



HAWAI‘I CIVIL RIGHTS COMMISSION

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

April 5, 2021
2:00 p.m.
via Videoconference

To: The Honorable Mark M. Nakashima, Chair
The Honorable Scot Z. Matayoshi, Vice Chair
Members of the House Committee on Judiciary and Hawaiian Affairs

From: Liann Ebesugawa, Chair
Hawai‘i Civil Rights Commission

Re: S.C.R. No. 66, S.D.1

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 (on the basis of disability). 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.

S.C.R. No. 66, S.D.1, condemns and denounces anti-Asian sentiment, racism, xenophobia, intolerance, discrimination, and hate crimes and hate speech against Asian Americans and other Asians in the United States. The S.D.1 also requests that the HCRC analyze incidents in Hawai‘i since March 2020 motivated by anti-Asian sentiment, and submit a report and recommendations to the Legislature on how to address and prevent such race-based attacks.

In the wake of the horrific mass shooting in Georgia on Tuesday, March 16, in which six of eight who were killed were Asian women, and an escalating spate of anti-Asian hate speech and hate violence attacks on Asians nationwide over the past year, we share in the sense of loss, sadness and mourning for the victims of these senseless acts, join the broader civil rights community in outrage over the toll that racism continues to rip from the lives of communities of color, and call for justice and protection from continuing racist attacks. It has to stop.

While much has been made of the spike in incidents of anti-Asian harassment and violent attacks on Asians attributed to the escalation of anti-Asian xenophobia and scapegoating during the COVID-19 pandemic, these are not an aberration, but consistent with anti-Asian racism that has been an integral element of American history, society, politics, and culture going back to the 19th century.

Our History of Anti-Asian Racism

The history of racism and discrimination against Asian Pacific Islanders in America is well documented – including immigration policy based on racial quotas, the Chinese Exclusion Act and Gentlemen’s Agreement (barring Japanese immigration), bar to naturalization for Asian immigrants (until after WWII), portrayal as the “Yellow Peril,” alien land laws, contract labor (a form of indentured servitude), Japanese American internment, the broken promise of U.S. citizenship for Filipino veterans who served under U.S. command during WWII, anti-miscegenation laws, and selective enforcement of race-neutral laws. Against this backdrop, Asian Pacific Islander Americans fought back against discrimination and exclusion – the Chinese took seventeen cases to the United States Supreme Court between 1881 and 1896. Some of these established important civil rights precedents.

The Vincent Chin Case – Lessons for Us Four Decades Later

On June 19, 1982, a 27 year old Chinese man was beaten to death in Detroit after an altercation in a strip bar, where he was celebrating his bachelor party a week before his wedding. Vincent Chin was a second generation Chinese American. His attackers were two white men, Ronald Ebens, a Chrysler plant superintendent and his stepson Michael Nitz, a laid-off autoworker. Ebens used racial epithets “Chink” and “Nip” and said, “It’s because of motherf***ers like you that we’re out of work.” A scuffle ensued and everyone was thrown out of the bar.

Ebens and Nitz paid a third man to help them “get the Chinese.” They found him in front of a crowded McDonald’s. Nitz held Chin down while his stepfather swung his Louisville Slugger baseball bat, hitting Vincent Chin’s head four times. Vincent Chin died four days later.

In March 1993, Ebens and Nitz plead guilty and no contest to beating Vincent Chin to death, and

were sentenced to three years probation. The Chinese community in Detroit and then APA communities nationwide were outraged. They organized and demanded justice for Vincent Chin, eventually convincing the Department of Justice to prosecute Ebens and Nitz for violating Vincent Chin's civil rights. Ebens was convicted and sentenced to twenty-five years imprisonment, but that conviction was reversed on appeal. On retrial, Ebens was acquitted. Neither Ebens nor Nitz served a day in prison for admittedly killing Vincent Chin.

Now, in 2021, Asian Pacific Islander Americans are still being targeted for racial harassment and violence. At first it was labeled as particularly despicable because the elderly were being targeted, but attackers have targeted women and men of all ages all across the nation. *No one should feel unsafe in their own communities* – this is not just an issue for Asian Pacific Islander Americans. It is not enough to mourn or to be outraged. We have to confront racism and work toward reconciliation with and for those who have been and continue to be harmed. Only then can we begin to heal.

