

MAR 10 2017

SENATE 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.

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

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

10
11 WHEREAS, almost ninety-five percent of the executed were
12 people of color, one percent were Caucasian, and four percent
13 were of unknown ethnicity; and

14
15 WHEREAS, of the people of color executed between 1897 and
16 1944, twenty-four were Filipino, twenty-four were Native
17 Hawaiian, and the rest were Puerto Rican, Chinese, Korean, and
18 Japanese; and

19
20 WHEREAS, ethnic studies scholar and author of *Ethnicity and*
21 *Inequality in Hawaii*, Jonathan Okamura, wrote that the
22 outrageously high percentage of Filipinos who were hanged in
23 Hawaii is not necessarily because Filipinos were killing more
24 people than individuals from other ethnic groups; rather, there
25 was eagerness of juries to convict Filipinos, a historical
26 experience parallel to that of African-Americans, who also were,
27 and continue to be, overrepresented among people executed or on
28 death row as a result of being racially stigmatized; and

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30 WHEREAS, a rapid assessment of publicly available court
31 opinions indicates that death sentence cases, sans one, were not
32 appealed and, thus, wrongful convictions were likely not abated,
33 and Jonathan Okamura wrote further that Caucasians who murdered



1 others were often able to escape the death penalty by being
2 charged with a lesser offense than first-degree murder; and
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4 WHEREAS, the executions themselves had a lasting impact on
5 post-statehood perceptions of groups that were overrepresented
6 in the population of individuals executed; and
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8 WHEREAS, the persistence of negative impact, such as
9 automatic prejudice, can be overcome through redress that may
10 include apology, education, and other programs; and
11

12 WHEREAS, the University of Hawaii at Manoa Center for
13 Philippine Studies was originally established in 1975 by the
14 Legislature to recognize the contributions of Filipinos to the
15 history of Hawaii, and to highlight the academic expertise
16 pertaining to the Philippines that is available at the
17 University of Hawaii at Manoa; now, therefore,
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19 BE IT RESOLVED by the Senate of the Twenty-ninth
20 Legislature of the State of Hawaii, Regular Session of 2017,
21 that the University of Hawaii at Manoa Center for Philippine
22 Studies is requested to convene a working group to determine the
23 need for redress for the disproportionate conviction and
24 execution of people of color during the territorial Hawaii
25 period; and
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27 BE IT FURTHER RESOLVED that the working group consider
28 types of possible redress including but not limited to apology,
29 education, and other programs; and
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31 BE IT FURTHER RESOLVED that the working group is requested
32 to submit findings and recommendations, including any proposed
33 legislation, to the Legislature no later than twenty days prior
34 to the convening of the Regular Session of 2018; and
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36 BE IT FURTHER RESOLVED that certified copies of this
37 Resolution be transmitted to the President of the University of
38 Hawaii and Director of the Center for Philippine Studies at the
39 University of Hawaii at Manoa.
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[Signature]

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OFFERED BY:

S.R. NO. 64