Assembly Resolution No. 821

BY: M. of A. Raga

COMMEMORATING Fred Korematsu's 106th Birthday

WHEREAS, It is the custom of this Legislative Body to recognize those milestones and significant events which represent turning points in our unique history and which are indelibly etched in the saga of our great Nation; and

WHEREAS, Fred T. Korematsu was born on January 30, 1919, in Oakland, California, to Japanese immigrants; and

WHEREAS, In February 1942, shortly after Japan attacked Pearl Harbor, President Franklin D. Roosevelt issued Executive Order 9066, authorizing the Secretary of War to exclude any or all residents from certain geographic areas and authorizing federal authorities to provide transportation, shelter and other accommodations for excluded or displaced residents; and

WHEREAS, With that authority, the U.S. Army issued orders excluding more than 100,000 people of Japanese descent, including many U.S. citizens, from areas on the West Coast and requiring them to report to internment camps; and

WHEREAS, Those orders included Exclusion Order 34, which as of May 1942 barred "all persons of Japanese ancestry, both alien and non-alien" from an area near San Francisco Bay and which required Japanese Americans to report to a Civilian Control Center from which they were sent to detention centers and internment camps; and

WHEREAS, Korematsu, a resident of that exclusion zone refused to report because he believed the order violated the basic freedoms guaranteed to him by the United States Constitution, and was convicted of violating Exclusion Order 34, sentenced to five years of probation, and ultimately sent to an internment camp in Utah; and

WHEREAS, Korematsu challenged the constitutionality of his conviction all the way to the U.S. Supreme Court, which upheld the exclusion order as a wartime measure and affirmed his conviction; and

WHEREAS, In the early 1980s, the federal Commission on Wartime Relocation and Internment of Civilians concluded that Executive Order 9066 "was not justified by military necessity, and the decisions which followed from it-detention, ending detention and ending exclusion-were not driven by analysis of military conditions" but instead by "race prejudice, war hysteria and a failure of political leadership," and that "a grave injustice was done to American citizens and resident aliens of Japanese ancestry"; and

WHEREAS, In April 1984, a federal district court in California vacated Korematsu's conviction, finding "substantial" evidence that the government had "deliberately omitted relevant information and provided

misleading information" to the court in prosecuting and convicting Korematsu; and

WHEREAS, Korematsu remained an activist throughout his life, fighting for reparations for those who had been interned during World War II and speaking out after September 11, 2001, against discrimination, violence and detention based on race, religion, and ethnicity; and

WHEREAS, In 1998, President Bill Clinton awarded Korematsu the Medal of Freedom, the country's highest civilian honor; and

WHEREAS, Until his death in 2005, Fred Korematsu continued to advocate for civil liberties and justice by speaking out against racial discrimination at various colleges, law schools, and other organizations; and

WHEREAS, Exclusion orders subjected New York City residents of Japanese descent, including American Citizens, to house arrest, imprisonment on Ellis Island, relocation to distant parts of the U.S., and/or deportation from the U.S.; and

WHEREAS, Many other internment-camp survivors eventually settled in New York- more than 1,100 out of roughly 30,000 people who relocated from the camps before January 1, 1945, and whose movements could later be traced came to New York State- and these survivors contributed to the development of the Japanese American community in New York; and

WHEREAS, Every year on the birthday of Fred Korematsu, there are events hosted in New York by a plethora of groups, such as the Asian American Bar Association of New York, JACL-NY (Japanese American Citizens League - NY Chapter) and NYU Law, to honor and commemorate his life; and

WHEREAS, These celebrations have ranged from artist performances, a special reenactment of Korematsu v. United States, to a documentary screening; and

WHEREAS, Furthermore, NYU Law has hosted an annual event since 2000 in commemoration of Frank Korematsu through a lecture series; this lecture occurs every year in the heart of New York City, Manhattan, and after the COVID-19 pandemic, it has expanded over to Zoom to reach more people in the community; and

WHEREAS, Korematsu's courage in fighting for justice and civil liberties furthered the cause of equality for Asian Americans and made him an inspiration to those in New York and across the country; and

WHEREAS, In the course of history, certain events exemplify the imperative of the human spirit to stand up to oppression; it is incumbent that we remember such events, and honor those courageous individuals who fought for justice; now, therefore, be it

RESOLVED, That this Legislative Body pause in its deliberations to commemorateFred Korematsu's 106th Birthday; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to JACL-NY (Japanese American Citizens League - NY Chapter).