



National Asian Pacific American Bar Association

News Release

For Immediate Release
Dec. 19, 2017

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NAPABA Supports Introduction of the Korematsu-Takai Civil Liberties Protection Act by Senators Duckworth and Hirono

WASHINGTON — Yesterday, on the anniversary of the United States Supreme Court's decision in the landmark case, *Korematsu v. United States* (1944), Senators Tammy Duckworth (D-Ill.) and Mazie Hirono (D-Hawaii) and Representative Mark Takano (D-Calif.) introduced the Korematsu-Takai Civil Liberties Protection Act of 2017. The legislation would make it clear that the discriminatory detentions endorsed in *Korematsu* are prohibited.

“The specter of the *Korematsu* decision haunts us to this day,” said National Asian Pacific American Bar Association (NAPABA) President Pankit J. Doshi. “With this bill, Congress has the chance to repudiate the Supreme Court’s ruling and prevent the country from repeating a dark chapter of our nation’s history. We thank Senators Duckworth and Hirono, and Representative Takano, for their leadership in trying to overturn this widely condemned decision. As leaders in the legal profession and in recognition of our history as Asian Pacific Americans, NAPABA fully supports the introduction and passage of this legislation.”

“We, as a nation, must never forget or repeat the horrors thousands of Japanese Americans experienced as prisoners within our own borders. We must also continue to do everything we can to ensure such a national travesty never happens again. I’m proud to introduce this bill with Senator Hirono in remembrance of my dear friend and former colleague Mark Takai to reinstate our commitment to protecting civil liberties and strengthen our resolve to ensure we never again repeat such shameful acts,” said Senator Duckworth.

“The internment of Japanese Americans was deeply wrong and set a precedent — that it should never happen again. However, the President and his administration continue to advance divisive policies and rhetoric that demonize the Muslim community and other minority communities. By repudiating this legal precedent that could allow a travesty like the internment to happen again, we are standing up for the civil rights of all communities, a worthy cause that I’m sure our friend Mark Takai would have joined us on,” said Senator Hirono.

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“This legislation is an important acknowledgement of the injustice suffered by my grandparents, parents, and more than 115,000 others who were relocated and imprisoned based on nothing more than their heritage,” said Representative Mark Takano. “This stain on our history must serve as a warning of what happens when we allow fear and hate to overwhelm our basic respect for one another. I am proud to introduce this legislation in the House, and I could not think of a more appropriate way to honor the memory of Congressman Mark Takai, who was a good friend, a great public servant, and an even better person.”

Read the [Korematsu-Takai Civil Liberties Protection Act of 2017](#).

The bill, named in honor of Fred Korematsu and Rep. Mark Takai, would amend the Non-Detention Act of 1971 to bar detentions or imprisonment based on protected characteristics, including race or religion. The Non-Detention Act sought to repeal the Emergency Detention Act of 1950, a law that continued the legacy of Executive Order 9066, which led to the incarceration of 120,000 individuals on the basis of their Japanese ancestry under the guise of “military necessity” and national security. The Supreme Court found the orders constitutional following challenges by Fred Korematsu, Gordon Hirabayashi, and Minoru Yasui.

NAPABA worked with the offices of Sens. Duckworth, Hirono, and Rep. Takano, the Korematsu family and *coram nobis* legal teams, and civil rights groups to draft the bill that honors the legacy of Fred Korematsu, recognizes the history of Japanese American incarceration, and seeks to overturn the impact of the Supreme Court’s holding in *Korematsu v. United States*.

NAPABA is proud to join leading groups in the Asian Pacific American community — the Korematsu Institute, Stop Repeating History, the Asian Pacific American Institute for Congressional Studies, the Japanese American Citizens League, and Asian Americans Advancing Justice – AAJC — as original endorsers of the bill.

For more information, the media may contact Brett Schuster, NAPABA communications manager, at 202-775-9555 or bschuster@napaba.org.

The National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors, and law students. NAPABA represents the interests of almost 50,000 attorneys and over 80 national, state, and local Asian Pacific American bar associations. Its members include solo practitioners, large firm lawyers, corporate counsel, legal services and non-profit attorneys, and lawyers serving at all levels of government.

NAPABA continues to be a leader in addressing civil rights issues confronting Asian Pacific American communities. Through its national network of committees and affiliates, NAPABA provides a strong voice for increased diversity of the federal and state judiciaries, advocates for equal opportunity in the workplace, works to eliminate hate crimes and anti-immigrant sentiment, and promotes the professional development of people of color in the legal profession.

To learn more about NAPABA, visit www.napaba.org, like us on [Facebook](#), and follow us on Twitter ([@NAPABA](#)).