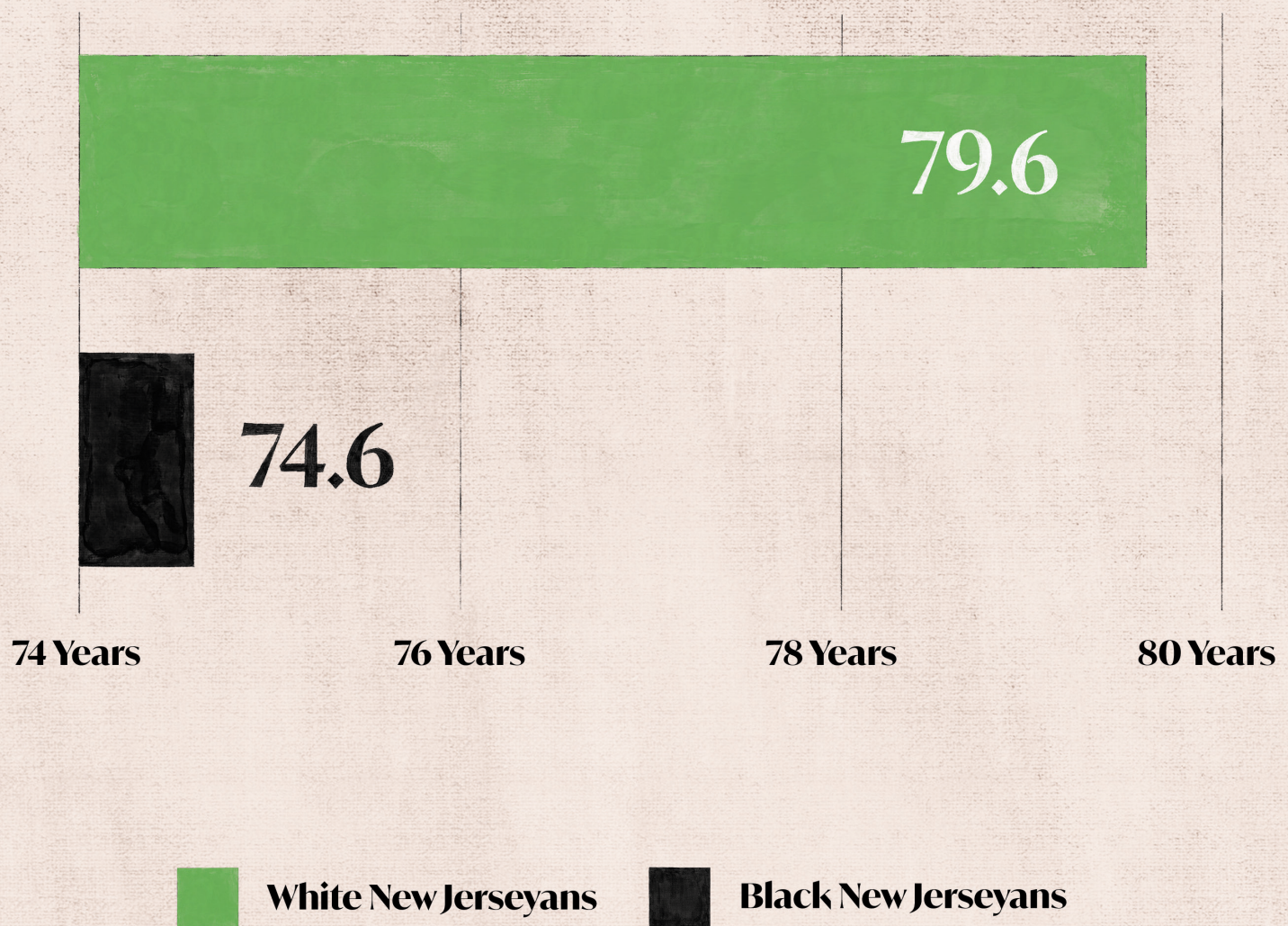
The legacies of slavery and systemic racism have also resulted in enduring trauma and chronic stress among Black people. These psychological factors can have a profound impact on physical health, contributing to conditions like hypertension, stroke, cardiovascular disease and infant and maternal mortality.<sup>763</sup>

### ***Maternal and Child Health; Infant Mortality***

Pervasive racism has continued to have a deleterious impact on the health of Black women and children. These outcomes relate to limited access to preventive care and other healthcare services; neighborhood segregation and persistently segregated schools; discrimination in hiring; and environmental contamination of poor neighborhoods – as outlined in detail earlier in this chapter. All of these factors



# Life Expectancy at Birth by Race, 2022





have been endemic in New Jersey, contributing to racial health inequities.

Rates of maternal and fetal death in New Jersey exhibit marked racial disparities that have remained consistent over time and have endured throughout generations.

In 1925, the Black infant mortality rate in New Jersey was 139/1000 compared to 71/1000 for white residents in the state.<sup>764</sup> In other words, New Jersey's Black infant mortality rate was about twice the white rate.

In more current times, the relative disparities have grown. In 2000, the rate of infant deaths per 1000 births in New Jersey was 3.9 for white infants and 13.2 for Black infants. Indeed, the strikingly high rate of Black infant death also far outpaced the rate for Latinos (5.8) and Asians (2.8) in the state. By 2020, the number of deaths for Black infants had fallen to 9.1, but still far surpassed white infant deaths (2.5), Latino infant deaths (3.6) and Asian infant deaths (2.5).<sup>765</sup> In fact, the relative disparity between the Black rate and the white rate increased between 2000 and 2021.<sup>766</sup> Though significant progress has been made in reducing the frequency of infant mortality overall, Black infants in New Jersey are now still more than three times as likely to die when compared to their white counterparts.<sup>767</sup>

When it comes to Black maternal mortality and morbidity, the racial disparities are also dramatic. New Jersey has the fourth highest maternal mortality rate in the country, with only Louisiana, Indiana and Georgia reporting higher rates of death among new mothers. For Black women in New Jersey, the likelihood of dying during or soon after childbirth is seven times greater than the likelihood of death for white women in the state.<sup>768</sup>

The New Jersey Maternity Mortality report, which focused on maternal deaths in the state between 2016 and 2018, found that "[m]ore than 90% of pregnancy-related deaths were preventable. Among these preventable deaths, 18% had a good chance to alter the outcome and 79% had some chance to alter the outcome."<sup>769</sup>

This data reveals several devastating realities but also reveals a way forward. The lives of hundreds of New Jersey's mothers and babies – particularly the lives of Black mothers and babies who die at disproportionate rates – could be saved through

improved access to medical treatment and preventive care.

### ***Illness, Chronic Disease and COVID-19***

Racism is a pervasive and oppressive life tax that contributes to Black people living sicker and dying sooner. This is not a distinctly American phenomenon, but it is a peculiar truth borne of the chattel slavery Black ancestors experienced in this country, and the perverse inequities that continued to plague their descendants for generations after legal slavery's abolition.

New Jersey's Black residents have borne the unhealthy and unjust burden of this racism tax – and medical mismanagement has outpaced progressive efforts to repair this harm. The result is a swinging pendulum: advances in equity are regularly tempered by the claws of systemic racism, with Black people perpetually falling through the healthcare cracks.

A 2024 Commonwealth Fund report examined 25 health system performance indicators and ranked states across three categories: 1) health outcomes, 2) access to health care and 3) quality and use of health care services.<sup>770</sup> Together, this data was used to calculate a state's overall health system score.<sup>771</sup> Though these metrics ranked New Jersey's health system sixth in the nation, all New Jersey residents do not share equally in the benefits of that ranking. In fact, the report also concluded that "New Jersey has more severe racial and ethnic health disparities than other states in the region."<sup>772</sup>

Black New Jerseyans experienced the worst of their state health system's performance and ranked in the 36th percentile on the Commonwealth Fund metrics.<sup>773</sup> New Jersey's health system performs nearly 2.5 times better for white residents, who ranked in the 91st percentile, and Asian American/Native Hawaiian/Pacific Islander (AANHPI) residents, who ranked in the 97th percentile.<sup>774</sup>

The Commonwealth Fund report found that, in comparison to other racial groups, Black people in New Jersey had the worst health outcomes in every metric assessed, including deaths before age 75 from both health-care treatable and preventable causes; infant mortality; breast and colorectal cancer deaths; and obesity rates.<sup>775</sup> This trend is repeated in the healthcare



quality metrics, where Black people are at or near the bottom across a wide spectrum of measures.<sup>776</sup>

During the COVID-19 pandemic, Black people in this state experienced a staggering, disproportionate rate of death and illness. In 2020, the age-adjusted death rate due to COVID-19 for Black New Jerseyans (214.6) was more than twice that of white residents (104.9).<sup>777</sup> In fact, COVID-19 was the leading cause of death among Black, Latino and Asian residents of New Jersey in 2020; for white residents, the virus ranked third.<sup>778</sup>

When stratified by race/ethnicity and sex, the age-adjusted death rate among white males was 130.9 and just 85 among white females. The comparable rates for Black males and females were 293.6 and 162.7, respectively.<sup>779</sup>

Three factors contributed to New Jersey's racial disparities in COVID-19 outcomes:

- Residents of color faced increased COVID-19 exposure due to life experiences such as poverty, reliance on public transportation, residential crowding and frontline occupations – all of which are influenced by structural racism and its impact on all aspects of life;
- Residents of color were more likely to suffer from non-treated or ineffectively-treated co-morbidities, due to historical and contemporary failures across the health ecosystem around cost, availability, bias and the learned response of patient distrust given the lack of accountable and just care; and
- Residents of color face a higher burden of unrecognized comorbidity, due to reduced access to consistent care, high-quality care and care utilization patterns influenced by a lack of patient expectation that engagement would be meaningful.<sup>780</sup>

These racial disparities in COVID outcomes are not arbitrary. They are rooted in multiple, complex issues of system sickness that date back to slavery. These issues have reverberated through time and are tragically replicated in observed patterns for multiple chronic health conditions affecting Black people in New Jersey and more widely across the United States.

Even in past years, Black New Jersey residents have suffered similar leading causes of death at higher rates than their white counterparts. For example, the data from 2019 reveals racial disparities among some of the top causes of death and higher age-adjusted death rates for Black residents across similar clinical conditions:

- For heart disease, the white death rate is 169.7 vs. 184.0 for Black people.<sup>781</sup>
- For stroke, the white death rate is 29.6 vs. 40.5 for Black people.<sup>782</sup>
- For cancer, the white death rate is 147.3 vs. 153.7 for Black people.<sup>783</sup>

### ***Cancer***

Cancer is the second leading cause of death in New Jersey after heart disease.<sup>784</sup> Nearly half of all new cancer cases in the state are prostate, breast, lung and colorectal cancers.<sup>785</sup>

The incidence of prostate cancer in New Jersey is highest among Black men, with rates over one and a half times greater than those seen in white or Latino men and more than three times higher than in Asian/Pacific Islander men.<sup>786</sup> Both Black and white men have the highest incidence rates of lung cancer.<sup>787</sup> Black men also lead in incidence rates for colorectal cancers.<sup>788</sup> New Jersey women are most often diagnosed with breast, lung/bronchus, colorectal and corpus uteri cancers.<sup>789</sup> Of those illnesses, Black women have slightly higher rates of colorectal cancer compared to white women, while Asian/Pacific Islander women have the lowest rates.<sup>790</sup>

While certain cancer-related genetic mutations can be inherited, most health disparities among population groups are not rooted in biology. Instead, they are primarily driven by differences in socioeconomic status and access to healthcare.<sup>791</sup> Overall, Black Americans experience the highest cancer death rates and the shortest survival times of any racial or ethnic group in the U.S. – a disparity largely shaped by social factors. Significantly, Black immigrants have lower cancer mortality than U.S.-born Black



individuals, underscoring the influence of environment and living conditions over race or genetics.<sup>792</sup>

Communities with a legacy of redlining or ongoing lending discrimination face a higher risk of late-stage cancer diagnoses and experience breast cancer mortality rates twice as high as those in other areas.<sup>793</sup> Across the United States and in New Jersey, Black communities have endured generations of discrimination, compounded by the rerouting of public transportation, closure or relocation of grocery stores and reduction of public green spaces in historically Black neighborhoods. These geographies of inequity have restricted access to affordable healthy food and limited opportunities for physical activity. Together, these conditions contribute to elevated levels of chronic stress, infectious diseases and other factors that negatively impact health.<sup>794</sup>

Black New Jerseyans will continue to live sicker and die sooner under the burden of racism until state leaders commit to the universal goal of making racism a “never event” in healthcare and beyond.<sup>795</sup>

## MENTAL HEALTH, COMMUNITY STRESS AND VIOLENCE

Economic inequality and segregation are stressors that impact the mental health of Black people.

Mental health inequities can be traced to the era of colonialism and slavery, when the developing fields of psychiatry and psychology were infused with myths of racism.<sup>796</sup> America has not met the challenge of coping, managing and eradicating these stressors, particularly for Black people. Those most vulnerable have not been met with systems or institutions capable of providing the tools and support that lead to positive mental health and well-being. New Jersey has not escaped this legacy.

The tax and toll of the legacy of racial discrimination and an inadequate mental health system have lasting effects. For Black people, living today under the centuries-old stressors of racism and white supremacist beliefs is to be in a perpetual state of trauma and toxic stress, passed on through generations.

Toxic stress is described as a “prolonged activation of stress response systems in the absence of protective relationships.”<sup>797</sup> When toxic stress is persistent or triggered by multiple factors, it can take a cumulative toll on an individual’s physical and mental health – for a lifetime.<sup>798</sup> Post Traumatic Slave Syndrome, a theory developed by Dr. Joy DeGruy, is a “condition that exists as a consequence of multigenerational oppression of Africans and their descendants resulting from centuries of chattel slavery.”<sup>799</sup> The syndrome explains enslavement as a long-time stressor and describes the adaptive survival behaviors found in Black communities throughout the United States and the African Diaspora.

Nationally, the field of psychiatry has been slow to consider racism’s impact on Black people and mental health care overall. In 1970, the American Journal of Psychiatry published a series of articles on racism in their field. This came a year after a group of Black psychiatrists protested against racism at an American Psychiatric Association Board of Trustees meeting. In their article on racism in professional mental health care, researchers described the content of these articles.

One article, “Dimensions of Institutional Racism in Psychiatry,” set out to define institutional racism, review the influence of racism on Black patients, and explore access to care along with “the professional functioning of psychiatrists.” Sabshin et al. made actionable antiracist recommendations for psychiatry, including creating task forces against racism with high Black representation; increasing awareness of how everyday practice enables racism in psychiatry; and devoting publication space “to racism’s origins, history, and current status in psychiatry.”<sup>800</sup>

The New Jersey Chapter of the Association of Black Psychologists later launched with a small membership in the 1970s. The



organization's goal is to provide resources to eliminate the barriers for Black mental health providers to address the shortage of culturally appropriate care which can lead to delayed – and in some cases, denied – care.<sup>801</sup>

In 2020, the New Jersey Chapter of the National Alliance on Mental Illness adopted a resolution against racism.<sup>802</sup> And in 2021, the American Psychological Association issued an apology to communities of color for their role in perpetuating structural racism, including the way the organization had been "complicit in contributing to systemic inequities, and hurt many through racism, racial discrimination, and denigration of people of color, thereby falling short on its mission to benefit society and improve lives."<sup>803</sup>

Despite this progress, there is still not adequate data to conclude that Black people in New Jersey are accessing adequate, culturally competent and consistently reliable mental health services. A 2022 report by the New Jersey Policy Perspective found that Black students in the state have uneven access to mental health resources and staff in schools.<sup>804</sup> Public schools in New Jersey had an average of 8.2 mental health staff per 1,000 students in 2008, and by 2020, the figure had risen to 8.6 per 1,000. However, Black students experienced the opposite trend.

"[M]ental health staff per 1,000 Black students decreased from 10.3 to 8.5," according to the report. "For Hispanic/Latinx students, the figures declined from 9.0 to 8.4 per 1,000. In other words, during a period when access to mental health staff increased for New Jersey's white and Asian students, access for Black and Hispanic/Latinx students decreased."<sup>805</sup>

Nationally, homicide is the leading non-disease cause of death among Black people.<sup>806</sup> In 2020, according to New Jersey State Health Assessment Data, the homicide rate for Black New Jerseyans was 18.9 per 100,000 – compared to 0.9 among white New Jerseyans.<sup>807</sup> Violence is a matter of public health, and the accessibility and prevalence of guns is a multiplier of violence and death.<sup>808</sup>

In 2024, the U.S. Surgeon General declared access to firearms a public health crisis and recognized firearm violence as

the leading cause of death among American children and adolescents.<sup>809</sup> The combined rates of homicide, accidental death and suicide are devastating. In addition, the compounded impact of this type of communal loss leads to increased levels of toxic stress in communities with inadequate mental health resources. Attempts to attribute this crisis solely to individualized behaviors fail to consider the backdrop of widespread systemic racism.

## POLICING AND INCARCERATION: FROM REBELLION TO TODAY

While health indicators measure the devastating toll historical and contemporary stressors have on Black New Jerseyans' bodies, minds and life spans, trends in police brutality and incarceration rates reveal criminal law as a mechanism by which racism also exacts a different, though similarly devastating, toll. The criminal legal system compounds chronic illness and maternal and infant mortality with external threats to the length and quality of life for Black people in New Jersey, including prison sentences, officer-involved shootings and more.

New Jersey has a long history of anti-Black police abuse and expansion of the incarceration system. The state's history is also filled with legal battles and grassroots protests to combat those conditions, often waged by individuals who have experienced those harms directly. The battle to defend the legal right to resist unlawful arrest has been a foundational part of this movement.

### *Unlawful Arrest*

As Black southerners fled white racial terror and Jim Crow during the Great Migration, white elites in destination cities like Newark used policing to control the surging Black populations pouring into crowded, segregated neighborhoods.<sup>810</sup> During this time, Black residents were cast as a dangerous race of



criminals. As Khalil Gibran Muhammad observed, “Northern black crime statistics and migration trends in the 1890s, 1900s and 1910s were woven together into a cautionary tale about the exceptional threat black people posed to modern society.”<sup>811</sup> This harmful framing continued through the Second Great Migration, which spanned from the end of World War II through the 1960s, and still endures to this day.

In the 1965 case of *State v. Koonce*, the Superior Court of New Jersey exacerbated anti-Black policing by criminalizing resistance to unlawful arrest.<sup>812</sup> The case arose out of the unlawful arrest of Washington and Florence Koonce, a Black married couple who owned the Glitter Club on Springfield Avenue in Newark.<sup>813</sup> On a spring night in 1964, Mrs. Koonce was working at the club with her son Kurt and others when Newark police officers arrived in search of a bar patron accused of brandishing a knife earlier that night.<sup>814</sup> As the officers arrested the man, they interrogated a young woman and discovered she was a teenager who had been drinking while underage.<sup>815</sup> Though there were multiple people working behind the bar, and officers had no evidence of who had actually served the girl, officers decided to arrest Kurt for providing the alcohol.<sup>816</sup>

What happened next was disputed.

According to the Koonces, officers shoved Mrs. Koonce and then arrested both her and her son, Kurt.<sup>817</sup> According to officers, Kurt resisted arrest and Mrs. Koonce struck the arresting officer. Both Kurt and Mrs. Koonce were charged with assault.<sup>818</sup>

At trial, a judge found Kurt and Mrs. Koonce guilty; Kurt was sentenced to 90 days incarceration and Mrs. Koonce was ordered to pay a \$25 fine.<sup>819</sup> The mother and son appealed their convictions. Even if they had assaulted the arresting officer, they argued, the assault was justified resistance to an unlawful arrest.<sup>820</sup>

The Koonces’ argument had deep roots in Anglo-American law. During the Early Republic and Antebellum Eras, courts recognized a common law right to resist unlawful arrest.<sup>821</sup> This right to resist was nearly universally recognized in state

and federal courts through the 1930s, but came under attack in the 1940s. Ultimately, in 1965 in *State v. Koonce*, the New Jersey Supreme Court struck down the right to resist unlawful arrest. In effect, the ruling required Black people to surrender their bodies to unlawful policing and empowered the state to criminalize Black people for refusing to submit.<sup>822</sup>

The decision to eliminate the right to resist unlawful arrest, which still stands today, was a particularly striking shift given the history and ongoing reality of anti-Black police practices in cities like Newark.<sup>823</sup>

*Koonce* rendered Black New Jerseyans even more vulnerable to the threat of racist policing. The appellate court’s decision to empower police officers to capture people for resisting unlawful arrest, even when the charges underlying that arrest are baseless or false, diminished the legal restraints on policy abuse. In the words of law professor Paul Butler, “The most far-reaching racial subordination stems not from illegal police misconduct, but from legal police conduct.”<sup>824</sup>

The criminalization of Black resistance to unlawful arrest re-inscribed chattel slavery’s fraught racial relations of power. Whereas Black people in the antebellum era were violently punished for resisting white forces who enslaved and policed them, Black people today are criminally punished for resisting police agents of white-dominated federal and state governments that attempt to quell Black resistance to predatory white domination and control Black populations through criminal law and enforcement. *Koonce*’s criminalization of Black resistance to even unlawful arrest demonstrates how courts enable anti-Black police violence as a means of social control.

After *Koonce*, Black people’s discontent with their subordination and their heightened exposure to police violence boiled over into the continued eruption of Black-led urban rebellions,<sup>825</sup> including the Newark Rebellion of 1967.<sup>826</sup> According to the *Daily News Record*, the “center of the bloodshed, massive rioting and looting” took place on Springfield Avenue – the same street where the Koonces had been unlawfully arrested at their establishment, the Glitter Room, less than two years earlier.<sup>827</sup>



### ***The Rebellions: A Long, Hot Summer***

During the Civil Rights and Black Power Movements, Black New Jerseyans exercised their First Amendment rights in opposition to racial discrimination and anti-Black violence. Through voting, organizing and activism, Black residents stood against Jim Crow segregation, police brutality and housing and employment discrimination. As state and local officials failed to take adequate measures to address and redress the issues plaguing Black life in New Jersey, some Black residents who turned away from formal mechanisms of political expression were met with brutality from state and local law enforcement.

The rebellions of the 1960s and 1970s in Newark, Asbury Park and Plainfield (among other New Jersey cities) both responded to and exposed racism and brutality in local law enforcement.

The “long hot summer” of 1967 was a pivotal period in which cities throughout New Jersey and across the nation witnessed explosive urban rebellions.<sup>828</sup> Frustrations began to boil over into urban uprisings that gave expression to Black discontent and anger – especially among Black youth. In at least 159 urban centers throughout the country, Black people rose up against the conditions in their communities. New Jersey was no exception; after an earlier uprising in Plainfield, the Newark Rebellion became national news.

### ***The Newark Rebellion***

On July 12, 1967, in the midst of steady racial tension in Newark, local police stopped and arrested a Black cab driver named John Smith. Witnesses later spread word that police had beaten Smith before arresting him, adding the incident to a litany of abuses that had been fueling protests by Black people against police violence for years. After Smith’s arrest, protests by Black people at Newark’s Fourth Precinct spread across the city.

Over the next three days, armed police and military troops heavily patrolled Black Newark and continued to wound and kill many. By July 17, the city had suffered an estimated \$10 million in damages and a total of 27 people had been killed. One victim

was a 10-year-old boy who was riding home from dinner with his family when a National Guardsman shot at the family car.<sup>829</sup> Many more Black residents were injured by law enforcement, including a three-year-old girl struck in the eye when police fired a bullet through her kitchen window.<sup>830</sup>

Toward the summer’s end, the Governor’s Select Commission on Civil Disorder in New Jersey produced a 100-page report analyzing the Rebellion’s impact and causes.<sup>831</sup> The Commission concluded that many of the Black people killed by police and National Guard troops “were not engaging in violence themselves”<sup>832</sup> and labeled the authorities’ response as excessive and biased:

The amount of ammunition expended by police forces was out of all proportion to the mission assigned to them ... There [was] evidence of prejudice against Negroes during the riot on the part of various police and National Guard elements. This resulted in the use of excessive and unjustified force and other abuses against Negro citizens.<sup>833</sup>

In its exploration of causes, the Commission’s report included sections on failures in the public school system, housing and employment discrimination and police and government corruption.<sup>834</sup>

Black residents’ complaints about the Newark Police Department were twofold, the report explained: police brutality and “a lack of adequate police protection and services.”<sup>835</sup>

About 70% of the Commission’s Black survey respondents “believed their complaints to the police did not receive the same attention as complaints from whites.”<sup>836</sup> Further, both poor and middle-class Black residents complained about police brutality and verbal abuse: 49% of survey respondents in 1967 said “the police are too brutal ... [v]erbal abuse is a constant occurrence in the ghetto,” and Black “women complain[ed] that police treat every Black woman as if she were a prostitute.”<sup>837</sup>



Rather than prompt public officials to address these concerns, the aftermath of the Newark Rebellion sparked further division and discrimination. Police began to operate more politically, forming fraternal organizations and unions in opposition to Black Newarkers' protests.<sup>838</sup> Meanwhile, white residents intensified segregationist behaviors.

As noted in the Commission's Report, after the Rebellion, many white residents felt that the summer unrest simply signified the Black communities' refusal to engage amicably with police.<sup>839</sup> In response, the North Ward Citizens Committee (NWCC) organized street patrols to chase Black residents from Newark's white neighborhoods.<sup>840</sup> As described by historians, the NWCC saw themselves as law enforcement and they were "... not above street fighting or roughing up people they deemed threats."<sup>841</sup>

The Newark Rebellion and its aftermath mainly fostered continuing and increased distrust between police and the Black community in New Jersey. Along with the April 1968 assassination of Dr. Martin Luther King Jr., familiar issues of Black joblessness, housing discrimination and police brutality fueled rebellions in Trenton in 1968, Camden in 1969 and Asbury Park in 1970.<sup>842</sup>

After the Newark Rebellion in 1967, the ACLU of New Jersey called for federal oversight of the Newark Police Department.<sup>843</sup> That call was ignored and racially discriminatory policing in Newark continued unabated. It was not until 2010, after the ACLU of New Jersey submitted a 96-page petition outlining a pattern and practice of racist violence at the hands of the police,<sup>844</sup> that the Department of Justice finally took note. This eventually led to a Consent Decree with Newark and, in 2016, the creation of an independent monitoring team,<sup>845</sup> of which the New Jersey Institute for Social Justice is a member.<sup>846</sup>

### ***Post-Rebellion Policing***

Police brutality remains a salient and racialized issue in New Jersey. In 1990, after Teaneck Police killed 16-year-old Phillip Pannel,<sup>847</sup> protestors marched for years in calls for justice,

but the officers responsible for the killing were eventually acquitted of all charges.<sup>848</sup> In April 1999, Earl Faison died in police custody an hour after he was arrested by Orange Police and "beat[en], kicked and pepper-sprayed."<sup>849</sup> Five officers were later convicted of conspiring to deprive Faison of his civil rights.<sup>850</sup>

The 1980s and 1990s saw heightened scrutiny over law enforcement racism and abusive tactics. Many argue that what happened in New Jersey during this time set the stage for modern racial profiling: a set of tactics and criteria codified and systematized through informal and formal law enforcement training and policies that encouraged targeting Black people as more likely to engage in criminal behavior, particularly related to illegal drug trafficking.<sup>851</sup> In New Jersey, the department's Drug Interdiction and Training Unit led the State Police anti-drug trafficking efforts.

The New Jersey State Police was established in 1921 as a paramilitary organization to patrol the state's rural areas.<sup>852</sup> Early in the State Police's existence, troopers had the task of addressing the rapid growth of Black and immigrant communities and enforcing road regulations with the proliferation of automobiles.<sup>853</sup> A state report written in 1917 labelled the state's growing Black population as necessitating additional law enforcement resources in the form of a state police.<sup>854</sup> Black migrants were also blamed for negatively influencing the established Black community. In his research, W. Carsten Andresen found evidence of the sentiment that "the permanent negro [sic] population is becoming more peaceful, with a noticeable tendency toward churchgoing, although the transient negroes from the South are more troublesome."<sup>855</sup> Built upon this foundation, the New Jersey State Police has a long record of racial bias and discrimination.

