

## REDRESS

# Court Upholds Consolo Decision

The U.S. Court of Appeals for the Federal Circuit rules in favor of another voluntary evacuee.

*RAFU SHIMPO SPECIAL*

WASHINGTON.—In another landmark decision supporting wartime reparations for Japanese American children of “voluntary evacuees,” the U.S. Court of Appeals for the Federal Circuit upheld a ruling that Linda Yae (Kawabe) Consolo is entitled to receive \$20,000 under the Civil Liberties Act of 1988.

“The decision affirmed the opinion of Judge (James) Turner,” said Gerald Sato, Consolo’s attorney, “that, as in the Ishida case, Consolo was deprived of liberty when she was prohibited from returning to her family home because of military order.”

The decision was dated Monday, July 10, 1995. Last week, Douglas Ishida, another child of a “voluntary evacuee” also won his case against the government after being denied redress and reparations because he had been born in Marion, Ohio, in 1942, instead of a wartime concentration camp.

Attorneys for the plaintiffs maintained that the Japanese Americans, although not incarcerated, were victims because they were born during wartime to individuals who were forced from their homes on the West Coast because of Executive Order 9066.

As of press time, Consolo had not yet heard of the decision in her favor. “I left a message on her machine,” said Sato. “She’ll be very excited about that.”

Consolo was born in Utah in 1943 to Dr. Arthur and Josephine Kawabe, who lived in Los Angeles. Consolo’s father, who was forced to work odd jobs in agriculture and herd cattle in Utah,

“This is now the state of law, unless government goes to the United States Supreme Court. This is the final word of this subject,” said Sato.

The Office of Redress Administration (ORA) is currently reviewing how the Ishida and Consolo cases will affect other cases of children of voluntary evacuees.