

KOREMATSU INSTITUTE

FOR CIVIL RIGHTS AND EDUCATION

April 2, 2013

To: The Honorable K. Mark Takai
Chair, House Committee on Veterans, Military, & International Affairs, & Culture And The Arts
Hawai'i State Capitol, Room 432
415 South Beretania St.
Honolulu, HI 96813

From: Karen Korematsu, Co-founder, Korematsu Institute, daughter of Fred Korematsu
Email: karenkorematsu@gmail.com tel: 415-225-8328

Committee Hearing date: Wednesday, April 3, 2013, 11:00 AM
RE: SUPPORT for S.B. 856 Fred Korematsu Day

Dear Representative Takai:

On behalf of the Korematsu Institute for Civil Rights and Education, I write in support of Senate Bill 856, which would establish a permanent “**Fred Korematsu Day**” in the **State of Hawai’i**. Fred Korematsu Day would recognize an American civil rights hero who refused to comply with Executive Order 9066, which in 1942 mandated the unjust incarceration of 120,000 people of Japanese ancestry. After his arrest and conviction, my Father appealed his case to the US Supreme Court, which ruled against him, citing “military necessity” of the Japanese American internment. In 1983, nearly four decades later, my Father re-opened his case, and his conviction was overturned in federal court. His story is one of an individual who dedicated his life to protecting the civil rights of all people. In 1998 he received the Presidential Medal of Freedom, this nation’s highest civilian honor.

In 2010, the Korematsu Institute played a key role in gathering community support for the passage of California’s AB1775, which established “Fred Korematsu Day of Civil Liberties and the Constitution” every January 30th, which is my Father’s birthday. Fred Korematsu Day became the first permanent day named after an Asian American in US history.

On January 30, 2013, the Governors of Hawai’i and Utah both declared Fred Korematsu Day in their states. That same day, the Governor of Michigan also issued a certificate recognizing Mr. Korematsu. This past January, our third Fred Korematsu Day “season,” there were 30 events including Hawai’i commemorating Fred Korematsu Day across 12 states.

Fred Korematsu Day creates an educational opportunity to teach K-12 students and the community at large about Fred Korematsu’s story of standing up against injustice, the Japanese American Internment, Legacy of the 442nd Regimental Combat Team and 100th Battalion. The Korematsu Institute distributes FREE Korematsu Teaching Kits to K-12 teachers around the country. In the past two years, we have fulfilled 3,000 kit requests from 40 different states, including Hawai’i. I have participated in two teacher’s workshops in Hawai’i and with a permanent Fred Korematsu Day in Hawai’i, we would anticipate even more educational support to Hawai’i. For these reasons, the Korematsu Institute strongly supports SB 856. Thank you for considering this significant legislation.

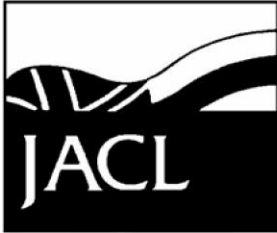
Sincerely,

FRED T. KOREMATSU INSTITUTE FOR CIVIL RIGHTS AND EDUCATION
AT THE ASIAN LAW CAUCUS

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Karen Korematsu

Karen Korematsu
Co-Founder, Korematsu Institute, Daughter of Fred Korematsu



JAPANESE AMERICAN CITIZENS LEAGUE

HONOLULU CHAPTER

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House Committee on Veterans, Military, & International Affairs, & Culture and the Arts
Wednesday, April 3, 2013 at 11:00 a.m.
Hawai'i State Capitol – Room 312

Testimony in **SUPPORT of SB 856**, Relating to Holidays

Dear Chair Takai, Vice Chair Ito, and Members of the Committee:

The Japanese American Citizens League (JACL) Honolulu Chapter supports the passage of Senate Bill 856, which establishes January 30 of each year as “Fred Korematsu Day” to celebrate, honor, raise awareness, and educate about Fred Korematsu and his commitment to preserving civil liberties.