Thank you for your leadership and taking these important first steps on what will be both an urgent and long journey.



JAPANESE AMERICAN CITIZENS LEAGUE

HONOLULU CHAPTER

P.O. BOX 1291, HONOLULU, HAWAII 96807

EMAIL: jaclhon@gmail.com WEBSITE: www.jaclhonolulu.org

Working For A Greater America

Board Members

April 5, 2021

Geoff Sogi
President

To: The Honorable Mark M. Nakashima, Chair
The Honorable Scot Z. Matayoshi, Vice Chair
Members, House Committee on Judiciary & Hawaiian Affairs

Minda Yamaga
1st Vice President

Alison Kunishige
2nd Vice President

From: Geoff J. Sogi, President
Japanese American Citizens League – Honolulu Chapter

Jacce Mikulanec
3rd Vice President

Re: SUPPORT OF SCR 66, SD1: CONDEMNING AND DENOUNCING ALL FORMS OF ANTI-ASIAN SENTIMENT AND ALL ACTS OF RACISM, XENOPHOBIA, INTOLERANCE, DISCRIMINATION, HATE CRIME, AND HATE SPEECH AGAINST ASIAN AMERICANS AND ASIAN INDIVIDUALS IN THE UNITED STATES.

Shawn Benton
Treasurer

Sean Ibara
Secretary

Aloha, Chair Nakashima, Vice-Chair Matayoshi, and Members of the Committee:

Susan Arnett

Alphonso Bragg

The Japanese American Citizens League (JACL)–Honolulu Chapter strongly supports SCR 66, SD1.

Liann Ebesugawa

David Forman

Founded in 1929, JACL is the nation's oldest and largest Asian American civil rights organization. Locally our organization works to protect the civil and human rights of all member of our community regardless of race, ethnicity, religion, sexual orientation, or any group effected by bigotry or discrimination.

Jamie Hong

Brandon Kimura

Trisha Nakamura

Kent Walther

SCR 66, SD1 is an important action by the Legislature as the State and its leadership has tremendous influence on the sentiments and actions of our communities. SCR 66, SD1 condemns and denounces all forms of anti-Asian sentiment and all acts of racism against Asians in the United States and urges all State and county departments and agencies to take appropriate measures to ensure that official actions, documents, and statements, including those that pertain to the COVID-19 pandemic, do not exhibit or contribute to racism, xenophobia, intolerance, discrimination, or hate crimes against the Asian community. We urge you to pass this measure out of Committee to help demonstrate our State's commitment to the civil rights and dignity of all, and refusal to condone hatred and bigotry. We commend the proactive efforts to not take for granted that anti-Asian sentiments and racism can and do take place in our State.

Legal Counsel

Benjamin Kudo

Advisory Council

Allicyn Hikida-Tasaka

Clayton Ikei

William Kaneko

Colbert Matsumoto

Alan Murakami

While Asians are the current targets of fear and mistrust, we must not forget that this vitriol can easily be focused on any other group. SCR 66, SD1 is one vehicle to help our State remain vigilant in protecting the safety and dignity of those in our communities that may suffer from discrimination. This resolution also demonstrates our solidarity with others in the United States who also believe in the higher ideals of appreciating rather than vilifying racial, ethnic and cultural differences. We know here in Hawai'i that these differences make us a stronger and more resilient community in every way.

Thank you for considering our testimony in strong support of SCR 66, SD1.

SCR-66-SD-1

Submitted on: 4/3/2021 6:54:14 PM

Testimony for JHA on 4/5/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Azuma Chrupalyk	Aloha ?Aina Party	Support	No

Comments:

On behalf fo the Aloha 'Ä€ina Party, its organization and membership, we hereby support the passage of this bill, with reminders to include those of the mixed race category, and to advertise loudly and clearly that Hawai'i will NOT be putting up with racism. Also, let it be reminded that when you think to make it a point to reprimand Kanaka Maoli, you should also remember that your illegal State of Hawai'i consistently develops on Hawaiian burials, displaces Hawaiian people, and represses Hawaiian plight to appease corporate obligations, at the expense of the Hawaiian people. Hawaiian people have every single right to be angry at the crimes against humanity that your corporate state commits agaisnt humanity and our environment. To deny us that right is also racism.

Submitted by

Amy Agbayani, co-chair of the Hawai'i Friends of Civil Rights (HFCR) in strong support of SCR 66 sd1. I respectfully urge you pass the resolutions.

