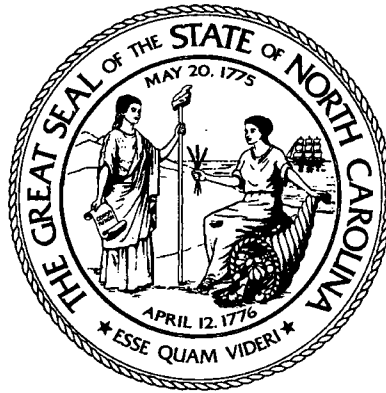


**2008**

**HOUSE SELECT  
COMMITTEE ON  
COMPENSATION FOR  
VICTIMS OF THE  
EUGENICS  
STERILIZATION  
PROGRAM**

**MINUTES**



**HOUSE SELECT COMMITTEE ON  
COMPENSATION FOR VICTIMS OF THE  
EUGENICS STERILIZATION PROGRAM**

**2008 INTERIM SESSION**

**REPRESENTATIVE LARRY WOMBLE  
CO-CHAIR**

**REPRESENTATIVE RON SUTTON  
CO-CHAIR**

**COMMITTEE ASSISTANT  
DOROTHY McLEAN  
KARON HARDY**



Office of the Speaker  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

JOE HACKNEY  
SPEAKER

August 21, 2008

*(Date correction)*

The Honorable Larry Womble  
North Carolina House of Representatives  
Legislative Office Building, Room 534  
Raleigh, North Carolina 27603

Dear Representative Womble:

Pursuant to the authority granted to me in G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly, I am pleased to appoint you to serve as Co-Chair of the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program. Your appointment is effective immediately, and will end with the termination of the Committee on December 31, 2008.

Thank you for your willingness to serve in this capacity. I am deeply grateful for people like you who are willing to give their time and talent to move North Carolina forward. I know that you will have much to offer to the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program and will be effective and diligent in your service to our State.

Very truly yours,

Joe Hackney

JH:ar

Copy: Governor Michael F. Easley  
Lieutenant Governor Beverly E. Perdue  
The Honorable Marc Basnight  
The Honorable Elaine Marshall  
Denise Weeks, House Principal Clerk  
Janet Pruitt, Senate Principal Clerk

George Hall, Legislative Services Officer  
Director of Research  
Office of the State Controller  
State Library  
Legislative Library



Office of the Speaker  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

JOE HACKNEY  
SPEAKER

August 21, 2008

*(Date correction)*

The Honorable Ron Sutton  
North Carolina House of Representatives  
Legislative Building, Room 1321  
Raleigh, North Carolina 27601

Dear Representative Sutton:

Pursuant to the authority granted to me in G.S. 120-19.6(a1) ) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly, I am pleased to appoint you to serve as Co-Chair of the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program. Your appointment is effective immediately, and will end with the termination of the Committee on December 31, 2008.

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Office of the Speaker  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

JOE HACKNEY  
SPEAKER

August 21, 2008

*(Date correction)*

The Honorable Martha B. Alexander  
North Carolina House of Representatives  
Legislative Building, Room 2208  
Raleigh, North Carolina 27601

Dear Representative Alexander:

Pursuant to the authority granted to me in G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly, I am pleased to appoint you to serve on the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program. Your appointment is effective immediately, and will end with the termination of the Committee on December 31, 2008.

Thank you for your willingness to serve in this capacity. I am deeply grateful for people like you who are willing to give their time and talent to move North Carolina forward. I know that you will have much to offer to the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program and will be effective and diligent in your service to our State.

Very truly yours,

Joe Hackney

JH:ar

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Office of the Speaker  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

JOE HACKNEY  
SPEAKER

August 21, 2008

*(Date correction)*

The Honorable Sandra Spaulding Hughes  
North Carolina House of Representatives  
Legislative Office Building, Room 611  
Raleigh, North Carolina 27603

Dear Representative Hughes:

Pursuant to the authority granted to me in G.S. 120-19.6(a1) ) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly, I am pleased to appoint you to serve on the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program. Your appointment is effective immediately, and will end with the termination of the Committee on December 31, 2008.

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Joe Hackney

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Legislative Library



Office of the Speaker  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

JOE HACKNEY  
SPEAKER

August 21, 2008

*(Date correction)*

The Honorable James H. Langdon, Jr.  
North Carolina House of Representatives  
Legislative Office Building, Room 610  
Raleigh, North Carolina 27603

Dear Representative Langdon:

Pursuant to the authority granted to me in G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly, I am pleased to appoint you to serve on the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program. Your appointment is effective immediately, and will end with the termination of the Committee on December 31, 2008.

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Very truly yours,

Joe Hackney

JH:ar.

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The Honorable Marc Basnight  
The Honorable Elaine Marshall  
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Janet Pruitt, Senate Principal Clerk

George Hall, Legislative Services Officer  
Director of Research  
Office of the State Controller  
State Library  
Legislative Library



Office of the Speaker  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

JOE HACKNEY  
SPEAKER

September 11, 2008

The Honorable Earline W. Parmon  
North Carolina House of Representatives  
Legislative Building, Room 622  
Raleigh, North Carolina 27601

Dear Representative Parmon:

Pursuant to the authority granted to me in G.S. 120-19.6(a1) ) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly, I am pleased to appoint you to serve on the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program. Your appointment is effective immediately, and will end with the termination of the Committee on December 31, 2008.

Thank you for your willingness to serve in this capacity. I am deeply grateful for people like you who are willing to give their time and talent to move North Carolina forward. I know that you will have much to offer to the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program and will be effective and diligent in your service to our State.

Very truly yours,

A handwritten signature in cursive script that reads "Joe Hackney".

Joe Hackney

JH:ar

Copy: Governor Michael F. Easley  
Lieutenant Governor Beverly E. Perdue  
The Honorable Marc Basnight  
The Honorable Elaine Marshall  
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State Library  
Legislative Library



Office of the Speaker  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

JOE HACKNEY  
SPEAKER

August 21, 2008

*(Date correction)*

The Honorable Ruth Samuelson  
North Carolina House of Representatives  
Legislative Office Building, Room 418-B  
Raleigh, North Carolina 27603

Dear Representative Samuelson:

Pursuant to the authority granted to me in G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly, I am pleased to appoint you to serve on the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program. Your appointment is effective immediately, and will end with the termination of the Committee on December 31, 2008.

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Office of the State Controller  
State Library  
Legislative Library



Office of the Speaker  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

JOE HACKNEY  
SPEAKER

August 21, 2008

*(Date correction)*

The Honorable Bonner L. Stiller  
North Carolina House of Representatives  
Legislative Office Building, Room 306-A2  
Raleigh, North Carolina 27603

Dear Representative Stiller:

Pursuant to the authority granted to me in G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly, I am pleased to appoint you to serve on the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program. Your appointment is effective immediately, and will end with the termination of the Committee on December 31, 2008.

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Office of the State Controller  
State Library  
Legislative Library



Office of the Speaker  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

JOE HACKNEY  
SPEAKER

August 21, 2008

*(Date correction)*

The Honorable Michael H. Wray  
North Carolina House of Representatives  
Legislative Office Building, Room 533  
Raleigh, North Carolina 27603

Dear Representative Wray:

Pursuant to the authority granted to me in G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly, I am pleased to appoint you to serve on the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program. Your appointment is effective immediately, and will end with the termination of the Committee on December 31, 2008.

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Joe Hackney

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Director of Research  
Office of the State Controller  
State Library  
Legislative Library

# HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION PROGRAM

## INTERIM 2008 SESSION

MEMBER	ASSISTANT	PHONE	OFFICE	SEAT
SUTTON, Ron, Co-Chair	Jo Bobbitt Karon Hardy, Committee Clerk	715-0875 733-5878	1321 542	72
WOMBLE, Larry, Co-Chair	Dorothy McLean	733-5777	534	56
ALEXANDER, Martha	Ann Faust	733-5807	2208	32
HUGHES, Sandra	Barbara Phillips	733-5754	611	5
LANGDON, James	Jackson Stancil	733-5849	610	101
PARMON, Earline	Pat Christmas	733-5829	541	66
SAMUELSON, Ruth	Susan Phillips	715-3009	418B	119
STILLER; Bonner	Carla Farmer	301-1450	306-A2	15
WRAY, Michael	Mary Capps	733-5662	533	60
<b>STAFF</b>				
<b>Ben Popkins-Committee Counsel</b>		733-2578	545	
<b>Melanie Bush-Fiscal Research</b>		733-4910	619	
<b>Lee Dixon-Fiscal Research</b>		733-4910	619	
<b>Denise Huntley Research</b>		733-2578	545	

Committee Counsel:  
Ben Popkin

Research  
Denise Huntley

Fiscal Staff:  
Melanie Bush  
Lee Dixon

**NORTH CAROLINA GENERAL ASSEMBLY**

**House Select Committee on Compensation for Victims of the Eugenics Sterilization Program  
2008 SESSION**



**Representative Sutton  
Co-Chair**



**Representative Womble  
Co-Chair**



**Representative Alexander**



**Representative Hughes**



**Representative Langdon**



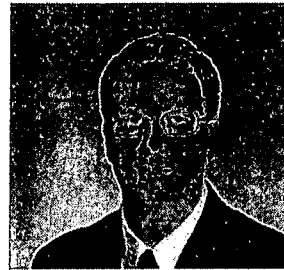
**Representative Parmon**



**Representative Samuelson**



**Representative Stiller**



**Representative Wray**







**Department of Health and Human Services  
Estimate for Supporting the Eugenics Database Project  
As of 12/03/2008**

**I. Overview**

The following is an estimate for creating a DHHS Eugenics Access Database. DHHS' database will be established by using the Department of Cultural Resources' database which will include information derived from paper records and microfilm. The new DHHS database will be used to match its records against existing State records at DHHS, DOR, and DMV. This database will be a LAN based application which will be secured through the Department's normal security system.

**II. Four Phases of the Project**

**Phase 1: Creating the initial database**

The Department of Cultural Resources will submit to the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program cost estimates for the creation of a database from scanned index cards, scanned folders and microfilm.

**Phase 2: Matching approximately 7,600 cases against existing State databases**

Approximately 7,600 names will be extracted from the database that is created in phase 1 and placed on an electronic file in DHHS. The 7,600 names will then be matched against:

1. DHHS Customer Service Data Warehouse (CSDW) Client table, Food Stamps table, FSIS table and SIS table
2. DHHS Vital Records database
3. DMV license database
4. DOR databases

**Phase 3: Updating of the database based on the match results from phase 2**

The updating will be performed and automated by DHHS staff.

**Phase 4: Ongoing support and reports**

This will include modifications to the database program to capture new information and produce reports.

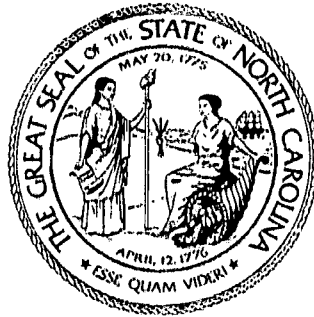
### III. Estimates

#### LAN Access Database

DIRM (Division of Information and Resource Management, DHHS)

The Harvey Building is located on the Dix Campus.

<b>DHHS Estimate for creating a LAN Access Eugenics Database</b>	
<b>Activity Item</b>	<b>Cost</b>
Estimate 40 DIRM hours to modify Access program to make more user friendly	\$3,898
Estimate 80 DIRM hours to match against multiple Data Warehouse source systems (FoodStamps, Client File, Services Information System)	\$7,795
Estimate 60 Public Health hours to match against Vital Records (birth and death records)	\$5,220
Estimate 60 DMV hours to match against License and Registration databases	\$5,220
Estimate 60 DOR hours to match against DOR databases	\$5,220
Estimate 80 hours DIRM support first year (includes admin costs)	\$7,795
<b>Total without hardware</b>	<b>\$35,148</b>
Server located in Harvey building with local LAN access	\$3,500
<b>Total with LAN access to server</b>	<b>\$38,648</b>



**NORTH CAROLINA GENERAL ASSEMBLY  
COMMITTEE MEETING NOTICE  
LEGISLATIVE BUILDING  
RALEIGH NC 27601**

September 22, 2008

**MEMORANDUM**

**TO:** Members of the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

**FROM:** Rep. Larry Womble, Co-Chair  
Rep. Ron Sutton, Co-Chair

**SUBJECT:** Meeting Notice

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program will meet on the following date:

DAY: Thursday  
DATE: October 9, 2008  
TIME: 1:00 pm  
LOCATION: Room 1124, Legislative Building

If you have any questions concerning this meeting, please contact Dorothy McLean, Committee Assistant, at (919) 733-5777 or email womblela@ncleg.net. If you cannot attend, please contact Karon Hardy, Committee Clerk, at (919) 733-5878 or email bryantla@ncleg.net.

Posted: September 19, 2008

cc: Committee Record     x      
Interested Parties     x

# Agenda

## House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

Thursday, October 9, 2008

1:00 p.m.

Legislative Building

Room 1124/1224

---

### I. Welcome and Introductions

*Representative Larry Womble, Cochair*

*Representative Ron Sutton, Cochair*

### II. Review of Committee Charge

*Ben Popkin, Committee Staff*

### III. 2003 North Carolina Eugenics Study Committee Report - Update

*Dr. Barbara Pullen-Smith, Director, NC Office of Minority Health and Health Disparities,  
Department of Health and Human Services*

### IV. Committee Discussion

### V. Adjourn

MINUTES

HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE  
EUGENICS STERILIZATION PROGRAM

October 9, 2008

Room, Legislative Office Building  
Representative Larry Womble, Presiding  
Representative Ron Sutton

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program met on Thursday, October 9, 2008 in Room 1124 of the Legislative Building.

The following members were present: Representatives Larry Womble, Co-Chair, Ron Sutton, Co-Chair, Sandra Spaulding Hughes, James H. Langdon, Earline Parmon, Ruth Samuelson, and Michael H. Wray. Committee staff ---Ben Popkin, Melanie Bush and Committee Clerks, Dorothy McLean and Karon Hardy were present. The original Visitor Registration Sheet is attached to these minutes as (*Attachment 1*).

The Co-Chair, Representative Larry Womble called the meeting to order at 1:05 pm and welcomed everyone to the meeting and thanked everyone for being a part. The Sergeants-At-Arms: Reggie Sills, Martha Gavelson, Charles Corker and Ken Burrows were recognized for their assistance with the meeting. The Co-Chair recognized Co-Chair Representative Ron Sutton. Members on the committee were recognized and introduced themselves and what county and districts they represented. Committee clerks Dorothy McLean and Karon Hardy were introduced.

The Co-Chair invited the guests to introduce themselves and state their affiliations. The guest that was present included: Ms. Barbara Pullen-Smith, NC Office of Minority Health and Disparities; Lisa Hodges, Public Health Consultant for the NC Office of Minority Health and Disparities; David Brooks; Will Polk, General Counsel – Lt. Governor's Office, Jane Smith, Legislative Liaison for Health and Human Services; John McCue, Government Legislative Office.

The following guest was recognized and given the opportunity to make a statement:

**Mr. Will Polk, General Counsel to Lt. Governor's Office**

The Lt. Governor is very pleased that the Speaker Hackney appointed this committee to address this issue. She looks forward to hearing the recommendations that the Select committee comes up with to compensate the victims that went through the Eugenics Sterilization. She offers her assistance in the development of the recommendations.

The first presenter recognized by the Co-Chair, Representative Larry Womble was staff person, Ben Popkin.

**Mr. Ben Popkin**

Mr. Popkin gave a brief summary of the history and operations of the North Carolina State Eugenics Sterilization Program. He referenced the brochure that Ms. Pullen-Smith supplied. (*Attachment 2, 3, & 4*). In the 1920s, there was an interest in Eugenics and a wide range of states enacted laws to implement policies to remove "undesirable qualities" from the human gene pool. In North Carolina the program began in 1929 and its operations were documented by reports issued by the North Carolina Eugenics Board. The last official board report filed covers 1966- 1968, and includes the following: The Eugenics Sterilization Program of North Carolina was administered under Article 7 in Chapter 35 of the General Statutes of North Carolina, enacted in 1933. This law provided for the sterilization of persons who were mentally ill or mentally retarded. The law referred to these disabilities as "the mentally-diseased and feeble minded". In addition to the objective evidence of one of the impairments, it also had to be shown that sterilization was applicable to the particular individual as a result of social, medical, psychiatric and/or psychological studies. The primary purpose of sterilization as it was administered under the North Carolina program was to "protect persons from parenthood whose impairment would seriously handicap them in assuming the responsibilities of parents". The legal process began with petitions for the sterilization of non-institutional persons submitted to the Eugenics Board by the county directors of public welfare and petitions for the sterilization of state institutional residents submitted by superintendents of the institution. The process called for petitions to be presented by either a social worker at the county level or a person affiliated with the institution where the person to be sterilized was a resident. The program was administered by the North Carolina Eugenics Board which consisted of 5 members: The Commissioner of Public Welfare, Director of the State Board of Health, a chief medical officer of an institution for the mentally ill or mentally retarded, the Commissioner of the State of North Carolina Department of Mental Health and the Attorney General of North Carolina. Petitions were reviewed by the Board and they ruled on whether or not an individual was to be sterilized. The vast majority of the petitions that were submitted to the Board were approved and resulted in sterilization of those individuals.

Co-Chair Womble gave remarks about the history of Eugenics, and he commended the Legislature for taking this law off the books. The state of North Carolina has apologized, taken it off the books and the government needs to be responsible for destroying lives. Compensation is the next step. Compensation is not strictly money. The victims would like the other opportunities that were not available to them and to be recognized as people. There has been national and local attention given to this issue. He showed magazines and named TV shows that have done stories on these victims.

**Ms. Barbara Pullen-Smith**

Co-Chair Womble introduced the next speaker, Ms. Barbara Pullen-Smith, Director of the Office of Minority Health and Health Disparities. Ms. Pullen-Smith began her presentation with a video that included statements by the Secretary of the Department of Health and Human Services, Carmen Hooker-Odom, Rep. Larry Womble, Dr. Johanna Schoen, author of *Choice and Coercion Birth Control and Sterilization and Abortion and*

Public Health and Welfare, Ms. Mary English, survivor of the NC Eugenics program, and Ms. Elaine Riddick, survivor of NC Eugenics program.

In December 2002, Governor Michael Easley issued an official apology and appointed a Study Committee. The committee Co-Chairs were Rep. Womble and former secretary, Carman Hooker-Odom. The Committee was made up of representatives from the Department of Cultural Resources, a Duke University Ethicist, several staff from the Department of Health and Human Services, the General Counsel, a representative from the Council of Developmental Disabilities, the Division of Mental Health Developmental Disabilities and Substance Abuse Services and the Office of Minority Health and Health Disparities. They were given 3 main tasks –

1. Study the history of the Eugenics Sterilization Program;
2. Ensure that this program is never repeated; and
3. Make recommendations on how to assist the Eugenic survivors.

To guide their work the committee was presented information on Dr. Johanna Scheon's research on Eugenic Sterilizations in NC. Minutes and articles were reviewed. They spoke with the victims. They met over the course of a few months. In June 2003, the Governor's committee submitted a report to the Governor. The report included two sets of recommendations:

1. Support for survivors; and
2. System changes that need to be put in place. (*See Attachments 2, 3 & 5*).

Co-Chair Womble thanked Ms. Pullen-Smith for her report and he recognized Ms. Lisa Hodges for all the work she contributed to the history museum exhibit. He thanked the Co-Chair and all the Representatives who signed off on the legislation because now it is a law. He recognized Rep. Parmon for co-sponsoring this bill.

Co-Chair Womble encouraged everyone to take a brochure and to see the posters. He put a plug in for the Exhibit. It is the first one in the nation – copied from the Smithsonian Institute. It has the voices of the victims recorded and a display of the actual instruments used for the sterilization process. He recognized the Secretary of State Carmen Hooker-Odom. She took the ball and ran with it.

Co-Chair Womble opened the floor for question and answers. He first recognized Rep. Earline Parmon.

Rep. Parmon: Thanked Co-Chairs for getting this information together. How many of the recommendations that came out of the Governor's commission have been implemented and have gone forth? She wants to make sure the committee is committed to doing something to make sure these recommendations are done.

Co-Chair Womble: Compensation does not always have to take the form of money. Compensation means that you compensate for what you have done. These victims were not really concentrating solely on money. They were concentrating on some of these recommendations. They came up with some of the recommendations. They really want

to make sure these things never happen again. Hopefully this committee will implement some of the recommendations and/or come up with some of our own.

Rep. Parmon: Only 56 people have come forth. The last sterilization process was done in 1974 which would make the age of the people 35 – 40. That means there are still some survivors. Some people may not know what has happened to them. I support the recommendation of the support group of trying to build a foundation to try to help find these people. It shows by this number of people, that they are so emotionally devastated by this that they are ashamed to come forth.

Co-Chair Sutton: Are there any programs in effect right now that are actively assisting known survivors such as counseling, health care or anything that the state is doing for these so called known survivors?

Ms. Pullen-Smith: None that I am aware of Rep. Sutton.

Rep. Sutton: I noticed that in the whole series of the recommendations I think that there were about 12 or 15 of those, I notice that there was not a one that I had picked up that addressed the issue of direct compensation. Am I correct on that?

Ms. Pullen-Smith: I don't believe there is one that says direct compensation.

Rep. Sutton: Final question, how often does the Exhibit move from one site to another? If it is at a University, how long does it stay before it goes to a community college or some other city?

Ms. Pullen-Smith: Our track record has been that the Exhibit will stay at any one location 6 months and then would move to another location. That is the way it has been managed so far.

Rep. Sutton: Just some thoughts on that. We're a big state and we're all going to age out before that thing gets all over the state with 6-month stops. If you really want to get it around the state and get it out to people, maybe we need to look at a 90-day stay and then move it on to other places. We have 100 counties, remember that. Even if it went to every county we're talking 50 years. Whoever is in charge of that needs to address that. Now if it goes to the University of NC, it might want to stay 4 months on display, but if it goes to a small community college in the western part of the state, maybe no more than 90 days. Have a flexible schedule but I think 6 months is just too long anyway.

Co-Chair Womble: That is a good suggestion. Some of the big Metropolitan areas may just keep it just a little bit longer than some of the rural areas because some of the rural areas I know around Forsythe county it could be there 3 weeks and everybody in the county would have seen it because there are not very many people there. One of the problems we're having though is the sponsorship and the logistics. This is a fairly large Exhibit. Some of the Universities have stepped up to pay for the setup and breakdown. Others would like to have it but cannot afford it.

Rep. Samuelson: I have two questions for clarification. Mr. Popkin on this chart that has historical data, I think you were saying that they quit filing reports in 1968?

Ben Popkin: The last report that they got in vital records, official reports of the biannual is in 1968. The program continued after that without biannual reports.

Rep. Samuelson: For some reason they decided not to do the reports anymore?

Ben Popkin: Apparently so. I have not seen anything yet that explains necessarily why. But you will notice as you look at the table there is a significant amount of data that identifies gender and age early on when it was a scientific focus to the efforts. After a certain point, there is much less data. (*See Attachment 4*).

Rep. Samuelson: These little notes at the bottom were dated of the time of the report not subsequent to that.

Ben Popkin: I believe so. Those were all directly out of the state archives.

Rep. Samuelson: Another question, Ms Pullen-Smith, I wasn't sure I understand is the caretaker directly related to the sterilization.

Ms. Pullen-Smith: I can't say it is directly related to the sterilization. If I am not mistaken it had to do with educational benefits. If there was a situation where the victim themselves were at an age where they were not interested in going back to school, then their family member who helps to take care of them could take advantage of that benefit. It is related to the support given to the Eugenic victim.

Rep. Samuelson: Rep. Parmon, you brought up, which I was surprised when I saw in the folder, that it looks like half of them that have come forth were white. I was curious, that out of the 56 you identified, are any of them white?

Ms. Pullen-Smith: We have not asked them to identify their race; we just have some basic contact information at this time. So I can't say what percentage of the ones we have on record are white. I can say for example, Mr. Lynch is a white male.

Ben Popkin: I can clarify. Please refer to the sheet. (*See Attachment 4- gives more info*).

Rep. Parmon: I don't know if this answers Rep. Samuelson's question. I have met three of the survivors and they are still traumatized in a lot of the cases. One of the survivors is still taking medication and her son is her support, but there was a lot of trauma – broken marriages, because they had found out what had happen, etc. So that is what some of the compensation takes care of.

Rep. Sutton: I noticed all the charts spoke about epilepsy, mental disease, and feeble-mindedness. Do we have any evidence that people were sterilized for other total reasons?

Ms. Pullen-Smith: Yes, let me define feeblemindedness. It is pretty broad. (*See Attachment 2*). But yes, a number of people were sterilized because of having TB, being accused of drunkenness, promiscuity, laziness, and poverty and because of being raped or suicidal, etc.

Co-Chair Sutton: The only contact I had with this was a lady in my neighborhood was in her early 30's. She lived with her mother. She would have sex with anyone. She went away for awhile, and I heard they had her sterilized, because could never leave her by herself.

Rep. Womble: There are all kinds of reasons why young boys and girls were sterilized. One reason is if they had multiple kids. Ms. Riddick had a son, and after him she was sterilized to prevent her from having any more. Economics was another reason. Most people were on welfare and the county decided it was costing them too much to take care of them; it kept the expenses down for the county. There were some that were raped -- some on the plantation system and had access to a young girl. There is documentation that a welfare worker went to a house, saw a young girl holding a child, reported her and took her and had her sterilized. It was discovered that it wasn't her child.

Rep. Spaulding-Hughes: Is there a direct line item or compensation in the recommendation?

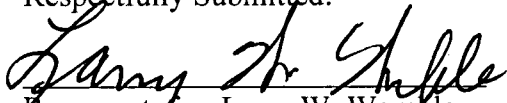
Co-Chair Womble: There has been many things mentioned as to amounts of money, and since this has never been done in this country, it is hard to reference an amount of money. The insurance department, Jim Long has suggested what so we make on the average per year, multiply that by the many of years they've been sterilized that would give you some indication. Someone else said if they were working, because some of them have not worked, what would their potential be? Look at what was done to Darryl Hunt. They took him as a teen, and they let him out when he was in his 30's, and they calculated his compensation on the amount of those years and North Carolina compensated him in that way. There is no model to go by.


Rep. Spaulding-Hughes: In 1988, President Reagan allocated the Japanese Americans \$20,000, and there were 60,000 who received compensation. We can come up with a figure. It needs to be in writing that we give direct compensation, and it should be a part of the recommendation.

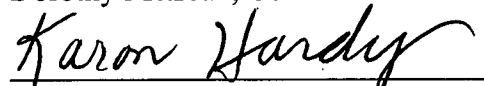
Co-Chair Womble: We have been working on this since 2002-2003. Dr. Johanna Scheon discovered the records in the archives in the basement while working on her dissertation. We have hospital records, doctors' names, victims' names, addresses, ages, schools attended. One hospital apologized and doctors have admitted doing the procedure. This is what Ms. Pullen-Smith is doing. This is how 56 have come forward. The only ones who have access to the records are Ms. Pullen-Smith's departments and the victims.

The chair thanked all guests, visitors, and members for their participation and announced the adjournment of the meeting.

Respectfully Submitted:

  
Representative Larry W. Womble

  
Dorothy McLean, Committee Assistant

  
Karon Hardy, Committee Assistant

## VISITOR REGISTRATION SHEET

House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

Oct. 9, 2008

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

NAME	FIRM OR AGENCY AND ADDRESS
David Brook, director Div. of Historical Resources, ACR	Representing Jeffrey Crow, deputy secretary, ACR
Will Polk	Office of Lt. Gov.
Barbara Fullen-Smith	DHHS / OMHHA
Lisa C. Hedges	DHHS / OMHHA
Jane Smith	DHHS
John McHugh	Gov office
Rob Schofield	NC Policy Watch
Lesley Cates	Office of Speaker



House Pages

HOUSE Comm. on Compensation Victims

Name Of Committee: Sterilization Date: \_\_\_\_\_

10/9/08

1. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

2. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

3. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

4. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

5. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

Sgt-At-Arms

1. Name: Reggie Jills

2. Name: Martha Gadison

3. Name: Charles Coker

4. Name: Ken Burroughs

5. Name: —

## 2003 North Carolina Eugenics Study Committee Report

Presented to:

House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

October 9, 2008

Legislative Bldg Room 1124/1224

Barbara Pullen-Smith, Director

Office of Minority Health and Health Disparities, DHHS

To co-Chairs Reps Womble & Sutton and members of the Committee, good afternoon. Thank you for this opportunity.

In Dec 2002, Governor Easley apologized to the victims of North Carolina's Eugenic Sterilization Program, after which he appointed a Study Committee. The Committee's Co-Chairs were Rep Larry Womble and Former DHHS Secretary Carmen Hooker Odom.

The Committee was made up of representatives from the Department of Cultural Resources, a Duke University Ethicist, and several staff from the Department of Health and Human Services (including General Counsel, Council on Developmental Disabilities, Division of Mental Health/Developmental Disabilities and Substance Abuse Services and Office of Minority Health and Health Disparities)

The Eugenics Study Committee was charged with three main tasks:

- To Study the history of the program in NC,
- To Ensure that the program was never repeated, and
- Make recommendations on how to assist survivors of the Eugenics sterilization program.

To guide our work, the Committee was presented information on Dr Johanna Schoen's research on Eugenic Sterilizations in NC. Dr. Schoen, received her PhD from UNC- Chapel Hill. (Currently she is an Associate Professor, Dept of History & Dept of Women's Studies, University of Iowa). In addition, we reviewed minutes from the Eugenics Board meetings, read newspaper/magazine articles and heard testimonies from the experts, two victims of the Eugenics program.

The Committee met over the course of a few months and submitted its report to Governor Easley in June 2003. The Committee's report includes two sets of recommendations:

The first set of recommendations focuses on support for the Eugenics survivors.

The second set of recommendations focuses on system changes.

There are 5 key recommendations to support Eugenics Survivors:

1. Create a nonprofit foundation to assist with finding, verifying and supporting survivors of the eugenics sterilization program.
2. Conduct an outreach campaign to assist with finding survivors. The recommendation outlines the key elements of the campaign including its **approach** ( news releases, public service announcements, billboards, etc) and **potential partners** to assist with this effort (including churches, civic organizations, NAACP, urban league, disability groups, state/local agencies, health professionals)
3. Establish a process to validate claims of sterilization. The recommendation called for the DHHS to set up an expert panel to review each case. The 3 to 5 member panel should include representatives from the legal system, medical providers and an ethicist. Once claims of sterilization are verified, survivors would be eligible to receive available benefits.
4. The health care recommendation called for the DHHS to do two things. 1) create a special fund to provide health care for certified survivors with funds provided **through a special appropriation.** 2) Explore the use of Medicaid and/or the state health plan to provide benefits, as well as building in medical care for survivors in the event of any Blue Cross/Blue Shield conversion.
5. The fifth recommendation for Eugenics survivors focuses on **education** and called for the University of North Carolina and the Community College System to consider creating a program that allows survivors to receive free educational benefits. Also **consideration should be given** to providing educational benefits to

caretakers of eugenic survivors as a way to improve the lives of their extended families.

The second set of recommendations from the Eugenics Committee identified agency and system changes needed to ensure that this program is never repeated in NC:

1. NC Department of Public Instruction should include information about the eugenics program in its history curriculum.
2. Department of Cultural Resources should investigate the creation of a “tangible” memorial or “historical marker” as a constant reminder of the Eugenics program and the negative impact on our citizens.
3. The University and Community College systems should explore the creation of endowed chairs or special scholarships to memorialize the program.
4. The Department of Health and Human Services will create an ethics program, which include information on the Eugenics Board and require all DHHS professionals take the course.
5. A seminar should be organized to talk about the program, hear from survivors and discuss its implications in today’s world. The seminar should include presentations from experts, including Dr. Johanna Schoen.

These are the recommendations from the 2003 Eugenics Committee report.

**I was also asked to update this Committee on any follow-up actions on the part of the Department of Health and Human Services.**

1. In 2003, the Departments established a mechanism to record contact information for people who self identified as eugenic victims. The database is maintained in the Dept’s Office of Citizen Services.

To date, approximately 56 individuals have been documented and are pending verification of their claim.

2. The medical Records from the Eugenics program are housed in the Department of Cultural Resources. DHHS has written approval to access to the files as needed. At the appropriate time, the Dept of Cultural Resources will train DHHS staff on how to access and handle the medical records.
3. The DHHS engaged Dr. Johanna Schoen to work with the SCHS to estimate the number of eugenic victims who may be still living. Approximately 7,600 were sterilized in NC. As of 2006, there was an estimated 2,804 Eugenic victims still alive. This is a **projection only**, based on statistical calculations using life tables.
4. In 2006 OMHHD was asked by DHHS to lead in the follow-up efforts to increase awareness about the Eugenics Program. After consulting with Dr. Schoen, the Department decided to develop a traveling exhibit to reach a broad audience throughout the state. Dr. Schoen and a Eugenic victim worked with us to capture the program's history, impact in the state, personal stories as told by the victims and responses from state officials including the Governor, Secretary of DHHS, Rep. Larry Womble and others.

The exhibit's target age group is from 12years (sixth graders) and up. The plan is that the exhibit will travel to multiple venues, such as universities, community colleges, museums, civic organizations and cultural centers throughout the state. Also, the exhibit has served as an outreach tool to identify other victims of eugenic sterilization. After each presentation to the community, victims have come forth to add their names to the database.

In addition to the exhibit, we developed a seminar on the Eugenics program which includes history/background and testimonies of the survivors. The seminar is presented in a panel discussion format and includes an interactive question and answer period with the audience.

Also, a DVD is used as an educational tool. The DVD is of a TV interview with survivors, Rep. Womble and Dr. Schoen.

To date, the **exhibit and seminar have been hosted at 3 locations:**

The first unveiling was on June 19, 2007 at the NC Museum of History, Raleigh (Approximately 200 people in attendance)

The Exhibit was hosted by Winston Salem State University, for about 6 months (August 2007-Feb 2008). It has been at Bennett College in Greensboro since Feb 6, 2008. In both instances, the Universities have used the exhibit to inform students and the general population about the Eugenics program on an ongoing basis. Multiple educational and discussion sessions have taken place.

As we look to the future, the Department of Cultural Resources has agreed to include the Eugenic Exhibit in their inventory of other traveling exhibits. The official transfer of the exhibit from the Dept of HHS to Cultural Resources will occur in the near future.

Again, thank you for this opportunity.