JACL is the nation’s oldest and largest Asian Pacific American civil rights organization with over 20,000 members. Locally our organization has consistently supported efforts to ensure equal rights to all citizens of this state.

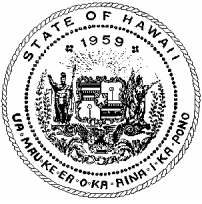
We believe that establishing a “Fred Korematsu Day” via Senate Bill 856 is a meaningful way to commemorate Fred Korematsu’s journey as a civil rights leader, and educate the public regarding his legacy and the importance of preserving civil liberties. The internment of 120,000 Americans of Japanese ancestry during World War II is an appalling part of US history that we must never forget. The internment of US citizens based solely on their ethnicity should never be allowed to happen again to anyone. There should never again be a group of people who are made an exception to the protections afforded under our constitution, and commemorating Fred Korematsu’s legacy will serve as a reminder of how we must stand up against any such injustice.

Establishing a “Fred Korematsu Day” will encourage residents of the state of Hawaii to recognize Fred Korematsu for his contributions to the nation’s civil rights movement. It will also be a means to educate others about what can happen if we fail to remain vigilant about our civil rights and fail to exhibit due care for all members of our community. Additionally, please note that this day highlights the common goals of the internment resisters and their heroic contemporaries of the 442nd Regimental Combat Team of the United States Army: freedom, justice, and equality for all.

We urge you to pass out the measure. Thank you for your time and consideration.

Respectfully,

Kent Mori Walther
Legislative Committee Chair



HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

April 3, 2013
Rm. 312, 11:00 a.m.

To: The Honorable Mark Takai, Chair
Members of the House Committee on Military & International Affairs
& Culture and the Arts

From: Linda Hamilton Krieger, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 856

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

The HCRC supports S.B. No. 856, which establishes January 30 of each year as “Fred Korematsu Day”. Fred Korematsu is an American civil rights hero who should be remembered for his life of courage and love of justice.

After the bombing of Pearl Harbor, President Franklin Roosevelt issued Executive Order 9066 in February 1942, authorizing the evacuation and internment of 120,000 Japanese Americans, the majority of them U.S. citizens. This mass incarceration without charge or trial was a deprivation of rights and liberty on the basis of race. A young man living in Oakland, California, at the time, Fred Korematsu refused to report for internment. After he was arrested and convicted for defying the internment order, he appealed his case to the U.S. Supreme Court. In three major decisions the Court overwhelmingly upheld the race-based curfew, evacuation, exclusion, and internment of Japanese Americans on the basis of military necessity. These cases, *Korematsu*, *Hirabayashi*, and *Yasui*, are widely acknowledged as civil liberties disasters.

In 1983, Korematsu's conviction was overturned by a San Francisco federal court, based on recently discovered evidence that the government had hidden evidence from the U.S. Supreme Court that showed that Japanese Americans had committed no acts of treason to justify mass evacuation, incarceration and exclusion. In 1998 he was awarded the Presidential Medal of Freedom by President Bill Clinton, the nation's highest civilian honor.

When the U.S. District Court Judge Marilyn Hall Patel vacated his conviction in 1983, Korematsu stood before the court and said, "I would like to see the government admit that they were wrong and do something about it so this will never happen again to any American citizen of any race, creed, or color." After 9/11, he spoke out strongly against profiling of Arab, Middle Eastern, Muslim, and South Asians, stating in 2004, "No should ever be locked away simply because they share the same race, ethnicity, or religion as a spy or terrorist." He filed two "Friend of the Court" amicus briefs on behalf of Muslim inmates being held by the government, warning that incarceration without trial based on national security measures was reminiscent of the WWII internment.

