

Bill - FTI Grace

This article was in the Pittsburgh paper the day
the Japan-at-Pitt seminar finished,
Friday, June 29, 1984

Court finds murderer guilty of violating victim's rights

DETROIT — A white man who beat a man of Chinese descent to death with a baseball bat in a barroom fight that started over ethnic slurs was found guilty of violating the victim's civil rights but the federal court jury freed a second defendant.

Ronald Ebens, 44, and his stepson, Michael Nitz, 25, had been charged in the 1982 beating death of Vincent Chin, whom they had mistaken for Japanese. Witnesses said the two blamed Chin for putting American automobile workers out of work.

Witnesses testified the men accosted Chin, 27, in a bar where he was celebrating his upcoming marriage.

Ebens was found guilty of beating Chin to death, a violation of Chin's civil rights under federal law, but he and Nitz were acquitted of conspiring to violate Chin's rights. Nitz was also acquitted of the charge that he violated Chin's civil rights by participating in the beating.

Ebens had pleaded guilty and Nitz no contest to a reduced charge of manslaughter in February 1983 in state court. Wayne County Circuit Judge Charles S. Kaufman sentenced each to three years on probation and fined them \$3,780.

Outrage in the Asian community led to a federal grand jury investigation, which returned the civil rights indictments.

The maximum sentence Ebens could receive is life imprisonment.

July 29, 1984

Dear Mrs. Uyehara:

I was a member of the Japan-at-Pitt seminar at the University of Pittsburgh, to which you spoke on the 28th of June. I had already been somewhat interested in the issue of the imprisonment of the Japanese-Americans during the Second World War. I grew up in the South and I think I know something about the nature of

racial prejudice, and I am certain in my own mind that it was entirely, or at least primarily, a matter of prejudice against a racial minority which caused this shameful event. I am not trying to associate myself in discrimination as a victim, for I am a Caucasian, ~~so~~ when I say I think I know something about the nature of prejudice, it is from the point of view of the privileged side.

Shortly after I returned home from Pittsburgh, I came on the enclosed booklet, one of a series known commonly as the "Bobbs-Merrill series." I believe they are out of print now, but if you wanted copies, possibly the address at the bottom of the second attached page might do. I'm sending you an extra copy of page 1 in case you want to share with someone else interested in the same subject. The Bobbs-Merrill series reprints important articles about history from various journals, and you can see that this one comes from The Yale Law Journal, so it would be easy to get copies or refer anyone else to the article, in case you had not already known about it. Since you specialize in the field, I expect you were already aware of this article, but I thought just in case you were not, you might like a copy.

Sincerely yours,
Wm. H. Gallier
William H. Gallier

The one week seminar was for educators (Keeper, WVA)
Plan to follow through with
this contact.



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REPRINT SERIES IN
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THE JAPANESE AMERICAN CASES—A DISASTER

EUGENE V. ROSTOW†

"He [the King of Great Britain] has affected to render the Military independent of and superior to the Civil Power."

THE DECLARATION OF INDEPENDENCE

"War is too serious a business to be left to generals."

CLEMENCEAU

I

OUR war-time treatment of Japanese aliens and citizens of Japanese descent on the West Coast has been hasty, unnecessary and mistaken. The course of action which we undertook was in no way required or justified by the circumstances of the war. It was calculated to produce both individual injustice and deep-seated social maladjustments of a cumulative and sinister kind.¹

† Professor of Law, Yale University.

The following short-form citations will be used: TOLAN COMMITTEE HEARINGS: *Hearings before House Select Committee Investigating National Defense Migration pursuant to H. Res. 113, 77th Cong., 2d Sess. (1942)*; TOLAN COMMITTEE REPORTS (Preliminary) and (Fourth Interim): H. R. REP. No. 1911 (Preliminary Report and Recommendations) and H. R. REP. No. 2124 (Fourth Interim Report), 77th Cong., 2d Sess. (1942); DEWITT FINAL REPORT: U. S. ARMY, WESTERN DEFENSE COMMAND, FINAL REPORT, JAPANESE EVACUATION FROM THE WEST COAST, 1942 (1943, released 1944).

1. See Message from the President of the United States, Segregation of Loyal and Disloyal Japanese in Relocation Centers, Report on S. Res. 166, 78th Cong., 1st Sess., S. Doc. No. 69 (1943); TOLAN COMMITTEE REPORTS (Preliminary and Fourth Interim); McWILLIAMS, PREJUDICE (1944); McWILLIAMS, WHAT ABOUT OUR JAPANESE AMERICANS (1944); LEIGHTON, THE GOVERNING OF MEN (1945); An Intelligence Officer, *The Japanese in America: The Problem and the Solution* (1942) 185 HARPER'S 489; Miyamoto, *Immigrants and Citizens of Japanese Origin* (1942) 223 ANNALS 107; Fisher, *What Race Baiting Costs America* (1943) 60 CHRISTIAN CENTURY 1009; Heath, *What About Hugh Kiino?* (1943) 187 HARPER'S 450; "Issei, Nisei, Kibei" (April 1944) 29 FORTUNE 8; Bellquist, *Report on the Question of Transferring the Japanese from the Pacific Coast* (1942) 29 TOLAN COMMITTEE HEARINGS 11240; La Violette, *The American-Born Japanese and the World Crisis* (1941) 7 CAN. J. ECON. & POL. SCI. 517; Redfield, *The Japanese-Americans*, in OGBURN (ed.), AMERICAN SOCIETY IN WARTIME (1943) 143; Stonequist, *The Restricted Citizen* (1942) 223 ANNALS 149.

The War Relocation Authority has compiled an admirable bibliography on Japanese and Japanese Americans in the United States; Parts I and II were published November 7, 1942, and Part III August 14, 1943. *The Pacific Citizen*, a newspaper published in Salt Lake

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- **H-219. Warren, "New Light on the History of the Federal Judiciary Act of 1789."

* 50 cents each. ** 75 cents each.

