

Legislative Analysis



FRED KOREMATSU DAY

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Senate Bill 18 as passed by the Senate

Sponsor: Sen. Stephanie Chang

House Committee: Judiciary

Senate Committee: Civil Rights, Judiciary, and Public Safety

Revised 4-21-23

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 18 would amend 2003 PA 225 to designate January 30 of each year as Fred Korematsu Day in recognition of Fred Korematsu's contributions to civil rights.¹

As described in further detail in the bill, Fred Korematsu was an American citizen of Japanese ancestry who in 1942 was arrested for violating an order that essentially required all Americans of Japanese ancestry in western California, Oregon, and Washington to leave their homes and report for relocation to a government internment camp.

Korematsu contested his arrest and conviction, arguing that they violated the Fifth Amendment provision that says the government cannot deprive a person of life, liberty, or property without due process of law. He pursued his case all the way to the United States Supreme Court. In December 1944, in a 6-to-3 decision, the court ruled against him.

Over the following years, Korematsu continued to fight to clear his record and for civil rights protections for all American citizens. In 1983, his conviction was formally vacated by a federal district judge. To date, the Supreme Court has not overruled its 1944 decision in *Korematsu v United States*, although it included remarks disparaging *Korematsu* in an opinion handed down in 2018.

January 30 was Fred Korematsu's birthday. He died in 2005 at the age of 86.

The bill would take effect 90 days after being enacted.

Proposed MCL 435.304

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

¹ The act now designates March 31 as Cesar E. Chavez Day, July 14 as President Gerald R. Ford Day, and July 30 as Henry Ford Day.