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### C. 3 California State Personnel Board

Following the resolution of the senate and assembly of January 17 (see page ) the California State Personnel Board voted unanimously on January 28, 1942 that persons who were "descendants of nationals with whom the United States is at war" would not be certified for employment with the state until an investigation of loyalty and citizenship status had been made and, until such investigation had been completed, would not be allowed to compete in state civil service examinations. (1)

(1) "Minutes", Meeting of the State Personnel Board, January

27 and 28, 1942, Sacramento, p. 10

*The effect of this was to keep Jap. Americans from gaining ~~employment~~ employment with the state and to initiate investigations of those already employed*

Despite Attorney General Warren's opinion that such a measure was unconstitutional (see page ), the Board adhered to its decision and mailed out questionnaire to all state employees and to all those on eligibility lists whose names "sounded Japanese" asking for information about place of birth, evidence of allegiance or nonallegiance to foreign governments, and so on. Dismissals of Japanese Americans began, the State Board of Equalization suspending its thirteen regular employees of Japanese ancestry and seven probationary workers. on February 27. (2) The State Personnel Board itself suspended (2) Nichi Bei, March 1, 1942 its own Japanese Americans workers and prepared to dismiss them. (3)

(3) Minutes, Meeting of the State Personnel Board, March 4, 5, 6, 1942 pp. 6-7

*On April 2 the Board passed a resol. that "all state civil service employees of Japanese ancestry employed by any department, agency, board or commission be suspended effective immediately." (#) Minutes, Meeting - April 2 '42 p. 7.*

(OVER)



Dismissal charges were drawn up for all other  
state employees of Jap ancestry ~~also~~ in addition  
to those under dis. by Board of Equal. &  
the Gov. Board, and served on them.

#  
See CITE for  
minutes  
letter to  
Gov



STATE OF CALIFORNIA  
DEPARTMENT OF EMPLOYMENT  
R. G. Wagenet  
Director

REPORT TO HONORABLE CULBERT L. OLSON  
GOVERNOR OF CALIFORNIA

April 1942

Sacramento, California



REPORT TO  
GOVERNOR CULBERT L. OLSON

April 1942

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Report of the  
DEPARTMENT OF EMPLOYMENT

April 1942

MEETINGS  
OF THE  
COMMISSION

During the month of April the California Employment Commission spent three days in Commission meetings. Scheduled sessions were held as follows:

April 7	San Francisco
April 17	Los Angeles
April 27	Sacramento

SURVEY  
OF MAJOR  
ACTIVITIES

The 40,314 new insurance claims filed in April represented an increase of 24% over the March figure, due entirely to the filing of claims by unemployed workers desiring to secure the inclusion of earnings in the fourth quarter of 1941 for the calculation of benefit rights. Additional claims filed, numbering 28,759, showed almost no change from March. New claims received were 9% below the 1941 figure, while additional claims were 3% lower than last year.

A seasonal employment increase was reflected in the decrease of 16% from March in the weekly average number of claimants compensated (77,654) in April. For the year to date the weekly average number of claimants compensated was 84,637, compared with an average of 100,927 during the first 4 months of 1941.

April collections in unemployment insurance contributions totaled over \$23,000,000, raising the balance in the Unemployment Insurance Fund to \$232,053,327 at the end of the month. Disbursements for the month were almost \$5,000,000.

A new record was reached during April when affiliated offices of the United States Employment Service in California reported 65,150 placements. Both nonagricultural and agricultural placements contributed to the rise, with gains of 40% and 10%, respectively, over the March figures. Work applications filed remained at approximately the same level as in March, while applications canceled decreased slightly. There were 301,133 applications for work in the active file at the end of April, a decrease of 8% from March, and of 20% from April 1941.

INSURANCE  
CLAIMS

The beginning of the calendar quarter, establishing a new base period for unemployment insurance claimants, resulted in an increase in initial claims filed to 69,073 during April. This was a gain of 13% over March, while in 1941 and 1940 the increases from March to April were 37% and 27%, respectively. Although initial claims figures in April were below those for the same month in 1941, figures for the year to date were 5% above those for the same period of 1941.

New claims also reversed last month's downward trend, and in April increased by almost a fourth over March's total, chiefly because of the beginning of the new base period which makes more recent wage credits available for the determination of insurance rights. The increase in new claims was not so sharp as in 1941 when there was a gain



of 56% between March and April. However, for the year to date new claims are 8% above those for the same period of 1941. Additional claims showed little change when compared with the previous month of this year or April of 1941, and cumulative figures for the year to date were only about 1,000 greater than during the same period of 1941.

There were 398,280 certifications for weeks of unemployment filed during April, a decrease of 13% from March. Over 85% of these were claims for compensable weeks. Compensable claims had been following an upward trend since the first of the year, but during April the picture was reversed, with a decrease of 16% from March. On the other hand, waiting-period claims, which had been decreasing steadily for the past 2 months, increased by 9%.

Table 1  
SUMMARY OF UNEMPLOYMENT INSURANCE ACTIVITIES  
April 1942 with Comparisons

Activity	April 1942	Percent change from		Year to date		
		Month ago	Year ago	1942	1941	Percent change
California claims (a)						
Initial .....	69,073	+13	- 6	311,558	296,743	+ 5
New .....	40,314	+24	- 9	192,366	178,638	+ 8
Additional .....	28,759	+ 1	- 3	119,192	118,105	+ 1
Continued .....	398,280	-13	- 9	1,768,191	1,976,414	-11
Compensable .....	344,043	-16	- 9	1,497,404	1,707,496	-12
Waiting period .....	54,237	+ 9	- 6	270,787	268,918	+ 1
Payable determinations .....	33,612	+ 5	- 3	167,330	152,481	+10
Weeks compensated (b) .....	341,676	-20	- 7	1,506,538	1,725,896	-13
Amount paid (b) .....	\$4,954,853	-20	- 3	\$21,685,867	\$24,203,866	-10
Claimants compensated weekly average (c) .....	77,654	-16	-11	84,637	100,927	-16

(a) Includes claims forwarded from other states to California as liable state.

