

The Neighborhood News 1

1 April 2025

San Jose, California

Korematsu Ct

Hirabayashi Dr

Signs of trouble



Signs of trouble

SOURCES: Underlined words link to them. Also see **A NOTE ON SOURCES** on the next-to-last page..

Eight months apart and a bit over a century ago, Fred Toyosaburo Korematsu was born in Oakland, California, and Gordon Kiyoshi Hirabayashi was born in Seattle, Washington. Their parents had emigrated from Japan during a period from 1885 to 1907 when the Territory of Hawaii and the states of California, Oregon and Washington sought Japanese workers to meet the increasing labor needs of their booming agricultural economies.

The signs in the cover photo are where the one-block streets bearing their names intersect in an Almaden Valley neighborhood of \$2 million-plus houses next to Castillero Middle School. Korematsu and Hirabayashi died in 2005 and 2012, respectively. They are remembered because they were tried and convicted in 1942 of violating President Franklin D. Roosevelt's Executive Order 9066. The order, issued three months after Japan attacked Pearl Harbor, resulted in the hasty construction of a gulag of 10 "concentration camps," as FDR called them in memos, to imprison Japanese Americans living in western states. In all, 120,000 men, women and children of Japanese ancestry — two-thirds of them U.S. citizens like Korematsu and Hirabayashi — were imprisoned for most of the war.

Korematsu and Hirabayashi's cases went all the way to the Supreme Court, where they lost in 1943. Those rulings were landmark decisions that hang over us today. Whether a 2018 opinion by current Chief Justice John Roberts on another case overturned *Korematsu v. United States* is disputed by legal experts.

The imprisoned Japanese Americans had neither been charged with or convicted of any crime. Short of violating FDR's order and being taken to court, as Korematsu and Hirabayashi did, they had no legal way to dispute the grounds for their incarceration. They were locked up for something they could not change: being Japanese Americans. The same constitutional rights of due process and birthright citizenship that Roosevelt's order ignored have been put in jeopardy again by Donald Trump's second presidency.

I've considered doing a newsletter on the men behind the street names for several years. I drive past their signs to hike in Almaden Quicksilver Park. But executive orders targeting unpopular people are back in vogue for many of the same fear and racism reasons as in WWII. This newsletter's time has come.

Today's variation on the fear and racism theme of both historical periods is the concern about "wokeness" and DEI (diversity, equity, inclusion), which in practice sanitizes history of anything that might make a white American uncomfortable and restrict government policy from anything that would chip away at that white advantage. The second-class status accorded anyone not conforming to the look and heritage of the Europeans who settled the 13 original colonies has been a persistent theme of our national history.

I knew the significance of the street sign names from the Supreme Court decisions. My father, who served as a sailor in the South Pacific, had told me about what were then called "internment camps" while recalling his military service against the "Japs." He was a diesel mechanic for PT (patrol torpedo) boats that attacked Japanese shipping from a base on a tiny South Pacific island. He spent a year in California naval hospitals after contracting an auto-immune disease there, and he agreed with the majority in the poll cited below.

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WESTERN DEFENSE COMMAND AND FOURTH ARMY WARTIME CIVIL CONTROL ADMINISTRATION

Presidio of San Francisco, California

April 1, 1942

INSTRUCTIONS TO ALL PERSONS OF JAPANESE ANCESTRY

Living in the Following Area:

All that portion of the City and County of San Francisco, State of California, lying generally west of the north-south line established by Junipero Serra Boulevard, Worcester Avenue, and Nineteenth Avenue, and lying generally north of the east-west line established by California Street, to the intersection of Market Street, and thence on Market Street to San Francisco Bay.

All Japanese persons, both alien and non-alien, will be evacuated from the above designated area by 12:00 o'clock noon Tuesday, April 7, 1942.

No Japanese person will be permitted to enter or leave the above described area after 8:00 a. m., Thursday, April 2, 1942, without obtaining special permission from the Provost Marshal at the Civil Control Station located at:

1701 Van Ness Avenue
San Francisco, California

The Civil Control Station is equipped to assist the Japanese population affected by this evacuation in the following ways:

1. Give advice and instructions on the evacuation.
2. Provide services with respect to the management, leasing, sale, storage or other disposition of most kinds of property including: real estate, business and professional equipment, buildings, household goods, boats, automobiles, livestock, etc.
3. Provide temporary residence elsewhere for all Japanese in family groups.
4. Transport persons and a limited amount of clothing and equipment to their new residence, as specified below.

