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# ASIAN AMERICAN POLICY REVIEW

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2020-2021

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# FOREWORD

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The *Asian American Policy Review (AAPR)* has a celebrated past as the country's first non-partisan academic policy journal focusing on the AAPI community. This year, for the first time in the 31 years of *AAPR*, everything was moved online. We worked and studied remotely. Our editorial staff met as strangers through the screen. Our difficulties to adapt to this new online world is just one element of the AAPI experience of the COVID-19 pandemic.

The year 2020 spoke for itself, and we wanted to capture the AAPI experience of these times through the journal. With the COVID-19 outbreak in the U.S. in early 2020 came a rise in anti-Asian hate crimes as well as financial hardships, especially for communities of color. These experiences highlighted the importance of resilience and community networks in the AAPI community. Waves of protest across the country centered around the Black Lives Matter movement in summer 2020 showed us a need for racial allyship. On top of everything else, 2020 was also a presidential election year, and the campaigns, debates, and polling revealed the importance of AAPI political engagement and using our platforms to elevate AAPI voices in this country. 2020 was unpredictable, dramatic, and messy, and life will never quite be the same.

We are uplifted by the authors we have featured in this 31st edition of *AAPR*, who have raised their voices against injustice, inequality, and racism. This year's edition showcases a call for more allyship and self-reflection for racial justice in the fight against white supremacy and inequality, while also highlighting the many things our community should celebrate. The Asian American community has made great strides to claiming our political and social power.

We are honored to present the 31st edition of the *Asian American Policy Review*. This edition could not have been possible without the efforts of our many supporters. Our staff is thankful for the guidance and support from our publisher Martha Foley and our faculty advisor Richard Parker. We thank our Advisory Board for their commitment in supporting our mission and staff. We are also grateful for our authors who have contributed thoughtful and timely pieces. Lastly, this journal could not have been published in the middle of a pandemic without our incredible staff. Their commitment to community-building and uplifting diverse AAPI voices has been the force behind this edition.

With gratitude,

**Aimee Hwang and Dawn Kang**

*Co-Editors-in-Chief*

# SOUTHEAST ASIAN AMERICANS IN 2020: 45 YEARS OF RESILIENCE AND RESISTANCE

*Quyen Dinh, Jenna McDavid, and Katrina Dizon Mariategue*

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Beginning in 1975, the confluence of the Vietnam War, the Secret War in Laos, and the Cambodian Genocide forced millions of people to flee from their home countries in Southeast Asia. This was and continues to be the largest refugee diaspora the world has ever seen, with more than 1.1 million refugees resettled from Vietnam, Laos, and Cambodia. The United States played a key role in welcoming and resettling refugees, with the historic passage of the Refugee Resettlement Act of 1980 opening the United States' doors to Southeast Asian families fleeing war and genocide.<sup>1</sup> This act was pivotal in the creation of a comprehensive and unified system of refugee resettlement for the first time in history, resulting in an increased number of individuals that the United States admitted into the country under refugee status. It also created the first statutory basis for asylum. Prior to its passage, families were scattered across the country, with little to no support. This landmark policy is the reason that more than 3 million Southeast Asian Americans (SEAs) now call the United States home.<sup>2</sup>

The year 2020 marks the 45th anniversary of the arrival of Southeast Asian families to the shores of the United States, and Congress continues to recognize the integral role that SEAs play in their communities and in our country. Earlier this year, Rep. Alan Lowenthal (CA-47) introduced H. Res. 952 recognizing the 45th anniversary of the resettlement of Southeast Asian refugees, commemorating their contributions to the United States, urging the

president to halt the deportation of Southeast Asians, and calling for the advancement of equitable policies for Southeast Asian American (SEAA) communities.<sup>3</sup> This resolution uplifts the vital contributions of SEAs while also recognizing that disparities—health, economic, social, and educational—are still a heavy burden on the shoulders of Southeast Asian Americans. However, despite these challenges SEAA communities are deeply rooted in a legacy of resilience and resistance that is only growing stronger.

This year was a pivotal year for all communities of color. For SEAs especially, the confluence of our 45th anniversary with a global pandemic, the ongoing fight in support of black lives, and a historic election, we are reminded that our fight for equity and justice continues. Only by seeing our needs and challenges through accurate data can we advocate fully for not just our visibility but our community's civil rights as the largest community of refugees ever to be resettled in America. Armed with our community's data, we will build our community's self-determination from our legacy of refugee resilience to shape a new, multicultural, equitable democracy and America.

## **Southeast Asian American challenges in 2020: A national analysis**

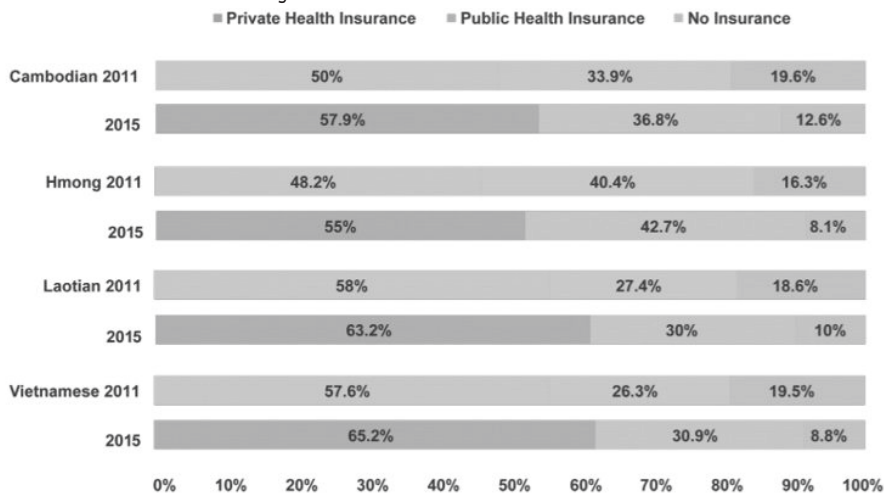
### **Health**

Southeast Asian Americans in 2020 face disparities in health and wellbeing. SEAA

communities benefited from the passage of the Affordable Care Act (ACA) and continue to depend on public health insurance for survival.<sup>4</sup> SEAA communities have historically faced significant barriers to accessing affordable health insurance and culturally and linguistically appropriate health care. Prior to the ACA, SEAs experienced some of the highest uninsured rates in the nation: one in five of our community members had no health insurance.<sup>5</sup> By 2015, uninsured rates for SEAs were reduced by half as access to both public and private health insurance increased through the ACA and Medicaid expansion (Fig 1). Efforts to dismantle the Affordable

suffered from post-traumatic stress disorder (PTSD) and more than half had depression.<sup>6</sup> In contrast, only 3 percent of the US population had suffered from PTSD, and about 7 percent had major depression. SEAs also suffer disproportionately from Hepatitis B, which can lead to cirrhosis, liver cancer, and liver failure.<sup>7</sup> Hmong and Vietnamese women are at a higher risk of being diagnosed with cervical cancer than other racial and ethnic groups.<sup>8</sup> Because so many community members are limited English proficient and low income, many families struggle to access the care they need to treat these urgent and chronic conditions.

Figure 1. SEAA Health Insurance Coverage Rates 2011 & 2015



Care Act—such as the vote to repeal the ACA in 2017 and ongoing efforts to litigate the ACA out of existence—directly threaten the health and wellbeing of Southeast Asian American communities.

The traumatic experiences of war, genocide, and displacement left many SEAs with physical and mental health conditions that have gone untreated. A study conducted by RAND Health in 2005 reported that nearly two-thirds of Cambodian refugees from their study

As a result, SEARAC and our partners have continued to urge policymakers at the federal and state levels to support the Affordable Care Act and Medicaid Expansion in all 50 states. SEARAC received hundreds of comments from community members through our 2018 Protect Our Care campaign, each of whom extolled the importance of affordable healthcare coverage for themselves and their families. One such comment came from a community member who noted the ACA’s impact

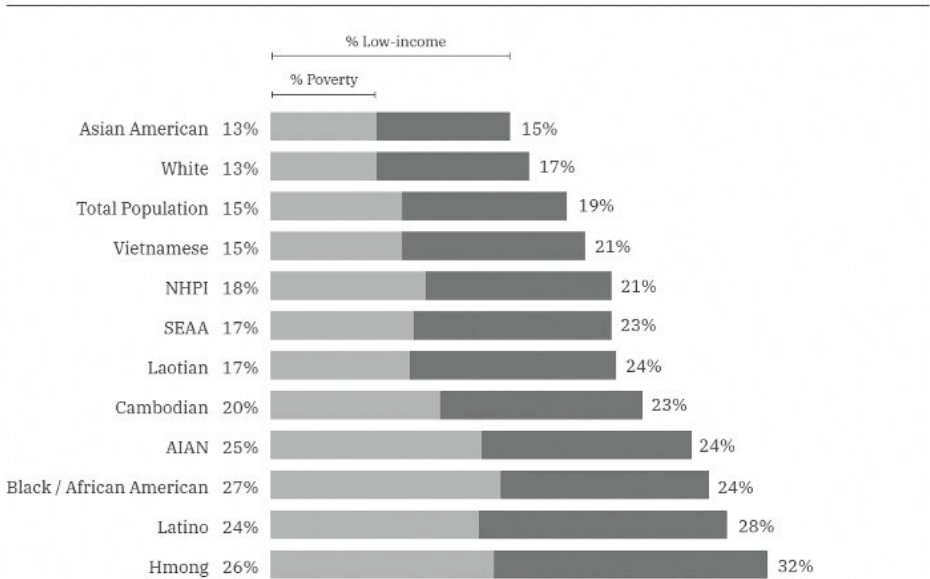
on women’s health issues. “I began taking oral contraceptives in 2002—I spent roughly \$1,440 on oral contraception, at least \$160 on well-woman visit co-pays, and the cost of the HPV vaccine (which was strongly recommended) from the age of 14,” wrote one commenter. “My mother, sister, and I have been able to access well-woman visits free of charge since ACA, which also covered birth control for myself and my sister.” Attacks against the ACA have occurred at all levels since its passage, and the legislation has been significantly weakened; and yet, its importance to Southeast Asian American health cannot be overstated. Due to SEAA’s experience with historical trauma and the deep disparities that continue to persist in our community’s care, bold steps are needed by our elected leaders to ensure that communities of color, immigrants and refugees have access to high quality affordable care that is culturally and linguistically responsive to their unique needs.

### Economic security

The economic disparities faced by Southeast Asian Americans also loom large. Nearly 1.1 million Southeast Asian Americans are low-income, and about 460,000 live in poverty.<sup>9</sup> Hmong Americans fare worst compared to all racial groups across multiple measures of income. Nearly 60 percent of Hmong Americans are low-income, and more than one of every four live in poverty (Fig 2). As a result of continued socioeconomic insecurity, Southeast Asian Americans also struggle with housing instability; all SEAA subgroups, with the exception of Vietnamese Americans, also have lower than average homeownership rates in the United States. Those with home mortgages are more likely to be housing cost-burdened than average (32 percent). Vietnamese American mortgagors (45 percent) have the highest rate of being housing cost-burdened than all racial groups.<sup>10</sup> As such, policies that promote economic

Figure 2. Poverty and Low Income

By Race, Hispanic Origin, and Ethnic Group, United States 2011–2015 (Ranked by Percent Low-Income)



U.S. Census Bureau, 2011–2015 American Community Survey 5-Year Estimates, C17002.



security to help working families including immigrants and refugees, such as funding for food stamps (SNAP), rental and mortgage assistance, supplemental security income, student loan forgiveness, and many others are so critical now more than ever.

## Education

In 2020, SEAs still face great educational hurdles. Language barriers faced by Southeast Asian Americans impact our ability to access healthcare, education, and economic opportunities. Nearly 90 percent of SEAs speak a language other than English at home, and 45 percent of SEAs are limited English proficient (LEP). Both rates are higher when compared to Asian Americans as a whole and other racial groups.<sup>11</sup> For Southeast Asian American older adults, those rates jump as high as 95 percent, and many of those elders live in houses where no one else speaks English.<sup>12</sup> Limited English proficiency has left SEAA communities more vulnerable to fraud and scams, lacking access to essential services, and lagging behind their peers in educational attainment. Nearly 30 percent of Southeast Asian Americans have not completed high school or passed the GED, a rate more than double the national average (13 percent).<sup>13</sup> There are also gender disparities in educational attainment rates across the SEAA ethnic groups. A larger proportion of women than men have not completed high school, a difference that ranges from 6 percent among Laotian Americans to 11 percent among Cambodian Americans. Only one-quarter of SEAs hold a bachelor's degree or higher, compared to the one-half of Asian Americans who do.

Disaggregated data are key to understanding the educational disparities facing Southeast Asian Americans. The terminology currently used by most survey instruments to collect data about our communities is wildly insufficient. Overarching categories such as "Asian" fail to account for meaningful differences among racial and ethnic subgroups. The term "Asian" or "AAPI" encompasses 25

different racial groups who speak more than 50 different languages. When the data about poverty, language, health, and educational attainment are disaggregated, we begin to understand the varied experiences of Southeast Asian Americans and the disparities that our diverse communities face. We miss out on these differences when people are constrained to identify themselves by broad categories—or when we don't ask them to identify themselves at all. Aggregated data also assume that everyone under those overarching umbrellas has the same identity, history, and culture, which we know is untrue.

The California AAPI Youth Assessment was launched in 2019 to illuminate the stark disparities that diverse AAPI youth face. Building on the success of a 2014 AAPI youth data disaggregation survey in Oakland, CA, SEARAC and CHARGE collected 813 survey responses from AAPI youth and young adults, ages 12-30, throughout California and conducted five focus groups with AAPI youth and young adults in Fresno, Long Beach, San Jose, Santa Ana, and Stockton. Survey results and focus group discussions illustrated how youth from marginalized AAPI groups experience significant educational disparities. For example, one in two Cambodian, Laotian, and Iu Mien students in our research had not taken classes that taught them about their ethnic history, culture, or identity.<sup>14</sup> "I'm constantly telling people about our history, or some of the struggles we are going through, because they don't get to learn about it. [Teachers] don't teach it in school. I have to educate people about us, and that's hard," shared one focus group participant. Expanding and reporting on disaggregated AAPI data in public K-12 and higher education institutions, developing culturally competent student and parent support services, and developing ethnic studies curricula that reflects the diversity of our communities will help address the disparities in educational attainment that SEAA students are experiencing.

## Immigration

Finally, the impacts of restrictive immigration policies and rampant deportations, which have increased exponentially under the Trump administration, have created fear and trauma among Southeast Asian American communities. Since 1998, at least 16,000 Southeast Asian Americans have received final orders of deportation despite many arriving in the US with refugee status and obtaining a green card. Due to stringent immigration policies enacted under President Clinton, Southeast Asian American communities are three to four times more likely to be deported for old convictions compared with other immigrant communities.<sup>15</sup> The reason for this is due to two sweeping policies passed by Congress in 1996. The Antiterrorism and Effective Death Penalty Act (AEDPA) and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) uniquely impacted immigrants, including lawful permanent residents.<sup>16</sup> Southeast Asian refugees with green cards were suddenly vulnerable to mandatory detention and deportation for a broader category of crimes through the expanded definition of “aggravated felonies” in these laws. Due to the retroactive nature of these policies, individuals found themselves being unfairly punished for very old crimes, for which they had already served their sentences. The mandatory nature of these laws also tied the hands of immigration judges to review cases of individuals before sentencing them for deportation. In many cases, individuals who were deported had turned their lives around after their crime and were active community members, business owners, and caregivers for their US citizen families.

In SEARAC’s 2018 joint report with the National Asian Pacific American Women’s Forum, “Dreams Detained, in Her Words: The effects of deportation on Southeast Asian American women and families,” we spoke with several SEAA female community members whose families were impacted by detention and deportation.

The interviewees talked about the health, economic, and community impacts of having their loved ones detained and/or deported by Immigration and Customs Enforcement (ICE).<sup>17</sup> One woman, Jenny, despite losing health insurance from her husband’s job, sought therapy for her and her children to deal with the mounting stress of raising four children, fighting her husband’s deportation case, and organizing a community of other women whose family members were detained. Family members never know how long detention might last or if their loved one will eventually be deported, heightening the anxiety of living in a constant limbo of unknown outcomes while pursuing different avenues of legal action. “A lot of people get kind of stuck or have anxiety, especially people within our Cambodian community,” Jenny shared. “I remember my mom, my mother-in-law, she has a lot of fear of authority. I had asked her to go to DC with me one of the times . . . She couldn’t pack her bag, and I had to walk her through all of the packing because she just kind of was in shock. She was in shock because her son was getting taken away from her.”

SEAs require a pathway to meaningful immigration reform and a new vision for the US immigration system. Representatives Jesus “Chuy” Garcia, Pramila Jayapal, Karen Bass, and Ayanna Pressley understood that need and introduced the New Way Forward Act (H.R. 5383) in December 2019, a historic bill that restores due process protections for immigrants and refugees facing detention and deportation; decriminalizes migration; and creates an opportunity for deported loved ones to come home.<sup>18</sup> Our communities cannot just push to prevent or renegotiate bilateral agreements but must uproot the very laws and system that have criminalized our people and torn our families apart. Supporting the New Way Forward Act is a start in that direction.

## COVID-19 impact

These existing challenges and systemic barriers have been exacerbated in 2020 by

the COVID-19 global pandemic. Despite the best efforts of educators and school staff, many Southeast Asian American students have been left behind during widespread school closures. The transition to remote, online learning has revealed longstanding gaps in digital access among SEAA families. Twelve percent of Cambodian, 9 percent of Hmong, 11 percent of Lao, and 9 percent of Vietnamese American households lack a broadband internet subscription.<sup>19</sup> Many SEAA students pursuing higher education rely on financial aid and employment to pay for college. However, the economic shutdowns due to the pandemic and the revenue shortfalls for institutions across the country that have shut down campuses are limiting these sources of financial assistance.<sup>20</sup>

Under COVID-19, fears have heightened among SEAA immigrants in detention facilities who fear exposure due to ICE's historical record of overcrowding and inadequate health and safety precautions. Health disparities have been further exacerbated with SEAA community members facing increased mental strife, including increased isolation for elders impacted by social distancing measures, and increased generational and cultural tension between youth and parents who are home-bound due to school closures and lay-offs. An increase in anti-Asian hate crimes and harassment across the country has been reported after officials used phrases like "China virus" to discuss COVID-19.<sup>21</sup> Additionally, because disaggregated data on COVID-19 does not exist for Asian American communities, the seemingly lower rate of COVID-19 contraction by Asian Americans paints a misleading picture and conceals the real impacts facing SEAA communities who have higher rates of pre-existing chronic health conditions compared to other Asian American communities.<sup>22</sup> Anecdotal information exists around the high impact of COVID-19 on Southeast Asian American workers in the meatpacking industry in the midwestern states, but the lack of data continues to be a barrier to understanding the full depth of the problem.

## **Resilience in SEAA communities: local case studies**

The challenges that we face are great, but despite these obstacles Southeast Asian American refugee communities comprise one of the most resilient American narratives known in history. SEAs are vital members of our society, and we have found creative ways to honor our legacy and support our communities. In the face of a global pandemic, SEAs have been working tirelessly to feed, house, and care for those most in need through food drives, tele-health, virtual education programming, fundraisers, and advocacy for those left behind or left out of the stimulus packages.

When a stay-at-home order was issued in Seattle, WA, the leadership, staff, and partners of Kandelia, a Seattle-based organization serving the local refugee and immigrant communities, took the initiative to call and message every student and family they served to see how they were doing—and learned that many were in dire circumstances.<sup>23</sup> "We had an overwhelming number of reports of families who were out of work, out of money, and out of food," said Tamthy Le, interim executive director. "One family was eating tortillas and salt by the time we got a hold of them." As a result, Kandelia began compiling all the needs that families had, including food, rental assistance, diapers, hygiene products, internet/technology. Community members responded quickly to help fill these needs. "Since then, we have provided over 1,200 bags of food/basic needs items and over \$150,000 in financial assistance," Tamthy said.

Similarly, when Pennsylvania Gov. Tom Wolf extended his statewide stay-at-home order on March 17, 2020, the staff at the Cambodian Association of Greater Philadelphia (CAGP) children and youth development team switched gears to plan a brand-new digital program for its pre-school and elementary school program.<sup>24</sup> By the fourth week of the closures, CAGP's

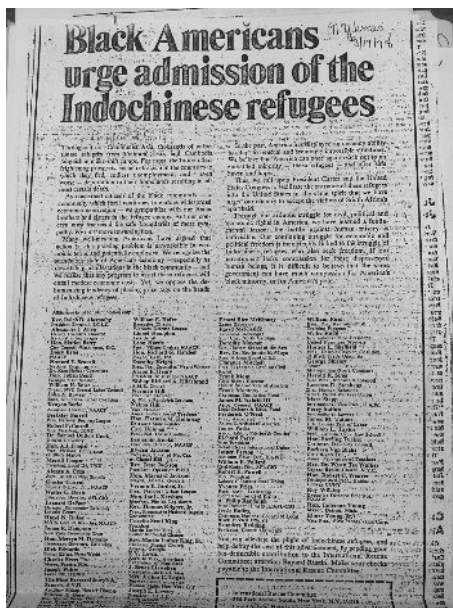
education programs went completely virtual. Coming out of that experience were even stronger relationships with school and organizational partners, as well as with the families of students. “For families whose English is not their first language, the acclimation time to remote learning is lengthier due to higher need of digital navigation support,” CAGP’s children and youth development director, Raksmeymony (Rex) Yin said. “Even now since mid-April, we are still supporting families to adjust to the new learning systems. Some schools have deemed a lot of these students as out-of-reach and out-of-touch and have been seeking a community organization like CAGP to be that bridge to the families.”

This year also brought a long-overdue racial reckoning to communities across the United States as uprisings responded to police brutality against Black and African Americans, sparked by the murder of George Floyd by police officers in Minneapolis, MN. As refugees and descendants of refugees, as survivors of war and genocide, Southeast Asian American communities also know the devastating impacts of police force. We acknowledge that our own paths to equity are a direct product of their historic civil rights wins and struggles, that they continue to build, as well as to endure, to this day. In fact, a 1978 International Rescue Committee ad entitled “Black Americans Urge Admission of the Indochinese Refugees” in The New York Times documents the support of major Black leaders for the admittance of Southeast Asian refugees into the United States (Fig 3).

In SEARAC’s statement in support of Black Lives, issued in May 2020, we urged Southeast Asian American communities to acknowledge the systems that have benefitted from having communities of color pitted against one another and boldly resist them.<sup>25</sup> Other SEAA community-based organizations echoed that sentiment. “While Asian communities have been rewarded for our assimilation into whiteness with the lie of the

‘model minority’ myth, it is at times like this crisis that we should remember that our status is always conditional and subject to being taken away by xenophobia,” wrote the Asian Minnesotans Against Racism & Xenophobia Collaborative.<sup>26</sup> Joan Chun, Deputy Director of the Cambodian American Literary Arts Association, reflected on the protests and outrage that took hold in hundreds of US cities and wondered, “If the world had stayed silent forever while the Khmer Rouge genocide was happening, what would the outcome have been like? How many more families would have been separated? How many more people would have been killed?”<sup>27</sup> We stand unequivocally with Black and Brown communities facing violence, oppression, disproportionate impacts of COVID-19, and socioeconomic and health disparities.

Figure 3. 1978 International Rescue Committee ad in the New York Times



Sokunthary Svay (co-founder of Cambodian American Literary Arts Association) shared this image on 5/30/2020, derived from her scholarly research conducted in the New York Public Library in 2018.

## Looking ahead

As we reflect on the challenges and resiliency of the Southeast Asian American communities, we are also looking ahead to the work that needs to be done. This is a long-term struggle that will not be resolved by a presidential election or the end of a global pandemic, as important as those two milestones are; we are a community of people working to build the future for which our ancestors fought. Beyond 2020 and the 45th anniversary of our arrival to the United States, we envision a time when there is no longer deportation and detention of our families and communities, where all public data are disaggregated to reveal community-specific needs and tailor specific interventions, where everyone has access to culturally responsive healthcare, and where families are living with dignity and thriving, not just surviving. It is our responsibility to create that future, and we will do so with love and collaboration. Here's to the next 45 years.

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# THE DISPARATE IMPACT OF COVID-19 ACROSS SOUTH ASIAN AMERICAN COMMUNITIES

*Mahnoor Hussain, Sophia Qureshi, Lakshmi Sridaran,  
and Sruti Suryanarayanan*

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Across watershed moments of crisis—like September 11, the 2016 presidential election, and now this Covid-19 pandemic—South Asian American communities have deeply divided experiences. The populations in our community who were primarily targeted after September 11, most impacted by this Administration’s racist policies, and most vulnerable to Covid-19 are the same populations marginalized by immigration status, class, caste, religion, and LGBT+ identity. While developing a shared narrative across these differences is valuable for building collective power, only by centering the experiences of these populations can we understand the magnitude and range of these crises.

Recognizing the gap between the reality our communities face and existing pandemic-mapping data, SAALT worked to capture the effects of the coronavirus pandemic. The article examines not only Covid-19 infection and fatality rates in South Asian American communities but also intersections with escalating threats to immigration, workers’ rights, mental health, housing, language access, as well as hate crimes and domestic violence.

This article looks at the impact this pandemic is having across our communities by centering accounts from local South Asian American organizations representing those most affected, as well as findings from our community survey that elicited nearly 400 responses between May and June 2020. Our goal is to understand our communities’ most urgent needs and to help inform ongoing organizing, mobilization, and

advocacy toward both rapid response and long-term change.

## Key Findings

South Asian Americans who were already vulnerable, whether due to immigration status (refugees, undocumented, H-1B, J-1), domestic violence, living with underlying health conditions, or unsafe working environments, have been most directly impacted by the pandemic. Every interviewee shared that, as a result, community members are experiencing mental health challenges.

Data on Covid-19 cases, hospitalizations, and deaths are currently incomplete as statistics are undercounted in South Asian American communities, often labeled as “other Asian” or “unknown” race categories. Disaggregated data is critical in ensuring all communities receive timely and culturally appropriate care and resources.

As of June 8, the city of New York’s Health Department found that 7.6 percent of the city’s coronavirus victims were of Asian descent. The Bangladeshi community, which makes up less than 8 percent of NYC’s Asian population, accounted for about 20 percent of those deaths. In addition, South Asian Americans are four times more likely to suffer from heart disease or diabetes than the general US population, putting them at a greater risk of fatality if they contract Covid.

Federal and state government agencies have neglected to provide Limited English

Proficient (LEP) community members with culturally appropriate services and language accessible information, impeding access to government services and relief funds. South Asian American community organizations have been forced to step in to translate resources into multiple South Asian languages amid rapidly changing rules and guidance. Even with community organizations stepping in to support communities of color, 11 million undocumented immigrants, including 630,000 Indians and 56,000 Pakistanis, were left out of the CARES Act and unemployment benefits as part of Covid relief packages. Overall, an estimated 16.7 million people who live in mixed-status households were left out, including 8.2 million US born or naturalized citizens.

Approximately 85 percent of respondents to SAALT's community survey are worried about immigration—specifically being able to travel outside of the US, as well as the status of green cards, H-1B work visas, and student visas.

