

SENATE JOINT RESOLUTION

No. 95

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2020

Sponsored by:

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Senator DAWN MARIE ADDIEGO

District 8 (Atlantic, Burlington and Camden)

Co-Sponsored by:

Senator T.Kean

SYNOPSIS

Designates January 30 of each year as Fred Korematsu Day of Civil Liberties and the Constitution in NJ.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/28/2021)

1 **A JOINT RESOLUTION** designating January 30 of each year as Fred
2 Korematsu Day of Civil Liberties and the Constitution in New
3 Jersey.
4
5 **WHEREAS**, Fred Korematsu was born on January 30, 1919, in
6 Oakland, California to Japanese immigrants; and
7 **WHEREAS**, Fred Korematsu was denied eligibility twice to serve in the
8 United States military because his selective service classification
9 was changed to enemy alien following the Japanese surprise attack
10 on Pearl Harbor during World War II, even though Fred Korematsu
11 was a United States citizen; and
12 **WHEREAS**, After Fred Korematsu's rejection from the United States
13 military, he attended the Master School of Welding and worked as a
14 shipyard welder in Oakland, California until his employment was
15 terminated due to his Japanese ancestry; and
16 **WHEREAS**, In an attempt to address the nation's wartime fear of a
17 subsequent attack by Japan, President Franklin D. Roosevelt issued
18 Executive Order 9066, which empowered the United States'
19 Secretary of War to establish designated military areas for the
20 evacuation of people viewed as security threats; and
21 **WHEREAS**, In 1942, President Franklin D. Roosevelt authorized
22 Civilian Exclusion Order No. 34 which imposed strict curfew
23 regulations and required 120,000 permanent residents and
24 American citizens of Japanese descent to forcibly leave their homes
25 to be imprisoned in American incarceration camps; and
26 **WHEREAS**, Fred Korematsu refused to comply with Civilian Exclusion
27 Order No. 34 because he believed the order violated the basic
28 freedoms guaranteed to him by the United States Constitution; and
29 **WHEREAS**, On May 30, 1942, Fred Korematsu was arrested and found
30 guilty of violating Civilian Exclusion Order No. 34; a charge which
31 he appealed to the United States Supreme Court; and
32 **WHEREAS**, In 1944, the Supreme Court, upheld the conviction of Fred
33 Korematsu, by a vote of six to three, claiming that his incarceration
34 was justified and not caused by racism; and
35 **WHEREAS**, Following World War II and the release of all Japanese-
36 Americans from incarceration camps, Fred Korematsu attempted to
37 resume an ordinary American life, but the conviction hampered his
38 ability to gain employment; and
39 **WHEREAS**, In 1982, with newly discovered government intelligence
40 reports absolving Japanese-Americans of any wrongdoing during
41 World War II, Fred Korematsu petitioned to have the conviction
42 overturned; and
43 **WHEREAS**, Fred Korematsu's conviction was overturned in 1983; a
44 decision that influenced Congress' passage of the "Civil Liberties
45 Act of 1988", which recognized that a grave injustice was done by
46 the forced relocation and incarceration of Japanese-American
47 citizens during World War II; and

1 **WHEREAS**, In 1998, Fred Korematsu was awarded the Presidential
2 Medal of Freedom, the nation's highest civilian honor, from
3 President Bill Clinton; and

4 **WHEREAS**, Until his death in 2005, Fred Korematsu continued to
5 advocate for civil liberties and justice by speaking out against racial
6 discrimination at various colleges, law schools, and other
7 organizations; now, therefore,

8

9 **BE IT RESOLVED** *by the Senate and General Assembly of the*
10 *State of New Jersey:*

11

12 1. January 30 of each year is designated Fred Korematsu Day of
13 Civil Liberties and the Constitution to educate about and honor the
14 life of Fred Korematsu, his perseverance, and his determination to
15 advocate for the civil liberties of all Americans.

16

17 2. The Governor is respectfully requested to annually issue a
18 proclamation calling upon public officials, private organizations,
19 and all citizens of this State to observe "Fred Korematsu Day of
20 Civil Liberties and the Constitution" with appropriate events and
21 activities.

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23 3. This joint resolution shall take effect immediately.

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STATEMENT

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28 This joint resolution designates January 30 of each year as Fred
29 Korematsu Day of Civil Liberties and the Constitution in New
30 Jersey. Fred Korematsu overcame racial discrimination in his youth
31 and racial prejudice during World War II, which ultimately left him
32 personally incarcerated and later sent Mr. Korematsu and his family
33 to an American incarceration camp in this country. Fred Korematsu
34 maintained his innocence pleading his case all the way up to the
35 United States Supreme Court.

36 Even after the Supreme Court upheld his conviction, Fred
37 Korematsu fought ceaselessly to advocate for the importance of
38 preserving the constitutionally mandated guarantee of liberty for all
39 Americans. Following Fred Korematsu's eventual exoneration in
40 1983, he has continued to advocate for civil liberties by speaking
41 out against racial injustices and cautioning the federal government
42 against repeating mistakes of the past that singled out individuals
43 based on ethnicity, race, nationality, or religion. His daughter,
44 Karen Korematsu, continues his legacy with the establishment of
45 the Fred T. Korematsu Institute.

46 Fred Korematsu's strength, courage, and legacy should be
47 remembered and honored among all citizens and residents of this
48 State.