Fred Korematsu was committed to justice, not just for Japanese Americans, but for all. He spoke in his own voice, plainly and directly, quietly but powerfully. With a voice of experience, good humor, and remarkably little bitterness, he gave meaning to the cautionary call, "NEVER AGAIN." His words and his life serve as constant reminders that in difficult times we have a responsibility to stand up to government abuses and racist attacks on unpopular minorities.

In pursuing the mission of the Hawai'i Civil Rights Commission, to preserve the civil rights of Hawai'i's people and eliminate discrimination, we try to do as Fred Korematsu did, to imbue our work with a commitment to the principle of justice for all. We are humbled and honored to support S.B. No. 856, to establish January 30 of every year as "Fred Korematsu Day."

Carolyn Ogami
3339A Manoa Road
Honolulu, HI 96822

April 1, 2013

The Honorable K. Mark Takai, Chair
The Honorable Ken Ito, Vice-Chair
Committee on Veterans, Military & International Affairs
and Culture & the Arts

Re: Support for Fred Korematsu Day – S.B. 856 Relating to Holidays
Committee Date: Wednesday, April 3, 2013 at 11:00 a.m.

Dear Representatives Takai and Ito, and distinguished members of the Committee:

I am writing to you as the proud Sansei daughter of a Nisei medic who served with the 100th Regimental Combat Battalion during World War II to ask for your support of Senate Bill 856, a bill seeking to establish January 30th of each year as “Fred Korematsu Day” in Hawai‘i.

It was my distinct privilege to represent the William S. Richardson School of Law and the Fred Korematsu Professorship of Law and Social Justice on the committee that planned the recent events celebrating Fred Korematsu Day on January 30, 2013. The event was a great success, well-attended by people of all ages and ethnic backgrounds who shared a common interest in education and civil rights.

While growing up in Honolulu, I was well aware of the bravery and brotherhood of the 442nd, the 100th Infantry Battalion, and the Military Intelligence Service during WWII. But it was not until 1979, when I was a junior in college, that I first learned about the Japanese American internment camps and the “No-No Boys” who were unwilling to serve in the Armed Forces of the United States on combat duty wherever ordered or to swear unqualified allegiance to the United States after the civil liberties of those interned had been so flagrantly violated. To this day, I dare say most Hawai‘i residents who grew up during the 1950’s through 1970’s do not know about Fred Korematsu or his story. Even undergraduate and graduate students currently enrolled at the University of Hawai‘i do not recognize the name “Fred Korematsu.” Yet, Mr. Korematsu and the other internment camp resisters were as courageous in their fight for equal rights as my father and his 442nd brethren who were awarded the Congressional Gold Medal in 2011 for their service in battle.

Although Mr. Korematsu’s story seems vastly different from my father’s, they are simply opposite sides of the same coin. There are valuable lessons in their diverse experiences to be taught to our grandchildren, great-grandchildren, and future generations of keiki in Hawai‘i – all opportunities to learn about justice, civil liberty, and taking action that is pono. This is what I want my children and grandchildren to know and understand.

For these reasons, I respectfully urge you to support S.B. 856 and designate January 30th of each year as Fred Korematsu Day to celebrate, honor, and encourage public education and awareness of Fred Korematsu and his commitment to preserving civil liberties for American of Japanese ancestry and actions to promote equal rights for all citizens.

Mahalo for your time and consideration.

Very truly yours,

/s/ Carolyn Ogami

COF:

TESTIMONY

SB856

RELATING TO HOLIDAYS

Senate Committee on Veterans, Military & International Affairs and Culture & the Arts

April 3, 2013

11:00 a.m.

Capitol Conference Room 312

RE: Testimony in **SUPPORT** of SB856, Relating to Holidays

To the Honorable Chair Takai, Vice-Chair Ito, and Members of the Senate Committee on Veterans, Military & International Affairs, and Culture & the Arts,

Mahalo nui for the opportunity to strongly **SUPPORT** the recognition of a Fred Korematsu day for the state of Hawai'i, to remind us all of the courage and dedication of Fred Korematsu and the individuals now carrying out his legacy, in upholding the ideals and moral conscience of the country we call our own.