In *New Jersey v. Soto*, 17 Black people filed a lawsuit challenging arrests that they argued were the result of discriminatory policing on the New Jersey Turnpike between April 1988 and May 1991.<sup>856</sup> In response, a New Jersey judge





Newark Rebellion, 1967  
Photo/New York Times/Getty Images



commissioned a study to determine whether state troopers engaged in racial profiling – a fact many Black New Jerseyans already knew to be true.<sup>857</sup> Temple University researcher Dr. John Lamberth produced a study showing that, though all drivers could be stopped, police actually stopped Black drivers at a disproportionately high rate considering their presence on the Turnpike.<sup>858</sup> The odds of the mismatch happening by chance, Dr. Lamberth determined, were “substantially less than one in one billion.”<sup>859</sup>

Dr. Lamberth concluded that “absent some other explanation for the dramatically disproportionate number of stops of Blacks, it would appear that the race of the occupants and/or drivers of the cars is a decisive factor or a factor with great explanatory power.”<sup>860</sup> In 1996, the judge ruled that State Police had engaged in racially selective enforcement and failed “to monitor and control a crackdown program like the [Drug Interdiction and Training Unit],” and then dismissed the criminal charges against the plaintiffs.<sup>861</sup>

The State Police and the New Jersey Office of the Attorney General knew about the rampant racism among New Jersey troopers and did nothing. In a 1993 memo, Assistant Attorney General John Fahy wrote:

In the future, some courts might rely more heavily on statistics and find a de facto pattern of discrimination resulting in selective prosecution based upon statistical evidence. The question is what percentage will be tolerated by the Court with regard to disparate figures for arrests of minorities and non-minorities... The State Police must recognize, however, that some Troopers do have very high percentages of arrests of minorities. This is not to say that any particular Trooper has engaged in racial profiling, but it could result in court inquiries into the actions of the officer and someday lead to a finding of racial profiling by that Trooper.<sup>862</sup>

In 1998, at hearings held by the New Jersey Legislative Black and Latino Caucus, Dr. Lamberth testified on the institutional causes of profiling, including racist training materials.<sup>863</sup> Dr. Lamberth cited a film by the New Mexico and New Jersey State Police departments developed as part of the United States Drug Enforcement Administration’s “Operation Pipeline” program to train troopers in the techniques of how to search motor vehicles and how to secure the motorists’ consent.<sup>864</sup> Of the 30 “offenders” arrested by police in the film, 29 were depicted as Latino. In another training film, Jamaican men – all young and with long hair – were stopped and searched in connection with drug-related offenses.<sup>865</sup> It was not a secret that, at the time, United States Drug Enforcement Agency guidance suggested an increased probability that people of color were illegal drug traffickers.<sup>866</sup>

At the same 1998 hearing, Mrs. Dorothy Cobbs, a 52-year-old homemaker from New York, testified about her experience with New Jersey State Troopers on January 4, 1996, as she was traveling on the Garden State Parkway. During the encounter, Troopers “cursed, spat upon, maced and brutalized her, then charged her with multiple criminal offenses, including aggravated assault on a police officer.”<sup>867</sup> Despite pressure to accept a plea, Mrs. Cobbs went to trial and was acquitted. New Jersey settled Mrs. Cobbs’ subsequent federal civil rights lawsuit for \$225,000.<sup>868</sup>

Calls for increased scrutiny of the State Police heightened in 1998 after Troopers James Kenna and John Hogan fired at least 11 shots into a van of Black and Latino men during a traffic stop for speeding on the New Jersey Turnpike.<sup>869</sup> Two separate grand juries indicted Kenna and Hogan for the incident, and for afterward filing false reports about what happened.<sup>870</sup>

Attorney General Peter G. Verniero’s investigation of the Kenna/Hogan shooting led him to mandate an analysis of trooper practices.

Among other conclusions, Verniero found that “while only 24% of stops involved Black drivers, and only 0.7% of all traffic



stops involved searches, Black people accounted for more than half, or 52.4%, of searches” and “19% of searches resulted in subsequent arrests or seizures of illegal items” and “62% of those arrests and seizures involved Black drivers.”<sup>871</sup> Verniero’s study found that troopers disproportionately subjected Black drivers to consent searches and deliberately entered false information about driver race to conceal their activities.<sup>872</sup>

As a result, in 1999, New Jersey entered into one of the first comprehensive consent decrees with the U.S. Department of Justice.<sup>873</sup> While the consent decree ended in 2009, racially discriminatory policing did not end with it.

Racialized policing also extended to disenfranchising voters. During the 1981 gubernatorial election in New Jersey, off-duty officers funded by political groups formed “The Ballot Security Task Force.”<sup>874</sup> These officers were sent to patrol polling locations with significant Black populations. At polling places in Newark, Trenton and Camden – but not in white suburbs – large, posted signs read, “This area is being patrolled by the National Ballot Security Task Force. It is a crime to falsify a ballot or violate election laws.”<sup>875</sup> These actions had a significant intimidating effect on voter participation and sparked a legal challenge that eventually led to a nationwide consent decree barring such activities.<sup>876</sup> That consent decree expired in 2017.<sup>877</sup>

### ***Policing in the 21st Century***

In the 21st century, New Jersey municipal police continue to shoot and kill Black people at higher rates than other racial groups. An analysis published in August 2024 by *New Jersey Spotlight News* found that among people who were fatally shot by police from 2019 to 2024, 42.1% of those who were shot were Black, 24.6% white, 14.0% Hispanic, 5.3% Asian and 14.0% unknown. These figures revealed Black people to be the only group overrepresented among police shooting victims compared to their proportion of the population.<sup>878</sup>

Most recently, in 2024, the Justice Department released findings that the Trenton State Police frequently use force

in violation of Civil Rights protections. These actions include beating a woman over the head with a police radio <sup>879</sup> and stopping Black and Latino pedestrians for adjusting their waistbands.<sup>880</sup>

The Force Report, a 16-month investigation by New Jersey Advance Media, details every reported incident of police force by New Jersey’s 468 local police departments and the State Police from 2012 through 2016.<sup>881</sup> Among other troubling trends, the analysis found that Black New Jersey residents were more than three times more likely to face police force when compared to white residents.<sup>882</sup> In some local jurisdictions, the disparities were even more pronounced.<sup>883</sup>

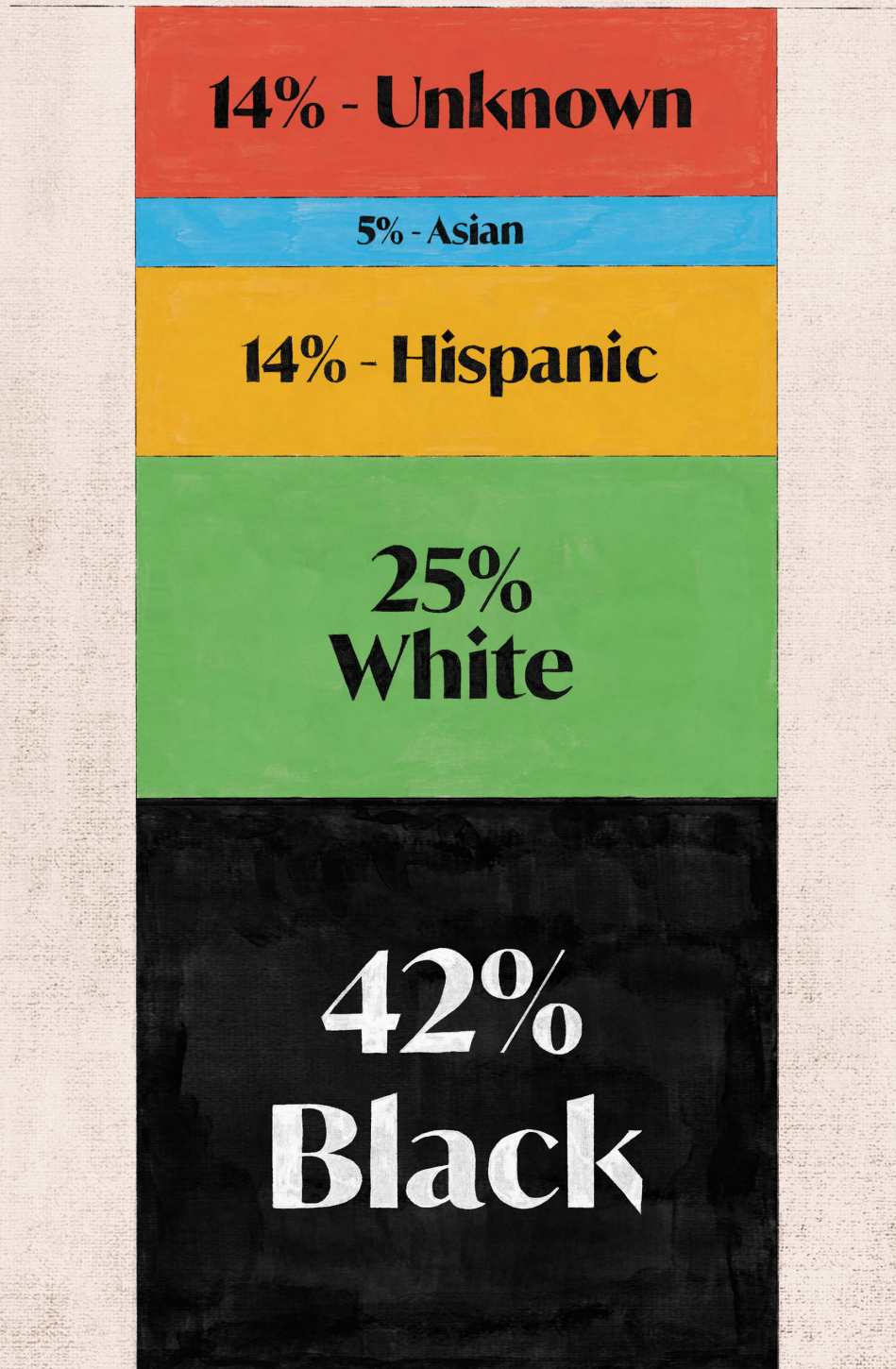
The Force Report details several disturbing encounters between Black New Jerseyans and police. In one particularly gruesome event in Bridgeton, officers went to the home of a 43-year-old Black woman to charge her with contempt for violating a no-contact order. The woman was a diabetic and asked to finish eating before she left. When she reached for a glass of orange juice, an officer grabbed her arm, bent it behind her and forced her to the floor.<sup>884</sup>

According to the lawsuit, the officers accused the woman of resisting arrest because she did not put her hands behind her back. She explained that she was unable to do so due to a frozen shoulder from a prior injury and requested to be handcuffed in the front instead. In response, officers “punched her in the face, kicked her, pulled her hair, banged her head against the floor and ... pepper spray[ed] her.”<sup>885</sup> In addition to neck and shoulder injuries, the woman suffered severe psychological distress.<sup>886</sup>

Two years later, while the lawsuit was still ongoing, the same two officers – along with a third – stopped the same woman on a residential street. She recognized and refused to unlock her car, instead calling 911. The officers then attempted to break the passenger-side window, forcibly removed the woman from the car and took her to the ground as she cried out in pain about her injured arm. She amended the suit to include this second encounter and, in 2016, reached a



# Race/Ethnicity of People Fatally Shot by Police in New Jersey, 2019-2024







Rally for Justice for Najee Seabrooks, Paterson, NJ, Mar. 16, 2023



\$690,000 settlement with the city. Under the terms of the agreement, the claims against the officers were voluntarily dismissed and the city admitted no wrongdoing.<sup>887</sup>

In 2021, the New Jersey Attorney General's Office of Public Integrity and Accountability commissioned a report on State Police traffic stops.<sup>888</sup> Dr. Matthew Ross found statistically significant evidence of racially motivated traffic stops, searches, uses of force and arrests, suggesting that "[New Jersey State Police] is engaged in enforcement practices that result in adverse treatment towards minority motorists."<sup>889</sup> Ross's study found that 46% of drivers stopped by the state police were Black or Latino, up from 35% in 2009. This represented a significantly higher percentage than either group's proportion in New Jersey's population, even though these searches were less likely to produce evidence.<sup>890</sup> This study, along with Attorney General Verniero's study in the late 1990s, further demonstrated Black people's continued exposure to overpolicing and police violence in New Jersey.

In 2024, the New Jersey State Comptroller conducted a performance review of state troopers to assess compliance with the Law Enforcement Professional Standards Act of 2009.<sup>891</sup> The Comptroller found that the State Police failed to comply with the Act. In fact, there was strong evidence that the State Police "refused for years and continues to refuse to consider implicit bias as a potential explanation" for data demonstrating racist policing "while it has also failed to identify anything else that would meaningfully explain many of the trends or taken any steps to address them."<sup>892</sup> The Comptroller concluded that the police had taken insufficient action to address rampant racism in the agency.

There continue to be calls for federal oversight of state police to address the issue of racial discrimination, particularly in light of high-profile killings of Black people in New Jersey at the hands of police.<sup>893</sup> In 2023, Paterson police fatally shot Najee Seabrooks, a violence intervention worker who was undergoing a mental health crisis.<sup>894</sup> This followed other recent killings by Paterson police, including of Jameek Lowery<sup>895</sup> and Felix DeJesus.<sup>896</sup> Seabrooks's death sparked

protests from the community and eventually led the Attorney General to take over the police department.<sup>897</sup>

In Jersey City in 2023, police killed Andrew Washington while he was going through a mental health crisis.<sup>898</sup> His death also led to protests and calls for reform.<sup>899</sup>

### ***Mass Incarceration***

Each aspect of the modern United States' criminal legal system, from policing to prosecution to prisons, is infected by systemic racism. In particular, the nation's overreliance on incarceration has caused generations of damage and harm to communities of color, with uniquely harmful impact on Black communities. New Jersey is no exception.

In recent years, New Jersey has made strides in reducing its prison and jail populations. The state has the most stable bail reform law in the nation, has reduced its prison population by more than 50% since 2011, and its equity-first approach to legalizing cannabis has eliminated at least 30,000 arrests per year.<sup>900</sup> However, incarceration levels in the state remain high and represent a massive increase over 40 years ago.<sup>901</sup>

Between 1983 and 2015, New Jersey saw a 134% increase in the number of people in the state's jails and prisons.<sup>902</sup> As of 2023, 24,000 people were incarcerated in New Jersey, equating to an incarceration rate of 270 per 100,000 people. This rate, "higher than almost every democratic country on Earth,"<sup>903</sup> is fueled in part by mandatory sentences, which were introduced in New Jersey with the criminal code of 1979.<sup>904</sup> These laws eliminate judges' sentencing discretion and mandate that defendants receive at least a specific length of prison sentence once convicted of a particular offense.<sup>905</sup>

According to the American Civil Liberties Union of New Jersey, in 1982, just 11% of New Jersey prisoners were serving mandatory sentences.<sup>906</sup> By 2023, an overwhelming 72% of people in New Jersey state prisons (9,506 out of 13,196) were serving mandatory terms.<sup>907</sup> These mandatory sentencing policies are part of the reason for the massive growth in



New Jersey's incarcerated population. Life sentences are another.

New Jersey also remains notorious for having the worst racial disparities in imprisonment in the nation, with Black New Jerseyans incarcerated at 12 times the rate of their white peers.<sup>908</sup> According to Department of Corrections figures, "sixty-one (61%) percent of all state correctional institution incarcerated persons ... were Black, 23% were White and 1% were Asian. Twelve (12) incarcerated persons were American Indian."<sup>909</sup> Additionally, 19% identified as Hispanic or Latino.<sup>910</sup> In contrast, New Jersey's population is 52% white, 23% Latino, 15.5% Black and 11% Asian.<sup>911</sup>

Black people in New Jersey are the only racial group overrepresented among the incarcerated, at a rate four-times their population share. Data shows similar disproportionality in rates of probation and parole.<sup>912</sup> And according to the Sentencing Project, Black people make up 64% of those serving a life sentence in New Jersey.<sup>913</sup> Together, these penal systems empower the state to exercise incredible control and impose significant hardship over the people in its grip. As found in a study by *The Guardian* newspaper, the experience of incarceration in New Jersey is difficult and, too often, deadly:

[I]ncarcerated men in state prisons lost about 6.5 more years of potential life on average compared to men in the state population overall. And they lost an average of 1.9 more years of potential life compared to male residents of New Jersey's poorest cities, including Camden, Passaic, Newark, Paterson and Atlantic City. The numbers suggest that neither age distribution nor socioeconomic background and race completely explain why men in New Jersey prisons are dying so young, leaving the finger pointing at standards of healthcare in state prisons.<sup>914</sup>

Once ensnared in this system, it is difficult to break free. Roughly 29% of people released from New Jersey prisons in

2017 were reincarcerated within three years.<sup>915</sup> Of those who returned to state prison, 64% were returned on technical parole violations,<sup>916</sup> meaning they were reincarcerated for non-criminal infractions like missing curfews or failing to meet with their parole officer.

Even after a period of imprisonment is complete, mass incarceration imposes significant collateral consequences on individuals and entire communities that limit their individual and collective rights of citizenship. Like the incarceration itself, these consequences are disproportionately borne by New Jersey's Black communities. For example, a study found that, under state law, approximately 219,000 to 269,000 of New Jersey's Black residents – about a quarter of the Black population at that time of the study – are prohibited from jury service due to a criminal conviction.<sup>917</sup>

Advocates have long called for access to jury service as an act of democratic power. As the New Jersey Institute for Social Justice notes in its *Jury of Our Peers* brief, "Research has shown that people who serve on juries are more likely to vote in subsequent elections. One study also found that serving on a jury led to an increase in voting by 4-7% for infrequent voters."<sup>918</sup> Four other states have already passed legislation allowing all people on probation or parole to serve on juries.<sup>919</sup>



# SPOTLIGHT:

## Youth Justice & 150 Years Is Enough

More than a century and a half ago, Frederick Douglass stated that “[i]t is easier to build strong children than to repair broken men.”<sup>920</sup> Today, those words echo with eerie precision in New Jersey’s three youth prisons: the Female Secure Care and Intake Facility (Hayes), the Juvenile Medium Security Facility (JMSF) and the New Jersey Training School for Boys (Jamesburg), which opened on June 28, 1867, just two years after the end of the Civil War.

New Jersey invests a staggering sum of nearly \$456,000 per year to incarcerate a single youth. Black youth are almost 29 times more likely to be incarcerated in New Jersey than white youth, even though the two groups commit most crimes at similar rates. As a result, the state’s massive spending in this area essentially amounts to an investment in incarcerating Black children.<sup>921</sup>

Notwithstanding this substantial investment in youth incarceration, New Jersey’s recidivism rate suggests that youth are no better from the experience once they leave: within three years of release, 74% of youth have a new court filing or arrest and 24% are reincarcerated.<sup>922</sup>

On the 150th anniversary of Jamesburg’s founding, the New Jersey Institute for Social Justice and partners launched the “150 Years is Enough” campaign to demand the closure of New Jersey’s youth prisons and urge reinvestment of those resources to create a community-based system of care.<sup>923</sup> Anchored in the belief that kids do not belong in prison, that every young person can be saved and that there are no throwaway kids, the thousands-strong diverse coalition demanded a system that invests in the possibility of every child.

Just six months after the campaign’s launch, former Governor Chris Christie and former Attorney General Chris Porrino announced that Jamesburg and Hayes would close, to be replaced with two smaller youth rehabilitation centers – not prisons – designed based on national best practices.

The campaign also championed an Attorney General directive providing for more uniform use of stationhouse adjustments, a key tool for diverting kids away from youth prison. This reform, among others, helped New Jersey reduce its prison population from its capacity of approximately 370 youth; as of 2024, 123 youth were incarcerated in the state.<sup>924</sup>

The campaign successfully advocated for legislation to eliminate oppressive fines and fees for young people in the criminal justice system. And during the COVID-19 pandemic, it led New Jersey to become first in the nation to test all of its incarcerated youth for COVID-19. The state went on to release more than 100 young people from state facilities during the pandemic and, in 2021, appropriated \$8.4 million – nearly 20% of New Jersey’s youth prison budget that year – for the development of four youth restorative justice hubs in communities most impacted by youth incarceration.<sup>925</sup> The first of those hubs recently opened in Newark.

In 2024, the Institute and partners joined New Jersey Attorney General Matt Platkin for an announcement of the Youth Justice Working Group, “From Secure Care to Restorative Care.” The group is tasked with making forward-thinking recommendations for how to use the sites of the two youth prisons scheduled to close for community facilities – including reopening the historic Bordentown School, discussed earlier in this report, as a vocational program.<sup>926</sup> The Institute, Salvation and Social Justice and the American Civil Liberties Union of New Jersey serve on the working group.

Attorney General Platkin also announced that two of New Jersey’s youth prisons would close by 2027.<sup>927</sup>



Assatta Mann, Philip Webb, Henal Patel and Kevin Chisolm of the NJ Institute for Social Justice; NJ Attorney General Matt Platkin; and Ryan P. Haygood, Ashanti Jones, Yannick Wood, Lloyd Nelson and Laurie Beacham of the NJ Institute for Social Justice at the Announcement of the Youth Justice Working Group, July 25, 2024





**Ryan P. Haygood and Ashanti Jones of the NJ Institute for Social Justice; William Ewing, Bordentown School Alumnus; Dr. Mildred Rice-Jordan, Granddaughter of Bordentown School Founder; NJ Attorney General Matt Platkin; Angie Garay, Bordentown School Alumnus; John Medley Sr., Bordentown School Alumnus; and Rev. Charles Boyer, Salvation and Social Justice at the Announcement of the Youth Justice Working Group, July 25, 2024**



# HOW TWO NEW JERSEYS BECOME ONE

Black people confront Two New Jerseys characterized by some of the worst racial inequality in America. This is not a reflection of personal failures on the part of Black people, but a result of New Jersey's deep and often overlooked system of slavery and its aftermath. Generations upon generations of policy decisions designed to harm Black people have served both as the foundation for, and the perpetuation of, the Two New Jerseys.

It is the conclusion of the New Jersey Reparations Council that the only way to move forward toward One New Jersey is to intentionally design and implement policies to repair the harms and barriers imposed upon Black people. That requires a robust reparations package of policies and restitution to be implemented for the benefit of descendants of enslaved Black people and all Black New Jerseyans who have been harmed by successive generations of stolen opportunity.



# The Stories New Jersey Tells Itself

Narrative and Identity



Photo/Jean Messeroux; Military Park Photo Exhibit, Newark, NJ, 2025



**White Americans desire to be free of a  
past they do not want to remember, while  
Black Americans remain bound by a past  
they can never forget.**

—Nikole Hannah-Jones<sup>928</sup>



**A people without the knowledge of their  
past, history, origin and culture is like a  
tree without roots.**

—Marcus Garvey<sup>929</sup>



**Now no one can fault the conqueror for writing history the way he sees it, and certainly not for digesting human events and discovering their patterns according to his point of view. But we can fault him for not owning up to what his point of view is.**

—Toni Morrison<sup>930</sup>

We cannot conclude any examination of the Black experience in New Jersey without also looking closely into the biases and points of view that have shaped what we know as “New Jersey history.” It is important to know the facts, but it is also important to understand the context that has historically determined which facts were widely known, which facts were hidden and which claims were presented as fact but never really true at all.

Who has decided? And who will decide now?

You may have already encountered new and surprising information within the pages of this report. How many New Jersey residents know that

Black people were once enslaved in this state? Or that New Jersey has a documented history of lynching? Are we aware that state lawmakers banned Black people from voting from 1807 to 1870? Or that the 1846 law that purported to abolish slavery in New Jersey in fact required “emancipated” Black people to be apprenticed to their former enslavers for life?

From museums and historical markers to historical associations, publicly-funded sites and educational curricula, we cannot evaluate New Jersey’s past and the debt that remains without understanding how the Garden State’s leaders and institutions have shaped the public understanding of that past – and



Black residents' roles in it. As we prepare for the next phase of this reparations effort, we must take a closer look at the stories New Jersey has told – and has not told – about itself. And we must understand what resources and tools have been used to disseminate those stories.

Who, throughout New Jersey's history, has been entrusted to narrate the state's evolving story? How have the voices and lives of Black people factored into those tellings? What resources have been dedicated to that storytelling, and how and where have Black communities created their own grassroots narratives in the absence of public investment?

When and how have certain histories about Black life, the role of Black people's labor in building New Jersey into the wealthiest state in America, and the realities of Black suffering and joy been suppressed or erased from public memory?

Where, when and how has Black history been addressed and prioritized as a feature of public education in New Jersey? And perhaps most importantly, what kind of reparative narratives are needed to address past and continuing harms to Black people?

## SLAVERY IN NEW JERSEY: OUR SELF-STORY

In New Jersey, the desire to see ourselves as a beacon for democracy where slavery did not happen produced a historical narrative rife with omissions, euphemisms and outright inaccuracies.

For too long, New Jersey's telling of its own relationship to racial chattel slavery has downplayed the institution's harms, minimized the state's role in its proliferation and protection, and clung to its identity as a "northern state" for absolution. In their rush to emphasize abolition and emancipation in New Jersey, early state histories not only downplayed slavery's depth and breadth but also pioneered a widespread neglect of

post-Emancipation Black history in our public discourse.

As historian James Gigantino demonstrates, the history of slavery in New Jersey has been told by historians inside and outside universities, in bits and pieces and in fits and starts, since the late 19th century.<sup>931</sup>

Many of these historical works followed narrative trends then common in American history – especially the idea, popularized by the eminent historian George Bancroft, that the nation's history progressed inexorably toward its divine destiny as the world's beacon of liberty. In this view, southern slavery presented the preeminent challenge to that preordained destiny, while northern states worked to fulfill it. The legacy of Bancroft's influence on early American historical scholarship was the long-standing historiographical portrayal of racial chattel slavery as having only shallow roots in northern soil.<sup>932</sup>

Bancroft's views are evident in some of the most important and comprehensive works on slavery in New Jersey from the late 19th century. Entries in this wave of historical writing share a curious duality, often providing horrifying details of Garden State slavery while simultaneously praising the purportedly more beneficent form the institution took in New Jersey.<sup>933</sup>

In 1889, for example, businessman Andrew Mellick published his extensive family history, *The Story of an Old Farm*.<sup>934</sup> The work contains harrowing details of the Middle Passage – the chains and whips and forced exercise on deck – as well as accounts of vicious punishments meted out to enslaved Black people in New Jersey.<sup>935</sup> Mellick's recounting of his own family's enslaving practices, however, emphasized their reluctant acceptance of the institution and the light hand with which they practiced it. He describes Yombo, one of the family's enslaved laborers, as having a penchant for treachery, but praises the man as a "valuable workman" fortunate to live under "his master's goodness." Elsewhere, the family's provision of tailored clothing and some education is cited as evidence of their benevolent mastery. In this New Jersey family of enslavers, slavery "was not



altogether an unmitigated evil.” Mellick concluded: “For a number of years much happiness in their mutual relations came to both bond and free; their lives moved on with but little friction, excepting an occasional outbreak from Yombo.”<sup>936</sup>

The era’s most extensive and scholarly account of New Jersey slavery, Henry Scofield Cooley’s *A Study of Slavery in New Jersey*, from 1896, shares Mellick’s contradictions. Cooley’s work, cited even in this report, explains slavery’s legal apparatus in colonial and post-Revolutionary New Jersey, and details the special punishments enslaved Black people faced, including public floggings and burnings.<sup>937</sup> And yet, despite the weight of his own evidence, Cooley ultimately concluded that “slaves were, on the whole, well treated in New Jersey. In most cases, they lived in close personal relations with the master’s family and were regarded by him as proper subjects for his care and protection.”<sup>938</sup>

A related strand of historiography detailed slavery’s violence in New Jersey, but mainly to present a broader narrative that praised the state’s inevitable progress toward slavery’s destruction. Richard S. Field’s 1869 address to the New Jersey Historical Society on “The Life and Character of the Hon. James Parker” included an account of the devious and illegal trade in humans from New Jersey to other slaveholding states, even after New Jersey’s 1804 Gradual Emancipation Act. Fields noted that “public sentiment at the time was not very much shocked by these practices; so that, even in New Jersey, and after slavery had been abolished by law, it was found very difficult to put a stop to that abomination, so long the disgrace of our country – the domestic slave trade.” This forceful moral condemnation ultimately existed in service to a larger narrative of progress, to set up Parker’s role in state legislation that “put an end forever to the domestic slave trade, so far as New Jersey was concerned.”<sup>939</sup>

Field’s address is emblematic of both the possibilities and the limitations of this type of progressive history: it included valuable details about slavery in New Jersey, while putting those details in service of an optimistic, uncritical and often error-prone narrative.

There may be valuable information locked away in these early histories, and some of it has already been rediscovered. Field’s

brief recounting of the state’s domestic slave-trading ring had been sitting largely forgotten on shelves for over a century before the story was powerfully revived by the Lost Souls Public Memorial Project.<sup>940</sup> A 1907 history of Mercer County notes that, when he died in 1724, capital city namesake and New Jersey Supreme Court Chief Justice William Trent’s estate included “nine negro slaves and two Indians.”<sup>941</sup> This history was not well known until the William Trent House museum conducted research into the house’s enslaved residents and incorporated their history into the house’s story.<sup>942</sup>

Still, questionable interpretations, errors and omissions abound.

Take, for example, Joseph Atkinson’s 1878 history of Newark.<sup>943</sup> It contains remarkable and valuable details about how slavery was practiced in the city, including accounts of public beatings and torture, and the way the philanthropic donation of an enslaved man helped financially support the Newark Academy in the late 18th century.

Yet these details are presented within a larger narrative that hinders an accurate understanding of New Jersey’s actual path toward emancipation. “Slavery was abolished in New Jersey in 1820,” Atkinson erroneously reports, perhaps referring to the 1820 legislation that merely continued the practice of gradual abolition. In fact, one year later in 1821, New Jersey’s chief justice established a presumption of enslaved status for all Black people in the state.<sup>944</sup>

Atkinson cites – “to the everlasting credit of Newark, and to the imperishable honor and glory of its local press” – a 1795 editorial in the *Centinel of Freedom* condemning slavery. He fails to mention, however, that the newspaper nonetheless continued to accept money to print advertisements for “runaway slaves.”<sup>945</sup>

Similarly selective was the fourth volume of a then-authoritative history of New Jersey, in which Francis Bazley Lee guided readers through the state’s role in the political developments of the 1860s in America. While noting the state’s split electoral vote in the 1860 presidential election, and that the predominant opinion among “men of influence” was that “the war was undertaken to restrain the extension of slavery,



not for its abolition,” Lee glosses over Lincoln’s loss of the state’s popular vote in 1860, his loss of both the popular and electoral votes in 1864 and the state’s initial failure to ratify the Thirteenth Amendment, skipping ahead to its eventual passage.<sup>946</sup>

Thus, while the road to abolition in New Jersey was “ragged,” in the words of James Gigantino, earlier generations of historians attempted a narrative smoothing. The horrors of the institution in New Jersey – legal, political and corporeal – are often discernible in these histories, but the foundational progressive orientation positions the institution firmly in the past, as something that was gladly overcome, rather than part of an adaptable and persistent historical system that many New Jersey residents and leaders were reluctant to leave behind.