## *Eugenics Survivors Contact Information*

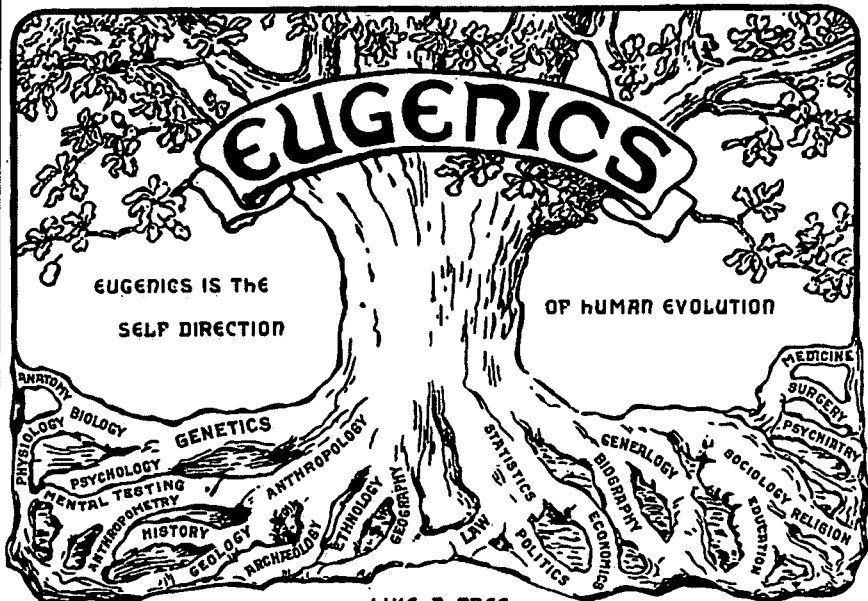
The following 5 Survivors have been confirmed for the October 23, 2008 Meeting at 1:00pm:

1. Mary English – (AA/F)  
729 Hillsboro Street  
Fayetteville, NC 28301  
(home) 910-717-8346
2. Willis Cleveland Lynch – (WM)  
174 John Skinner Rd  
Littleton, NC 27850  
(home) 252-578-2463
3. Elaine Riddick - (AA/F)  
1175 Old Harris Rd  
Apt 1018  
Dallas, GA 30157  
(cell) 770-605-7943  
(home) 678-402-5931  
Tony Riddick (son)  
(cell) 919-225-5901  
Winfall, NC
4. Earnestine Lambert – (W/F)  
6108 Mullens Drive  
Raleigh, NC 27607  
(home) 919-851-5558
5. Nial Ramirez – (AA/F)  
(travels only w/daughter)  
102 Iverness Trace  
Riverdale, GA 30274  
678-557-5427  
Debra Chesson (daughter)

AA – African American  
W – White  
F – Female  
M – Male

Updated 10/17/08 LH

# “WHY ME?”



LIKE A TREE  
 EUGENICS DRAWS ITS MATERIALS FROM MANY SOURCES AND ORGANIZES  
 THEM INTO AN HARMONIOUS ENTITY.

American Philosophical Society. Noncommercial, educational use only.

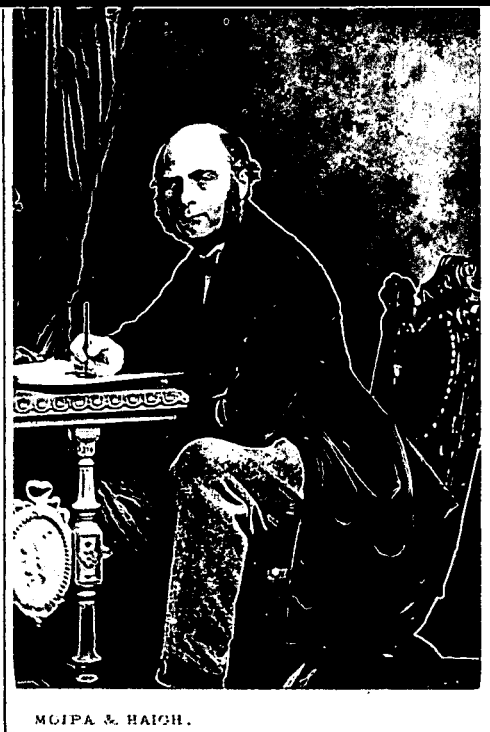
# EUGENICS PROGRAM

# EUGENICS

eu·gen·ics

Pronunciation: (yōō-jěn'iks) : a science that deals with the improvement (as by control of human mating) of hereditary qualities of a race or breed

## 1883: Francis Galton



MCGIPA & HAIGH.

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In 1883 Francis Galton coined the term **eugenics**, perceiving it as a moral philosophy to improve humanity. Galton's idea of eugenics is usually termed positive eugenics, encouraging public health, family planning, more thoughtful preparation for marriage, and education. The eugenics movement in the United States, Germany, and Scandinavia favored the negative approach, advocating immigration restriction and eugenic sterilization. The application of eugenics in the United States was not as noble as its inventor intended for marriage and education.

**North Carolina's Role** – North Carolina's sterilization program was part of a nationwide effort to eliminate feeble-mindedness and the social problems that accompanied it. From the passage of the first sterilization law in Indiana in 1907 until the mid-1970s, when the last states ceased operating their sterilization programs, over 63,000 people nationwide received eugenic sterilizations.

1907: Indiana passes the first sterilization law.

1927: A US Supreme Court Decision, *Buck v. Bell*, confirmed that it was within the power of any state to enact sterilization legislation.

1929: North Carolina passes a sterilization law.



1932: North Carolina redrafts its sterilization law, establishing a Eugenics Board composed of the Commissioner of Public Welfare, the Secretary of the State Board of Health, the chief medical officers of the State Hospital in Raleigh and of an institution of the feeble-minded or insane, and the North Carolina Attorney General. It is the only state in the nation to give social workers the power to file sterilization petitions.

# The North Carolina Eugenics Study Overview -

North Carolina's eugenics program began in 1929. The law endorsed sterilization of people who had epilepsy, sickness, "feeblemindedness" and other disabilities. Eugenics was a "hot" movement, especially prior to World War II, and other states had similar programs.

The Eugenics Board of North Carolina ran North Carolina's program. It was technically a part of the Department of Public Welfare (modern day Division of Social Services). There were five board members – one each representing the Attorney General, Dorothea Dix Hospital, the Department of Public Welfare, the Department of Public Health, and the Department of Mental Health. Local state institutions, public health nurses or social workers would petition the board to sterilize a person, and the board would make the ultimate decision.

More than 7,600 people were sterilized under the program. Some people requested sterilization, but many of them were forced to undergo the surgery. In some cases, victims were children as young as 10 who had no knowledge or understanding of the procedure.

In the late 1940's, Ellen Winston became Commissioner of the Public Welfare and began to promote increased sterilization as one of several solutions to poverty and illegitimacy. In the 1950s, the Eugenics Board began to focus increasingly on the sterilization of welfare recipients which led to a dramatic rise of sterilizations for African Americans and women not in state institutions.

The law that allowed for involuntary sterilization was repealed by the NC General Assembly during its 2003 session. Rep. Larry Womble (Forsyth County), who served as co-chair of the DHHS Eugenics Study Committee, led the legislative effort to repeal this law and to identify resources to compensate eugenics survivors.

**An Apology from the Governor, on behalf of the State of North Carolina-** "To the victims and families of this regrettable episode in North Carolina's past, I extend my sincere apologies and want to assure them that we will not forget what they have endured."

*Governor Mike Easley - April 17, 2003*

## References -

Choice and Coercion; Birth Control, Sterilization, and Abortion in Public Health and Welfare By Johanna Schoen

<http://againsttheirwill.journalnow.com/>

NC Department of Health & Human Services,  
Office of Minority Health and Health Disparities  
<http://www.ncminorityhealth.org/omhhd/index.html>



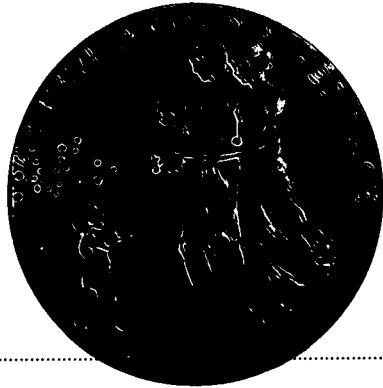
# Fitter Families of Georgia

- To differentiate the “fit” from the “unfit”, eugenicists traced traits through the creation of so-called family trees illustrating patterns of inheritance. To encourage popular understanding of eugenics, eugenicists held better family contests. At most contests, competitors submitted an “Abridged Record of Family Traits”, and a team of medical doctors performed



psychological and physical exams on family members. Each family was given an overall letter grade of eugenic health. All contestants with a B+ or better received bronze medals bearing the inscription, “Yea, I have a goodly heritage” and the family with the highest grade average was awarded a silver trophy.

## Bronze Medal -

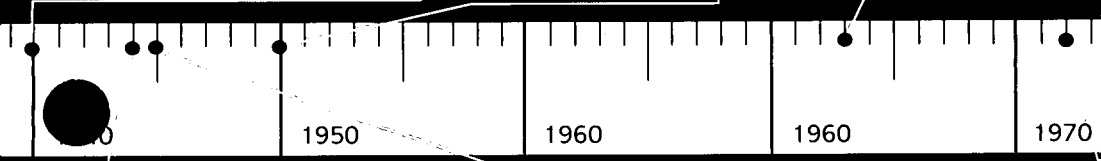


**Clarence J. Gamble,** heir of the soap firm Procter and Gamble, was a financial supporter of North Carolina’s eugenic sterilization program and the Human Betterment League of North Carolina. In 1945 it was Gamble’s financial support through newspaper campaigns that significantly contributed to the continuation of eugenic sterilization in North Carolina while most other states abandoned their program. The Human Betterment League was co-founded in 1947 by Gamble and James G. Hanes, a Winston-Salem industrialist, to promote the study and prevention of mental handicaps. Gamble and Hanes provided for a study of the intelligence of school children in rural Orange County and in the Winston-Salem city schools. That study revealed what was perceived as a high incidence of mental disabilities in these two North Carolina school systems.  
[http://www.lib.unc.edu/mss/inv/h/Human\\_Betterment\\_League\\_of\\_North\\_Carolina.html](http://www.lib.unc.edu/mss/inv/h/Human_Betterment_League_of_North_Carolina.html)

1940s: criticism by geneticists, anthropologists, physicians, and psychologists undermines the scientific foundation of eugenics. Most states stop their eugenic sterilization programs.

1950s: North Carolina expands its sterilization program

1963: Winston leaves her position as Commissioner of Public Welfare.

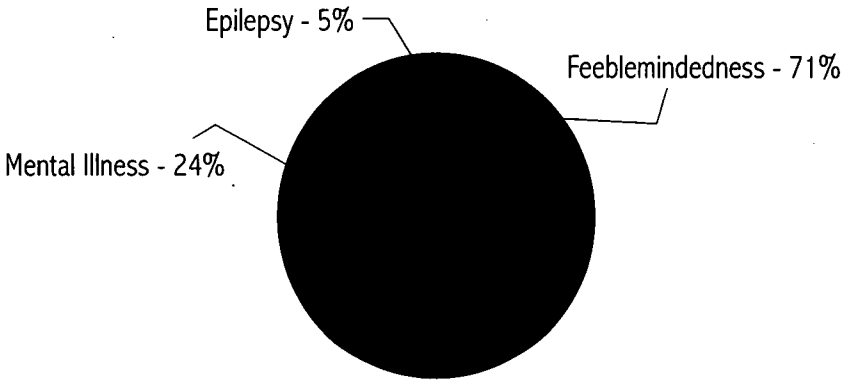


1944: Ellen Winston becomes Commissioner of Public Welfare and begins to promote increased sterilization as one of several solutions to poverty and illegitimacy.

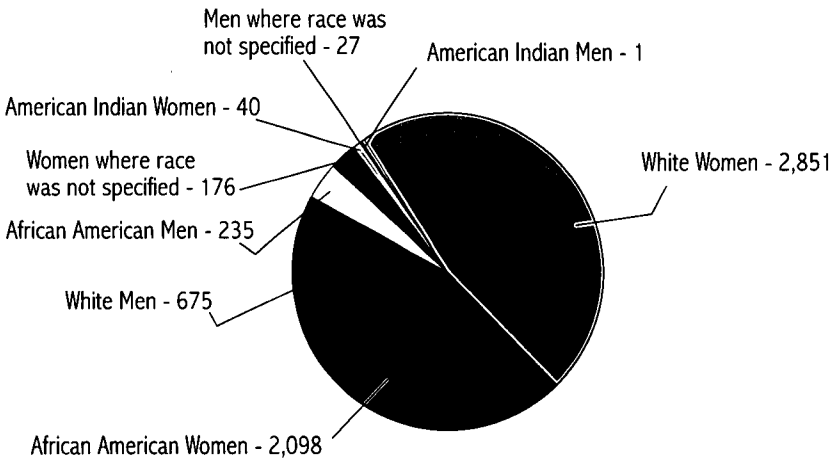
1945: Funded by Clarence Gamble, heir of the soap firm Procter and Gamble, North Carolina begins a publicity campaign advocating for the continuation of eugenic sterilization.

**“Feeble-mindedness”** – *lacking the normal mental powers; mentally retarded; an idiot, imbecile, or moron; stupid; unintelligent; lacking firmness of mind; or indecisive.*

**Stated Reasons for North Carolina’s Sterilizations [1929-1968]**

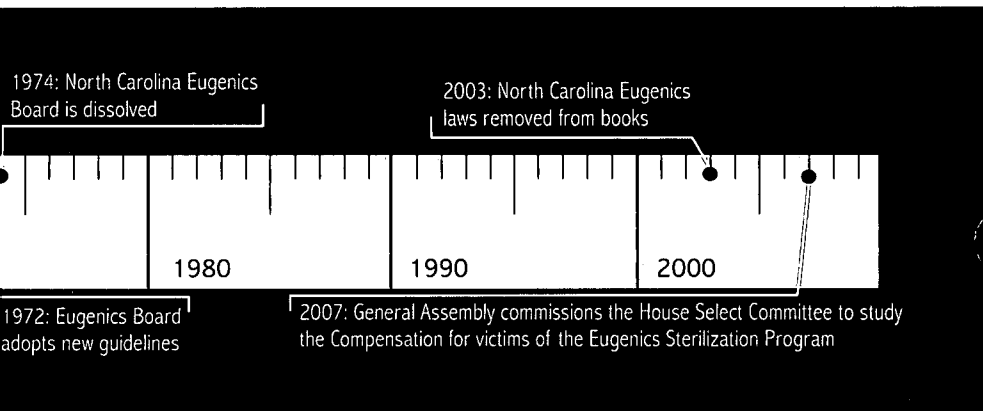


**Number of Persons Sterilized by North Carolina between 1937 and 1966**



**List of North Carolina’s Eugenics Facts -**

- 1929-1974: 7,600 people sterilized in North Carolina
- 87% females; 13% males
- 71.4% sterilized due to “feeble-mindedness”
- 23.6% sterilized due to mental illness
- 5% sterilized due to epilepsy

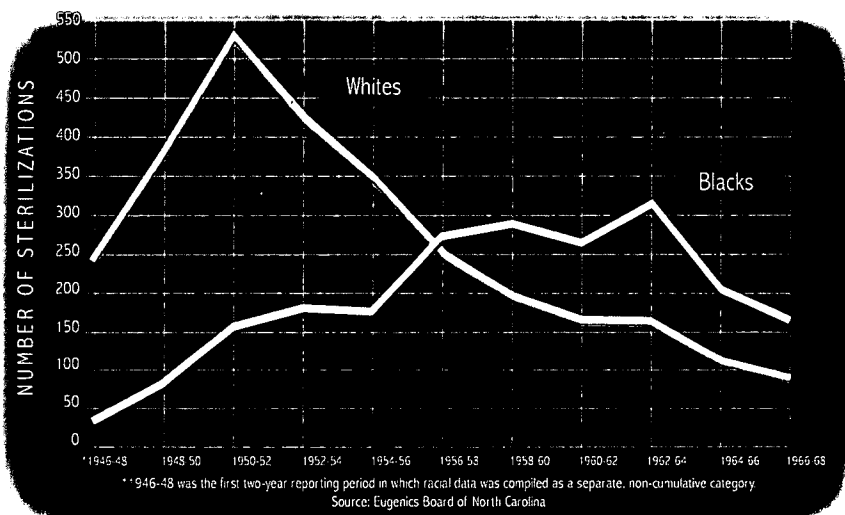




## “Feeble-minded Women” -

Feeble-minded women who might pass as “normal” were deemed particularly dangerous to the gene pool. “Attractive morons abound in the community,” one publication read, illustrating the danger with a photograph of this woman who was an inmate of a state training school. It was further stated, “Girls like this one, who come from defective stock yet who were trained sufficiently to pass for normal by those with superficial judgment were the greatest menace to the race when returned to the community without the protection of sterilization.”

**Racial Shift** - While the civil-rights movement gathered momentum in the 1950s and ‘60s, the NC sterilization program increasingly targeted blacks.



## \* Racial Shift in NC Sterilizations - Most clients

of eugenic sterilization programs were poor and made their living by farming, selling tobacco and other crops, therefore, they needed large families.



In the 1950’s, the Eugenics Board began to focus increasingly on the sterilization of welfare recipients which lead to a dramatic rise of sterilizations of African Americans and women not living in state institutions.\*

## Eugenics exhibit opens

A new exhibit detailing North Carolina's eugenics program is on display at the North Carolina Museum of History through August 3. The interactive display, which includes the voices of program survivors, is sponsored by the Office of Minority Health and Health Disparities.

"We are here tonight to make sure that we and our children – and our children's children's children – learn the lesson so this dark episode in North Carolina's not-too-distant past is never again contemplated, let alone repeated," DHHS Secretary Carmen Hooker Odom said at the display opening.

North Carolina's eugenics program began in 1929. The law endorsed sterilization of people who had epilepsy, sickness, "feeble-mindedness" and other disabilities. It claimed to better society by preventing selected people from having children. But it was used against a wide variety of people – including girls whose only fault was having premarital sex.



Visitors hear survivors' stories in their own words and voices.



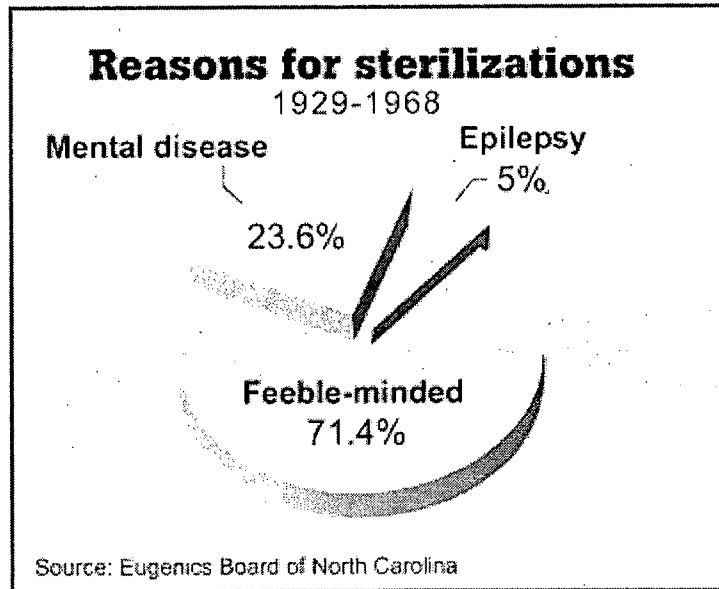
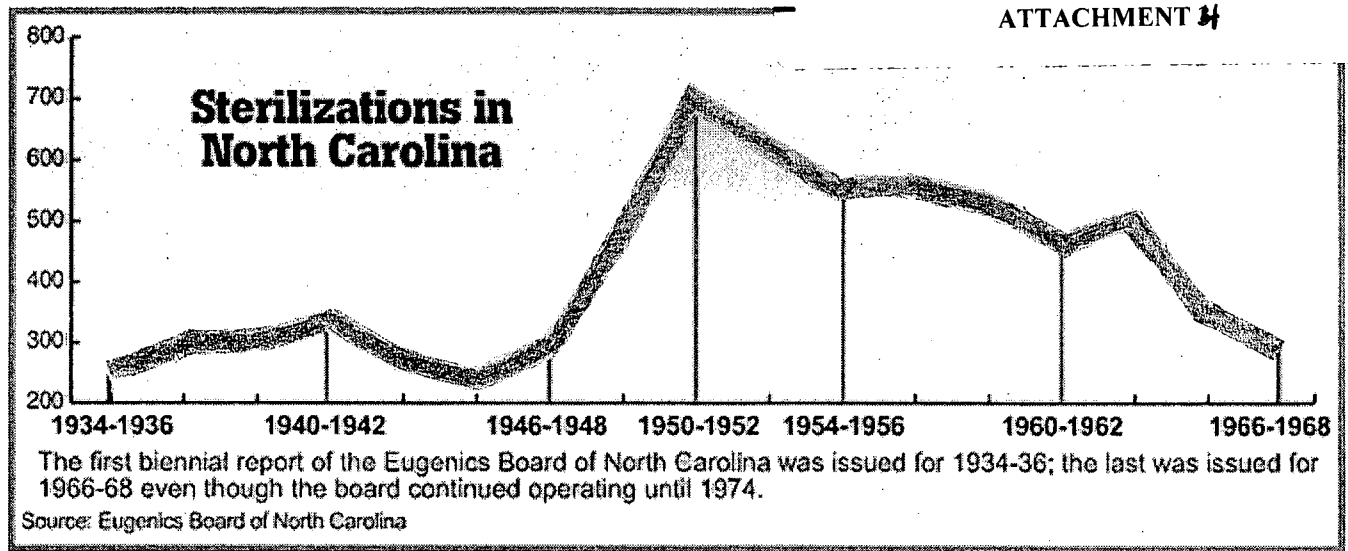
The display includes the history of the program and emphasizes its lifelong effects on real people.

North Carolina's program continued until 1974. According to researcher Dr. Johanna Schoen, in its latter years, as eugenics theory was largely discredited, involuntary sterilization was justified by using economic discrimination. People on public assistance were targeted as a way of limiting those expenditures. Nial Cox Ramirez, who is featured in the exhibit, was told that if she refused sterilization her family's benefits would be halted.

The Eugenics Board of North Carolina ran North Carolina's program. It was technically a part of the Department of Public Welfare (modern-day Division of Social Services). It had five

members – one each representing the Attorney General, Dorothea Dix Hospital, Department of Public Welfare, Department of Public Health and Department of Mental Health. Local social workers would petition the board to sterilize a person, and the board would make the ultimate decision.

More than 7,600 people were sterilized under the program. Some people requested sterilization, but many of them were forced against their will. In some cases, victims were children as young as 14 who had no knowledge or understanding of the procedure. □



## Sterilizations in institutions

### State hospitals

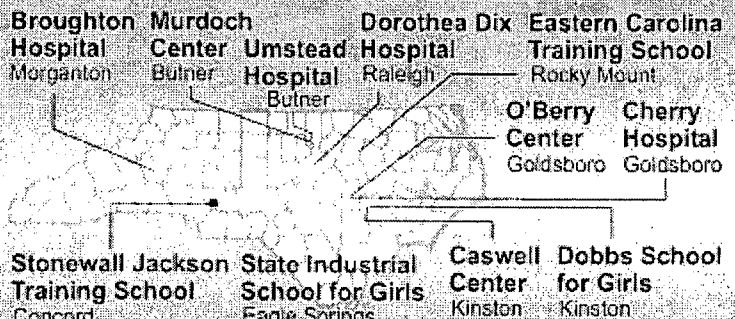
	Total	Female	Male
Broughton	829	225	604
Dix	632	98	534
Cherry	487	191	296
Umstead (1)	34	7	27

### Schools for mentally defective

	Total	Female	Male
Caswell	597	252	345
Murdoch (2)	14	0	14
O'Berry (3)	12	0	12

- 1 - Opened in 1947
- 2 - Opened in 1958
- 3 - Opened in 1957
- 4 - Name changed to Dobbs School for Girls when it moved to Kinston in 1947

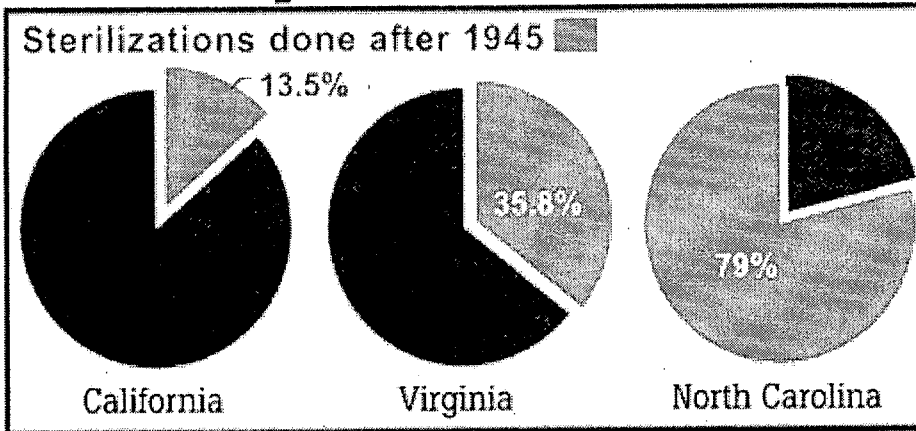
Source: Eugenics Board of North Carolina



### Training schools

	Total
State Home and Industrial School for Girls (white, female)	300
Stonewall Jackson Training School (white, male)	6
Eastern Carolina Training School (white, male)	4
State Training School for Negro Girls (4) (black, female)	3

# A state apart



The number of eugenic sterilizations performed in the United States may never be known. Record keeping varied from state to state and was often incomplete or inadequate. Most researchers estimate about 65,000 people

### Top sterilization states

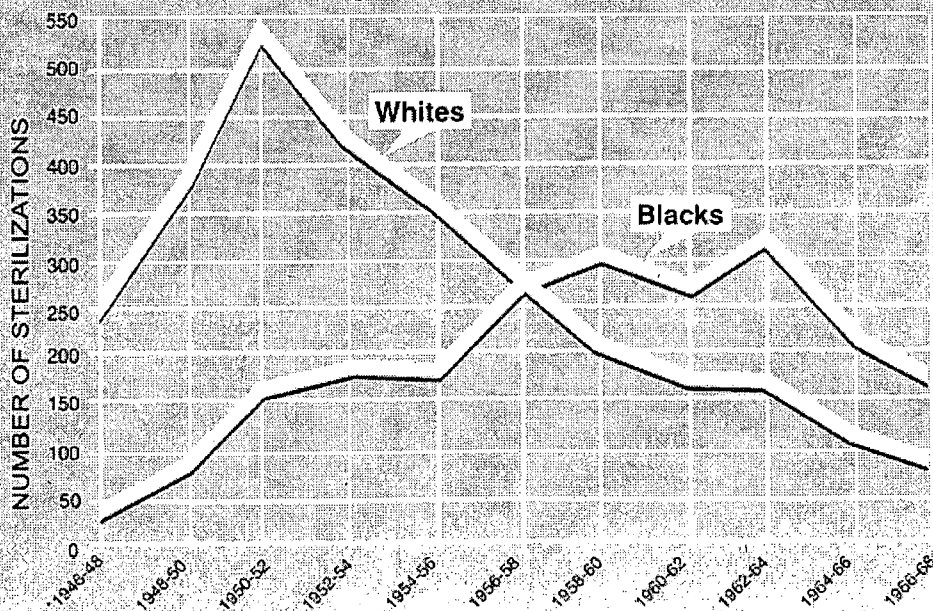
State	Number
California	20,100
Virginia	8,000
North Carolina	7,600
Michigan	3,800
Georgia	3,300

were sterilized. Most states sharply curtailed their sterilization programs after World War II and the atrocities of the Nazis became known. North Carolina didn't. It went in the other direction, and nearly four-fifths of its procedures were done after 1945.

Source: Eugenics Board of North Carolina; Human Betterment Foundation

## Racial shift

While the civil-rights movement gathered momentum in the 1950s and '60s, the North Carolina sterilization program increasingly targeted blacks.



\*1946-48 was the first two-year reporting period in which racial data was compiled as a separate, non-cumulative category.

Source: Eugenics Board of North Carolina

close

## 2003 North Carolina Eugenics Study Committee Report

Presented to:

House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

October 9, 2008

Legislative Bldg Room 1124/1224

Barbara Pullen-Smith, Director

Office of Minority Health and Health Disparities, DHHS

To co-Chairs Reps Womble & Sutton and members of the Committee, good afternoon. Thank you for this opportunity.

In Dec 2002, Governor Easley apologized to the victims of North Carolina's Eugenic Sterilization Program, after which he appointed a Study Committee. The Committee's Co-Chairs were Rep Larry Womble and Former DHHS Secretary Carmen Hooker Odom.

The Committee was made up of representatives from the Department of Cultural Resources, a Duke University Ethicist, and several staff from the Department of Health and Human Services (including General Counsel, Council on Developmental Disabilities, Division of Mental Health/Developmental Disabilities and Substance Abuse Services and Office of Minority Health and Health Disparities)

The Eugenics Study Committee was charged with three main tasks:

- To Study the history of the program in NC,
- To Ensure that the program was never repeated, and
- Make recommendations on how to assist survivors of the Eugenics sterilization program.

To guide our work, the Committee was presented information on Dr Johanna Schoen's research on Eugenic Sterilizations in NC. Dr. Schoen, received her PhD from UNC- Chapel Hill. (Currently she is an Associate Professor, Dept of History & Dept of Women's Studies, University of Iowa). In addition, we reviewed minutes from the Eugenics Board meetings, read newspaper/magazine articles and heard testimonies from the experts, two victims of the Eugenics program.

The Committee met over the course of a few months and submitted its report to Governor Easley in June 2003. The Committee's report includes two sets of recommendations:

The first set of recommendations focuses on support for the Eugenics survivors.

The second set of recommendations focuses on system changes.

There are 5 key recommendations to support Eugenics Survivors:

1. Create a nonprofit foundation to assist with finding, verifying and supporting survivors of the eugenics sterilization program.
2. Conduct an outreach campaign to assist with finding survivors. The recommendation outlines the key elements of the campaign including its **approach** ( news releases, public service announcements, billboards, etc) and **potential partners** to assist with this effort (including churches, civic organizations, NAACP, urban league, disability groups, state/local agencies, health professionals)
3. Establish a process to validate claims of sterilization. The recommendation called for the DHHS to set up an expert panel to review each case. The 3 to 5 member panel should include representatives from the legal system, medical providers and an ethicist. Once claims of sterilization are verified, survivors would be eligible to receive available benefits.
4. The health care recommendation called for the DHHS to do two things. 1) create a special fund to provide health care for certified survivors with funds provided **through a special appropriation.** 2) Explore the use of Medicaid and/or the state health plan to provide benefits, as well as building in medical care for survivors in the event of any Blue Cross/Blue Shield conversion.
5. The fifth recommendation for Eugenics survivors focuses on **education** and called for the University of North Carolina and the Community College System to consider creating a program that allows survivors to receive free educational benefits. Also **consideration should be given** to providing educational benefits to

caretakers of eugenic survivors as a way to improve the lives of their extended families.

The second set of recommendations from the Eugenics Committee identified agency and system changes needed to ensure that this program is never repeated in NC:

1. NC Department of Public Instruction should include information about the eugenics program in its history curriculum.
2. Department of Cultural Resources should investigate the creation of a “tangible” memorial or “historical marker” as a constant reminder of the Eugenics program and the negative impact on our citizens.
3. The University and Community College systems should explore the creation of endowed chairs or special scholarships to memorialize the program.
4. The Department of Health and Human Services will create an ethics program, which include information on the Eugenics Board and require all DHHS professionals take the course.
5. A seminar should be organized to talk about the program, hear from survivors and discuss its implications in today’s world. The seminar should include presentations from experts, including Dr. Johanna Schoen.

These are the recommendations from the 2003 Eugenics Committee report.

**I was also asked to update this Committee on any follow-up actions on the part of the Department of Health and Human Services.**

1. In 2003, the Departments established a mechanism to record contact information for people who self identified as eugenic victims. The database is maintained in the Dept’s Office of Citizen Services.

To date, approximately 56 individuals have been documented and are pending verification of their claim.

2. The medical Records from the Eugenics program are housed in the Department of Cultural Resources. DHHS has written approval to access to the files as needed. At the appropriate time, the Dept of Cultural Resources will train DHHS staff on how to access and handle the medical records.
3. The DHHS engaged Dr. Johanna Schoen to work with the SCHS to estimate the number of eugenic victims who may be still living. Approximately 7,600 were sterilized in NC. As of 2006, there was an estimated 2,804 Eugenic victims still alive. This is a **projection only**, based on statistical calculations using life tables.
4. In 2006 OMHHD was asked by DHHS to lead in the follow-up efforts to increase awareness about the Eugenics Program. After consulting with Dr. Schoen, the Department decided to develop a traveling exhibit to reach a broad audience throughout the state. Dr. Schoen and a Eugenic victim worked with us to capture the program's history, impact in the state, personal stories as told by the victims and responses from state officials including the Governor, Secretary of DHHS, Rep. Larry Womble and others.

The exhibit's target age group is from 12years (sixth graders) and up. The plan is that the exhibit will travel to multiple venues, such as universities, community colleges, museums, civic organizations and cultural centers throughout the state. Also, the exhibit has served as an outreach tool to identify other victims of eugenic sterilization. After each presentation to the community, victims have come forth to add their names to the database.

In addition to the exhibit, we developed a seminar on the Eugenics program which includes history/background and testimonies of the survivors. The seminar is presented in a panel discussion format and includes an interactive question and answer period with the audience.

Also, a DVD is used as an educational tool. The DVD is of a TV interview with survivors, Rep. Womble and Dr. Schoen.

To date, the **exhibit and seminar have been hosted at 3 locations:**

The first unveiling was on June 19, 2007 at the NC Museum of History, Raleigh (Approximately 200 people in attendance)

The Exhibit was hosted by Winston Salem State University, for about 6 months (August 2007-Feb 2008). It has been at Bennett College in Greensboro since Feb 6, 2008. In both instances, the Universities have used the exhibit to inform students and the general population about the Eugenics program on an ongoing basis. Multiple educational and discussion sessions have taken place.

As we look to the future, the Department of Cultural Resources has agreed to include the Eugenic Exhibit in their inventory of other traveling exhibits. The official transfer of the exhibit from the Dept of HHS to Cultural Resources will occur in the near future.

Again, thank you for this opportunity.

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# **NORTH CAROLINA EUGENICS STUDY COMMITTEE REPORT**

## **REPORT TO THE GOVERNOR**

**June 2003**

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North Carolina Department of Health and Human Services  
2001 Mail Service Center • Raleigh, North Carolina 27699-2001  
Tel 919-733-4534 • Fax 919-715-4645

Michael F. Easley, Governor

Carmen Hooker Odom, Secretary

June 25, 2003

The Honorable Michael Easley  
Office of the Governor  
20301 Mail Service Center  
Raleigh, North Carolina 27699-0301

Dear Governor Easley,

Last December, you asked me to form a committee to look at North Carolina's eugenics program. You charged that committee with exploring the history of the program, ensuring that it was never repeated, and making recommendations on how to assist program survivors. Our committee has now finished its work, and we have completed a set of recommendations for your consideration. The attached report details those recommendations.

In short, we believe that survivors should be guaranteed health care and educational benefits. We also believe that North Carolinians must never be allowed to forget about this program and its effect on the lives of so many innocent citizens.

Serving on this committee was one of the most rewarding and emotional experiences that I have had during my decades of public service. I was not prepared for the profound impact of the testimony of survivors whose lives have been irreparably harmed by North Carolina's eugenics program. Our hope is that this report conveys some of that experience.

You have shown great leadership in apologizing to the survivors and asking us to make recommendations to you on further benefits for the survivors. On behalf of the committee, I thank you for this opportunity to help right a terrible wrong.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carmen".

Carmen Hooker Odom

# EUGENICS STUDY COMMITTEE REPORT

## BACKGROUND

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In December 2002, Gov. Mike Easley issued a public apology regarding North Carolina's eugenics program. Although many states had eugenics programs, Gov. Easley is the first state executive to look beyond apologies to addressing the need to provide benefits for survivors of eugenics.

Gov. Easley directed North Carolina Department of Health and Human Services Secretary Carmen Hooker Odom to create a task force to look into North Carolina's eugenics program. The group was charged with exploring the history of the program, ensuring that it was never repeated, and making recommendations on how to assist the survivors of the state's involuntary sterilization program that was in place from 1929-1974.

The committee (see Appendix A for membership list) met during the winter and spring of 2003. As part of its deliberations, the committee heard from two survivors of the program – Elaine Riddick Jessie and Nial Cox Ramirez. Hearing their stories put a human face on a horrible episode in this state's history. All of the committee members want to express their sincere thanks to these two brave women for stepping into the public spotlight and telling their very difficult stories.

The Committee also wants to recognize Dr. Johanna Schoen, whose research on the North Carolina eugenics program was vital. Without her academic work, it is uncertain that the public would have ever found out about the program and its survivors. This report summarizes the Committee's recommendations to Gov. Easley.

