

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE CONCURRENT
4 RESOLUTION 1012

By: Goodwin of the House

5 and

6 Matthews of the Senate

7
8 AS INTRODUCED

9 A Concurrent Resolution relating to the Tulsa Race
10 Massacre of 1921; making findings; and requesting
11 consideration of remedies.

12
13 WHEREAS, three known living 1921 Tulsa Race Massacre survivors
14 and rare treasures are Mrs. Viola Ford Fletcher, age 107, Mrs.
15 Lessie Benningfield Randle, age 106, and veteran, Mr. Hughes Van
16 Ellis, age 100, all embody intelligence, resilience and grace as
17 they still seek justice having endured the worst act of racial
18 terrorism in America, May 31-June 1, in Tulsa, Oklahoma, as white
19 mobs burned, bombed, shot and murdered an estimated 300 black
20 residents and destroyed approximately 1,256 houses and 200
21 businesses in 35 square blocks of the prosperous Greenwood
22 community, known as Black Wall Street; and

23 WHEREAS, May 31-June 1, 2021, marks 100 years since the 1921
24 Tulsa Race Massacre, and the State of Oklahoma, the nation and the

1 world commemorate a tragic event, which the best of humanity could
2 not have committed and many must endeavor daily to prevent the
3 reoccurrence of such horrific acts; and

4 WHEREAS, Dick Rowland, age 19, shoe shiner, was a young black
5 man falsely accused of assaulting Sarah Page, age 17, elevator
6 operator, a young white woman, and the reports of a romance or an
7 innocent stumble on the elevator would be consumed in the fires of
8 racial hatred resulting in the deaths of blacks and whites, in
9 lesser numbers while caring and fair minded white Tulsans in the
10 midst of catastrophe, were still compelled to engage in helpful
11 acts; and

12 WHEREAS, in 1997, former State Representative Don Ross and the
13 late Senator Maxine Horner authored House Joint Resolution No. 1035
14 and created the 1921 Tulsa Race Riot Commission to provide findings
15 and documentation of the event, which is now properly referred to as
16 the Tulsa Race Massacre of 1921; and

17 WHEREAS, in 2000, a 200-page report was compiled in which the
18 Tulsa Race Riot Commission recommended:

19 1. Direct payment of reparations to survivors of the Tulsa Race
20 Riot;

21 2. Direct payment of reparations to descendants of the
22 survivors of the Tulsa Race Riot;

23 3. A scholarship fund available to students affected by the
24 Tulsa Race Riot;

1 4. Establishment of an economic development enterprise zone in
2 the historic area of the Greenwood District; and

3 5. A memorial for the reburial of any human remains found in
4 the search for unmarked graves of riot victims; and

5 WHEREAS, in the days of segregation, the determined faithful of
6 Greenwood would rebuild a thriving, black community, and 100 years
7 later, we see the historical context which portions of Enrolled
8 House Joint Resolution No. 1035 of the 1st Session of the 46th
9 Oklahoma Legislature provide for Oklahomans learning of the events
10 today; and

11 WHEREAS, Mr. Rowland was placed under arrest and was taken into
12 custody by the law enforcement officials of the City of Tulsa and
13 was incarcerated in the Tulsa County jail; and

14 WHEREAS, after his arrest a number of people assembled for the
15 apparent purpose of unlawfully removing Mr. Rowland from the jail in
16 order to cause his wrongful death without awaiting the outcome of a
17 criminal proceeding during which Mr. Rowland would have had an
18 opportunity to have presented a defense to the actions charged
19 against him; and

20 WHEREAS, the assembly became unruly and riotous in its conduct
21 and persons who were asked by law enforcement officials to disperse
22 refused to do so; and

1 WHEREAS, certain persons acted without regard to their personal
2 safety and attempted to quiet the assembly which had taken on the
3 character of a lynch mob; and

4 WHEREAS, Mr. J.B. Stradford took action among the residents of
5 the Greenwood area to organize a group to assist law enforcement
6 officials in preventing a mob from removing Dick Rowland from the
7 jail for the apparent purpose of committing an act of premeditated
8 murder; and

9 WHEREAS, the assembly and other persons began to commit acts
10 against the persons and property of certain residents of the area of
11 the City of Tulsa then known as "Greenwood" which, because of racial
12 segregation prevalent at the time, was an area of Tulsa consisting
13 of residences and businesses of primarily black persons; and

14 WHEREAS, the wrongful acts consisted of assault, aggravated
15 assault, arson, battery, trespass against persons and property,
16 false imprisonment, malicious destruction of property, attempted
17 murder, murder and manslaughter; and

18 WHEREAS, these criminal acts were directed primarily against
19 men, women and children who resided in and conducted their lawful
20 business in the Greenwood area of Tulsa; and

21 WHEREAS, the civil unrest precipitated into a wide-scale attack
22 on the persons and property of many black residents of the City of
23 Tulsa; and