(b) Data for April 1942 include 4.4 check-writing weeks as compared with 4.6 in March 1942 and 4.2 in April 1941.

(c) Secured by dividing weeks compensated by the number of check-writing weeks.



INSURANCE  
PAYMENTS

During April, \$4,954,853 was paid in unemployment insurance and there were 341,676 weeks compensated. The close relationship between weeks compensated, roughly the number of unemployment insurance checks written, and the amount paid resulted in a 20% decrease for both of these figures in April. An increase in the average size of unemployment insurance checks from \$13.81 in April 1941 to \$14.50 in April 1942 was the reason for a decrease from April 1941 of only 3% in the amount paid, compared with the 7% decrease in weeks compensated. A 16% decline from March in the weekly average of claimants compensated reduced this figure from 92,468 in March to 77,654 in April. The average for the year to date was 16% below the average for the same period in 1941.

Payments by Industry--Unemployment insurance payments in the mining industry decreased by almost a fourth from the previous month, and there were 48% fewer reported than in April of 1941. Partly because a large number of miners have been finding work in the construction industry, payments in metal mining decreased by 26% in spite of curtailment of production by many mining companies. Payments to claimants from the petroleum industry decreased by 30% from April, responsible for 3/4 of the decrease from 1941 in the number of payments issued to claimants from the mining group.

There were seasonal decreases from March in the number of payments issued to claimants from all branches of the construction industry, although general building construction and special trade contractors were beginning to show the effects of the orders restricting nonessential construction. Compared with April of 1941, payments in building construction increased by 75%, and in special trade construction by 25%. On the other hand, payments to claimants from heavy engineering construction, now largely defense construction, were almost a third less than in 1941.

With an increase of seasonal employment, unemployment insurance payments in the manufacturing industry were 6,375 fewer than in March, although the decrease from April of 1941 was negligible. A reduction in the number of payments to claimants from the food manufacturing industry was responsible for over 50% of the decrease from March, largely because of the resumption of seasonal activity in food canning. Decreased payments in other manufacturing industries such as lumber, apparel and furniture were normal for the season. The curtailment of tire production accounted for a gain in the number of payments in the rubber industry, while restrictions on production in the automobile industry kept payments almost 137% above the figures for April of 1941.

Compensated claimants in wholesale and retail trade were 11% fewer than in March, decreases having taken place in all industries except filling stations and automobile repair services, in which payments increased by 12%. Other trade industries showed payment decreases in amounts ranging from 2% in retail trade, not elsewhere classified, to 19% in retail apparel and accessories. Although payments in the retail automotive group were slightly less than in March, the group was 140% above the figure for April 1941, as a result of automobile priorities.



There were almost 10,000 service workers receiving unemployment insurance payments during the month, 1,394 less than in March, all industries in the group having contributed to the decrease. The largest number of payments went to claimants from the motion picture industry, of whom an average of 2,859 drew insurance in April.

In all industries combined, the average check amounted to \$14.50 during April compared with \$14.60 in March and \$13.81 in April of 1941. The highest average payment was in the petroleum industry, while the smallest was in tobacco manufacture.

Payments by Area--Seasonal decreases in all eight areas of the state resulted in a decline in the amount of insurance paid from \$6,208,698 in March to \$4,954,853 during April. Almost 40% of the amount paid went to claimants in Los Angeles County, while the remainder was divided among the other seven areas and out of state, in percentages ranging between about 6% for Area 7 (San Francisco and the Northern Coast), to 11% in Areas 4 and 5 (San Joaquin Valley and Central Coast counties). Out-of-state claims accounted for 8.1% of the total, compared with 7.4% in March.

With the resumption of seasonal employment, payments during April decreased substantially in all areas. The largest percentage decrease from March was in Area 6 (Northern Interior counties), where the weekly average of checks written was almost 3,000 below the figure for March, a drop of 32%. The two areas comprising Los Angeles County, Areas 2 and 3, decreased by 11% and 9%, respectively, the smallest change noted in any section. There were substantial decreases reported in the San Francisco and East Bay areas, where the supply of labor is becoming stringent, largely because of increased shipyard activity.

All but two of the areas reported fewer payments than in April of 1941. The Central Coast area, because of completion of construction on military camps, showed a weekly average of 800 more payments than during the same month of last year, while Northwestern Los Angeles County showed an increase of over 200.

Table 2  
WEEKLY AVERAGE NUMBER OF  
INSURANCE CLAIMANTS COMPENSATED, BY AREA  
April 1942

Administrative area	April 1942	March 1942	April 1941
Total, all areas	77,654	92,468	87,529
Area 1 Southern California other than Los Angeles County	6,531	7,973	7,074
Area 2 Southwestern Los Angeles County	20,548	23,151	21,654
Area 3 Northwestern Los Angeles County	10,160	11,127	9,952
Area 4 Central Interior	8,824	11,237	9,761
Area 5 Central Coast	8,899	10,682	8,096
Area 6 Northern Interior	5,771	8,472	8,334
Area 7 East San Francisco Bay	4,426	5,731	7,067
Area 8 San Francisco & Northern Coast	6,646	7,780	10,311
Out-of-state	5,849	6,315	5,280



CONDITION OF THE UNEMPLOYMENT FUND  
AS OF APRIL 30, 1942 (a)

