

# Foley Secures Victory for Los Angeles County Board of Supervisors in Bruce's Beach Case

Foley & Lardner LLP secured a victory on behalf of the Los Angeles County Board of Supervisors last week when Honorable Judge Michael Beckloff of the Los Angeles County Superior Court denied a County resident's petition for a writ of mandate in an attempt to block the transfer of Bruce's Beach back to the legal heirs of Charles and Willa Bruce.

Bruce's Beach was a popular Black-owned resort in the City of Manhattan Beach that catered to Black beachgoers in the 1910s and 20s. In 1924, the City of Manhattan Beach condemned Bruce's Beach in an act of racial discrimination, seeking to drive out Black patrons from Manhattan Beach. Recognizing this profound historical wrong, Governor Gavin Newsom signed Senate Bill 796 into law, enabling the County to take appropriate actions to return Bruce's Beach to the legal heirs of the Bruce family.

A County resident petitioned for a writ of mandate to block the transfer of the property. The resident primarily argued that the transfer of the property violates Article XVI, Section 6 of the California Constitution, which prohibits the Legislature from giving public funds to private citizens. Foley partner and the County's lead counsel Byron McLain argued that returning the property to the Bruce family is not an improper gift in violation of the California Constitution because this act serves a clear and direct public purpose of addressing and redressing government racial discrimination. As stated in Senate Bill 796, this transfer enables the County to "rectify the historic injustice that was done to the Bruce

family by returning the land...from whom it was taken in an act motivated by racism.”

Judge Beckloff denied the Petitioner’s writ of mandate and held that the anticipated transfer is constitutional, which effectively grants the Los Angeles County Board of Supervisors the power to right this historic wrong. The County’s effort to return Bruce’s Beach “works to strengthen government integrity, represents governmental accountability. . . [and] fosters trust and respect in government,” Beckloff wrote in his ruling. “Redressing past acts of discrimination as well as preventing such acts in the future benefits the whole of the community. The public purpose served by [the County’s efforts] is direct and substantial,” Beckloff found.

McLain commented, “The Superior Court’s decision to allow the County of Los Angeles to transfer the Bruce’s Beach property back to the Bruce family is a huge step in support of the County’s concerted call to action for government entities to recognize and dismantle the history of racial oppression, injustice, and inequity that has left an indelible stain on this nation, most especially, its communities of color.”

In addition to McLain, the Foley team representing the County included Anum Amin and former Foley attorney M. Kristina Fernandez Mabrie. Paralegal Autumn McIntosh and Vivian Hong also assisted in this matter.