For individuals experiencing domestic violence, the stay-at-home orders have worsened abusive situations. Every survivor-support organization SAALT interviewed explicitly named a drastic increase in gender-based domestic violence. At the same time, survivor support organizations are committed to challenging the role of law enforcement and emphasized that survivors most often do not want to go to the police.

Technology plays an important role in setting up a remote infrastructure for organizations to provide safe and secure support to communities during the stay-at-home orders. For domestic violence organizations like Daya, ApnaGhar, and SAHARA, there has been an increased need for affordable laptops, phones, and accessible internet as their services require secure digital platforms for case management. Additionally, tens of millions of Americans still do not have access to or cannot afford quality internet service. Federal funding does not cover the internet as

a utility, but for many senior citizens, survivors of abuse, students, and working-class South Asian Americans, the internet has been a useful tool to stay connected to the community and to ongoing relief efforts.

Despite sizable and growing South Asian populations in the South, the region has limited formal avenues of support dedicated to South Asian Americans, outside of religious and cultural institutions.

South Asian American community organizations are, once again, filling in the gaps in access to health, food, housing, and employment as a remedy to failing government social infrastructure.

### **ILLNESS, WELLNESS & LIVELIHOOD: Covid-19 Infection Rates & Risk Factors**

Clusters of Covid-19 infection and fatality rates impacting South Asian Americans have been reported in Queens, Brooklyn, and the West Ridge neighborhood of Chicago—all areas with large working-class South Asian American populations. But more comprehensive disaggregated data on South Asian Americans' infection rates, hospitalizations, and fatality rates is virtually nonexistent. Despite the lack of data, South Asian Americans are prone to several different risk factors that both increase their exposure to Covid-19 and increase their risk of hospitalization or death.

#### *Heart Disease & Diabetes*

Pre-existing conditions such as hypertension, obesity, heart disease, diabetes, and chronic lung disease, which are known to increase the risk of Covid-19 severity, are common among South Asian Americans. In March 2020, nearly 90 percent of Americans hospitalized with Covid-19 had at least one underlying medical condition, including in New York<sup>2</sup>, home to one of the largest populations of South Asian Americans in the US South Asian Americans are four times more likely to suffer from cardiovascular conditions and heart disease than the general US population.<sup>3</sup> Almost 1 in 4 South Asian Americans have diabetes or hypertension.<sup>4</sup>



### *Lack of Protections for Frontline Workers*

It is no coincidence that Covid-19 is devastating the same communities that also do essential work. Essential workers, the vast majority of whom are women and people of color, are risking their lives during the pandemic to provide critical services to our communities—all while making unlivable wages and receiving limited health-care benefits.<sup>5</sup> Many South Asian Americans serve on the frontlines as healthcare, fulfillment center, hospitality, and gig economy workers, and consequently have had limited access to benefits or safety equipment. Despite being deemed at risk and working under precarious conditions, essential workers have limited access to proper protective equipment, hazard pay, or additional support by employers or the state. Nearly 45,000,000 people filed for unemployment at some point during the pandemic and 5.4 million American workers lost their health insurance.<sup>6</sup>

### *Lack of Language Support*

The Covid-19 health crisis has highlighted a critical gap in getting timely, in-language public health and government relief information to immigrant and Limited English Proficient (LEP) communities. South Asian American community organizations have been forced to step in to produce translation for government agencies amid rapidly changing rules and guidance.

### *Crowded Housing & Multi-Generational Living*

The risk of contracting Covid-19 is also heightened by the fact that many South Asian Americans live and/or work in dense urban areas.<sup>7</sup> As of June 2020, Cook County, Los Angeles, and Queens Borough had the highest number of confirmed cases of Covid-19.<sup>8</sup> These counties also host the largest concentration of South Asian Americans and are primarily working-class communities.<sup>9</sup>

### *Barriers to Testing*

Limited employment or lack of employment is leading to fears around seeking

medical care or even testing in the South Asian American community. Only 10.6 percent of SAALT's survey respondents indicated they had been tested for Covid-19.<sup>10</sup> Many survey respondents were able to afford medical aid (roughly 89 percent), but fewer (85 percent) were able to receive it. Survey respondents also detailed their communities' experiences with Covid: only 71 percent of survey respondents whose family members or community members sought testing received it, while 6 percent sought testing and did not receive it, and 6 percent had symptoms but did not seek testing. Nearly a tenth of all survey respondents indicated that they would not seek testing, even if it were available and affordable, fearing unemployment or community stigma. One individual noted that their BIPOC (Black, Indigenous, people of color) friends were explicitly refused testing; thus, the respondent themselves did not seek testing.

### *Lack of Age-Based Protections*

Seniors are also at risk of experiencing complications, with nearly 8 out of 10 Covid-19 deaths occurring in adults 65 years and older.<sup>11</sup> Since the onset of the pandemic, seniors have been experiencing food insecurity, income insecurity, and social isolation. South Asian American organizations, like India Home, have stepped in to fill the role of unreliable state agencies who have neglected to provide community members with culturally appropriate services and language accessible information.

## **Hot Spot Features**

### **CALIFORNIA**

Coronavirus has been ravaging working-class communities of color across the state and government relief efforts including financial assistance have been limited. California based community organizations like SAHARA, Maitri, and the Jakara Movement have been building power in South Asian American immigrant communities

for years; they have expanded their efforts to further support their communities living in these hotspots during the pandemic. Language access, barriers to accessing government relief funding, financial instability, needs for rental assistance, and mental health instability were issues that repeatedly came up within their constituents' communities since the pandemic began.

**SAHARA** is a gender-based violence survivor support and community organization based in Southern California. Since the pandemic began, they have been focused on providing the local South Asian American community with in-language support and information on public benefits, social security, Medi-Cal and Medicare, unemployment benefits, and citizenship and visa applications. Since the onset of the pandemic, SAHARA has also seen a 22 percent increase in calls from survivors of domestic violence, with Community Engagement Manager Sarah Manjra adding, "Kids and moms are at home, and with dad becoming unemployed, there's increased violence between parents and kids, or between spouses. As a result, our 24/7 hotline has people calling at all hours of the day, significantly more than before. There's also a drastic and dangerous increase in the amount of child abuse taking place. Many mothers are trying to get out of abusive situations, but too many factors are preventing them from leaving—including fear of losing custody of their children or reliance on their abuser's income."

**Maitri** works to support survivors of domestic violence in Northern California. To keep pace with the rise in domestic violence that they observed, Maitri has maintained its helpline for 24 hours each day, with live service from 9 a.m. - 3 p.m. every day, and voicemail monitoring with call-backs every 2 hours otherwise. This is in addition to a legal helpline that is also in place. Like other community organizations, Maitri is also balancing the current crisis with the demands of existing inequities. They have monthly volunteer meetings where they discuss these intersectional

issues. Recognizing that poverty and economic insecurity affects all survivors and that many are currently in financial distress, Maitri staff are providing a great deal of rental assistance through existing county programs and community funding.

In March 2020, the **Jakara Movement**, located in the Central Valley, hired nearly 250 organizers to help support in-person 2020 Census efforts to reach out to 300,000 individuals across the state of California. When the pandemic emerged, they began to re-evaluate their purpose as a community-based power building organization given the inability to organize in person.

### NEW YORK CITY

The virus itself may not discriminate, but neighborhoods with high concentrations of Black, Latinx, and South Asian working-class communities still face the deepest disparities in access to testing and healthcare and deaths caused by Covid-19 across the US, especially in New York City. Community organizing, mutual aid networks, and mutual aid funds remained robust throughout the height of the pandemic in New York and are still able to provide much-needed resources, relief, and support to immigrant communities where the government failed. India Home, Indo-Caribbean Alliance, CAAAV, and Adhikaar cited rental hardship, crowded housing, social isolation, language barriers, and high infection rates as the core issues their community members have been facing.

**India Home** is a senior center in New York, which has been providing culturally appropriate meals, virtual programming, and overall support to South Asian American seniors experiencing income insecurity and social isolation in the pandemic. Program Director, Shaaranya Pillai, noted the unique role that India Home has during the pandemic,

We are reaching out to the community in many ways. Existing relief programs from the government lack cultural competency and are

under-accessed by our communities. Nonprofits like ours are able to bridge that divide and are doing essential work. The impact of the pandemic on the South Asian American community is under-recorded, but South Asian American nonprofits are meeting these communities' needs. It's not easy for this population - they get hit in a totally different way, and that social isolation is a big reason for what we do.

Prior to Covid-19, the **Indo-Caribbean Alliance** had been working closely with allies at Jahajee Sisters and Chhaya Community Development Corporation, both of whom serve South Asian and Indo-Caribbean New Yorkers. Jessica Chu-A-Kong noted that collaboration and solidarity have been crucial,

Our communities are also known to have high rates of diabetes and other underlying conditions so we have been helping people connect to free prescription delivery as well as partnering with local residents who were sewing and distributing free masks near our office in Richmond Hill, Queens.

**CAA**AV is a pan-Asian community-based organization in New York City that works to build the power of poor and working-class immigrants and refugees. One of the largest public housing developments they work with engages around 200 Bangladeshi American families. With the state unemployment rate at 15.7 percent, many of CAAAV's constituents are struggling to pay bills, and are at risk of losing their housing.<sup>12</sup>

**Adhikaar:** The Nepali-speaking communities, like other Asian Pacific Islander American (APIA) communities, have been disproportionately affected by the Covid-19 health crisis. By late March, neighborhoods in Queens with particularly high concentrations of the Nepali-speaking community like Jackson Heights, Elmhurst, and Corona, were considered the epicenter of the New York City outbreak.

The Adhikaar team worked around the clock to respond to cases, deaths, and support for testing and quarantine needs, phone-banking over 1,500 members in a week. A vast majority of their members lost their jobs or were working as essential workers, and in response Adhikaar worked from March through August to deliver care packages, food, and PPE to over 700 households and emergency relief funds totaling nearly \$500,000 to over 600 community members.

## ATLANTA

As with many of the sunbelt states, Covid cases were low in the beginning months of the pandemic, but early reopening led to virus surges by June and July in Atlanta. Global Mall, a South Asian American shopping mall in the city of Norcross, just outside Atlanta, hosted a food drive led by the Walia hospitality group throughout April and May to address growing food insecurity in the community. On the first day of the food drive, hundreds of cars lined up before the starting time of 10 a.m., wrapping around the Global Mall building and backing up traffic on Jimmy Carter Boulevard. Despite Atlanta's sizable and growing South Asian American population, there are limited formal avenues of support dedicated to South Asian Americans, making it challenging to gauge the pandemic's impact on the community and for community needs to be addressed outside of informal family and friend networks and religious institutions. Two key Atlanta-based non-profits, Raksha and Burmese Rohingya Community of Georgia (BRCG) cited financial insecurity, rental hardship, barriers to accessing government relief funding, and mental health as issues their community members were facing.

**Raksha** is a South Asian American community organization that serves as a major resource hub for pan-South Asian American communities with a focus on providing support to a constituency of over 300 survivors of gender-based violence. Executive Director, Aparna Bhattacharya,

noted that “from a healing perspective, for the individuals who get counseling, it’s a totally different impact . . . there’s the emotional support and the connection that you don’t get from the screen. That’s the hard part.” Her major worries about Raksha’s clients are increased food insecurity, anxiety over making rent payments, and the emotional impact of being isolated and alone.

The **Burmese Rohingya Community of Georgia (BCRG)** represents a community of more than 500 Rohingya people, with the majority concentrated in Clarkston, a town in metro Atlanta known for having one of the largest refugee communities in the US. BCRG’s President, Ayub Mohammed, emphasized the economic duress their community members are facing, “There are many people who have lost their jobs, some who have limited hours, some who are independent contractors like Uber drivers. They’re not getting paid. And if they’re unemployed, many of them are not qualified for state aid.”

## TEXAS

Texas is a microcosm of the country, where individuals eagerly protest to return to the “norm” while economic stability is at the direct expense of human lives. Billionaires became \$565 billion richer during the pandemic while workers protested for hazard pay and protective equipment. Texas Lieutenant Governor, Dan Patrick, suggested that the elderly should be willing to die to save the economy for their grandchildren. Data has revealed stark racial disparities in which communities of color have been deemed disposable in the name of the economy. As of July, Latinx Texans make up the largest percentage of coronavirus deaths at nearly 49 percent; nearly 66 percent of all Texans who have died of coronavirus have been people of color.

**Daya** is a Houston-based domestic violence organization and has been distributing groceries and direct relief funds, as well as providing technology for survivors to access counseling, case management, and

legal services. While the number of clients has not changed drastically since the pandemic began, reports of domestic violence have become more frequent, and services like safety planning are occurring almost every day—a shift from the pre-pandemic rate of these services being requested once every few weeks. Approximately 90 percent of DAYA’s clients did not receive stimulus benefits so the organization also set up a network of support for pro-bono legal attorneys to advise clients about their options.

## CHICAGO

As the country reckons with growing cases of Covid-19, the city of Chicago remains a hotspot for cases amongst communities of color. While cases amongst South Asians remain aggregated under the larger Asian American umbrella, anecdotal testimonies reaffirm that South Asian Americans in Chicago have been disproportionately impacted by the pandemic. ApnaGhar and Chicago Desi Youth Rising have cited housing, language access, and financial relief for undocumented individuals as core issues facing their communities.

**ApnaGhar** works with domestic violence survivors in Chicago. At the onset of the pandemic, they received an influx in calls for support and had to quickly mobilize to implement a secure text-based helpline for individuals living with their abuser(s). ApnaGhar has also continued to build relationships with the neighboring Rohingya Community Center (who has since lost funding), Muslim Women Resource Center, and the Bangladeshi American community on Devon Avenue to understand the communities’ greatest needs.

**Chicago Desi Youth Rising (CDYR)**, which empowers youth to combat racial, economic, and social inequity, began a rapid-response relief fund for service workers on Devon Avenue impacted by job loss. They fundraised and distributed \$50,000 to community members, prioritizing undocumented individuals, gig workers, and

those who did not qualify for unemployment. Himabindu Poroori, an organizer with CDYR noted, “The frustrating thing is, that fund money ran out in the blink of an eye. We have to cancel rent: that’s the only solution. Rent is killing people.” Bindu expressed frustration about the gap between wealthier South Asian American communities and those in West Ridge, saying, “All oppressions are intertwined: caste and religion follow you overseas and push you in an enclave that is restricted by caste, class, religion - insulating you as a community. The disconnection between different caste and religious communities in Devon-area neighborhoods and the suburbs is so violent. It’s not happenstance; it’s not because families in poverty want to stay disconnected from resources.”

## Hate from the State

### 1. IMMIGRATION

#### *Worker Visa Bans*

The Covid-19 pandemic has dismantled what little was left of the US immigration system. The Trump administration has summarily ended asylum, as northern and southern US borders remain closed for non-essential travel under the guise of “national security.” Under a global economic recession, the Trump administration extended its ban on worker visas, barring nearly 525,000 foreign workers.<sup>13</sup> The visa ban blocks a wide variety of jobs including H-1B, J-1, and seasonal workers in both exchange and au pair programs. With national unemployment rates higher than the 2008 Great Recession, as many as 250,000 guest workers could lose their legal status by the end of June 2020.<sup>14</sup> H-1B visas, like many other work visas, are tied to a specific location and employer, and any changes to job status—including a reduction in wages or remote work policies—violate visa requirements. As places of worship have been closed around the country, the Jakara Movement has been supporting R-1 visa religious workers

with direct relief, given that many of these individuals are ineligible for unemployment benefits. Immigrant workers in these industries already experience difficult working conditions, while earning below-market wages, facing restriction of movement, and having limited pathways to citizenship. The pandemic has reaffirmed the belief that we must advocate for a labor migration model that respects and prioritizes the human rights of workers and their families, elevating labor standards not just for South Asian American workers but all workers.<sup>15</sup>

#### *Student Visa Restrictions*

In response to universities across the country shifting to online courses as a result of the ongoing Covid-19 pandemic, ICE issued a directive targeting international students on F-1 and M-1 visas. The directive, which was reversed a few days later, stated that students currently enrolled in universities which moved to online courses in the fall must depart the country or take other measures to remain in the country, such as transferring to a different school offering in-person instruction. There are hundreds of thousands of F-1 students from South Asian, African, and Latinx countries who felt the chilling impact of the uncertainty around their decision to pursue their education or risked falling out of status.

#### *Undocumented Population*

South Asian Americans are also one of the fastest-growing groups of undocumented workers. While data is limited, there are at least 630,000 undocumented Indian Americans<sup>16</sup> and 56,000 undocumented Pakistani Americans left out of the government’s relief efforts (CARES Act) and state unemployment benefits.<sup>17</sup> For the millions of individuals incarcerated, including 24,000 detained migrants, the pandemic continues to be disastrous as it rapidly spreads in crowded and unsanitary detention facilities and prisons across the country.

## *Detention*

In prisons and detention centers across the country, incarcerated people are contracting Covid while forcibly inhabiting inhumane conditions. Nearly 1,500 individuals in California's San Quentin State Prison tested positive for coronavirus; nine people have since died.<sup>18</sup> San Quentin, like most other prisons and detention facilities in the US, has done little to nothing to protect the people it has incarcerated from contracting the virus.<sup>19</sup> South Asians in US detention facilities have always been harassed and abused, dealing with inadequate language access, medical neglect, Islamophobia—and now, they also have to deal with the fear of contracting a fatal virus.<sup>20</sup>

At the Northwest Detention Center in Tacoma, WA, detained migrants, including at least six South Asian women, described pain from breathing in toxic fumes due to undiluted chemical cleaners in poorly ventilated areas. In the Adelanto Immigration Detention Center, this same practice has caused bleeding and pain.<sup>21</sup> From the lack of protective equipment to the deliberate overcrowding of facilities and slow response rate to treat sick patients, it is no surprise that researchers at Johns Hopkins have found that incarcerated people are 550 percent more likely to get infected than the general population, and three times as likely to die from Covid-19.<sup>22</sup> Under the Free Them All campaign, thousands of doctors and advocates continue to demand the release of all people currently detained by ICE; cease of interior enforcement; elimination of ICE check-ins; free access to phone and video calls for those in detention; and assurance that all facilities are prioritizing the health and well-being of people detained.<sup>23</sup> The government can and must release all people from detention and prisons immediately so they can return home safely.

## **2. DOMESTIC VIOLENCE**

For individuals experiencing domestic violence, the stay-at-home orders have

worsened abusive situations, as partners and families have been forced to live in close proximity. With their shelters and apartments already at maximum capacity, ApnaGhar partnered with the state of Illinois to provide hotel rooms for survivors, a strategy that many survivor support organizations have adapted.

The reliance on police is particularly challenging for South Asian American domestic violence organizations and has historically been a subject of deep consideration in the field, especially now with the much more widely accepted reality of police violence, thanks to the #BlackLivesMatter movement. Our interviews with domestic violence service organizations revealed that survivors rarely want to go to the police, as found by a 2015 study conducted by the National Domestic Violence Hotline, which showed that among the women surveyed who had previously called the police after experiencing partner abuse: one in four would not call the police in the future; more than half said calling the police would make things worse; and more than two-thirds said they were afraid the police would not believe them or do nothing.<sup>24</sup> The study also showed that women who did end up calling the police only did so after multiple victimizations, demonstrating how critical early intervention is in addressing domestic violence. For this very reason, South Asian American community organizations working adjacent to domestic violence service providers must understand this landscape.

For many domestic violence survivors, financial instability remains a huge concern and Daya has distributed over \$100,000 directly to survivors in direct cash transfers. The city of Houston granted a \$650,000 fund for their city's women's shelters and domestic violence organizations to provide hotel stays to survivors, since shelters have become less accessible during the pandemic. Additionally, U visa applications, Violence Against Women Act

(VAWA) protections, and asylum cases have been put on hold for the foreseeable future, leaving many people ineligible for benefits and putting them at even more risk of exploitation or abuse. This chilling effect has been felt across immigrant communities even when the Trump Administration's policies are rescinded or challenged in court.

### 3. THE PANDEMIC OF VIOLENCE:

#### Anti-Black Racism & Islamophobia

Black, Indigenous, and communities of color are experiencing two deadly pandemics: racism and Covid-19. Racist and Islamophobic rhetoric, state-sanctioned violence, along with centuries of divestment from meaningful social services has led to a disproportionate increase in violence against our communities. We live in a society in which our government's prolonged failure to invest in community care has only proliferated deaths caused by Covid-19.

A Pew study found that Asian and Black Americans are more likely than other groups to report race or ethnicity-related hate since the coronavirus outbreak.<sup>25</sup> In the US, in April alone, there were more than 3,000 reported incidents of hate violence targeting Asian Americans. Additionally, nearly 60 percent of Asian Americans say they have seen or been affected by a xenophobic reaction to Covid-19.

In India, there has been a surge in coronavirus-driven hate violence fueled by Islamophobia.<sup>26</sup> Equality Labs found that the hashtag #CoronaJihad appeared "nearly 300,000 times" and was likely "seen by 165 million people on Twitter."<sup>27</sup> These tweets were cited in violence, including against a paralyzed Muslim man in Valsad, Gujarat.<sup>28</sup> At SAALT, we have expanded our hate violence database to track incidents in response to Covid-19 discrimination. We are also working with our partners in the National Coalition of Asian Pacific Americans (NCAPA) to develop effective

national responses that do not continue to rely solely on police.

It is clear that the violence and organized abandonment is intentional by design and that we are the only ones who keep us safe. During the height of the George Floyd and Black Lives Matter uprisings, the Jakara Movement organized political education segments addressing anti-Black racism, policing, and prisons, and how Sikhs benefit from anti-Black racism through systems like racial capitalism.<sup>29</sup> They also created short in-language videos addressing ways in which non-black South Asian Americans play a role in the movement for Black lives and in dismantling anti-Black racism. The Jakara Movement continues to meet the immediate needs of its constituency while remaining responsive to ongoing movements, recognizing that the two are inherently linked.

### Conclusion

We recognize that local organizations directly serving our communities are holding the significant load of managing this crisis. As a national organization, SAALT has necessarily shifted our work to be supportive by:

- \* Expanding our tracking of hate violence incidents to include those resulting from pandemic-related xenophobia and discrimination.

- \* Providing increased access to and translation of critical COVID-19 resources.

- \* Evaluating the impact of COVID-19 federal legislation on South Asian American communities and sharing information with our communities about their rights.

- \* Monitoring the effect of COVID-19 government responses on voting and civil rights, especially for Muslim, Arab, and South Asian (MASA) communities.

- \* Advocating for policy solutions that address the disproportionate impact of the pandemic on undocumented, detained, domestic violence surviving, low-income,

and Limited English Proficient (LEP) South Asian Americans.

\* Hosting monthly forums with NCSO partners to assess needs and strategize.

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# TAUHI VĀ AS A TOOL FOR ADVOCACY IN A TIME OF CRISIS AND TRANSFORMATION

*Sina Uipi*

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Empowering Pacific Islander Communities is a pro-Black, pro-Indigenous, anti-racist national organization based on Tongva land that advances social justice by engaging Native Hawaiians and Pacific Islanders in culture-centered advocacy, leadership development, and research. We know that our cultural-centered approach for advocacy will help us thrive as a community and lead us to freedom, not just for us, but for all. As Lilla Watson said, “If you have come here to help me you are wasting your time, but if you have come because your liberation is bound up with mine, then let us work together.”<sup>1</sup> We look to our *kāinga*, or community, for insight, wisdom, and guidance to ensure we participate and engage in spaces that we are typically left out of, especially in national policy discussions. When I see my mom and her sisters gather together to put in the time, labor, and lessons to preparing yards of handmade *ngatu*, *fuatanga*, *fala kie*, and a *kato teu* (cultural mats and baskets) together, to offer as ceremonial gifts for Pacific Islander events, it doesn’t make sense to me why we are deemed the most vulnerable, most underserved, and most underrepresented communities in data and policy. Such protocols and ceremonies require us to give our absolute best, which always takes a collective effort. Yet, in the context of policy, we are not given the best opportunities to weigh in about decisions that shape our realities.

Our cultural practice of *tauhi vā* has been a tool of advocacy for a world which we have been creating long before this

pandemic took place, and especially now. A world that includes our stories and experiences beyond statistics and numbers. A world where it doesn’t take a pandemic to see the inequities that exist. *Tauhi* means to care for or to take care of, and *vā* is the social or relational space connecting people. Through our moments of grief and resilience, *tauhi vā* has been a way for us to communicate virtually with each other from holding space to making decisions collectively to advocating to policymakers about the impact COVID-19 has on our communities.

EPIC has answered the call to be in community and *tauhi vā* through the National Pacific Islander COVID-19 Response Team (NPICRT),<sup>2</sup> which mobilized in April 2020 immediately upon the reports of data identifying the disproportionately high incidence of COVID-19 cases and mortality among Native Hawaiians and Pacific Islanders (NHPI). It consists of a supporting network of over 30 Native Hawaiian and Pacific Islander advocacy organizations and academic institutions spanning the continental US and Hawai’i.

The COVID-19 pandemic has shed light on the inequities across many areas in our society including health care, research, policy, and essential community services. Although data that separates Pacific Islander numbers from the general population is limited, the states and counties that are reporting data show Pacific Islanders are disproportionately affected by COVID-19—with some regions seeing rates of infection up to five times that of white people.<sup>3</sup>

As of November 30, 2020, the NHPI community surpassed 30,000 COVID-19 cases. This represents an increase of nearly 8,000 NHPI COVID-19 cases and 42 NHPI COVID-19 deaths in the past month. This means that, on average, at least one member of the NHPI community died from COVID-19 every day in November.

Pre-existing health disparities and inequities in the social determinants of health are driving the COVID-19 risk among NHPIs.<sup>4</sup> They make up a large number of the essential workforce, such as in the tourism and food industries.<sup>5</sup> In the military, NHPI representation is six times higher than in the general US population.<sup>6</sup> NHPIs are more likely to live in large multi-generational households and denser communities, which further increases their exposure risk.<sup>7</sup> The high rates of asthma, obesity, diabetes, heart disease, smoking, and vaping among NHPI increase the risk for severe COVID-19 symptoms.<sup>8</sup> COVID-19

containment and mitigation measures have led to an increase in economic hardships, behavioral health issues, and difficulties in managing chronic disease for many NHPIs.<sup>9</sup>

As a result, here are some examples of our collective advocacy:

- \* In early December 2020, NPICRT sent letters along with the National Council of Asian Pacific Americans to President-elect Joe Biden, providing recommendations to appoint two Native Hawaiian and Pacific Islander medical professionals to his newly formed COVID-19 Equity Task Force, in addition to outlining the impact the pandemic has had on NHPI communities.

- \* On 11 November 2020, NPICRT sent a letter to the Centers for Disease Control (CDC) and to the National Institute of Health (NIH) requesting to allot funding for the secondary analyses of public health databases to increase the yield of information regarding COVID-19 in NHPI

communities to optimize interventions via the identification of factors that increase the susceptibility of NHPIs to infection and adverse outcomes.

- \* On 4 September 2020, NPICRT submitted a comment letter to the National Academies' Committee on Equitable Allocation of Vaccine for the Novel Coronavirus to address the lack of inclusion of Native Hawaiian and Pacific Islanders in their 114-page draft discussion document of a preliminary framework for equitable allocation of COVID-19 vaccine and offered to work together moving forward.