## INTRODUCTION

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North Carolina's eugenics program began in 1929. The law endorsed sterilization of people who had epilepsy, sickness, "feble-mindedness" and other disabilities. Eugenics was a "hot" movement, especially prior to World War II, and many states had similar programs. It claimed to better society by preventing selected people from having children. But, it was used against a wide variety of people--including girls whose only "fault" was having premarital sex.

Hitler was a proponent of eugenics, and the horror of what he had attempted to accomplish led many states to slow their eugenics programs after World War II. However, North Carolina's program continued until 1974. In its latter years, as eugenics theory was largely discredited, involuntary sterilization was justified by using economic discrimination. People on public assistance were targeted as a way of limiting those expenditures. Nial Cox Ramirez, for instance, was told that if she refused sterilization her family's benefits would be halted.

The Eugenics Board of North Carolina ran North Carolina's program. It was technically a part of the Department of Public Welfare (modern day Division of Social Services). It had five members – one each representing the Attorney General, Dorothea Dix Hospital, Department of Public Welfare, Department of Public Health and Department of Mental Health. Local social workers would petition the board to sterilize a person, and the board would make the ultimate decision.

More than 7,600 people were sterilized under the program. Some people requested sterilization, but many of them were forced against their will. In some cases, victims were children as young as 14 who had no knowledge or understanding of the procedure.

The law that allowed for involuntary sterilization was repealed during the 2003 General Assembly. Rep. Larry Womble (Forsyth), who serves as a member of the Eugenics Study Committee, led the legislative effort to repeal this law and to look at other legislative approaches to the issue.

## **RECOMMENDATIONS**

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The Eugenics Study Committee recommends that survivors of North Carolina's forced sterilization program should receive medical benefits, counseling and educational opportunities. The committee recommends the creation of a nonprofit foundation to serve as a support mechanism for survivors, and the committee also recommends the establishment of a memorial to serve as reminder of this part of our history. Although the committee strongly believes that survivors also deserve some form of financial compensation for what we believe is a violation of human rights, we believe the creation of a legislative study commission is the most appropriate way to study this issue. Rep. Womble has introduced House Bill 1236 to create such a study commission. That study commission would report back to the General Assembly during its 2004 session, with any funding for the program to begin in Fiscal Year 2004-05.

### **1. Nonprofit foundation/support group**

Nial Cox Ramirez' daughter, Deborah Chesson, has suggested that a nonprofit foundation be created to help find and support survivors. The committee strongly endorses her suggestion. The committee believes the foundation should be created immediately, because its presence is integral to finding and supporting survivors. It is clear that the survivors of this program can benefit from meeting with other survivors. This group can also play a role in helping survivors through the process of proving that they were sterilized under this program.

### **2. Finding the survivors**

Although many records of survivors exist in the archives of the State Archives of North Carolina, those records are considered confidential medical records. They can only be accessed by an individual desiring to see his or her personal record. Finding survivors and convincing them to request their medical records so that they can be identified as victims of forced sterilization is a crucial part of the committee's recommendations.

It is also clear that in addition to the support group, the survivors will need help in negotiating the process of securing their records. It is recommended that some entity, possibly Duke University's Kenan Center for Ethics, assist survivors in this regard.

The committee recommends that the Department of Health and Human Services conduct an outreach campaign to identify survivors. The outreach campaign will include the following elements:

- ▲ Issuance of news releases and other information to generate media interest, both in state and across the country.
- ▲ Use of public service announcements on select radio stations across North Carolina, particularly in rural areas.
- ▲ Work with churches, community groups and civic organizations to publicize the need to identify survivors.
- ▲ Exploring the use of billboards, bus advertisements and other high-profile forms of advertisement.
- ▲ Work with groups like the NAACP and the Urban League to reach survivors.
- ▲ Work with disabilities groups to reach survivors.
- ▲ Work with other state and local government agencies to reach survivors (Division of Motor Vehicles, Department of Public Instruction, County Departments of Social Services, County Health Departments, local libraries, area agencies on aging, and mental health agencies).
- ▲ Work with professionals and their professional organizations to reach survivors (for instance doctors, nurses and mental health professionals).

The initial outreach program will focus on interest generated by media coverage and is designed to run through the end of 2003. The program will be evaluated at the end of 2003. Additional outreach may take place after 2003, depending on the outcome of initial work.

### **3. Determining Validity of Claims**

It is imperative that claims of sterilization be validated. The Department of Health and Human Services will set up an expert panel consisting of three to five members to review presentations from survivors to ensure that they, indeed, were sterilized as part of the involuntary program. This panel will include high-profile individuals representing the following areas of concern: legal (judge/lawyer), medical (doctor/psychologist/nurse), and an ethicist.

The panel will begin considering cases in the fall of 2003 and will meet as necessary. It is recognized that some people may have been victims of the program, but their records are not part of the State Archives. The panel will also accept other evidence of forced sterilization including, but not limited to, medical testimony and records from state institutions.

Every effort will be made to make this a process that does not victimize the survivors again. Confidentiality will be assured to any survivor who steps forward, but survivors who want to tell their stories in public will be given the opportunity to do so, to help the healing process as evidenced by the Truth and Reconciliation program in South Africa.

Once a determination of forced sterilization is made, then the survivor will be eligible to receive the full range of benefits offered by the state.

#### **4. Health Care**

Survivors of a forced sterilization program could have significant medical needs, both physical and mental. It is recommended DHHS:

- ▲ Create a special fund to provide health care for certified survivors.
- ▲ Ask for a special appropriation in 2004 to fund this program.
- ▲ Explore the use of Medicaid and/or the State Health Plan to provide benefits, as well as building in medical care for survivors in the event of any Blue Cross/Blue Shield conversion.

#### **5. Education Benefits**

The University of North Carolina System and the Community College System should consider creating a program that allows survivors to receive free educational benefits. At a minimum, these benefits will be available to survivors, but the university and community colleges systems should also explore providing benefits to caretakers of survivors so as to improve those extended families' lives.

### **CONCLUSION**

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North Carolina's eugenics program is a regrettable period in our state's history. No one, regardless of circumstance, whether it be poverty or severe disability, should ever be forced to undergo a violation of their human rights such as involuntary sterilization. We must take steps to guarantee that history is not repeated.

Someone once said, "history repeats itself because no one listens." We must listen to the lessons learned as we reflected on North Carolina's eugenics program.

Recommendations:

- ▲ North Carolina's Department of Public Instruction should include information about the eugenics program in its curriculum on North Carolina history.
- ▲ The Department of Cultural Resources should investigate the creation of a memorial to ensure that no one forgets what the State of North Carolina once perpetrated against its own citizens. This memorial needs to be tangible – something that provides constant witness to this program long after survivors are gone.
- ▲ The North Carolina University and Community College systems should explore the creation of endowed chairs or special scholarships that will memorialize the program.
- ▲ The Department of Health and Human Services will create an ethics program, which includes information on the Eugenics Board. DHHS professionals will be required to take this course.
- ▲ A seminar will be organized to talk about the program, hear from survivors and discuss its implications in today's world. The seminar should include presentations from experts, including Dr. Johanna Schoen.

Appendix A

**EUGENICS STUDY COMMITTEE MEMBERSHIP**

Carmen Hooker Odom, chair  
Secretary, North Carolina Department of Health and Human Services

Representative Larry Womble  
North Carolina General Assembly

Pamela Young  
Deputy Secretary, Arts and Libraries, North Carolina Department of Cultural Resources

Dr. Jeffrey J. Crow  
Deputy Secretary, Office of Archives and History, North Carolina Department of Cultural Resources

Satana Deberry,  
General Counsel, North Carolina Department of Health and Human Services

Barbara Pullen-Smith  
Director, Office of Minority Health and Health Disparities

Stan Slawinski  
Chief, State Operated Services, North Carolina Division of Mental Health, Developmental Disabilities  
and Substance Abuse Services

Dr. Allen Buchanan  
Ethicist, Duke University

Mark Ezzell  
Chair, North Carolina Council on Developmental Disabilities

TABLES 11-18  
HISTORICAL DATA ON EUGENICAL STERILIZATION  
IN NORTH CAROLINA

TABLE 11  
Cases Handled by Biennial Periods  
July 1933 - June 1968

Biennial Period	Petitions Presented	Operations Authorized	Operations Performed
Total .....	8289	7946	7092 <sup>1</sup>
July 1933-June 1934 .....	39	39	31
July 1934-June 1936 .....	309	301	252
July 1936-June 1938 .....	356	350	296
July 1938-June 1940 .....	352	345	305
July 1940-June 1942 .....	390	385	339
July 1942-June 1944 .....	328	309	269
July 1944-June 1946 .....	282	276	238
July 1946-June 1948 .....	337	330	291
July 1948-June 1950 .....	562	543	468
July 1950-June 1952 .....	743	796	704
July 1952-June 1954 .....	673	650	626
July 1954-June 1956 .....	657	634	556
July 1956-June 1958 .....	674	658	562
July 1958-June 1960 .....	576	564	535
July 1960-June 1962 .....	558	531	467
July 1962-June 1964 .....	591	545	507
July 1964-June 1966 .....	461	368	356
July 1966-June 1968 .....	401	322	290

<sup>1</sup> Forty-nine additional operations were performed prior to July 1933 under previous legislation, making a total of 7,141 operations performed.

**TABLE 12**  
**Operations Performed Annually, by Sex and Type of Operation**  
**July 1929 - June 1968**

Year	TOTAL	MALE			FEMALE		
		Total	Vasectomy	Castration	Total	Salpingectomy	Ovariectomy
Total .....	71411	1084	1019	65	6057	6000	57
1929 .....	3	2	1	1	1	..	1
1930 .....	17	2	..	2	15	10	5
1931 .....	11	..	..	..	11	10	1
1932 .....	18	9	..	9	9	7	2
1933 .....	4	1	1	..	3	3	..
1934 .....	61	15	7	8	46	45	1
1935 .....	178	24	17	7	154	152	2
1936 .....	98	12	11	1	86	86	..
1937 .....	128	21	18	3	107	105	2
1938 .....	202	56	53	3	146	144	2
1939 .....	138	36	34	2	102	102	..
1940 .....	159	47	45	2	112	112	..
1941 .....	181	49	45	4	132	132	..
1942 .....	148	36	32	4	112	112	..
1943 .....	152	33	29	4	119	119	..
1944 .....	107	20	18	2	87	87	..
1945 .....	117	18	15	3	99	98	1
1946 .....	106	16	16	..	90	90	..
1947 .....	140	26	21	5	114	114	..
1948 .....	189	34	34	..	155	155	..
1949 .....	249	31	31	..	218	218	..
1950 .....	300	60	60	..	240	240	..
1951 .....	372	106	104	2	266	266	..
1952 .....	348	82	82	..	266	266	..
1953 .....	283	40	40	..	243	243	..
1954 .....	298	45	45	..	253	253	..
1955 .....	292	75	74	1	217	217	..
1956 .....	217	43	42	1	174	172	2
1957 .....	305	52	52	..	253	250	3
1958 .....	318	29	28	1	289	285	4
1959 .....	260	22	22	..	238	234	4
1960 .....	234	9	9	..	225	221	4
1961 .....	248	8	8	..	240	233	7
1962 .....	230	8	8	..	222	217	5
1963 .....	240	7	7	..	233	226	7
1964 .....	256	2	2	..	254	252	2
1965 .....	167	3	3	..	164	164	..
1966 .....	133	3	3	..	130	130	..
1967 .....	135	1	1	..	134	133	1
1968 to June 30 .....	99	1	1	..	98	97	1

<sup>1</sup> Ninety-one of these operations originated in county institutions prior to 1953.

**TABLE 13**  
**State Institutional Operations Performed Annually,**  
**by Sex and Type of Operation**  
**July 1929 - June 1968**

Year	TOTAL	MALE			FEMALE		
		Total	Vasec- tomy	Castra- tion	Total	Salpin- gectomy	Ovari- ectomy
Total .....	2932	784	739	45	2148	2138	10
1929 .....	..	..	..	..	..	..	..
1930 .....	9	1	..	1	8	4	4
1931 .....	3	..	..	..	3	3	..
1932 .....	15	9	..	9	6	5	1
1933 .....	2	1	1	..	1	1	..
1934 .....	45	13	5	8	32	31	1
1935 .....	82	15	9	6	67	67	..
1936 .....	56	10	10	..	46	46	..
1937 .....	82	16	15	1	66	66	..
1938 .....	152	50	48	2	102	101	1
1939 .....	70	29	28	1	41	41	..
1940 .....	94	36	36	..	58	58	..
1941 .....	103	38	37	1	65	65	..
1942 .....	98	33	29	4	65	65	..
1943 .....	107	32	28	4	75	75	..
1944 .....	63	15	13	2	48	48	..
1945 .....	74	14	11	3	60	59	1
1946 .....	47	11	11	..	36	36	..
1947 .....	65	15	13	2	50	50	..
1948 .....	92	23	23	..	69	69	..
1949 .....	109	21	21	..	88	88	..
1950 .....	187	51	51	..	136	136	..
1951 .....	255	92	91	1	163	163	..
1952 .....	213	62	62	..	151	151	..
1953 .....	115	24	24	..	91	91	..
1954 .....	128	23	23	..	105	105	..
1955 .....	127	52	52	..	75	75	..
1956 .....	70	31	31	..	39	39	..
1957 .....	81	32	32	..	49	49	..
1958 .....	75	13	13	..	62	62	..
1959 .....	45	5	5	..	40	40	..
1960 .....	49	3	3	..	46	46	..
1961 .....	34	2	2	..	32	32	..
1962 .....	37	4	4	..	33	33	..
1963 .....	36	1	1	..	35	35	..
1964 .....	49	1	1	..	48	46	2
1965 .....	26	2	2	..	24	24	..
1966 .....	13	3	3	..	10	10	..
1967 .....	12	1	1	..	11	11	..
1968 to June 30 .....	12	..	..	..	12	12	..

**TABLE 14**  
**Non-Institutional Operations Performed Annually**  
**by Sex and Type of Operation**  
**July 1929 - June 1968**

Year	TOTAL 42091	MALE			FEMALE		
		Total	Vasec- tomy	Castra- tion	Total	Salpin- gectomy	Ovari- ectomy
Total .....	4118	295	279	16	3823	3779	44
1929 .....	1	1	1	..	..	..	..
1930 .....	5	..	..	..	5	4	1
1931 .....	4	..	..	..	4	4	..
1932 .....	3	..	..	..	3	2	1
1933 .....	2	..	..	..	2	2	..
1934 .....	15	2	2	..	13	13	..
1935 .....	85	8	8	..	77	75	2
1936 .....	37	2	1	1	35	35	..
1937 .....	42	5	3	2	37	36	1
1938 .....	48	6	5	1	42	41	1
1939 .....	59	7	6	1	52	52	..
1940 .....	59	11	9	2	48	48	1
1941 .....	73	10	8	2	63	63	1
1942 .....	43	3	3	..	40	40	..
1943 .....	41	1	1	..	40	40	..
1944 .....	39	5	5	..	34	34	..
1945 .....	42	4	4	..	38	38	..
1946 .....	57	5	5	..	52	52	..
1947 .....	69	11	8	3	58	58	..
1948 .....	96	11	11	..	85	85	..
1949 .....	135	9	9	..	126	126	..
1950 .....	111	9	9	..	102	102	..
1951 .....	112	14	13	1	98	98	..
1952 .....	134	20	20	..	114	114	..
1953 .....	168	16	16	..	152	152	..
1954 .....	170	22	22	..	148	148	..
1955 .....	165	23	22	1	142	142	..
1956 .....	147	12	11	1	135	133	2
1957 .....	224	20	20	..	204	201	3
1958 .....	243	16	15	1	227	223	4
1959 .....	215	17	17	..	198	194	4
1960 .....	185	6	6	..	179	175	4
1961 .....	214	6	6	..	208	201	7
1962 .....	193	4	4	..	189	184	5
1963 .....	204	6	6	..	198	191	7
1964 .....	207	1	1	..	206	206	..
1965 .....	141	1	1	..	140	140	..
1966 .....	120	..	..	..	120	120	..
1967 .....	123	..	..	..	123	122	1
1968 to June 30 .....	87	1	1	..	86	85	1

<sup>1</sup> Ninety-one of these operations originated in county institutions prior to 1953.

TABLE 15  
State Institutional Operations, by Institution, Sex, and Type of Operation  
July 1929 - June 1968

Institution	TOTAL	MALE			FEMALE		
		Total	Vasectomy	Castration	Total	Salpingectomy	Ovariectomy
		784	739	45	2148	2138	10
Total .....	2932	784	739	45	2148	2138	10
<b>State Hospitals:</b>							
Broughton Hospital, Morganton .....	829	225	225	..	604	603	1
Cherry Hospital, Goldsboro .....	487	191	167	24	296	294	2
Dorothea Dix Hospital, Raleigh .....	632	98	89	9	534	532	2
John Umstead Hospital, Butner <sup>1</sup> .....	34	7	7	..	27	27	..
<b>Schools for Mentally Defective:</b>							
Caswell Center, Kinston .....	597	252	240	12	345	344	1
Murdoch Center, Butner <sup>2</sup> .....	14	..	..	..	14	14	..
O'Berry Center, Goldsboro <sup>3</sup> .....	12	..	..	..	12	12	..
<b>Training Schools:<sup>4</sup></b>							
Eastern Carolina Training School .....	4	4	4	..	..	..	..
Stonewall Jackson Training School .....	6	6	6	..	..	..	..
State Home and Industrial School for Girls .....	300	..	..	..	300	296	4
Morrison Training School .....	..	..	..	..	..	..	..
State Training School for Negro Girls .....	3	..	..	..	3	3	..
Others: .....	14	1	1	..	13	13	..

<sup>1</sup> Opened in 1947

<sup>2</sup> Opened in 1958

<sup>3</sup> Opened in 1957

<sup>4</sup> Petitions for children at training schools are now initiated by county directors of public welfare

TABLE 16  
Operations Performed, by Type of Operation and Race  
July 1929 - June 1968

Type of Operation	Total	White	Negro	Other
Total .....	7141	4314	2778	49
Vasectomy .....	1019	748	269	2
Castration .....	65	36	39	..
Salpingectomy .....	6000	3501	2453	46
Ovariectomy .....	57	29	27	1

TABLE 17  
Type of Operation Performed, by Age and Sex of Person  
July 1929 - June 1968

Age in Years	TOTAL	MALE			FEMALE		
		Total	Vasec- tomy	Castra- tion	Total	Salpin- gectomy	Ovari- ectomy
Total .....	7141	1084	1019	65	6057	6000	57
10-19 .....	2761	429	405	24	2332	2309	23
20-29 .....	2792	359	333	26	2433	2415	18
30-39 .....	1408	204	191	13	1204	1188	16
40-49 .....	166	78	77	1	88	88	..
50 and over .....	12	12	12	..	..	..	..
Unknown .....	2	2	1	1	..	..	..

TABLE 18  
 Operations Performed, by Type of Diagnosis, Source of  
 Petition, and Marital Status  
 July 1929 - June 1968

Diagnosis Shown on Petition	TOTAL 71411	MARITAL STATUS									
		Married			Single			Widowed, Divorced, Separated			
		Total	State Insti- tution	Non- Insti- tutional	Total	State Insti- tution	Non- Insti- tutional	Total	State Insti- tution	Non- Insti- tutional	
Total .....	7050	1696	936	760	4775	1801	2974	579	195	384	
Mental disease ..	1665	892	855	37	587	555	32	186	161	25	
Feeble-mindedness	5036	707	37	670	3950	1082	2868	379	26	353	
Epilepsy .....	349	97	44	53	238	164	74	14	8	6	

1 Ninety-one operations originated in county institutions prior to 1953.

THE EUGENICS BOARD OF NORTH CAROLINA

Cases Handled 1964 - 1973

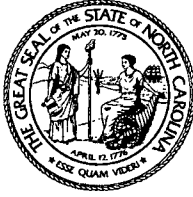
YEAR	PETITIONS PRESENTED				OPERATIONS AUTHORIZED				OPERATIONS PERFORMED***	
	Mentally Retarded	Mentally Ill	Epileptic*	Total	Mentally Retarded	Mentally Ill	Epileptic	Total	Total	Total
1964	246	35	6	287	204	35	4	243	251	
1965	208	17	1	226	166	16	1	183	167	
1966	161	29	1	191	142	18	1	161	135	
1967	212	10	1	223	163	10	1	174	134	
1968	179	14	0	193	149	13	0	162	187	
1969	191	7	0	198	156	6	0	162	144	
1970	193	20	0	213	121	16	0	135	89	
1971	154	11	0	165	96	10	0	106	77	
1972	103	13	0	116	60	11	0	71	42	
1973	n/a	n/a	0	47	n/a	n/a	0	19	6	
TOTALS			9	1859			7	1416**	1232	

\* The 1967 General Assembly removed epilepsy as one of the conditions for sterilization.

\*\* It should be recognized that not withstanding the provisions of the law, eugenical sterilization in North Carolina is almost always voluntary. The board has authorized only one sterilization since 1965 for which consent was not given by either the patient, the next of kin or both.

\*\*\* As a period of six months is allowed for completion of surgery, the number of operations performed in a given year does not reflect the number of operations authorized by the Eugenics Board during that year.

Source for data: Unpublished charts of the North Carolina Eugenics Board in the collection of the North Carolina State Archives.



**NORTH CAROLINA GENERAL ASSEMBLY  
COMMITTEE MEETING NOTICE  
LEGISLATIVE BUILDING  
RALEIGH NC 27601**

October 20, 2008

**MEMORANDUM**

**TO:** Members of the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

**FROM:** Rep. Larry Womble, Co-chair  
Rep. Ron Sutton, Co-chair

**SUBJECT:** Meeting Notice

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program will meet on the following date:

DAY: Thursday  
DATE: October 23, 2008  
TIME: 1:00 pm  
LOCATION: Room 1124, Legislative Building

If you have any questions concerning this meeting, please contact Dorothy McLean, Committee Assistant, at (919) 733-5777 or email womblela@ncleg.net. If you cannot attend, please contact Karon Hardy, Committee Clerk, at (919) 733-5878 or email bryantla@ncleg.net.

Posted: October 20, 2008

cc: Committee Record   x    
Interested Parties   x

# **Agenda**

## **House Select Committee on Compensation for Victims of the Eugenics Sterilization Program**

Thursday, October 23, 2008

1:00 p.m.

Legislative Building

Room 1124/1224

---

### **I. Welcome and Introductions**

*Representative Larry Womble, Cochair*

*Representative Ron Sutton, Cochair*

### **II. Review and Approval of Minutes**

### **III. Statements and Testimony of Survivors of the North Carolina Eugenics Sterilization Program**

*Ms. Mary English, North Carolina*

*Ms. Elaine Riddick, Georgia*

*Mr. Willis Lynch, North Carolina*

### **IV. Committee Discussion**

### **V. Adjourn**

## MINUTES

### HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION PROGRAM

October 23, 2008

Room, Legislative Office Building  
Representative Ron Sutton, Presiding  
Representative Larry Womble

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program met on Wednesday, October 23, 2008 in Room 1124 of the Legislative Building.

Co-Chair Ron Sutton opened the meeting at 1:10. He welcomed the guests, the staff and the Sergeant-at-Arms: Fred Hines, David Shearon, Charles Williams and Martha Gatson. The Co-chair stated the purpose of the meeting which was to hear from some of the survivors of the Eugenics Sterilization Program. Members that will not be with us today are Rep. Ruth Samuelson, Rep. Martha Alexander, and Rep. Sandra Spaulding-Hughes. (*Attachment 1*). The original Visitor Registration Sheet is attached to these minutes as (*Attachment 2*).

Rep. Bonner Stiller asked if any of the victims were the same people that had spoken before?

Rep. Womble – Yes.

Rep. Womble gave comments regarding the purpose of the meeting. He encouraged the survivors to take their time and share. He thanked the media and all other guests for coming.

Co-Chair asked for approval of the minutes from October 9, 2008 meeting.

Rep. Earline Parmon moved that the minutes be approved. The minutes were approved.

Co-Chair Sutton called the first presenter – Ms. Mary English.

#### Mary English

Mary English, a 58 year old Fayetteville, NC, resident is a Eugenics survivor. During the Vietnam War she married a young man and had two sons and a daughter. She sought healthcare at an upscale clinic where her sons were delivered. Due to health problems one of the doctors suggested a program that could help her and assured her that she would not have to worry about any kind of birth control, health problems, etc. She signed a blank sheet of paper authorizing the procedure to be done. The doctor got her in the program; the procedure was done and paid for. She went back to see the doctor 31/2 years later because she had gotten engaged and wanted to have the surgery reversed. She was told that she was not having any more kids and that she was sterile. She argued that that was not the surgery she signed up for. She was visited by two doctors and a sheriff one day who told her that she did not want anything to happen to her kids and that she was on welfare. From that point on she dismissed it. From time to time she sought counsel to sue the clinic. But no one in Fayetteville would take the case. The surgery

curtailed her ability to have a continued relationship with anyone with the hopes of remarriage and as also as result she no longer trusted physicians. She feels that all she was left with was her nurturing hormones.

Co-Chair Sutton – What was your age at that time?

Ms. English – I was 22 and when I learned about it, I was 26.

Co-Chair Sutton - What did the doctor tell you that he was going to do? Did he explain anything to you?

Ms. English – Nothing what so ever, he told me he had a surgery that would help me so that I wouldn't have to worry about birth control anymore. That was the extent of it. He gave me a blank sheet of paper. My name wasn't filled in, nothing was on the paper and I signed at the bottom because I trusted him and his three partners. He was new to the clinic. He got me and all my friends.

Co-Chair – Was the surgery right there in the clinic?

Ms. English – No, the surgery was performed at High Smith, where he is now on the Board of Trustees.

Co-Chair Sutton - So it was not performed that day?

Ms. English – Later, yeah.

Co-Chair Sutton - You indicated that you were lead to believe that it would be reversible, is that by the doctor who took you down to the other one or the doctor performing the surgery?

Ms. English – No, and you see that is what is so unbelievable, because the doctor that took me down to him said nothing. Only the other doctor that performed the procedure is the one that did all the talking.

Co-Chair Sutton – He sounds like a used car salesman.

Ms. English- That is what I've been saying.

Co-Chair Sutton – Any further questions?

Rep. Wray – Thank you Mr. Chairman, I apologize for being late. I really wanted to be here to hear your testimony and I appreciate you for taking time to come today, because it is great for people like me to hear experiences whether good or bad. Thank you for coming to answer these questions.

Ms. English – I never knew there were others.

Rep. Wray – You've spoken and you're putting the word out. We need someone to step up stand up and speak up and you've done that.

Ms. English – In 2005, my daughter read about Rep. Womble on the internet and she called home and told my son to tell me to call Rep. Womble. I thought I was alone until then. When I called him he said that that had happened to over 7,000 other people. That is how I became a Eugenics Survivor not a victim.

Co-Chair Sutton – I have a question for staff. We saw a list the other day that said there were 7,000. Do we know for a fact that she would make it on that list since it was not in a state facility or is this an individual that may be in addition to that list?

Ben Popkin – I don't know off hand, Ms. Pullen-Smith may know that. There are records in the state archives that involve the people that would have been part of this program: only the person whose records that are made may access those records because of confidentiality. I don't know if Ms. English has had an opportunity to have someone help her find it or not and if she is officially registered in there or not.

Co-Chair Sutton – Is there any way to know if this was part of the “program” or this is something the doctor is doing there at the clinic and at the hospital?

Ms. Pullen-Smith – We have not verified any of the cases at this time. We have to match her information with what is in the file and the medical records over at the Department of Cultural Resources.

Co-Chair Sutton – That concerns me, if that is the case, if she was not one of the 7,000, there may be many others sterilized by private doctors that we don’t know anything about. Hopefully someday we may know that information.

Co-Chair Sutton thanked Ms. English for telling her story and called the next survivor, Ms. Elaine Riddick from Georgia and her son, Tony Riddick.

**Ms. Elaine Riddick**

Ms. Elaine Riddick, 52 years old was born in Winfall, NC to Thomas and Pearline Riddick. She came from an abusive home and her mom went to prison. At the age of 13, her neighbor’s brother raped her. She became pregnant as a result of the rape. She had her son and right after the delivery, the doctor performed the sterilization procedure. Her grandmother had signed the form, by marking an X, giving the doctor’s permission to perform the surgery because the state threatened to cut off her food stamps and welfare check. She started to have a lot of health problems following the surgery. At age 18 she got married and tried to start a family at 19. She went to the doctor and found out that she had been “butchered”. Her husband began to physically, mentally and verbally abuse her. The state told her that they had sterilized her because they said she was feeble minded and illiterate; additionally, because they did not want her to have any more illiterate children. However, she never went to high school but she received her college degree. She tried to have the surgery reversed by a doctor in NY. She carried guilt and questioned her gender as a result of the surgery and she felt as though never received love. (*See Attachment 4*).

Co-Chair Sutton – From 13 to 19 years old, did you have any pure physical complications?

Ms. Riddick – I had to have a total hysterectomy.

Rep. Bonner Stiller – You had 7 siblings? Are you the youngest of 8?

Ms. Riddick – I was the third from the top.

Rep. Bonner Stiller – What school did you go to, and how did that come about? Did your parents seek a place for you to go to get an education?

Ms. Riddick - No, when I left North Carolina I went to New York.

Rep. Bonner Stiller – Did your whole family move?

Ms. Riddick – No, I had to get away because of the shame.

Rep. Bonner Stiller – Is that where you moved to live with your grandmother?

Ms. Riddick – My Aunt.

Rep. Bonner Stiller – Where was the school at that you attended?

Ms. Riddick – I went to New York City Tech.

Rep. Bonner Stiller – Not the one where you got the degree.

Ms. Riddick - Perquimans County Union school that’s is in North Carolina

Rep. Bonner Stiller – That is a regular grade school?

Ms. Riddick – Yes

Rep. Bonner Stiller – Did anyone else ever consult with you about this procedure?

Ms. Riddick – I was never consulted at all, Sir.

Rep. Bonner Stiller – Was your mother or father involved?

Ms. Riddick – My mother was in prison

Rep. Bonner Stiller – I didn't know if she was out at that time.

Ms. Riddick – My father had something to do with this also. The state of NC had removed all 7 of us from my father's custody because he was shell shocked and he was abusive. They placed an older sister and I with my grandmother and the rest of my siblings were in Central Orphanage in Oxford, NC.

Co-Chair Sutton – Were you living with your grandmother at the time of the attack?

Ms. Riddick – Yes

Co-Chair Sutton – So that would be why they would have her mark the "X"?

Ms. Riddick - Yes

Ms. Riddick – One last comment. They stopped sterilization. It is not called sterilization anymore, 80% of the abortion clinics are in the black neighborhoods. So sterilization is still going on, it has a different name and a different face. Thank you.

Co-Chair Sutton called the next guest - Mr. Willis Lynch.

#### Tony Riddick

Mr. Tony Riddick is the son of Ms. Elaine Riddick. Mr. Riddick shared comments about his upbringing, and how the condition of his mother affected him as an adult. He also shared about his distrust for government officials as a result of what happened to his mother.

#### Willis C. Lynch

Mr. W.C. Lynch, 75 years old is from Littleton, NC. At the age of 12 he was sent to Caswell Training school and got out at the age of 18. At the age of 13 or 14 he was sterilized. His mother signed the papers for him to be sterilized in order for the school to release him. He was married for 8 years to a woman who already had 2 kids. He could not have any. He hopes that something is done soon to pay for what has happened to him.

Co-Chair Sutton – Any questions for Mr. Lynch? You were at a reform type school; did they have any discussion with you about what they were going to do?

Mr. Lynch – No, they told my mom that I could not get out of the school, unless she signed the papers. I was sent there because welfare was tending to us. They sent two of the girls (his siblings) to Jerrett, VA and I was sent to Kinston to Caswell.

Co-Chair Sutton – So your mom was pressured into signing?

Mr. Lynch – She had to before I could get out of that school.

Co-Chair Sutton – Did you have any medical complications that you're aware?

Mr. Lynch – No.

Co-Chair – Sutton whatever they did healed up?

Mr. Lynch – Oh yeah.

Co-Chair Sutton – You went to school at 12 and got out at 18, and you don't recall what age you were when this happened?

Mr. Lynch – Around 13 -14.

Co-Chair Sutton – Any other questions?

Rep. Parmon - Mr. Lynch what type of emotional impact has this had on you as a man in your lifetime?

Mr. Lynch - Well, it has always been in the back of my mind. There have been two or three women that found out that I could not have kids and we broke up; which is why I have never gotten married to anyone that wanted kids. I always wanted kids, I love kids.

Co-Chair Sutton - Thank you Mr. Lynch for coming by to share your situation. Rep. Bonner Stiller.

Rep. Bonner Stiller - Do we know where this procedure took place, was it at a doctor's office, hospital?

Mr. Lynch - I think the name at the time was Parrish Hospital in Kinston.

Co-Chair Sutton asked if there were any other questions.

Rep. Womble thanked the Eugenics Survivors for coming forward. He gave the history of how we got here, what we're here for and why we have guest here to come speak about this.

Co-Chair Sutton acknowledged Rep. Earline Parmon.

Rep. Earline Parmon - Thank you survivors for your courage for speaking out. In Winston Salem there are other survivors. People who have approached Rep. Womble and me privately and they are upstanding members of the community, but will not come forward, because they do not want to become public because of the shame and embarrassment. In fact, the mother of one of our outstanding citizens this has happened to and she shared that with us with the confidence that we would not make it public. To your question, I don't know if she was butchered under government, or documented under the government in Winston Salem.

Co-Chair Sutton - Ms. English you mentioned that you attempted to sue the doctors, were you ever successful in getting a law suit all the way through to a jury trial?

Ms. English - I wasn't even successful on seeing the lawyer face to face.

Co-Chair Sutton - Ms. Riddick you indicated that you sued the state of North Carolina, were you successful with that?

Ms. Riddick - No.

Co-Chair Sutton - Did it go all the way to a jury?

Ms. Riddick - It went to a jury but it was none of my peers, everybody was in their 70's - 80's.

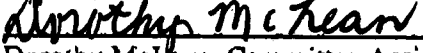
Co-Chair Sutton - Just roughly when was that?

Ms. Riddick - 1982.

Co-Chair thanked the three speakers for coming today. With there being no further questions the meeting was adjourned.

Respectfully Submitted:

  
Representative Ron Sutton

  
Dorothy McLean, Committee Assistant

  
Karon Hardy, Committee Assistant

# Elaine Riddick Jessie

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From Wikipedia, the free encyclopedia

**Elaine Riddick Jessie**, born **Elaine Riddick** was a 14-year-old American girl who, in 1968, was forcibly sterilized by the Eugenics Board of North Carolina, which argued that she was "feeble-minded" and "promiscuous."

Prior to the sterilization (at age 13), Jessie had been coerced into having sexual intercourse with a man in his 20s (See: statutory rape). Her son, Tony Riddick, states, "The work of the Eugenics Board was not far from the thinking of Hitler."

Jessie was living with her grandmother, Maggie "Miss Peaches" Woodard, when a social worker discovered her pregnancy. The illiterate Woodard signed an X on a consent form, not knowing what it was, only that if she didn't sign, Elaine would be sent to an orphanage. The Perquimans County Department of Public Welfare had earlier custody of Jessie and her 7 siblings (from their alcoholic parents), sending 5 to an orphanage, and Elaine and one of her sisters to live with Woodard.

In March 2003 Mrs. Jessie and other victims of the Eugenics Board spoke out against the atrocities committed to the Eugenics Study Committee. As she said "When you're a little girl, what do you want? You want to be a mommy. To find out that's been taken away from you is devastating."<sup>[1]</sup> <sup>[2]</sup>. She was prominent in the celebrations at the law's repeal. <sup>[3]</sup>

## References

- <sup>^</sup> N.C. STERILIZATION PROGRAM BRINGS APOLOGY, YEARS LATER Published on December 14, 2002, Page 4B, *Charlotte Observer*
- <sup>^</sup> The horror of forced sterilization: State sanctioned procedure on 3,300 people By GAYLE WHITE *The Atlanta Journal-Constitution* : 02/04/07 feature story
- <sup>^</sup> Jet, May 5, 2003 (pay access) Photograph of State Rep. Larry Womble hugging sterilization victim Elaine Riddick Jessie of Atlanta at the Legislative Building in Raleigh, NC, after Gov. Mike Easley signed legislation to strike down a North Carolina law.