In his risky, go-for-broke act of defiance in the face of patently unjust oppression, Fred Korematsu contributed much to our understanding of the ideals of an enlightened society, and has enriched the fabric of our country's history with his continuing struggle to stand up and call out the hypocrisy of ethnic discrimination in America. The vindication by coram nobis he received decades later was not so much his own, but that of our country itself, as our federal courts finally recognized that Fred Korematsu's vision of a free and just society was indeed truer to our country's ideals than that of our government -- at a time where Japanese immigrants and their children (among many others) were categorically denied a fair shake at the American Dream.

As previous testimony has shown, Fred Korematsu's legacy also includes a following of dedicated individuals who work tirelessly to ensure that we do not repeat the mistakes of our past, that we remain vigilant for any vestige of the tyranny or oppression prevalent throughout the history of humankind, and that as a country we take responsibility for the continuing harms of our past moral transgressions. As guardians of our country's ideals, conscience, and pride, Fred Korematsu and the individuals now carrying out his legacy are true patriots of the United States of America.

Therefore, I respectfully urge the committee to **PASS** SB856. Thank you for the opportunity to testify in support of this measure.

Sincerely,

Wayne Tanaka
Pauoa, Hawai'i 96813

SB856

Submitted on: 4/2/2013

Testimony for VMI on Apr 3, 2013 11:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Dina Shek	Individual	Support	No

Comments: I strongly support the passage of SB 856 to establish "Fred Korematsu Day" in Hawaii. This act would encourage the people--and most significantly the students--of Hawaii to honor Fred Korematsu's legacy of justice and courage in the face of racism and discrimination. As we have already seen in Hawaii and across the nation, "Fred Korematsu Day" events stimulate new partnerships and relationships across sometimes unlikely groups including military veterans, educators, Native Hawaiian communities, civil liberties advocates, new immigrant groups, and students of all ages. Thank you for your thoughtful consideration of this important bill, and I strongly urge you to support SB 856. -Dina Shek.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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JAPANESE CULTURAL CENTER OF HAWAI'I

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April 3, 2013

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TO: The Honorable Mark Takai, Chair
The Honorable Ken Ito, Vice Chair
Committee on Veterans, Military & International Affairs

FROM: Carole Hayashino, President and Executive Director
Japanese Cultural Center of Hawai'i
Email: hayashino@jcch.com; Phone#: (808) 945-7633 Ext. 23

Committee Date: Wednesday, April 3, 2013
11:00 am

RE: **Support for SB 856 Fred Korematsu Day**

On behalf of the Japanese Cultural Center of Hawai'i, I am writing to ask for your support of SB856, a bill that will designate January 30th of each year as "Fred Korematsu Day" to celebrate, honor and encourage public education around Fred Korematsu and his commitment to preserve civil liberties.

For the past ten years, the Japanese Cultural Center of Hawai'i has been documenting the World War II internment of Japanese in Hawai'i through oral histories, personal diaries and historical documents of Hawai'i internees. We have educated the public on the story of Hawai'i interment through curriculum materials, teacher trainings, publications, photo exhibits and production of the first full-length documentary on the subject, "The Untold Story: Internment of Japanese Americans in Hawai'i."

Fred Korematsu's life story and the Japanese American incarceration in Hawai'i are linked and together, their lessons are significant to our state and nation. Remembering the legacy of Fred Korematsu and efforts to preserve Hawai'i's confinement sites provides the opportunity to learn from the past and reminds us of our shared responsibility to uphold the civil and constitutional rights of all people, at all times.

The Japanese Cultural Center of Hawai'i strongly supports S.B. No. 856 and looks forward to commemorating Fred Korematsu Day in Hawai'i. Thank you for your consideration.

Sincerely Yours,

Carole Hayashino
President and Executive Director