<u>RECEIPTS</u>	<u>Month ending April 30, 1942</u>	<u>Cumulative totals as of April 30, 1942</u>
Gross contributions	\$23,273,262.10	\$426,320,413.75
Deduct: Stop payments, refunds and transfers	<u>18,088.88</u>	<u>9,103,393.94</u>
Net contributions	\$23,255,173.22	\$417,217,019.81
Add: Interest on Unemployment Fund and Unemployment Trust Fund Account - Unemployment Fund	1,294,471.80	15,476,213.73
Add: Fines collected	245.00(b)	6,406.00
Add: Interest collected from claimants	<u>7.08</u>	<u>125.06</u>
Net receipts	\$24,549,897.10	\$432,699,764.60
 <u>DISBURSEMENTS</u>		
Gross insurance payments	\$ 4,954,840.32	\$201,098,307.15
Deduct: Cancellations, collections, and net transfers to Unclaimed Trust - Benefit Account	<u>16,729.65</u>	<u>451,870.09</u>
Net insurance payments	\$ 4,938,110.67	\$200,646,437.06
Net balance in Unemployment Fund	\$19,611,786.43	\$232,053,327.54
 <u>CASH AND FUND BALANCES</u>		
Unemployment Trust Fund Account - Unemployment Fund (in U.S. Treasury)		\$219,105,695.98
State accounts		\$ 12,947,631.56

Gross contributions collected were \$23,273,262.10 during April, 1942, and net contributions \$23,255,173.22 after stop payments, refunds, and transfers were deducted.

Net contributions collected for the period January 1, 1936, to April 30, 1942, amounted to \$417,217,019.81 plus interest and fines collected of \$15,482,744.79 making net receipts of \$432,699,764.60. Total net insurance payments of \$200,646,437.06 were made between January 1, 1938, and April 30, 1942, leaving a net balance of \$232,053,327.54 in the fund.

- (a) Previous months' adjustments after reconciliation included in current month's totals.
- (b) This figure includes \$146.25 collected by the State Treasurer.



PLACEMENT  
ACTIVITIES  
REPORTED  
BY THE  
UNITED STATES  
EMPLOYMENT  
SERVICE

A new record was made by the offices of the United States Employment Service when 65,150 placements were reported during April. More widespread use of the public employment offices, increased seasonal activity, and greater opportunity for work as a result of the war effort all contributed to the 38% increase between March and April. Placements for April were 80% above the number for the same month of 1941, which in turn was 61% above the figure for April 1940.

Following approximately the same pattern as total placements, nonagricultural placements increased by almost 18,000 over the previous month, and reached an all-time high of 61,708. Compared with the same month in 1941 this was a gain of 82%. For the year to date both nonagricultural and total placements were 64% above the same period in 1941. Increased seasonal activity was the principal reason for a 10% increase from March in agricultural placements, although a 57% gain in the number of placements made during the first four months of 1942, compared with the corresponding period in 1941, indicates increased use of the facilities of the United States Employment Service by employers engaged in agricultural pursuits.

Work applications remained at approximately the same level as in March, a 4% decrease in new applications having been almost offset by the 2% increase in renewed applications. Of the 129,188 work applications filed during April, 52% were new and 48% were renewed. There were almost 10,000 fewer applicants applying for work through the public employment offices in California during April than in the same month of 1941, and although work applications filed during the year to date are 11% above those for the same period last year, the difference between the two years is gradually becoming less.

There were 119,883 applications canceled during April, a drop of 8% from March, and a 21% decrease from the same month in 1941. The active file at the end of the month numbered 301,133, 20% less than a year earlier. The decrease of 8% from the previous month was due largely to a decrease in the number of men registered, although there was also a drop in the number of women.

Table 4  
UNITED STATES EMPLOYMENT SERVICE ACTIVITIES IN CALIFORNIA  
April 1942 with comparisons

Activity	April 1942	Percent change from		Year to date		
		Month ago	Year ago	1942	1941	Percent change
All placements	65,150	+ 38	+ 82	201,803	123,104	+ 64
Nonagricultural	61,708	+ 40	+ 82	188,659	114,738	+ 64
Agricultural	3,442	+ 10	+ 78	13,144	8,366	+ 57
All applications filed	129,188	- 1	- 7	575,934	518,590	+ 11
New	67,304	- 4	+ 10	319,288	229,171	+ 39
Renewed	61,884	+ 2	- 20	256,646	289,419	- 11
Applications canceled	119,883	- 6	- 21	459,721	476,309	- 3
Active file, end of period	301,133	- 8	- 20	301,133	378,353	- 20



California Department of Employment  
Affiliated with Social Security Board

Table 3  
UNEMPLOYMENT FUND  
RECEIPTS AND DISBURSEMENTS  
January 1, 1936 to April 30, 1942

<u>Receipts</u>	
(During period indicated)	
<u>Contributions</u>	
Year 1936.....	\$ 11,354,668.84
Year 1937.....	55,172,671.09
Year 1938.....	62,290,744.38
Year 1939.....	77,629,654.08
1st Quarter 1940.....	20,058,675.66
2nd Quarter 1940.....	17,809,797.76
3rd Quarter 1940.....	19,072,485.90
4th Quarter 1940.....	19,675,011.86
1st Quarter 1941.....	19,454,286.00
2nd Quarter 1941.....	22,291,502.51
3rd Quarter 1941.....	24,359,026.10
4th Quarter 1941.....	25,892,613.50
1st Quarter 1942.....	27,986,013.97
2nd Quarter 1942*.....	23,273,262.10
Total gross contributions.....	\$426,320,413.75
Deduct stop payments and refunds.....	1,299,614.50
Deduct transfers to Railroad Unemployment Insurance Account.....	7,803,779.44
Net contributions.....	\$417,217,019.81
Add interest on fund to March 31, 1942, inclusive.....	15,476,213.73
Add fines collected.....	6,406.00
Add interest collected from claimants.....	125.06
Net receipts.....	\$432,699,764.60
<u>Disbursements</u>	
	<u>Number of checks</u> <u>Value of checks</u>
Year 1938.....	2,484,511      \$ 23,748,748.83
Year 1939.....	3,807,297      38,591,835.40
1st Quarter 1940.....	1,389,474      17,322,230.19
2nd Quarter 1940.....	1,309,335      17,798,288.96
3rd Quarter 1940.....	1,085,392      14,967,175.88
4th Quarter 1940.....	1,083,052      14,960,621.75
1st Quarter 1941.....	1,340,767      18,543,366.38
2nd Quarter 1941.....	1,009,121      13,769,417.31
3rd Quarter 1941.....	716,738      9,908,911.88
4th Quarter 1941.....	706,825      9,801,842.56
1st Quarter 1942.....	1,165,684      16,731,027.69
2nd Quarter 1942*.....	342,177      4,954,840.32
Total gross insurance payments.....	16,440,373      \$201,098,307.15
Deduct cancellations, collections and net transfers to Unclaimed Trust - Benefit Account.....	451,870.09
Net insurance payments.....	\$200,646,437.06
NET BALANCE IN UNEMPLOYMENT FUND.....	\$232,053,327.54