- \* On 27 May 2020, the US House Committee on Ways and Means held a hearing titled "The Disproportionate Impact of COVID-19 on Communities of Color," where Dr. Raynald Samoa served as a witness and provided testimony.<sup>10</sup>

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## **We know that our cultural-centered approach for advocacy will help us thrive as a community and lead us to freedom, not just for us, but for all.**

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- \* Development of the NHPI Health Data Policy Lab housed at the UCLA Center of Public Health and Policy that provides weekly updates on the status of COVID-19 in NHPI communities around the country.

- \* Implementation of community-led COVID-19 testing in NHPI communities in Arkansas, Northern California, Southern California, Hawaii, Oregon, Utah, and Washington state.

- \* Broadcasting weekly topics regarding COVID-19 and NHPI communities such as information regarding participating in clinical trials and the latest information regarding the different COVID-19 vaccines to a viewership of 10,000+.

For many of our partners in NPICRT, this advocacy work is done in addition to their current work, and others do this outside of their regular jobs while balancing family responsibilities. We have even lost some of our leaders to COVID-19, like

Margarita Satini who dedicated her life to ensure Native Hawaiians and Pacific Islanders were civically engaged.

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## **Our current work tells us what we have always known—that we have never been in national policy discussions—and we are no longer waiting to ask to be included anymore.**

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Similar to knowing what it takes to give our best when practicing our cultural ceremonies, we also know that this is what it takes to work together to influence upstream measures through research, data collection, and policy. Our current work tells us what we have always known—that we have never been in national policy discussions—and we are no longer waiting to ask to be included anymore. The call for data disaggregation will inform better research and resources needed to address and improve the health disparities that exist. Tauhi vā has been a source for us to navigate this horrific storm of a pandemic, and we will continue to practice it with each other and with our allies until we have the representation we need because we deserve the absolute best and nothing less.

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# CENTERING OUR COMMUNITIES CHINESE AMERICAN PLANNING COUNCIL'S RESPONSE TO THE COVID-19 PANDEMIC

*Wayne Ho*

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On 13 March 2020, Mayor Bill de Blasio issued a state of emergency for the City of New York, removing any legal and regulatory barriers related to response efforts for COVID-19. The mayor said, "This isn't the first set of restrictions we've handed down and it will not be the last. As we learn more about COVID-19 and how it spreads, we'll continue taking steps to keep New Yorkers safe."<sup>1</sup> Two days later, with 269 cases and six deaths, Mayor de Blasio announced on 15 March that all schools would close due to COVID-19 and that all students would move to remote learning.<sup>2</sup> The mayor also announced that restaurants, cafes, and bars are limited to take-out and delivery and that entertainment venues like movie theaters, nightclubs, and concert venues must all close.<sup>3</sup> On 20 July, New York City was the last region of the state to enter Phase 4, though restrictions remained in place on group gatherings.<sup>4</sup> New York City public schools closed for the rest of the 2019-20 academic year and did not reopen for in-person instruction until 29 September 2020. By then, New York City had over 298,000 confirmed cases and over 24,200 deaths related to COVID-19.<sup>5</sup>

While all New Yorkers were affected by the pandemic, COVID-19 had a negative impact on the Asian American community as early as January 2020, two months before the rest of New York City. Small businesses in Manhattan's Chinatown reported sales drops of between 40 percent and 80 percent in January according to the Chinatown Business Improvement

District. In Flushing, Queens, business was down 40 percent in January according to the Flushing Chinese Business Association.<sup>6</sup> Xenophobia impacted not only the economic stability but also the public safety of the Asian American community. As the pandemic spread throughout the United States, President Donald Trump would continue to blame China, using terms like the "Chinese virus" and "kung flu." Anti-Asian racism related to COVID-19 would surge in New York City, as 316 racist incidents against Asian Americans were reported to the New York Police Department (NYPD) between March and July. In response, the NYPD would form an Asian Hate Crime Task Force in August.<sup>7</sup>

Under these circumstances, the Chinese American Planning Council would implement its COVID-19 relief efforts.

## **History and Mission**

The Chinese American Planning Council (CPC) was founded in New York City's Chinatown in 1965 during the Civil Rights Movement, Immigration Reform, and War on Poverty. Today, CPC is the nation's largest Asian American social services organization and has the mission to promote the social and economic empowerment of Chinese American, immigrant, and low-income communities.

As the largest non-profit provider of social services targeting Asian American communities in the United States, CPC is in a unique position to serve the many

immigrant and low-income individuals and families in New York City who have been afflicted by the COVID-19 pandemic and its disastrous racial and economic consequences. CPC operates community centers, school-based programs, and affordable housing developments in five neighborhoods of New York City. CPC also has a subsidiary, the CPC Home Attendant Program, which provides home care services to homebound seniors and people living with disabilities in all 51 council districts of New York City.

## Communities in the Wake of COVID-19

CPC's social service programs serve nearly 60,000 community members of all ages and immigrants from 40 different countries speaking 25 distinct languages or dialects. Nearly all of the individuals, seniors, and families fall below 200 percent of the federal poverty line. Almost all the children qualify for free or reduced lunch. Two-thirds of community members are Asian, and the remaining one-third represents the diversity of NYC. In the neighborhoods with CPC's three community centers (Chinatown, Manhattan; Sunset Park, Brooklyn; and Flushing, Queens), 25 percent of residents are below the federal poverty level, while 49 percent of all Asian residents in New York City live at or near the poverty level. More than 1 in 4 immigrants of working age has less than a high school education, and those with more formal education or training may still find their career options limited.

Since the pandemic has taken hold, individuals and families in CPC's programs have reported facing food insecurity, inaccessible health care, high medical costs, mental health needs, difficulty with their children's education, inability to assist aging family members, problems paying rent, and unemployment. For example, Elizabeth<sup>8</sup> is a young woman who immigrated to the US when she was

in high school. She fell out of status soon after entering the US. Since then, she has suffered many instances of abuse and is currently in the process of applying for immigration relief as a victim of human trafficking. Given her undocumented status, Elizabeth was working under the table, cash-based jobs but lost her job due to the pandemic. She has experienced anti-Asian harassment, such as people fake coughing around her and saying racial slurs. Elizabeth is most worried about food insecurity. Another example is Mr. and Mrs. Fu, who immigrated to the US with their two children and their grandparents. Prior to entering the US, Mrs. Fu was persecuted in China for being Hui and living in Xinjiang. Their entire family is undocumented, and Mrs. Fu is currently in the process of applying for Asylum based on Religion, Nationality, and under "Particular Social Group". They do not qualify for any federal assistance, given their immigration status. Mr. Fu was working cash-based jobs prior to COVID-19 to support his family. Unfortunately, he lost his job due to the pandemic. The Fu Family is most worried about making rent payments.

In a survey of CPC's families in July 2020, 70 percent reported a loss in work hours or a loss in jobs altogether. The New York State Department of Labor saw unemployment claims from Asian Americans spike 6,900 percent in April (147,000 claims), the highest of any racial or ethnic group.<sup>9</sup> Because Asian American neighborhoods in New York City were particularly hard hit as early as January, businesses were forced to lay off workers. About 25 percent of residents in Asian American neighborhoods work in industries like restaurants, hotels, retail, and personal care where layoffs have been most prevalent and where jobs will be slowest to recover.<sup>10</sup> In addition to health and economic burdens, Asian American communities have faced discrimination and harassment, though many instances go unreported.

## **Pandemic Relief Response and Impact**

CPC implemented immediate relief services on 16 March, when New York City schools were ordered to close, and moved any operations that were not reliant on in-person services to remote on 22 March. Community members seeking assistance in enrolling in unemployment insurance, SNAP, and other public benefits flooded the phone lines of CPC's community centers. Community members relied on CPC because New York State's helpline for filing unemployment claims had limited interpretation and translation available. When the shelter-in-place happened in March, government funders initially communicated regularly with human services organizations like CPC to ensure that contracts would be paid in full. As New York State and City began facing deficits of billions of dollars, CPC faced budget cuts to its summer children and youth programs and the possibility of staff furloughs and layoffs.

In order to reach isolated and vulnerable community members, CPC staff have modified programming and outreach, including establishing a WeChat account and providing daily health and news updates on Chinese radio. CPC distributed cell phones, tablets, and laptops to staff members to address the influx of requests for assistance to complete unemployment insurance, housing vouchers, SNAP, Medicaid, and other benefit applications. CPC updated its online and digital platforms with the latest advisories and worked with partner organizations to share translated resources like one-pagers on renter's rights and the Families First Coronavirus Response Act. CPC leadership have also spoken regularly with elected officials, policymakers, and foundation leaders about community members' stories of struggle with medical bills, children with special needs, and fear of deportation. CPC processed over 1,500 requests for cash assistance to eligible community members,

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**Because of the pandemic, CPC has reaffirmed its belief that community-based organizations remain critical to advancing the rights and well-being of low-income and immigrant communities. The strength and resiliency of the Asian American community is tied to the capacity and sustainability of Asian American organizations.**

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The challenges brought on by COVID-19 raised both strategic and tactical considerations for CPC, from pivoting to serving daily hot meals to seniors to ensuring staff members have the necessary PPE, supplies, and technology needed for vital services in-person and remotely. Many of CPC's programs and staff members have shifted their day-to-day programming to entirely new models of operating, which is straining organizational resources in a climate of uncertainty and creating new challenges when providing services to hard-to-reach constituents, especially those with limited English proficiency and limited digital literacy.

many of whom have not qualified for federal stimulus relief.

For example, in April, a new mother named Megan and her newborn faced a lack of resources as the pandemic hit. She was terrified to leave the house with her infant and take public transportation due to COVID-19. She tried to obtain food assistance for weeks over the phone but did not get any response from the New York State helpline. Then her husband lost his job. An immigrant, Megan lives in a mixed-status household and did not know if her family would qualify for SNAP. Megan called CPC for help enrolling in SNAP and securing an EBT card, and CPC staff contacted the

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**Though 2020 has been a challenging year due to the COVID-19 pandemic, CPC's resilient staff, diverse programs, advocacy efforts, and dedicated supporters and partners have ensured that New York City's Asian American community will have a better opportunity at an equitable recovery.**

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city office to verify Megan's information remotely to help her get the EBT card. CPC also gave emergency cash assistance to the family, which they used to cover rent and necessities for their infant child. In June, an undocumented couple with an infant and a 6-year-old were referred to CPC by the Mayor's Office. The Kim Family was worried about public charge affecting their adjustment of status, so they did not want to apply for public benefits, preferring to go hungry. After speaking with CPC staff, the Kim Family applied for their US citizen infant to receive SNAP, and CPC gave them emergency cash assistance to help them cover their rent and other expenses.

## Looking Forward

Because of the pandemic, CPC has reaffirmed its belief that community-based organizations remain critical to advancing the rights and well-being of low-income and immigrant communities. The strength and resiliency of the Asian American community is tied to the capacity and sustainability of Asian American organizations. Because Asian American organizations do not receive an equitable share of public and private funding, CPC continues to advocate for Asian American communities as well as human services

organizations and staff who serve them. It is working to ensure that the federal government provides another stimulus package that supports not only state and local governments but also marginalized immigrant families. Because the pandemic had disparate impacts on communities of color, CPC continues to work with partner organizations on an advocacy campaign to mandate New York State to disaggregate data on Asian American ethnic groups, which would be critical to targeting health resources. CPC is also engaging with elected officials to increase funding for human services organizations to pay for the full cost of program delivery and for human services workers to have a living wage, hazard pay, and PPE. Though 2020 has been a challenging year due to the COVID-19 pandemic, CPC's resilient staff, diverse programs, advocacy efforts, and dedicated supporters and partners have ensured that New York City's Asian American community will have a better opportunity at an equitable recovery.

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# CHINESE RESTAURANTS: A HISTORY OF RESILIENCE

*Curtis Chin*

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Before the COVID-19 pandemic, over 40,000 Chinese restaurants were operating across America. That's more than all the McDonalds, KFC's, Wendy's and Pizza Huts combined. Located in nearly every community and corner of the country, these ubiquitous establishments, big and small, are as American as apple pie, and, of course, more delicious.

The \$15 billion Chinese restaurant industry, which includes many independently owned family businesses, was amongst the first to be hit, and hit hard, by the economic crisis wrought by the coronavirus. With some national leaders promoting the use of terms like "Wuhan virus," "Hong Kong Fluey" and "General Tso's Revenge," the old stereotype of Chinese eateries being dirty and disease-ridden returned, negatively impacting businesses. According to *Restaurant News*, 50 percent of these Chinese restaurants shut down by Spring 2020.<sup>1</sup>

Luckily, there's a new administration in charge and vaccine distribution has been ramped up. As state and local officials grapple with the best course to tackle the pandemic and chart our recovery, an important question emerges—is America destined for life without egg rolls?

COVID-19, and its sadly predictable accompanying racism, is just the latest challenge to visit these iconic businesses. Throughout their history, owners—including families like my own—have faced many tough challenges. In addition to the usual difficulties of operating a restaurant—hard

labor, long hours, thin profit margins—Chinese establishments have also had to deal with the burden of racism and governmental policies that were often hostile to their success.

The first Chinese restaurant in America, the Canton Restaurant, opened in San Francisco in 1849. Thousands of Chinese men had left Southern China to mine for treasures on Gold Mountain. These bachelors needed a place to eat. By 1850, there were five such establishments. However, the growing wave of anti-Asian immigration policies, including the Chinese Exclusion Act, kept the community small and limited the number of Chinese restaurants to a dozen or so.

It wasn't until 1915, when the federal government loosened the immigration restrictions to exempt restaurant owners, that the number of restaurants increased substantially. Suddenly, a wave of aspiring restaurateurs applied to come to America. While the number of restaurants increased, general anti-Asian hostility in the country kept these businesses relegated to Chinatowns on the East and West Coast. While the clientele was still primarily Chinese, it did expand to include other immigrants and the more adventurous non-Chinese.

World War II changed the industry's trajectory. As the US and China became allies, there was a new openness towards Chinese people and Chinese culture. Chinese Americans benefited, as they were no longer seen as strangers or the enemy. The discrimination and hostility they often

facéd subsided, though sadly replaced by a rise in anti-Japanese sentiments. This led to an explosion in the number of Chinese restaurants, as well as their move into the suburbs.

It was during this wave that my family entered the restaurant business. Though my great-great-grandfather immigrated to Detroit in the late 1800s and opened laundries and grocery stores, my great-grandfather, Joe expanded the family business into promoting Chinese food. Joe and his two oldest children opened a small chop suey joint in the city's Old Chinatown in 1940. The restaurant was named Chung's, not Chin's, after Joe's American-born son-in-law, Harry, who spoke more English and convinced my great-grandfather to identify the restaurant after his family's surname.

My ancestors understood they still faced lingering stereotypes and confusion about the Chinese and Chinese Americans. To make sure that potential White, Black, and Jewish customers wouldn't be scared off, they made sure the ingredients were familiar to the American palate. No authentic dishes like chicken's feet or bok choy appeared.

Instead, since there were so many Southerners in Detroit, Chung's menu featured a lot of fried foods smothered in gravy, including their most popular dish and local Detroit invention, Almond Boneless Chicken.

With its Americanized menu and anglicized names for the dishes, the restaurant was an instant hit. Diners came in seven days a week, lining up for exotic, though still safe, dishes like shrimp fried rice, breaded shrimp, and sweet and sour chicken. The restaurant stayed open until 4 a.m., feeding the late-night diners and bowling leagues. Our restaurant was one

of those rare places in our segregated city where everyone felt welcomed. Black or White, rich or poor, gay or straight, Christian or Jew—we took anyone's money.

Over six decades, our family sacrificed and worked hard to ensure the success of Chung's. But like most small family businesses, its fortunes were often impacted by larger political forces beyond its control.

After immigration, the first major policy challenge came with eminent domain. As "White Flight" continued to decimate the city in the 1950s and 1960s, Detroit officials opted to build a freeway, to connect their former residents with the government and financial jobs stranded downtown. To accommodate the added concrete, the city branded Chinatown, as well as Paradise Valley, a nearby Black neighborhood, as slums. Ignoring the protests of its poor and working-class inhabitants, the city demolished both communities of color.

At the prodding of the city, my family relocated our business a few blocks east

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**In addition to the usual difficulties of operating a restaurant—hard labor, long hours, thin profit margins—Chinese establishments have also had to deal with the burden of racism and governmental policies that were often hostile to their success.**

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to a downtrodden area known as the Cass Corridor, the most crime and drug infested part of the city. Local officials promised to develop the area into an "International District" that could serve as a bustling tourist destination. Par for the course for the White power structure, those funds never came.

With little government support, our community was left stranded. So, we again turned to ourselves. The Chinese Merchants Association and the five other Chinese restaurants on the block pulled together to support programs like the Lunar New Year parade, the Moon festival, and the Miss Chinatown beauty pageant.

The successful events they created drew people to come down to Chinatown, and their businesses thrived.

However, increasing racial tension in our city—fueled by inequity in housing and education policies—led to the city

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## **During their long and often turbulent history in America, Chinese restaurants have always found a way to survive and thrive.**

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rioting in 1967. Just as now, protests and civil unrest swept across the nation. For five days, Detroit resembled a war zone, with the National Guard occupying its streets. The city instituted a curfew and my parents stayed home. It was the longest amount of time our restaurant closed.

Once again, my family was forced to adapt. After dusk, all the white-collared workers left the city for their homes in the suburbs. Except for a few special evenings like concerts at Orchestra Hall, there was no longer a dinner rush. In response, my parents adjusted their business hours, closing earlier and reducing shifts to save money. They also configured their business to accommodate more carryout orders.

With fewer residents and a reduced tax-base, Detroit faced major budget cuts throughout the 1970s. So, city officials shut down police substations all across the city, including the one in Chinatown. This led to a further increase in crime, with the city now christened “Murder City.” After being robbed at gunpoint twice—low by Detroit standards—our restaurant absorbed the cost of additional security measures. My dad hired a security guard to work during nights. Unfortunately, the new employee kept going into the kitchen and raiding our refrigerators. So, my dad had to fire him.

In the mid-1980s, business in the inner city got even tougher with the crack epidemic and the rise of AIDS. My family responded by moving into the drug trade:

pharmaceuticals, that is. With changes in healthcare law, prescription drug companies could now directly market their products to doctors. The companies started hiring pharmaceutical representatives who hosted luncheons for doctors and hospital executives. Our restaurant supplied the food for the catered luncheons. Who knew that legal drugs were more profitable than illegal ones?

Still, Detroit continued to shrink, and my family did their best to hang on. However, crime was too high, and after being vandalized a few more times, they had no choice but to finally leave the city and move out to the suburbs. Once again, they adapted their menu, this time to accommodate the suburban tastes. Instead of fried foods with gravy, suburbanites wanted more vegetables and healthier options, as well as spicier regional cuisines.

Sadly, the restaurant’s run, at least as part of our family, came to an abrupt end in the mid-2000s after my dad was killed in a car accident. On his drive to work, after stopping at a store to pick up a few last-minute items, he was killed when a car rammed into the driver’s side. Without my dad’s presence, my mom didn’t feel like she could carry on and none of the six children wanted to run the business, as we had all earned out college degrees and moved on and mostly out of the state.

I was living in Los Angeles at the time but returned home to Michigan to sell the family business. It was a hard decision, full of so many memories, but we felt it was better to let Chung’s survive, even if it no longer would be in our family’s hands. The restaurant is now run by a Chinese immigrant family from Hong Kong hoping to realize their own American dream.

During their long and often turbulent history in America, Chinese restaurants have always found a way to survive and thrive. Today, with COVID-19, the owners again face deep challenges. I wish them the best, as their food is too good to disappear from the scene.

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Adapts to 2020 and Beyond

# VIRAL VOTING: AALDEF ADAPTS TO 2020 AND BEYOND

*Phil Tajitsu Nash*

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## Introduction

In Georgia, outside a small Korean church housing a November 2020 polling site, non-partisan Asian Pacific American (APA) exit poll volunteers set up a table to conduct their surveys, just as volunteers did across the country. During the course of Election Day, however, two disturbing events occurred at this site. A truck with four or five extra-large Trump flags sped menacingly around the church's small parking lot, and then drove directly toward volunteers at the exit poll table before exiting the lot. Some felt intimidated. Later that day, a partisan poll watcher stood directly in front of the volunteers at their table, blocked them from conducting their voter surveys of exiting APA voters, and stared them down while refusing to move or identify for whom he worked.

While no single incident escalated to the levels of anti-Asian violence that had occurred in some states earlier in the year, anti-Asian racial tensions definitely were a noteworthy factor in the 2020 election season. Other major factors included a COVID-19 pandemic, major economic disruptions, extremely high levels of unemployment, housing crises, a bitterly

polarized political landscape, and a Black Lives Matter movement that galvanized nationwide conversations about racial justice and police tactics.

The Asian American Legal Defense and Education Fund (AALDEF) and its partner organizations in thirteen states and Washington, DC organized teams of lawyers, law students, and other volunteers, who conducted exit polls in many states and provided non-partisan assistance to APA voters in New York, New Jersey, Massachusetts, Pennsylvania, California, and New Mexico. The 400 exit poll volunteers spoke to 5,424 APA voters on Election Day and found that they supported Democrat Joe Biden over Republican Donald Trump by a margin of 68 percent to 29 percent, with no gender gap between APA men and women. While Vietnamese Americans

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**Thanks to AALDEF's 2020 exit polls, we know several important facts about APA voters: 27 percent of APA voters were first-time voters, 27 percent were not enrolled in a political party, and APA female voters (including some who contributed to the surge in suburban women voters) outnumbered APA male voters by 6 percent.**

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favored Trump by 57 percent to 41 percent, all other APA ethnic groups favored Biden.<sup>1</sup>

Thanks to AALDEF's 2020 exit polls, we know several important facts about APA

voters: 27 percent of APA voters were first-time voters, 27 percent were not enrolled in a political party, and APA female voters (including some who contributed to the surge in suburban women voters) outnumbered APA male voters by 6 percent.<sup>2</sup> When combined with other research showing that APAs had the biggest net increase in eligible voters over the last twenty years<sup>3</sup> and the highest recent increase in voter turnout of any racial group (a quadrupling of APA voters from 1.1 million in 2016 to 4.7 million in 2020),<sup>4,5</sup> it is clear that APA voters will be an increasingly decisive electoral segment of the electorate in the years ahead.

a number of onerous restrictions on our ability to own land and have other rights were based on our status as “aliens ineligible for citizenship.”<sup>7</sup>

Some of the most consequential civil rights advances of the nineteenth and early twentieth centuries for APAs were lawsuits filed by Chinese immigrants using white lawyers to establish equal protection guarantees for Chinese laundry owners in San Francisco<sup>8,9</sup> and the right to United States citizenship for someone born to immigrant parents on American soil.<sup>10</sup>

Nevertheless, even when Chinese, Japanese, Korean, and other immigrants had children who were American citizens

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This article will examine the 2020 presidential election through the lenses of both a unique year to elect the 46th president and forty-six years of AALDEF’s efforts to support APA community empowerment. While some challenges were unique to 2020, the article will conclude with thoughts on how APA individuals and organizations can enhance democracy via the electoral process in the future.

## **Overview of APA Voting and Community Empowerment**

The history of voting rights for Asian Pacific Americans (APAs) in this country runs parallel to the history of fighting for our rights to work, get an education, get married, stay safe, and be treated as full citizens. APAs were not mentioned in the first United States Census in 1790,<sup>6</sup> and

by birth, racist local, state, and national laws—as well as blatant discrimination and threatened or actual violence<sup>11</sup>—made voting and political empowerment less of a priority for many APAs than making a living. Japanese Americans<sup>12</sup> and Indian Americans<sup>13</sup> tried and failed to get the advantages given to “whites” in a society where “one drop” of non-European blood meant you were a second-class citizen.<sup>14</sup>

The huge strike by Chinese railroad workers in June 1867,<sup>15</sup> the proud history of labor organizing by Larry Itliong and other Filipino American agricultural workers,<sup>16</sup> and the great Hawai’i Sugar Strike of 1946<sup>17</sup> proved that APAs did not passively accept discrimination and second-class citizenship. Yet a combination of factors that included exclusion from schools, exclusion from professions, bias against those who spoke with an accent, and anti-immigrant discrimination meant that

APA leaders, who could have become mayors or members of Congress if they had been white, decided instead to go into business or remain leaders in their own ethnic communities.

Japanese American Nisei veterans returning to Hawai'i after their service in the European theater during World War II joined the Democratic Party and created the most successful, sustained electoral success for APAs in history.<sup>18</sup> They routed the white plantation owner class and sent Daniel Inouye to Congress as a Territorial representative and then Congressman and Senator.<sup>19</sup> This movement opened the door for Patsy Takemoto Mink in 1964, the first woman of color elected to Congress;<sup>20</sup> Senator Spark Matsunaga, who envisioned the United States Institute of Peace;<sup>21</sup> and generations of Hawai'ian APA leaders of all political parties and ethnic backgrounds in local, state, and national politics.

Indian American Democrat Dalip Singh Saund was elected to represent the Imperial Valley of California in Congress in 1956,<sup>22</sup> and Chinese American Republican Hiram Fong became the first APA in the United States Senate when Hawai'i became a state in 1959.<sup>23</sup> As the civil rights and anti-war movements of the 1960s and 1970s galvanized the creation of an Asian American movement<sup>24</sup> all across the country and Asian American Studies courses on many campuses,<sup>25</sup> dynamic community leaders such as Don Nakanishi entered the academy and created resources such as the *National Asian Pacific American Political Almanac*—the first record of APAs who were entering the political arena via town, city, county, regional, state, and high-profile federal offices. National APA newspapers such as *Asian Week*<sup>26</sup> garnered a wide following, as APA advocates in every state looked for ideas, role models, and allies as they pushed for APA empowerment in their communities.

Today, we see the political power of APAs in the presence of numerous advocacy organizations in Washington, DC,<sup>27</sup> contributions to the political science field,<sup>28</sup>

and the growing number of APA politicians of all political affiliations in every level of government. However, progressing from the world first researched by Don Nakanishi and his colleagues in the 1970s to the current world of APAs being accepted as voters, candidates, campaign professionals, and policy experts took fifty years of hard work by countless individuals, organizations, and communities. The rise of AALDEF in 1974 and its voter empowerment work in subsequent decades provide just one example.

### **Building AALDEF's Capacity: Activists to Law Students to Lawyers**

In 1974, current AALDEF Executive Director Margaret Fung, who had not yet gone to law school, worked with others to organize a legal rights workshop in New York City. It was attended by pioneering APA attorneys Bill Marutani, Josephine Ho, Anthony Kahng, and Ben Gim, as well as interested community members such as chemist Stan Mark, who was inspired to go to law school and now serves as AALDEF's Senior Staff Attorney. They discussed the need for an organization to help APA community members understand the legal system, defend their rights, and move from the margins to the mainstream of American society.

By 1976, AALDEF had opened its doors at 43 Canal Street, right off of the Bowery and in the shadow of the Manhattan Bridge. Nicholas Chen, who has been on the AALDEF board for forty years after first serving as a student intern, said, "We had no computers or fax machines or internet. There was barely a private place to talk to a client, and the need for legal help was so great that clients found us by word-of-mouth."