Rather than forging from those bloody details a portrait of the larger system at work – white supremacy, global racial capitalism – that connected the colony and, later, the state to global flows of power and capital, those earlier historians deployed these details primarily to demonstrate the state’s steady march toward progress and universal freedom. One consequence of that narrative is the relative absence of post-emancipation Black life from these state and local histories. The persistence of the “badges of slavery” would not suit the dictates of progressive history.

It may be this failure to make the history of slavery relevant to subsequent eras that relegated these early histories to the margins of public memory, where they and any useful information they contained were largely forgotten.

Among the consequences is that the historical record is largely missing stories of post-Emancipation Black life in New Jersey and our collective public memory contains a limited and often strange understanding of slavery’s role in our state’s past.

When Newark celebrated its 250th anniversary in 1916 with a grand historical pageant, white men dressed as classical “tall, swarthy slaves” provided not an evocation of what Black people had endured in the city but a symbolic representation of “feminine greed” against which contemporary Newarkers were being warned. Less than a year earlier, the grave of a presumed enslaved child had been

discovered just across the river in Harrison.<sup>947</sup>

In the early 1930s, a Prohibition-era editorial printed in the *Atlantic City Press* compared local citizens’ rebellious consumption of beer to an earlier time “when the people of the North revolted from the *Dred Scott* decision.” In that earlier era, according to the editorialist, the law and the U.S. Supreme Court were on the side of slavery, “but the North was against slavery.”<sup>948</sup>

Progressive-era scholarship failed to produce histories that were accurate and thorough, thus limiting their usefulness for understanding subsequent developments. Even as they contained valuable historical details, these authors too often glossed over key facts and provided questionable interpretations. As the state of New Jersey increasingly took stock of its Black history, especially amid Great Migration and Cold War pressures, it often replicated these uses and misuses of history.

Take, for example, the *Manual of the Legislature of New Jersey*, published since at least the early 1870s “by authority of the legislature,” as its title page says. In 1878, the manual added a section on state history that, aside from a passing reference to “the slavery question,” contained no information on slavery.<sup>949</sup> Early in the 20th century, when passages on slavery were added, they erroneously located the institution solely in West Jersey, which “resembled Virginia” and where “slave owning was common.”<sup>950</sup>

This material was maintained in the 1917 edition, which further added a passage on Black voting rights in the state. While it is accurate that the state legislature ratified the Fifteenth Amendment in 1871 and that the state Constitution was revised accordingly four years later, the *Manual* is silent on the legislature’s initial rejection of the amendment in 1870.<sup>951</sup> This historical section continued with very little change through the late 1970s, after which it was removed entirely. If the *Manual* is meant to be a resource guide for legislators considering state policy, it has done little since its inception to ensure their decisions are historically informed.

Better in its invocation of history, but similarly disappointing in its deployment, the State Department of Institutions and



Agencies partnered with the New Jersey Conference of Social Work in the early 1930s to collect data that “may be used as the basis for a constructive program in promoting the social well-being of the Negro, and in improving interracial relationships.”<sup>952</sup>

The resulting report contained a historical note that recognized in slavery – as it was codified in the *Concession and Agreement*, a document providing colonists with land rights for enslaved people – the roots of Black New Jerseyans’ “social proscription.”<sup>953</sup> The report read, “In studying the history of the Negro in New Jersey one notices that his social and economic status is found to be confronted with the same problems in the earlier generation as now.”<sup>954</sup>

Yet, the history it then deployed shared the limitations of Cooley’s 1896 study of slavery, which it cited as a key source.<sup>955</sup> While containing some valuable information, it is marred by several inaccuracies (on gradual emancipation, for example) and the general notion that “slaves on the whole were treated well in New Jersey.” It neglected the state’s troubled history with post-Civil War constitutional amendments even as it ultimately concluded that “with the granting of the elective franchise, amicable relations prevailed between the two racial groups, disturbed only by the social maladjustments attending two periods of migration, 1885-1900 and 1915-1925.”

Even if this were wholly accurate, those two exceptions are massive.<sup>956</sup>

Other state reports from the 1930s made even less use of history, limiting the understanding of the origins of contemporary racial harms in one case to “traditional racial prejudices.”<sup>957</sup> These reports, while providing invaluable snapshots of Black life in Depression-era New Jersey, provided only a very limited historical accounting of those conditions and, by extension, a limited understanding of their own historical moment.

These limitations persisted in the postwar era. In its 1947 report, the state’s Urban Colored Population Commission asserted that, “with the unconditional surrender of totalitarian and fascist forces some two years behind, the

complex patterns of contradiction and paradox as reflected and interpreted in the status of America’s own Negro Citizens remain the most critical issue in the aftermath of America’s unfinished business of world-wide crusading for Democracy.”<sup>958</sup> Yet even then, a full history of racial harms would not be deployed in the democracy-building effort. That commission included no history sections in its reports.

Similarly, a dawning sense that “democracy will function more smoothly when the history of the state ... is well-taught and well-understood,” as the Syllabus Committee of the New Jersey Division of Higher Education wrote in 1946, did not ultimately require a full, accurate history of racial harm. Slavery received scant attention in a “summary and syllabus of readings” issued by the Syllabus Committee. It was included as a form of “imported labor,” while Perth Amboy’s role as the “slave port of New Jersey” was mentioned and a population chart included the category “slave or negro.”<sup>959</sup> An extraordinary amount of information – the role of the original *Concession and Agreement* in establishing colonial slavery, for example, and its codification by colonial and state legislatures – was not included. The committee did repeat, once again, the seemingly easily accepted assertion that enslaved New Jerseyans were “usually well treated” and included extensive sections on the “growth of antislavery sentiment” and action.<sup>960</sup> It does note the widespread support for the south in the Civil War years, but by this point the inexorability of the state’s momentum toward Emancipation had been well-established and that pro-southern sentiment appears as an outlier.<sup>961</sup>

The early 1960s was a season of historical commemoration in New Jersey. And while – as in early histories and Great Migration-era state publications – the history of slavery was not exactly hidden, it also was not confronted fully or used to forge a valuable understanding of Civil Rights-era struggles.

When, in 1961, the state’s Civil War Centennial Commission invited Lawrence resident John W. Harris, born into slavery in North Carolina three years before the Civil War began, to be its guest of honor at a re-creation of President-elect Lincoln’s 1861 address to the New Jersey state legislature, no one seemed to note that Harris and his family had been freed before their New Jersey counterparts.<sup>962</sup>



In the state's observation of the centennial, considerable emphasis was placed on the accomplishments of New Jersey's military units and efforts to promote national reconciliation, including the return of a captured Confederate battle flag to Chancellorsville, Virginia.<sup>963</sup> Less attention was paid to the state's own history of slavery and its legacy.

A few years later, the state officially observed its 300th birthday in celebrations that drew on a similarly selective sense of history. It compiled important bibliographies of state history and organized popular historical exhibitions.

As part of the commemoration, a Historymobile traveled the state with three exhibits: "Beginnings," "From Colony to State" and "Coming of Age." While the first exhibit included a copy of *Concession and Agreement* and the second a notable antislavery tract, the bulk of slavery-related material came in that third exhibit: "a slave chain," a photo of a formerly enslaved person, more antislavery literature and a copy of the Thirteenth Amendment.

The Historymobile's narrative flow therefore located slavery mainly in the story of its end, as what was overcome in the state's maturation (its "coming of age"), rather than as central to its founding and subsequent development. It fit the tercentenary's emphasis on state pride.<sup>964</sup>

When, in the second half of the decade, the state's failure to reckon with the persistent legacies of slavery exploded into a series of uprisings in several of its cities, official efforts to investigate the violence were poorly prepared to appreciate their historical roots.

The Governor's Select Commission on Civil Disorder, like some prior state commissions, provides invaluable information about the "social conditions" of Black life in the mid-1960s. It does not, however, use the state's deep history of racial harm to forge a fuller understanding of those conditions.

In a consideration of racial politics as a "source of tension," the commission's report points out that "New Jersey was a slave colony and a slave state" and that, contradicting so much previous discourse, "Negroes were shabbily treated."

But it quickly moves on, noting that "there was some stirring of conscience about this." The section is more focused on the development of racial and ethnic power blocs and institutions in Newark and their role in "political and social problems" than on a historical accounting of racial harms.<sup>965</sup>

During the Civil Rights Movement, a new generation of Black scholars of New Jersey history came of age. Those historians rediscovered and found inspiration in the work of an earlier generation of scholars like Marion Thompson Wright and Simeon F. Moss, who had published crucial, if not widely read, studies of New Jersey slavery, racial segregation and Black activism.<sup>966</sup>

When those young scholars intersected with the New Jersey Historical Commission, they pushed it to make real Governor Richard J. Hughes's injunction, given to the commission upon the launch of American Revolution Bicentennial efforts in 1969, to attend to a critical politics of history, to its "forgotten chapters" and to its present-day relevance, rather than approaching the commemoration "as if it were happening on a different planet."

In particular, Hughes urged the commission to be aware "of the previous neglect of Afro-American history and the current efforts to right the balance."<sup>967</sup> Since then, the commission's efforts to promote Black New Jersey history have included oral history programs, historical site surveys, publications and public programs, much of it under the aegis of its African American History Program established in 1983 under the leadership of Giles R. Wright. The program languished after Wright's 2009 death until its relaunch in 2021.<sup>968</sup>

In addition to expanded and consistent funding, statewide efforts to more accurately recount and preserve the state's history would benefit from lessons derived from its early years and from the failures of the earliest wave of writing on New Jersey slavery.

Given the paucity of published sources, Giles Wright and colleagues expanded the source base by drawing on the knowledge of state residents, local historians, museums and historical organizations.<sup>969</sup>



Since then, energetic community-based work has continued apace at numerous historical homes and churches, burial grounds, town and county historical societies and among dedicated individuals.<sup>970</sup> Any effort to promote Black New Jersey history as a part of a cycle of repair must invest in the production and circulation of these local efforts, while also encouraging a narrative approach that connects these efforts to each other and to our present day, such that an accurate and critical assessment of the state of racial justice in New Jersey can be developed.

## PUBLIC EDUCATION AND CURRICULUM

If there is to be a change in the level of awareness about dominant narratives so that New Jerseyans are literate about the truth of slavery and its legacies in this state, we must look to public education as the most important purveyor of both harm and potential amelioration.

The consequences of northern segregation logics and tactics continue to plague public education, inhibiting progress for Black students. Furthermore, Eurocentric and racially dismissive curricula impede success for Black students, reinforcing the oppression of segregation and the enduring impact of slavery. Community engaged efforts can bolster culturally responsive initiatives, such as the Amistad Legislation, to combat the lasting effects of segregation and neglect of Black history and perspectives in New Jersey.<sup>971</sup>

### *Impact of Segregation on New Jersey Schools*

Northern states such as New Jersey masked racially divisive tactics to produce segregated outcomes in contrast to the overtly discriminative and abhorrent Jim Crow laws of the south. In “The Oxford Handbook of U.S. Education Law,” Elise Boddie denounced the distinction between “de facto” segregation (i.e., differential residential patterns not directly attributable to government action) and “de jure” segregation (i.e., Jim Crow laws or agency redlining practices), arguing that the distinction serves to only relieve government officials from remedial responsibility.<sup>972</sup>

“De facto” segregation in New Jersey is anything but accidental and has resulted in racially isolated districts and recessive repercussions for Black public education.<sup>973</sup> Residential segregation has had a deleterious impact on the educational development of Black students, overcrowded classrooms (evidenced by lower per-pupil expenditures) and substandard education materials – all effects contributing to lack of Black mobility and progress.<sup>974</sup>

Additionally, because more schools were initially built in white communities when funding was available, schools in Black and Latino concentrated districts are larger and enjoy less abundant resources.<sup>975</sup> These outcomes erroneously communicate to Black students that they are inferior, unworthy and ousted from opportunities to grow and excel in society. Limiting access to quality education perpetuates disparities between communities of color and their white counterparts. These students are then confined to low-income neighborhoods with disproportionately under-invested public schools.<sup>976</sup> Courts requiring a specific showing of discriminatory intent for equal protection claims has resulted in lasting segregative effects in states such as New Jersey.<sup>977</sup>

### *Neglect of Black History and Perspectives in School Curriculum*

Recognition and celebration of Black history in New Jersey is pertinent to uplifting Black communities. But for too long, that has not been our custom in public education.

The Southern Poverty Law Center’s (SPLC) 2018 analysis of curricula in 15 states, including New Jersey, found no mentions of “racism or white supremacy in the context of slavery.”<sup>978</sup> According to the SPLC study, only “8% of high school seniors surveyed can identify slavery as the central cause of the Civil War” and less than 25% of students “can correctly identify how provisions in the Constitution gave advantages to slaveholders.”<sup>979</sup>

With this educational foundation, it is little wonder that we see such a gulf between white Americans’ views on the necessity of reparations and those of Black people: One group has



received an inadequate education on the history that undergirds the call for reparations as a need and obligation, while the other group is intimately acquainted with the legacy of harms and continuing consequences of this mounting and unpaid debt.

There is a growing body of evidence to suggest that culturally relevant approaches in education improve various student outcomes such as engagement, academic performance and motivation.<sup>980</sup> As of 2024, of all groups, Black students were furthest from their proficiency rate annual target, meeting just about half of their expected goal.<sup>981</sup> Given the concentrated population of Black students in predominantly non-white public schools, and what the research evidence suggests about achievement, the approaches to curriculum should be culturally responsive.

Research by various scholars, including K.L. Clay,<sup>982</sup> demonstrates that Culturally Responsive Education (CRE) aligns with approaches to decolonize and addresses the needs of historically oppressed students. CRE provides an inclusive space for Black students, as a reflection and celebration of their presence in education. Curricula instill valuable information, values and morals to support students' personal growth. If the values presented to students today are marred with racism and bias, society will reflect those same ideals.<sup>983</sup> Examples of racist logics found in historical New Jersey curricula and textbooks include:<sup>984</sup>

- Minimizing the scope and impact of slavery in New Jersey: Often, state textbooks have depicted the enterprise of slavery in New Jersey as benign, mild or inconsequential, including the characterization of enslaved people as content and/or well-treated.<sup>985</sup>
- Championing the "Lost Cause" narrative: In the early 20th century, specific New Jersey curricula framed the Civil War as a noble struggle not connected to slavery. This sanitized white supremacist ideologies and obscured the real causes of the war.
- Promoting stereotypical and racist descriptions of Black citizens in the era of Reconstruction: The period of Reconstruction has been characterized as one of ubiquitous

corruption and incompetence directly implicating Black political participation. This manner of teaching serves to reinforce stereotypes about Black inferiority and leads to the justification of discriminatory practices.

Molefi Kete Asante defines Afrocentricity as "a mode of thought and action in which the centrality of African interests, values, and perspectives predominate. To be Afrocentric is to place African ideals at the center of any analysis that involves African culture and behavior."<sup>986</sup>

This concept and framework provides one example of robust CRE at work and can be a liberating praxis in curriculum design that will not only support Black students but provide for a comprehensive curriculum that supports all students' learning and critical thinking skills.

The current Eurocentric curriculum will continue to perpetuate the harms that slavery and segregation caused. Cultural competency fosters cultural proficiency in classrooms, which, in turn, can reduce the gravity of racist logics. Limiting the study of Black history only to the month of February is not representative of a well-rounded or effective education curriculum. Eurocentric histories that dismiss the contributions of Black history and Black peoples globally, such as placing a larger emphasis on Greece rather than contributions of Egyptian and Sumerian civilizations, do not promote historically accurate educational narratives.<sup>987</sup> Current textbooks frequently portray Black people and other non-white groups in a negative light, feeding these racist narratives to students as reflected in the aforementioned examples.

### ***Amistad Legislation***

New Jersey was the first state to legislate a focus on Black history with passage of the Amistad legislation in 2002.<sup>988</sup> The Amistad Commission Law mandates the inclusion of Black history in public education curricula, such as the African slave trade, slavery in America and the contributions of Black people in the state's history.

The main components of Amistad are to acknowledge slavery and its lasting legacy/impact, emphasize the gravity of the



conditions of enslaved people and repercussions thereof, and outline educational requirements. The legislation created a commission that consists of 19 members, including the New Jersey Secretary of State, Commissioner of Education, Chair of the Executive Board of the President's Council and 16 public members.<sup>989</sup>

This commission is responsible for upholding the main components of the law and overseeing culturally responsive training programs for public school teachers. Although these training courses are not mandatory, they offer teachers resources on how to instruct their classrooms according to their components of Amistad.<sup>990</sup> On its face, the legislation is a triumph and a start to addressing fundamental issues in New Jersey. However, struggles with implementation have hindered its potential.

It has been over 20 years since Amistad was signed into New Jersey legislation, but research shows that, because the bill lacks oversight and direction, it has had minimal impact.<sup>991</sup> Curriculum instruction is largely based on teacher preference and direction; without proper guidance, Amistad is lost in many classrooms.

The Amistad Commission lacks authority to hold districts and teachers accountable, and state evaluations are easily circumvented. Additionally, funding issues do not support robust implementation and capacity building across school districts.<sup>992</sup>

A study conducted in Hoboken and Newark included interviews with superintendents who reported a lack of direction from the commission.<sup>993</sup> The then-superintendent from Newark acknowledged the potential of the legislation but admitted that an infusion of existing history was not enough to accomplish the goals that Amistad lays out.<sup>994</sup>

The superintendent for Hoboken, Dr. Sarah Kale, had similar insights but added that Amistad had been helpful because the district's schools are small in size and teachers take initiative to attend many of the culturally responsive training sessions.<sup>995</sup> Here again, issues such as overcrowded classrooms, the relative sufficiency of school funding across districts and the presence (or absence) of culturally competent educators surface as barriers (or boosters) for

effective implementation of the Commission's charge.

## STORIES OF RESISTANCE AND REPAIR

### *From Petitioning for Freedom to Demanding Black Power and Reparations*

For centuries, Black people have advocated and agitated to be made whole from the vestiges of slavery, relying on varied strategies including legal, political, literary, rhetorical and revolutionary. These fights and their memorialization are an essential part of the Black story, in New Jersey and in America.

In 1644, 11 enslaved Black men petitioned the Dutch West India Company for their freedom. In response, the Council of New Netherlands, together with the Company, granted Paulo Angola, Big Manuel, Little Manuel, Manuel de Garrett, Simon Congo, Anthony Portuguese, Peter Santomee, Jan Francisco, Little Anthony and Jan Fort Orange a conditional manumission consisting of land grants tied to the payment of annual duties to the company. The manumissions for the men and their wives also granted them membership in the Dutch Reformed Church.<sup>996</sup> Formal petitions for freedom continued under English colonial rule and later in independence after New Jersey became a state.

Self-liberation among enslaved people in New Jersey was not only sought through the judiciary. Black people in New Jersey resisted their bondage through insurrections and by fleeing their captors. Between 1715 and 1781, New Jersey newspapers published some 1500 advertisements for auctions of enslaved people and ads searching for enslaved people who had run away.<sup>997</sup>

Insurrections of enslaved Black people were documented throughout New Jersey, including in Somerville, Hackensack, Perth Amboy and Elizabethtown (now known as Elizabeth). After a major rebellion of enslaved people in New York City in



1741, fears of a similar incident in Elizabethtown led to at least three enslaved people being burned at the stake.<sup>998</sup>

Once free, Black people memorialized their accounts in order to continue to support abolition as well as for their own personal, spiritual and psychological repair. Writing before the Civil War, a Black woman named Esther (“Hetty”) Saunders used poetic expression to describe her harrowing escape from slavery:

Yes, I am a poet. Hetty Saunders I am, and long ago, back in 1800 when just a little girl, I was a traveling wanderer. I crossed that wide, wide Delaware River with my fathers and my brothers, all of us on a freedom journey... we made it across that river and then papa did what he thought best, left me he did with some quaker folks, the Hall family. Kind they are and I served them well, but still I am different - Black not white, alone, and only truly free when I pick up my pen.<sup>999</sup>

In the 1850s, formerly enslaved Burlington County resident Hannah Crafts asserted her freedom by picking up a pen and writing *The Bondwoman's Narrative*, a novel about a woman enslaved in the south escaping to freedom in New Jersey. Crafts had been born into slavery in North Carolina with the name Hannah Bond. Upon fleeing slavery to New Jersey, she adopted the pen name of “Crafts.” Her fictionalized autobiography written in the 1850s is thought to be the first novel written by a Black woman and the only known novel written by a self-emancipated formerly enslaved person.

As described elsewhere in this report, when a gradual abolition law was passed in New Jersey in 1804, it was enslavers who received reparations – not the formerly enslaved Black people.<sup>1000</sup> This provision was rooted in state officials’ embrace of a core American narrative: freedom and liberty must respect and recognize an essential right to property, even “human property,” and even at the cost of compensating owners for their perceived “losses.”

Black New Jerseyans continued to fight for total abolition in their state and throughout the country by joining the

Union cause in the Civil War and helping enslaved people escape to freedom. New Jersey was also an integral part of the Underground Railroad and boasts connections to the system’s two most celebrated figures: Harriet Tubman spent several summers working in Cape May while earning money to finance her liberation missions, and native New Jerseyan William Still was the most important Underground Railroad operative in Philadelphia.”<sup>1001</sup>

To strengthen their communities and repair the enduring harm of slavery, free Black New Jerseyans organized everything from fraternal lodges and benevolent societies to churches and schools. The first statewide Black convention was held in 1849 at Trenton’s Mt. Zion A.M.E. church to advocate for Black men’s right to vote. Black organizations like the Newark auxiliary to William Lloyd Garrison’s American Anti-Slavery Society advocated for abolition and opposed the American Colonization Society’s efforts to repatriate free Black people to Africa.<sup>1002</sup>

Nearly a century after Emancipation, Black Americans facing Jim Crow discrimination and second-class citizenship organized to fight for freedom. In 1951, New Jerseyan Paul Robeson led a coalition to the United Nations to present the body with a petition by the Civil Rights Congress titled, “We Charge Genocide: The Crime of Government Against the Negro People.”<sup>1003</sup>

Then in the 1960s, as Black Power swept the country, organizations like the Black Panther Party called for reparations as did Newark native and state poet laureate Amiri Baraka. Baraka joined the Republic of New Africa (along with reparations advocate Queen Mother Audley Moore) on the idea that a self-governed Black nation should be created out of five southern states, and that Black people were owed reparations of four billion dollars. Individual New Jerseyans also executed creative reparation projects like East Orange architect Edward Bowser Jr. who designed the Kuzuri Kijiji Housing Development, considered the largest housing development in the United States developed by Black people.<sup>1004</sup>



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EASTMAN—SAFETY—KODAK

13362-C



Paul Robeson  
Photo/Gordon Parks; Library of Congress



### ***Signs of Progress: Existing Proposals and Community Perspectives***

In recent years, as historians, public figures and activists of diverse backgrounds have challenged the traditional story, and as Black communities in particular have undertaken grassroots efforts to add generations of direct knowledge to the formal historical record, a more truthful story has begun to emerge.

Near the start of the 21st century, former Essex County Assemblyman Craig Stanley introduced the Racial Reconciliation Act, calling for the creation of a 29-person commission to study New Jersey's role in American chattel

slavery and anti-Black racial discrimination.”<sup>1005</sup> The proposal did not advance.

In 2019, New Jersey Senator Ronald Rice, Assemblywoman Shavonda Sumter and members of the Legislative Black Caucus introduced a bill to establish a New Jersey Reparations Task Force.<sup>1006</sup> Consistent with New Jersey's generations-long reluctance to squarely confront its enduring history of slavery, some legislators resisted including the word “reparations” in the commission's title. In response, the New Jersey Institute for Social Justice and its partners launched the Say the Word: Reparations campaign.<sup>1007</sup>



**Ryan P. Haygood, President & CEO, NJ Institute for Social Justice  
Introduction of Legislation for a Reparations Task Force, Nov. 14, 2019**



Eighteen New Jersey municipalities and two counties have passed resolutions in support of the reparations task force legislation<sup>1008</sup> – nevertheless, it has also stalled. The Say the Word campaign, however, elevated the reparations conversation through the advocacy of its multi-faith, multi-racial coalition. This created a narrative-changing moment across New Jersey.

In 2023, the New Jersey Institute for Social Justice, in partnership with the Robert Wood Johnson Foundation, then took action into its own hands and convened the first-of-its-kind New Jersey Reparations Council of experts from around the state and country, which has produced this report.

Organizations like the William Trent House Museum, the James Howe House, Sankofa Collaborative, William Still House, Timbuctoo Cemetery and the Stoutsburg Sourland African American Museum have for years worked to tell the fuller story of slavery to the public. Princeton University and Rutgers University have also undertaken efforts to research and publicly grapple with the truth of their institutional ties to the history of slavery in New Jersey.

Many of these sites are now part of the New Jersey Black Heritage Trail, which was signed into law on September 7, 2022, by Gov. Phil Murphy “to promote awareness and appreciation of Black history, heritage and culture.”<sup>1009</sup> The trail highlights Black heritage sites through historical markers and a trail-like path that connects the stories of Black life and resiliency throughout the state. Municipalities like Newark and Perth Amboy have also memorialized their histories of slavery with commissions like “Shadow of a Face” and the Middle Passage Port Marker, respectively.

Towns are also acknowledging their past racial violence. In 2022, Eatontown placed a marker at the site of the only known lynching in the state<sup>1010</sup> and Elizabeth dedicated a plaque at the Union County Courthouse to memorialize three enslaved men unjustly executed there in the 1700s.

Recent reparations efforts have also included substantial private investment. Princeton Theological Seminary committed \$27 million to various initiatives to recognize the institution’s own history of slavery and to articulate how it benefited from it. Even by the Seminary’s own estimates, this \$27 million commitment fails to adequately redress the value of the benefits received.<sup>1011</sup>

Private citizens have joined in making personal efforts at reparations based on information they have discovered about their families’ involvement with chattel slavery in the state. For example, Beth Krueger Marks writes about her family’s history of enslaving people in Hunterdon, New Jersey, in a popular blog.<sup>1012</sup>

On a national level, the Commission to Study and Develop Reparation Proposals for African Americans Act, first introduced in 1989 by U.S. Rep. John Conyers, aims to create a commission to examine the merits of introducing reparations to Black Americans for slavery in the United States. The most recent iteration of Bill H.R. 40 was sponsored by the late Rep. Sheila Jackson Lee and gained momentum in 2019, after finally receiving a hearing. That proceeding included testimony from journalist and writer Ta-Nehisi Coates and U.S. Senator Cory Booker (D-NJ), who sponsored the Senate’s companion bill, S. 1083 (S. 40 in the current session).

After the death of George Floyd over Memorial Day weekend in 2020, protests erupted around the world. On June 6, 2020, half a million people turned out in nearly 550 places across the United States, bringing worldwide attention to the persistent oppression of and state sanctioned racial violence inflicted upon Black people in this country. In New Jersey, marches and protests happened in Asbury Park, Trenton, Camden, Atlantic City and more.<sup>1013</sup> By September 2020, New Jersey declared Juneteenth a statewide holiday – nearly a year before President Biden signed legislation establishing it as a federal holiday.



# TELLING THE TRUTH

For too long, the true story of the history of Black life in New Jersey and the legacy of chattel slavery and Jim Crow in the state have been ignored and dismissed as too complicated or difficult to consider.

But time has not erased the harm, nor the debt owed to Black people, nor the story behind it. Black people in New Jersey remain as central to the American story as any other group, as entitled to the promise of liberty and opportunity as any other group, and as determined as ever to make this the generation that sees reparations realized.

The movement for reparations must be rooted in efforts to build a truthful record of the harms imposed upon Black people in the state – determined to establish an authentic narrative as a core of New Jersey’s identity and committed to ensuring that, once accurately recorded and widely understood, that debt is fully paid.

With this report, the New Jersey Reparations Council aims to motivate institutional and cultural interventions, public dialogues and campaigns to correct the record and tell the truth. From that true story will grow the freedom, liberation and reparations Black people in New Jersey deserve.



# A Blueprint for Repair: Addressing the Harm and Empowering Black People to Flourish

Policy Proposals



Taja-Nia Henderson (Rutgers Law School), Maisha Simmons (Robert Wood Johnson Foundation), Ryan P. Haygood (NJ Institute for Social Justice) and Jelani Cobb (Columbia Journalism School) at the NJ Reparations Council One-Year Anniversary Event, NJPAC, June 19, 2024



**We were told once, by virtue of  
our bondage, that we could never  
be American. But it is by virtue of  
our bondage that we became the  
most American of all.**

—Nikole Hannah-Jones,  
The 1619 Project<sup>1014</sup>

Those powerful words from Nikole Hannah-Jones ring true right here in New Jersey.

For more than two hundred years, New Jersey law authorized the enslavement of generations of Black people, without compensation. Those survivors and their descendants then endured New Jersey's own Jim Crow, racial terror, institutional racism, police abuse and segregation. And they have faced incomparable barriers to building wealth, pursuing opportunity and enjoying full and healthy lives.

Yet, from the start of their enslavement, Black New Jerseyans have fought for freedom. They served in the nation's armed forces, both at home and abroad. They laid the bricks of some

of our state's most venerated institutions. They put their bodies on the line in successive battles for democracy and justice. And they have helped build New Jersey into one of this country's wealthiest states.