\* Consists of April 1942 only.



**APPEALS** Incoming appeals continued at a high level, a total of 488 new cases having been registered during the month as compared with 338 registered in March and 227 in April of 1941. The question of "availability for work" accounted for 62% of the cases, but this heavy percentage was influenced somewhat by the receipt during the month of 187 appeals filed by the Waterfront Employers Association of San Francisco, in which they questioned the availability of longshoremen classed as "friendly aliens" and who therefore found their work opportunities temporarily restricted.

To insure a continuance of the rapid liquidation of pending appeals, the scheduling of hearings was intensified with 332 hearings conducted during the month, a material increase over both the 238 hearings scheduled the previous month and 229 hearings conducted during April, 1941.

Many of the San Francisco Waterfront cases above mentioned were heard and disposed of during the month with the balance scheduled for hearings and disposal early next month.

Operations in connection with first appeals during April, 1942, are summarized below:

Appeals pending March 31, 1942	531
Appeals registered	488
Hearings scheduled	332
Hearings scheduled on out-of-state cases	2
Supplemental investigations	16
Commission cases heard, completed and summaries prepared	4
Transcripts completed and forwarded to the Commission	131
Appeals dismissed	84
Decisions issued	178(a)
Sustained	75
Reversed or modified	104
Cases removed and transferred	3
Appeals pending April 30, 1942	753
Total number of cases closed	266

(a) This figure represents one hundred seventy-nine (179) appeal cases closed, two having been consolidated for the purpose of taking testimony and rendering a decision.

Appeals to the Commission--The action of the California Employment Commission on appeals from decisions of the first appeals authorities resulted in the following:

Total number of appeals to the Commission to date	1,422
Number disposed of to date	929
Number pending March 31, 1942	583
Received during April	24
Disposed of during April	113
Decided by the Commission	113
Cases pending April 30, 1942	494



#### AUDITING

Auditing activities resulted in billings for additional assessments against employers in the total amount of \$138,433.70 during the month of April, 1942.

Through collection procedures, \$146,234.57 was brought into the fund from delinquent accounts.

Claims for collection were filed through legal processes on assignment, bankruptcy, and probate cases, and on delinquent cases requiring legal action, in the amount of \$73,411.97.

#### PUBLIC RELATIONS

During the month a program for securing workers for Mare Island Navy Yard was worked out with the labor board during conferences at the Yard.

Releases were issued for the United States Employment Service regarding selective service registration, an occupational survey, and the problems confronting the service in securing agricultural labor for the approaching harvest season.

Work was also started on publicity material to be distributed on behalf of the introduction of new termination notices to be submitted to the Department by employers under terms of Regulation #5.

Several meetings of the California Employment Commission were attended, and the Public Relations Section assisted in the development of an exhibit for the International Association of Public Employment Specialists meeting, which was to be held in Louisville, Kentucky.

#### LEGAL ACTIVITIES

In the case of California Employment Commission v. St. Francis Homes Association, the Appellate Department of the Superior Court for the City and County of San Francisco, reversed a judgment of the Municipal Court in favor of the defendant. The defendant corporation is a membership corporation composed of all the home owners in St. Francis Wood, a residential section of San Francisco. Each member pays an annual fee depending upon the size of the lot and the corporation employs eight gardeners who maintain the parking strips in front of the homes in this area. The defendant contended that these workers were engaged either in agricultural labor or in domestic service in a private home and were, therefore, exempt. The Municipal Court held in favor of the defendant; the Appellate Department of the Superior Court held that these workers were engaged in neither agricultural labor nor in domestic service, and in the course of its opinion squarely upheld Commission Rules 7.1 and 7.2.

In connection with the case of Seaside Memorial Hospital of Long Beach v. California Employment Commission, we have prepared and filed a motion to strike, demurrer and points and authorities in support thereof. The matter will be argued at length before Judge Wilson in the Superior Court in Los Angeles County on May 5, 1942. It will be recalled that this is a mandamus proceeding to review the decisions of the Commission in a tax appeal case and in four benefit appeal cases. In its action, the petitioner is asking the court to rule that the petitioner is exempt under Section 7(g) or Section 7(k) and also is asking the court to order the Commission to refund contributions paid under mistake by the petitioner for the period from



November, 1937 to March, 1939. Our motion to strike is directed to numerous paragraphs in the petition which allege mere conclusions of law and which also allege matter which has no bearing upon the petitioner's claim. In our demurrer our principal objection is that the use of mandamus to review a Commission tax decision is in direct conflict with Section 45.10 of the Act. We are also contending that mandamus cannot be used as a substitute for an unauthorized civil action to recover contributions paid under mistake.

Considerable work has been done in analyzing the numerous claims involved in the so-called Duggar case (Commission Case No. 102), which matter is now pending before the First District Court of Appeal in the mandamus proceedings instituted by W. R. Grace Company v. California Employment Commission. It has been necessary to analyze most of the 5,000 claims for benefits in order to determine the exact amount of benefits which were actually paid to these individuals. As soon as this information is obtained it is anticipated that the issues in the Grace case will be greatly simplified.