By the 1980s, AALDEF had moved to 99 Hudson Street in Lower Manhattan as part of the Public Interest Law Center, which included the NAACP Legal Defense and Education Fund and other leading civilrights law groups. In addition to



participating in national civil rights litigation and amicus briefs in leading Supreme Court cases, AALDEF focused on immigrant rights, voting rights, economic justice for workers, language access to services, educational equity, housing and environmental justice, as well as the elimination of anti-Asian violence, police misconduct, and human trafficking. Recognizing that not everyone can afford a lawyer and that many conflicts never reach a courtroom,

AALDEF staff and volunteers spent much time providing legal resources for community-based organizations, facilitating grassroots community organizing efforts, and conducting free multilingual legal advice clinics for low-income APAs and new immigrants.

AALDEF chose to not take any governmental funding so that it could advocate, if necessary, against unfair practices by government entities. Instead, it held an annual Lunar New Year banquet and other fundraising events, solicited individual and organizational contributions, and wrote proposals to receive grants from foundations. Many lawyers and law firms provided *pro bono* representation on key cases, and thousands of students such as Nick Chen, Helen Kang, and Arthur Hui started as interns or volunteers and went on to provide years of help as staff members, exit poll monitors, board members, and donors.

AALDEF's work in support of voting rights and civic engagement over the last few decades led or tracked many of the ways that APAs were getting involved and asserting their rights. Here are a few examples of AALDEF's initiatives:

- \* 1985 - Negotiates voluntary agreement with NYC Board of Elections to provide sample ballots in Chinese and hire

interpreters at poll sites.

- \* 1988 - Conducts first exit poll of APA voters in a presidential election.

- \* 1990 - Educates APA communities about the importance of participating in the 1990 Census.

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**Today, we see the political power of APAs in the presence of numerous advocacy organizations in Washington, DC, contributions to the political science field, and the growing number of APA politicians of all political affiliations in every level of government.**

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- \* 1992 - AALDEF is the only APA group invited to testify before the US House Judiciary Committee on expanding minority language assistance under the Voting Rights Act, affecting 200,000 APAs nationwide.

- 1994 - Leads advocacy effort to secure first fully translated Chinese-language voting machine ballots in New York City under the Voting Rights Act.

- \* 1994 - Launches Asian American Citizenship Project in response to anti-immigrant sentiments; assists thousands of permanent residents to become US citizens.

- \* 1996 - Conducts exit poll of 3,264 Asian New Yorkers in the presidential election; 39 percent are first-time voters.

- \* 2000 - Conducts multilingual exit poll of over 5,000 APA voters in presidential election.

- \* 2002 - Works with New York Voting Rights Consortium, a multiracial collaborative, to coordinate state and local New York redistricting plans and election reform advocacy; monitors Korean-language ballots and assistance in New York City.

- \* 2002 - Works with the Beyond Ground Zero network; testifies before Congress, calling for funds to research and treat post-9/11 environmental health problems

affecting Chinatown and Lower East Side residents; assists thousands of people to access 9/11 relief programs.

\* 2004 - Releases new report on *The Asian American Vote 2004*, based on a multilingual exit poll of 10,789 APA voters.

\* 2006 - Testifies before the US Senate Judiciary Committee in support of twenty-five-year reauthorization of key provisions of the Voting Rights Act.

\* 2007 - In response to AALDEF's lawsuit under the Voting Rights Act, the NYC Board of Elections agrees to update and improve its Chinese and Korean language assistance programs in *Chinatown Voter Education Alliance v. Ravitz*.

\* 2008 - Conducts the nation's largest multilingual exit poll of 16,665 APA voters in eleven states and Washington, DC; poll shows overwhelming APA support for President Barack Obama.

\* 2010 - Releases report on AALDEF exit poll of 3,721 APA voters in five states in the 2010 midterm elections; exit polls were also conducted in 2012 and 2014.

\* 2013 - Speaks at DC rally as the US Supreme Court hears *Shelby County v. Alabama*, a case that found certain provisions of the Voting Rights Act unconstitutional and limited protections for minority voters. Sues the NYC Board of Elections for failing to provide Bengali ballots in Queens; the Board settles and provides Bengali ballots for the September 2013 primary election.

\* 2016 - Releases report on AALDEF multilingual exit poll of 13,846 APA voters in fourteen states in the 2016 presidential election.

\* 2016 - A federal district court blocks the Texas election law that limits access to interpreters for limited English proficient voters, in violation of the Voting Rights Act, in AALDEF's case *OCA-Greater Houston v. State of Texas*.

\* 2017 - Conducts another exit poll, and the US Court of Appeals for the Fifth Circuit affirms that Texas election law, requiring interpreters to be registered voters, violates the Voting Rights Act in *OCA-Greater Houston v. State of Texas*.

\* 2018 - More than 8,000 APA voters in fourteen states participate in AALDEF's multilingual Asian American Exit Poll. Voter turnout is high across the country. More exit polls follow in 2019 and 2020.

All of this incremental change was combined with holding ongoing legal advice clinics for immigrants, providing assistance to immigrants seeking to become naturalized US citizens, translating legal advice materials into many Asian languages, and conducting impact litigation, when necessary. In the course of forty-six years, these activities built a reservoir of trust and a cadre of committed volunteers to help with exit polling and other labor-intensive tasks that are some of AALDEF's biggest contributions to community empowerment.

## **Election 2020: A Challenge for AALDEF and Other Advocates**

Some of the issues that challenged elderly APA voters and those with limited English ability in 2020 were similar to issues seen by veteran poll monitors over many decades. For example, AALDEF Senior Staff Attorney Susana Lorenzo-Giguere reported that some poll officials in 2020 still do not understand that Chinese and other Asian voters customarily give their name to the poll worker with their surname first, for example, "Nash Philip" rather than "Philip Nash." Poll workers have turned away such voters because they inevitably cannot find the voter so listed in the list of registered voters. A variation on that misunderstanding occurred when voters used an English nickname such as "Ann" on a driver's license and an official Vietnamese name such as "Anh" on a voter registration, causing poll officials to reject such voters because the name on the voter's ID does not match the name on the list of registered voters. Finally, some poll workers were hostile to APA voters with limited English proficiency, made anti-Chinese comments about Chinese voters, yelled at APA volunteer poll monitors who were

providing election protection and language assistance, and even demanded that authorized APA poll monitor volunteers leave poll sites and exit pollers leave designated outdoor exit poll tables.<sup>29</sup>

However, in many respects, Election 2020 was unlike any other election:

1. The COVID-19 virus limited in-person voter registration, polling, Get-Out-the-Vote (GOTV) activities, and exit polling. Masks made communication more difficult, and social distancing made approaching voters to ask exit poll questions riskier for all involved.

2. President Trump's blatant anti-Asian taunts and his encouragement of anti-Asian bullying resulted in a spike in anti-Asian violence that led Rep. Grace Meng (D-NY) and others to sponsor and then pass a House of Representatives resolution condemning anti-Asian bigotry and discrimination.<sup>30</sup>

3. Concerns about the virus also led to the closing or consolidation of voting locations, which was a tactic used in years past in minority communities to create chaos and discouragement on Election Day. Many AALDEF volunteer exit polling teams had to scramble from one location to another as the day started because notice about closed polling locations was not uniformly well-publicized. On the plus side, however, the consolidation of polling places meant that some exit polling teams were able to reach some voters who would have voted at locations with no exit poll questionnaires available; so, this year's results included more Bengali, Korean, and other exit poll results.

4. Exit poll takers and volunteer poll monitors, who provide non-partisan assistance at polling sites, tend to be older and therefore less likely to volunteer to go out in public due to the pandemic. As a result, the number of AALDEF volunteers dropped precipitously from about 800 to about 400, and there were fewer volunteers able or willing to work full-day shifts.

5. AALDEF privacy experts worried that voters who did not want to wait to

answer exit polls in-person might also object to answering questions online, which might be seen as less private. AALDEF got around this issue, however, by providing a QR code to an online exit poll questionnaire that was not publicly broadcast except to voters who were leaving a voting place and did not want to stop to talk.

6. Exit polls take a lot of labor in the preparation phase, but COVID-19 restrictions meant that the ninety boxes of exit polling materials sent to volunteers around the nation (up from eighty-two in 2016) had to be assembled and mailed by staff members working in socially distanced shifts.

As always, volunteers tended to be about two-thirds students (undergraduates, law students, and graduate students) and one-third lawyers and community members. In some cities such as Boston, for example, students from the Harvard APALSA, Pan-Asian Graduate Student Alliance, Kennedy School of Government Asian American Pacific Islander Caucus, and T.H. Chan School of Public Health South Asian Student Association did the planning and volunteering that made the exit polling possible.

## **Challenges: The Virus and Beyond**

Given almost fifty years of experience, AALDEF was able to adapt to the challenges of the 2020 election and get polling data that will help researchers, policy analysts, and community groups to understand who voted, how they voted, and what their needs and concerns are. For example, while APAs overwhelmingly chose Biden over Trump,<sup>31</sup> there were voters who supported Trump despite what one woman described as "his inability to keep his mouth shut." In fact, this elder had stockpiled food at home before coming to the polls to vote for Trump because she had heeded Trump's warning that civil unrest was coming if he was not re-elected.

AALDEF's success is based on a holistic model of community service legal work that sees success not as the victory of one plaintiff in a court case, but as a legal case that is one part of an overall strategy to empower individuals, other community service organizations, the surrounding community, and the nation as a whole. For example, AALDEF's efforts to promote economic justice have helped low-wage workers collect stolen tips, get paid legally mandated minimum wages, and improve workplace conditions that ultimately lead to a better workplace for everyone. AALDEF's immigrant rights efforts have encouraged clients to get naturalized, learn their rights, and assert their rights at the ballot box. In both of these legal arenas, community education and legal clinic work is done onsite at small immigrant rights or worker rights organizations that provide interpreters. The net effect is that the legal client is served, while AALDEF, the partnering organization, and trust in the nation's legal processes all are improved as well.

Success in providing non-partisan poll monitors and collecting exit poll data comes from having a year-round Democracy Program and a team with diverse skill sets and experiences. For example, Director Jerry Vattamala is a lawyer and adjunct law professor who refines, implements, and analyzes polls, while also litigating cases, providing testimony on APA voting rights, speaking on redistricting panels, and leading training for volunteer attorneys, law students, and others. Voting Rights Organizer Judy Lei, who handles the logistics involving exit polling work, is also an actress and community organizer whose people skills are essential when reaching out to community partner organizations. Senior Staff Attorney Susana Lorenzo-Giguere, who formerly served as a Special Litigation Counsel at the Civil Rights Division of the United States Department of Justice and is a nationally recognized voting rights expert, has participated in cases to defend not only the voting rights

of APAs, but also those of Native Americans, the Hispanic community, and people with disabilities.

What will future elections hold for the APA community, and how can AALDEF and other APA community groups prepare to help APAs vote and get involved?

1. More translators are needed at majority-minority precincts, and more training is needed for poll workers and others who will interact with the names and needs of APA voters, especially those with limited English abilities.

2. More needs to be done to remind reporters, politicians, and policy analysts that APAs are not monolithic or easily categorized. For example, more exit polling and analytical studies of APA evangelicals will allow for a more nuanced and thoughtful view of a large and growing community.

3. Much more needs to be done to halt anti-Asian harassment, such as the truck prowling through the parking lot in Georgia, that unfairly or unlawfully discourages APAs from full civil engagement and voter participation.

4. More political campaigns need to do outreach to APA communities during campaign season – both to understand how to encourage APA voting and address the needs of APA communities once a candidate becomes an elected official.<sup>32</sup>

## **Postscript: Runoff Election in Georgia**

AALDEF organizer Judy Lei, Senior Staff Attorney Susana Lorenzo-Giguere, and Legal Intern Joanna Xing partnered with staff from the Atlanta-based Center for Pan Asian Community Services (CPACS) to conduct exit polling in Georgia's Gwinnett, Fulton, and DeKalb counties during the 5 January 2021 United States Senate run-off elections. The Georgia exit polls, offered to over 270 individuals in Korean, Bengali, Chinese, and Vietnamese, showed that 22 percent of API voters were casting their vote for the first time, 33 percent were limited English proficient, and 77 percent were

foreign-born naturalized citizens. Two-thirds of APA voters favored the Democratic candidates (Warnock 64 percent and Ossoff 68 percent) over their Republican opponents (Loeffler 33 percent and Perdue 31 percent).<sup>33</sup>

Jerry Vattamala, AALDEF Democracy Program Director, said, "One issue we observed in the runoff elections was that hundreds of voters of color, including Asian American voters, were turned away and told they were at incorrect poll sites. This was particularly egregious when the site to which they were directed was closed. We will continue to work with election officials to investigate these serious voting problems."<sup>34</sup>

To address these issues on Election Day, AALDEF and CPACS staff provided a necessary polling place look-up service, not only for API voters, but also for Black and Hispanic voters. CPACS staff even provided car rides to elderly APA voters who had been turned away so they could reach their proper voting site.

"Even with a record number of early voters in Georgia, AALDEF's exit polling revealed a remarkable Election Day turnout among young and first-time Asian American voters," said Senior Staff Attorney Lorenzo-Giguere. "It also cemented AALDEF's enduring commitment to protect the rights of all voters of color when they were turned away by poll workers from their polling places in Gwinnett County."<sup>35</sup>

Looking toward the future, AALDEF Executive Director Margaret Fung observed: "Asian American voters played a critical role in electing Warnock and Ossoff in two extremely close races that will result in Democratic control of the US Senate. Asian American voters must no longer be ignored in the political process."<sup>36</sup>

aaldef-exit-poll-asian-americans-favor-biden-over-trump-68-to-29-played-role-in-close-races-in-georgia-and-other-battleground-states/

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# WEALTH INEQUALITY AMONG ASIAN AMERICANS: THE CONTINUING SIGNIFICANCE OF ETHNICITY AND IMMIGRATION

*R. Varisa Patraporn, Paul M. Ong, and Chhandara Pech*

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## Abstract

This paper expands on existing research by providing a more in depth and nuanced analysis of wealth within the Asian American community by considering foreign-born status and ethnicity. By a number of traditional aggregate wealth indicators (e.g., income, home ownership, entrepreneurship) Asian Americans are at or near parity with non-Hispanic whites (NHWs). However, this dichotomy buries some critical disparities among AAs and may lead policymakers and scholars to exclude Asian Americans from asset building policies targeting racial minorities and disadvantaged groups. Using data from the Survey of Income and Program Participation we find a notable portion of Asian Americans at the higher and lower ends of the wealth distribution demonstrating large disparity of wealth within the Asian American community. With data from the Census American Community Survey, we find that foreign born status and ethnicity are key to explaining this disparity. Our findings suggest policies and programs that focus on and target the most vulnerable Asian Americans at the bottom of the wealth quartile, newer immigrants, and Southeast Asians.

## 1. Introduction

While much of the scholarly research continues to demonstrate the economic success

of Asian Americans, there is also evidence of Asian American economic disparity.<sup>1</sup> Much of the work on wealth status to date has focused on comparing Asian Americans to other racial groups using a dichotomy that typically posits Asian Americans and Whites against Latinos and African Americans on the lower end of the wealth distribution.<sup>2</sup> This framework limits and misconstrues the reality that many Asian Americans face, particularly those that are newer immigrants. Popular media such as the film “Crazy Rich Asians” also perpetuate the model minority myth, which can be detrimental to understanding the vast inequality within the community which policy can address. As an alternative policy framework, this article provides a more in depth and nuanced approach, which considers its ethnic diversity and historical context.<sup>3</sup>

The Asian-White wealth gap has fluctuated over time, disappearing in 2005 because of the housing boom, but subsequently widening as the Great Recession wiped out wealth gains made by Asian Americans.<sup>4</sup> In 2009, Asian Americans were behind Non-Hispanic whites in overall wealth,<sup>5</sup> Despite findings that show Asian Americans exceeding Non-Hispanic Whites on other economic measures such as household income. Income has not translated into wealth for Asian Americans as it has for Non-Hispanic whites. There are several explanations for why the wealth gap persists, including differences in ethnicity, immigration history and various historical experiences of Asian Americans in the United States.

Few studies have examined predictors of wealth among Asian subgroups. Existing studies either focus solely on immigrants, or they provide descriptive statistics on a few larger groups.<sup>6</sup> Much of this lacuna is due to a lack of publicly available statistics, due partly to small sample size. This paper addresses these limitations by using

a commensurate level for Asian Americans compared to their non-Hispanic White counterparts. This finding is consistent with studies showing that a lower rate of return on earnings from education for Asian Americans, particularly males.<sup>11</sup>

There are several explanations for group differences in wealth. One of the most influential works on African Americans and Whites is Oliver and Shapiro's *Black Wealth/White Wealth*.<sup>12</sup> They expanded understanding about the structural and historical factors that influence wealth status, especially the transfer of intergenerational wealth. Long standing dis-

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micro-level data, which enables us to estimate predictors of wealth including nativity for Asian American ethnic groups using an indirect measure of wealth, income from interests, dividends, and rental income. This refined analysis provides a more holistic picture of Asian American wealth that encourages equitable policy and programs targeted to those who need it most.

## 2. Prior Research

There is a small but growing body of research examining predictors of wealth for Asian Americans.<sup>7</sup> This research generally concludes that wealth levels are close to or exceeding that of non-Hispanic Whites.<sup>8</sup> These findings might be expected because on average Asian Americans have higher levels of education and income.<sup>9</sup> After controlling for wealth determinants, some studies still find an Asian and White wealth gap.<sup>10</sup> Essentially, higher levels of education and income are not translating into wealth at

crimination in housing and financial markets such as redlining, zoning, and subprime lending contributed to different opportunities to build wealth.<sup>13</sup>

Historically, racial discrimination has also impacted Asian Americans. For instance, the first zoning law in the United States was directed at Chinese Americans growing their laundry businesses in California.<sup>14</sup> Discrimination in the housing market is especially important as Asian Americans, like other racial minorities, continue to hold most of their wealth in homeownership (opposed to stocks, rental income, other assets, etc.) compared to whites.<sup>15</sup> It has been noted that racial discrimination based on skin color including darker-skinned Asian Americans, as well as discrimination based on accent, which affects foreign-born Asians and Asian Americans negatively.<sup>16</sup>

Like the Latinx population, Asian Americans have been impacted by immigration policies which favor certain groups over others.<sup>17</sup> The most influential policies in shaping the distribution have been (1)



economic selection; (2) refugee policy; and (3) family reunification. This has manifested into ethnic differences in wealth. Some ethnic groups came and continue to enter the United States by bringing capital investment or by filling highly skilled occupations.<sup>18</sup> These Asian immigrants such as Asian Indians and Chinese, arrive ready to ride the wave of the new economy, contributing their skills, knowledge, and dollars to the United States.<sup>19</sup> In comparison, political refugees from Southeast Asia have come with few economic resources, to escape war and political persecution with for the most part less education and skills.<sup>20</sup> Lastly, family reunification has facilitated chain migration of individuals of the same socioeconomic standing, reinforcing class differences and reproducing the same patterns of distribution of wealth among Asian Americans.<sup>21</sup> Thus, for Asian Americans, foreign-born status remains an important variable to understanding wealth differentials including those within an Asian ethnic group.

Since the Asian population in the United States remains a highly foreign-born population at 66 percent, factors related to immigration remain relevant.<sup>22</sup> Immigration status and how long one has been in the United States plays a role in behaviors, attitudes, and understanding around US financial institutions and mechanisms for generating wealth and saving. For example, English language proficiency affects how well one understands US financial institutions and policies.

Research on Asian American wealth remains limited mostly due to low sample size in national data sets and because of the popular belief that Asian Americans are a “successful” minority not in need of examination. Because of the small but growing numbers of Asian Americans, they often are grouped with other populations such as American Indian and Alaska Natives or “Other”.<sup>23</sup> This makes it difficult to do analysis specific to the Asian American population and even more so by Asian American ethnicity. To address this challenge, newer

studies have included an analysis of specific Asian American ethnic groups. However, to date, much of this research has been descriptive and the data is not publicly available.<sup>24</sup>

### 3. Data and Methods

We analyze wealth patterns among Asian Americans overall and overtime using data from the Census Bureau’s 2000, 2004 and 2008 cohorts (which includes 2011 data) Survey of Income and Program Participation (SIPP).<sup>25,26</sup> Since it is primarily a tool for government planning, it does not accurately account for wealth held by households at the top end of the distribution.<sup>27</sup> Information about country of origin is available only in some years which is why some research published has examined only Asian immigrants.<sup>28</sup> Despite these limitations, the SIPP is the most comprehensive data set available for public use with a sufficient sample for Asian Americans.<sup>29</sup>

We use 2008 SIPP data from Wave 10 Core micro data, which include information on household demographic characteristics, family size, and income status. This data set includes information up to 2011. We derive wealth information (i.e., total wealth, total net wealth, total debt, etc.) from the Wave 10 Topical file. We retrieved information about foreign-born status and the number of years in the United States from the Wave 2 Topical file. We kept cases that had information for both waves, restricting to only those respondents in the fourth reference month. After joining the two waves together, there was a total sample of 17,298, which breaks down as follows: 12,763 Non-Hispanic whites; 1,958 Blacks; 1,916 Latinos; and 661 Asians.

We complement the analysis of SIPP by analyzing the Census American Community Survey Public Use Microdata Sample (ACS PUMS) 5-year (2008-2012), which enables us to analyze wealth for Asian ethnic groups, and by nativity. The ACS

PUMS collects information correlated with assets in the form of income from interests, dividends, and rental income.<sup>30,31</sup>

The PUMS in the analysis included 221,435 Asian Americans, identified as the reference person, and excluded those residing in group quarters. We examine patterns for the 13 largest Asian American ethnic groups. These include 40,275 Asian Indians; 57,485 Chinese; 37,040 Filipinos; 22,168 Koreans; 21,567 Vietnamese; 17,478 Japanese; 3,725 Pakistanis; 2,701 Cambodians; 2,436 Thais; 2,158 Laotians; 1,729 Hmong; and 1,326 Bangladeshis.<sup>32</sup>

We also use multivariate statistical models to estimate the amount of income from assets and the likelihood of having income from assets by Asian ethnicity and nativity status.<sup>33</sup> To estimate the predicted income from assets, we ran a Tobit regression to account for the many observations with zero values for the dependent variables (income from assets). We ran two separate models, one for native-born (US born) and one separately for foreign-born Asians. We controlled for the following variables in the native-born model: age, sex, and education (years of schooling). The foreign-born model includes the same independent variables as native-born but also controls for years in the US, citizenship status, and English language proficiency.<sup>34</sup>

We used logistic regression to examine factors associated with the likelihood that various Asian American ethnic groups

will have assets or not have assets. Japanese are used as the reference group in the model because they have the highest mean income from assets, among all Asian subgroups. This model controls for the same variables as the Tobit model: ethnicity, education, sex, age, citizenship status, and English language proficiency. Like the Tobit regression model, we estimated this model for both native and foreign-born Asian Americans.

## 4. Results

### 4.1 Wealth Inequality Among Asian Americans

When we examine the spread of wealth within the Asian American community, we find that Asian American wealth is more spread out compared to non-Hispanic whites. What this means is that there is greater inequality among Asian Americans compared to non-Hispanic whites. Table 1 shows the dollar amount of total net worth, housing equity and non-housing equity at the 25th, 50th and 75th percentiles for Asian Americans compared to non-Hispanic Whites. The normalized spread tells us the amount of difference in wealth between those at the extreme ends of the wealth distribution (75th and 25th) standardized by those at the 50th percentile.

The ratio of the 75th percentile value for total net worth to the 25th percentile is 28.7 for Asian Americans compared to 11.2 for non-Hispanic whites, which also

Table 1: United States Wealth Distribution, Asians, and Non-Hispanic whites, 2011

Percentile	Total Net Worth			Housing Worth			Nonhousing Net Worth		
	Asian	NH White	Asian/ NH White	Asian	NH White	Asian/ NH White	Asian	NH White	Asian/ NH White
75th	\$430,500	\$438,790	0.98	\$200,000	\$170,000	1.18	\$203,226	\$262,726	0.77
50th	\$153,826	\$169,789	0.91	\$49,000	\$69,000	0.71	\$44,393	\$62,500	0.71
25th	\$14,980	\$36,833	0.41	0	0		\$5,947	\$7,800	0.76
Normalized Spread 75th and 25th ratio (75th-25th)/50th	28.7	11.9		NA	NA		34.2	33.7	
	2.7	2.4		4.1	2.5		4.4	4.1	

Source: Tabulations by authors using SIPP 2008 Panel, Wave 10 data

suggests greater differences among Asian Americans. The difference in spread is significant, and the current ratio for Asian Americans represents an increase compared to 2005 data that showed a 15.0 ratio for Asian Americans compared to an 11.0 ratio for Non-Hispanic whites. This means that after the housing boom, inequality between Asian Americans increased.

The normalized spread shows a similar pattern where Asians have a slightly higher spread than non-Hispanic Whites in terms of total net worth; 2.7 compared to 2.4 for non-Hispanic Whites. The difference in spread was more prominent when we look at the worth of housing which was 4.1 for Asian Americans compared to 2.5 for non-Hispanic Whites. The non-housing net worth also showed Asian Americans with greater difference between those at the 75th and 25th percentile with a slightly larger spread compared to non-Hispanic whites; Asian American non housing net worth ratio was 4.4 compared to 4.1 for non-Hispanic whites.

Table 1 also allows for a comparison of actual dollar amounts between the two groups and for various types of wealth holdings. The bottom 25th percentile of Asian Americans fare much worse than their non-Hispanic White counterparts. The total net worth for the bottom 25th percentile for non-Hispanic whites was more than twice the amount for Asian Americans; \$36,833 compared to \$14,980. The gap was smaller for other net worth (non-housing), where the difference was smaller;

\$5,947 for Asians at the 25th percentile compared to \$7,800 for non-Hispanic whites at the 25th percentile. Overall, non-Hispanic Whites at the 75th percentile have a higher total net worth and non-housing net worth. In comparison, Asian Americans at the 75th percentile have a higher housing worth, which again reinforces the finding that racial minorities hold most of their wealth in housing.

#### 4.2 Wealth Differences Between Asian American Groups

Table 2 presents a parity index to compare the relative difference between Asian ethnic groups relative to the average for all Asians. To calculate the ratios, we took the mean value of the wealth indicator for each Asian ethnic group and divided that by the average for all Asians. For example, the mean interest and dividend, and/or rental income for all Asians is \$3,111. The parity index shows that Filipino mean interest and dividend and/or rental income mean is 51 percent of \$3,111.

Consistent with Ong and Patraporn (2006) and Patraporn, Ong and Houston

*Table 2: Mean Household Income and Assets in the United States by Asian Ethnicity, 2008-2012*

	Mean Household Income	Mean Interest, Dividend, and Rental Income	% Homeowner	Mean Home Value
<b>All Asians</b>	<b>\$94,521</b>	<b>\$3,111</b>	<b>58%</b>	<b>\$247,196</b>
<i>Parity Index (Relative to all Asians)</i>				
Asian Indian	1.29	1.09	0.94	0.98
Cambodian	0.66	0.22	0.84	0.48
Chinese	1.01	1.48	0.84	1.29
Filipino	1.02	0.51	1.07	0.91
Hmong	0.60	0.04	1.07	0.31
Japanese	0.97	1.72	0.77	1.22
Korean	0.83	0.96	1.10	0.90
Laotian	0.68	0.21	0.82	0.48
Pakistani-Bangladeshi	0.94	0.71	0.88	0.76
Thai	0.76	0.57	1.01	0.69
Vietnamese	0.80	0.43	0.88	0.81
Other Asian	0.88	0.81	0.92	0.83

Source: Tabulations by authors using US Bureau of Census, ACS Public Use Microdata Sample, 2008-2012

Notes: "Mean Income" and "Mean, Interest, Dividend, and Rental Income" include negative (indicating loss) and zero-dollar amounts (indicating no income). "Mean Home Value" includes those who do not own their own home (i.e., renters). For those who do not own their home, home value was set to zero.