In all those ways, Black New Jerseyans have become the most New Jersey of all. There would be no New Jersey as we know it without Black people. The soil of this state is rich with Black blood, sweat and tears. Black people have plowed and planted and sown on this land for years upon years. And now, they are due to reap.

Black people also know, better than anyone, that New Jersey today remains a version of Dr. King's "Two Americas." It is home to great wealth and



some of the worst racial disparities in the United States. While Black people have urged America to be honest with itself and challenged America to live up to its own ideals, the country has so far refused to do either.

New Jersey, too, has failed on both counts.

As discussed within this report, New Jersey has told sanitized versions of its history, perpetuated the consequences of its past and failed to take reparative action toward Black people who have demonstrated more allegiance to this democratic experiment than even the forefathers who conceived it.

**It is time to build a new New Jersey for all its people. It is time for reparations.**

Below, the New Jersey Reparations Council sets forth bold, transformative and strategic policies and investments in pursuit of building that new New Jersey.

These proposals are designed to acknowledge and repair the enduring harm created by racial chattel slavery – and to ensure its harms are never repeated.

According to the United Nations,<sup>1015</sup> reparations must include: 1) Cessations and guarantees of non-repetition; 2) Restitution; 3) Compensation; 4) Satisfaction; and 5) Rehabilitation.<sup>1016</sup>

The Council's reparations proposals are designed to achieve those goals and to respond to three racial regimes in New Jersey, as described in this report: 1) slavery; 2) racist policies during the Jim Crow Era; and 3) institutional (systemic) racism in modern times.

**The Council's recommendations are also premised on two fundamental principles:**

First, because slavery harmed both enslaved and free Black people, and because segregation and institutional racism have harmed descendants of enslaved people as well as Black people who arrived in New Jersey well after slavery, all Black people in New Jersey are eligible for reparations.

We understand that there are committed advocates who wish to limit reparations only to the descendants of enslaved Black people. We acknowledge that position, even as we articulate a broader, more inclusive, vision.

Second, comprehensive reparations must include both direct payments and policy remedies.

The racial wealth gap in New Jersey is a staggering \$642,800. Economists agree that the racial wealth gap is more of a "gulf," impossible to bridge through wage earning and individual economic advancement.<sup>1017</sup> The only way to close the racial wealth gap – and address other post-slavery harms – is through direct payments to Black individuals.

At the same time, direct payments alone are insufficient. Policymakers must consider them as one tool in the toolkit. They must be implemented in tandem with transformational policies that change systems in order to create sustainable and lasting institutional change, change the conditions that perpetuate racial disparities and prevent the recurrence of injustices. These comprehensive reparations must be commensurate in scope with the widespread and lasting harms caused by racial chattel slavery and its aftermath.

Notably, effective reparations must include policies conscious of the enduring impact of racism and racial bias in New Jersey. For that reason, this Council urges New Jersey to pass a constitutional amendment reflecting the Fourteenth Amendment's original purpose to empower lawmakers to pass remedial legislation, and also encourages reimagining federal constitutional interpretation consistent with this.

Finally, when considering the reparative recommendations included in this report, it is helpful to recognize that when we create a new New Jersey where Black people can truly be free, be whole and flourish, history teaches us that everybody will win.

As historian Eric Foner points out, when the Reconstruction Amendments were passed, the trajectory of the nation was fundamentally altered, establishing a "second founding" in its expansion of democracy.<sup>1018</sup> The 1619 Project notes how



emancipated Black people's commitment to education as part of freedom ushered in free public education throughout the south.<sup>1019</sup> The decades long mobilization that culminated in the Civil Rights Acts of the 1960s catalyzed many other movements and influenced immigration policy, helping to further diversify the country.<sup>1020</sup>

The movement for reparations today will help create a more equal, just and prosperous New Jersey for everyone. We know that expanding voting rights will help everyone participate in democracy. Cleaning up toxic waste sites and addressing environmental injustice will make everyone healthier. And creating economic opportunity and closing the racial wealth gap will make for a stronger economy overall.

When we live on a foundation of equity and opportunity, everyone in New Jersey will benefit.

**The following recommendations provide a blueprint for reparations in New Jersey.**

## DEMOCRACY

New Jersey has historically suppressed Black participation in the electoral process. In the aftermath of the Civil War, state lawmakers initially refused to ratify the Thirteenth and Fifteenth Amendments and rescinded the state's initial ratification of the Fourteenth Amendment to the U.S. Constitution. Although New Jersey added a provision to its state constitution in 1947 prohibiting racial discrimination in the enjoyment of any civil right,<sup>1021</sup> it has nevertheless continued to diminish Black residents' political power by erecting obstacles to registering to vote, casting a ballot and having that ballot counted. Political inequality compounds other forms of inequality by limiting Black people's ability to seek legislative redress.

### ***Structural Remedies for Historic Racism and Discrimination in New Jersey Democracy***

New Jersey can begin to address the race-based disadvantages to democratic participation that have accrued over many

decades by increasing opportunities for more direct political participation by Black people and through changes in the state's formal democratic processes. The state should initiate a Third Reconstruction<sup>1022</sup> in New Jersey through intentional policy.

1. **Amend the New Jersey Constitution to add language that reflects the original purpose of the Fourteenth Amendment.** New Jersey courts have long recognized that Art 1, Par. 1 of the New Jersey Constitution guarantees equal protection through its "natural and unalienable rights" provision.<sup>1023</sup> Indeed, this provision is "more expansive language than that of the United States Constitution."<sup>1024</sup> However, New Jersey should go even further and recognize a need for race-conscious remedies. In the absence of courts recognizing this, the state must add a constitutional amendment reflecting the Fourteenth Amendment's original purpose,<sup>1025</sup> which would empower the state legislature to enact race-conscious legislation to remedy policies that produce a disparate impact and other racial disparities. This should be accompanied by a transformed federal constitutional interpretation that is consistent with this.
2. **Create a Reparations Bureau.** Given the scale and scope of comprehensive reparations, the state needs to create a new entity to oversee and manage reparations initiatives in New Jersey. This entity must be accountable to all New Jerseyans, and especially to Black New Jerseyans who continue to be harmed by the legacies of slavery and segregation in the state.
3. **Close the Thirteenth Amendment's loophole for involuntary servitude in New Jersey.** New Jersey need not wait for a federal constitutional convention to abolish involuntary servitude for persons convicted of crime. The Thirteenth Amendment to the U.S. Constitution, which abolishes slavery, includes an exception for those "duly convicted" of crime. Since ratification, this provision has been used as a shield against claims that forcing incarcerated people to labor for low or no pay is unconstitutional. New Jersey should follow the examples of Alabama, Oregon, Tennessee, Vermont, Colorado, Nebraska, Utah and Rhode Island and ban the involuntary labor of convicted people.<sup>1026</sup>



4. **Create a multiparty electoral system that encourages parties representing interests of Black communities.** The current two-party system in New Jersey does not sufficiently address the needs or interests of a multiracial democracy. New Jersey should create an electoral system that encourages and sustains the development of multiple political parties that are responsive and attentive to the will of Black communities.
5. **Create and fund a right to counsel for matters involving all basic human rights.** In 1963, the U.S. Supreme Court held in the landmark decision, *Gideon v. Wainwright*,<sup>1027</sup> that most people charged with offenses have a constitutional right to counsel in criminal cases. This decision should have benefited Black people who were disproportionately brought into the criminal justice system, but the promise of *Gideon* still remains unfulfilled.<sup>1028</sup> New Jersey should recognize this disparity and fully pledge to provide equitable access to public defenders. But the state should also go further and establish a right to counsel for civil cases involving basic human rights, such as “shelter, sustenance, safety, health, and child custody”:<sup>1029</sup> a civil *Gideon*. This would particularly benefit Black people in the state who face economic inequities that create barriers to justice. This right must also include the right to counsel for all immigration proceedings.
6. **Require racial/ethnic impact statements for all state legislation and initiatives and ensure consistent implementation of current impact statement law through enforcement mechanisms.** Although New Jersey law currently requires the state’s Office of Legislative Services to prepare racial impact statements for policy changes that affect pretrial detention, sentencing and parole,<sup>1030</sup> the law should be expanded to cover all policy changes/laws and to include non-legislative (administrative or judicial) policy changes that could lead to more racial disparities within the system.
7. **Restore the right to vote to incarcerated people.** New Jersey’s continued law banning all people with criminal convictions from voting while incarcerated serves to disproportionately disenfranchise Black people. In New Jersey, 61% of incarcerated people are Black.<sup>1031</sup> The state must restore the right to vote for all people who are currently incarcerated in New Jersey and otherwise eligible to vote.<sup>1032</sup>
8. **Pass a New Jersey Voting Rights Act.** New Jersey must ensure that Black people in New Jersey do not face barriers to voting, that they are protected from discriminatory voting policies, and that they are provided the legal tools needed to challenge attempts to diminish their political power.<sup>1033</sup>
9. **Enact same-day voter registration.** New Jersey should join 25 states and Washington D.C. by enabling same-day voter registration. This would allow eligible voters to register and vote on the same day, reducing confusion and bureaucratic obstacles to voting that disproportionately affect Black voters. It’s a proven way to boost participation, especially among young and first-time voters.<sup>1034</sup>
10. **Enact racial justice reforms for redistricting, including creation of an independent redistricting commission.** Establishing an independent redistricting commission and banning racial gerrymandering would help protect Black communities from dilution of their political power. These reforms would support more representative elections and fairer outcomes.
11. **Mandate paid time off to vote for all elections.** Many Black workers, especially those in low-wage or hourly jobs, face challenges finding time to vote that does not conflict with their work schedule.<sup>1035</sup> Requiring employers to allow time off to vote would ensure that no one has to choose between earning a paycheck and participating in our democracy.
12. **Lower the voting age to 16 years old for state, municipal and school board elections.** This would expand access to the vote for young people, who are disproportionately Black and Latino in New Jersey cities, and establish the habit of voting among our state’s youth.

### *Recommendations Related to Electoral Harms*

New Jersey can undo antidemocratic harm by enacting comprehensive legal reforms to expand Black people’s political power.



### ***Recommendations for Harms Tied to Political Favoritism and Party-Based Discrimination***

Many state and federal democratic institutions were created during slavery or soon after by former enslavers seeking to maintain political power for white propertied men. This includes the Electoral College, which is rooted in racism and slavery and makes it impossible for a multiparty system to flourish.

- 13. Create a permanent Office of the Public Advocate.** Restore the previous position of Public Advocate, which is responsible for advocating for the rights of New Jerseyans and making government more accountable to New Jersey residents and communities. Establish safeguards to ensure the position cannot again be abolished.
- 14. Allow only public financing of all campaigns for state and local office.** With this policy, private contributions could still be accepted but would go to a public financing pool. This must be implemented in tandem with improving transparency around campaign finance to make it easy to track sources of contributions.
- 15. Transition to full-time state legislators with full-time pay.** Adequately representing the people of New Jersey is a full-time job, thus participation in the legislature should not be a part-time role.<sup>1036</sup> Having a full-time legislature would reduce conflicts of interest and attract a larger pool of candidates for office.

### ***Recommendations for Harms Tied to Black Migration***

From the Fugitive Slave Law to the Great Migration and up to the present day, New Jersey has monitored, policed and/or legislated the movement and migration of Black people in the state, occasioning the loss of personal and political freedoms. New Jersey should adopt the universal democratic right of the free movement of all people, Article 13 of the Universal Declaration of Human Rights.<sup>1037</sup>

- 16. End cooperation intended to deport immigrants.** Pass legislation protecting immigrant privacy that limits cooperation and data sharing between state agencies and federal immigration enforcement, to take a clear stand against the racial profiling, surveillance and targeting of Black immigrants (as well as Arab speaking and Muslim

immigrants) that has been a hallmark of the Department of Homeland Security's enforcement agenda. New Jersey must protect immigrants, including Black immigrants, from unlawful mass detention and deportation.

- 17. Provide basic resources for immigrants.** Expand access to healthcare and education to all immigrants regardless of status and invest in community support of immigrant communities.
- 18. Guarantee the right to vote in local elections for all residents, including non-citizens.** Allow all residents, including Black immigrants, to have a voice in electing local officials.

## **ECONOMIC JUSTICE**

### ***A Paul Robeson Plan for Black New Jersey<sup>1038</sup>***

Correcting systemic disinvestment requires systematic investment. There is a pressing and long-standing need for economic justice to address the generations of atrocities, inhumane treatment, economic exploitation and other injustices perpetrated against Black people in New Jersey.

Achieving racial economic justice in New Jersey hinges on confronting historical inequities and implementing reparative strategies that address the wealth gap and economic well-being of Black residents.

To take responsibility for slavery and its lasting legacy on Black people, New Jersey should pioneer financial incentive structures. This will amount to a redirection of intergenerational transfers of wealth that have, for generations, largely benefited white families in the state and nation.

New Jersey must end the practice of limiting the success of its economy by segregating and discriminating against Black people. By enabling Black New Jerseyans to build wealth, buy homes, pay off debt, invest in education and expand businesses, reparations would stimulate economic activity for everyone and expand the state's tax base.



New Jersey must:

1. **Provide direct payments to the descendants of enslaved Black people in New Jersey for the uncompensated labor extracted from their ancestors.** Enslaved Black people's uncompensated labor for more than two centuries helped to build New Jersey into one of the wealthiest states in America.

But no compensation was ever paid to formerly enslaved Black people for their stolen labor or to their descendants.

Instead, from 1806 to 1811, New Jersey provided approximately \$1 million in current dollars in reparations to compensate enslavers under the Gradual Emancipation Act of 1804 – until it nearly led the state into bankruptcy. In one year during that reparations program, New Jersey's payments to enslavers accounted for nearly 30% of the state's budget (see Appendix A for further detail).

Enslavers were the beneficiaries of both the wealth acquired from the stolen labor of enslaved Black people, and the reparations paid to enslavers. Both types of wealth were then passed on to the enslavers' descendants.

The state should provide reparations to the descendants of Black people enslaved in New Jersey to compensate them for more than two hundred years of stolen labor extracted from their ancestors. The state should use the approximately \$1 million paid to enslavers as a data point to determine, along with additional research and analysis, the debt owed to the descendants of enslaved people.

2. **Provide direct payments to Black people in New Jersey for post-slavery harms.** New Jersey should provide direct payments to Black New Jerseyans and Black communities for past and current harms that were/are enabled, condoned and perpetrated by the state and its localities against Black people and Black communities after slavery, including but not limited to harms connected to racial terror, environmental injustice, state-sanctioned violence, health outcomes, mass incarceration, segregation and public education. Research will be required to determine the correct formula for calculating these payments.
3. **Provide direct payments to Black people in New Jersey to close the racial wealth gap.** The racial wealth gap in the

U.S. – and New Jersey – is a direct result of the legacies of slavery and its aftermath.<sup>1039</sup>

Analysis suggests that it would take 228 years for Black people in America to amass the wealth that white people enjoy today.<sup>1040</sup> This gap is not the result of individual Black people's failure to accumulate wealth, but rather the systemic exclusion of Black people from the drivers of intergenerational economic mobility.<sup>1041</sup> For that reason, the racial wealth gap cannot be closed without significant wealth transfers.<sup>1042</sup> Wealth begets wealth.

New Jersey is an extraordinarily wealthy state with a staggering Black/white racial wealth gap of approximately \$643,000.<sup>1043</sup> The Council believes that providing payments to Black people directly aimed at closing that gap is a sensible and concrete way to proceed.

There are many possible approaches to arriving at a dollar figure for doing so.

The Council has determined the estimated direct payments New Jersey should pay in reparations to Black people to close the racial wealth gap are as following:

1. the individual racial wealth gap: \$178,000 to each Black person; or
2. the household wealth gap: \$642,800 to each Black family.

This would require an investment of approximately \$263 billion to close the racial wealth gap for Black individuals in the state, or \$363 billion to close the racial wealth gap for Black families (see Appendix B for further detail).<sup>1044</sup>

For perspective, in the midst of the COVID-19 crisis, New Jersey lawmakers passed the Economic Recovery Act of 2020,<sup>1045</sup> which included \$14 billion in corporate tax breaks. This corporate welfare package was enacted in less than a week, even as the state's major, Black-led organizations warned that prioritizing corporate subsidies during the crisis would "eclipse critical funding needs for Black people in this state."<sup>1046</sup> Those funding needs included support of the health care infrastructure struggling to keep pace with the incidence of COVID-related illness and death in New Jersey.



Crucially, direct payments designed to close the racial wealth gap must work in tandem with direct payments to redress the accumulated harm of slavery and its impact on Black life and prosperity, as well as payments to descendants of slavery in New Jersey – all accompanied by other investments aimed at establishing sustainable, long-term repair to Black communities in other areas where disparities persist.

4. **Establish a New Jersey Baby Bonds Program.** The issuance of Baby Bonds (or more accurately, “Baby Trusts”) in New Jersey, government-funded savings accounts for children at birth, would establish an economic birthright to capital for everyone in perpetuity. These accounts are held in public trust, similar to Social Security, and could be used as a capital foundation for an economically secure life. Without such early intervention and investment, the iterative and consolidative tendency of wealth – and therefore capital – would trend deeper toward racial inequality and wealth disparities.

A Baby Bonds Program would support a solid financial foundation for young people to build intergenerational wealth and plan their lives. New Jersey should follow Connecticut and Washington, DC,<sup>1047</sup> in implementing a robust Baby Bonds Program<sup>1048</sup> that complements the national Baby Bonds proposal.

5. **Amend the state constitution to establish a fundamental right to employment.** The state should pass a constitutional amendment guaranteeing a right to full employment. This will ensure just conditions of employment, freedom from unemployment and the strengthening of laws on the hiring and firing of workers. The state should enact legislation to encourage private sector employment while increasing public sector employment to ensure full employment.

This would particularly benefit Black workers, who have faced historical barriers to employment and equitable wage earning and who continue to face higher unemployment rates. State investment in workforce development should include greater opportunities for skill building and career growth, such as paid apprenticeships in the trades, and include public infrastructure investment

that would benefit the state and all its residents. Modeled on the transformative programs of the New Deal,<sup>1049</sup> a New Jersey Jobs Guarantee would remake New Jersey into a true land of opportunity.

6. **Increase the state minimum wage to a living wage, indexed to inflation, for all employees.** Increasing the minimum wage to an indexed living wage will provide a financial foundation for working people in New Jersey to better meet daily needs, build wealth and improve their overall well-being. New Jersey should also close all the current loopholes in the minimum wage law so that minimum wage is the same for all employees, including tipped workers. Indexing the wage for inflation will ensure that the minimum wage maintains its value over time.<sup>1050</sup>
7. **Enact state and local tax reform.** New Jersey’s tax code has long favored wealthy individuals and corporations, exacerbating racial and wealth disparities in Black communities. To close the racial wealth gap and create a more equitable economy, the state must restructure its tax system at both the state and local levels. This includes making the personal income tax more progressive with new brackets for ultra-high earners and holders of wealth, restoring the estate tax to limit intergenerational transfers of extreme wealth, and closing corporate loopholes through combined reporting. Local property tax schemes should be audited for racial bias, with expanded relief for low-income homeowners and renters. Refundable tax credits like the Earned Income Tax Credit and Child Tax Credit should be increased and made more inclusive to support Black families. Additional reforms include taxing ultra-luxury real estate, exploring a capital gains surtax, and auditing existing tax rules that reinforce racial and economic inequality.
8. **Establish a state public bank.** New Jersey needs a state bank to expand access to capital at competitive rates for creditworthy projects that fall within socially beneficial categories and are currently not funded or not funded adequately. Such a state-owned public bank should guarantee equitable access to banking services, particularly for Black people, offering fair credit opportunities for communities and individuals that



have been marginalized and targeted for harm by mainstream financial institutions. To build and support New Jersey's network of strong and reliable credit unions, community banks and Community Development Financial Institutions (CDFIs), a public bank could partner with and channel local and regional investments through these institutions and other non-profit institutions to help ensure high credit quality, while providing loans to low- and moderate-income and Black and other households and small businesses of color.

9. **Pass a state Community Reinvestment Act.** In keeping with the intent of the federal Community Reinvestment Act (CRA),<sup>1051</sup> New Jersey must pass a state-level CRA to ensure that financial institutions, including non-banks and other institutions, are more responsive to the communities they serve, especially Black communities who have experienced a long history of discrimination in banking and continue to face barriers to fair lending. Given that non-banks dominate the mortgage market, it is crucial that non-bank institutions are held to the same standards as all other banks and financial institutions operating in New Jersey. A state CRA policy would also enable New Jersey to tailor reinvestment requirements to meet the needs of all New Jersey's communities, particularly Black communities who have suffered the harms of inequities of historic and modern-day redlining. The language of the state-CRA should be much stronger with regard to equity than the federal CRA with a focus not only on low- and moderate-income communities, but also Black and other communities of color.
10. **Create a sectoral bargaining law.** Since the time of slavery, Black labor has been devalued, minimized and overlooked. There is a complex history of Black participation and exclusion in unions, including Black unions acting as catalysts for the Civil Rights Movement.<sup>1052</sup> Yet there has been a decline<sup>1053</sup> in unionized positions over the last half century. In order to ensure that the interests of Black labor are properly represented in the workplace, New Jersey must pass legislation allowing Sectoral Bargaining, collective bargaining between industries or occupations and employers, which would help close the racial income gap

and reduce economic inequality.<sup>1054</sup> Sectoral bargaining would catalyze and facilitate centralized and standardized pay structures which have been shown to decrease the racial income gap.<sup>1055</sup> Since New Jersey has a long history of allowing public sector collective bargaining, this must be extended to the private sector, as well.<sup>1056</sup>

## SOCIAL PROGRAMS AND WELL-BEING

A comprehensive approach to well-being that helps families meet daily needs is needed to ensure that Black families are able to not simply get by but thrive. Social programs must provide families with the resources to flourish, free from systemic racism and bias that has plagued so many of our social programs. Program design should be based on respecting families to know their needs best and providing support that empower families.

1. **Establish guaranteed income for residents of New Jersey.** Freedom from economic deprivation should be a minimum threshold for each resident of New Jersey. Poverty is closely linked to poor health outcomes, as it limits access to quality healthcare, nutritious food and safe housing. In one of the wealthiest states in the wealthiest country in the world, a guaranteed income will help ensure that all people and families in the state are able to meet their basic needs. Guaranteed income will support economic inclusion for all residents, but particularly Black New Jerseyans, who have been excluded from the drivers of wealth building in the state and are more likely to live in poverty than their white peers. Modeled on the Guaranteed Income program pilot launched in Newark in 2020, a broader program for all of New Jersey could promote economic engagement, wealth accumulation and local investment.<sup>1057</sup> A guaranteed income would create a foundation for security and ensure basic needs required for a healthy life are met.



2. **Fund and implement universal free breakfast, lunch and after-school meals in all New Jersey schools.** Studies have shown that children have difficulty focusing and do not learn well when they come to school hungry. For many children, school meals provide more than half of their daily caloric intake. In New Jersey, Black children are disproportionately more likely to have food insecurity at home,<sup>1058</sup> and school-based food programs are critically important for these children and their families. Universal free breakfast, lunch and after-school meals in New Jersey schools would support learning, academic achievement and economic mobility, while reducing the fiscal burden of state and local administrative apparatuses for means testing.<sup>1059</sup>

3. **Boost support for community development to enhance collective well-being.** Community supports to ensure that Black families can flourish require broad investments in community development and quality of life, including:

- Transportation subsidies, especially for the elderly, disabled people and youth, to increase access to employment opportunities, address food deserts and limited access to quality health care facilities within Black neighborhoods.
- Child- and youth-care subsidies to provide safe, accessible and reliable childcare, after-school and summer youth enrichment options for all New Jerseyans.
- Increased investments in small businesses and entrepreneurialism in New Jersey, including expanded opportunities for public contracting for Black-owned businesses in the state and subsidized small business loans provided to Black people.
- Investments in social capital and human capital, including increased support for institutions of higher education in New Jersey that have been federally designated as Minority Serving Institutions, as well as for expanded workforce development; and

- Targeted benefits including housing subsidies to reduce and eliminate disparities in well-being between Black and white people.

4. **Implement a "Family Preservation Fund" that redirects funds typically allocated to foster care placements directly to families when cases involve neglect allegations related to poverty rather than substantiated abuse.** Families should be provided with financial support equivalent to or exceeding the stipends that would be paid to foster families. New Jersey's Department of Child Protection and Permanency (DCPP) should create analyses that provide a clear distinction between neglect stemming from poverty versus substantiated abuse in assessment protocols. DCPP should establish a threshold requiring substantiated abuse allegations before out-of-home placement is considered.

5. **Develop and implement a two-stage blind assessment protocol that initially strips demographic information from case referrals to reduce implicit bias in decision-making.** Initial screenings should be conducted without access to racial, neighborhood or other demographic identifiers. Standardized assessment tools should focus solely on evidence-based risk factors. A secondary review should be developed that includes cultural context but maintains accountability for decisions. Regular blind audits of case decisions must be implemented to identify patterns of bias.

6. **Create a humane system for emergency shelter and housing.** Given the long history of separating Black families, all the way back to the times of enslavement, New Jersey must take a humane approach to the emergency shelter and housing system with particular attention paid to the impact of family separation/risk of foster care for (1) children of the survivors of domestic violence, and (2) immigrants and asylum seekers without work authorization or permanent status, particularly Black immigrants.



# HEALTH EQUITY

As Dr. Richard Besser, President and CEO of the Robert Wood Johnson Foundation, has recognized, health in America “should no longer be seen as a privilege, but should be a fundamental right.”<sup>1060</sup> To realize that future, “we have to remove the barriers that are there to health in our nation, and one of the biggest barriers in America is structural racism. We believe that because these systems were intentionally constructed, they can be intentionally taken down,” he said.<sup>1061</sup> Dr. Besser went on to observe that, in many Black communities:

public health has not been trustworthy, and that’s not a new phenomenon. The history of public health in America has involved experimentation in Black communities, and it has involved treating health disparities as a personal failure rather than systemic issues that need to be addressed.<sup>1062</sup>

This is particularly true in New Jersey, which has long failed to properly address the health issues precipitated by the state’s history of slavery, anti-Black racism, segregation and economic barriers.

To comprehensively address these issues, New Jersey must implement the following policies.

1. **Establish universal health insurance coverage for all adults and children.** Research shows that inadequate, or inaccessible, comprehensive health insurance coverage contributes to significantly worsened health outcomes for Black New Jerseyans, who are more likely to be uninsured and underinsured and less likely to have employer-provided insurance. Even when Black people do have access to care, it is more often of lower quality compared to white people. Equal treatment and broad access to comprehensive health insurance will help to reduce racial disparities and promote Black overall health in New Jersey. This coverage must include access to and payment for medical, dental, vision and behavioral care, with an emphasis on preventive care and chronic disease care.
2. **Establish workforce development programs that inspire, identify, recruit, retain and sponsor a more diverse and inclusive healthcare workforce, including doctors, dentists, nurses, physician and nursing assistants, behavioral and mental health practitioners, physical and occupational therapists and others.** Research has shown that increasing the racial diversity of the healthcare workforce to match the racial diversity of our community is essential to providing culturally competent and high-quality care. Addressing access to care must be aligned with pipeline and workforce development programs that inspire, identify, recruit, retain and sponsor a more diverse and inclusive physician and provider workforce, including Black students/trainees.
3. **Guarantee state funding for co-located mental health programming in venues where Black people frequently seek care, such as faith-based institutions and community settings.** As mentioned, research shows that individuals are more likely to receive high quality care when they are in a familiar setting with a culturally competent provider. New Jersey should fund existing initiatives to embed culturally competent and clinically effective mental health providers in community settings, of which there is currently a shortage.<sup>1063</sup>
4. **Create a mental health task force that meets the standards of high-quality care, particularly for Black residents.** Black residents of New Jersey are disproportionately more likely to live in communities that are over-policed and over-incarcerated. These conditions negatively impact health outcomes. It is imperative that a mental health task force be specifically focused on providing high quality mental health care to address generational trauma from slavery, state sanctioned segregation and contemporary institutionalized racism.
5. **Require that all hospitals and healthcare facilities accredited in New Jersey maintain quality, safety and health outcomes – data stratified by race/ethnicity, sexual orientation, gender identity and age – and develop publicly available action plans to eliminate racial and other disparities in the findings.** Although racial classification is a social construct based on appearance, it remains useful for identifying and remedying differential health



outcomes. Long-standing structural and institutional racism has contributed to inequalities in the social determinants of health. Action plans to address health disparities cannot be reasonably crafted without appropriately stratified data.

6. **Create a Center for Black Health Excellence with specific emphasis on understanding the adverse health consequences of racism.** A Center for Black Health Excellence<sup>1064</sup> in New Jersey should focus on understanding the negative health consequences of racism. Centers of excellence that focus on the health-specific needs of historically marginalized groups are equipped and designed to deliver patient care in a culturally responsive manner that improves trust in the healthcare system, human experience and individual and population-level outcomes. Such racially- and culturally-concordant care is practiced in a way that understands the role of structural factors like racism, as well as the community, political and social determinants that influence health and well-being.
7. **Encourage the training of Black health care professionals who focus on women's health.** When compared to a white infant, a Black infant in New Jersey is more than three times as likely to die in the first year of life.<sup>1065</sup> In addition, Black women are nearly seven times more likely to die in the perinatal and postpartum period when compared to their white counterparts.<sup>1066</sup> Research suggests that racial concordance between Black women and their providers seems to lead to a reduction in infant mortality. However, a similar benefit was not observed in reducing maternal mortality. In light of these findings, New Jersey should develop programs that incentivize more Black people to become midwives, doulas, lactation specialists, women's health nurse practitioners, women's health physician assistants and OB/GYNs.
8. **Evaluate the feasibility of creating community-based birthing centers in predominantly Black communities.** Black birthing people should have access to the full range of care and birth settings based on patient preference and risk stratification. High-quality care for Black birthing people should be offered in hospitals and community-

based settings when appropriate.