Work has progressed in connection with the Commission's reply brief in the case of The Irvine Company v. California Employment Commission. This is a tremendous task inasmuch as it involves the thorough reading of approximately 3,000 pages of transcript, the preparation of an extended statement of facts, and legal argument with respect to the numerous points which the plaintiff has raised in its brief. However, the reply brief, comprising some 200 pages, has been completed in draft form and is now receiving final review before filing.

Following is a summary of civil litigation representing suits filed by the Commission against employers for failure to pay contributions required under the Act:

	April 1942	June 1, 1938 to date
Cases pending March 31, 1942	908	
Number of suits filed by Commission	14	3,263
Collections	\$1,087.22	\$13,076.38
Cases closed	35	2,638
Cases set for hearing	23	
Cases pending April 30, 1942	945	
Amount of suits filed	\$31,251.00	\$1,673,139.73



PROSECUTIONS  
FOR  
FRAUDULENT  
CLAIMS

The following is a summary of prosecution activities in connection with fraudulent claims for unemployment insurance:

	April 1942	Cumulative totals through April 30, 1942
Prosecutions requested	41	1,311
Action taken in prosecution cases		
Complaints issued	35	1,113
Complaints not issued	2	116
Unreported		82
Results of complaints issued		
Convictions obtained	36	992
Complaints dismissed	2	39
Unreported:		
Active		62
Inactive (a)		20
Sentences imposed in convictions obtained		
Fines (totaling \$18,373.35)	20	429
Jail sentences	1	201
Suspended sentences	7	152
Suspended sentences and probation	8	142
Probation granted	0	68

- (a) Cases in which the claimant had not been apprehended for prosecution after the complaint had been on file for one year.

PERSONNEL

Under authorization of the Social Security Board and in accordance with Section 70 of the Civil Service Act, a program of special salary adjustments raising the minimum rates for all Junior and Intermediate clerical classes has been adopted. Though this program is not as broad as the Department would like to have adopted, it is hoped that it will have some beneficial effect on the recruiting problem.

Japanese employees of the Department were separated from service during April by action of the Personnel Board in dismissing all temporary and probationary employees and suspending all permanent employees of Japanese ancestry.

During the month there were 77 separations from the Department and 86 appointments were made.



TO CIVIL SERVICE EMPLOYEES:

In order that you may know the proper status of this case I desire to inform you that we have heretofore filed answers both to the original and the supplemental charges.

When last I was in Sacramento I suggested that an advisable date for trial would be during the Court vacation period of July or August.

At the present time there is one Japanese American under arrest for violation of Public Law 503, which makes it a misdemeanor to be present in a zone from which Japanese aliens and citizens have been excluded. I am in consultation with the attorneys who represent this person and will assist them in the presentation of the matter.

I have been requested on behalf of three Civil Service employees to procure writs of habeas corpus on the ground that they are illegally in prison and detained by the War Relocation Authority and Wartime Civilian Control Administration and the military operations operating under the orders of General De Witt.

The application for writ of habeas corpus will be filed in the U. S. District Court and will directly challenge the validity of the evacuation of American citizens against whom no charge of disloyalty rests, and their detention without any form of trial.

Respectfully yours,

JAMES C. PURCELL.

(After reading, please detach this sheet.)



INSTRUCTIONS

1. Please answer all questions in detail and comprehensively.
2. Give any other information which you believe will assist in meeting the charges against you.

NAME: \_\_\_\_\_  
                                    Last                                    First

PRESENT ADDRESS: \_\_\_\_\_

PERMANENT ADDRESS IF KNOWN: \_\_\_\_\_

SUSPENDED FROM \_\_\_\_\_

PERMANENT \_\_\_\_\_ PROBATIONER \_\_\_\_\_

POSITION \_\_\_\_\_

SALARY \_\_\_\_\_



I.

DUAL CITIZENSHIP

1. How did you find out your birth was registered with the Japanese government or an agency thereof?

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2. When did you acquire the information that you were a dual citizen?

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3. What information did you have concerning it?

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4. What did you do about it?

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5. In any school did any part of the study consider dual citizenship or the duties involved? \_\_\_\_\_

If so, please give complete statement.

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II.

SCHOOLS

6. Who conducted the language school you attended?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Who were the teachers - Names and present addresses, if possible.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. What did they teach you there?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. What hours and days and months did you attend and how many years?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. What connection did the schools have with the Buddhist Church?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
11. Did you attend any language school while a state employee? \_\_\_\_\_  
If so, give dates.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



III.

BUDDHIST CHURCH

12. What is your religion?

---

---

---

13. To what religious organization including church do you belong?

---

---

---

14. When and where were meetings held and how regularly did you attend?

---

---

---

15. Give name and present address of the pastor of the church, the persons who were in immediate charge of the religious organizations.

---

---

---

16. Were these organizations exclusively Japanese race in making?

---

---

---

17. What can you tell me about the teachings of the Buddhist Church in so far as it touches Americanism?

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18. What do you know about the Buddhist Church which would refute the charge that the doctrines taught conflict with Americanism or strengthen the ties of its members with Japan?

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## ORGANIZATIONS

OTHER THAN CHURCH

20. Give full particulars as to names and purpose and whether there were members other than Japanese and whether the Japanese members are aliens as well as citizens, as to all organizations to which you belong.  
If you have any copies of by-laws, constitutions or doctrines pertaining to the organization, please forward them.



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- This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.



PAPERS

22. Who subscribed to what Japanese language paper in your home?

---

---

23. Are you able to read the Japanese section? \_\_\_\_\_

Did you? \_\_\_\_\_

---

---

24. Was there a complete translation of the Japanese section into the English section in the paper?

---

---

---

25. Was publication continued or renewed after December 7th?

---

---

Give any information you have concerning investigation or conduct of paper in view of changes made.