(2009) this study also finds great variation in wealth by ethnicity. Chinese and Asian Indians exceed or come close to parity on almost all wealth measures. In comparison, Hmong and Laotians report only half of the average for all Asians on all indicators except homeownership. Other recent studies examining Asian American wealth by ethnicity report similar findings; Japanese Americans are six times more likely to hold wealth than Vietnamese Americans. "Chinese Americans hold key financial assets, at a rate that is roughly five times that of Vietnamese Americans"<sup>37</sup>

### 4.3 Predicted Income from Assets Among Foreign Born

Overall, ethnic differences in income from assets among foreign born exist, but the significance of ethnicity for all groups remains mixed once we control for other wealth factors. (see Table 3). Model 1 shows that being any other Asian ethnic group compared to being Japanese results in less wealth. These findings are all statistically significant. In comparison, Model 2 (once we add control variables) shows that ethnic differences remain significant only for Cambodians, Chinese, Filipinos, Laotians and Vietnamese compared to Japanese; Cambodians ( $b=-824.35$ ,  $p<.10$ ), Filipinos ( $b=-1834.27$ ,  $p<.01$ ), Laotian ( $b=-1405.69$ ,  $p<.01$ ), and Vietnamese ( $b=-888.11$ ,  $p<.01$ ).

Being Asian Indian, Pakistani-Bangladeshi, Chinese, Korean or Other Asian results in a higher amount of assets but none of these findings are statistically significant except for Chinese ( $b=1340.41$ ,  $p<.01$ ). We also find ethnic differences between groups (not including Japanese as the reference group). For example, the difference in income from assets for Cambodian and Chinese is just over two thousand dollars.

As expected, findings in Model 2 demonstrate that having more education, years in the US and being male opposed to female results in more income from assets. These findings are statistically significant. Similarly, as expected being a citizen increases

the amount of income from assets ( $542.44$ ,  $p<.01$ ) and having limited English proficiency decreases the amount of assets ( $-221.49$ ,  $p<.05$ ).

### 4.4 Ethnic Differences Predicted Income from Assets Among Native Born

Overall, the results show that ethnic differences in income from assets exist, but the significance of ethnicity remains only for certain groups after controlling for other factors related to wealth. Model 1 (Table 3) shows that coefficients for all ethnic groups are statistically significant except for Chinese. After controlling for key variables related to wealth (see Model 2), the coefficients remain significant only for Asian Indian, Pakistani-Bangladeshi, Chinese and Filipino. Native born Asian Indians and Chinese Americans have more income from assets compared to Japanese Americans net of all other factors. In contrast, Filipinos and Pakistani-Bangladeshi display less income from assets compared to native born Japanese Americans ( $b=-1119.04$ ,  $p<.01$  and  $b=-447.24$ ,  $p<.10$ , respectively). We also see ethnic differences between other groups that are not Japanese such as, Chinese and Filipino representing a difference of about \$2,400. As expected, we find that being male and having more education increases the amount of income from assets. These findings are both statistically significant.

### 4.5 Ethnic Differences in the Odds of Having Income from Assets Among Foreign Born

Differences between Asian groups also appeared in the logistic regression results. Almost all other Asian ethnic groups regardless of nativity experience a lower likelihood of having positive net assets from secondary income compared to Japanese Americans. Table 4 shows the results from the logit model for both foreign born and native-born Asian Americans with and without controlling for a set of independent variables. Model 1 shows that for the most part Japanese have a higher likelihood of wealth relative to all other

Table 3: Tobit Model Results, 2008-2012

	Foreign Born Asian Americans		Native Born Asian Americans	
	b	SE	b	SE
<b>Model 1</b>				
Asian Indian	-209.52	255.005	-3052.790	422.512 ***
Cambodian	-2805.58	44.088 ***	-6510.520	1146.487 ***
Chinese	624.52	532.085 **	-90.238	313.226
Filipino	-1919.30	262.362 ***	-5205.520	338.417 ***
Hmong	-3469.36	506.386 ***	-6487.250	971.553 ***
Korean	-539.85	270.351 *	-4046.010	445.302 ***
Laotian	-2992.75	462.737 ***	-5896.000	1296.122 ***
Other Asian	-1313.16	309.213 ***	-3127.980	495.109 ***
Pakastani-Bangladeshi	-1341.37	349.869 ***	-5070.950	1077.797 ***
Thai	-1624.58	467.542 ***	-5848.520	1067.819 ***
Vietnamese	-2269.57	272.202 ***	-5199.870	533.340 ***
Intercept	3636.03	237.322	6544.490	223.545
<b>Model 2</b>				
Age	162.331	510.115 ***	70.456	34.203 ***
Age_Squared	-74.212	18.224 ***	144.788	32.957 ***
Years in US	-29.542	13.777 **		
Years in US_Squared	345.932	23.793 ***		
FB_Citizen	542.435	120.355 ***		
LEP	-221.488	105.094 **		
Years in School	305.484	11.350 ***	691.665	39.210 ***
Male	387.876	92.304 ***	791.5301	217.988 ***
Asian Indian	1079.469	259.438	768.8787	450.781 *
Cambodian	-824.353	443.768 *	1085.158	1157.998
Chinese	1340.416	254.256 ***	2230.492	326.148 ***
Filipino	-1834.270	265.510 ***	-1119.04	358.020 ***
Hmong	-463.498	509.337	1056.159	989.237
Korean	228.080	270.468	-54.9172	463.394
Laotian	-1405.690	464.767 ***	1391.078	1300.741
Other Asian	429.806	309.522	608.7894	504.818
Pakastani-Bangladeshi	68.218	352.421	-447.243	1078.775 ***
Thai	-731.122	463.379	-771.194	1067.844
Vietnamese	-888.112	279.224 ***	260.841	555.979
Intercept	-9723.450	510.115 ***	-13619.000	996.354 ***

Significance: \*p<.10, \*\*p<.05, \*\*\*p<.01

Source: U.S. Bureau of the Census, American Community Survey, 2008-2012

ethnic groups regardless of whether they are foreign born or native born; the two exceptions are in the case of foreign-born Chinese and Asian Indians which have the same likelihood or higher odds of having wealth (odds ratio=1.18 and odds

ratio=1.00). These findings are highly statistically significant.

Even after controlling for key wealth factors such as age, years in school, sex, and Asian ethnicity (see Model 2) ethnicity remains significant. All Asian ethnic

Table 4: Logit Model Results, 2008-2012

	Foreign Born Asian Americans			Native Born Asian Americans		
	b	SE	Exp(b)	b	SE	Exp(b)
<b>Model 1</b>						
Asian Indian	0.004	0.030	1.00	-0.795	0.042 ***	0.45
Cambodian	-1.368	0.073 ***	0.26	-3.383	0.319 ***	0.03
Chinese	0.163	0.029 ***	1.18	-0.142	0.029 ***	0.87
Filipino	-0.648	0.032 ***	0.52	-1.411	0.037 ***	0.24
Hmong	-2.025	0.112 ***	0.13	-2.995	0.224 ***	0.05
Korean	-0.647	0.033 ***	0.52	-0.974	0.046 ***	0.38
Laotian	-1.542	0.083 ***	0.21	-2.596	0.253 ***	0.08
Other Asian	-0.513	0.038 ***	0.60	-0.744	0.049 ***	0.48
Pakastani-Bangladeshi	-0.631	0.045 ***	0.53	-1.809	0.151 ***	0.16
Thai	-0.506	0.060 ***	0.60	-1.595	0.138 ***	0.20
Vietnamese	-0.929	0.034 ***	0.40	-1.641	0.068 ***	0.19
Intercept	-0.949	0.028 ***		-0.255	0.020 ***	
<b>Model 2</b>						
Age	0.065	0.003 ***	1.67	0.063	0.004 ***	1.07
Age_Squared	-0.048	0.003 ***	0.95	-0.052	0.003 ***	0.98
Years in US	0.043	0.002 ***	1.04			
Years in US_Squared	-0.023	0.003 ***	0.98			
FB_Citizen	0.134	0.017 ***	1.14			
LEP	-0.113	0.014 ***	0.89			
Years in School	0.134	0.002 ***	1.14	0.158	0.005 ***	1.17
Male	0.233	0.013 ***	1.26	0.174	0.024 ***	1.19
Asian Indian	-0.045	0.033	0.96	-0.254	0.046	0.78
Cambodian	-1.065	0.076 ***	0.35	-2.005	0.321 ***	0.14
Chinese	0.131	0.032 ***	1.14	0.193	0.032 ***	1.21
Filipino	-0.857	0.034 ***	0.42	-0.827	0.040 ***	0.44
Hmong	-1.537	0.115 ***	0.22	-1.590	0.227 ***	0.20
Korean	-0.725	0.035 ***	0.48	-0.385	0.050 ***	0.68
Laotian	-1.333	0.085 ***	0.27	-1.264	0.257 ***	0.28
Other Asian	-0.407	0.041 ***	0.67	-0.210	0.053 ***	0.81
Pakastani-Bangladeshi	-0.696	0.048 ***	0.50	-1.053	0.154 ***	0.33
Thai	-0.536	0.064 ***	0.59	-0.828	0.142 ***	0.44
Vietnamese	-0.845	0.038 ***	0.43	-0.773	0.072 ***	0.46
Intercept	-5.934	0.076 ***		-5.481	0.117 ***	

Significance: \*p<.10, \*\*p<.05, \*\*\*p<.01

Source: U.S. Bureau of the Census, American Community Survey, 2008-2012

groups (except Chinese) showed lower odds of having positive net assets compared to foreign-born Japanese. Apart from Asian Indians, all ethnic differences between various Asian ethnic subgroups and Japanese are statistically significant (see Table 4).

All foreign-born Southeast Asian refugee groups have significantly lower odds of having positive net assets compared to Japanese Americans. For example, the odds of having positive assets for a foreign-born Hmong compared to a foreign-born Japanese net of all other factors is reduced by 88

percent. Similarly, the odds of having positive net assets for a foreign-born Laotian or Cambodian is reduced by 84 percent and 79 percent respectively compared to being Japanese holding all other factors constant. These findings are all highly statistically significant.

For foreign born Asian Americans Model 2 includes years in the US, citizenship status, and English language proficiency. As foreign-born Asians age and the longer they remain in the US their odds of having wealth goes down slightly. This is consistent with the life cycle which purports that as individuals get older and closer to retirement age wealth will begin to decrease as one is no longer working. The same is true for years in the US ( $b=.043$ ) and for years in the US squared ( $b=-.0023$ ). As expected, being male compared to being female increases the chances of positive net assets (odds ratio 1.26;  $p<.01$ ) for foreign born Asians controlling for all other factors. Being a citizen compared to not a citizen improves the odds of having wealth (odds ratio=1.14,  $p<.01$ ) net of all other factors. In addition, foreign born individuals who have limited English proficiency compared to those that have some or higher also show

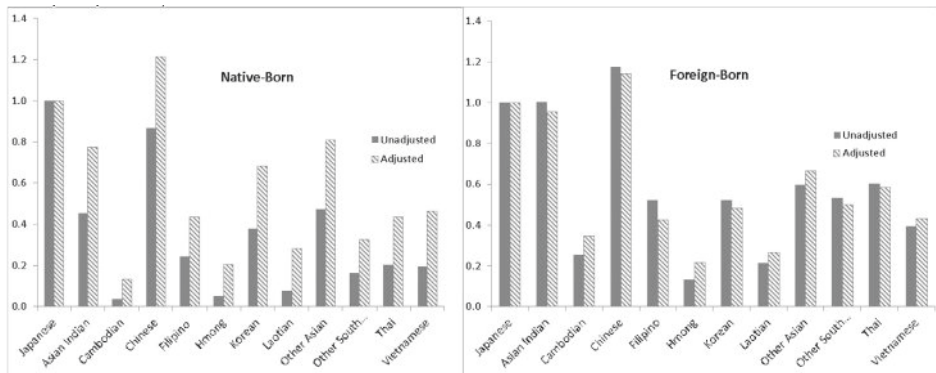
slightly lower odds of holding wealth (odds ratio=.89,  $p<.01$ ).

#### 4.6 Ethnic Differences in the Odds of Having Income from Assets for Native born

When we examine results for those native-born Asian Americans, we find a slightly different pattern with some ethnic groups experiencing substantial gains in income from assets once we control for age, years in school and sex. Despite such gains, the pattern of which groups have lower or higher odds of wealth compared to Japanese Americans remains the same. Overall, ethnic differences in odds of having income from assets exist for each group compared to Japanese Americans; all coefficients for ethnicity are statistically significant except for Asian Indians. The only ethnic group to have higher odds of wealth compared to native born Japanese Americans are Chinese Americans (odds ratio=1.33,  $p<.01$ ); Asian Indians, Pakistani-Bangladeshi, Filipinos, and Koreans all have lower odds of wealth compared to Japanese Americans (see Figure 1 adjusted columns).

Again, Southeast Asian populations showed lower odds of having wealth compared to their Japanese counterparts with the most prominent finding being that

Figure 1. Likelihood of Having Positive Income from Assets (Reference Group=Japanese), 2008-2012



Source: Tabulations by authors using Census ACS PUMS 2008-2012. Notes: Positive income from assets includes interest, dividends and/or rental income. For purposes of interpreting the odds ratios, Japanese Americans are the reference group due to their having the highest mean for interest, dividends and/or rental income compared to all other Asian groups. "Other South Asian" includes both Pakistani and Bangladeshi.

being Cambodian compared to Japanese lowers the odds of having positive assets by 91 percent net of all other factors. Similarly, being Hmong lowers the odds by 87 percent and being Laotian lowers the odds by 80 percent.

## 5. Future Research

While this research shows ethnic differences in wealth, it is not clear why certain groups vary on wealth measures. Policymakers and researchers would benefit from studies which explore cultural differences in approaches to and attitudes about wealth building including consumption and savings patterns. It would also be important to understand groups that have been successful and the mechanisms that work in their favor as well as the specific challenges that other groups face. Overtime, Southeast Asian refugees have shown progress in wealth, yet for some groups the gap with other Asian groups remains alarming. Similarly, for some groups such as Filipinos we would expect higher levels of wealth or wealth at more comparable levels to Japanese, yet we find their wealth status to be lower.

A second area of future research would be to examine financial institutions such as banks and their role in the provision of wealth building services and programs. Presumably those groups that have better access to financial institutions that understand their culture would also show greater wealth accumulation. As a highly foreign-born population, the existing research on Asian Americans and financial institutions providing in-language services is notable.<sup>38</sup> To our knowledge, what has not been done is a comparative study of how access to such institutions might differ by Asian ethnicity. Additionally, while there has been some research focusing on

banking in the Chinese and Korean communities, less is known about what kind of formal and informal institutions exist for other communities. The use of informal, alternative financial institutions or non-traditional financial institutions by ethnicity is less clear, although we know as a group that Asian Americans may use remittances as a form of alternative financial service.<sup>39,40</sup>

A third area worthy of further study is why certain ethnic groups are disproportionately at risk for foreclosures. For example, in 2011 Southeast Asian Americans in the Central Valley accounted for 5 percent of all Notices of Default, a rate disproportionately higher than their proportion of the total population.<sup>41</sup> Similarly,

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**[T]here continues to be a large disparity between the top wealth holders and those at the bottom.**

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in 2009 Chaya CDC in New York found that 53 percent of Notices of Default were sent to South Asian Americans in Queens, New York,

where they comprised only 13 percent of the neighborhood's population.<sup>42</sup> In Los Angeles, Ong, Pech, and Pfeiffer (2014) estimated that Filipinos (11 percent), Koreans (10 percent), and Cambodian Americans (9 percent) were the most impacted by foreclosures among Asian American ethnic groups, with foreclosure rates more than four times that of Asian Americans overall (4 percent).<sup>43</sup> These examples demonstrate a need to better understand ethnic differences as it relates to maintaining assets as well.

## 6. Discussion and conclusion

Asian Americans continue to have a wealth gap in relation to Non-Hispanic Whites. Moreover, their wealth appears to be more tenuous as gains made from before the housing boom in 2005 diminish by 2012 with the most substantial change occurring with housing debt. This change in wealth is likely linked to the geographic



concentration of Asian Americans in areas where the housing boom saw the greatest increases in home value but also the greatest decreases.

Moreover, there continues to be a large disparity between the top wealth holders and those at the bottom. We find that immigration and factors related to immigration to be significant in wealth building. Years in the US and English language proficiency continue to have a significant impact and thus, policies aimed at wealth accumulation among Asian Americans should continue to focus on more recent immigrants and those with less English language proficiency.

In addition, our findings also suggest that we should focus on particular ethnic groups. Differences by ethnicity appear consistently for foreign born Asian Americans across our analysis. Among native born Asian Americans, we also find statistically significant differences by ethnicity when we examine the odds of having income from assets holding key factors related to wealth constant. The groups that typically hold higher amounts of and greater likelihood of wealth are Asian Indian, Chinese, and Japanese. In comparison, Southeast Asian groups consistently show less assets and lower probabilities for having assets. Filipinos, Koreans, Pakistani-Bangladeshi and other Asians fall in between and vary in terms of their position in both amount of wealth and odds. Thus, policymakers should focus their efforts on such groups with perhaps a tiered approach based on differences.

Despite the limitations of this study, the results enhance the understanding of Asian American wealth and the factors that impact such wealth. Furthermore, findings confirm the level of disparity within the Asian American community that policy makers should note. In addition, results point to the continuing significance of ethnicity and nativity in asset building. Particular attention should be paid to those in the bottom quartile of the wealth distribution as well as those that are foreign born.

Finally, our results highlight which groups and subgroups policy makers and community leaders need to focus efforts and where more research is needed to close the wealth gap.

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29. This is when compared to the other two major national surveys that track wealth: the Survey of Consumer Finance (SCF) conducted by the Federal Reserve Board, and the Panel Study of Income Dynamics (PSID) conducted by the University of Michigan, Institute for Social Research. For instance, the most recent Survey of Consumer Finance (SCF) 2011 collected data on the race of the respondent but those data are not publicly available by Asian race due to the small sample size, which could potentially cause a disclosure issue. The Panel Study of Income Dynamics also readily reports data on wealth and like the SIPP has the advantage of being a longitudinal study. However, this data set does not contain a sufficient sample of Asians nor does it make data on Asians publicly available.
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32. All other Asian ethnic groups were categorized as "other Asian." Due to the smaller sample size of Bangladeshis and a similar history and culture, we combined Bangladeshi and Pakistani together for purposes of regression analysis.
33. Assets are defined as positive income generated from interest, dividend, and rental income.
34. Years in the US was computed by subtracting the year of entry into the US from the year of the ACS survey. We defined limited English proficiency as those who self-reported that they spoke English "less than very well." Those individuals who are not citizens include documented and undocumented foreign-born persons, although there is no way to distinguish the two in the PUMS dataset.
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# WRONG AGAIN: THE SUPREME COURT GIVES UNDUE JUDICIAL DEFERENCE TO NATIONAL SECURITY IN KOREMATSU AND TRUMP V. HAWAII

*Harvey Gee*

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## Introduction

Without question, the Japanese American internment experience is relevant to the post-9/11 war on terror and President Donald J. Trump's Muslim travel ban.<sup>1,2,3</sup> As history revealed, the curfew and exclusion orders enforced against the Japanese were based on racial prejudice, unsupported by evidence of any real Japanese threat.<sup>4</sup> These orders were egregious examples of how laws can be used as an instrument of racism and how racist laws can be defended by claims that such laws are not race-based. Enabled by President Franklin D. Roosevelt's executive orders, the US government considered approximately 120,000 individuals of Japanese ancestry to be disloyal.<sup>5</sup> About 80,000 of these people were US citizens and held indefinitely, in the absence of a single case of espionage on the West Coast during World War II or any declaration of martial law. Like steer, they were sent by train to relocation centers and camps located in the most undesirable and remote regions in the country—the deserts and swamplands of California, Idaho, Utah, Arizona, Wyoming, Colorado, and Arkansas.<sup>6</sup>

This article compares the wartime Supreme Court's complete deferral to the government's justification for the detention of Japanese Americans to argue that the modern Supreme Court repeated a similar tragic mistake almost seventy-five years later in *Trump v. Hawaii*.<sup>7</sup> *Hawaii* upheld the Trump administration's Muslim travel

ban in the face of the President's direct and repeated statements of anti-Muslim animus that began on the campaign trail and continued throughout his presidency. As soon as the travel ban was proposed, many lawyers and activists compared the Muslim ban to the internment of Japanese Americans during World War II because both acts targeted minority groups under the auspices of national security.<sup>8</sup> In both instances, the US government used protected characteristics as a proxy for danger, and the Supreme Court was reluctant to question the government's judgment, to the detriment of our nation and American ideals.<sup>9</sup> During the 2020 presidential campaign, President-Elect Joe Biden referred to the ban as the start of "nearly four years of constant pressure, insults, and attacks" by Trump against racial minorities.<sup>10</sup> As a remedial measure, in his first day in office, President-Elect Biden ended Trump's travel ban with an executive order of his own.<sup>11</sup>

## I. The Relationship Between Japanese American Internment During World War II and the War on Terrorism After 9/11

Race was the sole consideration behind internment because only individuals of Japanese descent, including American citizens who held no allegiance to Japan or its culture, were interned.<sup>12</sup> To the US government, both Japanese immigrants and Japanese Americans were foreigners who could not be trusted. The internment was consistent with a long legacy of racism and historical domination over Asian

immigrants in the US. In a social context, the government utilized and facilitated the racial stereotype of Japanese Americans as a subordinate racial and ethnic group that could not assimilate.<sup>13</sup> And in a political context, mainstream American society viewed Japanese immigrants and Japanese Americans as economic threats to whites at a time when FDR was seeking reelection.<sup>14</sup> In upholding the exclusion order in *Korematsu v. United States*, the Supreme Court announced that it would not reject the judgment of the military and Congress that disloyal citizens were amongst the Japanese population and that it was impossible for military authorities to immediately segregate disloyal from loyal Japanese Americans.<sup>15</sup>

Decades later, in the immediate weeks after the terrorist attacks on the World Trade Center and Pentagon on 11 September 2001, the US government's actions evoked echoes of Japanese internment.<sup>16</sup> Just as the US government viewed Japanese Americans with suspicion after Pearl Harbor, policymakers and law enforcement racially and religiously profiled Muslims and Arab Americans after September 11.<sup>17</sup> In a manner similar to the process leading to Japanese American internment, the legislative branch aligned with the executive branch in a collaborative effort to sacrifice fundamental liberties in the name of national security.<sup>18</sup>

Within the government-manufactured framework of the war on terrorism, an unprecedented expansion of executive power began.<sup>19</sup> On 13 November 2001, President Bush issued a military order directing the Secretary of Defense to create military tribunals and establish detention authority.<sup>20</sup> He also convinced Congress that the denial of habeas corpus rights to alleged enemy combatants housed at Guantanamo Bay was appropriate and lawful.<sup>21</sup>

In my prior writings, I analyzed the internment experience and Guantanamo Bay litigation to demonstrate how the executive branch has attempted to

strategically skirt the Constitution by crafting national security policies to satisfy their agenda during the war on terror.<sup>22</sup> I also examined how politics and racial prejudice can conspire to trample the civil liberties of an entire racial group during a time of war by using fabricated claims of military necessity.<sup>23</sup> Aware that *Korematsu* can be used as a tool by the government to prosecute terrorists, Berkeley Law Dean Erwin Chemerinsky cautions that Guantanamo Bay cases repeat the mistake of *Korematsu* on a smaller scale, since detainees are held indefinitely without meaningful due process, and that *Korematsu* is a reminder of the role of race in judicial decisions.<sup>24</sup>

## II. Racism and the Law: Analyzing the Supreme Court's Failure to Uphold Civil Liberties During a Time of War in *Hirabayashi*, *Yasui*, *Korematsu*, and *Endo*

President Trump was ignorant of the important lessons offered by *Korematsu* and Japanese internment. He likened the Muslim travel ban to the proclamation issued by FDR in 1942 authorizing the US government's apprehension and detention of Japanese, German, and Italian immigrants.<sup>25</sup> Trump's lack of understanding of Japanese internment also compelled the Japanese Americans Citizens League to lambast members of Trump's administration who were in Arkansas to scout potential locations to house up to 20,000 migrant children who were separated from their families while crossing the US-Mexico border under the Trump administration's "zero-tolerance" policy.<sup>26</sup> These officers considered a location two miles away from the former site of a World War II-era Japanese internment camp as the location for a detention center for Mexican children. Further, the Trump administration considered a plan to send select ISIS fighters to a US detention facility in Guantanamo Bay to join the remaining detainees. As witnessed during the Bush and Obama administrations, the Guantanamo Bay detainees, like the many Japanese American internees

in the 1940s, wait indefinitely without due process of law.<sup>27</sup>

In order to understand the impact of internment cases to *Hawaii*, a brief review of the four internment cases that reached the Supreme Court is necessary. There were two curfew cases. First was *Hirabayashi v. United States*, which concerned Gordon Hirabayashi, who was born and raised in Seattle, Washington and had never been to Japan. Hirabayashi believed that the curfew was discriminatory and unjust. Based on this belief, and intent on challenging the exclusion orders, he went to Seattle FBI headquarters to submit his written proclamation, "Why I Refuse to Register for Evacuation."<sup>28</sup> Hirabayashi was convicted of violating Public Proclamation No. 3, which imposed a curfew on all enemy aliens and citizens of Japanese descent and required Japanese Americans to be home between 8:00 p.m. and 6:00 a.m.<sup>29</sup> The government urged the Supreme Court to decline to address the issue of constitutionality by insisting that only the exclusion order was before the Court.<sup>30</sup> The government alternatively argued that if the Court was inclined to determine the confinement's constitutionality, the curfew was within the war powers of the President and Congress.

In writing for a unanimous Court in *Hirabayashi v. United States*, Chief Justice Harlan F. Stone relied on the government's war powers as the foundation on which to uphold the race-based order and construed the order as a mild, temporary deprivation that was constitutionally permissible in this instance.<sup>31</sup> Limiting his analysis to the text of the curfew order and ignoring the racial reality of the internment, Justice Stone offered a rational basis for the order.<sup>32</sup> He perceived that there was an immediate threat of another attack on the west coast based on evidence that some Japanese Americans were disloyal. However, the Court skirted the real issue of the case: Can the government intern an entire racial group? The Court instead reasoned that the military had a "rational basis" for

imposing the curfew order, which was "a much lesser intrusion on liberty" than the exclusion of all Japanese Americans—allowing the Court to avoid the difficult issues of evacuation and internment.<sup>33</sup> The Court simply upheld Hirabayashi's conviction for violating the curfew.

In the second case, *Yasui v. United States*, Minoru Yasui walked the streets of Portland in defiance of the curfew order.<sup>34</sup> He turned himself in to a police station. He waived his right to a jury trial and was found guilty after a bench trial. Decided the same day as *Hirabayashi*, Yasui's conviction was sustained for the same reasons. The Court again avoided the legality of the mass internment of an entire racial group by characterizing the case as a "curfew" case. Chief Justice Stone wrote a brisk three-page unanimous opinion holding that the application of curfews against citizens is constitutional.