Retrieved from "[http://en.wikipedia.org/wiki/Elaine\\_Riddick\\_Jessie](http://en.wikipedia.org/wiki/Elaine_Riddick_Jessie)"

Categories: Year of birth missing (living people) | 1954 births | Living people

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## A SHAMEFUL LITTLE SECRET NORTH CAROLINA CONFRONTS ITS HISTORY OF FORCED STERILIZATION.

By Rebecca Sinderbrand | NEWSWEEK  
From the magazine issue dated Mar 28, 2005

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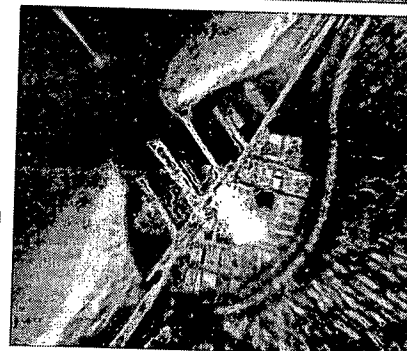
**Elaine Riddick** dreamed of motherhood. She and her husband tried to conceive for months without luck, so they consulted a doctor. The diagnosis was shocking: she had been sterilized four years earlier without her knowledge.

She soon learned that the operation had been performed by state order in North Carolina in 1968, when she was just 14, and had given birth to a baby after being raped. At the time, she'd assumed doctors were just performing a routine post-birth procedure. The sterilization-consent form had been signed by her neglectful father and her illiterate grandmother, who had marked her assent with an X. Today, three decades later, she's still reeling from the revelation she blames for the death of her marriage and her eventual hysterectomy. "I felt like I was nothing," says Riddick, her fists clenched in anger. "It's like, the people that did this, they took my spirit away from me."

Now North Carolina is pondering ways to make amends to Riddick and thousands of others sterilized as part of the eugenics (or "good breeding") movement that began nationally in the early 20th century and continued into the 1970s. The state offered a public apology two years ago. Now lawmakers are debating ways to make reparations to those robbed of the chance to be parents. More than 30 other states had eugenics programs during the last century: they were ruled constitutional in *Buck v. Bell*, a 1924 Supreme Court decision that is still the law of the land. Roughly 70,000 Americans in all were sterilized before the notion fell out of favor, becoming linked in the public's mind to Hitler's Germany after World War II. But North Carolina is the first to appoint a panel to study what to do now for its victims, from health care and counseling to financial reparations. The state is also considering addressing the shameful practice--finally halted in 1974--in its classrooms. "Some people have tried to pretend it never happened," says North Carolina State Rep. Larry Womble, a reparations activist. "It's painful to remember."

North Carolina's sterilization program zeroed in on welfare recipients. Over the last 15 years of its operation, 99 percent of the victims were women; more than 60 percent were black. The truth began to emerge after Johanna Schoen, author of "Choice and Coercion," a new book dealing with the subject, was given access to sealed records by a state employee. In some cases, the reasons for sterilization were as flimsy as being considered lazy or promiscuous. Nial Ramirez says she was sterilized at 18 after social workers threatened to cut off her mother's welfare benefits. "We had no way to fight back," says Ramirez, now 58.

Jacob Koomen served on the board that voted to sterilize Riddick. Decades later, he told Schoen that he was "uncomfortable" making such irrevocable decisions: "We did it because the law obligated us to. It isn't something we would have volunteered to do."



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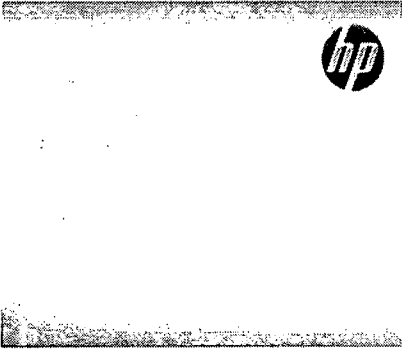
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NEWSWEEK SERVICES & TOOLS

North Carolina Gov. Mike Easley issued an apology to the victims in 2003, and ordered a commission to find concrete ways to make amends. But the state's budget is already a billion dollars in the red, and nothing has happened yet. To date, no one who underwent forced sterilization in this country has received assistance for it.



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**The Illegal Sterilization of Black Women in North Carolina**

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The Illegal Sterilization of Black Women in North Carolina

## The Illegal Sterilization of Black Women in North Carolina

Panel calls for compensating N.C. eugenics victims

Easley's commission issues recommendations to identify, help those who were sterilized

By Dana Damico

After becoming the first state to create a commission to review its role in a statewide eugenic sterilization program, North Carolina could soon take another dramatic step to compensate unwilling victims of the program. A national media campaign to identify and compensate victims could start in August under recommendations tentatively endorsed yesterday by the Eugenics Study Committee.

Gov. Mike Easley appointed the group to scrutinize the Eugenics Board of North Carolina, which authorized more than 7,600 sterilizations from 1929 until 1974, and to consider how to redress those people who were forcibly sterilized.

The study committee plans to submit its report to Easley in coming weeks.

The report calls for the creation of a special health fund to provide medical care for victims, and free education benefits at the state's universities and community colleges for victims and, potentially, their families.

It also backs the concept of reparations supported by Rep. Larry Womble, D-Forsyth, a leading critic of the state's role in the eugenics movement.

"Although the committee strongly believes that survivors also deserve some form of financial compensation for what we believe is a violation of human rights, we recommend the creation of a legislative study commission to address this issue," the report reads.

A bill to create such a commission is pending in the General Assembly.

The committee has met four times since February. In March, it heard heart-rending testimony from two women who were sterilized against their will.

One was Nial Cox Ramirez, who was sterilized in 1965 when she was 18. Ramirez, who has one child, said that her social worker threatened to drop her family from welfare if she didn't undergo the operation.

Ramirez's story is featured in the current edition of Newsweek magazine.

Nationwide, about 65,000 people were sterilized as part of the eugenics movement. Supporters of eugenics wanted to eliminate such social ills as out-of-wedlock births, genetic defects and mental illness thought to be hereditary.

North Carolina's response to the eugenics program has drawn national and international attention. Easley formally apologized for the program in December after a series of stories was published in the Winston-Salem Journal. Since then, the General Assembly voted to strike a law that allowed for the involuntary sterilization of the mentally ill - a final legal vestige of the eugenics program.

The committee report calls North Carolina's sterilization program a "shameful blot" on state history that should never be repeated.

If Easley accepts the recommendations, efforts to find people sterilized against their wishes could start in July with a statewide news release. Privacy laws bar state officials from identifying victims from the more than 150,000 pages of documents stored at the state archives on the program. Those records are locked up, officials said.

Budget constraints also prevent a costly publicity campaign and committee members suggest the use of "free media."

To find victims, it recommends posting information in church bulletins, N.C. Division of Motor Vehicles offices, health departments, libraries and schools, as well as on billboards or even city buses. It recommends enlisting help from hospitals and doctors, faith-based groups and churches, civic organizations and the National Association for the Advancement of Colored People.

"This is going to be a national thing," Womble said. "Hopefully, those who want to, will find it comfortable enough to come forward." Committee members said that they have no idea how many people that could be. Many people may have died or moved across the country. Some may not want to revisit painful memories of the irreversible operation. Others may be skeptical of getting redress from a state that violated them.

"My hope is that we'll have a groundswell," said Carmen Hooker Odom, the secretary of the N.C. Department of Health and Human Services and the head of the study committee. "We're hoping to get folks to come forward so we can do the right thing, finally."

According to news reports, state officials already have received requests from people who say they were forcibly sterilized. Womble says he has a list of 12 people. Another 12 have called a state hot line.

Cathy Morris, the state archivist, said that 10 people have contacted her office, including Ramirez and another victim, Elaine Riddick Jessie.

Jessie, who joined Ramirez in testifying before the committee, was 14 when she was sterilized in 1968 after a man in his 20s impregnated her - statutory rape by law.

Of the other eight, only one had records on file at the archives. "Which is an interesting commentary," Morris said.

Under the committee's draft plan, people who believe that they were sterilized would request their records from the state archives. They would be eligible for benefits if a three- or five-person panel certified their claim.

The committee agreed to start work immediately on a survivors' group. Members could look for emotional support from one another and aid other victims through the potentially intimidating process, the committee said.

"They're very upset," said Debbie Crane, a health and human services spokeswoman who has talked to victims. "It is tough trying to talk about it."

Womble said that it was a monumental decision for Ramirez and Jessie to share their stories. Officials need to recognize that others may be equally fearful. "We must be almost like a confidante to them," he said. "Whatever it takes to hold their hands."

"They've been carrying this burden."

Source: <http://extras.journalnow.com/against...ue/story9.html>

Note: An article on this subject was featured in the January, 2008 edition of Black Enterprise magazine.

- Find out what white hate groups are up to.
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Last edited by Nia Imani; 02-20-2008 at 03:49 PM. Reason: Additional information added.



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**HOUSE SELECT COMMITTEE ON COMPENSATION  
FOR VICTIMS OF THE EUGENICS STERILIZATION  
PROGRAM MEETING**

**October 23, 2008**

**EXCUSED ABSENTEES**

Rep. Ruth Samuelson has a Real Estate test

Rep. Martha Alexander will be out of the state

~~Rep. Bonner Stiller~~

Rep. Sandra Spaulding-Hughes

House Pages

House Select on Com. For  
Victims of the Eugenic Sterilization

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3. Name: CHARLES WILLIAMS

4. Name: MARTHA GADSON

5. Name: —

## VISITOR REGISTRATION SHEET

House Select Committee on Compensation for Victims of the Eugenics Sterilization Program 10-23-2008

Name of Committee

Date

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME

FIRM OR AGENCY AND ADDRESS

Kelly Ensslin	Smith Moore Waterwood LLP
Lisa Hodges	DHHS
Barbara Pullen-Smith	DHHS-OMHHS
William C Lynch	Littleton NC
Daisy Morris	N.C. Sickle Cell Syndrome Program
W. J. Polk	U. Ga. office
Mary English	
Elaine Riddick	
Tommy Riddick	son of victim
Ellen Russell	The Arc of NC
Julia Leggett	The Arc of SC



## MINUTES

### HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION PROGRAM

November 6, 2008

Room, Legislative Office Building  
Representative Larry Womble, Presiding  
Representative Ron Sutton

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program met on Thursday, November 6, 2008 in Room 1124 of the Legislative Building.

Co-Chair Womble called the meeting to order at 1:10pm. He welcomed the guests, the staff and the Sergeant-at-Arms: Bob John Brandon, Bob Rossi, Julia Turner, and Frank Prevo. The Committee, Staff and Legislative Assistants introduced themselves.

Co-Chair Womble stated that the meeting would be devoted to suggestions, ideas and recommendations regarding the Sterilization program that existed in North Carolina. All Committee members were present. The original Visitor Registration sheet is attached to these minutes as *(Attachment 1)*.

Co-Chair Womble asked for approval of the minutes from the Oct. 23 meeting. Rep. Wray approval of the minutes with corrections by Rep. Martha Alexander.

Co-Chair Womble made reference to a Winston Salem Editorial that was recently written on the Eugenics Victims. *(See Attachment 2)*. He then called the first presenter, Ms. Barbara Pullen-Smith, director of the office of Minority Health and Health Disparities.

#### Barbara Pullen-Smith

Ms. Pullen-Smith gave the recommendations that were presented from the 2003 NC Nine Member Study Committee that was formed by the Governor. *(See Attachment 3)*.

**Co-Chair Womble** thanked Ms. Pullen-Smith and asked if there were any questions.

**Rep. Sutton** – I would like for you to go back over each one and give us the status, what has been done, and by whom.

**Ms. Pullen-Smith** -1. Creating a nonprofit foundation – there has been no efforts to create that. 2. Conducting an outreach campaign to find Survivors – there has been no coordinated effort to develop a campaign. 3. Establish a process to validate claims of sterilization victims. The department has not done anything with that. 4. Create a special fund to provide healthcare for certified Survivors and to explore the use of Medicaid and/or the state health plan to provide benefits – there may have been some work on this early on but this has not been completed.

**Rep. Alexander** – On part B is this all Medical care?

**Ben Popkin** – The latter part refers to the potential Blue Cross and Blue Shield conversion which was an issue at that time. That has since gone by and it has converted. The end of section B is not relevant.

**Rep. Samuelson** – The definition of medical care – is it all inclusive or related to the Sterilization?

**Co-Chair Womble** – Only that kind of medical attention that was associated with the Sterilization.

**Rep. Samuelson** – What is the relationship between A and B? Is there a special fund under Medicaid?

**Ms. Pullen-Smith** – We were going to explore all options and choose the best package. Recommendation #5. The University or Community College System creates a program for survivors to receive free educational benefits – that has not been done as well. The next set of Recommendations: 1. The Department of Public Instruction should include information about the Eugenics program in its history curriculum. As far as I know, that has not been completed. 2. The Department of Cultural Resources is to create a tangible Memorial or Historical Marker. That has not been completed. 3. The University and Community College Systems are to explore the creation of Endowed Chairs or Special Scholarships to memorialize the program. As far as I know, that has not been done. 4. The DHHS will create an Ethics program and should include information on the Eugenics board and require all DHHS professionals to take the course and our efforts towards providing broad base education about the Eugenics program has been the establishment of a Traveling Exhibit, which encompasses Recommendations 4 and 5.

**Rep. Alexander** – Regarding number four, does the department have any kind of committee where you remind the employee about Ethics or confidentiality?

**Sharnese Ransome** – When a new employee comes on as a part of their HR Training, do we go back and do it over no I don't think there is any agency that does. There is a part in the package about Human Resources and their responsibilities and Confidentiality because so much of our department falls under HIPPA so there is a package that is given to new employees.

**Rep. Samuelson** – There is not a continuing training program that this topic can fit into? Rather than create a separate program that it be part of a program that you already have. They go through a certain amount of training and are given a new employees handbook and it covers confidentiality and the use of state property. But to go back 5 -10 years later I don't know of any agency that do that.

**Rep. Samuelson** – On number four, to create an Ethics program, did they have in mind that it would be a program that would be presented periodically to include not only the Eugenics piece but other kinds of Ethics pieces and if so did they have an idea of what they wanted included in those other Ethics piece?

**Ms. Pullen-Smith** – I do not remember the committee going into that level of detail about the contents of an Ethics Program. I think the focus was to make sure we created as many opportunities and avenues as possible to incorporate some information about the Eugenics Program and the impact in North Carolina.

**Rep. Samuelson** – So, if for instance the intent was just to remind people to be aware of this not necessarily to create a whole new program.

**Ms. Pullen-Smith** – That's a good interpretation of it.

**Rep. Samuelson** - On number 3, I don't know a whole lot about what endowed chairs do, I know what special scholarships are. Would it be a memorialization piece or would it be their actually teaching something related to that?

**Ms. Pullen-Smith** – I think the intent again was to create as many avenues as possible to get the education out and I think this was just one of those options that we were looking at so that there would be an ongoing effort to keep the information out there.

**Rep. Samuelson** - On number 3, not on this topic but on another historical event topic where some were bothersome and didn't like the idea of having the marker or something there to remind them all the time. So I was curious of the Survivors that you've been able to contact have they expressed any thoughts as to whether they like the idea of the Historical Marker or not?

**Co-Chair Womble** – The thinking at that time from the Survivors who were there and also the Committee members themselves, there should be some type of marker. Some type of identification somewhere in the state so that that would be a constant reminder that this had happened in the state. This was one of the recommendations that they voted on and it did pass and it was included in the report. If I remembered correctly, Ms. Ramirez's daughter, Deborah Chesson specifically requested that we identify some sort of way so that it would be a lasting reminder.

**Rep. Samuelson** – On the education thing, I am not sure I understand the definition of caretakers. I understand the first half where the Survivors get education benefits but I am still not sure I understand the rationale behind the caretakers, and extended family and receiving educational benefits and how caretakers are defined. What is the logic behind adding caretakers and is there a definition of care takers?

**Co-Chair Womble** – If I remember everything that was in the minutes at that particular time there was no specific definition of caretaker. It was understood that those who had taken care of that particular survivor, that was the thinking of what a caretaker is, now does that fit the legal definition, you might have to refer that to our staff.

**Rep. Samuelson** – Since I won't be here on the 18<sup>th</sup>, I would encourage us to make sure that if we do that one that it is clearly defined as to what constitutes a caretaker.

**Rep. Samuelson** – On items three and two on page one, it is the non-profit agencies that would carry out those two things?

**Ms. Pullen-Smith** – That is correct, all of these we've acknowledged that we don't have the capacity currently to provide all of this, so the nonprofit could play a major role in helping to implement these Recommendations.

**Rep. Samuelson** – I am wondering if it makes sense rather than creating a whole new non-profit is there an existing non-profit that this would logically fit under so that it becomes a program under another non-profit without going through the expense and legal involvement in creating a new one? Was that talked about?

**Co-Chair Womble** – the thinking was that we try to get information out and try to assist in helping to identify these people and we could use these agencies that have access to these kind of clientele or population such as the NAACP or Urban League, state and local agencies in order to try and get the word out to do some out reach for them to let them know what is going on and how can they access the system. That would be a partnership to help accomplish that.

**Rep. Samuelson** – I understand that, I was just wondering from a legal structural question, if it would make sense rather than create a new stand alone non-profit that works with all these groups, is it possible to put it under an existing either government agency or other non-profit so that we won't have to create a whole new entity that at some point it would not need anymore?

**Co-Chair Womble** – That is possible there is nothing in cement here. This is why they call them recommendations and we need to explain them and know exactly what we're doing so when we come back at our next meeting we will have that full discussion and I know you're doing yours now and that does not necessarily mean it would be a nonprofit.

**Rep. Samuelson** – I would make a Recommendation to the committee that will make the decision and in another meeting that we consider placing it under a different nonprofit because my personal experience has been once the nonprofit's formed and you hire staff when its completed its task they sometimes have a tendency to create a life of their own they keep going and doing something else. Sometimes something else is worth doing sometimes it isn't. So this way at least it will stay focused on its mission and not be

tempted to diversify in order to keep itself alive. So that way it does what its suppose to do and when the task is done it can celebrate its success and not continue in perpetuity.

**Rep. Sutton** – I agree, rather than creating a new entity why not just put it in a two or three person section over at DHHS and let them work through everything; literally being that they are doing most of the work anyway – a little department under them. I am a little concerned about all this concern about the ethics of it. Remember when this was happening it was legal, it was not an illegality taking place. You have ethics concern when people are doing something illegal and behind the scene. This was not the case. This was a legal process taking place. So this is not an ethics matter as far as I am concerned. We don't have to be re-briefing everybody every five years about Eugenics, its not legal now so it's not an issue. But at the time it was taking place it was a legal process, so that puts us in a different perspective. I don't think we need all this great concern about the ethics issue, because people were doing what they were being paid to do and allowed to do it under the law. One final observation, when we have prisoners that go to death row or into prison for 10-15 years and we find out they were there illegally and they were wrongfully detained and when we give them money we don't give their family money. We pay that person that was in prison the money and if we're going to be giving financial consideration to anyone, I think it should be limited to that person that was sterilized – that survivor and not to their family members, nieces, nephews, brothers, sisters and grandmothers. Under no circumstances can I abide with that. If we're going to give compensation and that is finally up to the committee but the compensation in my opinions should be absolutely limited to the person that was physically harmed and to no others.

**Rep. Hughes** – Have we identified how many Survivors at this point – name, address, telephone number?

**Co-Chair Womble** – the number is roughly over 3,000. Not verified but there are about 3,000 survivors.

**Ms. Pullen-Smith** – At the first meeting, I talked about the projections of the estimated number of survivors who may be alive today and that estimate is what Rep. Womble is referring to; about 2,800 or 3,000 is the rough estimate based on Dr. Schoen doing some work with our State Center For Health statistics using life tables to do projections. In terms of who have come forth is the number we have in our data base which is about 56 people who have come forth.

**Rep. Hughes** – Follow-up to Rep. Sutton's question, if we agree to give compensation to Survivors only who will be assigned to research and find the Survivors' name, address, telephone numbers – if we're going to give only Survivors, those who are harmed, money? Who will do the research to find these 3,000 persons?

**Ms. Pullen-Smith** – Recommendations two and three actually speak to that question. So we would have to do a major outreach effort and then we have to establish a mechanism to verify their claims. That is what this panel – this committee would do.

**Rep. Hughes** – Will we have a paid person, not volunteer, NAACP? Will there be assigned a person with a name to find survivors?

**Co-Chair Womble** – The thinking was these records are already numbered, they are in the archives. We have a list of those. If a person wants to come forward they will have to make themselves known to the department and the department will assist them in verifying if they are on that list or not. There are some people who are not sure if they are on the list, some have forgotten.

**Rep. Hughes** – The person must come forward before he is to get any compensation?

**Co-Chair Womble** – Come forward and be verified, because you would not want to give it to someone who is not qualified.

**Rep. Sutton** – If you offer enough compensation you will have to reject more people than you can verify depending on how much compensation is given.

**Co-Chair Womble** – Anyone can't walk up and say I am a survivor.

**Rep. Alexander** – So you're left with 3,000. This is a projection according to National Life whatever. So it could be more or less?

**Co-Chair Womble** – The others have died.

**Ms. Pullen-Smith** – This is a projection.

**Rep. Sutton** – When this commission was finished who was left with the authority, burden or task in attempting to implement these 10 Recommendations, was it DHHS, or someone in the Governor's office? Was there anybody left with the task of moving forward or try to implement this or did they say this is recommendation, fold up the tent and go home?

**Ms. Pullen-Smith** – I cannot say that anyone was assigned the task of carrying out these recommendations but also note that there were some recommendations that were specific to the Department of Public Instruction; some that were specific to other departments and we did have Representatives from those departments on the committee – just like we had with DHHS and Cultural Resources.

**Rep. Sutton** – So Mr. Chairman it appears that nobody did anything.

**Co-Chair Womble** – Did the Department of Public Instruction do anything? No. Did the Governor do anything? No. The DHHS tried to do as much PR as they could under their limited scope. Carmen Hooker Odom did as much as she could to get the word out before she left.

Co-Chair Womble thanked Ms. Pullen-Smith for presenting the Recommendations and invited her back to future meetings to assist the committee.

#### **Melanie Bush, Fiscal Research**

Melanie worked with Fiscal Research staff and Research staff on different compensation, considerations, and research on what other states and countries have done. They looked at compensation packages that have been awarded to folks to help the committee move forward on recommendations for survivors. (*See Attached Outline 4*).

Co-Chair Womble asked if there were any questions, suggestions or comments to the staff.

**Rep. Samuelson** – You said that it would be difficult to verify without re-traumatizing is that because though we have a list or the list may be used in euphemism or something else that we may have done?

**Melanie Bush** – No, I was getting at whether folks really want to revisit this or not.

**Rep. Samuelson** – When you were doing your research on Canada, Sweden and such, did the inheritability question come up there or was it sort of a lump sum that the person was given and once it was in their estate it just went? So it really wasn't a series of benefits that they could even consider having inherited?

**Melanie Bush** – That is correct, except in the case of Sweden most of them were court cases and it was awarded in a lump sum.

**Rep. Samuelson** – On the Tuskegee compensation that included families, how did they deal with the inheritability piece and what was the nature of the benefits that were extended to them?

**Melanie Bush** – I don't have that information.

**Rep. Sutton** – In the Tuskegee situation, the reason they dealt with family because of the affection nature. They intentionally injected the male members with syphilis and of course they transmitted that to family members, so that family member should be compensated, they were affected directly.

**Committee Discussion**

**Rep. Hughes** – Had a question about the history curriculum, which is question 2 on page 1 one of the recommendations sheet. Who will do this?

**Ben Popkin** – There has not been follow-up conversation with the Department of Public Instruction as far as the curriculum, the committee can recommend that we look at this at this time. They had not looked at this during my tenure.

**Rep. Hughes** – If this department is to be involved, is this task to be channeled from us to a staff member or is our committee of nine persons suppose to collaborate with Public Instruction?

**Bob Popkin** – At this point this committee is charged with drafting recommendations and it would be a normal course of events for the recommendations of this committee to direct the Department of Public Instruction to either study and report back or perhaps act and then report upon the most appropriate mechanism. I am not personally familiar with the process for developing curricular and adding items, but it would definitely be within the committee's charge to direct the Department of Public Instruction on how best to address the topic.

**Rep. Sutton** – That would be through legislation, the end result of this would be a bill and in that bill we would task DPI to do whatever we want them to do.

**Public Discussion**

Ellen Russell, Director of Advocacy from the Arc of North Carolina made a comment about the Ethics Program and the involvement of DPI.

Co-Chair adjourned the meeting at 2:50 pm.

Respectfully Submitted:

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Representative Larry Womble

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Dorothy McLean, Committee Assistant

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Karon Hardy, Committee Assistant

**2003 NORTH CAROLINA  
EUGENICS STUDY COMMITTEE RECOMMENDATIONS**

**Presented to:**

**House Select Committee on Compensation for Victims of the Eugenics Sterilization Program**

**November 6, 2008**

**Legislative Bldg Room 1124/1224**

**Barbara Pullen-Smith, Director**

**Office of Minority Health and Health Disparities, Division of Public Health,  
Department of Health and Human Services (DHHS)**

To Co-Chairs Representatives Womble & Sutton and members of the Committee, good afternoon. Thank you for this opportunity.

In Dec 2002, Governor Easley apologized to the victims of North Carolina's Eugenic Sterilization Program, after which he appointed a nine- member Study Committee. The Committee's Co-Chairs were Representative Larry Womble and former DHHS Secretary Carmen Hooker Odom.

The Committee met over the course of a few months and submitted its report to Governor Easley in June 2003. The Committee's report includes two sets of recommendations: The first set of recommendations focuses on support for the Eugenics survivors. The second set of recommendations focuses on system changes.

**There are five key recommendations to support Eugenics Survivors:**

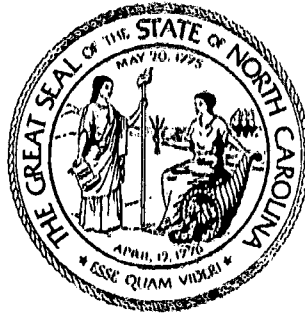
1. Create a nonprofit foundation to assist with finding, verifying, and supporting survivors of the eugenics sterilization program.
2. Conduct an outreach campaign to assist with finding survivors. The recommendation outlines the key elements of the campaign including its approach (news releases, public service announcements, billboards, etc.) and potential partners to assist with this effort (including churches, civic organizations, NAACP, urban league, disability groups, state/local agencies, health professionals).
3. Establish a process to validate claims of sterilization. The recommendation called for the DHHS to set up an expert panel to review each case. The three to five - member panel should include representatives from the legal system, medical providers and an ethicist. Once claims of sterilization are verified, survivors would be eligible to receive available benefits.
4. The health care recommendation called for the DHHS to a) create a special fund to provide health care for certified survivors with funds provided through a special appropriation. b) explore the use of Medicaid and/or the state health plan

to provide benefits, as well as building in medical care for survivors in the event of any Blue Cross/Blue Shield conversion.

5. The fifth recommendation for Eugenics survivors focuses on education and called for the University of North Carolina and the Community College System to consider creating a program that allows survivors to receive free educational benefits. Also consideration should be given to providing educational benefits to caretakers of eugenic survivors as a way to improve the lives of their extended families.

**Five recommendations from the Eugenics Committee identified agency and system changes needed to ensure that this program is never repeated in North Carolina:**

1. NC Department of Public Instruction should include information about the eugenics program in its history curriculum.
2. Department of Cultural Resources should investigate the creation of a “tangible” memorial or “historical marker” as a constant reminder of the Eugenics program and the negative impact on our citizens.
3. The University and Community College systems should explore the creation of endowed chairs or special scholarships to memorialize the program.
4. The Department of Health and Human Services will create an ethics program, which include information on the Eugenics Board and require all DHHS professionals take the course.
5. A seminar should be organized to talk about the program, hear from survivors and discuss its implications in today’s world. The seminar should include presentations from experts, including Dr. Johanna Schoen.



**NORTH CAROLINA GENERAL ASSEMBLY  
COMMITTEE MEETING NOTICE  
LEGISLATIVE BUILDING  
RALEIGH NC 27601**

October 27, 2008

**MEMORANDUM**

**TO:** Members of the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

**FROM:** Rep. Larry Womble, Co-chair  
Rep. Ron Sutton, Co-chair

**SUBJECT:** Meeting Notice

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program will meet on the following date:

**DAY:** Thursday  
**DATE:** November 6, 2008  
**TIME:** 1:00 pm  
**LOCATION:** Room 1124, Legislative Building

If you have any questions concerning this meeting, please contact Dorothy McLean, Committee Assistant, at (919) 733-5777 or email womblela@ncleg.net. If you cannot attend, please contact Karon Hardy, Committee Clerk, at (919) 733-5878 or email bryantla@ncleg.net.

Posted: October 27, 2008

cc: Committee Record   x    
Interested Parties   x

# **Agenda**

## **House Select Committee on Compensation for Victims of the Eugenics Sterilization Program**

**Thursday, November 6, 2008**

**1:00 p.m.**

**Legislative Building**

**Room 1124/1224**



**I. Welcome and Introductions**

*Representative Larry Womble, Cochair  
Representative Ron Sutton, Cochair*

**II. Review and Approval of Minutes**

**III. 2003 North Carolina Eugenics Study Committee Recommendations**

*Mrs. Barbara Pullen-Smith, Director of Office of Minority Health and Health Disparities, DHHS*

**IV. Options for Compensation of Survivors**

*Ms. Melanie Bush, Fiscal Research Division*

**V. Committee Discussion**

**VI. Adjourn**

**VII. Next Meeting to be held Tuesday, November 18, 2008**

*Presentation by Dr. Johanna Schoen  
Associate Professor of History and Women's Studies, University of Iowa*

MINUTES

HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE  
EUGENICS STERILIZATION PROGRAM

November 6, 2008

Room, Legislative Office Building  
Representative Larry Womble, Presiding  
Representative Ron Sutton

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program met on Thursday, November 6, 2008 in Room 1124 of the Legislative Building.

Co-Chair Womble called the meeting to order at 1:10pm. He welcomed the guests, the staff and the Sergeant-at-Arms: Bob John Brandon, Bob Rossi, Julia Turner, and Frank Prevo. The Committee, Staff and Legislative Assistants introduced themselves.

Co-Chair Womble stated that the meeting would be devoted to suggestions, ideas and recommendations regarding the Sterilization program that existed in North Carolina. All Committee members were present. The original Visitor Registration sheet is attached to these minutes as (*Attachment 1*).

Co-Chair Womble asked for approval of the minutes from the Oct. 23 meeting. Rep. Wray approval of the minutes with corrections by Rep. Martha Alexander.

Co-Chair Womble made reference to a Winston Salem Editorial that was recently written on the Eugenics Victims. (*See Attachment 2*). He then called the first presenter, Ms. Barbara Pullen-Smith, director of the office of Minority Health and Health Disparities.

Barbara Pullen-Smith

Ms. Pullen-Smith gave the recommendations that were presented from the 2003 NC Nine Member Study Committee that was formed by the Governor. (*See Attachment 3*).

**Co-Chair Womble** thanked Ms. Pullen-Smith and asked if there were any questions.

**Rep. Sutton** – I would like for you to go back over each one and give us the status, what has been done, and by whom.

**Ms. Pullen-Smith** -1. Creating a nonprofit foundation – there has been no efforts to create that. 2. Conducting an outreach campaign to find Survivors – there has been no coordinated effort to develop a campaign. 3. Establish a process to validate claims of sterilization victims. The department has not done anything with that. 4. Create a special fund to provide healthcare for certified Survivors and to explore the use of Medicaid and/or the state health plan to provide benefits – there may have been some work on this early on but this has not been completed.

**Rep. Alexander** – On part B is this all Medical care?

**Ben Popkin** – The latter part refers to the potential Blue Cross and Blue Shield conversion which was an issue at that time. That has since gone by and it has converted. The end of section B is not relevant.

**Rep. Samuelson** – The definition of medical care – is it all inclusive or related to the Sterilization?

**Co-Chair Womble** – Only that kind of medical attention that was associated with the Sterilization.

**Rep. Samuelson** – What is the relationship between A and B? Is there a special fund under Medicaid?

**Ms. Pullen-Smith** – We were going to explore all options and choose the best package. Recommendation #5. The University or Community College System creates a program for survivors to receive free educational benefits – that has not been done as well. The next set of Recommendations: 1. The Department of Public Instruction should include information about the Eugenics program in its history curriculum. As far as I know, that has not been completed. 2. The Department of Cultural Resources is to create a tangible Memorial or Historical Marker. That has not been completed. 3. The University and Community College Systems are to explore the creation of Endowed Chairs or Special Scholarships to memorialize the program. As far as I know, that has not been done. 4. The DHHS will create an Ethics program and should include information on the Eugenics board and require all DHHS professionals to take the course and our efforts towards providing broad base education about the Eugenics program has been the establishment of a Traveling Exhibit, which encompasses Recommendations 4 and 5.

**Rep. Alexander** – Regarding number four, does the department have any kind of committee where you remind the employee about Ethics or confidentiality?

**Sharnese Ransome** – When a new employee comes on as a part of their HR Training, do we go back and do it over no I don't think there is any agency that does. There is a part in the package about Human Resources and their responsibilities and Confidentiality because so much of our department falls under HIPPA so there is a package that is given to new employees.

**Rep. Samuelson** – There is not a continuing training program that this topic can fit into? Rather than create a separate program that it be part of a program that you already have. They go through a certain amount of training and are given a new employees handbook and it covers confidentiality and the use of state property. But to go back 5 -10 years later I don't know of any agency that do that.

**Rep. Samuelson** – On number four, to create an Ethics program, did they have in mind that it would be a program that would be presented periodically to include not only the Eugenics piece but other kinds of Ethics pieces and if so did they have an idea of what they wanted included in those other Ethics piece?

**Ms. Pullen-Smith** – I do not remember the committee going into that level of detail about the contents of an Ethics Program. I think the focus was to make sure we created as many opportunities and avenues as possible to incorporate some information about the Eugenics Program and the impact in North Carolina.

**Rep. Samuelson** – So, if for instance the intent was just to remind people to be aware of this not necessarily to create a whole new program.

**Ms. Pullen-Smith** – That's a good interpretation of it.

**Rep. Samuelson** - On number 3, I don't know a whole lot about what endowed chairs do, I know what special scholarships are. Would it be a memorialization piece or would it be their actually teaching something related to that?

**Ms. Pullen-Smith** – I think the intent again was to create as many avenues as possible to get the education out and I think this was just one of those options that we were looking at so that there would be an ongoing effort to keep the information out there.

**Rep. Samuelson** - On number 3, not on this topic but on another historical event topic where some were bothersome and didn't like the idea of having the marker or something there to remind them all the time. So I was curious of the Survivors that you've been able to contact have they expressed any thoughts as to whether they like the idea of the Historical Marker or not?

**Co-Chair Womble** – The thinking at that time from the Survivors who were there and also the Committee members themselves, there should be some type of marker. Some type of identification somewhere in the state so that that would be a constant reminder that this had happened in the state. This was one of the recommendations that they voted on and it did pass and it was included in the report. If I remembered correctly, Ms. Ramirez's daughter, Deborah Chesson specifically requested that we identify some sort of way so that it would be a lasting reminder.