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29. Were you ever approached or requested to act in any way for  
for a foreign government or agent thereof? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

30. Have you ever reported any suspicious person as to loyalty to  
the F.B.I. or any other investigation or enforcement agency?

\_\_\_\_\_

If so, give details. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If not, why not? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

31. How many performance reports were made of your work? \_\_\_\_\_

How did grade run? \_\_\_\_\_

Give date and grade of last. \_\_\_\_\_

\_\_\_\_\_

32. Could you have been transferred to a non-evacuation zone?

\_\_\_\_\_

If so, when?

\_\_\_\_\_

\_\_\_\_\_



A15.07

Japanese Relocation Papers  
Bancroft Library

RESOLUTION OF STATE PERSONNEL BOARD

It was moved by Mr. Sperbeck, seconded by Senator Christian, that all state civil service employees of Japanese ancestry employed by any department, agency, board or commission be suspended effective immediately, and the Secretary instructed to file charges within the statutory time limit. Ayes—Messrs. Brown, Sperbeck, and Christian. Noes—None.

I, E. Wayne Miller, Secretary of the State Personnel Board of the State of California, hereby certify that the above and foregoing is a true and correct copy of Item No. 47 of the Minutes of the Meeting of the State Personnel Board held April 2, 1942, the original of which is on file in the offices of said State Personnel Board in Sacramento, California.

Dated: April 7, 1942

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A 15.07

Japanese Relocation Papers  
Bancroft Library

BEFORE THE STATE PERSONNEL BOARD OF THE  
STATE OF CALIFORNIA

In the Matter of Charges Against

- 
- 
- Charges, Information of
- Time and Manner of
- Answer
- 
- Case No.
- 

Defendant.

.....

Comes now E. Vayne Miller, the duly and regularly appointed and acting Secretary for the State Personnel Board of the State of California, and files charges against the defendant, \_\_\_\_\_, pursuant to order of the State Personnel Board made at a meeting of the State Personnel Board held April 2, 1942, in the City of Los Angeles, State of California, for dismissal or other punitive action for failure of good behavior, fraud in securing appointment, incompetency, inefficiency, and acts incompatible with and inimical to the public service and violation of the provisions of the State Civil Service Act, and alleges:

I.

That at all times herein mentioned the said defendant was and now is an employee of the State of California, and did hold and occupy the position of \_\_\_\_\_, and is assigned to the \_\_\_\_\_, with permanent civil service status in that position.

II.

That particular and specific instances of many acts and specific examples of acts showing a course of conduct on the part of defendant constituting failure of good behavior, fraud in securing



appointment, incompetency, inefficiency, violations of the provisions of this Act, or the Rules of the Board, and acts incompatible with or inimical to the public service, and violation of the provisions of the State Civil Service Act, are as follows:

A.

That during the time afore-mentioned the defendant was a citizen of the Empire of Japan, and a subject of the Emperor of Japan.

B.

That the defendant does read and write the Japanese language, and that the defendant and/or defendant's family, during the time afore-mentioned have subscribed to a Japanese newspaper, printed in the Japanese language and that defendant has read said newspaper, and that during defendant's tenure as a State employee of California has been exposed to the propaganda printed and disseminated by said Japanese newspapers, which propaganda has been detrimental and inimical to the United States, State of California, public service, and the Civil Service of California, and that defendant has been influenced by the insidious, inimical and incompatible propaganda and doctrines advocated by said Japanese newspapers, which constitutes the ideology of the Rulers and Emperors of Japan who are now viciously and ruthlessly attempting to impose that ideology and sociological doctrine upon the people of the United States of America by force and violence, and that the reading of said propaganda has been an act inimical to civil service.

C.

That during the time afore-mentioned and while an employee of the State of California, the defendant did attend a Japanese school conducted by the officials of the Buddhist Church, an organization



controlled by the Rulers and Emperor of Japan, and that in said school the defendant was taught to read and speak the Japanese language, thereby enabling the subversive and fifth column agents of the Empire of Japan, by direction and indirection, to obtain valuable information for transmittal to the Empire of Japan for use to conquer the United States and that the doctrines taught defendant in said Japanese school have served to strengthen the ties between defendant and the country of defendant's ancestry, Japan, and that the teachings of said school were in conflict with the political and social doctrines of the United States, which did adversely influence the loyalty and fidelity of defendant to the United States of America;

D.

That the defendant is a member and officer of certain Japanese organizations whose membership consists entirely of persons of Japanese ancestry, and which are controlled and which advocate the same deceitful and treacherous influences which have been afore-alleged in subdivisions B and C of this Paragraph, and which seek to attain their secretive objectives against the United States of America by a unified system which is more craftily directed than that which exists in Japanese schools, and all of which is violently opposed to the Democratic form of Government of the United States of America and to its principles.

E.

That defendant is a person of Japanese ancestry and descendant of enemy Japanese aliens and at all times has been under the influence thereof; and that in the course of the performance of defendant's duties as an employee of the State of California, defendant must of necessity come into direct contact during business hours with employees and people of the State of California who are not of Japanese ancestry. That a state of war does exist between the United States of America and the Empire of



Japan and that since the unwarranted attack by the Empire of Japan upon Pearl Harbor on December 7, 1941, that all loyal employees of the State of California, and people of the State of California, have become justifiably suspicious and distrustful of the defendant and of persons of Japanese ancestry and do resent contact, association, and have antipathy for defendant and persons of Japanese extraction, whether the same be in the scope of State employment of defendant, or otherwise, and that this situation has seriously impaired the morale of those employees and people of the State of California who have and will be associated with defendant in State employment, and has mutually impaired their morale, reduced their efficiency, lowered their performance of public service, created discord, hostility, unfriendliness, opposition, antagonism, disharmony, truculency, and made it impossible for said employees and people of the State of California to associate tranquilly and that the acts of defendant as afore-alleged and as an employee, of Japanese ancestry, of the State of California in the State service have become acts incompatible with and inimical to the public service and do now and in the future will interfere with the orderly, proper and efficient conduct of the State's business and have and will destroy the efficacy of the provisions of the State Civil Service Act.