The Following Instructions Must Be Observed:

1. A responsible member of each family, preferably the head of the family, or the person in whose name most of the property is held, and each individual living alone, will report to the Civil Control Station to receive further instructions. This must be done between 8:00 a. m. and 5:00 p. m., Thursday, April 2, 1942, or between 8:00 a. m. and 5:00 p. m., Friday, April 3, 1942.

2. Evacuees must carry with them on departure for the Reception Center, the following property:

- (a) Bedding and linens (no mattress) for each member of the family;
- (b) Toilet articles for each member of the family;
- (c) Extra clothing for each member of the family;
- (d) Sufficient knives, forks, spoons, plates, bowls and cups for each member of the family;
- (e) Essential personal effects for each member of the family.

All items carried will be securely packaged, tied and plainly marked with the name of the owner and numbered in accordance with instructions received at the Civil Control Station.

The size and number of packages is limited to that which can be carried by the individual or family group.

No contraband items as described in paragraph 6, Public Proclamation No. 3, Headquarters Western Defense Command and Fourth Army, dated March 24, 1942, will be carried.

3. The United States Government through its agencies will provide for the storage at the sole risk of the owner of the more substantial household items, such as iceboxes, washing machines, pianos and other heavy furniture. Cooking utensils and other small items will be accepted if crated, packed and plainly marked with the name and address of the owner. Only one name and address will be used by a given family.

4. Each family, and individual living alone, will be furnished transportation to the Reception Center. Private means of transportation will not be utilized. All instructions pertaining to the movement will be obtained at the Civil Control Station.

Go to the Civil Control Station at 1701 Van Ness Avenue, San Francisco, California, between 8:00 a. m. and 5:00 p. m., Thursday, April 2, 1942, or between 8:00 a. m. and 5:00 p. m., Friday, April 3, 1942, to receive further instructions.

J. L. DeWITT
Lieutenant General, U. S. Army
Commanding

Signs of trouble

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Asked by the American Institute of Public Opinion, father of the Gallup Poll, a month after Roosevelt's order, 93% of Americans said: "We are doing the right thing in moving Japanese aliens (those who are not citizens) away from the Pacific coast." Asked the same question about "Japanese born in this country and are United States citizens," 59% answered yes. Compare that to a Washington Post-Ipsos poll last month, which found 89% support among Americans for deporting undocumented immigrants accused of violent crimes and 62% support for deporting those accused of nonviolent crimes.

Roosevelt's order was issued at the height of widespread American fear of a Japanese invasion on the West Coast. But it also was nurtured by longstanding anti-Asian racism, especially in the west, dating to Chinese immigration during the 1849 California Gold Rush and later to build the Transcontinental Railroad. Japanese immigrants, who called themselves *Issei* (first generation), were prohibited from applying for citizenship or buying property, for example, though their American-born children, *Nisei* (second generation), were citizens under the 14th Amendment.

Public notices gave Japanese Americans a week to pack what belongings they were allowed and report to collection points, from where they were transported to their assigned camps. For many, it meant the loss of their family's fortunes because they had to sell homes, businesses and possessions at fire sale prices or see them forfeited to lenders.

The government also imprisoned 418 non-citizen Italian immigrants in the war. And from a population of 12.2 million U.S. residents who'd been born in Germany or had at least one German parent, the government imprisoned 11,000 German Americans. But in both instances, those held had been investigated and identified as security risks.

Odd as it seems today, of the 150,000 Japanese Americans living in the Territory of Hawaii in 1941 — a third of its population — fewer than 2,000 were imprisoned.

Korematsu and Hirabayashi appealed their convictions but eventually lost at the Supreme Court. In his dissent from the 6-3 decision in *Korematsu v. United States* in 1944, Justice Frank Murphy wrote that the majority opinion "falls into the ugly abyss of racism." Murphy considered that particularly ironic considering "the abhorrent and despicable treatment of minority groups by the dictatorial tyrannies which this nation is now pledged to destroy." It was one of the first Supreme Court opinions ever to use the word "racism."

Unlike the instances of Italian American and German American imprisonment during the war, individual Japanese Americans were not investigated. Their imprisonment as a group was found to be a "military necessity" under FDR's executive order. In the government's argument to the Supreme Court in *Korematsu*, Solicitor General Charles H. Fahy said the military necessity was justified by findings of a pre-war study, done by the Office of Naval Intelligence, of security risks that Japanese Americans posed. The Supreme Court majority in *Korematsu* accepted the government's argument as decisive.