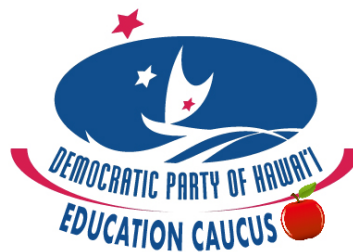
I am an immigrant Filipino; researcher on Asian Americans; Emeritus UH Manoa director for student diversity; and community advocate for civil rights. I want to express my appreciation to your committee for hearing these resolutions, to legislators who introduced the resolution and to members of the Filipino Legislative Caucus who support these resolutions. Your past and continuing attention to issues of discrimination, hate crimes and civil rights are critical to our state and the nation. These resolutions are timely and urgent because of the history and increase in anti-Asian attacks, harassment and discrimination.

A majority of our state is of Asian American ancestry with Filipinos as the largest sub group of Asian Americans (AA). At the national level, AA account for 6% of the US population and are the fastest growing major racial/ethnic group in the US. The largest US racial group is White (60%), followed by Hispanics (18%), Black Americans (12%), Native Americans (1%), Native Hawaiian and Pacific Islanders (< 1%) (Kaiser Family Foundation, 2019). The AA category is diverse and includes 19 ethnic groups. Six groups constitute 86% of all AAs: Chinese (23%), Filipino, (19%), Indian (19%), Vietnamese (9%), Korean (9%), Japanese (7%). Asian Americans make up 28% of immigrants,.

Anti-Asian hate crimes and harassment have increased significantly in schools, neighborhoods, and workplaces during the pandemic. President Trump and other officials referred to COVID-19 as the "Chinese virus" and blamed AAs for the pandemic. AAs were more likely than any other group to report being subjected to slurs or jokes because of their race or ethnicity since the coronavirus outbreak: 31% reported experiencing slurs, compared with 21% of Black adults, 15% of Hispanic adults, and 8% of White adults. Undeniably, in 2020 COVID-19 dominated nearly every aspect of life globally, with the US leading the world in COVID-19 deaths and infections. The pandemic impacted all US ethnic groups with disproportionate numbers of infections and deaths among communities of color. Many AA are essential health workers: 1 in 5 physicians and 1 in 11 nurses. Although only 4% of the nation's nurses are Filipino, 30% of the nurses who died in the pandemic were Filipino. Income inequality only widened during the pandemic because many AA immigrants were frontline low-income workers and small business owners.

Asian American's history of struggles for equality and to "belong" has not been well documented or visible. Last year, Asian Americans joined in solidarity with the Black community and articulated AA benefit from laws and policies guaranteeing civil rights, voting rights, and changes to immigration laws that allowed more legal immigrants from Asian countries. Individuals and institutions must do more to address inequality and racism facing Asian Americans. These resolutions are a clear and valuable commitment to inclusiveness, diversity and equality. I respectfully urge you to pass SCR66 sd1.

Amy Agbayani, co-chair Hawai'i Friends of Civil Rights.



SCR 66, SD 1, CONDEMNING AND DENOUNCING ALL FORMS OF ANTI-ASIAN SENTIMENT AND ALL ACTS OF RACISM, XENOPHOBIA, INTOLERANCE, DISCRIMINATION, HATE CRIME, AND HATE SPEECH AGAINST ASIAN AMERICANS AND ASIAN INDIVIDUALS IN THE UNITED STATES AND REQUESTING THE HAWAII CIVIL RIGHTS COMMISSION TO ANALYZE AND REPORT ON ANTI-ASIAN SENTIMENT AND ACTS IN THE STATE.

APRIL 5, 2021 · HOUSE JUDICIARY AND HAWAIIAN AFFAIRS COMMITTEE · CHAIR REP. MARK NAKASHIMA

POSITION: Strong support.

RATIONALE: The Democratic Party of Hawai'i Education Caucus **strongly supports** SCR 66, SD 1, condemning and denouncing all forms of anti-Asian sentiment and all acts of racism, xenophobia, intolerance, discrimination, hate crime, and hate speech against Asian-Americans and Asian individuals in the United States, and requesting the Hawai'i Civil Rights Commission to analyze and report on anti-Asian sentiment and acts in the state.

