

Prepared Testimony of
Katherine Bussard

Before the Michigan Senate
Committee on Civil Rights, Judiciary, and Public Safety
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Distinguished Chair and Distinguished Members of the Committee: Thank you for the opportunity to speak today.

INTRODUCTION: My name is Katherine Bussard, Executive Director & COO of Salt & Light Global. Before my current position, I spent 14 years as a senior administrator and teacher of history and social sciences in secondary education. Simultaneously, I have served in local public office for the last 7 years, in various positions including School Board Member, DDA Director, City Council Member, and Mayor. Today, I am here to testify in my personal capacity in support Senate Bill No. 18.

THE VALUE OF REMEMBERING THE PAST: One of the first lessons I taught my students was based on the wisdom of the philosopher George Santayana, who wrote that “Those who cannot remember the past are condemned to repeat it.”¹

The act before this body today, commemorating January 30th as an annual day of remembrance of Fred Korematsu and the importance of protecting the civil liberties of all people at all times, is highly significant. In the wake of a horrible tragedy, fear, suspicion, and prejudice lead to the U.S. government’s wrongful incarceration of over 120,000 people of Japanese ancestry. Showing great courage, Fred defied a government order, was arrested, imprisoned, and convicted. He appealed all the way the US Supreme Court, who, in 1944, wrongly upheld the actions of the government, citing “Pressing public necessity.”² It took another 40 years of fighting to set the record straight, but through the decades, Fred showed tremendous character — never becoming bitter or giving up in the ideals that we prize as Americans, like “liberty and justice for all.”³

THE VALUE OF DUE PROCESS & EQUAL PROTECTION: Mr. Korematsu’s story reminds us that ideals like “liberty and justice for all” and promises like “equal protection under the law,” will never be realized unless Due Process of Law — another guarantee of the 14th Amendment — is first upheld. At every layer of government, even when it feels like progress is impeded or the so-called “greater good” is jeopardized, Due Process must be upheld. It is an essential protection of individual liberty against both insidious and egregious violations of civil liberties. As Dr. King famously wrote, “Injustice anywhere is a threat to justice everywhere...Whatever affects one directly, affects all indirectly.”⁴

In the case of *Korematsu v. U.S.*, the minority opinion authored by Justice Jackson contends that violating the 14th Amendment would continue to lead to “abhorrent and despicable treatment of minority groups by the dictatorial tyrannies which this nation is now pledged to destroy.” Even in times of tragedy, national crisis, uncertainty, and fear, we must uphold the full protections of Due Process and Equal Protection at every level of government.

CONCLUSION: We must remember the past so that it is never repeated. The atrocities endured by Mr. Korematsu and 120,000 Americans of Japanese ancestry should never be forgotten and must never be repeated. We should also never forget the Americans of German and Italian ancestry who were wrongfully incarcerated. Hate knows no skin color. Nearly 80 years later, SB 18 can help new generations learn the important lessons of the past and honor the legacy of a courageous American hero. I urge the adoption of SB 18 as presented. Thank you.

¹ George Santayana, *The Life of Reason*, 1905

² *Korematsu v. U.S.*; <https://www.uscourts.gov/educational-resources/educational-activities/facts-and-case-summary-korematsu-v-us>

³ Fred Korematsu said, “I didn’t feel guilty because I didn’t do anything wrong... Every day in school, we said the pledge of the flag, ‘with liberty and justice for all,’ and I believed all that. I was an American citizen, and I had as many rights as anyone else.” Richard Goldstein, *Fred Korematsu Obituary*, *New York Times*, April 1, 2005. korematsuinstitute.org

⁴ Letter from Birmingham Jail, 1963