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Manzanar, California

Like the nine other concentration camps, Manzanar was located in a desolate area, in part to make escape more difficult. This camp was in the arid Owens Valley on the eastern slope of the Sierra Nevada. Sequoia National Park is west, just over the ridge in the background. The camp held about 10,000 Japanese Americans who grew their own food within the guarded perimeter that enclosed 1.27 square miles / 3.3 square kilometers.

1943 photo by Ansel Adams / Library of Congress

Signs of trouble

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- It took 36 years before proof emerged in research by for a book on Japanese American imprisonment by lawyer Peter Irons that Fahy had lied to the Supreme Court about those security risks.
- It took 39 years before Korematsu's conviction was overturned.
- It took 43 years before both of Hirabayashi's convictions were overturned.
- It took 71 years — a year after Korematsu died — before the Department of Justice acknowledged what Fahy had done.

What Fahy had done was to hide the existence of the 1941 Ringle Report to the Office of Naval Intelligence. The report concluded “the entire ‘Japanese Problem’ has been magnified out of its true proportion, largely because of the physical characteristics of the people; that it is no more serious than the problems of the German, Italian, and Communistic portions of the United States population, and, finally that it should be handled on the basis of the individual, regardless of citizenship, and not on a racial basis.”

The evidence was uncovered as Japanese Americans — some of whom fought for the U.S. in Europe (Korematsu was discouraged from responding to a military recruitment drive at his high school by the military representative because of his race) — slowly regained a level of societal acceptability and were elected to public office.

Sen. Daniel K. Inouye of Hawaii introduced a bill in Congress in 1979 creating the Commission on Wartime Relocation and Internment of Civilians. The commission would investigate the creation of Roosevelt's executive order and recommend remedies to what by then was widely perceived as injustice. Inouye had witnessed the Pearl Harbor attack, then enlisted in the Army. He lost an arm in combat and won the Congressional Medal of Honor (one of 21 awarded to soldiers in the all-Japanese American 442nd Regimental Combat Team) as an infantryman in Italy.

Rep. Norman Mineta of San Jose, who spent three years as a boy at the Heart Mountain Relocation Center near Cody, Wyoming, said he could not sponsor the House version of Inouye's bill because it was too personal. He got his friend, Republican Majority Leader Jim Wright of Texas, to do so. San Jose voters elected Mineta mayor in 1971, making him the first Japanese American mayor of a major American city. After serving in Congress, Mineta served in the cabinets of presidents Bill Clinton and George W. Bush. His name is on San Jose's international airport, a local freeway, the Mineta Transportation Institute at San Jose State University and the Department of Transportation building in Washington, D.C.

The commission was created in 1980 under President Jimmy Carter and took testimony from 750 witnesses in hearings around the country as part of its work. Among other things, the commission's 467-page report, Personal Justice Denied, called for an official government apology, which President Ronald Reagan signed as part of the Civil Liberties Act of 1988, and for reparations.

In 1982 reparations of \$20,000 were paid to each of the camps' 60,000 then-living survivors.

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Tule Lake, California

Nearly 19,000 Japanese Americans were held here in the far northeastern corner of the state near the Oregon border. All buildings were wood and tarpaper with no insulation. One-room “apartments” held up to eight cots lit by a single electric bulb and were heated by an oil stove.

1943 photo by Russell Lee / Library of Congress

Signs of trouble

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Today, well documented seizures of non-citizens collide with — if not obliterate — the distinction between legal arrest and government kidnapping. The first unanswered question for the government is what evidence it has on each of the individuals below that he or she has violated a U.S. law.