9. **Invest in training Black healthcare professionals in New Jersey.** Black students in New Jersey pursuing higher education often incur significantly higher student loan debt to pursue college and health professions education. New Jersey must provide a path to student loan forgiveness for Black students pursuing undergraduate and graduate-level health professions education. This investment would reduce the financial burden on these students, empowering them to pursue careers in under-resourced communities – especially in primary care – without being constrained in their professional pathway by the crushing burden of educational debt. This recommendation would also directly address the historical, intentional discrimination against Black healthcare professionals living and practicing in New Jersey.<sup>1067</sup>

## DESEGREGATION

Segregation is at the heart of racial disadvantage and the perpetuation of the Two New Jerseys. Designed by such things as “home rule” and residency laws, segregation of many kinds serves to disconnect Black people from New Jersey’s vast prosperity. To finally make the Two New Jerseys one, the state must:

### *Segregated Schools*

1. **End the requirement that public school students attend school within district boundaries.** New Jersey is the seventh most segregated state in the nation for Black students, with 25% of Black students attending schools where the non-student population is between 90 to 99% non-white.

With few exceptions, New Jersey law currently requires public school students to attend school within district boundaries,<sup>1068</sup> which are often tied to municipal boundaries. New Jersey’s long history and persistence of government-imposed and government-supported residential segregation has left fierce and entrenched segregation in its classrooms causing higher suspension and expulsion rates, higher drop-out rates,



lower test scores and lower rates of college attendance and graduation as discussed in the report.

To repair this enduring harm, New Jersey must eliminate the requirement that students attend school within their school districts.

2. **Consolidate school districts as part of a Regionalization Plan.** The cumulative impact of past and present discriminatory practices continues to disadvantage Black students.<sup>1069</sup> New Jersey should consolidate its school districts from 600 small districts to 21 home county districts.<sup>1070</sup> This would reduce racial disparities in school funding because it would enforce cost sharing across districts with varied racial demographics.<sup>1071</sup> It would also decrease segregation in New Jersey's public school system.
3. **Redress historic disinvestment in overall school funding generally, and per-pupil spending, to ensure all Black children receive equal funding no matter where they attend school.** It is not by chance that New Jersey's Black students are enrolled in school districts with lower tax capacity: racially discriminatory practices such as "redlining" and "blockbusting" have intentionally created racially segregated communities with artificially lowered property values.<sup>1072</sup> These practices cannot simply be dismissed as sins of the past: the generational wealth taken from the residents of these communities has profound effects on school funding today.<sup>1073</sup> The state must properly implement and fund its state school funding formula, the School Funding Reform Act (SFRA).<sup>1074</sup> The formula must be readjusted to address the current needs of Black students, as well as the decades of significant disinvestment by localities and the state in the needs of Black students, their families and their districts.
4. **Conduct equity studies in districts statewide.** Every district and school in the state should undergo an equity audit of all school and district operations. Too often such studies focus on the victims of segregation and not the segregationist policies and their advocates. Districts' allocation of resources – human, financial and material – should be analyzed and considered, alongside the provision of academic and other programs. School-wide, district-wide and statewide data, as well as classroom-

level data, should be collected and assessed to determine where districts meet or diverge from regional racial and economic demographics that point to systemic inequality.

5. **Create the Division of School Integration to strengthen the Department of Education's civil rights capacity and mission to develop a desegregation plan with the power, funds, mandate and expertise to enforce it.**
  - The Division of School Integration (not diversity and inclusion) must include a spelled-out mandate to bring New Jersey into compliance with its own constitutional requirement of guaranteeing a thorough and efficient education for all students free of racial segregation. It must be required and have adequate resources to conduct an analysis of all New Jersey school districts, including demographics and fiscal capacity across school district boundaries within metropolitan regions and across the state (not just within school districts).
  - It must be provided with and authorized to obtain the tools and expertise needed to carry out a desegregation plan that includes the setting of integration goals for each district (and each school) based on their relative divergence or conformity with regional school integration goals.
  - It must be adequately funded, dedicated and a specialized role with independence and statutory authority to carry out a school desegregation mandate. This should include contracting with qualified experts in school desegregation.
  - The strategies available to such a Division and Director of School Desegregation must include all tools, policies and programs that can incentivize and promote established integration goals set for each school district. The division must ensure that all programs and decisions of the Department of Education advance the goals and are in full accord with the principles and goals of desegregation—including charter schools, magnet schools, any changes to send-receive relationships, the use of the Interdistrict Choice program and evaluation and changes to the school funding formula.



6. **Enact the School Funding Formula Evaluation Task Force to make integration a goal of school funding and include civil rights stakeholders.** Expand and strengthen the state's school funding formula to reward and incentivize diverse and integrated schools in cities as well as our many diverse, middle-class suburbs. Direct and increase school aid and support and incentivize local integration and desegregation best practices where diversity already exists, especially in our many diverse suburbs. The most racially and economically exclusive and best funded schools should receive the least amount of state aid. State aid should encourage integration but discourage segregation. This taskforce should oversee the reform of the Interdistrict Public School Choice Law to be a mandatory tool to achieve and fund integration goals within a region.
7. **Remove segregationist loopholes from the School Consolidation Law.** End secessions in the state. Ban the termination of any more regional send-receive arrangements or the dissolution of unified districts. It must not permit "withdrawals" or "separations" as a step toward regionalization, which more often leads to more racial segregation.
8. **Amend the Charter School Act to require charter schools to be fully integrated and meet regional integration goals.** Require charter schools to be fully integrated and to meet integration goals based on regional demographics not their district or neighborhood.
9. **Amend the County Vocational School Act to designate and support pro-integration magnet schools and require county schools to meet economic and racial integration goals.** Direct New Jersey Schools Development Authority (SDA) to finance Pro-Integration Magnet Schools in all metro Areas.

### *Segregated Housing and Communities*

10. **Expand affordable homeownership, with a focus on Black families.** Encourage the development of high-quality affordable houses near public transportation throughout the state by allocating more of the budget to support the Affordable Housing Trust Fund. Significantly increase and expand financial support for the First-Generation Home Buyers Program that provides first-time home buyers with

down payment assistance. To redress the stolen opportunity occasioned by slavery and its enduring legacy, New Jersey must prioritize homeownership for Black residents.<sup>1075</sup>

11. **Build inclusive, fair and healthy housing, with a focus on overburdened environmental justice communities.** Environmental racism has created a cumulative and historical legacy of overlapping vulnerabilities in Black communities, including extreme temperatures, flooding, debt and utility burdens, displacement, gentrification and erasure. To repair the harm caused by the siting of environmental hazards on top of Black residents, coupled with the devastating impact of race-based "urban renewal" policies, New Jersey must invest in the development of abandoned and under-utilized residential structures in its urban cores. This may include subsidies for "greening" projects, as well as increased investment in lead and asbestos remediation and elimination, as well as infrastructure investment to support such development.
12. **Create a statewide Land Bank Commission to effectively implement its land bank law.** Through the New Jersey Land Bank Law, municipalities throughout the state can establish a land bank entity – which facilitates the restoration of abandoned land back to productive use and has authorization to act on its own or as an agent of the city.<sup>1076</sup>

Newark created its land bank, the state's first, with the city's Economic Development Corporation Invest Newark acting as the city's land bank entity. However, as of this writing, Newark is the lone municipality in the state to implement the land bank law. A tremendous amount of technical assistance and comprehensive resource support is needed to properly implement this law across the state.<sup>1077</sup>

To better support and coordinate jurisdictions that are interested in creating land bank programs, New Jersey should create a statewide land bank commission.

13. **Support the expansion of community land trusts in urban cores.** New Jersey should expand community land trusts (CLTs) across the state's urban cores to offer families the chance to build home equity while living in affordable housing units.<sup>1078</sup>



A type of shared equity housing model, CLTs are nonprofit organizations that purchase land for affordable housing and allow families to own their homes while leasing the land through a long-term ground lease. CLTs offer a community- and place-based approach to justice, empowering residents to democratically determine land uses (including housing). This approach resonates with the principles of environmental justice, which seeks to ensure that marginalized communities have a significant voice in decision-making processes affecting their environment and health care. CLTs also help to prevent displacement and gentrification, by centering community preferences and basic needs. By thinking of community, land and housing simultaneously, CLTs seek to solve multiple historical problems defined by government exclusion and exploitation, including displacement, exclusion, eviction, erasure and vulnerability to toxic exposures.<sup>1079</sup>

If a homeowner moves, they sell their home back to the community land trust and share any increases in home equity with the trust.

14. **Establish a constitutional right to adequate and affordable housing.** No one in the state of New Jersey should be without a roof over their head. Adding the right to adequate and affordable housing in the state constitution would obligate New Jersey to invest in fostering conditions for its residents to thrive. This would include investing in housing production, housing support programs including subsidized housing investments, home repairs (lead-paint abatement, weatherizing, etc.) and supportive services for under-housed individuals and families. Such efforts would necessarily further housing security for Black New Jerseyans, as Black families are disproportionately burdened by housing insecurity and would benefit from housing support.<sup>1080</sup>
15. **Strengthen prohibitions on exclusionary zoning.** Given historic segregation and how generations of Black people in the state have been denied affordable housing, New Jersey should maximize enforcement of the *Mount Laurel* doctrine and pass other legislation to limit exclusionary zoning such as to ban municipalities from blocking

redevelopment of office parks into mixed-income housing and using increased fees on million-dollar homes to fund affordable housing production.

16. **Strengthen statewide tenant protections in New Jersey.** About 60% of Black people are renters.<sup>1081</sup> As such, New Jersey must expand protections for tenants. New Jersey has a rent stabilization law and the Fair Chance in Housing Act. However, New Jersey should consider other tenant protections such as creating universal, transferable rental applications and banning algorithmic rent-setting and discriminatory tenant-screening software.
17. **Invest in a statewide study of the history and continuing legacy of racially restrictive covenants and redlining in New Jersey.** Researchers working across the country have uncovered the deep impacts of racially restrictive covenants and redlining on modern segregation by engaging in an in-depth investigation of historical home deeds.<sup>1082</sup> Following the model of Washington State, New Jersey should enact legislation to support historical research that will uncover the full history of housing segregation in the state.<sup>1083</sup>
18. **Establish a reparative homeownership program, with a focus on those harmed by the scourge of racially restrictive covenants and redlining in New Jersey.** New Jersey should develop a homeownership program designed to directly repair the harms of racially restrictive covenants, as has been implemented in Washington State, which would disproportionately serve to expand homeownership to Black New Jersey families.<sup>1084</sup> Washington State created the “Covenant Homeownership Program” to provide financial assistance to first-time homebuyers who are the descendants of people who were subject to state sponsored racial discrimination in home buying in Washington State prior to 1968.<sup>1085</sup>  
  
New Jersey can make a meaningful investment in its Black communities by creating a dedicated fund, either separate from, or as a sub-fund within, the Affordable Housing Trust Fund that will increase homeownership and wealth building opportunities in New Jersey’s redlined communities.<sup>1086</sup>



## HIGHER EDUCATION

Because of the long history of racist practices at the state's institutions of higher education, Black people have faced systemic barriers to postsecondary education, from racially discriminatory admissions policies to underfunded public K-12 schools that limited college preparedness. Yet higher education remains one of the most powerful vehicles for economic mobility, allowing individuals to build wealth and stability across generations. To dismantle the lasting effects of exclusion and stolen educational opportunity, New Jersey must make investments to ensure equity in higher education – including expanding scholarship opportunities and eliminating structural barriers that continue to limit access and completion for Black students.

1. **Establish a scholarship fund<sup>1087</sup> and trust for Black students.** Black students face systemic barriers to postsecondary degree attainment, including rising costs, lack of generational wealth, underrepresentation in higher education and limited access to mentorship and networking opportunities. As a result, disparities in college enrollment, graduation rates and higher student debt burdens after graduation persist. Higher debt burdens further exacerbate the racial wealth gap.<sup>1088</sup> This fund will serve as both a financial and moral commitment to addressing the racial disparities in educational opportunity across New Jersey. It will prioritize Black students, particularly from the state's most underinvested areas, and cover educational expenses, including full tuition and ancillary costs to help Black students to graduate debt free so that the pursuit of a higher education reduces rather than expands the racial wealth divide.
2. **Invest in and expand New Jersey's College Promise programs.** New Jersey has created the Community College Opportunity Grant (CCOG) and Garden State Guarantee (GSG) to offer a tuition-free pathway to two- and four-year public higher education institutions for the state's working families. New Jersey must invest in and expand on these College Promise programs to ensure that all residents, and especially Black residents, are able to pursue higher education without the burden of debt. By increasing investments and ensuring sustainable funding, expanding the state's College Promise

programs will ensure the programs reach more students and heighten students' sense of possibility knowing that they can attend college tuition free.

3. **End legacy and donor preferences in admissions at New Jersey institutions of higher education.** Legacy and donor preferences in college admissions overwhelmingly benefit white, wealthier applicants due to the historic exclusion of qualified Black students from higher education. These preferences reproduce privilege across generations. Colorado, Maryland, Virginia, Illinois and California currently ban legacy and/or donor preferences in college admissions. New Jersey must follow their lead.

## ENVIRONMENTAL JUSTICE

Environmental justice in New Jersey is characterized by the color line, instantiated during slavery and continued through racially discriminatory policies and practices (including zoning). These policies and practices concentrate Black residents in “sacrifice zones,” where they suffer, among other things, the burden and impacts of exposure to soot, ash, off-gassing, toxic dust and “forever chemicals” in the air, soil and water.

To promote health and well-being for all its people, New Jersey must:

1. **End “Sacrifice Zones.”** New Jersey must transform its urban centers from “sacrifice zones” to zones of opportunity. Priorities should include:
  - Regulating and minimizing toxic industries
  - Remediating and cleaning up brownfields and contaminated sites for community benefit
  - Increasing tree canopy and accessible green spaces
  - Creating zero-emissions zones
  - Creating buffers between highways and residents
  - Ensuring resident input in all planning and implementation



**2. Implement more stringent emissions standards for vehicles.** New Jersey must establish standards for air pollution emissions from vehicles, like the Environmental Protection Agency’s Multi-Pollutant Emissions Standards that sought to reduce harmful air pollutant emissions from light-duty and medium-duty vehicles.<sup>1089</sup> These standards should complement or be part of a cumulative impacts policy. Because of the history of highway construction through Black neighborhoods, these vehicles pose a greater threat to the health of Black communities. New Jersey, in addition enforcing existing regulations, should adopt a rule, similar to California’s Advanced Clean Fleet Rule, to limit air pollution emissions from heavy duty vehicles, prioritizing emissions in the state’s urban cores.<sup>1090</sup> New Jersey must also develop an indirect source policy for heavy-duty vehicles, prioritizing those communities most affected by heavy-duty vehicular traffic.

**3. Implement zero emissions standards for buildings.** The building sector contributes more than one-third of U.S. greenhouse gases, with local “hot spots” of pollution borne and experienced in Black communities.<sup>1091</sup> New Jersey should establish building criteria with the following goals and benchmarks:

- Highly energy efficient
- Free of on-site emissions from energy use
- Powered solely from clean energy

**4. Invest deeply in environmental infrastructure.** Increasing greenspace and reforestation of trees will help repair environmental harms and will benefit all of the state’s residents.<sup>1092</sup> Beyond greenspace and reforestation, New Jersey’s older cities, like Newark, Camden and Trenton, require deep investments in updated infrastructure as part of an environmental justice program. These investments must include clean drinking water infrastructure, clean and accessible public transportation and upgrades to port infrastructure to electrify where possible and permit only low emissions vehicles to service the ports.<sup>1093</sup>

**5. Prioritize access to educational opportunities and economically mobile employment in the green economy.** Communities that bear the brunt of environmental harm are underrepresented in the green economy, including the development of green infrastructure, such as energy efficiency, renewable energy, grid modernization and tree planting. Special consideration must be given to ensure access and participation by those in overburdened communities specifically. Educational opportunities must be coupled with clear pathways to gainful employment and entrepreneurship in the sector for community members who have been harmed by decades of racist environmental policies.

New Jersey should also implement an industrial policy focused on sustainability – prioritizing investments in the green economy and renewable industries and sustainable infrastructure.

**6. Prioritize protecting New Jersey residents from climate change impacts through Community Climate Hubs.** New Jersey should create community climate hubs, which would empower Black communities overburdened by environmental hazards to resist, prepare for and safeguard against a climate emergency. Climate resilience includes energy efficiency, democratizing utility access and organizing/awareness of habitability concerns such as plumbing/sewer, HVAC, mold and radon.

**7. Create an independent Legal Defense and Litigation Fund for environmental justice.** Environmental justice requires access to the courts to pursue harm redress and ongoing relief. An inability to afford legal fees should never be a reason why Black New Jerseyans are subjected to preventable harms.<sup>1094</sup> New Jersey must prioritize fast-tracked litigation to pursue claims against known environmental offenders. In addition, the state should create an independent Legal Defense and Litigation Fund to support the efforts of litigants to hold polluters accountable.



# PUBLIC SAFETY AND JUSTICE

Public safety is measured by more than the absence of crime; it requires individual and community well-being. New Jersey should link investments in housing, employment, healthcare and education with a safety enhancement strategy that shifts the primary focus away from an overreliance on policing. Investing in life-affirming community needs, including housing, employment, health care and education will improve public safety for all New Jerseyans, including Black New Jerseyans that have experienced disinvestment across these realms for generations.

## *Focus Policing to Address Imminent and Significant Threats to Public Safety*

1. **Invest significant resources towards community-based organizations and programs, with a focus on Black communities.** Investments should focus on community-based organizations that are, or will be, equipped to provide services, programming and alternatives to current police functions, and which will decrease community members' interactions with the police or the criminal legal system more generally. Recommended efforts include:
  - Establish and fund non-law enforcement, multidisciplinary response teams (licensed social workers, crisis response psychiatrists/psychologists and other professionals) to respond to calls for service for individuals experiencing mental health crises. This includes providing \$20 million annually to fully fund the Seabrooks-Washington bill.
  - Shift resources to allow the state to provide robust funding for community violence prevention and interruption programs that build upon the \$8.4 million required to fund the Restorative and Transformative Justice for Youth and Communities Program.
2. **Remove traffic enforcement (including moving violations) from local and state police responsibilities.** Beyond being an inefficient use of law enforcement resources – resources

that should be focused on imminent and significant threats to public safety – traffic enforcement by police agencies presents a serious and well-documented risk of danger and abuse for motorists, especially Black motorists. New Jersey's law enforcement agencies have a long and troubling history of using traffic enforcement powers to harass and harm Black people with impunity.

3. **Establish state law to prohibit pretextual stops (of vehicles and pedestrians) by law enforcement.** Historically, New Jersey law enforcement has used pretextual stops to target Black people.<sup>1095</sup> The racism underlying many pretextual stops and the harm they cause far outweigh any purported law enforcement or public safety benefit.
4. **Establish state law to end qualified immunity for police officers.** Qualified immunity is a legal doctrine that allows police officers to avoid liability for violating people's rights when a highly similar case has been decided in the same jurisdiction in the past. Given the racial disparities in exposure to police violence, Black people are uniquely vulnerable to suffer violations of their rights and lose legal remedies because of qualified immunity. New Jersey should abandon qualified immunity with regard to state constitutional claims.
5. **Increase transparency and civilian control over law enforcement policies and procedures.** As Black New Jerseyans suffer disproportionately from police violence and other abuses, greater transparency and stronger community control over police departments would play a valuable role in deterring misconduct and ensuring accountability. While multiple New Jersey cities and towns have created civilian review boards, those boards lack authority (e.g., subpoena power) and independence to engage in investigations of alleged police misconduct. Current limits on disclosing information about police discipline shield misconduct from the public. New Jersey should require that all local and state police disciplinary records be made public. The state must empower local civilian complaint review boards, by expanding board oversight and authorizing subpoena power in investigations.



6. **Remove law enforcement/school resource officers from all schools.** Black children, in particular, face myriad harms due to their disproportionate exposure to police in their communities. Black children are more likely than their white peers to experience school-based arrest and all the associated negative consequences. In addition, police presence in schools creates an atmosphere of fear and anxiety rather than safety for many Black students. New Jersey should instead invest in school-based behavioral health and restorative justice resources to address disciplinary issues and improve student mental health and academic outcomes.

### *Prosecution*

7. **Decriminalize simple drug possession and use.** Black people are disproportionately arrested for drug crimes despite not being any more prone to drug use than white people. Moreover, drug criminalization has failed to prevent the opioid epidemic and stop the flow of drugs into Black communities. Instead of exacerbating the despair of people who use drugs to cope with the chronic stress of poverty and precarity, the state should address the root causes of drug use and provide opportunities for people to learn healthy coping mechanisms.

The failed drug war has wreaked havoc on Black communities across New Jersey, with Black New Jerseyans disproportionately arrested for drug possession when data indicates that white individuals use and sell criminalized drugs at higher rates.<sup>1096</sup> New Jersey has decriminalized and legalized cannabis and is working to invest tax revenue from cannabis sales into communities harmed by the drug war. New Jersey should abolish the drug war and implement an evidence-based public health approach to drug use, rather than resorting to criminalization.<sup>1097</sup> Decriminalization of simple drug possession and use would limit drug-related involvement in the criminal legal system and help communities lead safer and healthier lives.

8. **Amend the criminal code to remove jail time as a consequence for minor criminal convictions, including but not limited to petty theft and simple assault.** The state should use restorative justice as an alternative means of responding to criminalized behavior that doesn't entail exacerbating harm

by incarcerating people for trifling crimes like drug possession (as discussed above), petty theft and simple assault – the vast majority of criminal charges. In addition to costing vast taxpayer dollars, incarceration impairs the employment, educational, economic and health outcomes of incarcerated people. It also impairs incarcerated people's ability to maintain healthy relationships with their loved ones. In sum, the costs of incarceration in these cases simply outweigh the benefits. Instead of incarceration, people should be given opportunities to secure jobs that provide financial security, learn healthy ways to cope with acute and chronic stress and take accountability through non-criminal restorative justice processes. Such interventions would decrease the amount of social disorganization and human capital divestment from Black communities while keeping families together.

9. **Establish a right to resentencing for all people who demonstrate that (i) they have been rehabilitated, (ii) further incarceration would serve no retributive purpose, or (iii) further incarceration would serve no deterrent purpose.** The dominant purported justifications for criminal punishment are rehabilitation, retribution and deterrence. Hence, according to the internal logics of the criminal punishment system, people should not be incarcerated if their incarceration does not serve a rehabilitative, retributive or deterrent purpose and if society is therefore not served by prolonging their incarceration. People incarcerated under such circumstances should be able to argue for their freedom before a trial court. This would reduce the amount of needlessly incarcerated Black people.
10. **Utilize clemency power to commute the sentences of individuals convicted of a broad range of offenses.** New Jersey has the highest rate of racial disparities<sup>1098</sup> in its prison population in the nation – and too many people are serving extreme sentences<sup>1099</sup> that are not commensurate with their crime or culpability. This is a result of a criminal legal system that has deep roots in white supremacy. Between 1994 and 2022, only 105 people received gubernatorial clemency in New Jersey<sup>1100</sup> – a clear failure to sufficiently leverage clemency, a tool widely supported by the public,<sup>1101</sup> to confront past and present harms.<sup>1102</sup>



The Governor should use the clemency power to:

- Pardon all cannabis-related convictions throughout the state, including possession with intent to distribute.
- Pardon all convictions related to simple possession of drugs throughout the state.
- Immediately and retroactively decriminalize drug and sex trade-related offenses and invest the resultant savings into needed programs and services identified by people in the drug and sex trades.

### ***Trials, Incarceration and Rehabilitation***

- Invest in community integration of justice-involved people in lieu of incarceration and re-allocate the funds currently used to maintain carceral facilities to address community needs.** New Jersey spends more than one billion dollars annually to maintain its Department of Corrections and Parole Board, including roughly \$66,000 per incarcerated person per year. Those funds should be repurposed and reinvested in communities to create the conditions necessary for Black New Jerseyans to thrive. In addition, these funds should be used to allow justice-involved individuals to remain as part of our communities instead of segregated into carceral facilities. As with divestments from state and local police forces, these savings should be reinvested in Black communities to address community needs and community-based alternatives to incarceration.
- To ensure that people returning from incarceration have full access to institutions of government and civil service:**

- **Abolish the bar on jury service for people with criminal convictions.** New Jersey should permit individuals with felony convictions to serve on juries.<sup>1103</sup> Currently, New Jersey mandates a lifetime bar on jury service for people with criminal convictions, which has resulted in 23-29% of Black adults in the state being unable to serve in this critical civic function.<sup>1104</sup> Criminal records hinder political participation and mark people as outsiders in the community long after incarceration. Reforms to help facilitate successful reentry and establish

full access to our democratic institutions would help ensure that people with criminal records, who are disproportionately Black in this state, remain connected to civic life.

- **Allow individuals returning from incarceration to have access to all state benefits programs including housing vouchers.** Given both the racial wealth gap and the disparities in incarceration in the state,<sup>1105</sup> Black people in New Jersey are often caught in a racist cycle of not having sufficient resources, being incarcerated and then being further denied the opportunity to access wealth. To break this cycle, New Jersey must allow people who return from prison to access state basic needs programs, including housing vouchers.

- Expunge criminal records for individuals convicted of low-level offenses.** New Jersey has the worst-in-the-nation racial disparity in incarceration: a Black adult is 12 times more likely to be incarcerated than a white adult in our state.<sup>1106</sup> This means many Black adults in New Jersey have criminal records, which make meaningful reintegration into society difficult. New Jersey should automatically expunge the records of individuals convicted of low-level offenses who have not committed another offense for five years.

### ***Parole/Probation/Returning Citizens***

- Create meaningful opportunities for parole release.** To address the staggering racial disparities that Black people confront in New Jersey's prison population, New Jersey should reform its parole system so that incarcerated people have meaningful opportunities for release when they have been rehabilitated and pose no threat to public safety. This should include:
  - Eliminating technical violations as a basis for people on parole being returned to prison.
  - Returning to the 1979 parole standard,<sup>1107</sup> which established a presumption of release for people seeking parole.



- Considering youth as a mitigating factor when considering seeking parole for people serving time for offenses committed before age 25.
- Instituting a medical and geriatric/elder parole program.
- Providing re-entry income supports for formerly incarcerated individuals.
- Ensuring people returning from incarceration have access to all state benefits programs, including housing vouchers.

### Youth Justice

- 15. Expand the juvenile court's jurisdiction to include people under the age of 25 years.** Young people are not prosecuted in the same criminal courts as adults, in part because we have accepted that youth should not be as severely punished for acts likely borne of their immaturity. If youth are going to be prosecuted at all in New Jersey, it should always be through the youth justice system, without exception. Because there is compelling scientific evidence that the human brain does not fully mature until a person is 25 years old, young people under age 25 should not be prosecuted in criminal court.

As evidenced by the Youth Justice Commission's Waiver Reports, Black youth and males have borne the significant brunt of New Jersey's waiver process.<sup>1108</sup> New Jersey should shift its waiver process from prosecutorial discretion to judicial review. Currently, prosecutors have nearly unchecked discretion in the processing of waiver applications and the recourse for challenging those decisions is arbitrary at best. Shifting to judicial review will ensure that a neutral arbitrator is considering the application and properly requires the prosecutor to make a case for waiver.<sup>1109</sup>

These changes would drastically improve the prospects of the disproportionately Black population of youth impacted by the criminal punishment system. It would end the practice of treating Black youth as hardened adult criminals and instead recognize the decreased culpability supported by modern brain science.

- 16. Prohibit the incarceration of youth.** Black youth in New Jersey face the second-worst youth incarceration disparity rate in America: they are 28 times more likely to be incarcerated than their white counterparts, although they commit crimes at a similar rate.<sup>1110</sup> Given what we know about youth development and the long-term effects of incarceration, even on adults, the state should refrain from incarcerating all youth and close New Jersey's current youth prisons. Instead, state officials should identify community-based alternatives that serve to hold youth accountable while still enabling them to thrive in the future.

- 17. Mandate a minimum age of 14 for criminal responsibility.** Scientific research and legal precedent have long recognized that children and young adults must be treated differently when determining both the appropriate punishments for wrongdoing and the process by which they are adjudicated. Setting a minimum age of 14 would not only align New Jersey with national and international standards but also would be a step toward closing the racial disparities in New Jersey's youth justice population. Currently, Black youth in New Jersey are 28 times more likely to be incarcerated than their white counterparts although they commit crimes at a similar rate.<sup>1111</sup>

- 18. Reopen a modern-day, 21st Century Bordentown School focused on educating and empowering Black youth.** As described in this report, the Bordentown School operated as a state-run, segregated public boarding school for Black students from 1886 to 1955. Today, the campus that once served as a pinnacle of Black excellence and achievement houses New Jersey's only youth prison for girls: the Female Secure Care and Intake Facility colloquially known as "Hayes." The Bordentown School has literally become a prison, the starkest evidence of the school-to-prison pipeline in New Jersey. Upon the closure of Hayes, currently scheduled for 2028, New Jersey should reopen the Bordentown School, with a focus on empowering Black students who bear the legacy of stolen educational opportunity due to racism in the state.

