



1 HOUSE JOINT RESOLUTION 5

2 WHEREAS, The people of Illinois seek to uphold the values
3 that make the United States and the State of Illinois great,
4 those of freedom, opportunity, equal justice under law for
5 all, and all civil liberties enshrined in the United States
6 and Illinois Constitutions; and

7 WHEREAS, Anti-immigrant sentiment and anti-immigrant
8 extremism have factored into discrimination against Asian
9 Americans and other marginalized people throughout our history
10 and caused real harm to individuals and communities; and

11 WHEREAS, The people and the State of Illinois have a duty
12 to uphold our founding values and actively work to learn from
13 our history and prevent the mistakes and tragedies of our
14 past, including the unconstitutional use of executive orders
15 to deny the guaranteed rights of citizenship; and

16 WHEREAS, It is most appropriate and necessary to
17 commemorate those incredible individuals who have defended
18 civil liberties and resisted oppression within our great
19 nation; and

20 WHEREAS, An assault on civil liberties was launched on
21 February 19, 1942 when President Franklin D. Roosevelt signed

1 Executive Order No. 9066, authorizing the internment of all
2 people of Japanese descent in the United States; under the
3 order, those of Japanese ancestry, many American citizens,
4 were subject to a curfew, ordered to submit to imprisonment,
5 and placed in American internment camps without trial, access
6 to legal counsel, or notice of any criminal charges; and

7 WHEREAS, Fred T. Korematsu of Oakland, California
8 valiantly refused to comply with these directives in an
9 admirable display of civil disobedience and continued to
10 proudly live his life as a free American citizen; he was
11 subsequently arrested and tried for refusing to comply with
12 Civilian Exclusion Order No. 34, which was authorized by
13 Executive Order No. 9066, and he was sent to Topaz internment
14 camp in Utah; and

15 WHEREAS, Fred Korematsu, in a selfless act of sacrifice,
16 agreed to be the representative for those wrongfully
17 imprisoned and appealed his case with the help of Earnest
18 Besig of the American Civil Liberties Union; the case was
19 heard by the United States Supreme Court; and

20 WHEREAS, The Supreme Court upheld the decision to imprison
21 Fred Korematsu in a 6-3 ruling, as well as the
22 constitutionality of discrimination against a racial group as
23 justified under conditions of war; that decision remains a

1 stain upon civil liberties and American values of equal
2 protection under law; his conviction was overturned via a writ
3 of error coram nobis on November 10, 1983 by the United States
4 District Court of Northern California; the Supreme Court
5 recognized the error of the Korematsu decision and overturned
6 it in a 2018 decision saying, "Korematsu was gravely wrong the
7 day it was decided, has been overruled in the court of history,
8 and-to be clear-'has no place in law under the
9 Constitution.'"; and

10 WHEREAS, Fred Korematsu and his legal team appealed to
11 overturn his conviction, inspiring the Civil Liberties Act of
12 1988, which was signed into law by President Ronald Reagan and
13 which formally apologized to those wrongfully incarcerated
14 under Executive Order No. 9066 and acknowledged the order was
15 issued because of "racial prejudice, wartime hysteria, and a
16 failure of political leadership"; he was later awarded the
17 Presidential Medal of Freedom from President Bill Clinton, the
18 highest honor awarded to a civilian who has admirably served
19 the interests of the nation; and

20 WHEREAS, Fred Korematsu continued throughout his life to
21 raise his voice for the voiceless and defend the defenseless
22 in solidarity with those denied civil liberties, including
23 speaking out against the solitary confinement of an American
24 Muslim man in a United States military prison without trial;

1 and

2 WHEREAS, Fred Korematsu passed away on March 30, 2005;
3 today, the Fred Korematsu Institute works to educate people
4 about his life story and the importance of civil liberties;
5 the institute also aims to promote awareness of his life and
6 work by schools, the general public, and state and federal
7 legislators of his life with the observation of his birthdate,
8 January 30, as Fred T. Korematsu Day of Civil Liberties and the
9 Constitution; therefore, be it

10 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE
11 HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
12 SENATE CONCURRING HEREIN, that we commend Fred T. Korematsu
13 for his courageous efforts for civil liberties; and be it
14 further

15 RESOLVED, That we honor the legacy of Fred Korematsu, his
16 institute, and his children who work so diligently to educate
17 the public by encouraging schools and institutes of higher
18 learning throughout the State of Illinois to incorporate his
19 story and valiant stand for American values of justice into
20 their curriculum; and be it further

21 RESOLVED, That suitable copies of this resolution be
22 presented to the Illinois State Board of Education and each

1 Illinois state university.