Up to this point, military reports were the Court's primary source for finding military necessity. Lt. General John L. DeWitt's Final Report on the removal of Japanese Americans was not made public until 19 January 1944—after the *Hirabayashi* and *Yasui* opinions and eleven months before the Court relied on it in *Korematsu*. DeWitt's Final Report, which contained racial stereotypes and assumptions, was duly discredited as being based on falsehoods forty years later in *Korematsu's coram nobis* proceedings. This report presented "facts" purporting concerns about espionage and sabotage on the West Coast such as: Japanese Americans were concentrated on the West Coast near military installations; Japanese Americans were not to be trusted because hundreds of Japanese organizations advanced Japanese war efforts before the bombing of Pearl Harbor; Japanese born in the US had sympathy for Japan because thousands of them went to Japan for education where pro-Japanese ceremonies were held; Japanese Americans, as a racial group, were tied to the enemy by race, culture, and religion; Japanese American loyalties remain

unknown; and Japanese Americans were involved in illegal signaling along the West Coast.<sup>35</sup>

Eventually the rulings in the two exclusion cases - *Korematsu* and *Endo* - came down after the presidential election and the Roosevelt Administration's announcement of the camps' closures. On 18 December 1944, the Court in *Korematsu* restricted its holding to the question of the evacuation alone, again avoiding the issue of the internment's constitutionality.<sup>36</sup> *Korematsu* was the third of four sons born in the US<sup>37</sup> As a San Francisco Bay Area native, *Korematsu* was fully immersed in American mainstream culture. He worked in a shipyard until he was eventually terminated because of his race. *Korematsu* was walking down the street when he was apprehended by the San Leandro police. In upholding the exclusion order, Justice Hugo Black, writing for the majority, assured that the case was not about racial prejudice, but was instead about an exclusion order. "*Korematsu* was not excluded from the Military Area because of hostility to him or his race. He was excluded because we are at war with the Japanese Empire . . ." <sup>38</sup>

The majority opinion was met with backlash in the form of fierce dissents authored by Justices Frank Murphy and Owen J. Roberts, who vigorously and effectively countered the majority's reasoning.<sup>39</sup> To begin, Justice Murphy claimed that the entire internment was a "legalization of racism."<sup>40</sup> In his view, the case was motivated by racial prejudice that facilitated an erroneous, blanket racial assumption—all Japanese individuals born inside or outside of the US were disloyal.<sup>41</sup> Justice Murphy asserted that the justification for the exclusion was based on "questionable racial and sociological grounds" of expert military judgment, supplemented by "an unwarranted use of circumstantial evidence."<sup>42</sup> Justice Murphy makes these allegations again when he compares the difference in treatment between Japanese Americans who were not afforded

hearings and Germans and Italians to whom the government provided investigation and loyalty hearings. He further explained that because months passed between orders, there was no imminent or urgent danger to public safety, thus there was no military necessity.

Equally damning was Justice Roberts' dissent, which centered on the treatment of Japanese Americans, explaining that to focus solely on the validity of the exclusion orders "is to shut our eyes to reality."<sup>43</sup> He criticized the majority for separating the race issue from the exclusion order, which he believed to be indivisible. Because incarceration was ancestry-based and in clear violation of constitutional rights, Justice Roberts insisted that the case was about "convicting a citizen as punishment for not submitting to imprisonment in a concentration camp . . . without evidence or inquiry concerning his loyalty and good disposition towards the United States."<sup>44</sup>

These sentiments about racial prejudice were further expounded in a separate dissent by Justice Robert Jackson who acknowledged that *Korematsu* was an American citizen by birth and had never been accused of being disloyal.<sup>45</sup> He declared a double standard existed—had *Korematsu* been a German or Italian alien, the Court would not have found that he violated the order. Justice Jackson also questioned the necessity of the orders, especially given the lack of evidence before the Court. Without more evidence, Justice Jackson explained, the Court is forced "to accept General DeWitt's own unsworn, self-serving statement, untested by any cross-examination." Aware of the dangerous precedent *Korematsu* would set and its potential to be a "loaded weapon" for the executive branch, Justice Jackson warned that once a judicial opinion rationalizes such an order to prove its constitutionality, "the Court for all time has validated the principle of racial discrimination in criminal procedure and of transplanting American citizens."<sup>46</sup>

The Court ruled on *Ex Parte Endo* on the same day as *Korematsu*; it was the only action not to challenge a criminal conviction because Mitsuye Endo was never charged or tried. Additionally, *Endo* was the only action that involved a petition for writ of habeas corpus, and Endo was the only female litigant in the internment litigation. Like *Korematsu*, *Hirabayashi*, and *Yasui*, Endo was born in the US and had never been to Japan, nor did she speak or read Japanese. After being dismissed from her job after Pearl Harbor, Endo was housed at the Tanforan Assembly Center, a converted racetrack near San Francisco surrounded by armed guard towers. She was later removed to the Tule Lake War Relocation Center, temporary military-style camps in California near the Oregon border.

Just like the other cases, the Court in *Endo* avoided determining the constitutionality of internment by basing its ruling on administrative law grounds to shield the executive branch from accountability.<sup>47</sup> Justice William O. Douglas wrote the unanimous opinion ruling that the US government could not continue to detain a citizen who was "concededly loyal" to the US<sup>48</sup> Justice Douglas, a Roosevelt loyalist with presidential aspirations, was well aware of the political implications of the case.<sup>49</sup> To Justice Douglas, exclusion was about loyalty, not race. With the release of the Japanese American internees, Justice Douglas thought justice would be served and the integrity of Roosevelt Administration's detention policy would be maintained.

The administrative law framework of the opinion was apparent from the beginning. Two-thirds of the opinion was devoted to the origins of the relevant executive orders and legislative acts. Executive Order 9066 delegated power to the military to bar access to military areas. With regard to the Court's framing of this issue, Professor Jerry Kang argues that "in *Endo*, the Supreme Court manipulated the question of executive and congressional authorization to deny accountability. By finding that the full-blown internment had never

been authorized by the President and Congress, the suffering of Japanese Americans was never attributed to the actors in fact responsible."<sup>50</sup> Support for this claim is found where Justice Douglas provides political cover to Congress and President Roosevelt by explaining that no assumption should be made that "Congress and the President intended that the discriminatory action should be taken against these people wholly on account of their ancestry even though the government conceded their loyalty to this country. We cannot make such an assumption."<sup>51</sup>

The avoidance of constitutional issues was strongly criticized in separate concurrences by Justices Murphy and Roberts. First, Justice Murphy insisted that Endo's detention and the internment was based on race, and "racial discrimination... bears no reasonable relation to military necessity and is utterly foreign to the ideals and tradition of the American people."<sup>52</sup> Second, Justice Roberts criticized the majority's avoidance of the underlying constitutional issues: "The opinion... attempts to show that neither the executive nor the legislative arm of the Government authorized the detention of the reliable."<sup>53</sup> For Justice Roberts, Endo posed a serious constitutional question implicating the Bill of Rights and the guarantee of due process of law.<sup>54</sup>

Vindication for Japanese American internees occurred forty years later. On January 31, 1983, *Korematsu* filed a petition for writ of *coram nobis* in the Northern District of California, asking the court to overturn his criminal conviction because government attorneys suppressed or destroyed evidence that negatively impacted the court's ruling.<sup>55</sup> In response to *Korematsu's* claim, the government acknowledged the internment as an "unfortunate episode," but urged the court not to rule on the merits of the substantive allegations of fraud, misrepresentation, and suppression of evidence.<sup>56</sup> Soon thereafter, *Hirabayashi* and *Yasui* filed separate *coram nobis* petitions in Seattle and Portland, respectively. As the *coram nobis* litigation gained momentum,



the report by the Commission on War-time Relocation and Internment of Civilians recommended that Congress issue a national apology to Japanese Americans and provide redress of \$20,000 to each surviving camp member, and that there be a presidential pardon of those convicted of violating military orders.<sup>57</sup>

At Korematsu's final hearing, Judge Marilyn Hall Patel determined that the government relied on baseless misrepresentations and the racist views of military commanders. Based on those findings, Patel granted a writ of *coram nobis*, and dismissed Korematsu's indictment. Unfortunately, this was only a partial victory because, as Judge Patel explained, her ruling did nothing to affect the Supreme Court decision which remains law.<sup>58</sup> Three years after the adjudication in Korematsu's case, Hirabayashi and Yasui were also successful in their *coram nobis* cases. Later as senior citizens, Korematsu, Hirabayashi, and Yasui were each awarded the Presidential Medal of Freedom.

### III. *Hawaii v. Trump*: The Supreme Court is Again on the Wrong Side of History

Japanese American internment is one of the twentieth century's most prominent mass trampling of civil liberties, and it has been widely condemned as racist governmental and judicial conduct towards Japanese and Japanese Americans.<sup>59</sup> As for *Korematsu*, it has been widely condemned by scholars and jurists and serves as a cautionary tale: during a time of war, or amidst claims of military necessity, the courts must protect constitutional guarantees.<sup>60</sup> Unfortunately, to the dismay of civil rights advocacy groups, the mistakes of *Korematsu* were reopened and reinforced writ large in the Supreme Court's decision in *Trump v. Hawaii*.<sup>61</sup> *Hawaii* upheld Presidential Proclamation 9645 signed by President Trump, which restricted travel in the US for people from seven Muslim-majority countries: Iran, North Korea, Syria, Libya, Somalia, Yemen, and Venezuela, or for refugees without

valid travel documents.<sup>62</sup> The proclamation sought to improve vetting procedures for foreign nationals traveling to the US by identifying information deficiencies used to determine whether nationals of particular countries present a security threat. Trump concluded that it was necessary to impose entry restrictions on nationals of countries that present national security risks. Hawaii and several other states and groups challenged the proclamation and the two precursory executive orders also issued by Trump on statutory and constitutional grounds.<sup>63</sup> The plaintiffs cited a variety of statements by Trump and administration officials, arguing that the proclamation and its preceding orders were motivated by anti-Muslim animus. The Ninth Circuit Court of Appeals affirmed the district court's granting of a nationwide preliminary injunction barring enforcement of the restrictions.

The Court reversed the Ninth Circuit's ruling that Trump's proclamation violated the Establishment Clause in a 5-4 decision, and the majority concluded that it would uphold the policy set forth in Trump's latest proclamation even though its primary justification might be unconstitutional. The Court wholeheartedly accepted the government's claim that the travel ban was justified by national security, even though a fundamental constitutional liberty interest was at stake. The decision of the Court, written by Chief Justice John Roberts, examined the significance of a series of statements with racial undertones by the President during the presidential campaign and after the President assumed office. Without deciding the soundness of the policy, the Court deferred to the President's prerogative, and found that the government had offered a sufficient national security justification, separate from religious animus, to survive rational basis review.

Justice Sonia Sotomayor, dissenting, complained that by refusing to look behind the plain language of the proclamation, the Court's majority had ignored abundant

evidence that the proclamation was “driven primarily by anti-Muslim animus, rather than by the Government’s asserted national-security justifications.”<sup>64</sup> Sotomayor’s impassioned assertions echo the concerns brought by Justices Murphy and Jackson in their fiery dissents in *Korematsu*. Even the Court’s rational-basis review, Justice Sotomayor said, should have demonstrated that “the primary purpose and function of the Proclamation is to disfavor Islam by banning Muslims from entering our country.”<sup>65</sup> Here Justice Sotomayor powerfully cited more than a dozen instances, before and after Trump was sworn in as President, in which Trump tweeted or issued anti-Muslim sentiments to support her claim that Trump’s policy “masquerades behind a façade of national security concerns.”<sup>66</sup>

Justice Sotomayor professed that the majority employed the same rationale that produced the tragic result in *Korematsu*. In comparing the two majority opinions, Justice Sotomayor points to “stark parallels” in the reasoning of the majority opinion and the *Korematsu* opinion: (1) “[t]he Government invoked an ill-defined national-security threat to justify an exclusionary policy of sweeping proportion;” (2) “the exclusion order was rooted in dangerous stereotypes about, *inter alia*, a particular group’s supposed inability to assimilate and desire to harm the United States;” (3) “the Government was unwilling to reveal its own intelligence agencies’ views of the alleged security concerns to the very citizens it purported to protect;” and (4) “there was strong evidence that impermissible hostility and animus motivated the Government’s policy.”<sup>67</sup> Justice Sotomayor then chastised the majority in her conclusion:

By blindly accepting the Government’s misguided invitation to sanction a discriminatory policy motivated by animosity toward a disfavored group, all in the name of a superficial claim of national security, the Court redeploys the same

dangerous logic underlying *Korematsu* and merely replaces one “gravely wrong” decision with another.

This comparison triggered an angry response from Justice Roberts, who criticized his colleague for using “rhetorical advantage” and wrote, “*Korematsu* has nothing to do with this case. The forcible relocation of US citizens to concentration camps, solely and explicitly on the basis of race, is objectively unlawful and outside the scope of Presidential authority.”<sup>68</sup> Justice Roberts then offered the most powerful rebuke of *Korematsu* since the original dissents in *Korematsu*. Justice Roberts said Justice Sotomayor’s dissent “affords this court the opportunity to make express what is already obvious: *Korematsu* was gravely wrong the day it was decided, has been overruled in the court of history, and—to be clear—“has no place in law under the Constitution.”<sup>69</sup>

In the wake of *Hawaii*, legal scholars have pointed out that the overruling of *Korematsu* merely whitewashes the enduring shame of the Court’s decision to condone the Trump administration’s devastating policies. Professor Jamal Greene describes the majority’s claim of overruling *Korematsu* as “grotesque” because “it condones racism with one hand but deploys tokenism with the other.”<sup>70</sup> Scholars Eric Yamamoto and Rachel Oyama add:

[T]he [*Hawaii*] majority did not extend its repudiation to the most dangerous aspect of *Korematsu*—its unconditional deference to the executive branch. Instead, [*Hawaii*] reinscribed this ‘logic’ by expressly embracing extreme judicial passivity in the foreign policy and immigration settings and validating the President’s proclamation ‘on a barren invocation of national security.’<sup>71</sup>

Similarly, Neal Katyal, counsel of record for the state of Hawaii, argues nothing has really changed because one bad precedent was replaced by another bad precedent that enables excessive deference to the executive.<sup>72</sup> Katyal urges that *Hawaii*

purported to overrule *Korematsu* but actually recreated its reasoning.<sup>73</sup> In his view, “the majority opinions in both cases share common arguments and rhetorical devices. The majorities in both cases tempered the implicit premises of judicial oversight by hiding behind the shield of the executive branch’s intuitional competence.”<sup>74</sup>

From a similar vantage point, Professor Harold Hongju Koh asserts that in both *Korematsu* and *Hawaii*, the government invoked a grossly overbroad group stereotype and the “president invoked an amorphous national security threat to justify a sweeping discriminatory policy that significantly limited the freedom of a particular group.”<sup>75</sup> Professor Eric Muller likewise observes, in “*Hawaii* the Court looked only at the veneer of neutrality that government lawyers tacked on to the President’s oft-stated and oft-tweeted confessions of animus against Muslims.”<sup>76</sup>

Relatedly, Muller further cautions that while *Korematsu* was overruled, a greater danger is posed by *Hirabayashi* which has been regularly cited as authority for upholding curfew orders by the government without question. This occurred when the Trump administration cited *Hirabayashi* in its argument to prevent a Guantanamo Bay detainee from distributing his artwork to his attorney and the public.<sup>77</sup> Muller suggests that oftentimes, curfews are characterized as a modest imposition, “Curfews...happen all the time...they’re enforced in the wake of natural disasters and civil unrest”<sup>78</sup> His concerns are not farfetched considering the impromptu transformations of major cities into police surveillance states this past summer.<sup>79</sup>

## Conclusion

In the final analysis, *Hawaii* will be remembered as another instance where the Court again turned a blind eye towards racist governmental conduct to pay deference to the government’s claims of

national security. By not learning the lessons of *Korematsu* and the internment, the Court dishonored the memories of Fred Korematsu, Gordon Hirabayashi, Minoru Yasui, Mitsuye Endo, and the experiences of all Japanese and Japanese Americans interned during World War II. Mindful of *Korematsu’s* legacy, we must do better. As national security and civil liberty tensions reemerged in the aftermath of September 11, Dale Minami, civil rights lawyer and lead attorney for *Korematsu’s coram nobis* legal team, and Professor Susan Serrano wrote, “[W]e must engage ourselves to assure that the vast national security regime does not overwhelm the civil liberties of vulnerable groups. This means exercising our political power, making our dissents heard, publicizing injustices done to our communities as well as to others, and enlisting allies from diverse communities.”<sup>80</sup>

Two decades later, Minami’s hopeful words still resonate. It remains imperative that people rise up and stand strong in unity for social justice. This anti-racist work was seen and heard when members of the Black Lives Matter movement, along with Muslim, Latino, Jewish, and Asian communities, and civil rights and interfaith groups, stood in solidarity against Trump’s travel ban in 2017. And during the coronavirus pandemic, millions of people from all walks of life likewise joined Black Lives Matter in protests against police violence and racial injustice. Undoubtedly, such inspiring collective action strengthens our spirit and resilience in the ongoing struggle against white privilege and white supremacy.

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# STOPPING AAPI HATE: STUDENT REFLECTIONS ON THE PUBLIC POLICY PROCESS

*Russell Jeung, PhD, Megan Dela Cruz, Christina (Krysty) Shen, Richard Lim, and Boaz Tang*

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*"We have all seen, at the same time that the coronavirus pandemic has broken out, so, too, has a disturbing epidemic of hate and discrimination against the AAPI community, and that has erupted.*

*According to the Stop AAPI Hate Reporting Center, more than 2,500 recorded incidents of anti-Asian hate have been perpetrated against AAPI communities . . . Many of these incidents represent civil rights violations. And that is a value for us to protect."*

*—House of Representatives  
Speaker Nancy Pelosi*

In her floor speech on a House resolution, Speaker Pelosi acknowledged the pervasive upsurge in anti-Asian hate during the Coronavirus pandemic. Citing numbers from Stop AAPI Hate (SAH), a coalition of civil rights organizations and SF State University Asian American studies, she highlighted "the systemic injustices and discriminations perpetrated against generations of Asian Americans" and noted that "some of the bigotry is being fueled by some in Washington DC."<sup>1</sup>

From its inception in March 2020, one of SAH's objectives was to shape the narrative about anti-Asian hate.<sup>2</sup> Rather than framing COVID-19 discrimination as isolated incidents by a few prejudiced individuals, the coalition wanted to 1) connect it to historic racism against Asian Americans; 2) articulate the widespread, systemic nature of this racism; and 3) promote solidarity with other communities of color. As Speaker Pelosi's speech and the LA Times op-ed "Anti-Asian Hate Crimes Are Surging. Trump is To Blame" attest,

SAH succeeded in putting this issue on the agenda of policy makers and in pinning racism on the officials' political rhetoric.<sup>3</sup>

Along with raising awareness about COVID-19 discrimination, SAH sought to develop policies that addressed the roots and trends of the problem. Their data analysis revealed that most incidents were not hate crimes, but primarily cases of harassment and shunning. Consequently, in formulating policy solutions SAH prioritized models of public education, restorative justice, and civil rights enforcement over hate crime enforcement.

San Francisco State University students in Asian American Studies (AAS) were instrumental in setting anti-Asian racism on political leaders' agenda, formulating policies, and advocating for them. This case study of our involvement with SAH first describes the activities of SAH. It then reviews how we were engaged with the policy process and what we learned as we 1) reviewed data; 2) produced policy reports; and 3) advocated for specific recommendations. To conclude, we share lessons for other community-based, participatory research efforts oriented towards effecting social change through public policy.

## **Stop AAPI Hate: Tracking Anti-Asian Hate during COVID-19**

When news of the COVID-19 epidemic in China broke in January 2020, Dr. Russell Jeung of San Francisco State University AAS knew that it would lead to the

scapegoating of the Chinese, and to subsequent racism against Asian Americans both in terms of interpersonal violence and nativist government policies. Along with graduate researchers Sarah Gowing and Kara Takasaki, he began to document news accounts of anti-Asian hate and reported on the upsurge of incidents of shunning, harassment, and boycotts of Asian businesses.

Having documented the increasing extent of this racism through secondary sources, he joined with two community organizations—Chinese for Affirmative Action in San Francisco and the Asian Pacific Policy and Planning Council of Los Angeles—to call upon the California Attorney General to create a reporting center for COVID-19 discrimination. When that office responded that it lacked the capacity to do so, Dr. Jeung and his collaborators launched Stop Asian American Pacific Islander Hate (SAH) to gather first-hand accounts of hate incidents. Receiving support from the CA Asian Pacific Islander Legislative Caucus and garnering extensive media attention, the tracking center received hundreds of reports daily in the first three weeks.

SAH has since become the leading advocacy organization and thought leader in combating anti-Asian hate during the pandemic. SAH's research and advocacy with elected leaders have led to:

- \* President Joe Biden's memorandum "Condemning and Combating Racism \*Against Asian Americans and Pacific Islanders"

- \* A US congressional resolution denouncing anti-Asian hate

- \* Over three dozen local resolutions calling for tolerance and respect

- \* The formation of city task forces in New York and San Francisco

- \* Pronouncements from CA Governor Newsom and CA Superintendent of Schools Tony Thurmond resisting racism and bullying

- \* A forum with the CA Assembly on the State of Hate

- \* A convening of staff from Human Relations Commissions nationwide on best practices to address anti-Asian hate

Having issued fourteen reports in 2020 on hate incidents, anti-Chinese rhetoric, and state-specific trends, SAH also received widespread media attention. The New York Times, Washington Post, Los Angeles Times, NPR, and Time Magazine, as well as international and local media, have featured SAH's work.<sup>4</sup>

Along with its data reporting and advocacy, SAH established a national Youth Campaign to raise awareness about the issues of racism faced by young AAPIs. Led by twelve young adult team leaders, the campaign's ninety high school interns developed a social media campaign, gathered 930 interviews of peers, created educational workshops, and wrote their own policy report, "They Blamed Me Because I Was Asian."<sup>5</sup> They continue to advocate for their youth policy recommendations and to lead their workshops for other young adults.

The activities of SAH follow the first three stages of the public policy process: agenda-setting, policy formation and policy advocacy.<sup>6</sup> Conducting community-based, participatory research from an Ethnic Studies paradigm,<sup>7</sup> this project aimed to uplift the voices of Asian Americans and Pacific Islanders, develop a collective voice, provide community resources, offer technical assistance, and develop policy recommendations.<sup>8</sup>

The following lessons learned by San Francisco State University AAS graduate students demonstrate both this methodology and paradigm. Richard Lim discusses how categorizing the language employed by perpetrators of hate demonstrated the racial bias of their acts and put anti-Asian racism on the agenda of policy makers. Working with high school interns, Krysty Shen highlights how SAH utilized social media to reach out to youth and employed qualitative story gathering to ascertain the issues facing youth. They then formulated appropriate policy recommendations for

their concerns, such as online harassment. Similarly, Megan De la Cruz shares how student interns researched best practices to address racism in schools and integrated their perspectives to create key recommendations. Finally, Boaz Tang describes how he worked with SAH to tailor its priorities for California Governor Newsom’s office and to marshal the efforts of state agencies in addressing COVID-19 discrimination.

## Documenting Bias and Setting anti-Asian Hate on the Agenda (Richard Lim)

789 incidents.

Each incident included some vitriolic comment against Asian Americans. Some statements vocalized hostility: “Cover your f\*\*king mouth, you Chinese b\*\*\*h! How dare you yawn at me!” Others made threats on Asian American lives: “If you are Chinese or Japanese, I’m going to kill you!” Reading incident after incident left me with anxiety. And negotiating my angst while coding data became increasingly challenging. Despite my frustration, I channeled my energy to categorize the cases we received. We wanted to publish both Asian American lived experiences and the alarming trends facing them to demonstrate the significance of anti-Asian hate to policy makers and the general public. I argue that our reports amplified this issue even amidst the pandemic, the George Floyd killing, and the presidential election. Media reporting on our work expanded awareness and placed further pressure on policy makers.

To begin, the primary accounts of hate incidents provided an entry point

to understanding COVID-19 discrimination. Recording isolated, individual incidents was not the primary goal of SAH. Instead, we aimed to tie hate speech to reported incidents and thus reveal how the “perpetual foreigner” stereotype harms Asian Americans. Highlighting perpetrators’ comments indeed proved critical in demonstrating the nativist and Sinophobic natures of these incidents.

To verify the nationwide severity of anti-Asian hate incidents, my research team and I categorized incidents based on the statements employed by perpetrators as reported by respondents to SAH. Further coding and analysis yielded five major themes in how perpetrators of hate harangued Asian Americans: 1) virulent animosity; 2) Chinese and China related scapegoating; 3) anti-immigrant nativism; 4) Orientalist depictions; and 5) racial slurs. Certain vocabulary often distinguished one comment’s themes from another. For example, while the theme “virulent animosity” often constituted expletives, “Chinese and China related scapegoating” comments involved some reference to blaming Chinese people as the source of the coronavirus. Comments of “anti-immigrant nativism” involved the perpetrator complaining that Chinese people should “go back to China.” Incidents with “Orientalist depictions” revolved around statements about Asians’ cultural exoticism, such as their dietary habits. Finally, cases involving “racial slurs” referenced derogatory Asian labels, such as Chink, Gook and Chinaman.

Just by bearing certain physical features, I found myself linked with fellow Asians and also felt scapegoated as a vector of

Theme	Count	% of Incidents	Example
Virulent Animosity	476	60.40%	Taunting F***ing Chinese
Scapegoating of China	182	23.20%	China as the Source of the Pandemic
Anti-Immigrant Nativism	153	19.40%	Go Back to China
Orientalist Depictions	145	18.40%	Dietary Habits as Bat-Eaters
Racial Slurs	112	14.20%	Chinks; Chinamen



death. In particular, the high number of “Go back to your country!” comments dumbfounded me for being so nativist. And given the anti-China rhetoric coming from the president and the

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**Just by bearing certain physical features, I found myself linked with fellow Asians and also felt scapegoated as a vector of death.**

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Republican Party during the pandemic, Orientalist depictions of Asians as “diseased” and subversive troubled me. Our data offered a reminder that regardless of our citizenship, Asian Americans continue to be seen as conditional Americans.

By documenting anti-Asian hate incidents, we provided the media with the necessary evidence to underscore the racial motivations behind the acts of hate. Bold headlines from media outlets such as *Vox* declared, “How the Coronavirus is Surfacing America’s Deep-Seated Anti-Asian Biases.”<sup>9</sup> Such articles employed SAH’s framing to highlight how the racism during the coronavirus pandemic was no aberration.

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**Our data offered a reminder that regardless of our citizenship, Asian Americans continue to be seen as conditional Americans.**

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Ultimately, the media accounts, in conjunction with advocacy of Asian American groups, catalyzed responses from politicians. In a *Huffington Post* article titled “Trump Is The Biggest ‘Superspreader’ Of Anti-Asian Racism,” Connie Chan, a candidate for San Francisco supervisor, also reinforced that the discrimination she faced was a product of Trump’s anti-China rhetoric.<sup>10</sup> At the federal level, Democratic US Senators Kamala Harris, Elizabeth Warren and Tammy Duckworth sent a letter

to the U.S. Commission on Civil Rights, where they urged a government response to increasing anti-Asian hate.<sup>11</sup> Later, Congresswoman Judy Chu and members of the Congressional Asian, Latino, and Black caucus pushed a resolution calling for action against growing anti-Asian hate, with the resolution citing SAH’s numbers.<sup>12</sup> As media and elected leaders responded to SAH’s reports and prioritized anti-Asian, AAPI youth took the next step to identify policies to address the issue.

