

# Oklahoma court rejects case by race massacre survivors

## Reparations were sought over 'Black Wall Street' violence

Nate Raymond

REUTERS

Oklahoma's highest court on Wednesday dismissed a lawsuit by the last two known living survivors of the Tulsa race massacre in 1921 seeking reparations for the violence and destruction that resulted in the deaths of hundreds of Black people.

The Oklahoma Supreme Court upheld a judge's decision last year to dismiss the case, saying the state's public nuisance law could not be relied upon to address the lingering consequences of "unjust, violent, and tragic moments of our history."

It is estimated that as many as 300 people, most of them Black, died on May 31, 1921, when a large white mob overwhelmed Tulsa's Greenwood neighborhood, a wealthy community nicknamed "Black Wall Street."

Lawyers for Lessie Benningfield Randle, 109, and Viola Fletcher, 110, argued the city of Tulsa and others through the massacre created a public nuisance of racial disparities, economic inequalities and trauma that needed to be abated.

They alongside a third massacre survivor who died while the case was pending, Fletcher's brother Hughes Van Ellis, contended the effects of the massacre continue to be felt today and that the city and others should be forced to compensate victims, replace buildings and return land to the Black community.

But Justice Dustin Rowe wrote that while the "plaintiffs' grievances are legitimate, they do not fall within the scope of our state's public nuisance statute," which was limited to problems involving criminal or property-based conflicts.

"The continuing blight alleged within



**Viola Fletcher's lawyers argued the city of Tulsa and others through the massacre created a public nuisance of racial disparities, economic inequalities and trauma that needed to be abated.** CARLOS BARRIA/REUTERS FILE

the Greenwood community born out of the massacre implicates generational-societal inequities that can only be resolved by policymakers – not the courts," wrote Rowe, an appointee of Republican Gov. Kevin Stitt.

Seven other justices joined Rowe's opinion, while a ninth, Justice James Edmondson, partially dissented.

Lawyers for the plaintiffs did not respond immediately to requests for comment.

The Greenwood area had a population of over 10,000 Black residents at the time when racial segregation was strict and the Ku Klux Klan had strong

membership in Oklahoma.

The massacre began after a white woman told police a Black man had grabbed her arm in an elevator in a downtown commercial building, according to an account by the National Endowment for the Humanities.

Police arrested the man, whom the Tulsa Tribune then reported had tried to assault the woman. White residents surrounded the courthouse, demanding the man be handed over. A white man tried to disarm a Black World War I veteran and a shot rang out, touching off violence in which 35 blocks of Greenwood were destroyed.