

AMENDED IN ASSEMBLY AUGUST 22, 2011

AMENDED IN ASSEMBLY AUGUST 16, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

Assembly Concurrent Resolution

No. 74

Introduced by Assembly Member Alejo

(Coauthors: Assembly Members Allen, Campos, Davis, Fletcher, Furutani, Roger Hernández, Hueso, Huffman, Lara, Bonnie Lowenthal, Mendoza, Perea, Portantino, ~~and Yamada~~ Yamada, Achadjian, Ammiano, Atkins, Beall, Bill Berryhill, Blumenfield, Bonilla, Bradford, Brownley, Buchanan, Butler, Charles Calderon, Carter, Cedillo, Chesbro, Cook, Dickinson, Donnelly, Eng, Feuer, Fong, Fuentes, Galgiani, Gatto, Gordon, Grove, Hagman, Harkey, Hayashi, Hill, Huber, Jeffries, Ma, Mansoor, Mitchell, Pan, John A. Pérez, V. Manuel Pérez, Silva, Smyth, Solorio, Swanson, Torres, Valadao, Wagner, Wieckowski, and Williams)

(Coauthors: Senators Corbett and Kehoe)

June 30, 2011

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

LEGISLATIVE COUNSEL'S DIGEST

ACR 74, as amended, Alejo. Filipino Americans.

This measure would express the Legislature's apology, on behalf of the people of the state, for violations of the civil liberties and constitutional rights of Filipino Americans caused by antimiscegenation laws that precluded marriage between Filipinos and Caucasians, and its regret, on behalf of the people of the state, for the suffering and

hardship endured by Filipino Americans as a result of governmental actions taken because of various policies and laws it enacted.

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 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
14 implied the wrong kind of Filipinos were immigrating to the state;
15 and

16 WHEREAS, In 1921, the California Legislature passed an
17 amendment to the Political Code that allowed the legal
18 establishment of separate schools for children of Chinese, Japanese,
19 Indian, or Mongolian heritage; and

20 WHEREAS, Once those schools were built, districts in
21 Sacramento County maintained separate education facilities in the
22 communities of Florin, Walnut Grove, Isleton, and Courtland, and
23 Chinese, Japanese, and Filipino children in these school districts
24 attended segregated schools until World War II; and

25 WHEREAS, Many counties in the state sought outside counsel
26 on the question of whether a county could issue a marriage license
27 to a Filipino and Caucasian couple, and in 1926, the Attorney
28 General issued an opinion stating that Filipinos were part of the
29 Mongolian race, and that marriage between Filipinos and
30 Caucasians was prohibited under antimiscegenation laws
31 prohibiting marriage between Mongolians and Caucasians; and

32 WHEREAS, In 1929, the California Legislature passed a
33 resolution requesting an enactment by the United States Congress
34 to restrict Filipino immigration; and

35 WHEREAS, The Northern Monterey Chamber of Commerce
36 adopted anti-Filipino resolutions proclaiming that Filipinos were

1 undesirable, depressed the wage scale of other nationalities,
2 possessed unhealthy habits, and brought in disease; and

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

6 WHEREAS, Anti-Filipino riots quickly spread throughout
7 California to cities such as Stockton, San Francisco, Salinas, and
8 San Jose; and

9 WHEREAS, Anti-Filipino vigilante groups committed acts of
10 violence due to the beliefs that Filipino field laborers were
11 intermingling with Caucasian women, depressing wages in the
12 harvest fields, and taking jobs belonging to Americans; and

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

17 WHEREAS, In 1934, the federal government passed the
18 Tydings-McDuffie Act, also known as the Philippine Independence
19 Act, which limited Filipino immigration to the United States to 50
20 persons per year; and

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

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

27 WHEREAS, In 1935, the United States Congress passed the
28 Filipino Repatriation Act, which encouraged Filipinos to return to
29 the Philippines voluntarily; however, those that chose to leave the
30 United States and wanted to return were subject to the 50-person
31 quota established in the Tydings-McDuffie Act; now, therefore,
32 be it

33 *Resolved by the Assembly of the State of California, the Senate*
34 *thereof concurring,* That the Legislature, on behalf of the people
35 of the state, apologizes to Filipino Americans in California for
36 fundamental violations of basic constitutional and civil rights
37 through de jure and de facto discrimination committed during the
38 1920s through the 1940s; and be it further

39 *Resolved,* That the Legislature, on behalf of the people of the
40 state, expresses regret for amending the Political Code to allow

1 separate schools for children of Chinese, Japanese, Indian, or
2 Mongolian heritage; and be it further

3 *Resolved*, That the Legislature, on behalf of the people of the
4 state, expresses regret for the passage of a resolution requesting
5 that the United States Congress restrict Filipino immigration; and
6 be it further

7 *Resolved*, That the Legislature, on behalf of the people of the
8 state, apologizes to Filipino Americans for violations of civil
9 liberties and constitutional rights caused by antimiscegenation
10 laws that prohibited marriage between Filipinos and Caucasians;
11 and be it further

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

17 *Resolved*, That the Chief Clerk of the Assembly transmit copies
18 of this resolution to the Members of the Legislature and to the
19 author for appropriate distribution.