Black excellence and achievement houses New Jersey's only youth prison for girls: the Female Secure Care and Intake



Facility colloquially known as “Hayes.” The Bordentown School has literally become a prison, the starkest manifestation of the school-to-prison pipeline in New Jersey. Upon the closure of Hayes, currently scheduled for 2028, New Jersey should reopen the Bordentown School, with a focus on empowering Black students who bear the legacy of stolen educational opportunity due to racism in the state.

## PUBLIC EDUCATION AND NARRATIVE

To address the historical and contemporary harms tied to the omission of Black history, the under-valuation of Black culture’s impact on New Jersey’s overall culture and distortions of Black life in public discourse, New Jersey must establish robust reparations policies across public education, legacy documentation, memorialization, cultural and institutional preservation and community infrastructure and engagement. The following recommendations, ranging from policy prescriptions to cultural interventions, seek not only to address issues of the past but also the present, creating a more equitable future that does not erase, deny or dilute the role Black residents will continue to play in shaping the economy, politics and culture in New Jersey.

1. **Reissue an official state apology for slavery that does not include a denial of liability.**<sup>1112</sup> A direct, comprehensive and sincere apology to the Black community, as well as a pledge to guard against future occurrence of state-embraced racial discrimination, is essential. New Jersey, like many states and local jurisdictions, has issued an “official apology” for its role in upholding and maintaining the institution of chattel slavery, but with a limiting clause in the apology that prohibits any legal action for culpability outlined in the apology.<sup>1113</sup> In order to be real stewards of truth, rebuild public trust with Black communities and provide pathways for reparative action, New Jersey should reissue an official public apology that provides more detailed documentation and experiences of the current vestiges of slavery; notes the previous limiting clause in

the 2008 apology that discourages any future remedial action; allows remedial action to be pursued by all eligible parties as a result of the updated apology; and guarantees that racial discrimination will never again be tolerated.

2. **Expand and update the Amistad Commission law.** New Jersey should formally designate the Amistad Curriculum as a core component of the state’s curriculum, ensuring that Black history is not isolated from central learning and enrichment experiences. Enhancements and updates to the Amistad Commission should include the following actions:
  - Fund Amistad Curriculum as a core component of the state’s curriculum in perpetuity.
  - Require annual reporting from school districts on Amistad Curriculum implementation.
  - Supplement Amistad curriculum to include education on what reparations are and why reparations for Black people are necessary<sup>1114</sup> to address the legacy of slavery in New Jersey.
  - Fund educators to support continuing education credits and evolved learning to support effective teaching of the Amistad curriculum.
  - Expand the scope of the Amistad Commission to include training in New Jersey’s higher education institutions, including graduate and professional schools.
  - Establish an “Amistad Educators Trauma Support Fund,” with eligibility preference for Black educators who may be reflected in Amistad curriculum and/or for the harm Black educators experience teaching within educational institutions that uphold white supremacy culture, to tend to the impacts of trauma exposure.
  - Increase protections for teachers adhering to the law. To ensure the protection of educators in New Jersey who are fulfilling their legal and moral obligation to teach an accurate history, state lawmakers should enact protections to prevent schools or districts from wrongfully terminating or disciplining teachers for adhering to state-mandated or supplemental curriculum.



**3. Expand the memorialization and cultural preservation of New Jersey's Black history.** Memorialization, a public disclosure of the truth, can be an important aspect of interactive public education, narrative and storytelling and a communal space for grieving. Therefore, New Jersey should take the following steps:

- Provide direct investments in Black cultural institutions, coalitions and organizations.
- Establish an interactive public memorial or museum dedicated to honoring the legacy of enslaved people in New Jersey and acknowledging the state's role in perpetuating anti-Black racism.
- Fund community-led initiatives to preserve and reclaim Black cultural institutions, historical landmarks and sites of injury in New Jersey (e.g., Black-operated community land trust; Cultural Corridor Authority).<sup>1115</sup>
- Enact a law like Massachusetts' Community Preservation Act that would, among other functions, establish a fund to provide grants to Black-led local organizations and/or community coalitions for the purpose of acquiring, creating and preserving Black historic resources, spaces and properties and building and expanding upon the Black Heritage Trail.<sup>1116</sup>
- Fund the establishment and maintenance of a Black Creative, Cultural and Intellectual Affairs Community Center.
- Provide direct investments in public institutions that are the state's prime promoters of history (e.g., the New Jersey Historical Commission, the State Archives and the State Museum) to support and expand the study and circulation of Black history.
- Provide state-funding to install permanent exhibits and intentional displays in public and private libraries and museums across New Jersey, such as the Newark Public Library and the New Jersey State Museum, focused on Black history and culture.
- Provide direct investments in broad public access

to scholarly databases and digital archives (e.g., in schools via public libraries).

- Establish a statewide program to identify, register and permanently protect Black burial grounds and cemeteries.<sup>1117</sup> This effort should include removal of obstacles to pathways for community stewardship of Black burial sites, such as lack of legal protection, bureaucratic hurdles, private land development, complex zoning and land use laws, among others.

**4. Invest in narrative infrastructure and community engagement in Black communities.** Black communities are uniquely positioned to provide authentic narratives about Black lives in New Jersey. In that spirit, New Jersey should support Black communities to:

- Create an "Our Story" bus campaign that travels across New Jersey, making stops at schools, libraries, community centers and other public spaces, collecting and sharing oral histories from Black residents about their lived histories, familial legacies and cultural contributions. These recordings should contribute to a publicly accessible archive.
- Conduct ongoing public listening sessions, town halls and public hearings that consider the evolving needs of the Black community and what remedies are required to address those needs.
- Fund, create, maintain and protect community meeting spaces to advance reparative justice processes and reparative conditions.
- Provide direct investments to Black-owned media outlets seeking to advance truthful reporting and empower Black communities to share their lived experiences.

**5. Pass a slavery disclosure statute for all institutions in New Jersey.** Require all corporate and nonprofit entities in the state, including religious institutions, media organizations, universities, corporations and foundations incorporated in New Jersey to conduct an internal audit on participation in, and profit from, racial chattel slavery. This audit must include an effort to quantify the financial benefits accrued to these institutions from slavery and its afterlives.



## FAITH INSTITUTIONS

Faith institutions have played a significant role in the history of slavery and its aftermath in New Jersey, both through complicity and resistance.

**The Council recommends that religious institutions across the state, including religiously founded schools and theological schools that benefited from slavery, engage in a statewide reckoning on reparations and pay restitution.**

These organizations have a profound moral responsibility to address the historical injustices from which they profited. Some denominations have already begun reparations initiatives to meet this moral responsibility; more should follow. Religious institutions that benefited from slavery should engage in conversations with Black faith institutions and Black congregations to facilitate a theological reckoning, reconciliation and restorative work towards reparations. Religious institutions should invest funds, including grants and endowments for buildings, in New Jersey's Black religious institutions.

fund research on unresolved claims.

- 
- 2. Monitor the progress of all reparations efforts.** The state should monitor the progress and execution of reparative progress, holding state and local entities accountable for the responsibility to make full amends.

## ACCOUNTABILITY

As we have seen throughout New Jersey history – from the reluctant, gradual end of slavery to the uneven implementation of anti-discrimination laws to the disparities that still exist for Black communities in the state – accountability is crucial to ensure the success of repair. Along with the reparations policies detailed above, New Jersey must also pass accountability measures to guarantee implementation.

- 1. Invest in research related to the legacies of slavery and segregation in New Jersey.** The effort to redress past and ongoing wrongs requires a research infrastructure for continued inquiry and tailoring of remedies. This must include a commitment to deeper study of the specific sources of identifiable racial harm. The state should also





NJ Reparations Council Members Alexis Karteron, Leslie Alexander, David Troutt, Denise Rogers and Rev. Charles Boyer with Jelani Cobb at the NJ Reparations Council One-Year Anniversary Event, NJPAC, June 19, 2024



# Conclusion

By Khalil Gibran Muhammad and  
Taja-Nia Henderson, Council Co-Chairs



Avon Avenue School, Newark, NJ  
Photo/Dr. Annette Smith



**Not everything that is faced can  
be changed, but nothing can be  
changed until it is faced.**

—James Baldwin<sup>1118</sup>

James Baldwin's unflinching commitment to truth-telling made him one of America's greatest patriots. He never wavered in his courage to face the facts of America's original sin and the tortuous legacies that the nation had bequeathed to generations yet unborn.

A Harlem native, Baldwin confronted systemic racism in New Jersey and later described it as a coming-of-age experience. "I learned in New Jersey that to be a Negro meant, precisely, that one was never looked at but was simply at the mercy of the reflexes the color of one's skin caused in other people," he wrote in 1955.<sup>1119</sup> This experience produced in him an awareness of a

constant "rage in his blood" that he knew he would never shake.<sup>1120</sup>

Countless Black New Jerseyans have lost their health, well-being, and in too many cases, their lives to the toxic and chronic stress of that constant rage – "living with it consciously or surrendering to it," as Baldwin eloquently described.

Racism sorts humanity, extracts labor, steals land, spreads poison, redlines communities, aggregates profits, silences dissent, erases truth, kills resistance and justifies it all in the name of civilization and progress. This is the inescapable reality for African-descended people in this state.



The innumerable racial disparities documented in this report do not only attest to the harms of second-class life in one of the richest states in this nation. These statistics also bear witness to the durability of slavery, segregation and today's exclusionary policies to privilege white life above all others.

This is a bitter pill to swallow for many readers of this report. But facing this is the only pathway to justice and repair.

Until we reckon with our history and our present, New Jersey, like the nation, will never live up to the values it put on paper. Our future will rhyme with the past. But you, the reader, have a choice. You can choose to take responsibility for what Langston Hughes so lyrically described in his 1935 poem, "Let America Be America Again." For what the nation had not yet achieved, as Hughes put it, "America never was America to me." Its people, however, still had a choice:

And yet I swear this oath –  
America will be!  
Out of the rack and ruin of our gangster death,  
The rape and rot of graft, and stealth, and lies,  
We, the people, must redeem  
The land, the mines, the plants, the rivers.  
The mountains and the endless plain –  
All, all the stretch of these great green states –  
And make America again!<sup>1121</sup>

The New Jersey Reparations Council believes we must be "the people" of this state who will bring it out of the "rot of graft, and stealth, and lies," and make something new that has not yet been. We have seen millions of Americans in recent years mobilize in pursuit of racial justice. In the summer of 2020, between 15 million and 26 million people, including New Jerseyans, took to the streets to "redeem" the nation.<sup>1122</sup> These groups were overwhelmingly white and, in many cases, gathered in places where few Black people reside.

For a moment, truth prevailed. The people spoke. And justice was possible.

Race has too often been a euphemism for what America's racial engineers often called "the Negro Problem." That is, a problem

defined by blaming the oppressed for their oppression.<sup>1123</sup>

Baldwin believed that America's race problem was a white problem, and his solution was not just truth-telling directed at white Americans. He cautioned white people against taking credit for the "thrill of virtue," as he put it, for simply *reading about* Black suffering. As Baldwin wrote in 1955:

This report from the pit reassures us of its reality, and its darkness and of our own salvation, and "As long as such books are being published," an American liberal once said to me, "everything will be alright."<sup>1124</sup>

Everything will not "be alright" if this Council's report merely gives people a chance to read about Black suffering. The history in this report is the start of a process and a chance to begin again.<sup>1125</sup> Fully realized, that process will lead to acknowledgment of harms, repair and restitution for those harms and a commitment – through legislation and policy – to reverse those harms and ensure they never recur.

This report must lead to action and accountability.

The 1967 Newark Rebellion was a reflection of the consequences of inaction and shirked accountability. In response to uprisings of Black people against oppression that erupted in Newark, Detroit and more than 100 other towns and cities during the 1960s, President Lyndon B. Johnson gathered a bipartisan, overwhelmingly white National Advisory Commission on Civil Disorders, also known as the Kerner Commission.

The Commission investigated and produced a lengthy report analyzing the causes of unrest – yet its most profound and consequential finding was largely ignored and, in our frequent recounting of this era, has been mostly forgotten: "What white Americans have never fully understood but what the Negro can never forget – is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it."<sup>1126</sup>



The Kerner Commission was and today remains the closest American attempt at a national truth commission. Over two million copies of the report were sold. But President Johnson chose not to publicly acknowledge or endorse the report and rejected its findings and recommendations. Instead of acting on the Commission's conclusions, President Johnson personally expressed offense at the implication that his War on Poverty had not done enough. "Rather than being energized by the report's moral urgency," writes historian Michael Flamm, "Johnson was embittered by what he perceived as ingratitude from Black leaders and liberals."<sup>1127</sup>

For white New Jerseyans and the rest of the nation, Johnson's response was telling. From that moment of possibility until now, this state built one of the most punitive and racist criminal justice systems in the nation. Newark was left to suffocate under a toxic smog of environmental racism. School and residential segregation hardened into its current form and, even as some Black professionals made their way to mostly white suburbs, the racial wealth gap widened to a staggering size.

In that faithful moment nearly sixty years ago, New Jersey, too, failed to face the facts or take reparative action. That mistake does not bear repeating.

This moment in 2025 may seem bleak. Dozens of states have moved to resegregate America by passing voter suppression laws; criminalizing the teaching of racism in public schools; detaining and deporting immigrants without due process; firing Black professionals and administrators for supporting students and faculty of color as well as employees in various workplaces after rendering diversity, equity and inclusion programs illegal; and banning thousands of books that truthfully recount the history of exploitation and violence Black people have endured in this country. Yet we still have the choice – and the power – to reckon and repair.

Danielle Sered, one of the nation's leading practitioners of restorative justice, offers you, the reader, another chance to act courageously. A white woman, she describes our collective chance to be accountable for future generations:

And so white folks in America have –  
terrifyingly, urgently, blessedly – a choice.  
We can continue to act out of shame, stuck  
in its clutches, diminished by its force,  
constrained by its power over us ... Or  
we can rise out of it through accountability.  
We can say that what we did was wrong. We  
can say that we know it hurt people.  
We can say we are sorry. We can do sorry,  
taking actions to make the harms of the  
past as right as possible. And we can begin  
to become a people who will never do it  
again.<sup>1128</sup>

The future is ours to make.





**Taja-Nia Henderson and Khalil Gibran Muhammad, Co-Chairs of the NJ Reparations Council, at the Launch of the Council in Perth Amboy, NJ, June 19, 2023**



# Appendix A

## New Jersey State Budget 1806-1811: Total and Percentage Paid to Enslavers

| Year  | Total Outlays of State in Year | Percentage of State Budget on Paid to Enslavers | Total Outlay Paid to Enslavers | Estimate in 2025 Dollars Using Officialdata.org | Estimate in 2024 Dollars Using Minneapolis Fed CPI Conversion |
|-------|--------------------------------|-------------------------------------------------|--------------------------------|-------------------------------------------------|---------------------------------------------------------------|
| 1806  | \$49,507                       | 3.1%                                            | \$1,533                        | \$40,193                                        | \$30,826                                                      |
| 1807  | \$44,656                       | 17.5%                                           | \$7,799                        | \$215,001                                       | \$167,476                                                     |
| 1808  | \$111,623                      | 10.9%                                           | \$12,112                       | \$307,421                                       | \$238,436                                                     |
| 1809  | \$43,227                       | 27.1%                                           | \$11,715                       | \$304,582                                       | \$235,516                                                     |
| 1810  | \$47,497                       | 16%                                             | \$7,579                        | \$197,050                                       | \$152,368                                                     |
| 1811  | \$34,747                       | 5.2%                                            | \$1,806                        | \$44,083                                        | \$34,126                                                      |
| Total | \$331,257                      |                                                 | \$42,544                       | \$1,108,330                                     | \$858,748                                                     |

Source: Jim Gigantino, *The Ragged Road to Abolition*, 107; “\$1,805.79 in 1811 > 2025 | Inflation Calculator.” Official Inflation Data, Alioth Finance, 21 Apr. 2025, <https://www.officialdata.org/us/inflation/1811?amount=1805.79>; Minneapolis Federal Reserve, <https://www.minneapolisfed.org/about-us/monetary-policy/inflation-calculator/consumer-price-index-1800->.



# Appendix B

## CALCULATIONS FOR INVESTMENT REQUIRED TO CLOSE THE RACIAL WEALTH GAP IN NEW JERSEY

### Black Population in New Jersey

|                                           |           |
|-------------------------------------------|-----------|
| Total Population of New Jersey            | 9,500,851 |
| Percentage Black Population in New Jersey | 15.5%     |
| Total Black Population in New Jersey      | 1,472,632 |
| Average Household Size in New Jersey      | 2.61      |
| Number of Black Households                | 564,227   |

Source: U.S. Census: <https://www.census.gov/quickfacts/fact/table/NJ/PST045223#qf-headnote-a>.

### Individual-Level Wealth by Race in New Jersey

|                                   |           |
|-----------------------------------|-----------|
| White Individual-Level Wealth     | \$192,700 |
| Black Individual-Level Wealth     | \$14,000  |
| Black-White Individual Wealth Gap | \$178,700 |

Source: New Jersey Institute for Social Justice: <https://njisj.org/reports/deepeningdivide/>.

### Household Wealth by Race/Ethnicity in New Jersey

|                                         |           |
|-----------------------------------------|-----------|
| White Household Wealth                  | \$662,500 |
| Black/Latino Household Wealth           | \$19,700  |
| Black/Latino-White Household Wealth Gap | \$642,800 |

Source: New Jersey Institute for Social Justice: <https://njisj.org/reports/deepeningdivide/>.

### Estimate of Investment Needed to Close the Racial Wealth Gap in New Jersey

|                                                |                   |
|------------------------------------------------|-------------------|
| Black Population x Individual-Level Wealth Gap | \$263,200,000,000 |
| Black Households x Household-Level Wealth Gap  | \$362,700,000,000 |

Notes on Analysis: It is worth noting that this is a point estimate and does not fully account for distributional issues including: a) variations based on actual household wealth among individual Black households, b) variations reflecting cost of living differences based on geographical location within the state, and c) variations based on the various components of wealth holdings: houses, employer-based retirement plans, financial holdings, etc.



# Acknowledgments

## from the New Jersey Institute for Social Justice

The New Jersey Institute for Social Justice, convenor of the New Jersey Reparations Council, is deeply grateful to the members of the Council's nine subject matter committees for their diligent two-year study and authorship of this report.

University professors, heads of cultural institutions, practitioners and community-based advocates, these committee members from New Jersey and around the country were asked to participate in the Council because of their deep expertise, passion and curiosity about New Jersey's history, current landscape and racial justice challenges – and for their optimistic and persistent belief that we can, and will, do better through reparative justice. Their work – from the Council's 2023 Juneteenth launch through the release of this report – has been a labor of dedication, vision and courage, and each committee member has contributed valuable time, energy and insight over the last two years.

We give special gratitude to the Council's two co-chairs, Taja-Nia Henderson and Khalil Gibran Muhammad, for their substantive input and extraordinary leadership, guidance and discerning eye as they helped shepherd the Council through two years of

collaboration and meld the contributions of dozens of Council members into one compelling story.

We thank our editors, Jennifer Rae Taylor and Judy Lubin, for their skilled assistance with this effort to craft 400 years of history into a cohesive narrative.

We acknowledge our consultants at Just Strategies, who provided critical project management to this two-year process with never-ending patience and grace.

We give heartfelt thanks to all the community members from across the state who joined the nine public sessions of the Council, contributing stories of their lived experience as well as their invaluable views on racial oppression and the need for repair in New Jersey.

And we acknowledge our own team at the Institute for convening the New Jersey Reparations Council at a time when bold vision is most needed, and for contributing thought leadership, research, fact-checking, substantive input, editing and graphic design to this report.



The following are members of the New Jersey Reparations Council, listed by committee:

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- Beverly Mills, Founder of the Stoutsburg Sourland African American Museum, Director
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- Reverend Charles Franklin Boyer, D.Min, MDiv., Pastor of Greater Mt. Zion A.M.E. Church in Trenton, New Jersey, and Co-Founder of Salvation and Social Justice, Director
- Rabbi Joel Abraham, DD, Reform Rabbi
- Stephanie James Harris, PhD, Director of Africana Studies Program at Seton Hall University
- Reverend Carol Patterson, DMin, Chief Evangelism Officer of Setting the Captives Free Ministries
- Imam Wahy-ud Deen Shareef, Convener of the Council of Imams in New Jersey



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- Chris Pernell, MD, MPH, Founder and CEO of The Esther Group
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Finally, the evidence presented in this report was compiled through the work of the New Jersey Reparations Council. The policy recommendations represent a collaboration of proposals from Council committee members, Council Co-Chairs and the Institute. While the individual recommendations should not be attributed to, nor do they necessarily represent the official views, positions, strategies, or opinions of individual Council committee members, Co-Chairs, funders, or Institute staff or Trustees – or any organization, company, institution, agency, committee or other entity with which they may have an affiliation, past or present – the Institute is committed to elevating the ideas and contributions of the experts who participated in this process and who represent the views of their communities.

All errors or omissions are the sole responsibility of the New Jersey Institute for Social Justice.

For more information on the New Jersey Reparations Council, see [njreparationscouncil.org](http://njreparationscouncil.org)



# Endnotes

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<sup>2</sup> "1802-04-24 Freedom seeking: Bill, Hannah" Runaway ad for Bill and Hannah, by Nathaniel Seabury, *Centinel of Freedom*, May 11, 1802, p. 1., accessed June 3, 2025, <https://records.njslavery.org/s/doc/item/9625>.

<sup>3</sup> "The Transatlantic Slave Trade," Equal Justice Initiative, accessed May 20, 2025, <https://eji.org/report/transatlantic-slave-trade/mid-atlantic/#5-mid-atlantic-intro>; Enslaved Black people were brought to New Amsterdam, the territory that includes New York and parts of New Jersey, as early as 1626; as such enslaved people were likely in New Jersey at that time. There is historical evidence that the first Black residents in what is now New Jersey, all enslaved, were in the territory in 1630. Graham Russell Gao Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613–1863* (University of North Carolina Press, 2015), 7-8; L.A. Greene, "A History of Afro-Americans in New Jersey," *Journal of Rutgers University Libraries* 56, no. 1 (1994): 5; "Slavery in New Netherland," New Netherland Institute, accessed April 15, 2025, <https://www.newnetherlandinstitute.org/history-and-heritage/digital-exhibitions/slavery-exhibit>.

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<sup>5</sup> Joey Fox, "N.J. Institute for Social Justice Launches Council to Study Reparations," *New Jersey Globe*, June 19, 2023, <https://newjerseyglobe.com/legislature/n-j-institute-for-social-justice-launches-council-to-study-reparations/>.

<sup>6</sup> "The Transatlantic Slave Trade," Equal Justice Initiative, accessed May 20, 2025, <https://eji.org/report/transatlantic-slave-trade/#:~:text=The%20Transatlantic%20Slave%20Trade%20represents,conquest%20and%20violence%20for%20centuries.>

<sup>7</sup> "The Transatlantic Slave Trade," Equal Justice Initiative; Graham Russell Gao Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613–1863* (University of North Carolina Press, 2015), 7-8; L.A. Greene, "A History of Afro-Americans in New Jersey," *Journal of Rutgers University Libraries* 56, no. 1 (1994); *Journal of Rutgers University Libraries* 56, no. 1 (1994): 5; "Slavery in New Netherland," New Netherland Institute, accessed April 15, 2025, <https://www.newnetherlandinstitute.org/history-and-heritage/digital-exhibitions/slavery-exhibit>.

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- <sup>9</sup> Graham Russell Gao Hodges, *Black New Jersey: 1664 to the Present Day* (Rutgers University Press, 2018), 14.
- <sup>10</sup> “A supplement to the act, entitled ‘An act to regulate the election of members of the legislative council and general assembly, sheriffs and coroners in this state’ passed at Trenton the twenty-second day of February, one thousand seven hundred and ninety-seven,” New Jersey State Publications Digital Library, accessed May 3, 2025, <https://dspace.njstatelib.org/items/114ae687-5a05-4ed9-83cb-30c702f8559e>.
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- <sup>12</sup> Douglas Harper, “Slavery in New Jersey, Slavery in the North,” Slavery in the North, accessed April 10, 2025, <http://slavenorth.com/newjersey.htm>.
- <sup>13</sup> See U.S. Census Bureau, 1860 U.S. Census–Population Schedule (Washington, D.C.: National Archives and Records Administration). According to the federal census, thirty-one people in New Jersey were owned as slaves in 1860. This figure does not include more than a hundred Black people listed in the 1860 census as “servants” who, under the state’s “Gradual Abolition” law, were labeled as “apprentices for life” rather than slaves.
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- <sup>16</sup> See Noelle Lorraine Williams, “New Jersey, The Last Northern State to End Slavery,” *New Jersey Historical Commission*, June 2021, <https://nj.gov/state/historical/his-2021-juneteenth.shtml#:~:text=Lincoln's%201863%20Emancipation%20Proclamation%20did,Amendment%20that%20abolished%20slavery%20and>. New Jersey did not ratify the Thirteenth Amendment until 1866, after the Amendment had received enough state ratifications to become law nationwide.
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- <sup>121</sup> Annee Farrow, Joel Lang, and Jenifer Frank, *Complicity: How the North Promoted, Prolonged, and Profited from Slavery* (Ballantine Books, 2005), 51; Timothy Hack, *Worlds Apart: The Rise and Demise of Slavery in East and West Jersey, 1624-1804*, 13-14; Peter O. Wacker, “New Jersey’s Trade to the Caribbean in Colonial and Early National Times,” *New Jersey History* 114 (1996): 53-73.
- <sup>122</sup> Graham Russell Gao Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613-1863* (University of North Carolina Press, 2015), 38.
- <sup>123</sup> L.A. Greene, “A History of Afro-Americans in New Jersey,” *Journal of Rutgers University Libraries* 56, no. 1 (1994): 6.
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- <sup>125</sup> “Gloucester County Slavery Records–Introduction,” West Jersey History Project, accessed May 3, 2025, <https://www.westjerseyhistory.org/docs/gloucesterrecs/slavery/introandhelps.shtml>.
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<sup>127</sup> L.A. Greene, "A History of Afro-Americans in New Jersey," *Journal of Rutgers University Libraries* 56, no. 1 (1994): 6–8.

<sup>128</sup> Ibid., 7.; George Fishman, *The African American Struggle for Freedom and Equality: The Development of a People's Identity, New Jersey, 1624–1850* (Garland Publishers, 1997), 29.

<sup>129</sup> Map showing the distribution of the slave population of the southern states of the United States, including New Jersey. Compiled from the census of 1860.

<sup>130</sup> Cornbury's time in power was cut short by claims of corruption and other scandal.

<sup>131</sup> "Instructions from Queen Anne to Lord Cornbury" in Samuel Smith, *The History of the Colony of Nova-Caesaria, or New-Jersey: containing, an account of its first settlement, progressive improvements, the original and present constitution, and other events, to the year 1721* (Burlington, 1765), 254.

<sup>132</sup> Ibid.

<sup>133</sup> Ibid. (Lord Cornbury reported "annually to the Commissioners for Trade and Plantations the number of negroes imported, and the prices they brought."); Queen Anne's efforts were not uniformly welcome in the colony. In 1714, in an effort to frustrate the Crown's efforts to grow the colony's population through the slave trade, the colonial legislature levied a duty of 10 pounds on all trafficked Africans to New Jersey. See also Henry Scofield Cooley, *A Study of Slavery in New Jersey* (Johns Hopkins University Press, 1896), 13; Marion Thompson Wright, "New Jersey Laws and the Negro," in *The Marion Thompson Wright Reader*, ed. Graham Russell Gao Hodges (Rutgers University Press, 2022)

<sup>134</sup> James Gigantino, *The Ragged Road to Abolition: Slavery and Freedom in New Jersey, 1775–1865* (University of Pennsylvania Press, 2015), 14.

<sup>135</sup> Graham Russell Gao Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613–1863* (University of North Carolina Press, 2015), 82, 107.

<sup>136</sup> George Fishman, *The African American Struggle for Freedom and Equality: The Development of a People's Identity, New Jersey, 1624–1850* (Garland Publishers, 1997), 32.

<sup>137</sup> Ibid., 63.

<sup>138</sup> Ibid., 76.

<sup>139</sup> James Gigantino, *The Ragged Road to Abolition: Slavery and Freedom in New Jersey, 1775–1865* (University of Pennsylvania Press, 2015), 13; Elaine Buck and Beverly Mills, *If These Stones Could Talk: African American Presence in the Hopewell Valley, Sourland Mountain, and Surrounding Regions of New Jersey* (Wild River Books, 2018), 29, 33.

<sup>140</sup> George Fishman, *The African American Struggle for Freedom and Equality: The Development of a People's Identity, New Jersey, 1624–1850* (Garland Publishers, 1997), 33.

<sup>141</sup> Graham Russell Gao Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613–1863* (University of North Carolina Press, 2015), 61.

<sup>142</sup> Giles R. Wright, *Afro-Americans in New Jersey: A Short History* (New Jersey Historical Commission, 1988), 28, <https://nj.gov/state/historical/assets/pdf/topical/afro-americans-in-nj-short-history.pdf>; Marion Thompson Wright, "New Jersey Laws and the Negro," in *The Marion Thompson Wright Reader*, ed. Graham Russell Gao Hodges (Rutgers University Press: 2022).

