



MINORS REDRESS

Child of Former Evacuee Files Suit for Redress

Previously denied because she was born after the Department of Justice-imposed cutoff birthdate of Jan. 20, 1945, Wendy Hirota sues for compensation.

By TAKESHI NAKAYAMA

RAFU ASSOCIATE EDITOR

A Japanese American woman born to evacuees near the end of World War II is suing the United States government to become eligible for the redress program and receive \$20,000 reparations and an apology.

Wendy Hirota, 52, was previously denied reparations by the Office of Redress Administration because she was born after Jan. 20, 1945, the Department of Justice-imposed cutoff date to be eligible for reparations.

Attorney Pat Hattori and another attorney who asked to remain anonymous are currently in the process of filing a lawsuit in the U.S. Court of Federal

Claims in Washington, D.C., on behalf of Hirota.

Hirota, in her appeal of the ORA denial of her claim, argues that she should still be eligible for reparations even though she was born in Denver on Feb. 3, 1946, because her father could not return to the West Coast after Jan. 20, 1945, even though the U.S. government announced that Japanese Americans could do so.

Her father, Kentaro Takatsui, was labeled a "troublemaker" at Tule Lake concentration camp because of his anti-administration activities. He was confined in detention centers at Moab, Utah, Leupp, Arizona, and the Stanislaus (California) jail before being sent back to Tule Lake until the war ended. At

war's end, he was notified that he had an "individual exclusion order," meaning he could not return to the West Coast.

Hirota, whose father is from Seattle and her late mother from Oakland, is appealing ORA's denial of her application for redress because her father's individual exclusion order meant he was still not free to move back home.

The individual lawsuit seeks to change the cutoff date of birth for redress eligibility to June 1946 from January 1945. According to Hirota, the Civil Liberties Act of 1988 states that eligibility should be for persons born up to the closing of the last camp, June 1946.

Two other Nikkei suing the government are Carole Song and Carol Higashi. On Monday, Scott Yamaguchi and Julia Mass filed a lawsuit on behalf of Higashi and Professor Lisa Ikemoto filed on behalf of Song.

The team of attorneys was recruited

by the Japanese American work with the National Redress and Reparations

"We believe claimants denied are deserving of res one Nikkei lawyer who nymity.

"We think the Jan. 20 arbitrary and capricious. the claimants were not free to go back to the West were not able to go back mother was six months attorney said.

"For some, it would h gerous (because of the Japanese violence), and ing to go back to. It would real hardship to go back lives at that time," he said.

"We hope the ORA or see fit to recognize the h claimants suffered and with a remedy," he added.

Redress

by the Japanese American Bar Assn. to work with the National Coalition for Redress and Reparations (NCRR).

“We believe claimants who were denied are deserving of restitutions,” said one Nikkei lawyer who requested anonymity.

“We think the Jan. 20 cutoff date is arbitrary and capricious. In many cases, the claimants were not aware they were free to go back to the West Coast, or they were not able to go back. In one case, a mother was six months pregnant,” the attorney said.

“For some, it would have been dangerous (because of the threat of anti-Japanese violence), and they had nothing to go back to. It would have been a real hardship to go back to rebuild their lives at that time,” he said.

“We hope the ORA or the courts will see fit to recognize the hardships these claimants suffered and provide them with a remedy,” he added.