SENATE CONCURRENT RESOLUTION

APOLOGIZING FOR THE INTERNMENT OF PREDOMINATELY JAPANESE AMERICANS AT THE HONOULIULI INTERNMENT CAMP DURING WORLD WAR II.

WHEREAS, early on December 7, 1941, as the Japanese military attacked Pearl Harbor, government officials began selectively rounding up Hawaii residents suspected of disloyalty; and

WHEREAS, on February 19, 1942, President Franklin Delano Roosevelt signed Executive Order No. 9066 (EO9066), under which more than 120,000 people of Japanese ancestry were incarcerated in ten concentration camps scattered throughout the western United States and the State of Arkansas during World War II; and

WHEREAS, EO9066 inflicted upon more than 120,000 Americans and residents of Japanese ancestry a great human cost of abandoned homes, businesses, farms, careers, professional advancements, disruption to family life, and public humiliation; and

WHEREAS, United States Army General John L. DeWitt, the head of the Western Defense Command, alleged that, while the majority of people of Japanese ancestry living in California were loyal to the United States, many were spies for the Empire of Japan, stating that "the Japanese in this country have more [arms and ammunition] in their possession than our own armed forces"; and

WHEREAS, General DeWitt informed the Governor of California and the California Legislative Assembly before President Roosevelt signed EO9066, of the plan to intern all people of Japanese ancestry on the West Coast; and

WHEREAS, in Hawaii, the Honouliuli Internment Camp was a civilian internment camp and a prisoner of war camp with a
population of approximately four hundred internees and four
thousand prisoners of war over the course of its use; and

WHEREAS, roughly eight hundred people were interned and
eventually transported to the United States Immigration Station
and the Sand Island Detention Camp on Oahu before the Honouliuli
Internment Camp was established, and of these internees, nearly
all were of Japanese descent; they included influential leaders
of the Japanese American community who were educated, were
teachers or priests, or had access to means of communication
with Japan or to transportation from Hawaii; and

WHEREAS, while most civilians apprehended in the initial
years of World War II would be sent to the mainland to live out
the duration of the war in Department of Justice and War
Relocation Authority camps, the opening of Honouliuli Internment
Camp in March of 1943 provided an alternative to mainland
transfer, as the camp was designed for the express purpose of
confining internees and prisoners of war for longer periods of
time; and

WHEREAS, during this period, the United States Army issued
hundreds of military orders, some of which were applicable only
to persons of Japanese ancestry and enemy aliens, for example,
people of Japanese ancestry were restricted from residing in
certain areas of Oahu and were forcibly removed from their
properties; and

WHEREAS, by the end of World War II, over two thousand
people of Japanese ancestry from Hawaii were interned, but
de spite the suspicion of disloyalty, none of the Japanese
American internees from Hawaii were ever found to be guilty of
sabotage, espionage, or overt acts against the United States;
and

WHEREAS, nearly forty years after the United States Supreme
Court decisions upholding the convictions of Fred Korematsu, Min
Yasui, and Gordon Hirabayashi for violations of Civilian
Exclusion Order No. 34 (in the case of Korematsu), and curfew
(in the cases of Yasui and Hirabayashi), all authorized pursuant
to EO9066, it was discovered that officials from the United
States Department of War and the United States Department of
Justice had altered, destroyed, and withheld information that evidenced the loyalty of the people of Japanese ancestry from the United States Supreme Court in those cases; and

WHEREAS, on May 24, 2011, Acting Solicitor General Neal Katyal said World War II Solicitor General Charles Fahy, who represented the United States Department of Justice in the Korematsu, Yasui, and Hirabayashi cases, "acted dishonorably" by withholding relevant information; and

WHEREAS, many attorneys and interns contributed innumerable hours to win a reversal of the original convictions of Korematsu, Yasui, and Hirabayashi in 1983 by filing a petition for writ of error coram nobis on the grounds that fundamental errors and injustice occurred; and

WHEREAS, in 1980, the United States Congress created the Commission on Wartime Relocation and Internment of Civilians to examine the actions and impact of EO9066. The Commission held twenty days of public hearings, conducted eighteen months of thorough investigation, and published its findings in 1983, which concluded that EO9066 was not justified by "military necessity" but was due to "racial prejudice, wartime hysteria, and a failure of political leadership"; and

WHEREAS, on August 10, 1988, President Ronald Wilson Reagan signed into law the federal Civil Liberties Act of 1988, finding that EO9066 was not justified by military necessity and, instead, was caused by "racial prejudice, wartime hysteria, and a failure of political leadership"; and

WHEREAS, the federal Civil Liberties Act of 1988 apologized on behalf of the people of the United States for the forced exclusion, mass removal, and incarceration of Americans and permanent residents of Japanese ancestry during World War II, and the act also provided for restitution to those individuals of Japanese ancestry who were incarcerated; and

WHEREAS, given recent national events, it is all the more important to learn from the mistakes of the past and to ensure that such an assault on freedom will never again happen to any community in the United States; and
WHEREAS, the year 2020 marks the 76th anniversary of the Supreme Court of the United States' decisions in the Japanese American incarceration cases, and while the Supreme Court ordered Mitsuye Endo released from incarceration, it denied, in Korematsu v. United States, that EO9066 reflected racial prejudice and upheld EO9066 in light of the "strategic imperative" to keep the west coast secure from invasion; now, therefore,

BE IT RESOLVED by the Senate of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, the House of Representatives concurring, that the Legislature apologizes to all Americans of Japanese ancestry for its past actions in support of the unjust exclusion, removal, and incarceration of Japanese Americans during World War II, and for its failure to support and defend the civil rights and civil liberties of Japanese Americans during this period; and

BE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be transmitted to the Governor of the State of Hawaii.