

Civil Rights Speech – Exposing San Francisco’s Contracting Apartheid

Good evening.

We are told that San Francisco is a city of equity. A city of fairness. A city of justice.

But the Annual LBE Participation Report—this supposed proof of progress—reads like a modern-day Jim Crow ledger. It is not a record of fairness; it is a record of exclusion dressed as equality.

Dr. Martin Luther King Jr. once said: “The greatest tragedy of this period of social transition was not the strident clamor of the bad people, but the appalling silence of the good people.”

And here, that silence has taken the form of government complicity.

San Francisco’s contracting system is not broken—it is working exactly as those in power intend.

It favors the powerful. It enriches the entrenched. It excludes Black and Brown contractors with the same deliberate force that Jim Crow once used to block Black voters in the South.

This is white supremacy in a three-piece suit. Jim Crow

in a business tie.

Look at the numbers:

- In Bayview, Sunnydale, and Potrero Hill—communities of color—contractors averaged only \$132,000 per business.
- In the Mission District? Over \$25 million.
- In the Financial District? Over \$40 million.
- And outside San Francisco altogether? Over \$200 million.

This is not equity. It is economic segregation. It is “separate and unequal” written into the ledger of public contracts.

I am reminded of President Ibrahim Traoré of Burkina Faso, who declared: “A slave who cannot assume his own revolt does not deserve to be pitied.”

His words echo the struggle of his nation—colonized, stripped of its natural resources, and left impoverished while outsiders grew rich.

And here in San Francisco, we see the same pattern. Black contractors pay taxes into the city’s treasury. Their money builds the very infrastructure of this city. But when contracts are awarded, they are systematically excluded. Their dollars fund prosperity, but the prosperity is captured by wealthy white-owned

firms who walk away with the lion's share.

Colonialism abroad. Contracting apartheid at home.
Different soil, same injustice.

And let us not pretend this is new. In 1984, San Francisco's own Disparity Study overwhelmingly proved the discrimination.

The study revealed that minority-owned firms received less than 2% of City contracts, though they made up over 25% of the available pool.

One Black contractor testified: "We bid. We bid low. We are qualified. But the doors are closed. It is always the same names, the same companies, and none of them look like us."

Women contractors recounted being asked if their husbands could attend meetings before they could be considered. One Black electrician testified: "The City requires taxes from me. The City requires licenses from me. But when I apply for work, they say I do not exist."

The companion report, *The Unfinished Agenda*, went further. It showed that minority contractors were concentrated in Bayview–Hunters Point, Potrero Hill, and the Mission — yet City dollars barely reached those neighborhoods.

The evidence was overwhelming. The conclusion clear: discrimination was rampant, systemic, and ongoing.

And what did San Francisco do? Instead of strengthening the Human Rights Commission, the watchdog since 1964, the City dismantled its power. It muzzled the only agency with real oversight.

It was as if the fire alarm rang out—and City Hall cut the wires.

And in more recent years, corruption has infected the very awarding agencies.

At the San Francisco Public Utilities Commission, executives were indicted for bribery and favoritism. At the Department of Public Works, its leader was convicted for corruption. Other department heads resigned under the weight of investigations.

While insiders lined their pockets, honest Black businesses were left outside the gates, looking in.

This is not an accident. This is not incompetence. This is a system designed to exclude, to exploit, and to preserve power for the few at the expense of the many.

Chapter 14B promised fairness. Monitoring.

Enforcement. Sanctions.

But in practice? No monitoring. No penalties. Not a single sanction.

And when challenged, the City hides behind Proposition 209 and Coral Construction. But most contracts are federally funded. And the Supremacy Clause—U.S. Const. art. VI, cl. 2—makes federal law the supreme law of the land.

Federal courts have been crystal clear:

- Sherbrooke Turf v. Minnesota DOT (8th Cir. 2003).
- Western States Paving v. Washington DOT (9th Cir. 2005).
- Northern Contracting v. Illinois DOT (7th Cir. 2007).

In each case, federal DBE rules prevailed. States were compelled to comply.

But in San Francisco, the City Attorney surrendered. He chose not to enforce federal law. He chose complicity over courage.

As Nelson Mandela reminded us: “Overcoming poverty is not a gesture of charity. It is an act of justice.”

And Malcolm X warned us too: “You can’t have capitalism without racism.” His words remind us that exclusion in public contracting is not simply

negligence—it is built into a system designed to protect the powerful at the expense of the oppressed.

What San Francisco has shown us is not simply a failure of policy. It is a failure of morality.

It is white supremacy by another name: contracts and dollars replacing poll taxes and literacy tests.

Jim Crow once locked the ballot box. San Francisco now locks the contracting office.

Different tools. Same purpose: exclusion.

So what must we do?

- Disaggregate contract data—by race, gender, and neighborhood.
- Require investment in Bayview, Sunnyside, and Potrero Hill.
- Impose sanctions on contractors who exclude.
- Commission a new disparity study—to hold up the mirror of truth.
- Hold the City Attorney accountable—to enforce federal law, not evade it.

As Maya Angelou said: “When someone shows you who they are, believe them the first time.”

The Report shows us who San Francisco is today. But

we believe San Francisco can be something greater tomorrow.

And so I leave you with the words of John Lewis: “When you see something that is not right, not fair, not just—you have to speak up. You have to say something. You have to do something.”

Today, we speak.
Tomorrow, we act.

And until equity is not a slogan, but a lived reality, we will not be silent.