SENATE CONCURRENT RESOLUTION

REQUESTING THE UNIVERSITY OF HAWAII AT MANOA CENTER FOR PHILIPPINE STUDIES TO CONVENE A WORKING GROUP TO DETERMINE THE NEED FOR REDRESS FOR THE DISPROPORTIONATE CONVICTION AND EXECUTION OF PEOPLE OF COLOR DURING THE TERRITORIAL HAWAII PERIOD.

WHEREAS, civil rights activist Martin Luther King, Jr., stated "Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."; and

WHEREAS, in The Hawaiian Journal of History Volume 25, Joseph Theroux accounts that between 1897 to 1944, there were seventy-five executions for first-degree murder; and

WHEREAS, almost ninety-five percent of the executed were people of color, one percent were Caucasian, and four percent were of unknown ethnicity; and

WHEREAS, of the people of color executed between 1897 and 1944, twenty-four were Filipino, twenty-four were Native Hawaiian, and the rest were Puerto Rican, Chinese, Korean, and Japanese; and

WHEREAS, ethnic studies scholar and author of Ethnicity and Inequality in Hawaii, Jonathan Okamura, wrote that the outrageously high percentage of Filipinos who were hanged in Hawaii is not necessarily because Filipinos were killing more people than individuals from other ethnic groups; rather, there was eagerness of juries to convict Filipinos, a historical experience parallel to that of African-Americans, who also were, and continue to be, overrepresented among people executed or on death row as a result of being racially stigmatized; and
WHEREAS, a rapid assessment of publicly available court opinions indicates that death sentence cases, sans one, were not appealed and, thus, wrongful convictions were likely not abated, and Jonathan Okamura wrote further that Caucasians who murdered others were often able to escape the death penalty by being charged with a lesser offense than first-degree murder; and

WHEREAS, the executions themselves had a lasting impact on post-statehood perceptions of groups that were overrepresented in the population of individuals executed; and

WHEREAS, the persistence of negative impact, such as automatic prejudice, can be overcome through redress that may include apology, education, and other programs; and

WHEREAS, the University of Hawaii at Manoa Center for Philippine Studies was originally established in 1975 by the Legislature to recognize the contributions of Filipinos to the history of Hawaii, and to highlight the academic expertise pertaining to the Philippines that is available at the University of Hawaii at Manoa; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017, the House of Representatives concurring, that the University of Hawaii at Manoa Center for Philippine Studies is requested to convene a working group to determine the need for redress for the disproportionate conviction and execution of people of color during the territorial Hawaii period; and

BE IT FURTHER RESOLVED that the working group consider types of possible redress including but not limited to apology, education, and other programs; and

BE IT FURTHER RESOLVED that the working group is requested to submit findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2018; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the President of the
University of Hawaii and Director of the Center for Philippine Studies at the University of Hawaii at Manoa.

OFFERED BY: Will Eno