Intolerance is an epidemic within the COVID-19 pandemic. As the coronavirus has surged throughout our shores, anti-Asian racism has soared. Stop AAPI Hate tracks reports of violence against Asian American and Pacific Islander communities.

Since the start of the pandemic, they've received reports of nearly 4,000 hate incidents directed toward Asians and Asian-Americans across the U.S. Similarly, a recent report from the Center for the Study of Hate and Extremism at California State University, San Bernardino, revealed that

hate crimes against Asian-Americans in 16 cities rose by 150 percent in 2020. Anti-Asian xenophobia has frequently resulted in violent acts.

Just last month, an armed white male murdered eight people of Asian ancestry in Atlanta, Georgia, in an act of racial terror. We must take a stand against racial discrimination. If we don't, as Martin Luther King, Jr. said, "We will learn very shortly that racism is a sickness unto death."

Kris Coffield · Chairperson, Democratic Party of Hawai'i Education Caucus · (808) 679-7454 · kriscoffield@gmail.com



SCR 66, SD 1, CONDEMNING AND DENOUNCING ALL FORMS OF ANTI-ASIAN SENTIMENT AND ALL ACTS OF RACISM, XENOPHOBIA, INTOLERANCE, DISCRIMINATION, HATE CRIME, AND HATE SPEECH AGAINST ASIAN AMERICANS AND ASIAN INDIVIDUALS IN THE UNITED STATES AND REQUESTING THE HAWAII CIVIL RIGHTS COMMISSION TO ANALYZE AND REPORT ON ANTI-ASIAN SENTIMENT AND ACTS IN THE STATE.

APRIL 5, 2021 · HOUSE JUDICIARY AND HAWAIIAN AFFAIRS COMMITTEE · CHAIR MARK M. NAKASHIMA

POSITION: Strong support.

RATIONALE: Imua Alliance **strongly supports SCR 66, SD 1**, condemning and denouncing all forms of anti-Asian sentiment and all acts of racism, xenophobia, intolerance, discrimination, hate crime, and hate speech against Asian-Americans and Asian individuals in the United States, and requesting the Hawai'i Civil Rights Commission to analyze and report on anti-Asian sentiment and acts in the state.

Intolerance is an epidemic within the COVID-19 pandemic. As the coronavirus has surged throughout our shores, anti-Asian racism has soared. Stop AAPI Hate tracks reports of violence against Asian American and Pacific Islander communities. Since the start of the pandemic, they've received reports of nearly 4,000 hate incidents directed toward Asians and Asian-Americans across the U.S. Similarly, a recent report from the Center for the Study of Hate and Extremism at California State University, San Bernardino, revealed that hate crimes against Asian-Americans in 16 cities rose by 150 percent in 2020. Anti-Asian xenophobia has frequently resulted in violent acts. Just last month, an armed white male murdered eight people of Asian ancestry in Atlanta, Georgia, in an act of racial terror. We must take a stand against racial discrimination. If we don't, as Martin Luther King, Jr. said, "We will learn very shortly that racism is a sickness unto death."

Kris Coffield · Executive Director, Imua Alliance · (808) 679-7454 · kris@imuaalliance.org

SCR-66-SD-1

Submitted on: 4/1/2021 5:42:29 PM

Testimony for JHA on 4/5/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kenneth R. Conklin, Ph.D.	Individual	Support	No

Comments:

As a civil rights activist and as an act of Aloha to my many friends in Hawaii of Asian ancestry, I strongly support this resolution.

SCR-66-SD-1

Submitted on: 4/2/2021 10:18:33 AM

Testimony for JHA on 4/5/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Individual	Support	No

Comments:

Planned Parenthood Alliance Advocates supports SCR 66, SD1. Thank you!

TESTIMONY OF

LARRY S VERAY

TO THE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

MOST STRONGLY SUPPORT SCR66 SD1

CONDEMNING AND DENOUNCING ALL FORMS OF ANTI-ASIAN SENTIMENT AND ALL ACTS OF RACISM, XENOPHOBIA, INTOLERANCE, DISCRIMINATION, HATE CRIME, AND HATE SPEECH AGAINST ASIAN AMERICANS AND ASIAN INDIVIDUALS IN THE UNITED STATES AND REQUESTING THE HAWAII CIVIL RIGHTS COMMISSION TO ANALYZE AND REPORT ON ANTI-ASIAN SENTIMENT AND ACTS IN THE STATE.