24

1 WHEREAS, the Governor of the State of Oklahoma activated the
2 National Guard and dispatched a number of armed soldiers in order to
3 attempt to restore the peace within the City of Tulsa; and

4 WHEREAS, as a result of actions taken by certain members of the
5 forces which were dispatched to the scene, all black men, women and
6 children were removed from the protection of their lawful homes and
7 taken into a form of custody which resulted in their continued
8 confinement; and

9 WHEREAS, the internment of black citizens made it impossible for
10 residents to remain in the Greenwood area in order to protect real
11 and personal property resulting in a situation in which continued
12 tortious and criminal acts took place; and

13 WHEREAS, there have been historical accounts of as many as 300
14 deaths resulting from the criminal actions committed on or about May
15 31, 1921, and June 1, 1921, in the City of Tulsa; and

16 WHEREAS, many black persons were unlawfully and wrongfully
17 deprived of real and personal property, income from property, their
18 homes, belongings and other effects; and

19 WHEREAS, many black persons lost family members and friends as a
20 result of both organized and random acts of violence committed
21 against black persons; and

22 WHEREAS, the persons against whom these criminal acts were
23 committed were innocent of any wrongdoing with respect to the
24 aggressors and were victims of social and legal conditions which

1 tolerated the criminal acts primarily because of the inequality of
2 treatment which existed with respect to black persons at that time
3 in Oklahoma and American history; and

4 WHEREAS, the economic and personal losses sustained by the
5 Greenwood community and the persons who made their homes and who
6 conducted their lawful business activity were not compensated at the
7 time of the incident; and

8 WHEREAS, there is historical support for the conclusion that the
9 City of Tulsa and the State of Oklahoma, through actions or
10 omissions of the Oklahoma National Guard and law enforcement
11 officials of the City of Tulsa, contributed to the losses sustained
12 by black persons during the Tulsa Race Massacre; and

13 WHEREAS, black persons of that era were practically denied equal
14 access to the civil or criminal justice system in order to obtain
15 damages or other relief for the tortious and criminal conduct which
16 had been committed; and

17 WHEREAS, actions by entities of the City of Tulsa during the
18 period after the riot were designed to prevent the reconstruction of
19 the residences in the Greenwood area, including an ordinance which
20 effectively would have prevented the redevelopment of the Greenwood
21 area for residential use; and

22 WHEREAS, a black lawyer, Mr. B.C. Franklin, and other lawyers
23 filed a civil lawsuit challenging the constitutionality of the
24 ordinance; and

1 WHEREAS, a district court declared the city ordinance
2 unconstitutional as a deprivation of property without due process of
3 law - a ruling that eventually permitted the redevelopment of the
4 Greenwood area for residential purposes; and

5 WHEREAS, the Greenwood community and the residents who lived and
6 worked there were irrevocably damaged by the tortious and criminal
7 conduct that occurred during the Tulsa Race Massacre; and

8 WHEREAS, the State of Oklahoma is committed to the principles of
9 equal treatment under the law and to the fundamental concept that
10 all persons are entitled to justice, irrespective of their race; and

11 WHEREAS, at the time of the 1921 massacre in the City of Tulsa,
12 the Oklahoma Constitution contained provisions, still effective as
13 law, which provided that: "All persons have the inherent right to
14 life, liberty, the pursuit of happiness, and the enjoyment of the
15 gains of their own industry."; and further that: "The courts of
16 justice of the State shall be open to every person, and speedy and
17 certain remedy afforded for every wrong and for every injury to
18 person, property, or reputation; and right and justice shall be
19 administered without sale, denial, delay or prejudice."; and further
20 that: "No person shall be deprived of life, liberty, or property,
21 without due process of law."; and

22 WHEREAS, while it is fitting for right hearts and minds to
23 commemorate these tragic events, may souls and descendants be
24 remembered; and

1 WHEREAS, after 100 years, for historical context, retelling and
2 significance, language from Enrolled House Joint Resolution No. 1035
3 of the 1st Session of the 46th Oklahoma Legislature is also
4 contained in this resolution, while understanding, even in 1921,
5 instead of "riot", the word "massacre" was also used then by
6 survivors and better described the terrible events; the use of the
7 word "riot" prevented insurance claim payouts; and

8 WHEREAS, when just repair and restoration are realized, the
9 mending of a nation and the ties of simple human relations are more
10 blessed.

11 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 1ST
12 SESSION OF THE 58TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING
13 THEREIN:

14 THAT the Oklahoma Legislature continues to recognize the
15 significance of the events occurring during the period from May 31
16 through June 1, 1921, which is properly referred to as the "Tulsa
17 Race Massacre".

18 THAT consideration be given to the remedies available to the
19 survivors of the Tulsa Race Massacre and to the descendants of the
20 persons who were the victims of violent acts and the destruction of
21 their property.

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23 58-1-8260 MAH 05/18/21
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