**Rep. Samuelson** – On the education thing, I am not sure I understand the definition of caretakers. I understand the first half where the Survivors get education benefits but I am still not sure I understand the rationale behind the caretakers, and extended family and receiving educational benefits and how caretakers are defined. What is the logic behind adding caretakers and is there a definition of care takers?

**Co-Chair Womble** – If I remember everything that was in the minutes at that particular time there was no specific definition of caretaker. It was understood that those who had taken care of that particular survivor, that was the thinking of what a caretaker is, now does that fit the legal definition, you might have to refer that to our staff.

**Rep. Samuelson** – Since I won't be here on the 18<sup>th</sup>, I would encourage us to make sure that if we do that one that it is clearly defined as to what constitutes a caretaker.

**Rep. Samuelson** – On items three and two on page one, it is the non-profit agencies that would carry out those two things?

**Ms. Pullen-Smith** – That is correct, all of these we've acknowledged that we don't have the capacity currently to provide all of this, so the nonprofit could play a major role in helping to implement these Recommendations.

**Rep. Samuelson** – I am wondering if it makes sense rather than creating a whole new non-profit is there an existing non-profit that this would logically fit under so that it becomes a program under another non-profit without going through the expense and legal involvement in creating a new one? Was that talked about?

**Co-Chair Womble** – the thinking was that we try to get information out and try to assist in helping to identify these people and we could use these agencies that have access to these kind of clientele or population such as the NAACP or Urban League, state and local agencies in order to try and get the word out to do some out reach for them to let them know what is going on and how can they access the system. That would be a partnership to help accomplish that.

**Rep. Samuelson** – I understand that, I was just wondering from a legal structural question, if it would make sense rather than create a new stand alone non-profit that works with all these groups, is it possible to put it under an existing either government agency or other non-profit so that we won't have to create a whole new entity that at some point it would not need anymore?

**Co-Chair Womble** – That is possible there is nothing in cement here. This is why they call them recommendations and we need to explain them and know exactly what we're doing so when we come back at our next meeting we will have that full discussion and I know you're doing yours now and that does not necessarily mean it would be a nonprofit.

**Rep. Samuelson** – I would make a Recommendation to the committee that will make the decision and in another meeting that we consider placing it under a different nonprofit because my personal experience has been once the nonprofit's formed and you hire staff when its completed its task they sometimes have a tendency to create a life of their own they keep going and doing something else. Sometimes something else is worth doing sometimes it isn't. So this way at least it will stay focused on its mission and not be

tempted to diversify in order to keep itself alive. So that way it does what its suppose to do and when the task is done it can celebrate its success and not continue in perpetuity.

**Rep. Sutton** – I agree, rather than creating a new entity why not just put it in a two or three person section over at DHHS and let them work through everything; literally being that they are doing most of the work anyway – a little department under them. I am a little concerned about all this concern about the ethics of it. Remember when this was happening it was legal, it was not an illegality taking place. You have ethics concern when people are doing something illegal and behind the scene. This was not the case. This was a legal process taking place. So this is not an ethics matter as far as I am concerned. We don't have to be re-briefing everybody every five years about Eugenics, its not legal now so it's not an issue. But at the time it was taking place it was a legal process, so that puts us in a different perspective. I don't think we need all this great concern about the ethics issue, because people were doing what they were being paid to do and allowed to do it under the law. One final observation, when we have prisoners that go to death row or into prison for 10-15 years and we find out they were there illegally and they were wrongfully detained and when we give them money we don't give their family money. We pay that person that was in prison the money and if we're going to be giving financial consideration to anyone, I think it should be limited to that person that was sterilized – that survivor and not to their family members, nieces, nephews, brothers, sisters and grandmothers. Under no circumstances can I abide with that. If we're going to give compensation and that is finally up to the committee but the compensation in my opinions should be absolutely limited to the person that was physically harmed and to no others.

**Rep. Hughes** – Have we identified how many Survivors at this point – name, address, telephone number?

**Co-Chair Womble** – the number is roughly over 3,000. Not verified but there are about 3,000 survivors.

**Ms. Pullen-Smith** – At the first meeting, I talked about the projections of the estimated number of survivors who may be alive today and that estimate is what Rep. Womble is referring to; about 2,800 or 3,000 is the rough estimate based on Dr. Schoen doing some work with our State Center For Health statistics using life tables to do projections. In terms of who have come forth is the number we have in our data base which is about 56 people who have come forth.

**Rep. Hughes** – Follow-up to Rep. Sutton's question, if we agree to give compensation to Survivors only who will be assigned to research and find the Survivors' name, address, telephone numbers – if we're going to give only Survivors, those who are harmed, money? Who will do the research to find these 3,000 persons?

**Ms. Pullen-Smith** – Recommendations two and three actually speak to that question. So we would have to do a major outreach effort and then we have to establish a mechanism to verify their claims. That is what this panel – this committee would do.

**Rep. Hughes** – Will we have a paid person, not volunteer, NAACP? Will there be assigned a person with a name to find survivors?

**Co-Chair Womble** – The thinking was these records are already numbered, they are in the archives. We have a list of those. If a person wants to come forward they will have to make themselves known to the department and the department will assist them in verifying if they are on that list or not. There are some people who are not sure if they are on the list, some have forgotten.

**Rep. Hughes** – The person must come forward before he is to get any compensation?

**Co-Chair Womble** – Come forward and be verified, because you would not want to give it to someone who is not qualified.

**Rep. Sutton** – If you offer enough compensation you will have to reject more people than you can verify depending on how much compensation is given.

**Co-Chair Womble** – Anyone can't walk up and say I am a survivor.

**Rep. Alexander** – So you're left with 3,000. This is a projection according to National Life whatever. So it could be more or less?

**Co-Chair Womble** – The others have died.

**Ms. Pullen-Smith** – This is a projection.

**Rep. Sutton** – When this commission was finished who was left with the authority, burden or task in attempting to implement these 10 Recommendations, was it DHHS, or someone in the Governor's office? Was there anybody left with the task of moving forward or try to implement this or did they say this is recommendation, fold up the tent and go home?

**Ms. Pullen-Smith** – I cannot say that anyone was assigned the task of carrying out these recommendations but also note that there were some recommendations that were specific to the Department of Public Instruction; some that were specific to other departments and we did have Representatives from those departments on the committee – just like we had with DHHS and Cultural Resources.

**Rep. Sutton** – So Mr. Chairman it appears that nobody did anything.

**Co-Chair Womble** – Did the Department of Public Instruction do anything? No. Did the Governor do anything? No. The DHHS tried to do as much PR as they could under their limited scope. Carmen Hooker Odom did as much as she could to get the word out before she left.

Co-Chair Womble thanked Ms. Pullen-Smith for presenting the Recommendations and invited her back to future meetings to assist the committee.

#### **Melanie Bush, Fiscal Research**

Melanie worked with Fiscal Research staff and Research staff on different compensation, considerations, and research on what other states and countries have done. They looked at compensation packages that have been awarded to folks to help the committee move forward on recommendations for survivors. (*See Attached Outline 4*).

Co-Chair Womble asked if there were any questions, suggestions or comments to the staff.

**Rep. Samuelson** – You said that it would be difficult to verify without re-traumatizing is that because though we have a list or the list may be used in euphemism or something else that we may have done?

**Melanie Bush** – No, I was getting at whether folks really want to revisit this or not.

**Rep. Samuelson** – When you were doing your research on Canada, Sweden and such, did the inheritability question come up there or was it sort of a lump sum that the person was given and once it was in their estate it just went? So it really wasn't a series of benefits that they could even consider having inherited?

**Melanie Bush** – That is correct, except in the case of Sweden most of them were court cases and it was awarded in a lump sum.

**Rep. Samuelson** – On the Tuskegee compensation that included families, how did they deal with the inheritability piece and what was the nature of the benefits that were extended to them?

**Melanie Bush** – I don't have that information.

**Rep. Sutton** – In the Tuskegee situation, the reason they dealt with family because of the affection nature. They intentionally injected the male members with syphilis and of course they transmitted that to family members, so that family member should be compensated, they were affected directly.

**Committee Discussion**

**Rep. Hughes** – Had a question about the history curriculum, which is question 2 on page 1 one of the recommendations sheet. Who will do this?

**Ben Popkin** – There has not been follow-up conversation with the Department of Public Instruction as far as the curriculum, the committee can recommend that we look at this at this time. They had not looked at this during my tenure.

**Rep. Hughes** – If this department is to be involved, is this task to be channeled from us to a staff member or is our committee of nine persons suppose to collaborate with Public Instruction?

**Bob Popkin** – At this point this committee is charged with drafting recommendations and it would be a normal course of events for the recommendations of this committee to direct the Department of Public Instruction to either study and report back or perhaps act and then report upon the most appropriate mechanism. I am not personally familiar with the process for developing curricular and adding items, but it would definitely be within the committee's charge to direct the Department of Public Instruction on how best to address the topic.

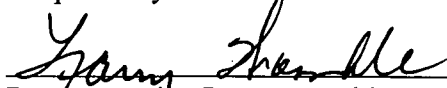
**Rep. Sutton** – That would be through legislation, the end result of this would be a bill and in that bill we would task DPI to do whatever we want them to do.

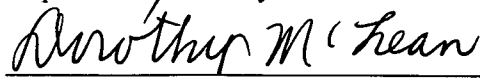
**Public Discussion**

Ellen Russell, Director of Advocacy from the Arc of North Carolina made a comment about the Ethics Program and the involvement of DPI.

Co-Chair adjourned the meeting at 2:50 pm.

Respectfully Submitted:

  
\_\_\_\_\_  
Representative Larry Womble

  
\_\_\_\_\_  
Dorothy McLean, Committee Assistant

  
\_\_\_\_\_  
Karon Hardy, Committee Assistant

2003 NORTH CAROLINA  
EUGENICS STUDY COMMITTEE RECOMMENDATIONS

**Presented to:**

**House Select Committee on Compensation for Victims of the Eugenics Sterilization Program**

**November 6, 2008**

**Legislative Bldg Room 1124/1224**

**Barbara Pullen-Smith, Director**

**Office of Minority Health and Health Disparities, Division of Public Health,  
Department of Health and Human Services (DHHS)**

To Co-Chairs Representatives Womble & Sutton and members of the Committee, good afternoon. Thank you for this opportunity.

In Dec 2002, Governor Easley apologized to the victims of North Carolina's Eugenic Sterilization Program, after which he appointed a nine-member Study Committee. The Committee's Co-Chairs were Representative Larry Womble and former DHHS Secretary Carmen Hooker Odom.

The Committee met over the course of a few months and submitted its report to Governor Easley in June 2003. The Committee's report includes two sets of recommendations: The first set of recommendations focuses on support for the Eugenics survivors. The second set of recommendations focuses on system changes.

**There are five key recommendations to support Eugenics Survivors:**

1. Create a nonprofit foundation to assist with finding, verifying, and supporting survivors of the eugenics sterilization program.
2. Conduct an outreach campaign to assist with finding survivors. The recommendation outlines the key elements of the campaign including its approach (news releases, public service announcements, billboards, etc.) and potential partners to assist with this effort (including churches, civic organizations, NAACP, urban league, disability groups, state/local agencies, health professionals).
3. Establish a process to validate claims of sterilization. The recommendation called for the DHHS to set up an expert panel to review each case. The three to five-member panel should include representatives from the legal system, medical providers and an ethicist. Once claims of sterilization are verified, survivors would be eligible to receive available benefits.
4. The health care recommendation called for the DHHS to a) create a special fund to provide health care for certified survivors with funds provided through a special appropriation. b) explore the use of Medicaid and/or the state health plan

to provide benefits, as well as building in medical care for survivors in the event of any Blue Cross/Blue Shield conversion.

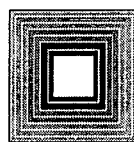
5. The fifth recommendation for Eugenics survivors focuses on education and called for the University of North Carolina and the Community College System to consider creating a program that allows survivors to receive free educational benefits. Also consideration should be given to providing educational benefits to caretakers of eugenic survivors as a way to improve the lives of their extended families.

**Five recommendations from the Eugenics Committee identified agency and system changes needed to ensure that this program is never repeated in North Carolina:**

1. NC Department of Public Instruction should include information about the eugenics program in its history curriculum.
2. Department of Cultural Resources should investigate the creation of a “tangible” memorial or “historical marker” as a constant reminder of the Eugenics program and the negative impact on our citizens.
3. The University and Community College systems should explore the creation of endowed chairs or special scholarships to memorialize the program.
4. The Department of Health and Human Services will create an ethics program, which include information on the Eugenics Board and require all DHHS professionals take the course.
5. A seminar should be organized to talk about the program, hear from survivors and discuss its implications in today’s world. The seminar should include presentations from experts, including Dr. Johanna Schoen.

# Compensation Considerations

**House Select Committee on Compensation for  
Victims of the Eugenics Sterilization Program**



**FISCAL RESEARCH DIVISION**  
A Staff Agency of the North Carolina General Assembly

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# Benefits Package Options

- Monetary Compensation
- Health Benefit
- Educational Benefit
- Other Recognition or Memorial

# Monetary Compensation

- Lacks precedent in the US
- Difficult to quantify

# Monetary Compensation

- Prior Eugenics Cases
  - Muir v. Alberta
    - Leilani Muir, 1996
    - Sued province of Alberta, Canada for wrongful sterilization under the *Sexual Sterilization Act of Alberta*
    - Sterilized unknowingly at age 14 for being “mentally defective”
    - Awarded \$740,780 (Canadian) for wrongful confinement and wrongful sterilization.
      - \$250,280 awarded for wrongful sterilization pain and suffering
      - \$125,000 awarded for aggravated damages



# Monetary Compensation

- Prior Eugenics Cases
  - Sweden
    - Sterilization Act of 1934 sterilized ~ 63,000 women between 1934 and 1976
    - Former prisoners, mentally ill, learning disabled, poor, epileptics, alcoholics, women of “mixed racial quality”, etc.
    - Roughly 90% of women had consent form
      - Between 6,000-15,000 did not
    - 1999: Awarded \$21,150 to women who did not have valid consent forms on file



# Monetary Compensation

- Proposed Wrongful Sterilization Legislation
  - Oregon
    - 2005 Senate Bill 337 introduced
    - Allowed lawsuits for wrongful sterilization
    - Section 3: ... “court may award compensatory damages or \$10,000, whichever is greater, and punitive damages.”
    - Would have only applied to sterilizations on or after effective date.

# Monetary Compensation

- Other Compensation Cases
  - Wrongful Experimentation
    - Tuskegee Institute, US Public Health Service
    - Syphilis experiment conducted on 399 African American men
    - \$10 million out of court settlement for men and families
  - Wrongful Imprisonment
    - Recently increased in NC (SL 2008-173, HB 2105)
    - \$50,000 per year served, not to exceed \$750,000
    - Job skills training for at least one year in appropriate State program
    - Expenses for tuition and fees at any public NC community college or UNC system university



# Health Benefit

- Recommendation of the Governor's 2003 Eugenics Study Committee Report

- “Create a special fund to provide health care for certified survivors.”
- Medicaid or State Health Plan
- Estimate based on 2007-09 State Health Plan Rates:
  - Non Medicare enrollee rate: \$4,157/year
  - Medicare enrollee rate: \$3,165/year
- Possible behavioral health benefit only, similar to the State Employee's Assistance Program (EAP)



# Education Benefit

- Recommendation of the Governor's 2003 Eugenics Study Committee Report
  - “UNC System and Community College System should consider creating a program that allows survivors to receive free educational benefits.”
  - Average 2008-09 UNC system tuition and fees: \$4,050/year
  - Average 2008-09 Community College system tuition and fees: \$2,700/year



# Other Recognition or Memorial

- Permanent exhibit at NC History Museum
- Memorial Scholarship or endowment to appropriate nonprofit
- Creation of Educational Nonprofit

# Issues to Consider

- Determining what constitutes “just” compensation
- Identifying recipients
- Whether benefits are inheritable

# Questions?

## VISITOR REGISTRATION SHEET

House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

Name of Committee

11-6  
Date

2008

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME

FIRM OR AGENCY AND ADDRESS

Lisa Hodges

NC OMHHA - Raleigh

Lesley Cates

Office of the Speaker

TOMASI LARIZY

REPRESENTATIVE PARMON

Ellen Russell

The Arc of NC

Jan

~~DATA~~

Barbara Fuller-Smith

OMHHA DATA

Will Polk

OFFICE OF LT. GOV

Willie Lynch

Littleton

John McHugh

Gov Office

O P

## WINSTON-SALEM JOURNAL

*A Media General Newspaper*416-420 North Marshall Street  
Winston-Salem, N.C. 27101

FOUNDED APRIL 3, 1897

MICHAEL J. MILLER

*President and Publisher*

CARL M. CROTHERS

*Executive Editor*

KEN OTTERBOURG

*Managing Editor*

LINDA C. BRINSON

*Editorial Page Editor*Editorials

# Help These Victims

It's becoming a painful rite. A few of the many people sterilized by the state travel to Raleigh and tell their intensely personal stories to a group of strangers, in hopes that they'll finally get some measure of compensation for all the hurt they've suffered. The victims spoke again last week to a panel of state legislators. Let's hope that this time, the politicians will hear them loud and clear and finally fulfill North Carolina's responsibility to help them.

"Because of this surgery, I'm not who I'm supposed to be," Mary English told the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program.

From 1929 through 1974, the state ordered the sterilization of more than 7,600 men, women and children in a terribly warped effort to better society. The program, based on the junk science of eugenics, smacked of playing God. By the program's end, most of those ordered sterilized were black and poor, and the varied reasons for the operations were often questionable at best. Many were judged "feebleminded," often on the basis of faulty intelligence testing. Others were sterilized for no more reason than they had premarital sex.

The damage this program caused can't be calculated. Countless courtships and marriages ended, leaving victims to lonely anguish. There was untold physical and mental pain. And some of the victims might have given birth to children who might have helped change the state or the nation for the good.

Through its under-the-radar sterilization program, our state rolled over lives like a giant monster. The *Journal* finally

exposed the program in 2002. Gov. Mike Easley apologized on the state's behalf. He appointed a committee to study compensation for the victims. In 2003, he approved the committee's recommendations that the victims receive health-care and education benefits, that a memorial be set up to them and that information about the program be included in the state's history curriculum.

But five years later, the state has made only one big step for the victims: a traveling exhibit to tell the story of the flawed program. Yet the victims need help, not history.

Rep. Larry Womble of Forsyth County, long the champion in the state legislature for these victims, is a co-chairman of the committee studying compensation. He would like to see the victims get financial compensation, as much as \$50,000 each. It would be good if the state could give that kind of money to those who made it through the nightmare. But as many as 3,000 victims may still be alive, and the state can't afford a payout of \$150 million.

Instead, Womble should concentrate on getting the state to finally come through with the health-care and education benefits, the memorial and putting this painful story in state history books in the hope that we'll never repeat it.

Gov. Mike Easley, now in his last days in office, should push the legislature to take these steps, even though he'll be gone as the full body reconvenes next year. The new governor should push for help for the victims as well. Compensation for them is long overdue.

**2003 NORTH CAROLINA  
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**Presented to:**

**House Select Committee on Compensation for Victims of the Eugenics Sterilization Program**

**November 6, 2008**

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**Barbara Pullen-Smith, Director**

**Office of Minority Health and Health Disparities, Division of Public Health,  
Department of Health and Human Services (DHHS)**

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The Committee met over the course of a few months and submitted its report to Governor Easley in June 2003. The Committee's report includes two sets of recommendations: The first set of recommendations focuses on support for the Eugenics survivors. The second set of recommendations focuses on system changes.

**There are five key recommendations to support Eugenics Survivors:**

1. Create a nonprofit foundation to assist with finding, verifying, and supporting survivors of the eugenics sterilization program.
2. Conduct an outreach campaign to assist with finding survivors. The recommendation outlines the key elements of the campaign including its approach (news releases, public service announcements, billboards, etc.) and potential partners to assist with this effort (including churches, civic organizations, NAACP, urban league, disability groups, state/local agencies, health professionals).
3. Establish a process to validate claims of sterilization. The recommendation called for the DHHS to set up an expert panel to review each case. The three to five-member panel should include representatives from the legal system, medical providers and an ethicist. Once claims of sterilization are verified, survivors would be eligible to receive available benefits.
4. The health care recommendation called for the DHHS to a) create a special fund to provide health care for certified survivors with funds provided through a special appropriation. b) explore the use of Medicaid and/or the state health plan

to provide benefits, as well as building in medical care for survivors in the event of any Blue Cross/Blue Shield conversion.

5. The fifth recommendation for Eugenics survivors focuses on education and called for the University of North Carolina and the Community College System to consider creating a program that allows survivors to receive free educational benefits. Also consideration should be given to providing educational benefits to caretakers of eugenic survivors as a way to improve the lives of their extended families.

**Five recommendations from the Eugenics Committee identified agency and system changes needed to ensure that this program is never repeated in North Carolina:**

1. NC Department of Public Instruction should include information about the eugenics program in its history curriculum.
2. Department of Cultural Resources should investigate the creation of a “tangible” memorial or “historical marker” as a constant reminder of the Eugenics program and the negative impact on our citizens.
3. The University and Community College systems should explore the creation of endowed chairs or special scholarships to memorialize the program.
4. The Department of Health and Human Services will create an ethics program, which include information on the Eugenics Board and require all DHHS professionals take the course.
5. A seminar should be organized to talk about the program, hear from survivors and discuss its implications in today’s world. The seminar should include presentations from experts, including Dr. Johanna Schoen.

2003 NORTH CAROLINA  
EUGENICS STUDY COMMITTEE RECOMMENDATIONS

**Presented to:**

**House Select Committee on Compensation for Victims of the Eugenics Sterilization Program**

**November 6, 2008**

**Legislative Bldg Room 1124/1224**

**Barbara Pullen-Smith, Director**

**Office of Minority Health and Health Disparities, Division of Public Health,  
Department of Health and Human Services (DHHS)**

To Co-Chairs Representatives Womble & Sutton and members of the Committee, good afternoon. Thank you for this opportunity.

In Dec 2002, Governor Easley apologized to the victims of North Carolina's Eugenic Sterilization Program, after which he appointed a nine-member Study Committee. The Committee's Co-Chairs were Representative Larry Womble and former DHHS Secretary Carmen Hooker Odom.

The Committee met over the course of a few months and submitted its report to Governor Easley in June 2003. The Committee's report includes two sets of recommendations: The first set of recommendations focuses on support for the Eugenics survivors. The second set of recommendations focuses on system changes.

**There are five key recommendations to support Eugenics Survivors:**

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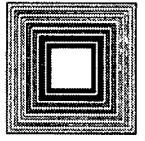
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# Compensation Considerations

**House Select Committee on Compensation for  
Victims of the Eugenics Sterilization Program**



**FISCAL RESEARCH DIVISION**  
A Staff Agency of the North Carolina General Assembly

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# Benefits Package Options

- Monetary Compensation
- Health Benefit
- Educational Benefit
- Other Recognition or Memorial

# Monetary Compensation

- Lacks precedent in the US
- Difficult to quantify

# Monetary Compensation

- Prior Eugenics Cases
  - Muir v. Alberta
    - Leilani Muir, 1996
    - Sued province of Alberta, Canada for wrongful sterilization under the *Sexual Sterilization Act of Alberta*
    - Sterilized unknowingly at age 14 for being “mentally defective”
    - Awarded \$740,780 (Canadian) for wrongful confinement and wrongful sterilization.
      - \$250,280 awarded for wrongful sterilization pain and suffering
      - \$125,000 awarded for aggravated damages



# Monetary Compensation

- Prior Eugenics Cases
  - Sweden
    - Sterilization Act of 1934 sterilized ~ 63,000 women between 1934 and 1976
    - Former prisoners, mentally ill, learning disabled, poor, epileptics, alcoholics, women of “mixed racial quality”, etc.
    - Roughly 90% of women had consent form
      - Between 6,000-15,000 did not
    - 1999: Awarded \$21,150 to women who did not have valid consent forms on file

# Monetary Compensation

- Proposed Wrongful Sterilization Legislation
  - Oregon
    - 2005 Senate Bill 337 introduced
    - Allowed lawsuits for wrongful sterilization
    - Section 3: ... “court may award compensatory damages or \$10,000, whichever is greater, and punitive damages.”
    - Would have only applied to sterilizations on or after effective date.

# Monetary Compensation

- Other Compensation Cases
  - Wrongful Experimentation
    - Tuskegee Institute, US Public Health Service
    - Syphilis experiment conducted on 399 African American men
    - \$10 million out of court settlement for men and families
  - Wrongful Imprisonment
    - Recently increased in NC (SL 2008-173, HB 2105)
    - \$50,000 per year served, not to exceed \$750,000
    - Job skills training for at least one year in appropriate State program
    - Expenses for tuition and fees at any public NC community college or UNC system university



# Health Benefit

- Recommendation of the Governor's 2003 Eugenics Study Committee Report
  - “Create a special fund to provide health care for certified survivors.”
  - Medicaid or State Health Plan
  - Estimate based on 2007-09 State Health Plan Rates:
    - Non Medicare enrollee rate: \$4,157/year
    - Medicare enrollee rate: \$3,165/year
  - Possible behavioral health benefit only, similar to the State Employee's Assistance Program (EAP)

# Education Benefit

- Recommendation of the Governor's 2003 Eugenics Study Committee Report
  - “UNC System and Community College System should consider creating a program that allows survivors to receive free educational benefits.”
  - Average 2008-09 UNC system tuition and fees: \$4,050/year
  - Average 2008-09 Community College system tuition and fees: \$2,700/year



# Other Recognition or Memorial

- Permanent exhibit at NC History Museum
- Memorial Scholarship or endowment to appropriate nonprofit
- Creation of Educational Nonprofit

# Issues to Consider

- Determining what constitutes “just” compensation
- Identifying recipients
- Whether benefits are inheritable

# Questions?

**Dorothy McLean (Rep. Womble)**

**From:** Karon Hardy (Rep. Bryant)  
**Sent:** Wednesday, November 12, 2008 3:34 PM  
**Subject:** Meeting Notice 11-18-08

CORRECTED NOTICE WITH TIME

**CORRECTED NOTICE WITH TIME**



**NORTH CAROLINA GENERAL ASSEMBLY  
COMMITTEE MEETING NOTICE  
LEGISLATIVE BUILDING  
RALEIGH NC 27601**

November 7, 2008

**MEMORANDUM**

**TO:** Members of the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program  
**FROM:** Rep. Ron Sutton, Co-Chair  
Rep. Larry Womble, Co-Chair  
**SUBJECT:** Meeting Notice

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program will meet on the following date:

**DAY:** Tuesday  
**DATE:** November 18, 2008  
**TIME:** 10:00 am  
**LOCATION:** Room 1124, Legislative Building

If you have any questions concerning this meeting, please contact Dorothy McLean, Committee Assistant, at (919) 733-5777 or email womblela@ncleg.net. If you cannot attend, please contact Karon Hardy, Committee Clerk, at (919) 733-5878 or email bryantla@ncleg.net.

Posted: November 7, 2008

cc: Committee Record   x    
Interested Parties   x

# Agenda

## House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

Tuesday, November 18, 2008

10:00 a.m.

Legislative Building

Room 1124/1224



**I. Welcome and Introductions**

*Representative Larry Womble, Cochair*

*Representative Ron Sutton, Cochair*

**II. Review and Approval of Minutes**

**III. The North Carolina Eugenics Sterilization Program – Review and Next Steps**

*Dr. Johanna Schoen, Associate Professor of History and Women's Studies, University of Iowa*

**IV. Committee Discussion**

**V. Adjourn**

**VI. Next Meeting:**

**Thursday, December 4, 2008**

## MINUTES

### HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION PROGRAM

November 18, 2008

Room, Legislative Office Building  
Representative Ron Sutton, Presiding  
Representative Larry Womble

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program met on Tuesday, November 18, 2008 in Room 1124 of the Legislative Building.

Co-Chair Sutton called the meeting to order at 1:10pm. He welcomed the guests, the staff and the Sergeant-at-Arms: Carlton Adams and James Worth. He stated the purpose of the meeting would be devoted to suggestions, ideas and recommendations regarding the sterilization program that existed in North Carolina. All Committee members were present. The original Visitor Registration sheet is attached to these minutes. (*See Attachment 1*).

Co-Chair Sutton recognized Rep. Womble. Rep. Womble shared that a letter from one of the victims, Nial Ramirez, was submitted for the committee's information. (*See Attachment 2*).

#### Dr. Johanna Schoen

Dr. Schoen gave facts about how the sterilization program operated during the period of 1929-1975. During that time the Eugenics Board was made up of 5 members. She also gave issues surrounding the legacy of the Eugenics program. North Carolina, (NC) was one of many states in the nation that authorized sterilization under the welfare program. NC was the only state that allowed for social workers to petition for sterilization for their cases. She gave statistics of those NC men and women sterilized as well as a comparison with North Carolina and Sweden. She briefly outlined the mental repercussions of those that were sterilized as a result of being rape victims, etc. Lastly, she gave several recommendations of various low cost items that could be considered as compensation for the survivors.

Chairman Sutton opened the floor up for questions from the committee and guests. Dempsey Benton, Secretary for the Department of Health and Human Services was recognized and welcomed to the meeting. He stated that he was there to learn at this time more about the Eugenics Sterilization.

#### Committee Discussion

Rep. Alexander asked about how other states were dealing with issues such as curbing spending and reaching out to those who were pregnant during the years NC was administering its eugenics program.

Dr. Schoen stated that we are dealing with different time periods - abortion was illegal and the birth control had not yet been invented.

Rep. Alexander followed up with a question about inmates and prison?

Dr. Schoen clarified that she was referring to inmates in mental institutions some because of mental retardation and some because of mental illness.

Rep. Parmon has spoken with a sterilization survivor who was not a part of the program. She wanted to know if there were statistics on the number of people who may have fell into this same category.

Dr. Schoen knew they had existed but was not sure of the numbers involved.

Co-Chair Sutton wanted to know of the cases reviewed what percentages of those appeared to be for convenience or a burdened on society were sterilized compared to those that were genuinely mentally incapacitated?

Dr. Schoen stated that there were a couple hundred of the 7,000 that existed. Some were well functioning but a financial burden. Many parents thought their teenagers were an inconvenience and agreed to have them sterilized.

Co-Chair Sutton based on the data in the archives is this the final history of these records?

Dr. Schoen replied yes.

Rep. Parmon wanted to know if it was specified in the data how many people were married and if there was a definition of feeblemindedness in the records.

Dr. Schoen stated yes the data did show such information. The victims who scored 70 and below on an IQ test were considered feebleminded?.

Rep. Hughes asked if the numerical data showed how many women were victims of rape or incest.

Dr. Schoen stated that those records can be counted, however the majority were minors.

Co-Chair Sutton asked if there were statistics of younger males sterilized then older males and vise verse?

Dr. Schoen stated that 16% of the men were sterilized at Caswell Training School. Most men were sterilized as teenagers. However she did not specifically know the age breakdown for the men.

Co-Chair opened the floor for comments and questions from the public.

**Jeffrey J. Crow**

Mr. Crow is the Deputy Secretary of Archives for the History of the Department of Cultural Resources. He made comments regarding the Highway Historical marker. He

committed his Research Branch to work with the Highway Historical Marker committee to propose a marker for this program. He also spoke on the storage of the records, making them available to researchers and how they can be maintained. Currently the records are a part of the Department of Health and Human Services.

Co-Chair Sutton asked about the protection of the records?

Mr. Crow stated that the records are under lock and key - 1663 Carolina Charter. They can last hundreds of years. He also stated that records could be adapted through digitization.

Co-Chair Sutton wanted to know how long it would take for them to get the committee a timeframe, manpower and funding required digitizing the records?

Mr. J.R. Langford, Jr., with the Department of Cultural Resources stated that a proposal will be done by the December 4, 2008 (the next meeting) by his department.

Dr. Schoen stated that one could investigate getting grant money that funds preserving of records.

Rep. Womble suggested that the records stay with the Department of Health and Human Services.

Co-Chair Sutton asked for approval of the minutes from the November 6, 2008 meeting. Rep. Parmon motioned to approve the minutes and the motion was carried unanimously.

Rep. Womble asked a question regarding the procedure one would follow to find out if they were sterilized on this program and who is the person they should contact?

Mr. Langford suggested they write a letter to state archives.

Dr. Schoen suggested a database of the records be built first, because some victims may not know the exact date of their procedure.

Sharnese Ransome of the Department of Health and Human Services will commit to building the database and partnering with Mr. Jeff Crow to establish who will maintain a list by the Dec. 4<sup>th</sup> meeting.

Co-Chair Sutton opened the floor up for discussion on the compensation suggestions made by Dr. Schoen. All the suggestions were received and agreed upon.

Co-Chair Sutton expressed concerned about ethical training and that everyone who needs it get it should have it. He also doesn't want any victims embarrassed by the state who do not want to come forth, to be embarrassed by the state.

Rep. Alexander asked about a case study being put together for training which will help numerous organizations who are involved in helping people, i.e. as a curriculum.

Sharnese Ransome suggested that the training should be set up at all levels, state and local.

Rep. Parmon reminded the Committee that one of the purposes the Committee was established was to consider monetary compensation for the survivors. She also requested that the Staff bring information back to assist with coming up with an amount that could be given to the victims.

Co-Chair Sutton said that he has heard victims being compared to innocent people who are locked away in prison and were compensated. He stated that the victims and prisoners are on different levels, the prisoners are on a higher level.

Rep. Parmon shared that she too has heard other views regarding individuals not reaching the potential of what they could have been because they were "fixed".

Co-Chair Sutton asked the staff to bring recommendations to the December 4<sup>th</sup> meeting - a recommendation on the monetary side, taking other states into consideration, which will give the committee something to work with.

Rep. Hughes shared the same concern regarding monetary compensation. She said that stress was very hard to measure. She requested the staff to take a look at the behavioral situations compared with other states that are difficult to measure.

Rep. Alexander does not feel the Committee can come up with enough money.

Co-Chair Sutton stated if the monetary figure is too high that it will be "dead on arrival".

Rep. Womble quoted one of the victims as saying, "There is not enough to compensate her for what has happened, but something needs to be done". He agreed that too much can kill the bill but too little does not it does not make a difference.

Co-Chair Sutton adjourned the meeting at 2:50 pm.

Respectfully Submitted:

  
\_\_\_\_\_  
Representative Ron Sutton

  
\_\_\_\_\_  
Dorothy McLean, Committee Assistant

  
\_\_\_\_\_  
Karon Hardy, Committee Assistant

November 18, 2008

RE: Nial Ramirez / Reparations

Dear Representative Womble;

I wanted to take this time to thank you for your diligence in righting the wrong that was done to so many people including my mother. My mother and I both appreciate you very much.

I wanted to write this letter to let you and anyone else who is interested know how I feel about what has happened and how it has affected my mother and what should be done for her.

My mother is very good with children. She loves them and they know it and they love her back. She is her best when she is taking care of children. She was deprived from having anymore children by people who saw her as nothing more than a sickness to society and they had a cure for it.

My mother was only 17 when she was harassed by representatives from the Department of Human Services. That's a joke because my mother is human but she was treated like an animal. She was spaded or neutered without a thought for her well being. I can't even imagine what she felt. To be treated like that with no one on her side to tell her, "It's not you!", "It's not your fault." "What was done to you was wrong." Rep. Womble you made that happen when you put light on the whole situation, first by removing the law that was still on the law books and then the Governor of the state of North Carolina acknowledging that a wrong was done.

My mother had to be strong to live through something like that and not crack mentally or just give up on life altogether. But she didn't give up. She saw an opportunity to make a better life for herself and her child which was and still is her unalienable right according to the Declaration of Independence.

My mother was working as a caretaker for an elderly man when a couple came to the house with an offer to work as a house keeper in New York. She was smart enough to know an opportunity when she saw one. But the Eugenics board justified sterilizing my mother by saying she was feeble minded. My mother knew she could not stay in a state that would allow what was done to her and thousands of others and no one had a conscious enough to speak up about the wrong that was being done to citizens of the United States of America. My mother also knew she did not want her daughter to be subject to this type of treatment. So she left North Carolina. Thank God.