F.

That the defendant did file an application for employment with the State Personnel Board wherein defendant did apply for employment with the State of California and did request to take a civil service examination and that in said application the State of California, acting by and through the State Personnel Board, did request that defendant furnish information and list the names of all schools that defendant had attended, and that defendant did fill out said application



for employment and did not in said application or otherwise indicate that she had attended Japanese schools wherein she did receive instruction on how to read and write the Japanese language and instruction on the history and political doctrines of the Empire of Japan, and that defendant did deliberately and without cause withhold said information from the said State Personnel Board, which is an act in violation of the State Civil Service Act, and did constitute fraud in securing appointment.

G.

Because of the increasing danger attendant upon the ruthless prosecution by the Japanese Government of its evil intentions designed to crush the democratic peoples of the world, public opinion has brought about a change in the social status of the defendant, and other persons in the United States, particularly in the State of California, of Japanese ancestry, and because of the urgent necessity of protecting ourselves against attack by the enemy, which attack may be facilitated by the children of the enemy within our borders, the military authorities of the United States of America have created numerous restricted areas and prohibited zones within various States on the Pacific Coast, notably the State of California. The order increasing and extending such restricted areas and prohibited zones provides in effect that such persons or classes of persons as the situation may require will by subsequent proclamation be excluded, and the defendant is now subject to the provisions of that order. The change in social status plus the military restrictions which are ever increasing in their scope and severity are concurrent circumstances which render the defendant incapable of, and indisposed to, effectively perform necessary duties as an employee of the State of



California, totally unsuitable for relief duty which would be required in other parts of the State to prevent a breakdown of the provisions of the State Civil Service Act, unfit to cope with war exigencies, and completely out of accord with demands which would be made upon defendant in times of grave crises precipitated by the aggressive military, naval, and air forces of the defendant's own people, and unable, due to these circumstances, to have full and free unrestricted access to all of the territory within the exterior boundaries of the State of California, and which will preclude defendant from fully, adequately, competently, and efficiently performing necessary duties as a civil servant in California, and in violation of the provisions of the State Civil Service Act, which acts of defendant were and are incompatible with and inimical to the public service. {

WHEREFORE said E. Vayne Miller as the duly and regularly appointed and acting Secretary for the State Personnel Board of the State of California, prays that the said defendant be dismissed from the State of California as a civil service employee of said State, or that such other punitive action be taken as may be meet and proper in the premises.

AND AS AND FOR THE PURPOSE OF INFORMING THE SAID DEFENDANT OF THE TIME AND MANNER IN WHICH, UNDER THE RULES AND REGULATIONS OF THE STATE PERSONNEL BOARD AND THE STATE CIVIL SERVICE ACT, DEFENDANT MAY ANSWER TO THE CHARGES HEREINABOVE SET FORTH AND ASK FOR A HEARING THEREON, THE SAID E. VAYNE MILLER GIVES TO THE SAID DEFENDANT THE FOLLOWING NOTICE:

YOU, THE SAID \_\_\_\_\_ ARE HEREBY NOTIFIED that Section 1 of Rule Nineteen of the Rules and Regulations of the State Personnel Board provides as follows:



"Time to answer charges. Within ten days after service upon the employee of the charges referred to in section 173(a) of the State Civil Service Act, the employee must file his answer to or explanation of the charges."

YOU ARE FURTHER NOTIFIED that section 173 of the State Civil Service Act provides, in part, as follows:

" \*\*\* The employee may within ten days after service file with the board a written answer to or explanation of the charges, and request a hearing, and a copy of such answer, or explanation, and request shall at once be mailed by the board to the appointing power or other person who has made the charges. \*\*\*\*\* Failure on the part of the employee to request a hearing and to give such written answer or explanation to the board within ten days of the service upon him of the charges, or to appear at the hearing, shall be deemed an admission of the truth of such charges without further hearing upon the part of the board unless further time should be granted by the board.\*\*\*"

You are hereby referred to Statutes of California, 1937, Chapter 753, as amended, for a full text of the State Civil Service Act.

Dated April 13, 1942.

---

Secretary, State Personnel Board  
of the State of California.



WILLIAM E. FERRITER  
JAMES C. PURCELL  
Mills Tower - DO. 6633  
San Francisco, Calif.  
Attorneys for Defendant.

BEFORE THE STATE PERSONNEL BOARD  
OF THE STATE OF CALIFORNIA

In the Matter of the Charges	(	
	)	ANSWER TO
Against	(	
	)	THAT CERTAIN DOCUMENT
	(	
	)	ENTITLED SUPPLEMENTAL
	(	
	)	CHARGES
	(	
	)	

NOW COMES THE DEFENDANT ABOVE NAMED, and answering the charges set forth in that certain document entitled supplemental charges, filed with the Personnel Board in accordance with the order of said board, made on the 3rd day of June, 1942, and admits and denies, and alleges as follows:

I

Answering the allegations contained in that certain paragraph entitled "Paragraph H", said defendant denies that pursuant to any order or in execution of any order, said defendant was excluded and/or physically evacuated from the area wherein he did perform services as an employee of the State of California and denies that he is now confined by any valid order of the United States Army, or of any other person or persons, to an evacuation camp, and denies that he is physically confined and limited to and within the exterior boundaries of said evacuation camp, and denies that by physical confinement he is



or will in the future be precluded from performing any services for the State of California in the position designated in Paragraph I of the original charges heretofore filed against said defendant, and affirmatively alleges that prior to said order heretofore set forth in said "Paragraph H" said defendant was unlawfully and illegally dismissed from his Civil Service position and by reason thereof had no means of income, and because of said lack of income, voluntarily and of his own free will and accord entered into said camp where he now resides and affirmatively alleges that he remains in said camp of his own free will and accord, and is available at any time, and further alleges that in the event that said Personnel Board and/or the appointing power informs him that he will be returned to his position so that he may obtain means of maintaining himself, that within a reasonable time thereafter said defendant above named will present himself for the performance of any duties included in his position as a Civil Service employee in the position designated in Paragraph I of the original charges, or in any other position within which said defendant may have Civil Service status; and further denies each and all of the charges contained in said paragraph which are not specifically admitted; affirmatively alleges that said orders referred to are invalid and void and that defendant is entitled to leave said camp at any time.