<sup>143</sup> Giles R. Wright, *Afro-Americans in New Jersey: A Short History*, 28.

<sup>144</sup> Henry Scofield Cooley, *A Study of Slavery in New Jersey* (Johns Hopkins University Press, 1896), 31.

<sup>145</sup> Graham Russell Gao Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613–1863* (University of North Carolina Press, 2015), 74.

<sup>146</sup> Ibid., 106; Evelyn McDowell and Theresa Hammond, "A Disguised Scheme for Compensated Emancipation: Accounting for Gradual Abolition in Nineteenth Century New Jersey," *Accounting History* 28, no. 3 (2023): 420.

<sup>147</sup> McDowell and Hammond, "A Disguised Scheme for Compensated Emancipation," 420.

<sup>148</sup> George Fishman, *The African American Struggle for Freedom and Equality: The Development of a People's Identity, New Jersey, 1624–1850* (Garland Publishers, 1997), 32.

<sup>149</sup> Michael Lovito, "Rocks in the Garden: Juneteenth Unveils History of Slavery in Morristown," *Morristown Green*, June 17, 2024, <https://morristowngreen.com/2024/06/17/rocks-in-the-garden-juneteenth-tour-unveils-history-of-slavery-in-morristown/>.

<sup>150</sup> James Gigantino, *The Ragged Road to Abolition: Slavery and Freedom in New Jersey, 1775–1865* (University of Pennsylvania Press, 2015), 2.

<sup>151</sup> According to the federal census, thirty-one people in New Jersey were owned as slaves in 1860, but such numbers do not reveal all those who were actually unfree. There were over a hundred Black people listed in the 1860 census as "servants" who were technically enslaved as "apprentices for life" due to the terms of the 1846 emancipation act. U.S. Census Bureau, *1860 U.S. Census–Population Schedule* (Washington, D.C.: National Archives and Records Administration). By 1870, Lockey (spelled Luckey) White was still living in Chatham Township but was finally listed as a "domestic servant" rather than a "slave for life." U.S. Census Bureau, *1870 U.S. Census–Population Schedule* (Washington, D.C.: National Archives and Records Administration). After 1870, Lockey White vanished from the historical record.

<sup>152</sup> Michael W. Byrd and Linda A. Clayton, "Race, Medicine, and Health Care in the United States: A Historical Survey," *Journal of the National Medical Association* 93 (2001): 15.



- <sup>153</sup> “Juneteenth, Slavery, and the Origins of Health Disparities,” *The Center for Community Solutions*, June 13, 2022, <https://www.communitysolutions.com/resources/juneteenth-slavery-origins-health-disparities>.
- <sup>154</sup> See Harriet A. Washington, *Medical Apartheid: The Dark History of Medical Experimentation on Black Americans from Colonial Times to the Present* (Penguin Random House, 2008).
- <sup>155</sup> Deidre Cooper Owens, *Medical Bondage: Race, Gender and the Origins of American Gynecology* (The University of Georgia Press, 2018) 23.
- <sup>156</sup> Jennifer Hallam, “The Slave Experience: Men, Women, & Gender,” *Slavery and the Making of America*, accessed May 3, 2025, <https://www.thirteen.org/wnet/slavery/experience/gender/history.html>.
- <sup>157</sup> Ibid.
- <sup>158</sup> “Motherhood and Children,” in *Hidden Voices: Enslaved Women in the Lowcountry and U.S. South*, College of Charleston Low Country Digital History Initiative, accessed May 3, 2025, <https://ldhi.library.cofc.edu/exhibits/show/hidden-voices/enslaved-women-their-families/motherhood-and-children#>.
- <sup>159</sup> Richard H. Steckel, “A Dreadful Childhood: The Excess Mortality of American Slaves,” *Social Science History*, 10, no. 4 (1986): 427–65.
- <sup>160</sup> *The Charter or Fundamental Laws of West New Jersey, agreed upon*, ch. XXII, L&S 393,398 (1676), accessed November 11, 2024, [https://avalon.law.yale.edu/17th\\_century/nj05.asp](https://avalon.law.yale.edu/17th_century/nj05.asp); Geneva Smith, “Legislating Slavery in New Jersey,” *Princeton & Slavery*, accessed May 3, 2025, <https://slavery.princeton.edu/stories/legislating-slavery-in-new-jersey#ref-34>.
- <sup>161</sup> *A Bill for the General Laws of the Province of East New Jersey*, sec. XXVI, L&S 233, 237 (1682), accessed November 11, 2024, [https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-Appendix-B-Slave-Codes\\_Remediated.pdf](https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-Appendix-B-Slave-Codes_Remediated.pdf); Geneva Smith, “Legislating Slavery in New Jersey,” *Princeton & Slavery*, accessed May 3, 2025, <https://slavery.princeton.edu/stories/legislating-slavery-in-new-jersey#ref-34>; Graham Russell Gao Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613–1863* (University of North Carolina Press, 2015), 51.
- <sup>162</sup> Ibid., 52.
- <sup>163</sup> Ibid., 53.
- <sup>164</sup> George Fishman, *The African American Struggle for Freedom and Equality: The Development of a People’s Identity, New Jersey, 1624–1850* (Garland Publishers, 1997), 46.
- <sup>165</sup> Ibid., 45.
- <sup>166</sup> Ibid.
- <sup>167</sup> *An Act concerning Slaves*, East New Jersey Laws, ch. II, L&S 340–342 (October 1694), accessed May 3, 2025, [https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-Appendix-B-Slave-Codes\\_Remediated.pdf](https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-Appendix-B-Slave-Codes_Remediated.pdf).
- <sup>168</sup> *An Act Concerning Negroes*, East New Jersey Laws, ch. III, L&S 356–357 (February–March 1695), accessed Nov. 11, 2024, [https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-Appendix-B-Slave-Codes\\_Remediated.pdf](https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-Appendix-B-Slave-Codes_Remediated.pdf); Geneva Smith, “Legislating Slavery in New Jersey,” *Princeton & Slavery*, accessed May 3, 2025, <https://slavery.princeton.edu/stories/legislating-slavery-in-new-jersey#ref-34>.
- <sup>169</sup> Graham Russell Gao Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613–1863* (University of North Carolina Press, 2015), 53.
- <sup>170</sup> Ibid.
- <sup>171</sup> “An Act for Regulating Negro, Indian, and Mallatto [sic] Slaves within this Province of New-Jersey, December 12, 1704,” in Christopher N. Matthews, *The Black Freedom Struggle in Northern New Jersey, 1613–1860: A Review of the Literature* (Montclair State University, July 2019), 10, [https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-2-2020\\_Remediated](https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-2-2020_Remediated) (“And whereas the Baptizing of Slaves is thought by some to be a sufficient Reason to set them at Liberty; which being a groundless Opinion, and prejudicial to the Inhabitants of this Province, Be it further Enacted by the Authority aforesaid, That the Baptizing of any Negro, Indian or Mallatto Slave, shall not be any reason or cause for setting them, or any of them at Liberty; nor shall they nor any of them have or procure their or any of their Liberty by virtue thereof.”)
- <sup>172</sup> “An Act for Regulating Negro, Indian, and Mallatto Slaves within this Province of New-Jersey, December 12, 1704,” in Christopher N. Matthews, *The Black Freedom Struggle in Northern New Jersey, 1613–1860: A Review of the Literature* (Montclair State University, July 2019), 10, [https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-2-2020\\_Remediated](https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-2-2020_Remediated).
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- <sup>174</sup> Ibid.
- <sup>175</sup> Ibid.
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- <sup>178</sup> Christopher N. Matthews, *The Black Freedom Struggle in Northern New Jersey, 1613-1860: A Review of the Literature*, 10.
- <sup>179</sup> Ibid.; Graham Russell Gao Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613-1863* (University of North Carolina Press, 2015), 67-68.
- <sup>180</sup> James Gigantino, *The Ragged Road to Abolition: Slavery and Freedom in New Jersey, 1775-1865* (University of Pennsylvania Press, 2015), 15.
- <sup>181</sup> William J. Ellis, "Public Welfare in New Jersey 1630-1944," in *The Story of New Jersey*, ed. William Starr Myers (Lewis Historical Publishing Co., Inc., 1945), 6.
- <sup>182</sup> Kristin O'Brassil-Kulfan, *Vagabonds and Vagrants: Poverty and Mobility in the Early American Republic* (NYU Press, 2019), 46.
- <sup>183</sup> Ibid., 90.
- <sup>184</sup> "An Act to restrain Tavern-keepers and others from selling strong Liquors to Servants, Negroes and Molatto Slaves, and to prevent Negroes and Molatto Slaves, from meeting in large Companies, from running about at Nights, and from hunting or carrying a Gun on the Lord's Day, Oct. 25, 1751," in Christopher N. Matthews, *The Black Freedom Struggle in Northern New Jersey, 1613-1860: A Review of the Literature* (Montclair State University, July 2019), Appendix B.
- <sup>185</sup> *An Act Concerning Negroes*, East New Jersey Laws, February-March 1695, ch. III, L&S 356-357, accessed May 4, 2025, [https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-Appendix-B-Slave-Codes\\_Remediated.pdf](https://www.montclair.edu/anthropology/wp-content/uploads/sites/36/2021/06/Slavery-in-New-Jersey-Literature-Review-Appendix-B-Slave-Codes_Remediated.pdf).
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- <sup>192</sup> James Gigantino, "The Whole North Is Not Abolitionized": Slavery's Slow Death in New Jersey, 1830-1860," *Journal of the Early Republic* 34, no. 3 (2014): 424-25.
- <sup>193</sup> James Gigantino, *The Ragged Road to Abolition: Slavery and Freedom in New Jersey, 1775-1865* (University of Pennsylvania Press, 2015), 123.
- <sup>194</sup> Ibid.
- <sup>195</sup> Ibid., 149; Graham Russell Gao Hodges, *Root and Branch: African Americans in New York and East Jersey, 1613-1863* (University of North Carolina Press, 2015), 246.
- <sup>196</sup> Graham Russell Gao Hodges, *Black New Jersey: 1664 to the Present* (Rutgers University Press, 2018), 59-97.
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<sup>205</sup> Ibid.

<sup>206</sup> *Gibbons vs. Morse*, 7 N.J.L. 253 (1821).

<sup>207</sup> Hendrick Hartog, *The Trouble with Minna: A Case for Slavery & Emancipation in the Antebellum North*, (University of North Carolina Press, 2018), 118; Gary K. Wolinetz, "New Jersey Slavery and the Law," *Rutgers Law Review* 50, no. 4 (1998): 2243-44.

<sup>208</sup> *Dred Scott v. Sandford*, 60 U.S. 393 (1857).

<sup>209</sup> James Gigantino, "The Whole North Is Not Abolitionized": Slavery's Slow Death in New Jersey, 1830-1860," *Journal of the Early Republic* 34, no. 3 (2014): 424-425.

<sup>210</sup> "Our History," Princeton University, accessed May 3, 2025, <https://www.princeton.edu/meet-princeton/history>.

<sup>211</sup> R. Isabela Morales, "Slavery at the President's House," *Princeton & Slavery*, accessed May 3, 2025, <https://slavery.princeton.edu/stories/presidents-house#:~:text=Princeton's%20first%20nine%20presidents%20personally,with%20them%20to%20President's%20House>.

<sup>212</sup> Ibid.

<sup>213</sup> Shelby Lohr, "Aaron Burr Sr.," *Princeton & Slavery*, accessed May 3, 2025, <https://slavery.princeton.edu/stories/aaron-burr-sr#:~:text=By%20Shelby%20Lohr-,Aaron%20Burr%20Sr.,living%20in%20the%20President's%20House>.

<sup>214</sup> Craig Steven Wilder, *Ebony and Ivy: Race Slavery, and the Troubled History of America's Universities* (Bloomsbury Press, 2013), 122-123.

<sup>215</sup> R. Isabela Morales, "Slavery at the President's House," *Princeton & Slavery*, accessed May 3, 2025, <https://slavery.princeton.edu/stories/presidents-house#:~:text=Princeton's%20first%20nine%20presidents%20personally,with%20them%20to%20President's%20House>; Lesa Redmond, "John Witherspoon," *Princeton & Slavery*, <https://slavery.princeton.edu/stories/john-witherspoon>.

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<sup>217</sup> Ibid.

<sup>218</sup> Ibid.

<sup>219</sup> Ava Johnson, "Acknowledgement is not enough: Princeton must tangibly support the enslaved communities that built it," *The Daily Princetonian*, December 5, 2023, <https://www.dailyprincetonian.com/article/2023/12/princeton-opinion-column-positive-impact-former-enslaved-communities-financial-benefit>.

<sup>220</sup> Craig Steven Wilder, *Ebony and Ivy: Race Slavery, and the Troubled History of America's Universities* (Bloomsbury Press, 2013), 11; Joseph Yannielli, "Student Origins," *Princeton & Slavery*, accessed May 3, 2025, <https://slavery.princeton.edu/stories/origins>.

<sup>221</sup> Joseph Yannielli, "African Americans on Campus, 1746-1876," *Princeton & Slavery*, accessed May 3, 2025, <https://slavery.princeton.edu/stories/african-americans-on-campus-1746-1876>.

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<sup>223</sup> Craig Steven Wilder, *Ebony and Ivy: Race Slavery, and the Troubled History of America's Universities* (Bloomsbury Press, 2013), 111.

<sup>224</sup> See Jennifer Oast, "Forgotten No Longer: Universities and Slavery in Twenty-First-Century Scholarship and Memory," *The Journal of the Civil War Era*, 13 (2023): 369-391.

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<sup>226</sup> *Scarlet and Black: Slavery and Dispossession in Rutgers History, Vol. 1*, ed. Marisa Fuentes and Deborah Gray White (Rutgers University Press, 2016), 71.

<sup>227</sup> Ibid., 1, 157, 163.

<sup>228</sup> "Mission Work and Quaker Settlement in Colonial New Jersey 1674-1783," *Quakers in the World*, accessed April 11, 2025, <https://www.quakersintheworld.org/quakers-in-action/280/Mission-work-and-Quaker-settlement-in-colonial-New-Jersey>.

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<sup>232</sup> Stephen Strehle, "The Priesthood of the Believers: Quakers and the Abolition of Slavery," *Religions* 14, no. 11 (2023): 1338, <https://doi.org/10.3390/rel14111338>.

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- <sup>238</sup> *Slavery and the Catholic Church in the United States: Historical Studies*, ed. David J. Endres (Catholic University of America Press, 2023).
- <sup>239</sup> On Catholic diocese in Cuba accepting tithes and other offerings from enslaved people themselves see, Matt D. Childs, "Re-creating African Ethnic Identities in Cuba," in ed. Jorge Canizares-Esguerra, et al., *The Black Urban Atlantic in the Age of the Slave Trade* (University of Pennsylvania Press, 2013), 85-100.
- <sup>240</sup> Kelly L. Schmidt, "A National Legacy of Enslavement: An Overview of the Work of the Slavery, History, Memory, and Reconciliation Project," *Journal of Jesuit Studies* 8, no. 1 (2020): 81-107, <https://doi.org/10.1163/22141332-0801P005>: "Jesuit slaveholding was interconnected across parishes, missions, and schools throughout the nineteenth-century United States. Enslaved people were borrowed from and loaned to other religious orders, diocesan bishops and clergy, lay people, and non-Catholics. Jesuit institutions relied on other institutions, like contractors, banks, and benefactors, that benefited from enslaved labor."
- <sup>241</sup> Gerald F. De Jong, "The Dutch Reformed Church and Negro Slavery in Colonial America," *Church History* 40, no. 4 (1971): 423-436, <https://doi.org/10.2307/3163567>.
- <sup>242</sup> *Ibid.*, 424-425.
- <sup>243</sup> "New Brunswick First Reformed Church Records 1717 to 1794," RUcore: Rutgers University Community Repository, accessed May 3, 2025, <https://doi.org/10.7282/t3vh5m5m>.
- <sup>244</sup> Gerald F. De Jong, "The Dutch Reformed Church and Negro Slavery in Colonial America," 423.
- <sup>245</sup> "History - Old Stone Church," Upper Saddle River Historical Society, accessed March 10, 2025, <https://oldstonechurchonline.org/history/>.
- <sup>246</sup> Patricia Alex, "Upper Saddle River Slave Cemetery Rededicated After Restoration," *NorthJersey.com*, October 30, 2016, <https://www.northjersey.com/story/news/2016/10/30/upper-saddle-river-slave-cemetery-rededicated-after-restoration/93135464/>.
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- <sup>250</sup> "A Rich History," Old Paramus Reformed Church, accessed May 3, 2025, <http://www.oldparamus.org/history/history.html>; <https://www.hmdb.org/m.asp?m=24983>.
- <sup>251</sup> Jonathan Edwards, "Chapter viii," *The Works of President Edwards: With a Memoir of His Life, in Ten Volumes, Vol I* (1829), 95-106, <https://doi.org/10.1037/11839-008>.
- <sup>252</sup> James Moorhead, "Presbyterians and Slavery, Princeton & Slavery, accessed May 3, 2025, <https://slavery.princeton.edu/stories/presbyterians-and-slavery>.
- <sup>253</sup> Isabela Morales, "Samuel Davies," Princeton & Slavery, accessed May 20, 2025, <https://slavery.princeton.edu/stories/samuel-davies>.
- <sup>254</sup> Karen Demasters, "On the Map: Here Lies a Reminder of the History of Slavery in the State," *New York Times*, Feb. 6, 2020, <https://www.nytimes.com/2000/02/06/nyregion/on-the-map-here-lies-a-reminder-of-the-history-of-slavery-in-the-state.html>.
- <sup>255</sup> *Ibid.*
- <sup>256</sup> James Gigantino, *The Ragged Road to Abolition: Slavery and Freedom in New Jersey, 1775-1865* (University of Pennsylvania Press, 2015), 210.
- <sup>257</sup> James Moorhead, "Presbyterians and Slavery," Princeton & Slavery, accessed May 3, 2025, <https://slavery.princeton.edu/stories/presbyterians-and-slavery>.
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- <sup>259</sup> Giles R. Wright, *Afro-Americans in New Jersey: A Short History* (New Jersey Historical Commission, 1988), 35, <https://nj.gov/state/historical/assets/pdf/topical/afro-americans-in-nj-short-history.pdf>; Craig Holland, "Princeton and the Colonization Movement," Princeton & Slavery, accessed April 16, 2025, <https://slavery.princeton.edu/stories/princeton-and-the-colonization-movement>.
- <sup>260</sup> Thomas Strange, "Alexander Crummell and the Anti-Slavery Dilemma of the Episcopal Church," *The Journal of Ecclesiastical History* 4, no. 70, (2021): 767-784, <https://doi.org/10.1017/s0022046919000551>.
- <sup>261</sup> The Stevens family held multiple generations of people in slavery. Archibald Douglas Turnbull. See, *John Stevens, An American Record* (Century Co., 1928). Describing Stevens' wife Rachel as holding in bondage "too many negro servants – slaves or the children of slaves ..." see, <https://archive.org/details/johnstevensameri00turn/page/520/mode/2up?q=slaves>.
- <sup>262</sup> George Morgan Hills, *History of the Church In Burlington, New Jersey: Comprising the Facts and Incidents of Nearly Two Hundred Years* (W. S. Sharp, 1876), 214; "History of Old St. Mary's Episcopal Church," St. Mary's Church, accessed May 3, 2025, <https://www.stmarysburlington.org>.



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- <sup>264</sup> "The Right Reverend John Henry Hobart III Bishop of New York," Black Presence in the Episcopal Diocese of New York, accessed May 3, 2025, <https://blackpresence.episcopalny.org/person/the-right-reverend-john-henry-hobart-iii-bishop-of-new-york/#:~:text=Bishop%20John%20Henry%20Hobart%20was,and%20their%20American%20Bible%20Society>; R. William Franklin, "Assessing John Henry Hobart's Evolving Vision," *Living Church*, September 13, 2022, <https://livingchurch.org/commentary/assessing-john-henry-hobarts-evolving-vision/>.
- <sup>265</sup> Nicole M. Turner, "The Politics of Interdependent Independence in Black Religion: The case of the Reverend George Freeman Bragg Jr., a Black Episcopal Priest," *Religion and American Culture* 31, no. 3 (2021), 419-454. Although the southern dioceses formed the Protestant Episcopal Church in the Confederate States after the start of the Civil War, those dioceses rejoined the Episcopal Church at the war's end; R. William Franklin, "Assessing John Henry Hobart's Evolving Vision," *Living Church*, September 13, 2022. "While debates over slavery split the Presbyterians, the Methodists, and the Baptists into separate denominations, Hobart avoided public discussion of the subject entirely."
- <sup>266</sup> Jennifer C. Snow, "Slavery and Antislavery" in *Mission, Race, and Empire: The Episcopal Church in Global Context* (Oxford University Press, 2023), 128, <https://doi.org/10.1093/oso/9780197598948.003.0006>.
- <sup>267</sup> Daniel Tinkelman, "Money Does Not Stink" – Accounting and Slavery," *Accounting History* 2, no. 29 (2024): 314-332, <https://doi.org/10.1177/10323732241236974>.
- <sup>268</sup> See Saul S. Friedman, *Jews and the American Slave Trade* (Routledge, 1999); David Brion Davis, "The Slave Trade and the Jews," *New York Review of Books*, December 22, 1994, <https://www.nybooks.com/articles/1994/12/22/the-slave-trade-and-the-jews/>. Until the mid-19th century, the vast majority of Jewish people living in what became the United States were of Sephardic origin, tracing their ancestry through the expulsion from Spain and Portugal in the late 15th century. A general Jewish diaspora from the Iberian Peninsula, often through the Netherlands, continued a widespread emigration to the Caribbean and South America. The first Jewish immigrants to New Amsterdam arrived in 1654.
- <sup>269</sup> Eli Faber, *Jews, Slaves, and the Slave Trade: Setting the Record Straight*, (NYU Press, 2008), 132-34. While specific demographic data from New Jersey is harder to identify, data from New York is helpful. In 1703, a census taken in New York City listed only six Jewish families out of more than 800 families in the city. Four of these six families enslaved seven Africans.
- <sup>270</sup> Mark A. Noll, "Slavery and the Bible Before the Missouri Compromise," *America's Book: The Rise and Decline of a Bible Civilization 1794-1911*, (Oxford University Press, 2022), 201-223, <https://doi.org/10.1093/oso/9780197623466.003.0011>.
- <sup>271</sup> Graham Russell Gao Hodges, *Black New Jersey: 1644 to the Present Day* (Rutgers University Press, 2018), 53-56.
- <sup>272</sup> William J. Abraham, "The Impact of Methodism," in *Methodism: A Very Short Introduction* (Oxford University Press, 2019), <https://doi.org/10.1093/actrade/9780198802310.003.0007>.
- <sup>273</sup> Brian D. Lawrence, *The Relationship Between the Methodist Church, Slavery and Politics 1784-1844*, (Ph. D Diss., Rowan University, 2018).
- <sup>274</sup> See Jay Riley Case, "Methodists and Holiness in North America," in *The Oxford History of Protestant Dissenting Traditions, Volume III*, ed. Timothy Larsen and Michael Ledger-Lomas (Oxford University Press, 2017), <https://doi.org/10.1093/oso/9780199683710.003.0009>.
- <sup>275</sup> Eric C. Smith, "Directed in the Path of Duty: Staying the Course," in *Oliver Hart and the Rise of Baptist America* (Oxford University Press, 2020), <https://doi.org/10.1093/oso/9780197506325.003.0012>.
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- <sup>277</sup> "Pastor Oliver Hart's Diary," Baptist History Homepage, accessed May 3, 2025, <http://baptisthistoryhomepage.com/hart.oliver.diary.html>; "Oliver Hart Papers, 1741-1961," Digital Collections–University of South Carolina Libraries, accessed May 3, 2025, <https://digital.library.sc.edu/collections/oliver-hart-papers-1741-1961/>.
- <sup>278</sup> Hunterdon County Book of Deeds, No. 254, 272.
- <sup>279</sup> William J. Frost, "Christianity and Culture in America" in *Christianity: A Social and Cultural History*, ed. Howard Clark Kee (Prentice Hall, 1998), 447.
- <sup>280</sup> Eddie S. Glaude, "African American Christianity: The Early Phase (1760-1863)" in *African American Religion: A Very Short Introduction* (Oxford University Press, 2014), 44.
- <sup>281</sup> Jason Young, "African Religions in the Early South," *Journal of Southern Religion* 14 (2012), <http://jsr.fsu.edu/issues/vol14/young.html>; Kimberly Sambol-Tosco, "Religion," Slavery and the Making of America, <https://www.thirteen.org/wnet/slavery/experience/religion/history.html>. "African traditional religions" is a generalized catch-all, referencing indigenous faith practices across the continent.
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- <sup>286</sup> Dora Mekouar, "America's First Muslims Were Slaves.," "History," Diocese of Paterson, accessed May 3, 2025, <https://rcdop.org/history>.
- <sup>287</sup> Rick Geffken, *Stories of Slavery in New Jersey* (The History Press, 2021), 48-49.
- <sup>288</sup> Ibid.
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- <sup>342</sup> Ibid.
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- <sup>347</sup> New York implemented a gradual emancipation act in 1799 and fully outlawed slavery in 1827.
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- <sup>351</sup> James Gigantino, *The Ragged Road to Abolition: Slavery and Freedom in New Jersey, 1775-1865* (University of Pennsylvania Press, 2015), 107. Most northern states favored gradual emancipation. Pennsylvania, Connecticut, Rhode Island, and New York enacted some form of gradualist legislation, while only Vermont and Massachusetts chose immediate abolition.
- <sup>352</sup> *An act for the gradual abolition of slavery ... Passed at Trenton* (Burlington, 1804), New Jersey Laws, Statutes, Etc., Library of Congress, accessed May 4, 2025, <https://www.loc.gov/item/2020782049/>; Gigantino, *Ragged Road*, 96.
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- <sup>355</sup> Montgomery Township, Somerset County, 1804–1811, Municipal Records, Box 15, New Jersey State Archives, Trenton, NJ.
- <sup>356</sup> Evelyn McDowell and Theresa Hammond, "A 'Disguised Scheme for Compensated Emancipation': Accounting for Gradual Abolition in Nineteenth Century New Jersey," *Accounting History* 28, no. 3 (2023): 424, <https://doi.org/10.1177/10323732231174669>.
- <sup>357</sup> "Value of \$36 from 1806 to 2025," *Official Data*, accessed May 3, 2025, <https://www.officialdata.org/us/inflation/1806?amount=36>.
- <sup>358</sup> Montgomery Township, Somerset County, 1804–1811, Municipal Records Boxes, 1, 15, 16 & 20, New Jersey State Archives, Trenton, NJ.
- <sup>359</sup> Using the CPI Inflation Calculator, <https://www.officialdata.org/us/inflation/1806?amount=36>, payments made in 1807 and 1808 are compared to the purchasing power of the dollar in 2025 (shown in parenthesis).
- <sup>360</sup> *Votes and Proceedings of the 33rd General Assembly of the State of New Jersey* (State of New Jersey, November 2, 1808).
- <sup>361</sup> 1806: \$1,533 (\$40,193 in 2025 dollars); 1807: \$7,799 (\$215,001 in 2025 dollars); 1808: \$12,112 (\$307,421 in 2025 dollars); 1809: \$11,715 (\$304,582 in 2025 dollars); 1810: \$7,579 (\$197,050 in 2025 dollars); 1811: \$1,806 (\$44,083 in 2025 dollars); Total over six years: \$42,544 (\$1.1 million in 2025 dollars); "CPI Inflation Calculator," Officialdata.org, <https://www.officialdata.org/us/inflation/1808?amount=12112.31>; James Gigantino, *The Ragged Road to Abolition: Slavery and Freedom in New Jersey, 1775-1865* (University of Pennsylvania Press, 2015), 106–108; McDowell and Hammond, "A 'Disguised Scheme for Compensated Emancipation,'" 430. See also Appendix A for additional inflation adjustment calculations.
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<sup>405</sup> Ibid., 31.

<sup>406</sup> Ibid., 35.

<sup>407</sup> *Bullock v. Wooding*, 123 N.J. Law 176 (Sup. Ct. 1939).

<sup>408</sup> Ibid. The municipal authorities had divided the bathing beach into four sections, all of equal facility and desirability, but under an ordinance had pursued the policy of segregating colored persons within beach No. 3. The court's opinion read, "It is, of course, settled that the dignities, equalities and rights of citizenship cannot legally be denied to members of the negro race."

<sup>409</sup> Ibid., 178, ("It is clear that the agreed and determined policy or plan of regulation is based upon the admitted premise that the governing authorities did not want members of the black race to intermingle with members of the white race while using the beach and bathing facilities of the city of Long Branch.")

<sup>410</sup> Lizabeth Cohen, *A Consumer's Republic: The Politics of Mass Consumption in Postwar America* (Vintage Books, 2003), 178.

<sup>411</sup> Ibid., 179.

<sup>412</sup> Ira De Augustine Reid and W. Robert Valentine, *The Negro in New Jersey: A Report of a Survey by the Interracial Committee of the New Jersey Conference of Social Work in cooperation with the State Department of Institutions and Agencies* (New Jersey Department of Institutions and Agencies, 1932), <https://dspace.njstatelib.org/items/fd466858-4cd2-4ef5-b453-76c151a67bae>.