I know some of the thoughts that my mother has now about the sterilization that was performed on her because we have talked about it some. The memories are very painful and have left her with feelings of inadequacies which hurt me too.

Another thing that hurts me is the fact that when we are asked to join you in North Carolina for events to help push this movement forward, when we get back home my mother doesn't feel hopeful, she just feels that she is still not enough.

The press run after emotions so if my mother is not crying hysterically or showing some type of anguish then apparently she is over it and there is no need to go any further.

My answer to that is: how long should my mother cry to make people understand that what was done to her and to the rest of the survivors should incite the same rage in others as the Holocaust. These people were picked out by a group of people who felt they were superior and they had the cure: **Keep them from producing after their kind.**

These people (the Survivors) should not have to prove what was done to them was wrong. It was! It violated not only their civil rights but their God given rights, rights spoken about in the Declaration of Independence.

“We hold these truths to be self-evident, **that all men are created equal**, that they are endowed by their Creator with certain unalienable Rights that among these are **Life, Liberty** and the **pursuit of Happiness.**”

The government was instituted among Men getting their powers from us, the people who were governed. My mother was one of the governed.

The government became destructive towards my mother and people whom the Eugenics Board deemed were cluttering up human society and decided to take away their right to the pursuit of happiness.

When my mother was ready to marry she wanted to have more children with her spouse she did not find out that the surgery that was performed on her was irreversible until she was in her thirty's. My mother felt betrayed. She also felt less than a woman.

So, What dollar amount can you put on someone's suffering? There could never be enough money given to the Survivors to make up for the wrong that was done to them but they do deserve to be compensated.

My mother had to retire early due to an injury and for her medical insurance she has Medicare which only pays 80% of all procedures or medical bills. That leaves my mother with 20% to pay on her own. She is on a fixed income. My mother is not yet 65 so she is not eligible for any affordable supplemental medical coverage. She recently had to have Cataract surgery in both eyes. She owes the doctor who performed the surgery \$300 more dollars and he will not see her again until she pays. She has to constantly change doctors because when her bill gets to high the doctors will not see her until the

bill is paid in full. My mother would like to have the Gastric Bypass surgery to help her get some of the weight off and help her with her other medical needs, she has asthma, degenerative bone disease and hypertension. Medicare will not pay for this surgery that could help save my mother's life.

Any money my mother gets will not end her pain from what was done to her but it will end her day to day worry over not being able to go to the doctor because she owes them money. It will ease her living and allow her to pursue happiness.

My mother was harassed on a daily basis by people who were given authority to do so. A teenager having to make such a huge decision with no guidance or support from anyone. She was told her brothers and sisters would starve and have no where to live if she did not have the surgery. She felt it was because of her that the spotlight was on her entire family. So, my mother agreed to the surgery, she signed on the dotted line and was assured the surgery was reversible and her younger brothers and sisters would be safe.

No, a monetary settlement will not turn time back and make everything go away but it will help her present and future. It will make her life and the lives of all the other survivors easier.

My mother would be able to get medical attention and not have to worry about the bill causing her to leave another doctor she is comfortable with because she can't afford to pay. No, a monetary settlement will not ease my mother or the rest of the survivor's internal pain but it will ease their living.

Think about this: What if it were your mother, grandmother, aunt or uncle, someone you loved. What would you do? What would you want for them?

Sincerely,

Deborah Chesson  
Daughter of a Survivor  
Nial Ramirez  
(404) 403-1279

## VISITOR REGISTRATION SHEET

*Compensation Victoria Eugenia Sterilization*  
Name of Committee

*11-18-2008*  
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

<i>Jeffrey Crow</i>	<i>DCR</i>
<i>Karen A. Blum</i>	<i>NCDOJ</i>
<i>J.A. Gault</i>	<i>DCR</i>
<i>Sarah Koonts</i>	<i>DCR</i>
<i>Ward Brook</i>	<i>NCX</i>
<i>Julia Leggett</i>	<i>The Arc of NC</i>
<i>Adam Linker</i>	<i>Justice Center</i>
<i>Dempsey Benton</i>	<i>DHHS</i>
<i>Elan</i>	<i>DHHS</i>
<i>Patrick Johnson</i>	<i>WPTF</i>

House Pages

*Compensation Victims Eugenic Sterilization*

Name Of Committee: \_\_\_\_\_

Date: 11-18-2008

1. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

2. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

3. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

4. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

5. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

Sgt-At-Arms

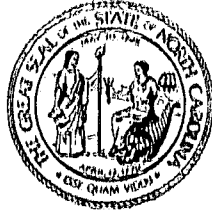
1. Name: Carlton Adams

2. Name: James Worth

3. Name: \_\_\_\_\_

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_



**NORTH CAROLINA GENERAL ASSEMBLY**

**COMMITTEE MEETING NOTICE**

LEGISLATIVE BUILDING

RALEIGH NC 27601

November 18, 2008

**MEMORANDUM**

**TO:** Members of the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

**FROM:** Rep. Larry Womble, Co-Chair  
Rep. Ron Sutton, Co-chair

**SUBJECT:** Meeting Notice

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program will meet on the following date:

DAY: Thursday

DATE: December 4, 2008

TIME: 1:00 pm

LOCATION: Room 1124, Legislative Building

If you have any questions concerning this meeting, please contact Dorothy McLean, Committee Assistant, at (919) 733-5777 or email [womblela@ncleg.net](mailto:womblela@ncleg.net). If you cannot attend, please contact Karon Hardy, Committee Clerk, at (919) 733-5878 or email [bryantla@ncleg.net](mailto:bryantla@ncleg.net).

Posted: November 20, 2008

cc: Committee Record   x  

Interested Parties   x

# Agenda

## House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

Thursday, December 4, 2008

1:00 p.m.

Legislative Building

Room 1124/1224

- 
- I. **Welcome and Introductions**  
*Representative Larry Womble, Cochair*  
*Representative Ron Sutton, Cochair*
  - II. **Review and Approval of Minutes**
  - III. **Draft Final Report with Committee Recommendations**  
*Mr. Ben Popkin, Staff Attorney, Research Division*
  - IV. **Committee Discussion**
  - V. **Adjourn**

MINUTES

HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE  
EUGENICS STERILIZATION PROGRAM

December 4, 2008

Room 1124, Legislative Building

Representative Larry Womble, Co-Chair -Presiding

Representative Ron Sutton, Co-Chair

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program met on Thursday, December 4, 2008 in Room 1124 of the Legislative Building.

Co-Chair Larry Womble opened the meeting at 1:00pm. He welcomed the guests, the staff and the Sergeant-at-Arms: Fred Hines, Reggie Seals and David Sharon. The Committee members, Staff and Legislative Assistants introduced themselves. The original Visitor Registration Sheet is attached. (*Attachment 1*).

The following members attended the meeting: Representatives Ron Sutton, Co-Chair, Martha Alexander, Sandra Spaulding-Hughes, James Langdon, Earline Parmon, Ruth Samuelson, and Michael Wray. Co-Chair Womble asked everyone to review the minutes. Rep. Alexander stated that there was an error in the minutes. The minutes stated that all committee members were in attendance; Rep. Samuelson and Rep. Stiller were absent.

Rep. Parmon made a motion to approve the minutes with corrections by Rep. Alexander. Rep. Langdon second and the motion carried unanimously.

Co-Chair Womble referred everyone to an article that was written in the Winston Salem Journal on Sunday, November 16, 2008. (*See Attachment 2*). He stated that the purpose of the meeting was for the Committee to vote on suggested compensation for the victims.

Mr. Popkin Popkin, Research Staff

Mr. Popkin gave a detailed report on recommendations and two proposed bill drafts. (*See Attachment 3*).

Rep. Parmon thanked the staff for their hard work and suggested the Committee move that the recommendations be drafted into legislation and be voted on by the General Assembly.

Rep. Sutton asked whether the curriculum would start with kindergarten age children.

Mr. Popkin referred the question to the State Board of Education, Dr. Rebecca Garland.

Dr. Rebecca Garland, Executive Director for Department of Public Instruction

She stated that there were three areas where this curriculum could be placed in Social Studies: (*See Attachment 4*).

1. Eighth grade –NC history and Life in NC divided into 3 time frames.
2. Eleventh grade - US History and how society have changed
3. High School - Civics

Rep. Sutton asked if it would be better if the curriculum would be designed for 8<sup>th</sup> grade and older.

Dr. Garland said that if it is left at the discretion of the State Board of Education the Board can decide where it is developmentally appropriate. If a directive comes from the General Assembly it will go into the curriculum, where directed by the General Assembly.

Mr. Popkin referenced the provision in the proposed legislation that is specific to this recommendation. *(See Attachment 3, Page 14, Section 3).*

Dr. Garland agreed with the language as is currently stated in the legislation.

Rep. Alexander asked about a way to publicize the program and what the committee is doing.

Mr. Popkin stated that there is no specific recommendation about publicity in the legislation.

Rep. Alexander asked if recommendation 7 on the training module preclude anyone else having access to that information once it's developed.

Mr. Popkin stated, no, the information is quite broad in scope.

Rep. Samuelson asked about the dates on the bill drafts? On page 13, line 24 would there need to be some qualification by date because of health Mr. Popkin fits?

Mr. Popkin responded it is proposed that the Department of Public Health and Human Services look at their options and give a proposal.

Rep. Samuelson stated that the education is broad and who will decide where each of these is limited.

Mr. Popkin stated that the General Assembly can provide unfunded mandates. Regarding the historical marker? The representatives had proceeded with that and had a cost with that.

Rep. Samuelson wanted clarification on the monetary compensation. *(See Attachment 3, page 10, Sec. 1E and Sec. 3).*

Mr. Popkin referred Rep. Samuelson's question to Mrs. Mrs. Bush Bush.

**Mrs. Melanie Bush, Fiscal Research Staff**

Mrs. Bush presented various options detailing dollar amounts and participation numbers. *(See Attachment 5).* The estimate was laid out for 2800 survivors with a compensation range from \$10,000-\$20,000. She used Sweden as an example and comparison because this was compensation as an apology and due compensation review as a nation.

Rep. Samuelson asked how did Fiscal come up with the \$20,000.00 figure.

Mrs. Bush stated that \$20,000 was picked because that is the number Sweden used.

Rep. Samuelson asked a question about the non-reverting monies.

Mrs. Bush stated there would be sufficient funds, then it would revert back to the general fund.

Rep. Sutton suggested the committee go out 4 years to give everyone an opportunity to come forward to make sure it doesn't revert until the end of the 4 years.

Mrs. Bush stated that the monies would have to be appropriated now to not get reverted.

Rep. Alexander asked how did fiscal research come up with the number 924.

Mrs. Bush stated that in 1974 if the youngest person in the program was 14 years old they would be 58 years old or older now. It is an arbitrary number based on some people may be dead, or not come forth or not well.

Rep. Samuelson asked about compensation for mental health, how it fits in and if the survivors could use the \$20,000 to cover their mental health needs.

Rep. Alexander felt that there should not be a cap put on counseling in terms of how long may need it or have it. She suggested this be left up to DHHS to explore options and bring their recommendations back.

Rep. Sutton suggested that mental health be left in the bill because it is tangible.

Rep. Womble and Rep. Parmon concurred with Rep. Sutton. Rep. Womble asked if there was a consensus to leave mental health Mr. Popkin fits in the bill. Everyone agreed.

Rep. Womble requested that the monies go out to 5 years instead of 4.

Co-Chair Sutton asked a question about the percentage of blacks versus whites that were sterilized. He requested that the bill reflect the overall numbers.

Mr. Popkin explained that early in the life of the program, most victims were white. More blacks were sterilized over time. He will add another "whereas" (*See Attachment 3, Page 13, line 9*).

Rep. Hughes asked a question about the education component.

Mr. Popkin stated as it stands it is written as a direction to the Board to develop the curriculum as they see fit. The committee can request that they report back to the GA prior to implementation.

Rep. Sutton stated that they could report back to Education Oversight.

Rep. Parmon asked a question about media coverage. She referenced the recommendations sheet. (*See Minutes of Nov. 7, 2008. Attachment 3, number 2*).

Rep. Sutton suggested that the Committee does not micro-manage this process.

Mr. Popkin stated that a he would add additional subsection as Section 1B, on page 13 to include Outreach.

Rep. Parmon asked that staff look at a fiscal note and how the department would handle it.

Mr. Popkin would add a section with similar language as 1A to direct the department to explore options and develop a proposal and report back. This would be Section 1D, on page 13.

Rep. Alexander asked if something was needed in the bill asking the agencies to report back so that the General Assembly will know that the work is done.

#### Comments by Guests

Ms. Julia Leggett, Arc of North Carolina, requested that when the language is re-written regarding the breakdown of survivors she would like the percentages of people who were

affected by the program to include mental illness and those with developmental disabilities.

Dr. Jeff Crow, Deputy Secretary of Archives for the Department of Cultural Resources, reported that they have drafted an application for the highway historical marker for the Eugenics program. It will be presented to the NC Historical Highway Program committee on December 16, 2008.

Dick Langford, State Archivist, reported on the cost of having the eugenics records and the database prepared as the committee requested. It is estimated at \$28,000.00. He also referenced the proposed legislation (*See Attachment 3, page 13, line 34*).

Mr. Popkin referred to his conversation with Dr. Johanna Schoen regarding how to develop an accurate and complete database.

Rep. Samuelson asked about Recommendations 2 and 8. She understood it to be 2 separate things for 2 separate causes.

Mr. Popkin stated Rep. Samuelson's understanding was correct.

Mr. Langford expounded on the database process.

Rep. Sutton stated that all the money that is needed should be put in the bill now and if any is needed to be taken out, it will be.

Rep. Parmon reminded the committee to look for grant money for the database.

Co-Chair Womble asked if there should be any changes to the draft. Rep. Parmon and Rep. Womble asked about the list that DHHS committed to establish regarding the database.

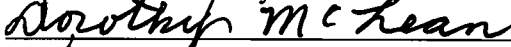
Ms. Sharnese Ransome was recognized and told the Committee of an existing program that they have had in place since 2004. Individuals have called in for the past 4 years to give their name and information. The survivors will be able to call the care-line, a 800 number, as well as a TTY number to get their name on the list for verification. She expounded on the findings of the records in the archives. They will move forward on verifying the 55 names of those who have come forth.

Rep. Parmon and Rep. Samuelson thanked the staff for their efforts in doing such extensive research.

He thanked the three speakers for coming and stated that the next meeting is scheduled for Dec. 18<sup>th</sup> at 1:00pm. With there being no further business before the Committee, the meeting was adjourned.

Respectfully Submitted

  
\_\_\_\_\_  
Representative Larry Womble

  
\_\_\_\_\_  
Dorothy McLean, Committee Assistant

  
\_\_\_\_\_  
Karon Hardy, Committee Assistant

**HOUSE SELECT VISITOR REGISTRATION SHEET**

**COMMITTEE ON COMPENSATION EUGENICS STERILIZATION**

Name of Committee

Date **DEC. 4, 2008**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Patrick Johnson	WPTF
John Metzger	000 office
Shirley Garland	DPI
Chris Minard	State Bd of Ed
James Romoser	
Adam Linker	NC Justice Center
Sarah Proston	ACLU-NC
Julia Leggett	The Arc of NC

**HOUSE SELECT VISITOR REGISTRATION SHEET**

**COMMITTEE ON COMPENSATION EUGENICS STERILIZATION**

Name of Committee

Date **DEC. 4, 2008**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

David Brook	DCR 4610 MSC, Raleigh, NC 27699-4610
Sarah Koonts	DCR 4614 MSC
Eric Campbell	DCR 4614 MSC
Jeffrey Crow	DCR 4610 MSC
Cherelle Vereen	NCBA
Will Polk	Office of Lt. Gov.
Barbara Fuller Smith	OMHHD, DPH
Lisa Hodges	OMHHD, DPH
[Signature]	<del>DPH</del>
Kay Paksoy	BSW student intern, NASW, NC

House Pages

HOUSE SELECT COMM. ON  
EUGENICS STERILIZATION

COMPENSATION VICTIMS

Name Of Committee: \_\_\_\_\_

Date: \_\_\_\_\_

12/4/08

1. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

2. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

3. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

4. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

5. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

Sgt-At-Arms

1. Name: FRED HINES

2. Name: REGGIE SILLS

3. Name: DAVID SHEARON

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_

OPINION

WINSTON-SALEM JOURNAL Sunday, November 16, 2008 PAGE 23

# Deliver on promise to help the victims of sterilization

**W**illis Lynch says he was sterilized by the state when was 14 and living at the Caswell training school in Kinston.



"I remember getting up the next day. Yeah, I was hurting," Lynch, now 75, told me last week from his Warren County home. "I didn't know what was going on. It's just like cutting on a hog. They do a hog that way, you know what I mean?"

Twenty years after Lynch underwent his operation, Elaine Kiddick was also sterilized by the state when she was 14. Her operation happened in 1958 in an Edenboro hospital, where she'd just given birth to a son. "The pain is always there," she said from her Georgia home.

Men, women and children were sterilized, often after being determined to be "feeble-minded" on the basis of family intelligence testing. Others were sterilized for no more reason than they had premarital sex. Marginalized believers in the program thought that were "bettering" society. Now, after years of prodding by this newspaper and state Rep. Larry Monette of Forsyth County, the state finally may be getting close to helping the surviving victims of this program.

Five years ago, after a *Journal* team that I was part of revealed the workings of the state sterilization program, Gov. Mike Easley approved a committee's



the more than 7,600 victims of North Carolina's sterilization program, is that they were poor people who were pushed into sterilization by an under-the-radar program, based on the junk science of eugenics, that lasted from 1929 through 1974.

Men, women and children were sterilized, often after being determined to be "feeble-minded" on the basis of family intelligence testing. Others were sterilized for no more reason than they had premarital sex. Marginalized believers in the program thought that were "bettering" society. Now, after years of prodding by this newspaper and state Rep. Larry Monette of Forsyth County, the state finally may be getting close to helping the surviving victims of this program.

Five years ago, after a *Journal* team that I was part of revealed the workings of the state sterilization program, Gov. Mike Easley approved a committee's



recommendations that the sterilization victims receive health-care and education benefits, that a memorial be set up to them and that information about the sterilization victims be included in the state's history curriculum.

About the only thing the state has done is create a traveling history exhibit, even as the sterilization victims are suffering and dying off.

U. Gov. Bev Perdue, who won election Nov. 4 as the state's next governor, ought to lead the way in finally delivering help to these victims. There's reason to believe that she will.

As she ran for the Democratic nomination for governor, Perdue promised to financially compensate the victims through a foundation, and indicated that she wanted to make the health-care and education benefits a reality. Now,

Womble and others on a state House committee are studying compensation and benefits for the victims.

North Carolina may not be able to afford financial compensation, although it would certainly be justified, but the state has a moral obligation to finally deliver on the other benefits. It should also put up that memorial to the victims, and get their stories told in its history books, lest the state ever wear into playing God again. Whether the originators thought the program would "better society" by creating a pure strain of humanity or by cutting welfare costs, the program was a nightmare from the start.

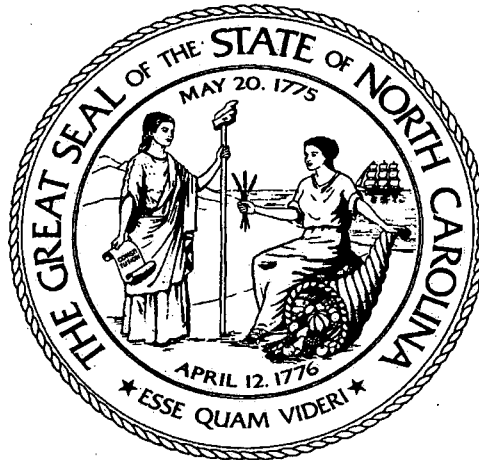
As part one part of that colossal nightmare, try to imagine what Willis Lynch and many other youth went through at state training schools, at least one of which made sterilization a condition of release. "None of the inmates of Caswell Training School should be released before being sterilized, except in the few instances where normal children have been committed through error," according to the 1935-36 biennial report from the state eugenics board.

For many of the victims of this program, the pain is never-ending. The least the state can do is try to ease some of that pain through health-care and education benefits. "It's time for them to start doing what they said they were going to do," Kiddick said. "I'm what, 54 years old. This happened to me 40 years ago."

As the state's first woman governor, Bev Perdue should show the rest of the world that North Carolina really is a progressive place by delivering the help that this state has long owed these victims. North Carolina won't ever leave this dark chapter behind until that happens.

John Bailey writes editorials for the *Journal*. He can be reached at [bailey@wsojournal.com](mailto:bailey@wsojournal.com).

# NORTH CAROLINA GENERAL ASSEMBLY



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## HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION PROGRAM

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REPORT TO THE  
2009 SESSION  
of the  
2009 GENERAL ASSEMBLY

DECEMBER, 2008

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# TRANSMITTAL LETTER

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The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program respectfully submits the following report.

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Representative Larry Womble  
Co-Chair

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Representative Ronnie Sutton  
Co-Chair



Office of Speaker Joe Hackney  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

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HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE  
EUGENICS STERILIZATION PROGRAM

TO THE HONORABLE MEMBERS OF THE  
NORTH CAROLINA HOUSE OF REPRESENTATIVES

**Section 1.** The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly.

**Section 2.** The Committee consists of the nine members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives. The Speaker of the House of Representatives may dissolve the Committee at any time.

Representative Ron Sutton, Co-Chair
Representative Larry Womble, Co-Chair
Representative Martha B. Alexander
Representative Sandra Spaulding Hughes
Representative James H. Langdon
Representative Earline W. Parmon
Representative Ruth Samuelson
Representative Bonner L. Stiller
Representative Michael H. Wray

**Section 3.** The Committee shall study a proposal to compensate persons who, as a result of the Eugenics sterilization program in this State, were sterilized between the years 1929 and 1975. The study shall include a proposed process for evaluating claims, an equitable amount of compensation and such other matters as the Committee deems necessary. The Committee shall estimate the cost of providing health care, counseling, and educational assistance required as a result of sterilization under the State's Eugenics sterilization program.

**Section 4.** The Committee shall meet upon the call of its Chair. A quorum of the Committee shall be a majority of its members.

**Section 5.** The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

**Section 6.** Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.


**Section 7.** The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations. Individual expenses of \$5,000 or less, including per diem, travel, and subsistence expenses of members of the Committee, and clerical expenses shall be paid upon the authorization of the Chair of the Committee. Individual expenses in excess of \$5,000 shall be paid upon the written approval of the Speaker of the House of Representatives.

**Section 8.** The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

**Section 9.** The Committee may meet at various locations around the State in order to promote greater public participation in its deliberations.

**Section 10.** The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before December 31, 2008, by filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee terminates on December 31, 2008, or upon the filing of its final report, whichever occurs first.

Effective this 21<sup>st</sup> day of August 2008.



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Joe Hackney  
Speaker

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## COMMITTEE PROCEEDINGS

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The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program met five times from October 9, 2008 until December 4, 2008.

### October 9, 2008

The first meeting of the Committee took place on Thursday, October 9, 2008 at 1:00 p.m. in Room 1124 of the Legislative Building. Representative Womble, Co-chair of the Committee welcomed Committee members, Committee staff, and members of the public.

Mr. Will Polk, General Counsel to Lieutenant Governor's Office was invited to address the Committee and he offered the Lieutenant Governor's assistance in the development of the recommendations. The Committee heard presentations from Mr. Benjamin Popkin, staff attorney with the Research Division, who discussed the history and operations of the North Carolina State Eugenics Sterilization Program; and Ms. Barbara Pullen-Smith, Director of the Office of Minority Health and Health Disparities who discussed the recommendations of the Governor's 2003 Eugenics Study Committee.

### October 23, 2008

The second meeting of the Committee took place on Thursday, October 23, 2008 at 1:00 p.m. in Room 1124 of the Legislative Building. Representative Sutton, Co-chair of the Committee, welcomed Committee members, Committee staff, and members of the public.

The Committee heard personal testimonies from three Eugenics Survivors: Ms. Mary English of Fayetteville, North Carolina; Ms. Elaine Riddick of Georgia; and Mr. Willis Lynch of Littleton, North Carolina. Mr. Tony Riddick, son of Ms. Elaine Riddick also gave testimony of growing up as the son of a Eugenics survivor.

### November 6, 2008

The third meeting of the Committee took place on Thursday, November 6, 2008 at 1:00 p.m. in Room 1124 of the Legislative Building. Representative Womble, Co-chair of the Committee welcomed Committee members, Committee staff, and members of the public.

The Committee heard presentations from Ms. Pullen-Smith, Director of the Office of Minority Health and Health Disparities, who discussed the recommendations of the Governor's 2003 Eugenics Study Committee, as well as the status of each recommendation; and Ms. Melanie Bush staff member of the Fiscal Research Division, who discussed compensation packages for Eugenics survivors in other countries, as well as possible compensation options for North Carolina to consider.

**November 18, 2008**

The fourth meeting of the Committee took place on Tuesday, November 18, 2008 at 10:00 a.m. in Room 1124 of the Legislative Building. Representative Sutton, Co-chair of the Committee, welcomed Committee members, Committee staff, and members of the public.

The Committee heard a presentation from Dr. Johanna Schoen, Associate Professor of History and Women's Studies at the University of Iowa. Dr. Schoen's presentation was entitled *The North Carolina Eugenics Sterilization Program—Review and Next Steps*. Dr. Schoen discussed the history of the Eugenics program in the state of North Carolina and proposed 7 low-cost retribution ideas for the Committee to consider.

**December 4, 2008**

# RECOMMENDATIONS FROM THE

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## HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION PROGRAM

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**Co-chairs:**

**Representative Larry Womble  
Representative Ronnie Sutton**

### **RECOMMENDATION 1: MENTAL HEALTH COUNSELING BENEFITS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the General Assembly enact legislation to create a Eugenics Survivors Assistance Program to provide mental health benefits to all remaining survivors of the North Carolina State Eugenics Sterilization Program.

### **RECOMMENDATION 2: DATABASE OF EUGENICS PROGRAM RECORDS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the General Assembly enact legislation to direct the Department of Health and Human Services to immediately establish a database to store and access all relevant data from the records of the State Eugenics Program currently housed in the State Archives.

### **RECOMMENDATION 3: VERIFY STATUS OF SELF-IDENTIFIED SURVIVORS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the General Assembly enact legislation to direct the Department of Health and Human Services to immediately verify the status of individuals who have contacted the Office of Minority Health, DHHS, during the course of the past several years and require DHHS to verify these individuals' status as State Eugenics Program participants or not and report their findings to the individuals as soon as possible.

### **RECOMMENDATION 4: HISTORICAL MARKER**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the Department of Cultural Resources design and place a historical marker detailing the North Carolina Eugenics Sterilization Program in an appropriate location in Raleigh.

#### **RECOMMENDATION 5: EDUCATIONAL MATERIALS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the State Board of Education incorporate information about the North Carolina Eugenics Sterilization Program into its existing K – 12 history curriculums.

#### **RECOMMENDATION 6: INTERVIEW AND DOCUMENT SURVIVORS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the University of North Carolina encourage students and faculty with the appropriate expertise conduct interviews with survivors of the State Eugenics Sterilization Program to document their experiences to share with future generations.

#### **RECOMMENDATION 7: ETHICS TRAINING MODULE**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the Office of State Personnel create an ethics training module to educate State, county and local government employees in issues relating to ethics and human rights.

#### **RECOMMENDATION 8: PRESERVE & ALLOW APPROPRIATE ACCESS TO PROGRAM RECORDS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the Department of Cultural Resources create digitized copies of all records currently maintained in the State Archives relating to the North Carolina Eugenics Sterilization Program and make these digitized copies available for continued research and review, while maintaining absolute confidentiality of all participants of the Program. The Department shall make every effort to secure philanthropic grant funding to fund preservation of these records.

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# PROPOSED LEGISLATION

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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

H

D

BILL DRAFT 2009-RDz-3 [v.5] (12/01)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)  
12/4/2008 12:13:16 PM

Short Title: Compensate Eugenics Sterilization Survivors.

(Public)

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Sponsors: Representative.

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Referred to:

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A BILL TO BE ENTITLED  
AN ACT TO PROVIDE MONETARY COMPENSATION TO PERSONS  
STERILIZED BY THE STATE EUGENIC STERILIZATION PROGRAM.

Whereas, during the early part of the 20<sup>th</sup> century, social reformers advocated eugenic sterilization as a solution to problems such as mental retardation and mental illness; and

Whereas, in 1907, Indiana was the first state to pass a eugenic sterilization program, and eventually more than 30 states passed these laws, with North Carolina following in 1929; and

Whereas, from 1929 to 1974, North Carolina's Eugenics Board reviewed petitions for sterilizations, and sterilizations were ordered in more than 90% of the cases before the Board; and

Whereas, researchers estimate that more than 7,600 people were sterilized in North Carolina between 1929 and 1974, ranking North Carolina third among the states operating eugenic sterilization programs; and

Whereas, while most states sharply curtailed their sterilization programs after World War II, nearly four-fifths of sterilizations in North Carolina were performed after 1945, and by the late 1960s, more than 60% of those persons sterilized in the State were black; and 99% were female; and

Whereas, the governors of Virginia, Oregon, South Carolina, and North Carolina have issued apologies for these forced sterilizations, and Governor

Michael F. Easley established a committee to investigate the State Eugenics Sterilization Program and consider compensation or counseling services for these persons; and

Whereas, the Speaker of the House of Representatives, the Honorable Joe Hackney, established the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program to study proposals to compensate persons sterilized under the Program; and

Whereas, the General Assembly finds that persons sterilized as a result of the State's eugenics sterilization program should be compensated; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** Any person who, as a result of the eugenic sterilization program in this State, was sterilized between the years 1929 and 1975 shall receive compensation as provided for in this section if the person submits a claim before June 30, 2011.

**SECTION 1.(b)** A claim under this section may be submitted to the Department of Health and Human Services. The claim shall be supported by appropriate verification and information as determined by the Department.

**SECTION 1.(c)** The Department shall determine the eligibility of a claimant to receive the compensation authorized by this section. The Department shall notify the claimant by mail of its determination regarding the claimant's eligibility.

**SECTION 1.(d)** The Department shall adopt rules that will assist in the fair determination of eligibility and the processing of claims. The Department, however, shall not be obligated to notify any person of possible eligibility for compensation.

**SECTION 1.(e)** A claimant under this section who is determined eligible by the Department shall receive twenty thousand dollars (\$20,000). All claims which the Department determines are eligible for compensation shall be immediately forwarded to the State Treasurer, who shall issue warrants in the appropriate amounts upon demand and verification of identity.

**SECTION 2.** There is established the Eugenic Sterilization Compensation Fund. Funds appropriated to this Fund shall not revert until the claims verified by the Department of Health and Human Services under Section 1 of this act are paid. The Fund shall be kept on deposit with the State Treasurer, as in the case of other State funds, and may be invested by the State Treasurer in any lawful security for the investment of State money. The Fund is subject to the oversight of the State Auditor pursuant to Article 5A of Chapter 147 of the General Statutes.

**SECTION 3.** There is appropriated from the General Fund to the State Treasurer the sum of eighteen million four hundred eighty thousand dollars

(\$18,480,000) for the 2009-2010 fiscal year to fund the Eugenic Sterilization Compensation Fund. There is appropriated from the General Fund to the Department of Health and Human Services the sum of one hundred sixty-five thousand dollars (\$165,000) for the 2009-2010 fiscal year to administer Section 1 of this act.

**SECTION 4.** This act becomes effective July 1, 2009.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2009

H

D

BILL DRAFT 2009-RDz-4 [v.2] (12/01)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

12/4/2008 12:33:17 PM

Short Title: Eugenics Program - Support and Education.

(Public)

Sponsors: Representative.

Referred to:

A BILL TO BE ENTITLED

1  
2 AN ACT TO PROVIDE COUNSELING BENEFITS TO EUGENICS SURVIVORS,  
3 TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO  
4 ESTABLISH A DATABASE OF EUGENICS PROGRAM PARTICIPANTS AND  
5 VERIFY THE STATUS OF PERSONS CONTACTING THE STATE TO  
6 DETERMINE THEIR PARTICIPATION IN THE STATE PROGRAM, TO  
7 ERECT A HISTORICAL MARKER ABOUT THE PROGRAM, TO DIRECT THE  
8 STATE BOARD OF EDUCATION TO INCLUDE INFORMATION ABOUT THE  
9 PROGRAM IN ITS K-12 HISTORY CURRICULUM, TO RECOMMEND  
10 CREATION OF AN ETHICS TRAINING MODULE FOR STATE, COUNTY  
11 AND LOCAL GOVERNMENT EMPLOYEES, AND TO DIRECT THE  
12 DEPARTMENT OF CULTURAL RESOURCES TO DIGITIZE EXISTING  
13 RECORDS FOR PRESERVATION AND STUDY PURPOSES, AS  
14 RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON  
15 COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION  
16 PROGRAM.

17       Whereas, during the early part of the 20<sup>th</sup> century, social reformers advocated  
18 eugenic sterilization as a solution to problems such as mental retardation and mental  
19 illness; and

20       Whereas, in 1907, Indiana was the first state to pass a eugenic sterilization  
21 program, and eventually more than 30 states passed these laws, with North Carolina  
22 following in 1929; and

1           Whereas, from 1929 to 1974, North Carolina's Eugenics Board reviewed  
2 petitions for sterilizations, and sterilizations were ordered in more than 90% of the cases  
3 before the Board; and

4           Whereas, researchers estimate that more than 7,600 people were sterilized in  
5 North Carolina between 1929 and 1974, ranking North Carolina third among the states  
6 operating eugenic sterilization programs; and

7           Whereas, while most states sharply curtailed their sterilization programs after  
8 World War II, nearly four-fifths of sterilizations in North Carolina were performed after  
9 1945, and by the late 1960s, more than 60% of those persons sterilized in the State were  
10 black, and 99% were female; and

11           Whereas, the governors of Virginia, Oregon, South Carolina, and North  
12 Carolina have issued apologies for these forced sterilizations, and Governor Michael F.  
13 Easley established a committee to investigate the eugenics program and consider  
14 compensation or counseling services for these persons; and

15           Whereas, the General Assembly urges the citizens of this State to become  
16 familiar with the history of the eugenics movement, in the belief that a more educated,  
17 enlightened and tolerant population will reject absolutely any such abhorrent pseudo-  
18 scientific movement in the future; and

19           Whereas, the Speaker of the House of Representatives, the Honorable Joe  
20 Hackney, established the House Select Committee on Compensation for Victims of the  
21 Eugenics Sterilization Program to study proposals to compensate persons sterilized  
22 under the Program; Now, therefore,

23 The General Assembly of North Carolina enacts:

24           **SECTION 1(a).** The Department of Health and Human Services shall  
25 explore options and develop a proposal for providing behavioral health counseling  
26 services to confirmed survivors of the State Eugenics Sterilization Program and report  
27 its recommendations and legislative proposals to the 2010 regular session of the 2009  
28 General Assembly on or before the convening of that session.

29           **SECTION 1(b).** The Department of Health and Human Services shall  
30 immediately create a database of individuals petitioned for sterilization under the State  
31 Eugenics Sterilization Program. The database shall contain the name, county, age, race,  
32 and Board ruling on the petition for all individuals for whom a petition was presented to  
33 the Eugenics Board of North Carolina. These data shall be obtained from minutes of the  
34 Eugenics Board currently stored on microfilm housed in the State Archives. In order to  
35 facilitate rapid verification of persons who have already contacted the Department, the  
36 data shall be entered in reverse chronological order. Records maintained in the database  
37 shall be confidential and shall not be subject to public disclosure pursuant to G.S. 132-  
38 6(a).