- Two students were detained and jailed in Louisiana, hundreds of miles from where they were taken into custody, pending deportation. Neither has been charged with a crime. Both are said by the government to be sympathetic to the Hamas terrorist organization. They are Columbia University student Mahmoud Kahlil, a legal permanent resident who was born in a Palestinian refugee camp in Syria and who has led pro-Palestinian demonstrations, and Georgetown University's Badar Khan Suri of India, a research fellow at the university's School of Foreign Service whose wife, a U.S. citizen, worked with the Gaza foreign ministry.
- Rumeysa Ozturk, a Turkish student at Tufts University in Massachusetts, was seized by masked plainclothes officers and jailed without charges. A federal judge ordered that she not be removed from Massachusetts, but her lawyer said an Immigration and Customs Enforcement tracking service located her in Louisiana. A year ago, Ozturk wrote an op-ed with three others in the Tufts student newspaper criticizing the university's response to the pro-Palestinian movement on campus. The Department of Homeland Security emailed the Washington Post that Ozturk had "engaged in activities in support of Hamas" without any supporting details. The story has video of her arrest.
- More than 200 immigrants alleged to be members of a Venezuelan criminal gang were seized and deported to El Salvador in defiance of a court order. El Salvador has imprisoned them and is charging the U.S. government \$6 million to do so. The U.S. did not charge them with any crime nor did the deportees have an opportunity to challenge the reasons for their arrests. Lawyers for some of the individuals have denied their clients were gang members. Tom Homan, the administration's "border czar," said in a Fox News interview after the Venezuelans' deportation that he would continue this practice because "I don't care what the judges think. I don't care what the Left thinks. We're coming."
- Today, the government acknowledged its first mistake in the El Salvador deportations but argued to a judge that there's no way to fix it now. Kilmar Abrego Garcia, an El Salvadoran national with a U.S. citizen wife and three disabled children, fled to the United States to avoid being forced into a criminal gang. He has no criminal record in either country and in 2019 was allowed to remain in the U.S. by a federal judge because of a credible threat he would be killed by the gang Barrio 18 if sent back. The government now says it has no leverage it can use to negotiate his release.

The Alien Enemies Act says justifies these actions because the United States has been "invaded," in Trump's word. The law was last used as the basis for Roosevelt's executive order. Yet despite a proclamation invoking the act posted on the White House website and a version of the proclamation with his signature published in the Federal Register, Trump denied signing it at a press gaggle.

The Alien Enemies Act was declared unconstitutional in 1996 by U.S. District Judge Maryanne Trump Barry, President Trump's now-deceased sister. Her decision was thrown out later that year by the U.S. Court of Appeals for the Third Circuit. Judge Samuel Alito, now a Supreme Court justice, wrote the opinion saying it was because the suit was filed in the wrong court. "We do not reach the merits of the constitutional questions decided by the district court," Alito wrote, meaning the issue prompting the suit remains undecided.





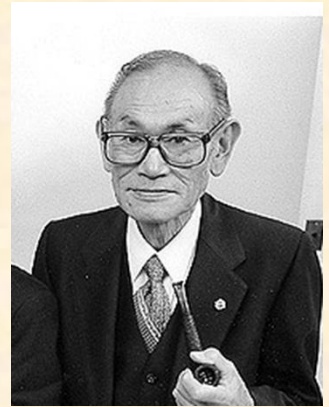
Mess hall

The National Park Service has restored some of the buildings at Manzanar. This is where people came to eat. There was no cooking in apartments.

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American heroes

FRED KOREMATSU (1919-2005) worked as a draftsman after the war but his real profession was being a civil rights advocate. A U.S. Army recruiter handing out flyers at Korematsu's high school said he had orders not to recruit Korematsu. Later, Korematsu was rejected trying to enlist in the Navy. When his conviction was overturned in 1983, he told the court that "If anyone should do any pardoning, I should be the one pardoning the government for what they did to the Japanese-American people." He was awarded the Presidential Medal of Freedom in 1998 and lived most of his life in Oakland, where he was an elder at First Presbyterian Church. He is buried in Oakland's Mountainview Cemetery. His daughter, Karen Korematsu, is founder and director of the Fred T. Korematsu Institute and spoke a few days ago at the University of North Carolina School of Law where she said "My father's Supreme Court case is more relevant now than ever."



GORDON HIRABAYASHI (1918-2012) studied sociology in college, earning his bachelors, masters and doctorate at the University of Washington in his hometown. He taught at the American Universities of Beirut, Lebanon and Cairo, Egypt before settling at the University of Alberta, Canada. He taught there from 1959 until his retirement in 1983. He was chair of the university's sociology department for five years. He was a Quaker and a conscientious objector. He said overturning his verdict proved to him how strong the United States could be. But he added that protecting the Constitution requires constant vigilance. "Otherwise, it's a scrap of paper. We had the Constitution to protect us in 1942. It didn't because the will of the people wasn't behind it." Hirabayashi was awarded the Presidential Medal of Freedom posthumously in 2012. He was cremated and the location of his ashes is unknown.