### **Social Media and Story Gathering: Policy Formulation for AAPI Youth Issues (Krysty Shen)**

On June 1, 2020, Dr. Jeung asked SAH volunteers about piloting a summer youth internship. I expressed interest, and four days later we held our first planning meeting. The next day we distributed our flyers on social media, and within a week we received over 100 applications and hired twelve team coordinators. Within only two weeks, we officially launched the SAH Youth Campaign.

This short timeline shows how quickly we were able to mobilize and start an on-going, national Youth Campaign. Eventually, the youth interns themselves

have built a social movement as a virtual community. Social media work, and later interpersonal story gathering, were critical for our Youth Campaign; they served as the basis for formulating specific policies to address the hate issues that AAPI youth face.

The youth-requested and youth-led SAH social media campaign suggests the growing importance of utilizing an online platform for youth organizing and highlights their adeptness with online

information distribution. Compared to community-based organizing in the past, newer generations are no longer bound to their immediate, proximate networks. In their applications, the great majority of youth wrote that the best strategy to get youth to report to SAH was through social media outreach. We incorporated their input and included a Social Media Campaign as the first unit of the internship.

SAH youth interns created a wealth of resources for their online networks. In under two weeks, my intern team developed a multi-slide educational resource with a historical timeline of anti-Asian hate, statistics and quotes from SAH, and a call to action to report incidents to post on Instagram. Continuing interns recently launched an Instagram account and will publish materials from the summer campaign. Their passion and speed in producing content demonstrated their adeptness with media technology and in connecting with their peers.

youth interns were well-versed with social media, they were less skilled at direct, verbal communication. Several interns asked if they could hold text conversations as a substitution, but we emphasized the interpersonal connections of phone calls and/or video calls. These direct interactions were crucial to gathering and gaining deeper understandings of the personal accounts of anti-Asian hate that youth experienced. From the youth interviews, one-fourth of peer respondents experienced COVID-19 discrimination first-hand. Interns noted a trend that many of these incidents occurred online. Aside from the Youth Campaign, I was also working on a separate policy report on youth incidents for SAH, and I had not realized the prevalence of online incidents prior to youth bringing it to the forefront.


Because of youth efforts in gathering stories and documenting cyber-bullying, we integrated an emphasis on online incidents to both the Youth Campaign and adult

**The data shows the types of hate incidents reported to STOPAAPIHATE.ORG**

Form of Attack Used During Reported Incidents	
Verbal Harassment	82.7%
Shunning	16.5%
Online Harassment	8.6%
Physical Assault	5.2%
Workplace Discrimination	4.2%
Coughed/ Spat On	1.6%
Barred From Establishment	1.6%
Barred From Transportation	0.6%

\*The percentages tell us how often a form of attack was used

Report COVID-19 related harassment and discrimination at [stopaapihate.org](http://stopaapihate.org)




Stop AAPI Hate Youth Campaign

**STATISTICS**

Since the launch of the STOP AAPI HATE website on March 19th, 2020 there have been nearly 1900 incidents reported (as of June 18th, 2020)

- Verbal harassment was the most common form of attack, used in 82.7% of the incidents
- Of the 1,843 reported incidents, 45.7% happened in California
- The most common ethnicities to be attacked were Chinese (41.1%) and Korean (16.7%)

Report Covid-19 related harassment and discrimination at [stopaapihate.org](http://stopaapihate.org)



Stop AAPI Hate Youth Campaign

The second unit for our internship was the Stories Campaign. We wanted youth to practice holding difficult conversations with peers in order to gather what was happening in their settings. While

version of the youth policy report. This experience reaffirmed the importance of a bottom-up approach to policy formation; we need to collect data on the issues which communities face to find emerging trends,

and we need to ask the affected communities what changes they want. Armed with this data, the youth interns then researched evidence-based best practices to deal with anti-Asian hate directed at youth.

## **Formulating Youth Policy, Part 2: Tailoring Youth-led Policies (Megan Dela Cruz)**

*“The gathering of stories allowed us to integrate the issues of AAPI intersectionality to the Youth Campaign policy report in a much stronger way.”*

- V. S., SAH Intern (17 y. o.)

After gathering 930 stories from their peers, the interns focused on a policy report with recommendations that address anti-Asian racism at the school level. This report would be the culmination of the interns' experience and showcase what they had learned through the Social Media Campaign, the Stories Campaign, and the workshops facilitated by the program leaders. The students synthesized the data gathered through the Stories Campaign, as V. S. notes in the above quotation, and included their own points of view in creating effective remedies for school-based and online bullying.

The interns developed the following policy recommendations:

1. Implement Ethnic Studies throughout secondary school curricula to center histories of communities of color, analyze the sources of systemic racism, and learn from movements that advocate for equity for people of color.

2. Provide anti-bullying training for teachers and administrators that would include practices of social-emotional learning.

3. Train students and adults in restorative justice practices, which can begin to replace zero tolerance approaches that have proven ineffective.

4. For online harassment and bullying, provide accessible and anonymous reporting sites on social media platforms.

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**This experience reaffirmed the importance of a bottom-up approach to policy formation; we need to collect data on the issues which communities face to find emerging trends, and we need to ask the affected communities what changes they want.**

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5. Support AAPI student affinity groups and their school-safety and anti-racism campaigns.

About forty-five interns worked on this policy report—gathering data, choosing images, and crafting a document for school districts. By working on the policy report, I was able to learn about policy formation and advocacy at the local level. In particular, I assisted the interns in developing policies particularly suited for local school contexts that vary in size and demographic composition.

The first section of the policy report included the history of anti-Asian racism and the current context of COVID-19 discrimination. The curriculum from the Youth Campaign helped interns interpret the current political moment during the 2020 elections, especially the rhetoric from elected officials inflaming xenophobia and giving license to hate. The interns also explored the economic conditions and Yellow Peril stereotype that have also given rise to hostile treatment of AAPIs.

The second section of the report analyzed the data from the Stories Campaign. The interns reviewed both quantitative and qualitative data to understand the extent and nature of anti-Asian bullying. They found that cyberbullying in the form of hateful comments and racist videos was quite prevalent, such that it seemed to be normalized behavior not often deemed as racism.

Students thus wanted to address bullying of Asian Americans at their high schools, specifically centering bullying as racialized microaggressions. The interns investigated policies that address the sources of the problem, as well as build on the strengths of our ethnic communities. To get at the root of racism, the interns found that Ethnic Studies and high school affinity groups were effective in promoting solidarity and coalitions. They realized that by learning their own histories and by organizing their fellow students, they could find power as they mobilized affinity groups. In order to deal with bullies, they recommended restorative justice models as better than zero tolerance policies that led to inequitable suspension rates. And to support Asian American students targeted with racism, they highlighted the need for mental health resources based in schools. Each of these recommendations included citations of the research that documented their efficacy and feasibility.

Finally, given the interns' focus on effecting change at the school and school district level, the report offered policy recommendations by researching best practices that were applied to their own experiences. They acknowledged that different school contexts based on district size and school demographic composition led to varied levels of power and influence that the students could exert. They therefore provided general recommendations that could be tailored to different schools and prioritized according to school need.

Although the summer portion of this internship has ended, some high school interns have decided to continue their work and implement their recommendations. In fall 2020, interns hosted a nationwide conference to spread awareness of the issue and build a student movement for social change. Largely influenced by the recommendations of the report, the interns are advocating plans to implement Ethnic Studies within their school districts.

Overall, the Youth Campaign and their

policy report are models of community-based participatory research conducted by high school interns. Through social media and Zoom meetings, they were able to meet nationwide and to develop a social media campaign to raise youth concern for this issue. By gathering stories and documenting youth experiences, the interns verified the ongoing surge of racism targeting Asian American high school students.<sup>13</sup> And through integrating best practices with their own experiences and knowledge, they have developed a policy platform aimed at empowering, healing, and transforming their communities. Having developed policy recommendations, the next step for SAH was to advocate for their implementation.

### **Promoting Policies Given Political Contingencies: Policy Advocacy at the State Level (Boaz Tang)**

*"One thing I also want to express is deep, deep recognition of the xenophobia, racism that is being perpetuated against Asians in our state. We have seen a huge increase in people that are assaulting people on the basis of the way they look and I just want folks to know we are better than that, we are watching that, we're going to begin to enforce that more aggressively . . ."*<sup>14</sup>

*--Governor Gavin Newsom (CA),  
March 19, 2020*

I felt stunned to hear a public official denounce anti-Asian discrimination and violence at a press conference. Having been gutted by the long legacy of vitriol towards the Asian American community, I was stirred with pride over finally being seen by the governor. One month later, Professor Russell Jeung reached out to me and a handful of other San Francisco State University graduate students to join the SAH research team. At the time, I did not realize that SAH's research and advocacy were the catalysts for Governor Newsom's remarks, and I certainly did not anticipate researching policy recommendations for a meeting

with his key staff just a few weeks later. I had to help frame the aims of SAH—to promote public education and restorative justice models—according to the concerns, scope, and limits of the governor’s office.

SAH’s policy recommendations address systemic racism through public education and restorative justice measures, in contrast to previous models of hate crime enforcement. From our research, we found that Ethnic Studies<sup>15</sup> and particular types of anti-racism education<sup>16</sup> were effective in curbing the xenophobia towards Asian Americans. In addition, the George Floyd killing in June 2020 and the Black Lives Matter movement made us well aware of the failures of our criminal justice system that were largely retributive and punitive. Instead, SAH saw restorative justice as an essential part of ending structural racism leveled at communities of color. Indeed, such measures are effective in increasing community resilience, lowering recidivism rate, and decreasing financial costs for all parties in conflict.<sup>17</sup> Thus, we prioritized these policy approaches for their philosophy and efficacy.

Given the agencies that the governor’s office oversaw, we tailored our recommendations for state departments that handled sites where we tracked anti-Asian incidents. According to our research, 38 percent of California hate incidents occurred at businesses. Our recommendation to the governor’s office was for the Department of Fair Employment and Housing (DFEH) to better promote and enforce public accommodations, as protected by the Unruh and Ralph Civil Rights Acts.<sup>18</sup> Enforcement of these civil rights codes would provide safe access to goods and services, and thereby keep them free of harassment and discrimination. Since streets and parks were the locations of 31 percent of hate incidents, we proposed targeted public education campaigns and signage on transit routes, streets, and parks.<sup>19</sup> Recognizing that calls to changes in behavior are more effective than general awareness of an issue, we

suggested signage reminding people to treat others with respect and to intervene in situations of harassment.

Following that meeting with the Governor’s Office, SAH has met regularly with the California DFEH to host public education webinars and to explore pursuing mediation of Asian American cases through its complaint procedures.<sup>20</sup> We continue to investigate how we might use California as a model for other states in extending public accommodations and working with state agencies to curb anti-Asian harassment at businesses.

## Conclusion

Through SAH’s data collection, research analysis, and policy advocacy, we learned about public policy by actively engaging in its formulation itself. Despite having to review hundreds of harrowing and even traumatizing accounts of anti-Asian hate, we have been heartened by the overall community’s resistance against racism. Elderly Asians and Asians with limited English proficiency made the effort to file reports to SAH. Ninety youth across the nation quickly responded to the call to stop the violence against AAPIs, and spent their summer working to address the issue. AAPI celebrities like Bowen Yang, Helen Zia, Tzi Ma, xmtoon, Maulik Pancholy, and Jeremy Lin have spoken out on the issue at SAH’s Youth Campaign meetings. Across generations, ethnicities, and professions, the AAPI community stood up.

Through hands-on learning, we gained key lessons on the public policy process. In order to put anti-Asian hate on the agenda of policy makers, we needed to document major trends of racism impacting our communities. We had to frame the narrative about COVID-19 discrimination as rooted in systemic racism, so that the government would respond appropriately. In developing policies, we found that identifying solutions with a bottom-up approach was

critical: impacted communities need to have a voice in addressing their own concerns. For example, our high school interns took the time to listen to their peers and consider their own experiences before creating their policy platform. And to advocate strategically, we had to understand the structure of government and existing policies so that we could promote our own priorities well. Identifying the appropriate authorities, their powers, and their own political agendas—whether they were the California Superintendent of Schools or the director of the Department of Fair Employment and Housing—helped us collaborate strategically to stop the bullying of AAPI youth in schools and the harassment of AAPI customers in stores.

SAH is now pivoting towards the next stage of the public policy process, that of policy implementation. Beyond retracting many of the anti-immigrant policies of the Trump administration, we look forward to expanding Ethnic Studies, extending civil rights protections, and promoting restorative justice models for community transformation. These policy approaches are promising practices as we seek to build a larger AAPI movement of justice and solidarity.

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# NOWHERE TO GO: ANTI-ASIAN HATE CRIMES IN 1945 AND TODAY

*Shirley Ann Higuchi*

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Iyekichi Higuchi prepared to leave the Heart Mountain camp for Japanese Americans in May 1945 to return to San Jose, California, look for a home for his wife and two at-home children, and to find a job.

He had been forced to sell his 14.25-acre home in San Jose three years earlier when the federal government had forced 120,000 Japanese Americans from the West Coast because of hysteria about the alleged security threat they posed in the days following the 7 December 1941, Japanese attack on the naval base at Pearl Harbor, Hawaii.

Just hours before Higuchi was to leave Heart Mountain, he suffered a heart attack while eating in the mess hall.<sup>1</sup> The stress caused by the impending trip proved too much for him. The proud 59-year-old farmer could not leave.

Iyekichi Higuchi was my paternal grandfather. His personal file kept by the US War Relocation Authority details the effects his unjust

incarceration had on him and his family. The weight of the hate crimes that settled on him and others of Japanese ancestry proved too much to bear.



*Iyekichi Higuchi stands next to the barn at the farm in San Jose that he bought before he was incarcerated in a Japanese American concentration camp during World War II.*



As I detail in my book, *Setsuko's Secret: Heart Mountain and the Legacy of the Japanese American Incarceration*, thousands of Japanese Americans faced the same challenges as my grandfather. They faced discriminatory practices established by officials at the highest levels of our government and the lies perpetrated by these officials. As the war ended, the incarcerated Japanese Americans faced the challenges of moving to communities that had previously rejected them.

that awaited them at home.

What faced those returning Japanese Americans mirrors the hate crimes now facing Americans of Asian descent who are blamed for spreading the COVID-19 virus that originally started in China to the United States.

Since the pandemic took over in March, thousands of Asian Americans have been accosted in public spaces, spit on or assaulted and told to go back where they came from, even if that was not Asia at all.<sup>2</sup>



*Setsuko Saito and William Higuchi sit next to each other in the front row of their ninth-grade class photo in the high school at the Heart Mountain concentration camp. After the war, they would meet again on the campus of the University of California, Berkeley, marry and have four children, including author Shirley Ann Higuchi.*

Before the war, they owned businesses or built professional careers as doctors, lawyers or scientists only to have their livelihoods destroyed by an over-hyped hysteria based on racism and cultural ignorance.

Those successful careers meant little to the Caucasian-dominated society that rejected them. Come 1945, these same victims of racism had to navigate the bigotry

President Donald Trump routinely calls COVID-19 the China virus or plague, as he continues to mismanage the pandemic that has killed at least 235,000 Americans.<sup>3</sup> His words turn an unfair spotlight on millions of Americans of Asian descent.

In Sacramento, psychologist Carolee Tran was attacked by a fellow customer in Costco who told her to go back where she

came from. Tran is a refugee from South Vietnam who arrived in the United States in 1975 after her country fell to the communists.

"I said to him, 'Shut the f—up, get out of my face or I am going to call the manager.' I am sick of it," Tran said.<sup>4</sup>

In 1945, Higuchi knew he faced similar bigotry or worse. So did the government, which knew that Japanese Americans were not welcome back in their former hometowns. War Relocation Authority records show the agency collected information on all of the acts against Japanese Americans, starting with arson and attempted murder.<sup>5</sup>

At the same time, however, the WRA embarked on a disinformation campaign aimed at selling the formerly incarcerated on the need to return home. The authority used camp newspapers, such as the *Heart Mountain Sentinel*, to tell them that they would receive warm welcomes on the West Coast.

"The small ratio of relocated Japanese who may wish to return to the Pacific coast after the war 'will find a warmer welcome because of the good record of Japanese in the American armies,' Dillon B. Myer, national director of WRA, told Californians last week," the *Sentinel* reported on 14 October 1944.<sup>6</sup>

Many Heart Mountain Japanese didn't believe the happy propaganda. After the federal government rescinded the exclusion order from the West Coast on 17 December 1944, formerly incarcerated Japanese soon heard through word of mouth and other reports about problems back home, such as that faced by the Takeda family of San Jose, who had recently returned from their incarceration at the camp in Gila River, Ariz.

On 6 March 1945, War Relocation Authority records show, arsonists set fire to their home and then shot at the family

members as they ran outside for safety and to extinguish the fire.

"Joe Takeda home subjected to 12:50 a.m. night shooting and attempted burning by men in unidentified sedan who cut telephone wires and set fire to house and sheds with gasoline poured under home," according to the account of the attack sent to Myer.

"No one injured and family of 10 evacuees put out fire with aid of rain," the report continued. "One shot fired from car slowly cruising highway 75 feet away, 2 shots fired as it passed on 4th trip past. One revolver slug went over heads of 2 children on porch, lodged in bedroom wall. First incident case in Santa Clara Valley, Sheriff Emig's office notified. 3 deputies arrived within 15 minutes."<sup>7</sup>

Higuchi did not realize it at the time, but one of the Takeda daughters, Thelma, would later marry his second-oldest son, Kiyoshi.

In Auburn, Calif., three Caucasian brothers set fire to the Doi family's home. They had recently returned from being incarcerated at the camp in Amache, Colorado.

"Two civilian brothers and two brother AWOL from Army held in case before Superior Court for attempting burning and dynamiting and scare shooting at Sumio Doi ranch home," the WRA report read. "Doi family has son in Army unit which rescued Lost Battalion. No one injured."<sup>8</sup>

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**[T]housands of Japanese Americans faced the same challenges as my grandfather. They faced discriminatory practices established by officials at the highest levels of our government and the lies perpetrated by these officials.**

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The Lost Battalion was an Army unit made up of Texans that had been caught behind German lines in the Vosges Mountains of France the previous fall. Members of the all-Japanese American 442nd

Regimental Combat Team fought for days to rescue them.

Also, on 16 January 1945, the WRA reported that a “fire of suspicious origins destroyed Mayhew Sunday School building in which was stored property belonging

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## Asian Americans have long faced bigotry and false accusations from those who are ignorant of our culture and history.

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to groups of persons of Japanese ancestry. County officials consider case closed; WRA investigators still working on it.”<sup>9</sup>

Asian Americans have long faced bigotry and false accusations from those who are ignorant of our culture and history. Like today, many were abetted by officials at the top of our government. Those officials and their agencies often lied about or covered up what they did.

It is not acceptable now, and it wasn't acceptable then. Fighting it means demanding transparency from our government, finding allies, and fighting bigotry with facts and reason. The policies pushed at the beginning of World War II came from rooms in which only white officials were invited. We need a truly representative administration that includes all members of society to deliberate how policies are made and carried out.

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# BUILDING PATHWAYS THROUGH DISCOMFORT: NURTURING ALLYSHIP IN THE ASIAN AMERICAN COMMUNITY

*Melody Ng*

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## 2016 to Present: The Culmination of Our History With Discomfort

After a year of polls predicting a landslide victory for Hillary Clinton, late in the evening of 8 November 2016, Donald Trump was declared the 45th president of the United States. People were shocked by the degree to which the outcome diverged from the polls—but I was not. I had spent the last year wading into fetid comments sections and asking people—within and outside of my circles—about their take on the candidates and the issues. What I learned from my inquiries is that while polls are designed to capture public opinions, they cannot illuminate the complex beliefs behind opinions that would nonetheless inform how or whether people voted. The polls did not register the “discomfort”—defined here as feelings of ambivalence about individuals, groups, and/or situations, driven by blatant or latent biases—that I noticed in others’ stories, and therefore cannot illuminate the unpredictable ways that discomfort interacts with identity and self-interest to produce surprising voting patterns.

Pre-election, think pieces picking apart the presumed monolithic interests of different ethnic and class voting blocs proliferated. Post-election, many were devoted to analyzing the white working class and how they swung the 2016 election in Trump’s favor—abetted by a political terrain engineered by US Congressional Republicans over the past decade via gerrymandering,

voter suppression policies, and the obstruction of then-President Obama’s efforts to fill over 100 lifelong federal judgeships (including one Supreme Court seat).<sup>1</sup> Few of them interrogated the complex inter- and intragroup dynamics that may have contributed to the surprising percentage of Asian American (27 percent), Latinx (28 percent), and educated (36 percent) voters voting for Trump.<sup>2</sup> While these figures are somewhat consistent with—if not an improvement on—the proportion of voters within these blocs that voted Republican in previous decades, many people were still surprised that anyone would vote for someone so brazenly xenophobic and ill-equipped to lead.<sup>3</sup> Four years later, more than 74 million people would vote to give Trump a second term—if not in enthusiastic support, then at least in passive condonation of his agenda.<sup>4</sup> The days after the elections, baffled people in my circles kept asking different versions of the same question about those who voted for Trump despite their disapproval of his open affiliation with white supremacists and advocacy of policies that would endanger the rights and lives of others: “*How could they be so selfish?*”

But, I ask: “*Why were you so surprised?*” Evolutionary psychologists reason that the “vigilance”—heightened suspicion—that communities exercise when encountering “outgroups” can explain intergroup tensions. During first encounters, communities use “vigilance” to gauge whether “others” are a boon or threat to their survival.<sup>5</sup> But after the haze of the first

encounter has dissipated, whom do we trust? Whom do we empathize with? And why? We are centuries into the democratic experiment in the US, and that many of us refuse to examine the discomfort that

crippling challenger lies closer to home: the bystanders within our communities who act—or abstain from acting—in service of their own interests without considering the far-reaching consequences on other communities.

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**Though we have expanded access to rights over the last several decades, the fact remains that discomfort—whether driven by outright animus or inadvertent, implicit biases—is at the foundation of the US’s social and political institutions; institutions that were designed from the start to prevent “others” from accessing basic human rights.**

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Over decades, the positions (or lack of one) that some within the Asian American community have taken on issues and developments of importance to communities of color—including affirmative action, immi-

remains within our society betrays something more than just an evolutionary drive for self-preservation. Consider how we have historically used our discomfort with perceived differences to create out-groups—“others”—and to grant people unequal access to rights based on those differences. Though we have expanded access to rights over the last several decades, the fact remains that discomfort—whether driven by outright animus or inadvertent, implicit biases—is at the foundation of the US’s social and political institutions; institutions that were designed from the start to prevent “others” from accessing basic human rights.

gration reform, police brutality, and Black Lives Matter—have cemented our status as bystanders at best and a “wedge” at worst. Our community is generally disinclined to having honest conversations about why some feel, at the very least, ambivalence about certain issues. But bending the arc of our society toward justice requires allies—and the bystanders among them—to contemplate and act on this question: “What can and should we do with others’—and our—discomfort?”

### **(Hi)stories: A Starting Point for Allyship**

Within the last few years, dog whistling has given way to our neighbors and elected representatives unabashedly “saying the quiet part out loud.” White supremacy has risen from its simmering dormancy in the socio-political underground to become a raging presence in the streets—driven by a 55 percent rise in white nationalist hate groups since 2017.<sup>6</sup> Neo-Nazis stormed the US Capitol to overturn the results of an election that they failed to win despite the new and age-old means that were used to “rig” it in their favor.<sup>7</sup> But while Neo-Nazis might be the obvious adversaries to justice and equity, another less calculated but arguably just as

In some ways, I could not have developed the habits required for allyship without my exposure to the diverse communities in California. I was born to Chinese American immigrants and raised in a rural, uber-conservative, majority White, low-income community on the fringes of the Mojave Desert. There, I negotiated the cognitive dissonance of claiming that I was “left-leaning” but “not into politics”; of wanting to signal to others that I did not share the values of my community but remaining passive in my convictions. I knew that hunger, homelessness, and people lacking the resources necessary to be safe and healthy required intervention

but had only ever witnessed the normalization of these injustices by the Asian American community and, consequently, felt powerless to change these realities. Any discomfort arising from encounters with injustice were brushed off with anti-theoretical platitudes about unfairness being part of the natural order of things and people reaping what they sow; or silence.

After leaving the desert for college, I realized that the “natural order of things” was a false story that we have been told; a smokescreen to obscure the fact that the

strangers. If we take nothing else away from the “fake news” era, it should be that stories matter.

After a presidency ushered in and fortified by “alternative facts”, people—from the pundits to our neighbors—asked: “Are we living in a post-fact world?”<sup>11</sup> Many of us know of or have personally encountered people who give more credence to anecdotes about the dangers of vaccines than to the large body of clinical science rejecting accusations of such dangers. We bristle with indignation, anger even, at their

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## **But bending the arc of our society toward justice requires allies—and the bystanders among them—to contemplate and act on this question: “What can and should we do with others’—and our—discomfort?”**

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“natural order” is a product of choices—to accept inequities as given and to dismiss the possibility of anything more. But this was only possible after spending years acclimating to different communities for school and work, encountering and then coming to know others and the world in ways that I could not have known had I stayed in the desert. Many people take it for granted that everyone has the privilege of mobility beyond their immediate communities. However, opportunities for exposure to others’ stories are afforded to people as much by privilege as by chance.<sup>8</sup>

Over the past several decades, our communities have become increasingly segregated along partisan and cultural fault lines—resulting in pockets of rural and urban communities with their own insular social and political identities.<sup>9</sup> Despite living in an increasingly hyper-connected world, people tend to affiliate primarily with those within their immediate communities—a practice extending even to virtual spaces.<sup>10</sup> Our echo chambers are fortified by the stories of those that we identify with most closely—sealing out the stories of even the nearest

refusal to “look at the facts.” “Why would you believe one story from So-and-So from work over all this independent data?”—we ask. But we forget that stories, whether they are rigorously fact-checked or irresponsibly decontextualized, can be data, too—deeply charismatic qualitative data. In a way, stories were the first kind of data that we had access to as a species after we began developing language. Many cultures have long used stories to teach people about civic duty, history, science, and to remind people of where they come from and who they are expected to become. While this seems archaic in our industrial public education complex, there is some wisdom in recognizing stories as a teaching tool for the modern age—since they clearly resonate with people who might otherwise “ignore the (quantitative) data.”

My exposure to others—and their stories—taught me that power is situational. Ethically navigating its confusing ebbs and flows requires interrogating your relationships with others—in particular, the interpersonal dynamics and the larger socio-political forces that shape those

relationships and, consequently, the contours of the communities in which we all live. Recognizing the nature of “power” has allowed me to unpack memories of discomfort and deconstruct new encounters with more clarity and accountability:

. . . I am around five years old. I am with my mother and aunt running errands, and we pause in the parking lot where they become distracted in conversation. I walk toward a ragged homeless man sitting outside a storefront several yards away. He slowly raises the disposable cup in his hand to me. My mother and aunt pull me away suddenly, clucking in disapproval, and rush to the car. I am confused by their reaction to this defeated looking stranger. At the time, I wonder whether they are so mean because he is dirty, has no money, or is Black. The fact that I articulated the last reason for their reaction at that age is revealing.