39           **SECTION 1(c).** The Department of Health and Human Services shall  
40 compare the names and identifying information collected by the Office of Minority  
41 Health over the course of the past several years with the names and identifying  
42 information entered into the verification database, shall determine whether these

1 individuals were, in fact, program participants, and shall notify each person of their  
2 status as soon as possible. The Department shall report its progress in this regard to the  
3 2010 regular session of the 2009 General Assembly on or before the convening of that  
4 session

5 **SECTION 2.** The Department of Cultural Resources shall design and place  
6 a historical marker providing information about the North Carolina Eugenics  
7 Sterilization Program in an appropriate location in Raleigh.

8 **SECTION 3.** The State Board of Education shall include information about  
9 the North Carolina Eugenics Sterilization Program in its existing k-12 history curricula.

10 **SECTION 4.** The University of North Carolina shall encourage its students  
11 and faculty with the appropriate expertise to conduct interviews with survivors of the  
12 State Eugenics Sterilization Program to document their experiences to share with future  
13 generations.

14 **SECTION 5.** The Office of State Personnel shall create an ethics training  
15 module to educate State, county, and local government employees in issues relating to  
16 ethics and human rights.

17 **SECTION 6.** Subject to the availability of funds, the Department of Cultural  
18 Resources shall create digitized copies of all records currently maintained in the State  
19 Archives relating to the North Carolina Eugenics Sterilization Program and make these  
20 digitized copies available for continued research and review, while maintaining  
21 confidentiality of all participants of the Program. The Department shall make every  
22 effort to secure philanthropic grant funding to fund preservation of these records.

23 **SECTION 7.** This act becomes effective July 1, 2009.  
24

**Karon Hardy (Rep. Bryant)**

---

**From:** Rebecca Garland [rgarland@dpi.state.nc.us]  
**Sent:** Monday, December 15, 2008 5:40 PM  
**To:** Karon Hardy (Rep. Bryant)  
**Cc:** Chris Minard; Howard Lee; June Atkinson; JB Buxton  
**Subject:** my notes from the committee meeting

Kay,  
Below are the notes I sent on December 5. I thought your name was Karon, sorry.  
Rebecca

Karon,

Below are the notes from my testimony at the committee meeting per your request:

My name is Dr. Rebecca Garland and I am the Chief Academic Officer for the Department of Public Instruction. Among the responsibilities that I oversee is the development of the NC Standard Course of Study (NCSCOS). I was asked to review the NCSCOS to determine an appropriate placement for the NC Eugenics Sterilization Program to be taught to NC students.

I completed a review of the Social Studies courses in the NCSCOS to prepare for this committee meeting. I think it would be appropriate for a reference to Eugenics to be in three courses: North Carolina History which is taught in Grade 8 and Civics and US History which are taught in high school. All of these courses have a goal that deals in some way with changes in the attitudes of society and the court system over time.

Topics that we use as examples of changing attitudes are slavery, Apartheid, integration, Women's Suffrage, treatment of the mentally disabled and prisoners, etc. Society dealt with and felt about such groups and issues very differently in the early 1900's and before compared to how North Carolinians do post the Civil Rights Movement of the 1960's. Society also has been very vocal about how Human Rights should be honored around the world.

We accept now that some of society's actions in the past were wrong and should not happen again. To ensure that actions such as these don't occur in the future, we have to teach our young people that such actions were wrong. We currently teach how society learns and matures, and the study of the NC Eugenics Program would naturally fit into our curriculum.

Rebecca

Rebecca B. Garland, Ed.D  
Chief Academic Officer  
NC Department of Public Instruction  
Work (919) 807-3305  
Fax (919) 807-4065  
rgarland@dpi.state.nc.us

**Attachment 5**

**Monetary Compensation Options for Consideration  
by the House Select Committee on Compensation for the Victims of the Eugenics Sterilization Program**

**Option 1 Estimated population: 2800\***

Compensation	\$20,000	SFY 2009-10	SFY 2010-11	Total	Estimated Participation Rates**
SFY 2009-10	1,400	\$28,000,000	-	\$28,000,000	20%
SFY 2010-11	1,400	-	\$28,000,000	\$28,000,000	33%
				<b>\$56,000,000</b>	

**Option 2 Estimated population: 2800**

20% Participation Compensation	\$20,000	SFY 2009-10	SFY 2010-11	Total	33% Participation Compensation	\$20,000	SFY 2009-10	SFY 2010-11	Total
SFY 2009-10	160	\$3,200,000	-	\$3,200,000	SFY 2009-10	400	\$8,000,000	-	\$8,000,000
SFY 2010-11	400	-	\$ 8,000,000	\$8,000,000	SFY 2010-11	524	-	\$10,480,000	\$10,480,000
	560			<b>\$11,200,000</b>		924			<b>\$18,480,000</b>

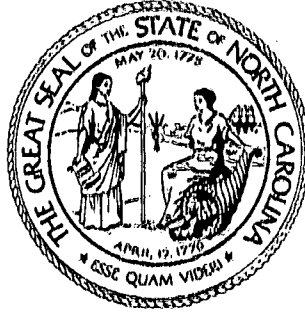
**Option 3 Estimated population: 2800**

20% Participation Compensation	\$15,000	SFY 2009-10	SFY 2010-11	Total	33% Participation Compensation	\$15,000	SFY 2009-10	SFY 2010-11	Total
SFY 2009-10	160	\$2,400,000	-	\$2,400,000	SFY 2009-10	400	\$6,000,000	-	\$6,000,000
SFY 2010-11	400	-	\$ 6,000,000	\$6,000,000	SFY 2010-11	524	-	\$ 7,860,000	\$7,860,000
	560			<b>\$8,400,000</b>		924			<b>\$13,860,000</b>

**Option 4 Estimated population: 2800**

20% Participation Compensation	\$10,000	SFY 2009-10	SFY 2010-11	Total	33% Participation Compensation	\$10,000	SFY 2009-10	SFY 2010-11	Total
SFY 2009-10	160	\$1,600,000	-	\$1,600,000	SFY 2009-10	400	\$4,000,000	-	\$4,000,000
SFY 2010-11	400	-	\$ 4,000,000	\$4,000,000	SFY 2010-11	524	-	\$ 5,240,000	\$5,240,000
	560			<b>\$5,600,000</b>		924			<b>\$9,240,000</b>

\*Estimated population based on actuarial data from NC Center for Health Statistics, as cited by Dr. Johanna Schoen.  
 \*\*Assume lag in outreach and verification in the first year, and less than full participation due to no interest, out of state, death:



**NORTH CAROLINA GENERAL ASSEMBLY  
COMMITTEE MEETING NOTICE  
LEGISLATIVE BUILDING  
RALEIGH NC 27601**

December 11, 2008

**MEMORANDUM**

**TO:** Members of the House Select Committee on Compensation for Victims of the Eugenics Sterilization Program

**FROM:** Representative Larry Womble, Co-chair  
Representative Ron Sutton, Co-chair

**SUBJECT:** Meeting Notice

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program will meet on the following date:

**DAY:** Thursday  
**DATE:** December 18, 2008  
**TIME:** 1:00 pm  
**LOCATION:** Room 1124/1224 Legislative Building

If you have any questions concerning this meeting, please contact Dorothy McLean, Committee Assistant, at (919) 733-5777 or email womblela@ncleg.net. If you cannot attend, please contact Karon Hardy, Committee Clerk, at (919) 733-5878 or email bryantla@ncleg.net.

Posted: December 11, 2008

cc: Committee Record     x      
Interested Parties     x

# **Agenda**

## **House Select Committee on Compensation for Victims of the Eugenics Sterilization Program**

**Thursday, December 18, 2008**

**1:00 p.m.**

**Legislative Building**

**Room 1124/1224**



**I. Welcome and Introductions**

*Representative Larry Womble, Cochair*

*Representative Ron Sutton, Cochair*

**II. Review and Approval of Minutes**

**III. Final Report with Committee Recommendations**

*Mr. Ben Popkin, Staff Attorney, Research Division*

**IV. Committee Discussion**

**V. Adjourn**

## MINUTES

### HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION PROGRAM

**December 18, 2008**

**Room, Legislative Office Building**

**Representative Ron Sutton, Co-Chair Presiding**

**Representative Larry Womble, Co-Chair**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program met on Thursday, December 18, 2008 in Room 1124 of the Legislative Building at 1:00pm.

Co-Chair Sutton opened the meeting at 1:00pm. He welcomed the guests, the staff and the Sergeant-at-Arms: David Shearon, Martha Parrish and Carlton Adams. All Members and Staff were present with the exception of Representative Samuelson and Lee Dixon. The original Visitor Registration Sheet is attached to these minutes as (*Attachment 1*).

Co-Chair Sutton stated that the purpose of the meeting was to vote out the Committee report.

Co-Chair Sutton asked for a motion of the minutes of December 4, 2008. Representative Parmon made a motion to approve the minutes. The motion was seconded by Co-Chair Womble and carried unanimously.

#### **Ben Popkin, Research Staff**

Mr. Popkin highlighted modifications of the detailed report and slight changes that were made since the last meeting. He also reviewed the ten recommendations made by the Committee. He concluded by answering questions from the Committee. (*Attachment 2*).

#### **David Brooks, Director of Historical Resources, Department of Cultural Resources**

Mr. Brooks reported that the NC Highway Historical Marker Advisory Committee met on Monday, December 15<sup>th</sup>, voted unanimously to produce a highway marker that will be erected on McDowell Street between Jones and Edenton Streets in Raleigh, North Carolina. There will be an official ceremony. The marker will be erected in May 2009. (*Attachment 3*).

Co-Chair Womble requested that the Committee get sufficient notification so the Committee members can attend the ceremony.

Mr. Brooks assured that the Committee will be notified of the ceremony in a timely manner.

Regarding the report, Representative Alexander asked how "mental health benefits" is defined.

Mr. Popkins stated there is not a clear definition in place.

Representative Hughes thanked the DHHS for making a Public Service Announcement. There was a story done on Saturday December 13, 2008, in the Wilmington Star-News to increase public awareness. As a result she has received phone calls inquiring about the Public Service Announcements. (*Attachment 4*).

Co-Chair Sutton stated there was information printed in the newspaper in Fayetteville.

Ms. Ransome stated that they sent out the Public Service Announcement to the broad medium, print, radio and television.

Co-Chair Womble stated that his office has received calls and the editorial section of the Winston Salem newspaper devoted a large portion of their page to the Eugenics Program, as a result of the Pubic Service Announcement.

With there being no further business before the Committee Co-Chair Sutton adjourned the meeting.

Respectfully Submitted,

  
\_\_\_\_\_  
Representative Ron Sutton

  
\_\_\_\_\_  
Dorothy McLean, Committee Assistant

  
\_\_\_\_\_  
Karon Hardy, Committee Assistant

House Pages

Name Of Committee: Eugenics Date: 12-18-2008

1. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

2. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

3. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

4. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

5. Name: \_\_\_\_\_

County: \_\_\_\_\_

Sponsor: \_\_\_\_\_

Sgt-At-Arms

1. Name: David Shearon

2. Name: Martha Ferris

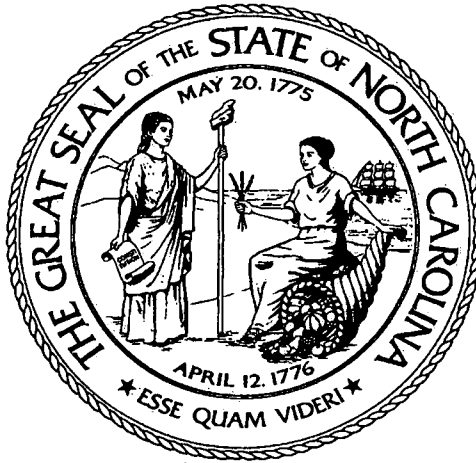
3. Name: Carlton Adams

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_



# NORTH CAROLINA GENERAL ASSEMBLY



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## HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION PROGRAM

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REPORT TO THE  
2009 SESSION  
of the  
2009 GENERAL ASSEMBLY

DECEMBER 2008

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# TRANSMITTAL LETTER

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The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program respectfully submits the following report.

---

Representative Larry Womble  
Co-Chair

---

Representative Ronnie Sutton  
Co-Chair



Office of Speaker Joe Hackney  
North Carolina House of Representatives  
Raleigh, North Carolina 27601-1096

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HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE  
EUGENICS STERILIZATION PROGRAM

TO THE HONORABLE MEMBERS OF THE  
NORTH CAROLINA HOUSE OF REPRESENTATIVES

**Section 1.** The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly.

**Section 2.** The Committee consists of the nine members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives. The Speaker of the House of Representatives may dissolve the Committee at any time.

Representative Ron Sutton, Co-Chair
Representative Larry Womble, Co-Chair
Representative Martha B. Alexander
Representative Sandra Spaulding Hughes
Representative James H. Langdon
Representative Earline W. Parmon
Representative Ruth Samuelson
Representative Bonner L. Stiller
Representative Michael H. Wray

**Section 3.** The Committee shall study a proposal to compensate persons who, as a result of the Eugenics sterilization program in this State, were sterilized between the years 1929 and 1975. The study shall include a proposed process for evaluating claims, an equitable amount of compensation and such other matters as the Committee deems necessary. The Committee shall estimate the cost of providing health care, counseling, and educational assistance required as a result of sterilization under the State's Eugenics sterilization program.

**Section 4.** The Committee shall meet upon the call of its Chair. A quorum of the Committee shall be a majority of its members.

**Section 5.** The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

**Section 6.** Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

**Section 7.** The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations. Individual expenses of \$5,000 or less, including per diem, travel, and subsistence expenses of members of the Committee, and clerical expenses shall be paid upon the authorization of the Chair of the Committee. Individual expenses in excess of \$5,000 shall be paid upon the written approval of the Speaker of the House of Representatives.

**Section 8.** The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

**Section 9.** The Committee may meet at various locations around the State in order to promote greater public participation in its deliberations.

**Section 10.** The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before December 31, 2008, by filing the final report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee terminates on December 31, 2008, or upon the filing of its final report, whichever occurs first.

Effective this 21<sup>st</sup> day of August 2008.



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Joe Hackney  
Speaker

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## COMMITTEE PROCEEDINGS

---

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program met six times from October 9, 2008 until December 18, 2008.

### October 9, 2008

The first meeting of the Committee took place on Thursday, October 9, 2008 at 1:00 p.m. in Room 1124 of the Legislative Building. Representative Womble, Co-chair of the Committee welcomed Committee members, Committee staff, and members of the public.

Mr. Will Polk, General Counsel to Lieutenant Governor's Office was invited to address the Committee and he offered the Lieutenant Governor's assistance in the development of the recommendations. The Committee heard presentations from Mr. Benjamin Popkin, staff attorney with the Research Division, who discussed the history and operations of the North Carolina State Eugenics Sterilization Program; and Ms. Barbara Pullen-Smith, Director of the Office of Minority Health and Health Disparities who discussed the recommendations of the Governor's 2003 Eugenics Study Committee.

### October 23, 2008

The second meeting of the Committee took place on Thursday, October 23, 2008 at 1:00 p.m. in Room 1124 of the Legislative Building. Representative Sutton, Co-chair of the Committee, welcomed Committee members, Committee staff, and members of the public.

The Committee heard personal testimonies from three Eugenics Survivors: Ms. Mary English of Fayetteville, North Carolina; Ms. Elaine Riddick of Georgia, and Mr. Willis Lynch of Littleton, North Carolina. Mr. Tony Riddick, son of Ms. Elaine Riddick also gave testimony of growing up as the son of a Eugenics survivor.

### November 6, 2008

The third meeting of the Committee took place on Thursday, November 6, 2008 at 1:00 p.m. in Room 1124 of the Legislative Building. Representative Womble, Co-chair of the Committee welcomed Committee members, Committee staff, and members of the public.

The Committee heard presentations from Ms. Pullen-Smith, Director of the Office of Minority Health and Health Disparities, who discussed the recommendations of the Governor's 2003 Eugenics Study Committee, as well as the status of each recommendation; and Ms. Melanie Bush staff member of the Fiscal Research Division, who discussed compensation packages for Eugenics survivors in other countries, as well as possible compensation options for North Carolina to consider.

### **November 18, 2008**

The fourth meeting of the Committee took place on Tuesday, November 18, 2008 at 10:00 a.m. in Room 1124 of the Legislative Building. Representative Sutton, Co-chair of the Committee, welcomed Committee members, Committee staff, and members of the public.

The Committee heard a presentation from Dr. Johanna Schoen, Associate Professor of History and Women's Studies at the University of Iowa. Dr. Schoen's presentation was entitled *The North Carolina Eugenics Sterilization Program—Review and Next Steps*. Dr. Schoen discussed the history of the Eugenics program in the state of North Carolina and proposed 7 low-cost retribution ideas for the Committee to consider.

### **December 4, 2008**

The fifth meeting of the Committee took place on Thursday, December 4, 2008 at 1:00 p.m. in Room 1124 of the Legislative Building. Representative Womble, Co-chair of the Committee, welcomed Committee members, Committee staff, and members of the public.

The Committee reviewed a draft of the Committee's final report, including its recommendations, deliberated over the contents of the report and made modifications to be incorporated into the report by staff and distributed to committee members for their review and approval.

The following individuals attended the meeting and answered questions of the Committee as they pertained to their areas of expertise: Dr. Rebecca Garland, Chief Academic Officer of the Department of Public Instruction; Dr. Jeffrey Crow, Deputy Secretary of Archives, Department of Cultural Resources; Dick Lankford, Head Archivist, Department of Cultural Resources; and Ms. Sharnese Ransome, Legislative Liaison, Department of Health and Human Services.

### **December 18, 2008**

The sixth meeting of the Committee took place on Thursday, December 18, 2008 at 1:00 p.m. in Room 1124 of the Legislative Building. Representative Sutton, Co-chair of the Committee, welcomed Committee members, Committee staff, and members of the public.

The Committee reviewed the Committee's final report, including its recommendations and proposed legislation, deliberated over the contents of the report and approved the report for delivery to the General Assembly pursuant to the committee charge.

# RECOMMENDATIONS FROM THE

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## HOUSE SELECT COMMITTEE ON COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION PROGRAM

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**Co-chairs:**

**Representative Larry Womble  
Representative Ronnie Sutton**

### **RECOMMENDATION 1: MONETARY COMPENSATION**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the General Assembly appropriate funds sufficient to provide each confirmed survivor of the North Carolina State Eugenics Sterilization Program with a cash payment in the amount of \$20,000.

### **RECOMMENDATION 2: MENTAL HEALTH COUNSELING BENEFITS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the General Assembly enact legislation to create a Eugenics Survivors Assistance Program to provide mental health benefits to all remaining survivors of the North Carolina State Eugenics Sterilization Program.

### **RECOMMENDATION 3: DATABASE OF EUGENICS PROGRAM RECORDS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the General Assembly enact legislation to direct the Department of Health and Human Services to immediately establish a database to store and access all relevant data from the records of the State Eugenics Program currently housed in the State Archives and appropriate \$38,648 to the Department to accomplish this task.

### **RECOMMENDATION 4: VERIFY STATUS OF SELF-IDENTIFIED SURVIVORS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the General Assembly enact legislation to direct the Department of Health and Human Services to immediately verify the status of individuals who have contacted the Office of Minority Health and Health Disparities, DHHS, during the course of the past several years and require DHHS to verify these individuals' status as State Eugenics Program participants and report their findings to the individuals as soon as possible.

#### **RECOMMENDATION 5: OUTREACH TO LOCATE SURVIVORS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the General Assembly enact legislation to direct the Department of Health and Human Services to conduct an outreach campaign to publicize the compensation options to be made available to survivors and to encourage survivors to contact the Department for verification of their status as State Eugenics Program participants.

#### **RECOMMENDATION 6: HISTORICAL MARKER**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the Department of Cultural Resources design and place a historical marker detailing the North Carolina Eugenics Sterilization Program in an appropriate location in Raleigh.

#### **RECOMMENDATION 7: EDUCATIONAL MATERIALS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the State Board of Education incorporate information about the North Carolina Eugenics Sterilization Program into its existing K-12 history curricula.

#### **RECOMMENDATION 8: INTERVIEW AND DOCUMENT SURVIVORS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the Board of Trustees of the University of North Carolina direct its students and faculty with the appropriate expertise conduct interviews with survivors of the State Eugenics Sterilization Program to document their experiences to share with future generations.

#### **RECOMMENDATION 9: ETHICS TRAINING MODULE**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the Office of State Personnel create an ethics training module to educate State, county and local government employees in issues relating to ethics and human rights.

#### **RECOMMENDATION 10: PRESERVE & ALLOW APPROPRIATE ACCESS TO PROGRAM RECORDS**

The House Select Committee on Compensation for Victims of the Eugenics Sterilization Program recommends that the Department of Cultural Resources create digitized copies of all records currently maintained in the State Archives relating to the North Carolina Eugenics Sterilization Program and make these digitized copies available for continued research and review, while maintaining absolute confidentiality of all participants of the Program. The Department shall make every effort to secure philanthropic grant funding to fund preservation of these records.

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**PROPOSED LEGISLATION**

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1           Whereas, while most states sharply curtailed their sterilization programs after  
2 World War II, nearly four-fifths of sterilizations in North Carolina were performed after  
3 1945; and

4           Whereas, the governors of Virginia, Oregon, South Carolina, and North  
5 Carolina have issued apologies for these forced sterilizations, and Governor Michael F.  
6 Easley established a committee to investigate the State Eugenics Sterilization Program  
7 and consider compensation or counseling services for these persons; and

8           Whereas, the Speaker of the House of Representatives, the Honorable Joe  
9 Hackney, established the House Select Committee on Compensation for Victims of the  
10 Eugenics Sterilization Program to study proposals to compensate persons sterilized  
11 under the Program; and

12           Whereas, the General Assembly finds that persons sterilized as a result of the  
13 State's eugenics sterilization program should be compensated; Now, therefore,  
14 The General Assembly of North Carolina enacts:

15           **SECTION 1.(a)** Any person who, as a result of the eugenic sterilization  
16 program in this State, was sterilized between the years 1929 and 1975 shall receive  
17 compensation as provided for in this section if the person submits a claim before June  
18 30, 2014.

19           **SECTION 1.(b)** A claim under this section may be submitted to the  
20 Department of Health and Human Services. The claim shall be supported by appropriate  
21 verification and information as determined by the Department.

22           **SECTION 1.(c)** The Department shall determine the eligibility of a claimant  
23 to receive the compensation authorized by this section. The Department shall notify the  
24 claimant by mail of its determination regarding the claimant's eligibility.

25           **SECTION 1.(d)** The Department shall adopt rules that will assist in the fair  
26 determination of eligibility and the processing of claims. The Department, however,  
27 shall not be obligated to notify any person of possible eligibility for compensation.

28           **SECTION 1.(e)** A claimant under this section who is determined eligible by  
29 the Department shall receive twenty thousand dollars (\$20,000). All claims which the  
30 Department determines are eligible for compensation shall be immediately forwarded to  
31 the State Treasurer, who shall issue warrants in the appropriate amounts upon demand  
32 and verification of identity.

33           **SECTION 2.** There is established the Eugenic Sterilization Compensation  
34 Fund. Funds appropriated to this Fund shall not revert until the claims verified by the  
35 Department of Health and Human Services under Section 1 of this act are paid. The  
36 Fund shall be kept on deposit with the State Treasurer, as in the case of other State  
37 funds, and may be invested by the State Treasurer in any lawful security for the  
38 investment of State money. The Fund is subject to the oversight of the State Auditor  
39 pursuant to Article 5A of Chapter 147 of the General Statutes.

40           **SECTION 3.** There is appropriated from the General Fund to the State  
41 Treasurer the sum of eighteen million four hundred eighty thousand dollars  
42 (\$18,480,000) for the 2009-2010 fiscal year to fund the Eugenic Sterilization

1 Compensation Fund. There is appropriated from the General Fund to the Department of  
2 Health and Human Services the sum of one hundred sixty-five thousand dollars  
3 (\$165,000) for the 2009-2010 fiscal year to administer Section 1 of this act.

4 **SECTION 4.** This act becomes effective July 1, 2009.  
5

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2009

H

D

BILL DRAFT 2009-RDz-4 [v.6] (12/01)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

12/18/2008 11:50:30 AM

Short Title: Eugenics Program - Support and Education.

(Public)

Sponsors: Representative.

Referred to:

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE COUNSELING BENEFITS TO EUGENICS SURVIVORS,  
2 TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO  
3 ESTABLISH A DATABASE OF EUGENICS PROGRAM PARTICIPANTS AND  
4 VERIFY THE STATUS OF PERSONS CONTACTING THE STATE TO  
5 DETERMINE THEIR PARTICIPATION IN THE STATE PROGRAM, TO  
6 ERECT A HISTORICAL MARKER ABOUT THE PROGRAM, TO DIRECT THE  
7 STATE BOARD OF EDUCATION TO INCLUDE INFORMATION ABOUT THE  
8 PROGRAM IN ITS K-12 HISTORY CURRICULUM, TO RECOMMEND  
9 CREATION OF AN ETHICS TRAINING MODULE FOR STATE, COUNTY  
10 AND LOCAL GOVERNMENT EMPLOYEES, AND TO DIRECT THE  
11 DEPARTMENT OF CULTURAL RESOURCES TO DIGITIZE EXISTING  
12 RECORDS FOR PRESERVATION AND STUDY PURPOSES, AS  
13 RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON  
14 COMPENSATION FOR VICTIMS OF THE EUGENICS STERILIZATION  
15 PROGRAM.  
16

17       Whereas, during the early part of the 20<sup>th</sup> century, social reformers advocated  
18 eugenic sterilization as a solution to problems such as mental retardation and mental  
19 illness; and

20       Whereas, in 1907, Indiana was the first state to pass a eugenic sterilization  
21 program, and eventually more than 30 states passed these laws, with North Carolina  
22 following in 1929; and

1           Whereas, from 1929 to 1974, North Carolina's Eugenics Board reviewed  
2 petitions for sterilizations, and sterilizations were ordered in more than 90% of the cases  
3 before the Board; and

4           Whereas, researchers estimate that more than 7,600 people were sterilized in  
5 North Carolina between 1929 and 1974, ranking North Carolina third among the states  
6 operating eugenic sterilization programs; and

7           Whereas, over the lifetime of the Eugenics Sterilization Program,  
8 approximately 38% of those persons sterilized under the Program were black, and 84%  
9 of all sterilized under the Program were female; and

10           Whereas, over the lifetime of the Eugenics Sterilization Program,  
11 approximately 71% of those persons sterilized under the Program were done so due to  
12 being classified as being 'feebleminded', which were predominantly people with  
13 intellectual disabilities, 24% due to being classified as being mentally ill, and 5%  
14 because they had epilepsy; and

15           Whereas, while most states sharply curtailed their sterilization programs after  
16 World War II, nearly four-fifths of sterilizations in North Carolina were performed after  
17 1945; and

18           Whereas, the governors of Virginia, Oregon, South Carolina, and North  
19 Carolina have issued apologies for these forced sterilizations, and Governor Michael F.  
20 Easley established a committee to investigate the eugenics program and consider  
21 compensation or counseling services for these persons; and

22           Whereas, the General Assembly urges the citizens of this State to become  
23 familiar with the history of the eugenics movement, in the belief that a more educated,  
24 enlightened and tolerant population will reject absolutely any such abhorrent pseudo-  
25 scientific movement in the future; and

26           Whereas, the Speaker of the House of Representatives, the Honorable Joe  
27 Hackney, established the House Select Committee on Compensation for Victims of the  
28 Eugenics Sterilization Program to study proposals to compensate persons sterilized  
29 under the Program; Now, therefore,  
30 The General Assembly of North Carolina enacts:

31           **SECTION 1(a).** The Department of Health and Human Services shall  
32 explore options and develop a proposal for providing behavioral health counseling  
33 services to confirmed survivors of the State Eugenics Sterilization Program and report  
34 its recommendations and legislative proposals to the 2010 regular session of the 2009  
35 General Assembly on or before the convening of that session.

36           **SECTION 1(b).** The Department of Health and Human Services shall  
37 immediately create a database of individuals petitioned for sterilization under the State  
38 Eugenics Sterilization Program. The database shall be developed in four phases,  
39 according to a proposal developed by the Department of Health and Human Services in  
40 conjunction with the Department of Cultural Resources. Records maintained in the  
41 database shall be confidential and shall not be subject to public disclosure pursuant to  
42 G.S. 132-6(a).

1 There is appropriated from the General Fund to the Department of Health and  
2 Human Services the sum of thirty-eight thousand six hundred forty-eight dollars  
3 (\$38,648) for the 2009-2010 fiscal year to administer the provisions of this Section.

4 **SECTION 1(c).** The Department of Health and Human Services shall  
5 compare the names and identifying information collected by the Office of Minority  
6 Health over the course of the past several years with the names and identifying  
7 information entered into the verification database, shall determine whether these  
8 individuals were, in fact, program participants, and shall notify each person of their  
9 status as soon as possible. The Department shall report its progress in accomplishing  
10 Sections 1(b) and 1(c) to the Joint Legislative Commission on Governmental Operations  
11 on or before the convening of the 2010 regular session of the 2009 General Assembly.

12 **SECTION 1(d).** The Department of Health and Human Services shall  
13 conduct an outreach campaign to identify survivors, including at least the issuance of  
14 news releases and public service announcements, and joint efforts with relevant interest  
15 groups and agencies. The Department shall report its progress in this regard to the Joint  
16 Legislative Commission on Governmental Operations on or before the convening of the  
17 2010 regular session of the 2009 General Assembly.

18 **SECTION 2.** The Department of Cultural Resources shall design and place  
19 a historical marker providing information about the North Carolina Eugenics  
20 Sterilization Program in an appropriate location in Raleigh. The Department shall report  
21 its progress in this regard to the Joint Legislative Commission on Governmental  
22 Operations on or before the convening of the 2010 regular session of the 2009 General  
23 Assembly.

24 **SECTION 3.** The State Board of Education shall include information about  
25 the North Carolina Eugenics Sterilization Program in its existing k-12 history curricula.  
26 The Board shall report its progress in this regard to the Joint Legislative Education  
27 Oversight Committee on or before the convening of the 2010 regular session of the  
28 2009 General Assembly.

29 **SECTION 4.** The Board of Trustees of the University of North Carolina  
30 shall direct its students and faculty with the appropriate expertise to conduct interviews  
31 with survivors of the State Eugenics Sterilization Program to document their  
32 experiences to share with future generations. The Board shall report its progress in this  
33 regard to the Joint Legislative Education Oversight Committee on or before the  
34 convening of the 2010 regular session of the 2009 General Assembly.

35 **SECTION 5.** The Office of State Personnel shall create an ethics training  
36 module to educate State, county, and local government employees in issues relating to  
37 ethics and human rights.

38 **SECTION 6.** Subject to the availability of funds, the Department of Cultural  
39 Resources shall create digitized copies of all records currently maintained in the State  
40 Archives relating to the North Carolina Eugenics Sterilization Program and make these  
41 digitized copies available for continued research and review, while maintaining

1 confidentiality of all participants of the Program. The Department shall make every  
2 effort to secure philanthropic grant funding to fund preservation of these records.

3 **SECTION 7.** This act becomes effective July 1, 2009.

4

Karen

EUGENICS BOARD

REQUEST MADE BY: Dr. Jeffrey J. Crow on behalf of legislative study commission

COUNTY: Wake PROPOSED LOCATION: McDowell Street b/ Jones and Edenton streets in Raleigh

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PROPOSED INSCRIPTION(S): EUGENICS BOARD

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8 records: off - regularly  
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SKETCH: Eugenics, from the Greek for "well-born," originated in *Inquiries into Human Faculty* (1883), wherein Sir Francis Galton envisioned a method of improving "the inborn qualities of a race." Based on the theory of natural selection developed by his cousin, Charles Darwin, eugenics was intended to influence human evolution, with particular attention to intelligence, by replacing "Natural Selection by other processes that are more merciful and not less effective." In 1907 IN became the first of thirty-two states that passed eugenic sterilization laws. Sterilization laws were called into question in the landmark case of *Buck v. Bell*, heard by the US Supreme Court in 1927. The Supreme Court upheld VA's eugenics law by a vote of 8-1. Justice Oliver Wendell Holmes concluded, "The principle that sustains compulsory vaccination is broad enough to cover cutting the fallopian tubes . . . Three generations of imbeciles are enough." In 1924 Carrie Buck, pregnant at age 17, had been committed to the VA Colony for Epileptics and Feebleminded. Research later indicated that Buck and her daughter were of average intelligence.

The NC legislature in 1929 authorized sterilizations of patients or inmates of public institutions for whom the operation was considered to be for "the public good." That year county commissioners were authorized to order sterilizations at public expense of "any mentally defective or feebleminded resident" with consent from the person's next of kin or legal guardian. In 1933 the Eugenics Board was created to review sterilization requests for all individuals. The board consisted of the commissioner of the Board of Charities and Public Welfare, the secretary of the State Board of Health, the chief medical officer of the state institution for the feeble-minded or insane, the chief medical officer of the State Hospital in Raleigh, and the attorney general. During a eugenics hearing a prosecutor would present the board with evidence as to an individual's status as mentally diseased, feeble-minded, epileptic, or a danger to society. In the case of inmates of a prison or psychiatric institution, the prosecutor would be the head of the institution or his appointee. Non-institutional cases were prosecuted by the county superintendent of welfare or other official. The prosecution submitted documents including a medical history and a "social history" as to the individual's sexual promiscuity and likelihood of procreation. An individual, or a parent or guardian, could also apply for voluntary sterilization.

The board members broadly interpreted the science of heredity, hoping that eugenics would solve a wide variety of societal problems including abuse, neglect, poverty, and illegitimacy. By the 1940s, the science behind eugenics had been discredited, but public policymakers in NC held fast to the position that sterilization "protected" the poor and helped to break the cycle of poverty. After 1945, the numbers of non-institutional sterilizations increased, many of whom were "uncontrollable" teenaged girls. Some scholars point to the relative inaccessibility to methods of birth control to the lower classes, making publicly-funded sterilization a viable alternative. In 1972 the Eugenics Board became the Eugenics Commission and the following year, the legislature transferred to the judicial system the responsibility for sterilization procedures due to mental illness or mental retardation. The Eugenics Commission was abolished in 1977. During the period of state mandated sterilizations in NC, over 7,600 people were surgically altered either by choice or coercion.

REFERENCES: Johanna Schoen, *Choice and Coercion: Birth Control, Sterilization, and Abortion in Public Health and Welfare* (2005); John E. Gardella, "Eugenic Sterilization in America and North Carolina," *North Carolina Medical Journal*, (February 1995): 106-110; *Biennial Reports of the Eugenics Board of North Carolina*; Records of the Eugenics Board, North Carolina State Archives (restricted access); Eugenics in North Carolina (digital project of State Library): <http://statelibrary.dcr.state.nc.us/dimp/digital/eugenics/index.html>

RECOMMENDATION:

DATE: December 16, 2008

STAR-NEWS | SATURDAY, DECEMBER 13, 2008

# Aid sought for sterilized citizens

## Lawmakers seek compensation for Eugenics Program victims

### MORE INFORMATION

People who believe they or a family member was sterilized through the N.C. Eugenics Program between 1929 and 1974 can call the N.C. CARE-LINE at (800) 662-7030. TTY for the hearing impaired is (877) 452-2514. To share your story, contact the Star-News at 343-2339.

By Vicky Eckenrode  
Staff Writer

State lawmakers are finalizing recommendations for a bill to compensate surviving victims of North Carolina's involuntary sterilization program that ran from 1929 to 1974.

Meanwhile, state health officials are promoting a telephone line for those victims or their family members to call to help them receive record copies about their participation in the N.C. Eugenics Program.

More than 7,600 North Carolina residents were sterilized in the program, many of them involuntarily.

Rep. Larry Womble, D-Forsyth, said North Carolina's program was unique among state sterilization initiatives because it targeted welfare rolls, forcing a number of poor residents to undergo the procedure.

