

STAND. COM. REP. NO.

184

Honolulu, Hawaii

FEB 11 2013

RE: S.B. No. 856

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 856 entitled:

"A BILL FOR AN ACT RELATING TO HOLIDAYS,"

begs leave to report as follows:

The purpose and intent of this measure is to recognize Fred
Korematsu and his commitment to preserving civil liberties by
establishing January 30 of each year as "Fred Korematsu Day".

Your Committee received testimony in support of this measure
from the Hawai'i Civil Rights Commission, Korematsu Institute for
Civil Rights and Education, American Civil Liberties Union of
Hawaii, Japanese Cultural Center of Hawai'i, Hawai'i Council for
the Humanities, and five private individuals.

Your Committee finds that Fred Korematsu is an American civil
rights hero who refused to comply with Executive Order 9066 that
mandated the incarceration of one hundred twenty thousand people
of Japanese ancestry in 1942. After he was arrested and convicted
for defying the executive order, Mr. Korematsu appealed his case
to the United States Supreme Court. The Supreme Court ruled
against him and held that the internment of Japanese-Americans was
a military necessity. In 1983, Mr. Korematsu re-opened his case,
and his conviction was overturned in federal court based on
subsequently discovered evidence that the government hid evidence
from the Supreme Court that showed that Japanese-Americans did not
commit any acts of treason to justify mass evacuation,
incarceration, and exclusion. In 1998, Mr. Korematsu was awarded



the Presidential Medal of Freedom, the nation's highest civilian honor.

In 2010, California established January 30 of every year as "Fred Korematsu Day of Civil Liberties and the Constitution", making it the first permanent day named after an Asian American in United States history. Similarly, this measure establishes January 30 of every year as "Fred Korematsu Day" to celebrate, honor, and encourage public education and awareness of Fred Korematsu and his commitment to preserving civil liberties.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 856 and recommends that it pass Second Reading and be referred to the Committee on Technology and the Arts.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



