



City of Carson

Report to Mayor and City Council

February 7, 2012
New Business Consent

SUBJECT: CONSIDERATION OF RESOLUTION NO. 12-016 OBSERVING FRED KOREMATSU DAY OF CIVIL LIBERTIES AND THE CONSTITUTION

Submitted by David C. Biggs
City Manager

Approved by David C. Biggs
City Manager

I. SUMMARY

On January 17, 2012 Councilmember Santarina asked that this item be placed on tonight's agenda. Fred Korematsu was a Japanese-American citizen living on the West Coast during World War II. Korematsu became a fugitive when President Roosevelt ordered all Japanese Americans be placed in internment camps.

The California Assembly and State Senate passed AB 1775, the Fred Korematsu Day of Civil Liberties and the Constitution, without opposition and Governor Arnold Schwarzenegger signed this bill into Law on September 23, 2010.

II. RECOMMENDATION

WAIVE further reading and ADOPT Resolution No. 12-016, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, OBSERVING FRED KOREMATSU DAY OF CIVIL LIBERTIES AND THE CONSTITUTION ON JANUARY 30"

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

Fred Toyosaburo Korematsu was one of the many Japanese-American citizens living on the West Coast during World War II. Shortly after the Imperial Japanese Navy attacked Pearl Harbor, President Franklin D. Roosevelt issued an Executive Order, authorizing the Secretary of War and his military commanders to require all Japanese Americans be removed from designated "military areas" and placed in internment camps. When such orders were issued for the West Coast, Korematsu instead became a fugitive. The legality of the internment order was upheld by the United States Supreme Court in *Korematsu v. United States*, but Korematsu's conviction was overturned decades later after the disclosure of new evidence, challenging the necessity of the Japanese internment, which had been withheld from the courts by the U.S. government during the war.

To commemorate his journey as a civil rights activist, the "Fred Korematsu Day of Civil Liberties and the Constitution" was observed for the first time on January 30, 2011, by the state of California, and was the first such commemoration for an Asian American in the United States.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Resolution No. 12-016. (pgs. 3-4)

Document1

Prepared by: Lisa Berglund, Principal Administrative Analyst

TO:Rev011112

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development	Public Services

Action taken by City Council

Date_____ Action_____

RESOLUTION NO. 12-016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CARSON, CALIFORNIA, OBSERVING FRED
KOREMATSU DAY OF CIVIL LIBERTIES AND THE
CONSTITUTION ON JANUARY 30

WHEREAS, the battle for civil liberties has been championed by ordinary Americans who have had the courage to stand up and fight for their basic Constitutional rights; and

WHEREAS, Fred T. Korematsu was one of the individuals, who refused to comply with Civilian Exclusion Order 34, based on the federal Executive Order 9066, which imposed strict curfew regulations and required 120,000 Japanese Americans to leave their homes to be incarcerated in American concentration camps during World War II; and

WHEREAS, Mr. Korematsu was arrested and convicted, but fought back because he believed the conviction went against the basic freedoms guaranteed to him by the U.S. Constitution, and

WHEREAS, Mr. Korematsu's conviction was ultimately overturned in 1984; a decision that influenced the US government's passage of the Civil Liberties Act of 1988, which recognized that a grave injustice was done by forced relocation and incarceration of civilian Americans because of wartime prejudice ; and

WHEREAS, the California Assembly and State Senate passed AB 1775, the Fred Korematsu Day of Civil Liberties and the Constitution, without opposition and Governor Arnold Schwarzenegger signed this bill into Law on September 23, 2010:

NOW, THEREFORE, BE IT RESOLVED, that the City of Carson California observes Fred T. Korematsu Day of Civil Liberties and the Constitution on January 30, commemorates the life of Fred Korematsu and recognizes the importance of preserving civil liberties, even in times of real or perceived crisis.

PASSED, APPROVED and ADOPTED this _____ day of _____,
2012.

Mayor Jim Dear

EXHIBIT NO. 01
[MORE]



ATTEST:

Chief Deputy City Clerk Wanda S. Higaki

APPROVED AS TO FORM:

City Attorney