Womble led the effort to officially take the program off the state's law books in 2003.

STAR-NEWS | SATURDAY, DECEMBER 13, 2008

## EUGENICS

CONTINUED FROM 1A

"We've got to do something for destroying these people's lives, for destroying these people's futures, for destroying their legacy they could have had through children," said Womble, co-chairman of the House Select Committee on Compensation for Victims of

the Eugenics Sterilization Program. "It was forced on these people."

The committee, which also includes Rep. Sandra Spaulding Hughes, D-New Hanover, will meet again next week to finalize its thoughts on a bill to be introduced when the General Assembly convenes in January.

Womble said the measure likely would include several of the recommendations from a

governor-appointed commission on the issue a few years ago, including access to health care and counseling for victims and a monument.

Another option being discussed is to have the state pay \$20,000 to any victim still living in the state.

More than 30 states had laws for involuntary sterilizations, with some programs focusing on those with mental issues or

prisoners. An estimated 60,000 people in the United States were involuntarily sterilized under those state initiatives.

Only a handful of states have issued formal apologies, including North Carolina in 2003.

North Carolina would be the only state to offer compensation to victims if the measure is approved next year.

The state Department of Health and Human Services

has received 50 to 60 inquiries for records from possible participants.

DHHS spokeswoman Carol Schriber pointed out that many of the program's initial participants in the early 1930s are no longer alive.

State researchers can check through old records to determine if a person was sterilized under the state program, and survivors will be told how to get

copies of those records.

The agency will be promoting the phone line to find out who has been affected by the program in anticipation of the legislative debate next year and to assess what kind of needs exist.

"That's going to help that committee," Schriber said.

Vicky Eckenrode: 343-2339  
vicky.eckenrode@starnewsonline.com

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LEGISLATIVE LIBRARY

# **NORTH CAROLINA EUGENICS STUDY COMMITTEE REPORT**

## **REPORT TO THE GOVERNOR**

**June 2003**

HQ 755.5 .U6 N85 2003 c.2



North Carolina Department of Health and Human Services  
2001 Mail Service Center • Raleigh, North Carolina 27699-2001  
Tel 919-733-4534 • Fax 919-715-4645

Michael P. Easley, Governor

Carmen Hooker Odom, Secretary

June 25, 2003

The Honorable Michael Easley  
Office of the Governor  
20301 Mail Service Center  
Raleigh, North Carolina 27699-0301

Dear Governor Easley,

Last December, you asked me to form a committee to look at North Carolina's eugenics program. You charged that committee with exploring the history of the program, ensuring that it was never repeated, and making recommendations on how to assist program survivors. Our committee has now finished its work, and we have completed a set of recommendations for your consideration. The attached report details those recommendations.

In short, we believe that survivors should be guaranteed health care and educational benefits. We also believe that North Carolinians must never be allowed to forget about this program and its effect on the lives of so many innocent citizens.

Serving on this committee was one of the most rewarding and emotional experiences that I have had during my decades of public service. I was not prepared for the profound impact of the testimony of survivors whose lives have been irreparably harmed by North Carolina's eugenics program. Our hope is that this report conveys some of that experience.

You have shown great leadership in apologizing to the survivors and asking us to make recommendations to you on further benefits for the survivors. On behalf of the committee, I thank you for this opportunity to help right a terrible wrong.

Sincerely,

A handwritten signature in dark ink, appearing to read "Carmen", written over a horizontal line.

Carmen Hooker Odom

# EUGENICS STUDY COMMITTEE REPORT

## BACKGROUND

---

In December 2002, Gov. Mike Easley issued a public apology regarding North Carolina's eugenics program. Although many states had eugenics programs, Gov. Easley is the first state executive to look beyond apologies to addressing the need to provide benefits for survivors of eugenics.

Gov. Easley directed North Carolina Department of Health and Human Services Secretary Carmen Hooker Odum to create a task force to look into North Carolina's eugenics program. The group was charged with exploring the history of the program, ensuring that it was never repeated, and making recommendations on how to assist the survivors of the state's involuntary sterilization program that was in place from 1929-1974.

The committee (see Appendix A for membership list) met during the winter and spring of 2003. As part of its deliberations, the committee heard from two survivors of the program – Elaine Riddick Jessie and Nial Cox Ramirez. Hearing their stories put a human face on a horrible episode in this state's history. All of the committee members want to express their sincere thanks to these two brave women for stepping into the public spotlight and telling their very difficult stories.

The Committee also wants to recognize Dr. Johanna Schoen, whose research on the North Carolina eugenics program was vital. Without her academic work, it is uncertain that the public would have ever found out about the program and its survivors. This report summarizes the Committee's recommendations to Gov. Easley.

## INTRODUCTION

---

North Carolina's eugenics program began in 1929. The law endorsed sterilization of people who had epilepsy, sickness, "feeblemindedness" and other disabilities. Eugenics was a "hot" movement, especially prior to World War II, and many states had similar programs. It claimed to better society by preventing selected people from having children. But, it was used against a wide variety of people – including girls whose only "fault" was having premarital sex.

Hitler was a proponent of eugenics, and the horror of what he had attempted to accomplish led many states to slow their eugenics programs after World War II. However, North Carolina's program continued until 1974. In its latter years, as eugenics theory was largely discredited, involuntary sterilization was justified by using economic discrimination. People on public assistance were targeted as a way of limiting those expenditures. Nial Cox Ramirez, for instance, was told that if she refused sterilization her family's benefits would be halted.

The Eugenics Board of North Carolina ran North Carolina's program. It was technically a part of the Department of Public Welfare (modern day Division of Social Services). It had five members – one each representing the Attorney General, Dorothea Dix Hospital, Department of Public Welfare, Department of Public Health and Department of Mental Health. Local social workers would petition the board to sterilize a person, and the board would make the ultimate decision.

More than 7,600 people were sterilized under the program. Some people requested sterilization, but many of them were forced against their will. In some cases, victims were children as young as 14 who had no knowledge or understanding of the procedure.

The law that allowed for involuntary sterilization was repealed during the 2003 General Assembly. Rep. Larry Womble (Forsyth), who serves as a member of the Eugenics Study Committee, led the legislative effort to repeal this law and to look at other legislative approaches to the issue.

## **RECOMMENDATIONS**

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The Eugenics Study Committee recommends that survivors of North Carolina's forced sterilization program should receive medical benefits, counseling and educational opportunities. The committee recommends the creation of a nonprofit foundation to serve as a support mechanism for survivors, and the committee also recommends the establishment of a memorial to serve as reminder of this part of our history. Although the committee strongly believes that survivors also deserve some form of financial compensation for what we believe is a violation of human rights, we believe the creation of a legislative study commission is the most appropriate way to study this issue. Rep. Womble has introduced House Bill 1236 to create such a study commission. That study commission would report back to the General Assembly during its 2004 session, with any funding for the program to begin in Fiscal Year 2004-05.

### **1. Nonprofit foundation/support group**

Nial Cox Ramirez' daughter, Deborah Chesson, has suggested that a nonprofit foundation be created to help find and support survivors. The committee strongly endorses her suggestion. The committee believes the foundation should be created immediately, because its presence is integral to finding and supporting survivors. It is clear that the survivors of this program can benefit from meeting with other survivors. This group can also play a role in helping survivors through the process of proving that they were sterilized under this program.

### **2. Finding the survivors**

Although many records of survivors exist in the archives of the State Archives of North Carolina, those records are considered confidential medical records. They can only be accessed by an individual desiring to see his or her personal record. Finding survivors and convincing them to request their medical records so that they can be identified as victims of forced sterilization is a crucial part of the committee's recommendations.

It is also clear that in addition to the support group, the survivors will need help in negotiating the process of securing their records. It is recommended that some entity, possibly Duke University's Kenan Center for Ethics, assist survivors in this regard.

The committee recommends that the Department of Health and Human Services conduct an outreach campaign to identify survivors. The outreach campaign will include the following elements:

- ▲ Issuance of news releases and other information to generate media interest, both in state and across the country.
- ▲ Use of public service announcements on select radio stations across North Carolina, particularly in rural areas.
- ▲ Work with churches, community groups and civic organizations to publicize the need to identify survivors.
- ▲ Exploring the use of billboards, bus advertisements and other high-profile forms of advertisement.
- ▲ Work with groups like the NAACP and the Urban League to reach survivors.
- ▲ Work with disabilities groups to reach survivors.
- ▲ Work with other state and local government agencies to reach survivors (Division of Motor Vehicles, Department of Public Instruction, County Departments of Social Services, County Health Departments, local libraries, area agencies on aging, and mental health agencies).
- ▲ Work with professionals and their professional organizations to reach survivors (for instance doctors, nurses and mental health professionals).

The initial outreach program will focus on interest generated by media coverage and is designed to run through the end of 2003. The program will be evaluated at the end of 2003. Additional outreach may take place after 2003, depending on the outcome of initial work.

### **3. Determining Validity of Claims**

It is imperative that claims of sterilization be validated. The Department of Health and Human Services will set up an expert panel consisting of three to five members to review presentations from survivors to ensure that they, indeed, were sterilized as part of the involuntary program. This panel will include high-profile individuals representing the following areas of concern: legal (judge/lawyer), medical (doctor/psychologist/nurse), and an ethicist.

The panel will begin considering cases in the fall of 2003 and will meet as necessary. It is recognized that some people may have been victims of the program, but their records are not part of the State Archives. The panel will also accept other evidence of forced sterilization including, but not limited to, medical testimony and records from state institutions.

Every effort will be made to make this a process that does not victimize the survivors again. Confidentiality will be assured to any survivor who steps forward, but survivors who want to tell their stories in public will be given the opportunity to do so, to help the healing process as evidenced by the Truth and Reconciliation program in South Africa.

Once a determination of forced sterilization is made, then the survivor will be eligible to receive the full range of benefits offered by the state.

#### **4. Health Care**

Survivors of a forced sterilization program could have significant medical needs, both physical and mental. It is recommended DHHS:

- ▲ Create a special fund to provide health care for certified survivors.
- ▲ Ask for a special appropriation in 2004 to fund this program.
- ▲ Explore the use of Medicaid and/or the State Health Plan to provide benefits, as well as building in medical care for survivors in the event of any Blue Cross/Blue Shield conversion.

#### **5. Education Benefits**

The University of North Carolina System and the Community College System should consider creating a program that allows survivors to receive free educational benefits. At a minimum, these benefits will be available to survivors, but the university and community colleges systems should also explore providing benefits to caretakers of survivors so as to improve those extended families' lives.

### **CONCLUSION**

---

North Carolina's eugenics program is a regrettable period in our state's history. No one, regardless of circumstance, whether it be poverty or severe disability, should ever be forced to undergo a violation of their human rights such as involuntary sterilization. We must take steps to guarantee that history is not repeated.

Someone once said, "history repeats itself because no one listens." We must listen to the lessons learned as we reflected on North Carolina's eugenics program.

Recommendations:

- ▲ North Carolina's Department of Public Instruction should include information about the eugenics program in its curriculum on North Carolina history.
- ▲ The Department of Cultural Resources should investigate the creation of a memorial to ensure that no one forgets what the State of North Carolina once perpetrated against its own citizens. This memorial needs to be tangible – something that provides constant witness to this program long after survivors are gone.
- ▲ The North Carolina University and Community College systems should explore the creation of endowed chairs or special scholarships that will memorialize the program.
- ▲ The Department of Health and Human Services will create an ethics program, which includes information on the Eugenics Board. DHHS professionals will be required to take this course.
- ▲ A seminar will be organized to talk about the program, hear from survivors and discuss its implications in today's world. The seminar should include presentations from experts, including Dr. Johanna Schoen.

Appendix A

**EUGENICS STUDY COMMITTEE MEMBERSHIP**

Carmen Hooker Odom, chair  
Secretary, North Carolina Department of Health and Human Services

Representative Larry Womble  
North Carolina General Assembly

Pamela Young  
Deputy Secretary, Arts and Libraries, North Carolina Department of Cultural Resources

Dr. Jeffrey J. Crow  
Deputy Secretary, Office of Archives and History, North Carolina Department of Cultural Resources

Satana Deberry,  
General Counsel, North Carolina Department of Health and Human Services

Barbara Pullen-Smith  
Director, Office of Minority Health and Health Disparities

Stan Slawinski  
Chief, State Operated Services, North Carolina Division of Mental Health, Developmental Disabilities  
and Substance Abuse Services

Dr. Allen Buchanan  
Ethicist, Duke University

Mark Ezzell  
Chair, North Carolina Council on Developmental Disabilities

November 18, 2008

RE: Nial Ramirez / Reparations

Dear Representative Womble;

I wanted to take this time to thank you for your diligence in righting the wrong that was done to so many people including my mother. My mother and I both appreciate you very much.

I wanted to write this letter to let you and anyone else who is interested know how I feel about what has happened and how it has affected my mother and what should be done for her.

My mother is very good with children. She loves them and they know it and they love her back. She is her best when she is taking care of children. She was deprived from having anymore children by people who saw her as nothing more than a sickness to society and they had a cure for it.

My mother was only 17 when she was harassed by representatives from the Department of Human Services. That's a joke because my mother is human but she was treated like an animal. She was spaded or neutered without a thought for her well being. I can't even imagine what she felt. To be treated like that with no one on her side to tell her, "It's not you!", "It's not your fault." "What was done to you was wrong." Rep. Womble you made that happen when you put light on the whole situation, first by removing the law that was still on the law books and then the Governor of the state of North Carolina acknowledging that a wrong was done.

My mother had to be strong to live through something like that and not crack mentally or just give up on life altogether. But she didn't give up. She saw an opportunity to make a better life for herself and her child which was and still is her unalienable right according to the Declaration of Independence.

My mother was working as a caretaker for an elderly man when a couple came to the house with an offer to work as a house keeper in New York. She was smart enough to know an opportunity when she saw one. But the Eugenics board justified sterilizing my mother by saying she was feeble minded. My mother knew she could not stay in a state that would allow what was done to her and thousands of others and no one had a conscious enough to speak up about the wrong that was being done to citizens of the United States of America. My mother also knew she did not want her daughter to be subject to this type of treatment. So she left North Carolina. Thank God.

I know some of the thoughts that my mother has now about the sterilization that was performed on her because we have talked about it some. The memories are very painful and have left her with feelings of inadequacies which hurt me too.

Another thing that hurts me is the fact that when we are asked to join you in North Carolina for events to help push this movement forward, when we get back home my mother doesn't feel hopeful, she just feels that she is still not enough.

The press run after emotions so if my mother is not crying hysterically or showing some type of anguish then apparently she is over it and there is no need to go any further.

My answer to that is: how long should my mother cry to make people understand that what was done to her and to the rest of the survivors should incite the same rage in others as the Holocaust. These people were picked out by a group of people who felt they were superior and they had the cure: **Keep them from producing after their kind.**

These people (the Survivors) should not have to prove what was done to them was wrong. It was! It violated not only their civil rights but their God given rights, rights spoken about in the Declaration of Independence.

"We hold these truths to be self-evident, **that all men are created equal**, that they are endowed by their Creator with certain unalienable Rights that among these are **Life, Liberty and the pursuit of Happiness.**"

The government was instituted among Men getting their powers from us, the people who were governed. My mother was one of the governed.

The government became destructive towards my mother and people whom the Eugenics Board deemed were cluttering up human society and decided to take away their right to the pursuit of happiness.

When my mother was ready to marry she wanted to have more children with her spouse she did not find out that the surgery that was performed on her was irreversible until she was in her thirty's. My mother felt betrayed. She also felt less than a woman.

So, What dollar amount can you put on someone's suffering? There could never be enough money given to the Survivors to make up for the wrong that was done to them but they do deserve to be compensated.

My mother had to retire early due to an injury and for her medical insurance she has Medicare which only pays 80% of all procedures or medical bills. That leaves my mother with 20% to pay on her own. She is on a fixed income. My mother is not yet 65 so she is not eligible for any affordable supplemental medical coverage. She recently had to have Cataract surgery in both eyes. She owes the doctor who performed the surgery \$300 more dollars and he will not see her again until she pays. She has to constantly change doctors because when her bill gets to high the doctors will not see her until the

bill is paid in full. My mother would like to have the Gastric Bypass surgery to help her get some of the weight off and help her with her other medical needs, she has asthma, degenerative bone disease and hypertension. Medicare will not pay for this surgery that could help save my mother's life.

Any money my mother gets will not end her pain from what was done to her but it will end her day to day worry over not being able to go to the doctor because she owes them money. It will ease her living and allow her to pursue happiness.

My mother was harassed on a daily basis by people who were given authority to do so. A teenager having to make such a huge decision with no guidance or support from anyone. She was told her brothers and sisters would starve and have no where to live if she did not have the surgery. She felt it was because of her that the spotlight was on her entire family. So, my mother agreed to the surgery, she signed on the dotted line and was assured the surgery was reversible and her younger brothers and sisters would be safe.

No, a monetary settlement will not turn time back and make everything go away but it will help her present and future. It will make her life and the lives of all the other survivors easier.

My mother would be able to get medical attention and not have to worry about the bill causing her to leave another doctor she is comfortable with because she can't afford to pay. No, a monetary settlement will not ease my mother or the rest of the survivor's internal pain but it will ease their living.

Think about this: What if it were your mother, grandmother, aunt or uncle, someone you loved. What would you do? What would you want for them?

Sincerely,

Deborah Chesson  
Daughter of a Survivor  
Nial Ramirez  
(404) 403-1279

## Editorials

# Help for the victims

**N**ow that an N.C. House legislative committee has completed its study of compensation for victims of North Carolina's shameful sterilization program, the N.C. General Assembly should put this issue at the top of its list when it convenes next month. The state has dragged its heels on this for five years, even as sterilization victims have continued to suffer and die off.

From 1929 through 1974, more than 7,600 men, women and children were sterilized by the state's low-profile program that was based on the junk science of eugenics. Most were poor, and many were operated on after being determined to be "feeble-minded" on the basis of faulty intelligence testing. Others were operated on for no more reason than they were promiscuous. This long and shameful chapter in state history finally came to light six years ago this month, when the *Journal* brought to light the program in an investigative series.

Gov. Mike Easley apologized publicly for the program, but since then there has been almost no talk about helping the victims. About the only action the state has taken, despite a lot of prodding from the *Journal* and Rep. Larry Womble of Forsyth County, is to start a traveling exhibit and brochure about the program, and make some initial contact with victims.

There is no excuse for this lack of action. Easley and legislators have failed the victims. Gov.-elect Roy Perdue and the next General Assembly must do better.

Perhaps the main reason for the failure has been the emphasis on financial compensation for the victims. The legislative committee is once again pursuing that — \$20,000 for each victim. That's included among its other recommendations. Speaker of the House Joe Hackney is open to the idea of financial compensation.

It would be justified, even if the push for it has been made as the economy has gotten worse over the last few years.

At the very least, the legislature should finally follow through on recommendations that Easley approved five years ago. That means giving the victims treatment for the mental and physical ills left by their sterilizations, putting the story of this program in public-school textbooks and setting up a monument to the victims — so that the terrible mistakes of this program will never be repeated.

The legislative committee recommended that the victims receive mental-health-care benefits, but it did not deal with help with physical care. Lingering ill effects of some of these operations have created a strong need for that care. Perhaps it could be provided at the state's university hospitals.

The committee is correct in recommending that information about the program be taught in schools, that stories of victims be documented and that state, county and local government employees receive training about issues of ethics and human rights. But instead of a monument, it recommends a historical marker. That is not enough. It would amount to a token gesture that would be an insult to the victims.

This issue has been studied ad nauseam. Victims have told their stories over and over in legislator's, reliving the pain each time. The General Assembly should finally help those victims when it convenes next month.

OPINION

# Deliver on promise to help the victims of sterilization

**W**illis Lynch says he was sterilized by the state when was 14 and living at the Caswell training school in Kinston.

"I remember getting up the next day. Yeah, I was hurting," Lynch, now 75, told me last week from his Warren County home. "I didn't know what was going on. It's just like cutting on a hog. They do a hog that way, you know what I mean."



ELAINE RIDDICK

Twenty years after Lynch underwent his operation, Elaine Riddick was also sterilized by the state when she was 14. Her operation happened in 1968 in an Edenton hospital, where she'd just given birth to a son. "The pain is always there," she said from her Georgia home.

Lynch is white and Riddick is black. What they share, along with so many of

the more than 7,600 victims of North Carolina's sterilization program, is that they were poor people who were pushed into sterilization by an under-the-radar program, based on the junk science of eugenics, that lasted from 1929 through 1974.



JOHN FAHEY

Men, women and children were sterilized, often after being determined to be "feeble-minded" on the basis of faulty intelligence testing. Others were sterilized for no more reason than they had premarital sex. Misguided believers in the program thought that were "bettering" society.

Now, after years of prodding by this newspaper and state Rep. Larry Womble of Forsyth County, the state finally may be getting close to helping the surviving victims of this program.

Five years ago, after a *Journal* team that I was part of revealed the workings of the state sterilization program, Gov. Mike Easley approved a committee's

recommendations that the sterilization victims receive health-care and education benefits, that a memorial be set up to them and that information about the sterilization victims be included in the state's history curriculum.



BEV PERDUE

About the only thing the state has done is create a traveling history exhibit, even as the sterilization victims are suffering and dying off.

J. Gov. Bev Perdue, who won election Nov. 4 as the state's next governor, ought to lead the way in finally delivering help to these victims. There's reason to believe that she will.

As she ran for the Democratic nomination for governor, Perdue promised to financially compensate the victims through a foundation, and indicated that she wanted to make the health-care and education benefits a reality. Now,

Womble and others on a state House committee are studying compensation and benefits for the victims.

North Carolina may not be able to afford financial compensation, although it would certainly be justified. But the state has a moral obligation to finally deliver on the other benefits. It should also put up that memorial to the victims, and get their stories told in its history books. At least the state ever veer into playing God again. Whether the originators thought the program would "better society" by creating a purer strain of humanity or by cutting welfare costs, the program was a nightmare from the start.

As just one part of that colossal nightmare, try to imagine what Willis Lynch and many other youth went through at state training schools, at least one of which made sterilization a condition of release. "None of the inmates of Caswell Training School should be released before being sterilized, except in the few instances where normal children have been committed through error," according to the 1935-36 biennial report from the state eugenics board.

Almost 600 sterilization operations were done on residents of the Caswell training school from 1929 to 1968.

"It's always been on the back of my mind why this happened to me, as good as I love kids," said Lynch, a retired handyman.

For many of the victims of this program, the pain is never-ending. The least the state can do is try to ease some of that pain through health-care and education benefits. "It's time for them to start doing what they said they were going to do," Riddick said. "I'm what, 54 years old. This happened to me 40 years ago."

As the state's first woman governor, Bev Perdue should show the rest of the world that North Carolina really is a progressive place by delivering the help that this state has long owed these victims. North Carolina won't ever leave this dark chapter behind until that happens.

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TABLES 11-18  
HISTORICAL DATA ON EUGENICAL STERILIZATION  
IN NORTH CAROLINA

TABLE 11  
Cases Handled by Biennial Periods  
July 1933 - June 1968

Biennial Period	Petitions Presented	Operations Authorized	Operations Performed
Total .....	8289	7946	7092 <sup>1</sup>
July 1933-June 1934 .....	39	39	31
July 1934-June 1936 .....	309	301	252
July 1936-June 1938 .....	356	350	296
July 1938-June 1940 .....	352	345	305
July 1940-June 1942 .....	390	385	339
July 1942-June 1944 .....	328	309	269
July 1944-June 1946 .....	282	276	238
July 1946-June 1948 .....	337	330	291
July 1948-June 1950 .....	562	543	468
July 1950-June 1952 .....	743	796	704
July 1952-June 1954 .....	673	650	626
July 1954-June 1956 .....	657	634	556
July 1956-June 1958 .....	674	658	562
July 1958-June 1960 .....	576	564	535
July 1960-June 1962 .....	558	531	467
July 1962-June 1964 .....	591	545	507
July 1964-June 1966 .....	461	368	356
July 1966-June 1968 .....	401	322	290

<sup>1</sup> Forty-nine additional operations were performed prior to July 1933 under previous legislation, making a total of 7,141 operations performed.

**TABLE 12**  
**Operations Performed Annually, by Sex and Type of Operation**  
**July 1929 - June 1968**

Year	TOTAL	MALE			FEMALE		
		Total	Vasectomy	Castration	Total	Salpingectomy	Ovariectomy
Total .....	71411	1084	1019	65	6057	6000	57
1929 .....	3	2	1	1	1	..	1
1930 .....	17	2	..	2	15	10	5
1931 .....	11	..	..	..	11	10	1
1932 .....	18	9	..	9	9	7	2
1933 .....	4	1	1	..	3	3	..
1934 .....	61	15	7	8	46	45	1
1935 .....	178	24	17	7	154	152	2
1936 .....	98	12	11	1	86	86	..
1937 .....	128	21	18	3	107	105	2
1938 .....	202	56	53	3	146	144	2
1939 .....	138	36	34	2	102	102	..
1940 .....	159	47	45	2	112	112	..
1941 .....	181	49	45	4	132	132	..
1942 .....	148	36	32	4	112	112	..
1943 .....	152	33	29	4	119	119	..
1944 .....	107	20	18	2	87	87	..
1945 .....	117	18	15	3	99	98	1
1946 .....	106	16	16	..	90	90	..
1947 .....	140	26	21	5	114	114	..
1948 .....	189	34	34	..	155	155	..
1949 .....	249	31	31	..	218	218	..
1950 .....	300	60	60	..	240	240	..
1951 .....	372	106	104	2	266	266	..
1952 .....	348	82	82	..	266	266	..
1953 .....	283	40	40	..	243	243	..
1954 .....	298	45	45	..	253	253	..
1955 .....	292	75	74	1	217	217	..
1956 .....	217	43	42	1	174	172	2
1957 .....	305	52	52	..	253	250	3
1958 .....	318	29	28	1	289	285	4
1959 .....	260	22	22	..	238	234	4
1960 .....	234	9	9	..	225	221	4
1961 .....	248	8	8	..	240	233	7
1962 .....	230	8	8	..	222	217	5
1963 .....	240	7	7	..	233	226	7
1964 .....	256	2	2	..	254	252	2
1965 .....	167	3	3	..	164	164	..
1966 .....	133	3	3	..	130	130	..
1967 .....	135	1	1	..	134	133	1
1968 to June 30 .....	99	1	1	..	98	97	1

<sup>1</sup> Ninety-one of these operations originated in county institutions prior to 1953.

TABLE 13  
 State Institutional Operations Performed Annually,  
 by Sex and Type of Operation  
 July 1929 - June 1968

Year	TOTAL	MALE			FEMALE		
		Total	Vasectomy	Castration	Total	Salpingectomy	Ovariectomy
Total .....	2932	784	739	45	2148	2138	10
1929 .....	..	..	..	..	..	..	..
1930 .....	9	1	..	1	8	4	4
1931 .....	3	..	..	..	3	3	..
1932 .....	15	9	..	9	6	5	1
1933 .....	2	1	1	..	1	1	..
1934 .....	45	13	5	8	32	31	1
1935 .....	82	15	9	6	67	67	..
1936 .....	56	10	10	..	46	46	..
1937 .....	82	16	15	1	66	66	..
1938 .....	152	50	48	2	102	101	1
1939 .....	70	29	28	1	41	41	..
1940 .....	94	36	36	..	58	58	..
1941 .....	103	38	37	1	65	65	..
1942 .....	98	33	29	4	65	65	..
1943 .....	107	32	28	4	75	75	..
1944 .....	63	15	13	2	48	48	..
1945 .....	74	14	11	3	60	59	1
1946 .....	47	11	11	..	36	36	..
1947 .....	65	15	13	2	50	50	..
1948 .....	92	23	23	..	69	69	..
1949 .....	109	21	21	..	88	88	..
1950 .....	187	51	51	..	136	136	..
1951 .....	255	92	91	1	163	163	..
1952 .....	213	62	62	..	151	151	..
1953 .....	115	24	24	..	91	91	..
1954 .....	128	23	23	..	105	105	..
1955 .....	127	52	52	..	75	75	..
1956 .....	70	31	31	..	39	39	..
1957 .....	81	32	32	..	49	49	..
1958 .....	75	13	13	..	62	62	..
1959 .....	45	5	5	..	40	40	..
1960 .....	49	3	3	..	46	46	..
1961 .....	34	2	2	..	32	32	..
1962 .....	37	4	4	..	33	33	..
1963 .....	36	1	1	..	35	35	..
1964 .....	49	1	1	..	48	46	2
1965 .....	26	2	2	..	24	24	..
1966 .....	13	3	3	..	10	10	..
1967 .....	12	1	1	..	11	11	..
1968 to June 30 .....	12	..	..	..	12	12	..

**TABLE 14**  
**Non-Institutional Operations Performed Annually**  
**by Sex and Type of Operation**  
**July 1929 - June 1968**

Year	TOTAL 42091	MALE			FEMALE		
		Total	Vasec- tomy	Castra- tion	Total	Salpin- gectomy	Ovari- ectomy
Total .....	4118	295	279	16	3823	3779	44
1929 .....	1	1	1	..	..	..	..
1930 .....	5	..	..	..	5	4	1
1931 .....	4	..	..	..	4	4	..
1932 .....	3	..	..	..	3	2	1
1933 .....	2	..	..	..	2	2	..
1934 .....	15	2	2	..	13	13	..
1935 .....	85	8	8	..	77	75	2
1936 .....	37	2	1	1	35	35	..
1937 .....	42	5	3	2	37	36	1
1938 .....	48	6	5	1	42	41	1
1939 .....	59	7	6	1	52	52	..
1940 .....	59	11	9	2	48	48	1
1941 .....	73	10	8	2	63	63	1
1942 .....	43	3	3	..	40	40	..
1943 .....	41	1	1	..	40	40	..
1944 .....	39	5	5	..	34	34	..
1945 .....	42	4	4	..	38	38	..
1946 .....	57	5	5	..	52	52	..
1947 .....	69	11	8	3	58	58	..
1948 .....	96	11	11	..	85	85	..
1949 .....	135	9	9	..	126	126	..
1950 .....	111	9	9	..	102	102	..
1951 .....	112	14	13	1	98	98	..
1952 .....	134	20	20	..	114	114	..
1953 .....	168	16	16	..	152	152	..
1954 .....	170	22	22	..	148	148	..
1955 .....	165	23	22	1	142	142	..
1956 .....	147	12	11	1	135	133	2
1957 .....	224	20	20	..	204	201	3
1958 .....	243	16	15	1	227	223	4
1959 .....	215	17	17	..	198	194	4
1960 .....	185	6	6	..	179	175	4
1961 .....	214	6	6	..	208	201	7
1962 .....	193	4	4	..	189	184	5
1963 .....	204	6	6	..	198	191	7
1964 .....	207	1	1	..	206	206	..
1965 .....	141	1	1	..	140	140	..
1966 .....	120	..	..	..	120	120	..
1967 .....	123	..	..	..	123	122	1
1968 to June 30 .....	87	1	1	..	86	85	1

<sup>1</sup> Ninety-one of these operations originated in county institutions prior to 1953.

TABLE 15  
State Institutional Operations, by Institution, Sex, and Type of Operation  
July 1929 - June 1968

Institution	TOTAL	MALE			FEMALE		
		Total	Vasectomy	Castration	Total	Salpingectomy	Ovariectomy
Total	2932	784	739	45	2148	2138	10
State Hospitals:							
Broughton Hospital, Morganton	829	225	225	..	604	603	1
Cherry Hospital, Goldsboro	487	191	167	24	296	294	2
Dorothea Dix Hospital, Raleigh	632	98	89	9	534	532	2
John Umstead Hospital, Butner <sup>1</sup>	34	7	7	..	27	27	..
Schools for Mentally Defective:							
Caswell Center, Kinston	597	252	240	12	345	344	1
Murdoch Center, Butner <sup>2</sup>	14	..	..	..	14	14	..
O'Berry Center, Goldsboro <sup>3</sup>	12	..	..	..	12	12	..
Training Schools: <sup>4</sup>							
Eastern Carolina Training School	4	4	4	..	..	..	..
Stonewall Jackson Training School	6	6	6	..	..	..	..
State Home and Industrial School for Girls	300	..	..	..	300	296	4
Morrison Training School	..	..	..	..	..	..	..
State Training School for Negro Girls	3	..	..	..	3	3	..
Others:	14	1	1	..	13	13	..

<sup>1</sup> Opened in 1947

<sup>2</sup> Opened in 1958

<sup>3</sup> Opened in 1957

<sup>4</sup> Petitions for children at training schools are now initiated by county directors of public welfare

TABLE 16  
Operations Performed, by Type of Operation and Race  
July 1929 - June 1968

Type of Operation	Total	White	Negro	Other
Total .....	7141	4314	2778	49
Vasectomy .....	1019	748	269	2
Castration .....	65	36	39	..
Salpingectomy .....	6000	3501	2453	46
Ovariectomy .....	57	29	27	1

TABLE 17  
Type of Operation Performed, by Age and Sex of Person  
July 1929 - June 1968

Age in Years	TOTAL	MALE			FEMALE		
		Total	Vasec- tomy	Castra- tion	Total	Salpin- gectomy	Ovari- ectomy
Total .....	7141	1084	1019	65	6057	6000	57
10-19 .....	2761	429	405	24	2332	2309	23
20-29 .....	2792	359	333	26	2433	2415	18
30-39 .....	1408	204	191	13	1204	1188	16
40-49 .....	166	78	77	1	88	88	..
50 and over .....	12	12	12	..	..	..	..
Unknown .....	2	2	1	1	..	..	..

TABLE 18  
 Operations Performed, by Type of Diagnosis, Source of  
 Petition, and Marital Status  
 July 1929 - June 1968

Diagnosis Shown on Petition	TOTAL 71411	MARITAL STATUS											
		Married			Single			Widowed, Divorced, Separated					
		Total	State Insti- tution	Non- Insti- tutional	Total	State Insti- tution	Non- Insti- tutional	Total	State Insti- tution	Non- Insti- tutional			
Total .....	7050	1696	936	760	4775	1801	2974	579	195	384			
Mental disease ..	1665	892	855	37	587	555	32	186	161	25			
Feeble-mindedness	5036	707	37	670	3950	1082	2868	379	26	353			
Epilepsy .....	349	97	44	53	238	164	74	14	8	6			

1 Ninety-one operations originated in county institutions prior to 1953.

THE EUGENICS BOARD OF NORTH CAROLINA

Cases Handled 1964 - 1973

YEAR	PETITIONS PRESENTED				OPERATIONS AUTHORIZED				OPERATIONS PERFORMED***
	Mentally Retarded	Mentally Ill	Epileptic*	Total	Mentally Retarded	Mentally Ill	Epileptic	Total	Total
1964	246	35	6	287	204	35	4	243	251
1965	208	17	1	226	166	16	1	183	167
1966	161	29	1	191	142	18	1	161	135
1967	212	10	1	223	163	10	1	174	134
1968	179	14	0	193	149	13	0	162	187
1969	191	7	0	198	156	6	0	162	144
1970	193	20	0	213	121	16	0	135	89
1971	154	11	0	165	96	10	0	106	77
1972	103	13	0	116	60	11	0	71	42
1973	n/a	n/a	0	47	n/a	n/a	0	19	6
TOTALS			9	1859			7	1416**	1232

\* The 1967 General Assembly removed epilepsy as one of the conditions for sterilization.

\*\* It should be recognized that not withstanding the provisions of the law, eugenic sterilization in North Carolina is almost always voluntary. The board has authorized only one sterilization since 1965 for which consent was not given by either the patient, the next of kin or both.

\*\*\* As a period of six months is allowed for completion of surgery, the number of operations performed in a given year does not reflect the number of operations authorized by the Eugenics Board during that year.

Source for data: Unpublished charts of the North Carolina Eugenics Board in the collection of the North Carolina State Archiver.