

Assembly Concurrent Resolution

No. 74

Introduced by Assembly Member Alejo

June 30, 2011

Assembly Concurrent Resolution No. 74—Relative to Filipino Americans.

LEGISLATIVE COUNSEL'S DIGEST

ACR 74, as introduced, Alejo. Filipino Americans.

This measure would express the Legislature's apology, on behalf of the people of the state, for violations of the constitutional and civil rights of Filipino Americans and its regret, on behalf of the people of the state, for the suffering and hardship endured by Filipino Americans as a result of government actions and programs.

Fiscal committee: no.

1 WHEREAS, Filipino Americans have a long and documented
2 history of suffering discrimination, prejudice, and animosity in the
3 State of California; and
4 WHEREAS, Filipino Americans endured past transgressions
5 and wrongs committed against them through the implementation
6 of state policies and the passage of certain laws, including the
7 segregation of Filipino Americans through the use of separate
8 public facilities and targeted immigration policies; and
9 WHEREAS, In the 1920s, sentiment against Filipino Americans
10 was fueled by the Department of Industrial Relations publishing
11 "Facts about Filipino Immigration into California" that contained
12 an introduction describing a "third wave of Filipino immigration,"
13 the pace of which was characterized as being too great, and that

1 implied the wrong kind of Filipinos were immigrating to the state;
2 and

3 WHEREAS, In 1921, the California Legislature passed an
4 amendment to the Political Code that allowed the legal
5 establishment of separate schools for children of Chinese, Japanese,
6 Indian, or Mongolian heritage; and

7 WHEREAS, Once those schools were built, districts in
8 Sacramento County maintained separate education facilities in the
9 communities of Florin, Walnut Grove, Isleton, and Courtland, and
10 Chinese, Japanese, and Filipino children in these school districts
11 attended segregated schools until World War II; and

12 WHEREAS, In 1929, the California Attorney General wrote an
13 opinion that was contrary to one written in 1921 by the Los Angeles
14 County Counsel regarding the question of whether county clerks
15 in Los Angeles County could issue marriage licenses to Filipinos
16 without violating the antimiscegenation law, which classified
17 Filipinos as being Mongolian; and

18 WHEREAS, In 1929, the California Legislature passed a
19 resolution requesting an enactment by the United States Congress
20 to restrict Filipino immigration; and

21 WHEREAS, The Northern Monterey Chamber of Commerce
22 adopted anti-Filipino resolutions proclaiming that Filipinos were
23 undesirable, depressed the wage scale of other nationalities,
24 possessed unhealthy habits, and brought in disease; and

25 WHEREAS, In 1930, the most explosive anti-Filipino riot
26 occurred in Watsonville where Filipinos were relentlessly harassed,
27 and the riot culminated in the killing of Fermin Tobera; and

28 WHEREAS, Anti-Filipino riots quickly spread throughout
29 California to cities such as Stockton, San Francisco, Salinas, and
30 San Jose; and

31 WHEREAS, Anti-Filipino vigilante groups committed acts of
32 violence due to the beliefs that Filipino field laborers were
33 intermingling and having intimate relations with Caucasian women,
34 in violation of the California antimiscegenation laws enacted during
35 that time, and were depressing wages in the harvest fields and
36 taking jobs belonging to Americans; and

37 WHEREAS, In 1933, the California Legislature amended its
38 antimiscegenation law to cause any marriage of Caucasians with
39 “negroes, Mongolians, members of the Malay race, or mulattoes
40 to be illegal and void”; and

1 WHEREAS, In 1934, the federal government passed the
2 Tydings-McDuffie Act, also known as the Philippine Independence
3 Act, which limited Filipino immigration to the United States to 50
4 persons per year; and

5 WHEREAS, Section 8 of the Tydings-McDuffie Act recognized
6 the Philippine Islands as a separate country and restricted
7 immigration by considering citizens of the Philippine Islands who
8 were not citizens of the United States to be aliens; and

9 WHEREAS, the Tydings-McDuffie Act paved the way for the
10 Filipino Repatriation Act of 1935; and

11 WHEREAS, In 1935, the United States Congress passed the
12 Filipino Repatriation Act, which called for the federal government
13 to pressure Filipinos to return to the Philippines by offering them
14 free passage there; and

15 WHEREAS, In 1946, California voters defeated Proposition
16 11, which would have outlawed discrimination based on race,
17 religion, color, national origin, or ancestry in the area of
18 employment practices and would have established a Fair
19 Employment Practices Commission to promote equal opportunity
20 in employment; now, therefore, be it

21 *Resolved by the Assembly of the State of California, the Senate*
22 *thereof concurring,* That the Legislature, on behalf of the people
23 of the state, apologizes to Filipino Americans in California for
24 fundamental violations of basic constitutional and civil rights
25 through de jure and de facto discrimination committed during the
26 1920s through the 1940s; and be it further

27 *Resolved,* That the Legislature, on behalf of the people of the
28 state, apologizes to Filipino Americans for the violations of civil
29 liberties and constitutional rights committed during the period of
30 illegal deportation and coerced emigration; and be it further

31 *Resolved,* That the Legislature, on behalf of the people of the
32 state, expresses regret for the suffering and hardship those
33 individuals and their families endured as a direct result of the
34 government-sponsored Repatriation Program of the 1930s; and be
35 it further

36 *Resolved,* That the Legislature, on behalf of the people of the
37 state, expresses its regret for the suffering and hardship those
38 individuals and their families endured as a direct result of
39 governmental actions taken because of the state's various policies
40 and laws that it had enacted; and be it further

- 1 *Resolved*, That the Chief Clerk of the Assembly transmit copies
- 2 of this resolution to the Members of the Legislature and to the
- 3 author for appropriate distribution.

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