April 3, 2021

Aloha, Chair Mark Nakashima, Vice Chair Scot Matayoshi and Committee members. Thank you for allowing me the opportunity to provide testimony on SCR66 SD1. Although I am Chair for the Pearl City Neighborhood Board No. 21, I am submitting this testimony as an individual and because we can't allow for any form of Racism especially against Asian American's and all individuals.

I most strongly urge you to pass SCR66 SD1 because we truly need to send a very clear message to every American and all individuals that all forms of racism will not be tolerated especially against Asians. With the recent dramatic increase in hate crimes, hate speeches and physical assaults against Asian American's, visitors from other countries and other individuals, we need to strengthen the law with SCR66 SD1. Furthermore, the State and Federal government needs to initiate a joint engagement plan to identify those racists in personal attacks on Asians, execute arrest warrants and prosecute with the maximum penalties by law.

Very respectfully,

Larry S. Veray

Testimony Presented Before the House Committee
On Judiciary and Hawaiian Affairs
April 5, 2021 at 2:00 pm

By
Doris Ching
Emeritus Vice President for Student Affairs
University of Hawai'i System

RE: SCR 66 S.D. 1 CONDEMNING AND DENOUNCING ALL FORMS OF ANTI-ASIAN SENTIMENT AND ALL ACTS OF RACISM, XENOPHOBIA, INTOLERANCE, DISCRIMINATION, HATE CRIME, AND HATE SPEECH AGAINST ASIAN AMERICANS AND ASIAN INDIVIDUALS IN THE UNITED STATES AND REQUESTING THE HAWAII CIVIL RIGHTS COMMISSION TO ANALYZE AND REPORT ON ANTI-ASIAN SENTIMENT AND ACTS IN THE STATE.

Chair Nakashima, Vice Chair Matayoshi, Members of the Committee: I am testifying as a private citizen in strong support of Senate Concurrent Resolution 66 S.D. 1, which condemns and denounces Anti-Asian sentiment and all acts of racism and discrimination against Asian Americans and Asian individuals in the United States. In June 2020, Dr. Amy Agbayani and I conducted a survey of Asian Americans and Pacific Islanders (AAPI). The survey respondents included Senator Mazie Hirono who stated, "Reports of violence against Asian Americans nearly tripled – people were spit on, punched, and even stabbed . . ." New York Congresswoman Grace Meng reported, "Since January 2020, we have seen another pandemic—that of hate and injustice against Asian American communities—fueled by misinformation and scapegoating against Asian Americans for the spread of COVID-19." Congresswoman Meng's resolution condemning anti-Asian sentiment was endorsed by over 500 organizations across the nation.

The recent surge of aggressive anti-Asian bullying and racial assaults across the continent in times of the pandemic is disconcerting and especially troubling that unrelenting attacks are escalating fear among Asian Americans in areas of smaller Asian American populations and scarce advocacy in states other than Hawai'i. A Southeast Asian American higher education professional who responded to the survey stated, "I am fearful for the safety of my family and myself. I witness stares and brace for potential altercations in public spaces. I fear for my Chinese American partner who sometimes leaves home unaccompanied. I don't believe this fear will subside soon or ever."

We concur with our survey respondents' call to address racism, including anti-Asian racism. We also believe Asian Americans must be strong to protest racism in solidarity with other racial/ethnic groups. With the surge of racial violence against Asian Americans, we see an urgency for Asian Americans to come together and join forces in unity to support and empower Asian Americans across all regions of the nation. Understanding the power of strength in numbers, an internally strong and united Asian

American community can create a powerful force for equity and justice for all racial/ethnic groups.

I thank the House Committee on Judiciary and Hawaiian Affairs for your insightful and compassionate commitment to diversity, inclusiveness, and equality for Asian Americans and all racial/ethnic groups. SCR 66 S.D. 1 deserves strong support.

Thank you for the opportunity to testify in favor of SCR 66 S.D. 1.

SCR-66-SD-1

Submitted on: 4/5/2021 10:04:25 AM

Testimony for JHA on 4/5/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Catherine Chen	Individual	Support	No

Comments:

I am an immigration attorney at the Medical-Legal Partnership Hawai'i and also currently act as co-chair of the Hawai'i Coalition for Immigrant Rights. I support this important resolution.