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<sup>475</sup> Ibid., 446 (identifying 1837 prison population to include "ninety-one of which are while [sic] males, one white female, forty-five colored males, and four colored females"); Giles R. Wright, *Afro-Americans in New Jersey: A Short History* (New Jersey Historical Commission, 1988), 16, <https://nj.gov/state/historical/assets/pdf/topical/afro-americans-in-nj-short-history.pdf>, (Reporting that New Jersey was 6.4% Black in 1830 and 5.8% Black in 1840).

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<sup>488</sup> Harry Elmer Barnes, *A History of the Penal, Reformatory, and Correctional Institutions of the State of New Jersey*, 518.

<sup>489</sup> Ibid.

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<sup>493</sup> Ira De Augustine Reid and W. Robert Valentine, *The Negro in New Jersey: A Report of a Survey by the Interracial Committee of the New Jersey Conference of Social Work in cooperation with the State Department of Institutions and Agencies* (New Jersey Department of Institutions and Agencies, 1932), 47.

<sup>494</sup> Ibid. This legacy continues. A 2023 report found that 53% of Trenton Psychiatric Hospital patients were Black, while Black people made up less than 16% of the state population. See *Annual Report, 2023*, (Trenton Psychiatric Hospital–Division of Behavioral Health Services, 2024), accessed May 6, 2025, <https://www.nj.gov/health/integratedhealth/documents/hospitals/trenton/tph-annual-report-2023.pdf>.

<sup>495</sup> “Negro Man Taken to Asylum: Overwork and Religious Zeal Unbalance Mind of Henry D. Crusen,” *Trenton Evening Times*, October 5, 1909.

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<sup>499</sup> See generally Andrew Schull Madhouse, *A Tragic Tale of Megalomania and Modern Medicine* (Yale University Press, 2005); Johnathan Davison, “Bayard Holmes (1852-1924) and Henry Cotton (1869-1933): Surgeon–psychiatrists and their tragic quest to cure schizophrenia,” *Journal of Medical Biography*, 24, no. 4 (2014): 550-559; Simon Wessely, “Surgery for the treatment of psychiatric illness: the need to test untested theories,” *Journal of the Royal Society of Medicine* 102, no. 10 (2009): 445-51.

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- <sup>944</sup> William Halsted Jr., *Reports of Cases Argued and Determined in the Supreme Court of Judicature of the State of New Jersey*, 2<sup>nd</sup> ed. (Murphy & Bechtel, 1875), 305; Hendrik Hartog, *The Trouble with Minna* (University of North Carolina Press, 2018), 118.
- <sup>945</sup> Joseph Atkinson, *The History of Newark*, 170–172; Note: The March 2, 1802, and May 4, 1802, issues of the *Centinel of Freedom* newspaper contain two such advertisements.
- <sup>946</sup> Francis Bazley Lee, *New Jersey as a Colony and as a State*, vol. 4 (Publishing Society of NJ, 1902), 66–67, 75–77, 95; See Lee’s obituary in the May 5, 1914, issue of the *Jersey Journal*.
- <sup>947</sup> “Pageant Try-Outs Transform School,” *Newark Evening News*, May 20, 1916; “Traffic in Human Lives...” *Newark Evening News*, August 7, 1915.
- <sup>948</sup> “The Beer Wave,” *Atlantic City Press*, March 23, 1933.
- <sup>949</sup> *Manual of the Legislature of New Jersey*, 1879 (J.A. Fitzgerald, 1878), 49.
- <sup>950</sup> *Manual of the Legislature of New Jersey*, 1917 (Thomas F. Fitzgerald, 1916), 9–10.
- <sup>951</sup> *Manual of the Legislature of New Jersey*, 1917 (Thomas F. Fitzgerald, 1916), 9–10, 14.
- <sup>952</sup> Ira De Augustine Reid and W. Robert Valentine, *The Negro in New Jersey: A Report of a Survey by the Interracial Committee of the New Jersey Conference of Social Work in cooperation with the State Department of Institutions and Agencies* (New Jersey Department of Institutions and Agencies, 1932), 11 <https://dspace.njstatelib.org/items/fd466858-4cd2-4ef5-b453-76c151a67bae>.
- <sup>953</sup> Ibid., 15.
- <sup>954</sup> Ibid., 16.
- <sup>955</sup> Ibid.
- <sup>956</sup> Ibid., 16–17.
- <sup>957</sup> *Report of the New Jersey State Temporary Commission on the Condition of the Urban Colored Population to the Legislature of the State of New Jersey* (State of New Jersey, 1939), 10, <https://dspace.njstatelib.org/items/32d12402-655e-4d7e-bb8f-47f0e8f2ada8>
- <sup>958</sup> Urban Colored Population Commission, *Fifth Annual Report to the Governor and the Legislature of the State of New Jersey* (State of New Jersey, June 30, 1947), title page.
- <sup>959</sup> NJ Division of Higher Education Syllabus Committee, *History of New Jersey: A Syllabus and Summary of Readings for Use in College Classes* (The College Bookstore–State Teachers College, 1946), 2, 28, 31–32.
- <sup>960</sup> Ibid., 36, 99, 108.
- <sup>961</sup> Ibid., 108–09, 149–150; A 1950 report of the NJ History Committee of the Division of Higher Education is substantially identical to this earlier report. See *Outline History of New Jersey* (Rutgers University Press, 1950).
- <sup>962</sup> “State House Visit Top Thrill for Ex-Slave,” *Trenton Sunday Times*, February 26, 1961.
- <sup>963</sup> See “Rebel Flag Goes Back to ‘Scene,’” *Atlantic City Press*, May 5, 1963; “Civil War Troops Draw New Salutes,” *Trenton Evening Times*, May 13, 1964.
- <sup>964</sup> New Jersey Tercentenary Commission, *The New Jersey Tercentenary, 1664–1964: Report* (1966).
- <sup>965</sup> *Report for Action*, 3–4, (Governor’s Select Commission on Civil Disorder State Of New Jersey, 1968), [https://njlaw.rutgers.edu/collections/d\\_space/01/GOVERNORS\\_SELECT\\_COMMISSION\\_ON\\_CIVIL\\_DISORDERS\\_REPORT\\_FOR\\_ACTION.pdf](https://njlaw.rutgers.edu/collections/d_space/01/GOVERNORS_SELECT_COMMISSION_ON_CIVIL_DISORDERS_REPORT_FOR_ACTION.pdf).
- <sup>966</sup> *The Marion Thompson Wright Reader*, ed. Graham Russell Hodges (Rutgers University Press, 2021), 61–62; Simeon Moss, “The Persistence of Slavery and Involuntary Servitude in a Free State (1685–1866),” *Journal of Negro History* 25, no. 3 (July 1950): 289–314.
- <sup>967</sup> *Remarks of Governor Hughes at Signing of A-783*, July 2, 1969, Bicentennial Celebration Act 1969 folder, box 3, NJ Historical Commission Records, NJ State Archives.
- <sup>968</sup> “African American History Program,” NJ Historical Commission, accessed April 8, 2025, <https://www.nj.gov/state/historical/his-african-american-history.shtml>
- <sup>969</sup> See “Survey of Black Historic Places” brochure (c. 1984) and “Black Leaders Urge Increased History Studies,” *Burlington County Times*, February 5, 1984, both in “General Files NJBHPS” folder, box 1, NJ Historical Commission Records, NJ State Archives.



<sup>970</sup> “About,” Friends of the Howe House, accessed April 11, 2025, <https://www.friendsofthehowehouse.org/about>; “Our Sites,” Stoutsburg Sourland African American Museum, <https://www.ssaamuseum.org/oursites>; “About The Pennington African Cemetery,” The Pennington African Cemetery, <https://penningtonafricancemetery.org/about.php>; “Brief History of Timbuctoo,” Timbuctoo Historical Society, <https://timbuctoonj.com/timbuctoo%3A-brief-history>; “Enslaved Africans Sold Here,” Camden County Historical Society, <https://cchsnj.org/enslaved-africans-sold-here/>.

<sup>971</sup> Elise Bodie, “The Muddled Distinction Between De Jure and De Facto Segregation,” *Oxford Handbook of U.S. Education Law*, 2021, <https://doi.org/10.1093/oxfordhb/9780190697402.013.17>. See page. 257: “Government housing policies that confined black people to racially isolated neighborhoods were a major culprit,” and page 258: “Optional attendance zones and transfer policies allowed white students to leave schools with increasing numbers of black students for predominantly white schools. School feeder patterns channeled students into schools according to their race. The failure of school boards to maintain and adequately staff buildings deepened segregation, as did hiring practices that tracked and reinforced a school’s racial identifiability. Overcrowded classrooms, lower per-pupil expenditures, and substandard educational materials in black schools were contributing factors to segregation. So was school construction. When opportunities arose for new schools in the years after *Brown*, local officials often located them in racially isolated communities, suggesting that they were motivated by discriminatory purpose. Other kinds of “routinized” inequality in the form of racially biased teacher training, “discriminatory placement, and color-class attitudes” skewed the system toward racial separation. Testing and tracking and low expectations further disadvantaged black children and impeded their mobility. Neighborhood schools were another major obstacle to integration. In racially mixed communities, white parents avoided them. But as residential segregation grew, so did the demand for neighborhood-based education.”

<sup>972</sup> Elise Bodie, “The Muddled Distinction Between De Jure and De Facto Segregation,” 257.

<sup>973</sup> Ibid.

<sup>974</sup> Ibid.

<sup>975</sup> Ibid.

<sup>976</sup> Ibid.

<sup>977</sup> Ibid.

<sup>978</sup> Kate Shuster, *Teaching Hard History: American Slavery* (Southern Poverty Law Center, January 31, 2018), 17, [https://www.splcenter.org/wp-content/uploads/files/tt\\_hard\\_history\\_american\\_slavery.pdf](https://www.splcenter.org/wp-content/uploads/files/tt_hard_history_american_slavery.pdf).

<sup>979</sup> Ibid., 24.

<sup>980</sup> See Kevin L. Clay and Nora C. R. Broege, “Searching for Amistad in Two School Districts: A Case Study of Black History Curriculum Implementation in New Jersey,” *Educational Administration Quarterly* 58, no. 5 (December 2022): 723-754, <https://eric.ed.gov/?id=EJ1356215>.

<sup>981</sup> National Center for Education Statistics, “NAEP Reading: National Achievement-Level Results,” *The Nation’s Report Card*, accessed March 17, 2025, <https://www.nationsreportcard.gov/reading/nation/achievement/>.

<sup>982</sup> Kevin L. Clay and Beth C. Rubin, “I Look Deep into This Stuff Because It’s a Part of Me’: Toward a Critically Relevant Civics Education,” *Theory & Research in Social Education* 47, no. 3 (2019).

<sup>983</sup> “Racism in Education in New Jersey with Walter D. Greason,” The Academic Designer, last modified 2022, accessed January 12, 2025, <https://theacademicdesigner.com/2022/racism-in-education-in-new-jersey-with-walter-d-greason/>.

<sup>984</sup> “Bias in History Textbooks,” American University School of Education, accessed February 17, 2025, <https://soeonline.american.edu/blog/bias-in-history-textbooks/>.

<sup>985</sup> *What You Need to Know: A Guide to Equity in Education*, New Jersey School Boards Association, July 2021, <https://www.njsba.org/wp-content/uploads/2021/07/what-you-need-to-know.pdf>.

<sup>986</sup> Molefi Kete Asante, *Afrocentricity: The Theory of Social Change* (African American Images, 2003), 2.

<sup>987</sup> See Nilgün Anadolu-Okur, “Out of ‘Borrowed Space’: Multi-Culturalist Discourse and Historiography in the Twenty-First Century,” *Human Society* 3, no.6 (2014): 25-48.

<sup>988</sup> *New Jersey Amistad Commission Law*, P.L. 2002, c.75 (August 27, 2002), New Jersey Legislature, <https://www.njleg.state.nj.us/bill-search/2002/S1441>.

<sup>989</sup> Ibid.

<sup>990</sup> Ibid.

<sup>991</sup> Ibid.

<sup>992</sup> Kevin L. Clay and Nora C. R. Broege, “Searching for Amistad in Two School Districts,” 727-8, 738.

<sup>993</sup> Ibid.

<sup>994</sup> Ibid.

<sup>995</sup> Ibid, 734.

- <sup>996</sup> Even as the men and their wives were granted this conditional freedom, their freedom was limited, and the Company expressly excluded the men's children from this grant. "With the express condition that their children, at present born or yet to be born, shall remain bound and obligated to serve the honorable West India Company as slaves." See "Manumission of Manuel de Gerrit, the giant, and ten other negroes, with their wives, from slavery, 25 February 1644," New Netherland Institute, accessed May 4, 2025, <https://www.newnetherlandinstitute.org/history-and-heritage/digital-exhibitions/slavery-exhibit/half-freedom/manumission-of-manuel-de-gerrit-and-nine-other-negroes-from-slavery>.
- <sup>997</sup> "African Americans in Westfield, New Jersey, 1720-2020," Westfield 300 Initiative, 7, accessed April 11, 2025, <https://static1.squarespace.com/static/57c5de389de4bb98fcb00ab/t/5f8719eaabee36386c4a27bf/1602689516096/African+American+Tour+of+Westfield+brochure.pdf>.
- <sup>998</sup> "African Americans in Westfield, New Jersey, 1720-2020," Westfield 300 Initiative, accessed April 11, 2025, <https://static1.squarespace.com/static/57c5de389de4bb98fcb00ab/t/5f8719eaabee36386c4a27bf/1602689516096/African+American+Tour+of+Westfield+brochure.pdf>.
- <sup>999</sup> "Listen to Story: A Poet Describes Her Escape," The Salem County Cultural and Heritage Commission, accessed April 11, 2025, <https://culture.salemcountynj.gov/poet-hetty-saunders-describes-her-escape/>.
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- <sup>1002</sup> Historical Audit Committee, *Princeton Theological Seminary and Slavery* (Princeton Theological Seminary, November 2024), <https://ptsem.edu/princeton-seminary-and-slavery/the-report/>.
- <sup>1003</sup> *We Charge Genocide: The Historic Petition to the United Nations for Relief from a Crime of the United States Government Against the Negro People*, ed. William L. Patterson (International Publishers, 1970), <https://www.crmvet.org/info/genocide.htm>.
- <sup>1004</sup> Dionne Ford, "The Forgotten Genius of Edward Bowser Jr., One of New Jersey's First Black Architects," *New Jersey Monthly*, October 18, 2022, <https://njmonthly.com/articles/home-design/the-forgotten-genius-of-edward-bowser-jr-one-of-new-jerseys-first-black-architects/>.
- <sup>1005</sup> Tennyson Donyéa, "New Jersey has struggled for centuries to talk about reparations. Can that change in 2022?," *WHYY*, February 24, 2022, <https://whyy.org/articles/new-jersey-has-struggled-for-centuries-to-talk-about-reparations-can-that-change-in-2022/>.
- <sup>1006</sup> *Establishes New Jersey Reparations Task Force, Senate*, No. 322, 219th legislature (2019), [https://pub.njleg.gov/bills/2020/S0500/322\\_11.PDF](https://pub.njleg.gov/bills/2020/S0500/322_11.PDF).
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- <sup>1008</sup> Ibid.
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- <sup>1010</sup> Dan Radel, "Murder of Mingo Jack in Eatontown, NJ's only known Lynching, won't be Forgotten Again," *Asbury Park Press*, July 16, 2022, <https://www.app.com/story/news/history/2022/06/16/mingo-jack-lynching-site-eatontown-national-historical-marker-equal-justice-initiative/7615080001/>.
- <sup>1011</sup> Anne Branigin, "WWJD: Princeton Theological Seminary Announces \$27 Million Reparations Plan," *The Root*, October 24, 2019, <https://www.theroot.com/wwjd-princeton-theological-seminary-announces-27-mill-1839304752>.
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- <sup>1013</sup> "N.J. has had dozens of George Floyd protests so far. Here's what happened to them," *NJ.com*, June 3, 2020, <https://www.nj.com/news/2020/06/nj-has-had-dozens-of-george-floyd-protests-so-far-heres-whats-happened-at-them.html>.
- <sup>1014</sup> Nikole Hannah-Jones, *The 1619 Project: A New American Origin Story* (One World, 2021), 36.
- <sup>1015</sup> "Reparations," United Nations Human Rights Office of the High Commissioner, accessed May 4, 2025, <https://www.ohchr.org/en/transitional-justice/reparations#:~:text=This%20refers%20to%20measures%20to,violations%20and%20the%20harm%20suffered;Reparations%20Now%20Toolkit>; "Reparations Now Toolkit," *Movement for Black Lives*, accessed May 4, 2025, <https://m4bl.org/wp-content/uploads/2020/05/Reparations-Now-Toolkit-FINAL.pdf>.
- <sup>1016</sup> 1) **Cessations and guarantees of non-repetition** – the state of New Jersey and other responsible parties are obligated to end and prevent policies and practices reproducing structural racism and any other harms of slavery; 2) **Restitution** – the state of New Jersey and any other responsible parties are obligated to restore Black people to the position they were in before specific harms occurred, these measures should address direct losses to identifiable claimants. They also include making up for comparative losses Black people suffered because they were systematically excluded from beneficial programs aimed at increasing (mostly) white household wealth; 3) **Compensation** – the state of New Jersey and other responsible parties are obligated to make monetary payments for the manifold harms caused by slavery and its aftermath, in addition to reparations paid to individuals/families, compensation should also be provided via community investments; 4) **Satisfaction** – the state of New Jersey and other responsible parties are obligated to address the harms of slavery and its aftermath in accordance with the desires of Black communities across the state by engaging in reckoning with the truth, taking responsibility and apologizing with a commitment to right the wrongs; and 5) **Rehabilitation** – the state of New Jersey is obligated to create new institutions, laws, policies, and practices ensuring that Black people can thrive and be whole, including cumulative community-based measures recognizing that white supremacy configured the landscape of opportunity in Black-identified areas for generations, triggering a broad-based duty of program remediation.



- <sup>1017</sup> The wage gap between Black and white New Jerseyans has widened significantly over the past 60 years. For example, between 1979 and 2023, Black wage earners saw only a 13% increase in their wages, compared to a 44% increase for their white counterparts. This persistent disparity highlights the systemic barriers that Black workers face in narrowing the wealth gap through earned wages. See Economic Policy Institute, Analysis of *Current Population Survey* microdata (on file with New Jersey Reparations Council).
- <sup>1018</sup> See generally Eric Foner, *The Second Founding: How the Civil War and Reconstruction Remade the Constitution* (W.W. Norton & Company, 2020).
- <sup>1019</sup> Nikole Hannah-Jones, *The 1619 Project: A New Origin Story* (One World, 2021), 29.
- <sup>1020</sup> Todd Scribner, “How the Civil Rights Movement Influenced U.S. Immigration Policy,” United States Conference of Catholic Bishops, accessed on May 26, 2025, <https://www.usccb.org/committees/african-american-affairs/how-civil-rights-movement-influenced-us-immigration-policy>.
- <sup>1021</sup> N.J. Constitution (1947).
- <sup>1022</sup> Historians have referred to the Civil Rights era during the mid-20th Century as the “Second Reconstruction,” a term originally coined by historian C. Vann Woodward. Kevin G. Gaines, “The End of the Second Reconstruction,” *Modern American History* 1, no. 1 (2018): 113-119, <https://doi.org/10.1017/mah.2017.16>; See also Penial Joseph, *The Third Reconstruction: America’s Struggle for Racial Justice in the Twenty-First Century* (Basic Book, 2022) and The Rev. Dr. William J. Barber III, *The Third Reconstruction: How Our Moral Movement is Overcoming the Politics of Division and Fear* (Beacon Press, 2016). <sup>1023</sup> Sojourner A. v. New Jersey Dep’t of Hum. Servs., 177 N.J. 318, 332 (2003).
- <sup>1024</sup> Right to Choose v. Byrne, 91 N.J. 287, 303 (1982).
- <sup>1025</sup> Brief of Professors of History and Law as Amici Curiae in SFFA v. UNC, 600 U.S. 181 (2023), [https://www.supremecourt.gov/DocketPDF/20/20-1199/232463/20220801160903406\\_Harvard%20UNC%20Final%20PDF.pdfA.pdf](https://www.supremecourt.gov/DocketPDF/20/20-1199/232463/20220801160903406_Harvard%20UNC%20Final%20PDF.pdfA.pdf).
- <sup>1026</sup> “The New Abolitionists: Voters in a Handful of States Close the ‘Slavery Loophole’ in 2022,” Jeff Merkley, Senator for Oregon, December 30, 2022, accessed May 12, 2025, <https://www.merkley.senate.gov/the-new-abolitionists-voters-in-a-handful-of-states-close-the-slavery-loophole-in-2022/>
- <sup>1027</sup> Gideon v. Wainwright, 372 U.S. 335 (1963).
- <sup>1028</sup> Gabriel J. Chin, “Race and the Disappointing Right to Counsel,” *Yale Law Journal* 122, no. 8 (June 2013), <https://law.ucdavis.edu/sites/g/files/dgvnsk10866/files/inline-files/YaleLawJournalChin.pdf>.
- <sup>1029</sup> “Civil Right to Counsel,” American Bar Association, accessed May 4, 2025, [https://www.americanbar.org/groups/legal\\_aid\\_indigent\\_defense/civil\\_right\\_to\\_counsel1/](https://www.americanbar.org/groups/legal_aid_indigent_defense/civil_right_to_counsel1/).
- <sup>1030</sup> N.J.S.A. 2C:48B-2.
- <sup>1031</sup> “Population Characteristics Report on Jan. 1, 2025,” New Jersey Department of Corrections, accessed May 5, 2025, p. 28 [https://www.nj.gov/corrections/pdf/offender\\_statistics/2025/Population%20Characteristics%20Report-2025\\_Approved.pdf](https://www.nj.gov/corrections/pdf/offender_statistics/2025/Population%20Characteristics%20Report-2025_Approved.pdf).
- <sup>1032</sup> Scott Novakowski, “We Are 1844 No More: Let Us Vote,” New Jersey Institute for Social Justice, accessed April 16, 2025, [https://njisj.org/wp-content/uploads/2023/04/We\\_Are\\_1844\\_No\\_More\\_Report-1.pdf](https://njisj.org/wp-content/uploads/2023/04/We_Are_1844_No_More_Report-1.pdf); Henal Patel, “Value to the Soul: People With Criminal Convictions on the Power of the Vote,” New Jersey Institute for Social Justice, accessed May 1, 2025, [https://njisj.org/wp-content/uploads/2023/04/Value\\_to\\_the\\_Soul\\_10-08-19\\_FIN\\_WEB.pdf](https://njisj.org/wp-content/uploads/2023/04/Value_to_the_Soul_10-08-19_FIN_WEB.pdf).
- <sup>1033</sup> “New Jersey Voter Empowerment Act,” NJVRA Now, accessed May 4, 2025, <https://njvra.org/>.
- <sup>1034</sup> “Democracy in a Day,” New Jersey Institute for Social Justice, accessed May 4, 2025, <https://njisj.org/democracyinaday/>.
- <sup>1035</sup> Jeff Cockrell, “Why Paid Time off for Voting Can Help Address Racial Inequities,” *University of Chicago News*, Aug. 4, 2020, <https://news.uchicago.edu/story/why-paid-time-voting-can-help-address-racial-inequities>.
- <sup>1036</sup> “Our Vote, Our Power,” New Jersey Institute for Social Justice, accessed May 4, 2025, <https://njisj.org/ourvoteourpower/>.
- <sup>1037</sup> Universal Declaration of Human Rights, Article 13, accessed May 3, 2025, <https://www.un.org/en/about-us/universal-declaration-of-human-rights#:~:text=Article%2013,to%20return%20to%20his%20country>.
- <sup>1038</sup> After the Second World War, the United States invested significantly in Western Europe to rebuild its infrastructure and human capital as part of the Marshall Plan. Analogously, New Jersey should invest in its under- and disinvested Black communities, using the name of New Jersey’s own Paul Robeson as the moniker for the level of large scale and sustained investment required to address the harms of slavery and its aftermath. As detailed in this report, in 1951, Robeson along with William Patterson presented the “We Charge Genocide” petition to the United Nations, arguing that the continued subjugation of Black citizens in the U.S. amounted to a genocide against the Black population, deserving of international opprobrium and redress.
- <sup>1039</sup> Laura Sullivan, *The Two New Jerseys: A Deepening Divide* (New Jersey Institute for Social Justice, 2025), <https://njisj.org/reports/deepeningdivide/>; Jayne Johnson, *Erasing New Jersey’s Red Lines: Reducing the Racial Wealth Gap Through Homeownership and Investment in Communities of Color* (New Jersey Institute for Social Justice, 2020), 8-11, [https://njisj.org/wp-content/uploads/2023/05/Erasing\\_New\\_Jerseys\\_Red\\_Lines\\_Final.pdf](https://njisj.org/wp-content/uploads/2023/05/Erasing_New_Jerseys_Red_Lines_Final.pdf).
- <sup>1040</sup> Dedrick Asante-Muhammed et al., “The Ever-Growing Gap: Failing to Address the Status Quo Will Drive the Racial Wealth Divide for Centuries to Come,” Institute for Policy Studies, accessed May 4, 2025, <https://ips-dc.org/report-ever-growing-gap/>.
- <sup>1041</sup> Jayne Johnson et al., *Erasing New Jersey’s Red Lines: Reducing the Racial Wealth Gap Through Homeownership and Investment in Communities of Color* (New Jersey Institute for Social Justice, 2020), [https://njisj.org/wp-content/uploads/2023/05/Erasing\\_New\\_Jerseys\\_Red\\_Lines\\_Final.pdf](https://njisj.org/wp-content/uploads/2023/05/Erasing_New_Jerseys_Red_Lines_Final.pdf), 13.

- <sup>1042</sup> Ellora Derenoncourt et al., “Wealth of Two Nations: The U.S. Racial Wealth Gap, 1860–2020,” *The Quarterly Journal of Economics* 139, no. 2 (2024): 693–750.
- <sup>1043</sup> Laura Sullivan et al., *The Two New Jerseys: The Deepening Divide* (New Jersey Institute for Social Justice, April 2025), <https://njisj.org/reports/deepeningdivide/>
- <sup>1044</sup> Ibid; “QuickFacts: New Jersey,” U.S. Census Bureau, accessed April 17, 2025, <https://www.census.gov/quickfacts/fact/table/NJ/PST045224>. See Appendix B for calculations of investments required to close the racial wealth gap.
- <sup>1045</sup> Tracey Tully, “N.J. Approves \$14 Billion in Corporate Tax Breaks in Less Than a Week,” *New York Times*, Dec. 21, 2020, <https://www.nytimes.com/2020/12/21/nyregion/tax-incentives-new-jersey.html>; *New Jersey Economic Recovery Act*, Assembly Bill 4, 219th Legislature, Sess. 2020–2021 (New Jersey 2020), <https://www.njleg.state.nj.us/bill-search/2020/A4>.
- <sup>1046</sup> “Letter from Members of the United Black Agenda to Governor Murphy,” Dec. 21, 2020, [https://d3n8a8pro7vhmx.cloudfront.net/njisj/pages/721/attachments/original/1608691990/UBA\\_ERA2020\\_Letter\\_to\\_Governor\\_Murphy.pdf](https://d3n8a8pro7vhmx.cloudfront.net/njisj/pages/721/attachments/original/1608691990/UBA_ERA2020_Letter_to_Governor_Murphy.pdf) (arguing that New Jersey did not sufficiently address housing affordability and supply and failed to move on strategic policy recommendations like reparations and Baby Bonds, among others, that could help close the racial wealth gap.)
- <sup>1047</sup> “Baby Bonds Around the U.S.,” Institute on Race, Power, and Political Economy, accessed May 4, 2025, <https://racepowerpolicy.org/baby-bonds/baby-bonds-around-the-us/>.
- <sup>1048</sup> Harbani Ahuja et al., *Funding New Jersey’s Future with Baby Bonds* (New Jersey Institute for Social Justice, 2023), <https://njisj.org/wp-content/uploads/2024/07/BABY-BONDS-BRIEF-2024-Compressed.pdf>.
- <sup>1049</sup> Rep. Ayanna Pressley and David Stein, “A Federal Job Guarantee: The Unfinished Business of the Civil Rights Movement,” *The Nation*, September 2, 2021, <https://www.cbpp.org/research/the-federal-job-guarantee-a-policy-to-achieve-permanent-full-employment>.
- <sup>1050</sup> For 2025, a living wage in New Jersey is \$26.20. The state’s minimum wage should be comparable.
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<sup>1112</sup> See Ruben Carranza et al., *More than Words: Apologies as a Form of Reparations* (International Center for Transitional Justice, 2015), <https://www.ictj.org/sites/default/files/ICTJ-Report-Apologies-2015.pdf>. An official apology should be developed at the highest levels of government with affected communities. While there is not a uniform way to issue an apology, key attributes include: sincerity; full acknowledgment of responsibility; addressing the future of how to further redress the harm, among other elements. In addition to maximizing their purpose and effectiveness, official apologies should be accompanied with material reparations.

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<sup>1115</sup> See *Weeping Time Cultural Heritage Corridor Authority, create*, HB1425, Georgia Legislature (2024), <https://legiscan.com/GA/text/HB1425/2023>. In 2024, the state of Georgia passed a law establishing the Weeping Time Cultural Heritage Corridor Authority, enabling Weeping Time descendants to acquire property and land rights in a corridor of cultural significance to aid development of projects for direct benefit of the descendant community.

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