The concentration camps

Ten camps were operated by the War Relocation Authority in remote areas of the country to imprison Japanese Americans living in California and Washington and portions of Oregon and Arizona. Here's a list of them with their peak populations:

Camp	State	Opened	Closed	Peak population
<u>Manzanar</u>	California	March 1942	November 1945	10,046
<u>Tule Lake</u>	California	May 1942	March 1946	18,789
<u>Heart Mountain</u>	Wyoming	August 1942	November 1945	10,767
<u>Minidoka</u>	Idaho	August 1942	October 1945	9,397
<u>Topaz</u>	Utah	September 1942	October 1945	8,130
<u>Poston</u>	Arizona	May 1942	November 1945	17,814
<u>Gila River</u>	Arizona	July 1942	September 1945	13,348
<u>Granada</u>	Colorado	August 1942	January 1946	7,318
<u>Rohwer</u>	Arkansas	September 1942	November 1944	8,475
<u>Jerome</u>	Arkansas	October 1942	June 1944	8,497



Family apartment

Most of the 4,000 Japanese Americans from San Jose and Santa Clara County were shipped to the Heart Mountain Relocation Camp in Wyoming. This is a portion of a recreated 20x20-foot / 6x6-meter single-room family apartment for six people that I photographed in the Japanese American Museum of San Jose. Single-sex bathrooms were in separate buildings with no interior dividers between toilets or showers. Walls between apartments were only as high as the lower edge of the peaked roofs, so sound traveled the length of each six-apartment barracks.

A note on sources

Some of the information in this newsletter came from U.S. government websites under control of the Trump Administration, including the National Park Service and Department of Defense (DoD), or from websites owned by private organizations that have received federal grant funding from the park service, such as the Japanese American Museum of San Jose and Densho, a Seattle-based non-profit that documents the World War II imprisonment experience online. Based on multiple undisputed reports as well as my own personal experience on these sites, you should know that information may have been altered or deleted since Trump took office or entire sites may have been taken down.

DoD links contained in this story, such as the one on the Ringle Report, may display a notice reading “Content on this website has been revised or removed to align with the President’s executive orders and DoD priorities in accordance with DoD Instruction 5400.17 ‘Official Use of Social Media for Public Affairs Purposes.’”

I called and emailed both the National Park Service and Densho to ask whether they had altered the information they provide the public. In a week’s worth of contact attempts, I got one email from the park service asking me to submit a list of questions, which I did. You can read them here. A park service spokesperson replied that no changes have been made so far to the Japanese American Confinement Sites Grant Program from which the two private organizations mentioned above have received funding for historical research. “The National Park Service is waiting for more information on the Fiscal Year 2025 budget and appropriations to understand what program funding levels will be for this fiscal year,” the park service’s reply said.

I’ve tried to reach Densho by phone and email with no luck. However, I did interview Vanessa Hatakeyama, named last fall as the new executive director of the Japanese American Museum of San Jose. JAMsj, as it’s called, operates on a \$650,000 annual budget but has not received recent park service funding and has not made changes to its program, she said.

She acknowledged, though, that in speaking to me, the museum could attract unwanted government attention because diversity, equity and inclusion, commonly called DEI, are at the heart of its mission.

“We’ve been on the news in various respects several times in regard to related topics,” she said. “While I’m aware that [government scrutiny] could be a consequence, we also feel like it’s our role as a museum — specifically a museum that serves the Japanese American population community — that we not remain silent on topics such as these. We’re not trying to make anyone angry, necessarily, but we also don’t think that it’s a time for us to keep quiet or go to ground.”

Acknowledgement

I owe special thanks to the Rev. Art Mills, who from 1996-2005 was pastor of Stone Church of Willow Glen, the church I attend in San Jose. He allowed me to use his photography and information from his website. Now retired and living in Oregon, Art set out in 2017 to visit, photograph and write about all 10 camps where Japanese Americans were imprisoned by the War Relocation Authority created during World War II. He was forced to abandon his pilgrimage part-way through because of back problems. You can read about his endeavor — which includes lots of detail and historical photos about living in the prison camps — on his website Journey of Conscience.



Guard tower

Prisoners lived, worked, attended school and played under the watch of armed guards. This is how one of the eight towers at Manzanar looks today, preserved by the National Park Service as the Manzanar National Historic Site.

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