. . . I am part of an Asian American majority for the first time as an undergraduate student, and struggle to transition from my conservative rural hometown to one of the wealthiest liberal urban centers in the US. For the first time, I see aspects of my physical self in many of my peers, but still feel distinctly disconnected from them. I cannot relate to their casual grievances about being inundated with “enrichment” activities as children/adolescents. I clumsily decipher other class-related social cues around food, pop culture, and “taste” that they exchange with dexterity.

. . . I am in a class lecture where a professor claims that it may be possible to reconcile the need to address racial inequities with opposition to affirmative action by using socioeconomic status as a proxy for race. At the time, it seems reasonable to me since

the research confirms such a strong correlation between class and race. However, I don’t quite understand the rejection of this proposal by some of my peers (and would not for some time).

. . . I am co-facilitating a participatory policy seminar at an at-risk youth center that serves mostly Black and Brown youth during grad school. They share with us the problems in their communities that are most important to them, and we teach them ways to integrate research into their advocacy efforts. Engaging with these young people in this way is how I believe policy research and advocacy needs to be undertaken, but I still wonder what right I—and my other White and Asian American co-facilitators—have to be “leading” this seminar.

I often revisit these encounters armed with new information (e.g., the epigenetics of intergenerational trauma) that allows me to register previously overlooked details and draw from them more nuanced conclusions. None of us are “done” with our encounters after we have lived through them. They become stories we tell ourselves; touchstones we use to form our personalities and worldviews. As my stories accumulated, I felt increasingly alienated from the Asian American community.

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It became clearer to me the ways in which their “keep your head down and protect your own” mentality contributes to the policy problems that occupy my time, and to the inequities afflicting communities. I was disappointed in their passive refusal

to look beyond their fear of losing their slice of the political and economic pie, or to question the costs to others of the slice they first came to possess.

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## **Their inability—or refusal—to acknowledge trauma may limit their ability—or willingness—to recognize the traumas and injustices that groups outside of their communities have experienced.**

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At the same time, I understand how our diverse political and cultural heritages impact our ability and willingness to engage with injustice. We cannot ignore that some members of the South and Southeast Asian American community face systemic challenges similar to other Black and Brown communities. At the same time, how Asian Americans manage their relationships with others varies widely between subgroups, and the sources of those differences may illuminate why some of us fail to act on others' and our own behalf in the face of injustice. Many of us come from shame-based, "face saving" cultures in which the admission of struggle is an admission of personal failure.

Previous generations that lived through the Cultural Revolution in China or the Khmer Rouge in Cambodia survived harsh government-inflicted political and cultural conditioning meant to ensure unconditional subservience to their authoritarian governments—which conspired to systematically dismantle any personal allegiances that could foster a sense of self not solely invested in propping up the regime.<sup>12</sup> The legacy that remains is an unquestioning deference to the institutions that governments use to regulate our lives and a self-preserving disinterest toward how they are designed or what role they might play in our struggles. Individuals from these communities have undergone tremendous trauma that they were never allowed to acknowledge in the past and are possibly unable—or

unwilling—to recognize in the present. Their inability—or refusal—to acknowledge trauma may limit their ability—or willingness—to recognize the traumas and injustices that groups outside of their communities have experienced. While some within our ranks knowingly disengage with injustice because they can

afford to ignore it, it is crucial to understand how our community processes their traumas, because engaging with discomfort requires us to be able and willing to confront trauma both in ourselves and others.

### **“Wuhan Flu” & “I Can’t Breathe”: A Difference in Degree But Not in Kind**

Just over 10 weeks into the COVID-19 pandemic, George Floyd was murdered by Derek Chauvin, abetted by three other officers; the latest name on a long scroll of lives snuffed out by police brutality. I was jolted from the months-long stupor of lockdown by the sense that a fissure in our collective consciousness had finally cracked like a dam splitting open; the proverbial straw that broke the camel's back. I knew the response to George Floyd would be different from the responses to the others that fell before him. Soon after, I watched news feeds flood with images of protesters braving the streets during a pandemic as a bone-deep frustration with the perpetual silence that came in answer to questions that people had been asking for decades set in: “Why don’t you understand? How do I get you to care?”

Many of us have asked these questions of ardent non-mask wearers during the pandemic. Was it thinkable four years ago that wearing a mask would become a “political” issue? In some ways, the pageantry of non-mask wearing is a visual accomplice to the



dog whistle rhetoric surrounding COVID-19. Both convey and mask—so to speak—the discomfort that a largely conservative base of non-mask wearers feel in response to reminders of their collective responsibility to a community of “others” during the pandemic. A thorough audit of our history—revealing the degree to which we have failed to meet our collective responsibilities toward others—can make us feel like villains, and most people would rather be the hero of their own stories. So, they sublimate the discomfort driving their choices and “preferences” by rewriting history (e.g. the Civil War and opposition to the Civil Rights Movement were about “states’ rights”) and through rhetorical gymnastics (e.g. staying maskless in public is exercising “freedom”)—effectively denying their sometimes villainous role in other communities’ (hi)stories.<sup>13</sup>

People can be more than one thing—an empowering but also destabilizing truth. Many of us assume that people who have been denied their rights and their humanity will remember their history and not go on—actively or passively—to deny the rights and the humanity of others. But the oppressed can also oppress. Asian Americans—who endured immigration laws throughout the late-19th and early-20th centuries designed to prevent them from “taking” opportunities reserved for “real Americans,” lynchings (including a mass lynching in 1871 that killed up to 20 people), and imprisonment in concentration camps during World War II—still refuse to reflect on practices and policies that have and continue to threaten the rights and humanity of other groups of color.<sup>14</sup>

Long before COVID-19, Asian and Asian American communities had adopted the use of masks as a public health practice during times of illness. But, as the Centers for Disease Control waffled between alternating recommendations in the early months of the pandemic, I put off wearing a mask for as long as possible.<sup>15</sup> I made a gamble that maskless exposure to COVID-19 would pose less of a danger

to my safety than wearing a mask, which could expose me to harassment or assault. A mask would mark me as “other” in a world that has been more primed than ever in the last few years to mark, ostracize, and punish the “other.” More than 2,100 anti-Asian American hate incidents related to COVID-19 were reported across the country over a three-month period between March and June alone.<sup>16</sup> This spike was no doubt facilitated by the Trump administration’s relentless peddling of the “Kung flu” narrative—shamelessly capitalizing on a global health crisis to weaponize both the unambiguous animosity of bigots, and the unarticulated biases of latent bigotry, in service of his reelection campaign.<sup>17</sup> Discomfort lies on a spectrum that starts with unarticulated bias and ends with outright violence.

COVID-19 has become a symbol for the inequities of the US healthcare system but also of our systems in general, given how it has compounded (and thrown into even sharper relief) the burdens that communities of color already face. Black Americans, who have long faced insurmountable barriers to medical care, are dying from COVID-19 at twice the rate of White Americans.<sup>18</sup> In May, the Navajo Nation had a higher per capita COVID-19 death rate than any state in the US—a problem exacerbated, like in many Native communities, by generations-long water shortages that have left up to 40 percent of Native households without access to piped water in their homes.<sup>19</sup> Unemployment rates during the height of lockdowns in late May/early June were the highest among Latino and Black Americans—who now also occupy the epicenter of a looming nationwide eviction crisis due to a long history of discriminatory housing and lending practices that have burdened them with debilitating housing costs and generational housing instability.<sup>20</sup>

Long before the day Derek Chauvin pressed his knee onto his neck, George Floyd’s life expectancy had already been whittled away by risk factors—lack of

stable housing, educational and employment opportunities, and access to health-care. Perhaps unsurprisingly, Floyd had tested positive for COVID-19 two months before his death.<sup>21</sup> But, arguably, George Floyd's death had another proximate cause—discomfort. George Floyd fell victim to a society that has never honestly questioned its discomfort with Black America (and Americans of color generally); discomfort animating their choices—and support of choices—to extract human and other capital from Black and Brown communities while preventing necessary resources from being invested in those same communities. Let there be no confusion—the discomfort that factored into George Floyd's death and the discomfort stoking COVID-related xenophobia against Asians and Asian Americans hail from the same place. Allies must recognize that dismissing racism inflicted upon any one group enables racism against all other groups.

that has never meaningfully accepted or made space for difference. Even so, it may be possible to harness habits of cognition from double consciousness to work through our own and others' discomfort, and to establish pipelines to others' stories so we can better situate ourselves in their histories and empathize with their present realities.

My experiences with discomfort are mostly productive. Each engagement constitutes a kind of fracturing—double consciousness doubled ad infinitum—as I become acquainted with the different facets of my “self” refracted from the perspectives of others. Contrary to misgivings about dissolving into a soup of dissonant fragments under the strain of constant self-interrogation, I have emerged a more fully-realized person with a fuller understanding of the inescapable mutuality of living—how my circumstances inform and are informed by the lives and circumstances of others.

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## Let there be no confusion—the discomfort that factored into George Floyd's death and the discomfort stoking COVID-related xenophobia against Asians and Asian Americans hail from the same place.

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### Unwedging Ourselves

Successfully navigating our multicultural society requires developing a literacy around others' needs, and preferences. Politically disempowered social groups have used this literacy to assimilate into a political and social “mainstream” that has been largely determined by more powerful groups. Arguably, this literacy is a byproduct of “double consciousness.” People experience double consciousness as a kind of “fracturing” of the self—always seeing oneself simultaneously through one's own as well as others' eyes. Some might assert that double consciousness is evidence of a society

We are all “others” to each other in the beginning. Coming to truly know other people is an experience that can often start with discomfort—with yourself, with the situation, or with both. Striving to achieve a more uncomplicated sense of self will not bring forth solidarity, given that it may in fact obstruct the honesty required for meaningful allyship. The absence of tension does not constitute the presence of justice. Perhaps, only by accepting the sense of internal dissonance that comes from engaging with discomfort as a natural state of living in a diverse society can we make space for opportunities to reckon with the factors that have shaped our shared and divergent histories and

present realities, and to become more empathetic neighbors and more effective allies.

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**Civic education is not built into the US public education system in any meaningful way, and our institutions lack sufficient scaffolding to afford our diverse communities' real agency in decision-making processes.**

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In the hopes of creating space for people to engage with their discomfort, I am bringing to the Asian Pacific American Dispute Resolution Center a community-building conversations series called *Building Pathways to Understanding*. The series aims to encourage people to unpack the beliefs and values that drive how we build our communities and to examine the stories we tell ourselves about the way society “has to be.”

Effective public policies identify how to optimally distribute resources to serve the welfare of the various communities that make up our society—with attention to how our political institutions shape and can be shaped by the distribution. That we design policy without knowing the stories of those whom the policies are meant to serve seems ridiculous. But every day, people, voters, and decision-makers decide who will get what, when, how, and why for people they do not know or fully understand. Fundamentally, allyship requires us to acknowledge the unflattering, inconvenient, and discomforting truths about our roles in shaping past and present policies and their disparate impacts on specific, often vulnerable communities. This cannot be done without first examining our discomfort and the underlying biases that inform it.

Civic education is not built into the US public education system in any meaningful

way, and our institutions lack sufficient scaffolding to afford our diverse communities' real agency in decision-making processes. We expect our institutions' leaders to prioritize engagement with the communities that they are meant to serve, even though they often have not, cannot, or in some cases will not do so. This responsibility has thus fallen on us as neighbors, voters, and decision-makers. *Building Pathways* intends to provide opportunities for people to talk about policy issues in an accessible way so that their decision making—as would-be allies embedded in civic organizations, businesses, government agencies, and other institutions—is informed by self-awareness about the power they wield and comprehension of their role in others' hi(stories).

### **Meet Your Discomfort**

Let this be clear—pointing out how the unexamined discomfort within communities of color and their would-be allies contributes to the severe inequities within our communities is not an absolution of the leading role that white supremacy plays in engineering those inequities. However, it does ask us to question the proximity of our nebulous discomfort to the defined ideologies and practices at the heart of white supremacy—which does not belong only to white supremacists. Foremost, white supremacy is an ideology, founded upon colorism and nationalism, that has impacted the design of all social and political systems worldwide.

“Ally” is not a special category of person belonging only to those formally involved in social movements. Allyship, in its obvious forms, can involve showing up in the streets or using your platforms to amplify voices that need to be heard. But it is also refusing to look away from situations that are unjust; refusing to psychologically and politically isolate yourself from your discomfort with it, even when the circumstances of your life allow you

to do so. At minimum, allyship requires you to pay attention and listen; to make the effort to really see the “other”; to have the humanity to recognize that which is similar to you in others, the humility to acknowledge that which is different, and—especially—the courage to ask why and how those similarities and/or differences came to be. Being an ally *is* utilizing the power you have in your capacity as a decision-maker, voter, and/or neighbor to support equity in both decision-making processes and outcomes -- which requires us to look beyond our day-to-day decisions to the individual and institutional power dynamics that shape the terrain on which we act. This kind of self-awareness and accountability are not possible if we avoid engaging with our discomfort.

The discomfort of some groups has always mattered much more than others in the decision-making processes shaping our institutions—3 November 2016 made that undeniably clear. As 20 January 2017 drew near, I renewed a commitment that I had made to myself in the previous decade: I would never look away from the carnage. I would work through the conflicts and misunderstandings that might arise from engaging with my discomfort, and try to move others to do the same. I discourage you from seeking comfort—definitive resolutions to your questions and crises of conscience. Life will always bring us to new people, places, and/or concepts that will trigger the discomfort that comes with first encounters and learning to acclimate ourselves to new information, environments, and dynamics -- and we must cultivate our gardens. Elie Wiesel wrote—“*The opposite of love is not hate, it’s indifference [ . . . ] And the opposite of life is not death, it’s indifference.*”—words from a complex person who exemplifies that people can be simultaneously victims, heroes, and victimizers. I posit that the opposite of discomfort is also indifference, and that in some circumstances, the pursuit of comfort is the pursuit of a kind of indifference. I sit

with my discomfort and invite you to sit awhile with yours.

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# CONTRIBUTOR BIOGRAPHIES

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**QUYEN DINH, MPP** is the executive director of the Southeast Asia Resource Action Center (SEARAC), a civil rights organization representing the largest refugee community ever resettled in America. As executive director, Quyen has advocated for Southeast Asian Americans on key civil rights issues including education, immigration, criminal justice, health, and aging. Under Quyen's leadership, SEARAC has authored and passed legislation calling for transparent, disaggregated data for the Asian American community. Born to Vietnamese refugees, Quyen identifies as a second-generation Vietnamese American. She holds a master's in public policy from the UCLA Luskin School of Public Affairs and a bachelor of arts degree in English from the University of California, Berkeley. She lives in Washington, DC.

**JENNA MCDAVID, BS** is the communications consultant for the Southeast Asia Resource Action Center (SEARAC). She supports SEARAC's mission of empowering Southeast Asian American communities through grant writing, media and community outreach, and technical assistance. Previously, Jenna served as the national director of the Diverse Elders Coalition, advocating for the rights of older Americans to age with dignity. Jenna holds a bachelor of science in business administration and communications from SUNY Brockport. She lives in Rochester, NY.

**KATRINA DIZON MARIATEGUE, MPP** is the deputy director of policy and field at SEARAC. In this role, she oversees the organization's programmatic work to ensure alignment and coordination among their policy and advocacy, leadership development, and community engagement and mobilization work. Prior to this role, she served as SEARAC's director of national policy from 2018-2020 and immigration policy manager from 2015-2018, during which she advocated on Southeast Asian American civil rights issues. She holds a master's in public policy from the University of Maryland, College Park, and an undergraduate degree from Ateneo de Manila University in the Philippines.

**MAHNOOR HUSSAIN** is the policy & partnerships manager at SAALT. She advocates for just and equitable policies by centering the voices of South Asian immigrants and communities of color. Previously, she worked at the National Domestic Workers Alliance (NDWA) and APIAVote. She is currently an organizing fellow with Justice for Muslim's Collective supporting with racial justice and civic engagement campaigns for Muslims in the DMV region. Mahnoor is a first-generation immigrant and graduated from American University's School of International Service.

**SOPHIA QURESHI** is a senior communications specialist who most recently served as director of communications at SAALT. Before joining SAALT, she held positions at The

Center for Public Integrity, Al Jazeera, and the UN where she has worked on strategic communications and media production. She is a founder of Subcontinental Drift—a nationwide South Asian American collective that creates spaces for artistic expression and positive social change. In 2017-18, she was a Nieman affiliate fellow at Harvard University. She has an MA from Georgetown University in international development and communications and a BA in political science from the University of Georgia.

**LAKSHMI SRIDARAN** currently serves as the executive director of South Asians Leading Together (SAALT). Since 2014, she was SAALT's Director of National Policy and Advocacy where she led the organization's external engagement and developed SAALT's policy and legislative agenda, which primarily focuses on immigration, racial profiling, and combating hate violence. Prior to that she served as the policy director for The Praxis Project. Before moving to D.C., Lakshmi completed six years of work in New Orleans, Louisiana after Hurricane Katrina. Lakshmi holds a masters in city planning from Massachusetts Institute of Technology and a BA in ethnic studies from the University of California, Berkeley.

**SRUTI SURYANARAYAN** is SAALT's communications and research associate. Sruti is a researcher and artist who thinks about and responds to contemporary cultures of teaching, learning, and knowledge sharing, as well as their entanglements with colonial hegemony, trauma, and inheritance. Sruti is currently an Education Fellow at the Dia Art Foundation, where they are building a digital landscape and archive. View their work at [ssuryana.com](http://ssuryana.com).

**SINA UIPI** leads EPIC's national policy and advocacy efforts towards the organization's mission to advance social justice and increase the political power of Native Hawaiian and Pacific Islander communities. She represents EPIC at the National Council of Asian Pacific Americans in Washington, DC, and supports its coalition's work. She is thrilled to bring greater awareness to Pacific Islander needs at the national level. As a proud product of the California public education system, Sina earned her BA at SFSU in Political Science, including two minors in counseling and women and gender studies. She was raised in the LA area, specifically Tongva Territory, and is a first-generation Tongan American daughter to her parents and a community who has helped shape the advocate she is today.

**WAYNE HO** is the president and CEO of the Chinese-American Planning Council. He received his BA from UC Berkeley and his master's in public policy from Harvard University's Kennedy School of Government. Born in Singapore and raised in California, Wayne lives in Brooklyn with his wife and two children.

**CURTIS CHIN** is an award-winning writer/producer and community activist. A co-founder of the Asian American Writers Workshop, his films, "Vincent Who?" and "Tested" have been screened at over 500 venues in fifteen countries. He is currently working on his memoir about growing up in his family's Chinese restaurant and coming out, entitled, "Everything I Learned, I Learned in a Chinese Restaurant." For more information, please check out his website at [CurtisfromDetroit.com](http://CurtisfromDetroit.com)

**PHIL TAJITSU NASH** teaches Asian Pacific American history, art, and public policy courses at the University of Maryland, and has served as founding executive director of the

Asian American Justice Center, staff attorney at the Asian American Legal Defense and Education Fund (AALDEF), weekly columnist at the N.Y. Nichibei and Asian Week newspapers, and curator of the Asian Pacific American Program at the Smithsonian Institution's 2010 Folklife Festival. Nash also is affiliated with the U.M. Latin American Studies Center, based on his decades of work with Native Americans in North America and Brazil on human rights, culture, and language issues.

**R. VARISA PATRAPORN** is an associate professor of sociology at California State University, Long Beach. Her research focuses on understanding Asian American economic inequality and the practices utilized by nonprofits to address such differences. Her research has appeared in *Community Development*, *Economic Development Quarterly*, *AAPI Nexus: Policy, Practice and Community*, and *Asian American Policy Review*. Prior to academia, she worked for Asian Americans Advancing Justice, the U.S. Department of Treasury, White House Office of Management and Budget and the Los Angeles County Commission on Children and Families.

**PAUL M. ONG** is a professor at UCLA's Luskin School of Public Affairs. He is currently the director of the UCLA Center for Neighborhood Knowledge, founding editor of *AAPI Nexus: Policy, Practice, and Community*, and founding director of the UC AAPI Policy Multi Campus Research Program. He has conducted research on immigration, civic, and political participation, economic status of minorities, welfare-to-work, health workers, urban spatial inequality, and environmental inequality.

**CHHANDARA PECH** is the assistant director at the UCLA Center for Neighborhood Knowledge and his expertise is in spatial and statistical analysis. He earned his masters degree in urban and regional planning from UCLA. As an urban planner, he recognizes the crucial role of place in determining the range of opportunities available to people. He specializes in the application of quantitative methods and geographic information systems to analyze patterns of inequity across neighborhoods. He has conducted research on neighborhood change, gentrification, wealth/income inequality, land-use developments and sustainability, and transportation disparity.

**HARVEY GEE** is an attorney in San Francisco. Mr. Gee previously served as an attorney with the Office of the Federal Public Defender in Las Vegas and Pittsburgh, the Federal Defenders of the Middle District of Georgia, and the Office of the Colorado State Public Defender. Mr. Gee received his BA in political science from Sonoma State University, his JD from St. Mary's School of Law, and his LLM in Litigation and Dispute Resolution from The George Washington Law School. He was a U.S. Supreme Court Fellows Program Finalist in 2012.

**DR. RUSSELL JEUNG** is professor of AAS at San Francisco State University. He's the author of *Family Sacrifices: the Worldviews and Ethics of Chinese Americans* and *Mountain Movers: Student Activism and the Emergence of Asian American Studies*. He co-founded SAH in March 2020.

**MEGAN DELA CRUZ** is a MA candidate in AAS at SF State University. She received her BA in Gender, Ethnicity, and Multicultural Studies at Cal Poly Pomona. She is a teacher with Pin@y Educational Partnership and teaches juniors and seniors in San Francisco. She has been a member in various Filipinx American community organizations in Southern California, including FAHNS OC/IE, Kabataang maka-Bayan: Pro-People Youth LA, Lakas Mentorship Program, and CPP Barkada's Advisory Board.



**KRYSTY SHEN** is a MA candidate in AAS at San Francisco State University and the youth intern coordinator for SAH Youth Campaign. She is a first-generation student and second-generation Chinese American from Bay Area, CA. After receiving her bachelor's at Middlebury College, she worked at an education-access nonprofit supporting first-generation, low-income families in San Francisco.

**RICHARD LIM** is a MA candidate in AAS at San Francisco State University. Richard served as a coordinator for Reading Partners, an education non-profit dedicated to supporting literacy programs in Title I schools across Oakland and San Francisco. He holds a bachelor's degree in history and a minor in Asian American and Asian diasporic Studies from the University of California, Berkeley.

**BOAZ TANG** is a MA candidate in AAS at San Francisco State University. He serves as a facilitator with the Lenses Institute, a cultural fluency development platform, works in Asian American Christian ministry, and holds a BA in psychology from SUNY Buffalo.

**SHIRLEY ANN HIGUCHI** is a Washington, D.C., attorney and past president of the District of Columbia Bar. She chairs the Heart Mountain Wyoming Foundation ([www.heartmountain.org](http://www.heartmountain.org)), which runs an interpretive center at the site of the camp where her parents were imprisoned. She is the author of "Setsuko's Secret: Heart Mountain and the Legacy of the Japanese American Incarceration," was published this year by the University of Wisconsin Press. Follow her on Twitter at @HiguchiJD.

**MELODY NG** is working with the Asian Pacific American Dispute Resolution Center to develop a new community dialogues series, Building Pathways to Understanding. She has previously researched and planned and implemented programs for various organizations addressing public policy issues ranging from criminal legal reform, youth services, and environmental justice and has a longstanding interest in integrating more rigorous equity analysis and community-informed research into policy and program planning. She received her MPP degree from UC Berkeley's Goldman School of Public Policy.

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The *Asian American Policy Review* is a student-run journal published annually at the John F. Kennedy School of Government at Harvard University.

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*Asian American Policy Review*  
John F. Kennedy School of Government  
Harvard University  
79 John F. Kennedy Street  
Cambridge, MA 02138

Phone: (617) 496-8655  
Fax: (617) 384-9555  
[aapr@hks.harvard.edu](mailto:aapr@hks.harvard.edu)  
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# ASIAN AMERICAN POLICY REVIEW

*32nd Edition*

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## CALL FOR SUBMISSIONS

Print Journal Deadline: November 2021

*Articles are also accepted for the online journal on a rolling basis*

The *Asian American Policy Review (AAPR)* at Harvard University's John F. Kennedy School of Government is now accepting submissions for its 32nd print edition, to be published in the spring of 2022. The *AAPR* is the oldest journal in the United States dedicated to analyzing public policy issues facing the Asian American and Pacific Islander (AAPI) community.

We are dedicated to publishing a wide range of work that explores AAPI communities and identities and examines the role of public policy in the lives of Asian Americans and Pacific Islanders. We aim to publish a journal that captures a broad range of AAPI experiences, movements, and identities and makes this work accessible to policymakers and the broader public.

We welcome a wide range of submissions and are eager to publish work that broadens the boundaries of what constitutes public policy. Past editions have published photo essays, poetry, and personal essays that explore the intersection of culture, identity, and politics. We also encourage submissions that directly address public policy, including research articles and case studies on how different policies have affected the AAPI community, from the local to the federal level.

We strongly encourage submissions from authors of all backgrounds, including scholars, policy makers, civil servants, advocates, organizers, and artists.

**Please reach out** if you have questions about the journal or our submissions process. We are eager to talk with potential authors about submission ideas and the journal process.

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## SUBMISSIONS GUIDELINES

- ▶ We prefer submissions that have **not been previously published**. All submissions must be based on **original work**;
- ▶ Recommended formatting:
  - ▶ **Original articles:** includes research articles, case studies, and other work examining issues facing AAPI communities and individuals (1,500 to 5,000 words)
  - ▶ **Commentaries:** (750 to 1,500 words)
  - ▶ **Media, film, and book reviews:** (750 to 1,500 words)
  - ▶ **Artwork:** includes graphic design, installation pieces, photography, and paintings.
  - ▶ **Creative writing pieces:** includes short stories, poetry, and excerpts from larger works of all genres. (500 to 5,000 words) in length.
  - ▶ **Short films and documentaries** to be featured on our website.
- ▶ **Abstracts for proposed pieces will also be accepted.** Final acceptance will be based upon production of a full submission.
- ▶ Submissions must be formatted according to **The Chicago Manual of Style**.
- ▶ All submissions should include a cover page with (1) the author's name, (2) mailing address, (3) email address, (4) phone number, and (5) a brief biography of no more than 100 words.
- ▶ All figures, tables, and charts must be clear, easy to understand, and submitted as separate files.
- ▶ Authors are required to **collaborate with editing and fact-checking** and to comply with AAPR's mandated deadlines.

Please email submissions and any questions you may have to [aapr@hks.harvard.edu](mailto:aapr@hks.harvard.edu).

Thank you,  
AAPR Editorial Board



# THE ASIAN AMERICAN POLICY REVIEW

## *ANNOUNCES THE RELEASE OF VOLUME 31*

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The 2020-2021 Asian American Policy Review staff is proud to present the 31st edition of our journal. Founded in 1989, the AAPR is the first nonpartisan academic journal in the country dedicated to analyzing public policy issues facing the Asian American and Pacific Islander community.

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