## II

As and for a further and separate defense and answer to said charges contained in "Paragraph H" of said document designated as the supplemental charges, said defendant alleges that said absence from duty is to fulfill a military obligation under the laws of the United States, and further alleges that said absence



is an excusable absence and denies that said absence is an inexcusable absence as designated in Section 173-A of the Laws and Rules governing the State Civil Service, or at all, and said employee does hereby apply for reinstatement under the provisions of Section 153.5.

III

Answering the allegations set forth in "Paragraph I" of that certain document designated "Supplemental Charges", said defendant denies, each, every, and all of said allegations therein contained, and affirmatively alleges that at all times herein said defendant is a citizen of the United States of America by birth.

WHEREFORE, said employee prays that said charges be dismissed and that a hearing be granted to said employees.

---

WILLIAM E. FERRITER

---

JAMES C. PURCELL

Attorneys for the Above  
Named Employee.



BEFORE THE STATE PERSONNEL BOARD OF THE  
STATE OF CALIFORNIA

In the Matter of Charges Against

SUPPLEMENTAL CHARGES,  
INFORMATION OF TIME  
AND MANNER OF ANSWER

Case No \_\_\_\_\_

Attorney\_ at Law, representing the above-named defendant:

YOU AND EACH OF YOU will please take notice that on Wednesday, the Third day of June, 1942, at the hour of 10:00 a.m., at and in the hearing room of the State Personnel Board, located at its offices at 1015 L Street, Sacramento, California, the Secretary of the State Personnel Board, E. Wayne Miller, will move the Board for its order allowing the two following proposed supplemental charges to the original charges on file herein:

I.

That the United States Army, acting by J. L. DeWitt, Lieutenant General, United States Army, Commanding, did issue an order pursuant to the provisions of public proclamations Nos. 1 and 2, respectively dated March 2, 1942, and March 16, 1942, whereby it was ordered that all persons of Japanese ancestry, both alien and non-alien, be excluded from certain designated military areas and that pursuant thereto and in execution thereof, the defendant was excluded and physically evacuated from the area wherein he did perform services as an employee of the State of California, and that he is now confined by order of the United States Army to an evacuation camp, and that he is physically confined and limited to and within the exterior boundaries of said evacuation camp, which physical confinement does and will for some time in the future preclude his performing any service or



services for the State of California in the position designated in Paragraph 1, or in any other position within which defendant may have civil service status.

J.

That during all times mentioned herein and since the birth of defendant, defendant was not and is not now a citizen of the United States of America, and is a citizen of the Empire of Japan and a subject of the Emperor of Japan, and that defendant is not eligible to citizenship in the United States of America, or the State of California, and that said defendant, by reason of his being an alien was and is not eligible to hold a civil service position in the State of California, and that said defendant, at the time of filing an application for examination for his position in the State Civil Service, as aforesaid, did fraudulently state upon said application that he was a United States citizen and did affix his signature to said application, and that said application and the statement that he was a United States citizen and not an alien was material in his securing said civil service position.

WHEREFORE, said E. Vayne Miller, as the duly and regularly appointed and acting Secretary for the State Personnel Board of the State of California, prays that the said

\_\_\_\_\_ be dismissed from his position  
as \_\_\_\_\_

\_\_\_\_\_ of the State of California, or that such other punitive action be taken as may be meet and proper in the premises.

AND AS AND FOR THE PURPOSE OF INFORMING THE SAID  
\_\_\_\_\_ OF THE TIME AND MANNER IN WHICH,  
UNDER THE RULES AND REGULATIONS OF THE STATE PERSONNEL BOARD AND  
THE STATE CIVIL SERVICE ACT, SHE MAY ANSWER TO THE CHARGES  
HEREINABOVE SET FORTH AND ASK FOR A HEARING THEREON, THE SAID



E. VAYNE MILLER GIVES TO THE SAID \_\_\_\_\_

THE FOLLOWING NOTICE:

YOU, THE SAID \_\_\_\_\_, are hereby notified that Section 1 of Rule Nineteen of the Rules and Regulations of the State Personnel Board provides as follows:

"Time to answer charges. Within ten days after service upon the employee of the charges referred to in Section 173 (a) of the State Civil Service Act, the employee must file his answer to or explanation of the charges."

YOU ARE FURTHER NOTIFIED that Section 173 of the State Civil Service Act provides, in part, as follows:

"\*\*\* The employee may within ten days after service file with the board a written answer to or explanation of the charges, and request a hearing, and a copy of such answer, or explanation, and request shall at once be mailed by the board to the appointing power or other person who has made the charges. \*\*\*\*\* Failure on the part of the employee to request a hearing and to give such written answer or explanation to the board within ten days of the service upon him of the charges, or to appear at the hearing, shall be deemed an admission of the truth of such charges without further hearing upon the part of the board unless further time should be granted by the board. \*\*\*\*"

You are hereby referred to Statutes of California, 1937, Chapter 753, as amended, for a full text of the State Civil Service Act.

Dated May 27, 1942.

*E. Vayne Miller*

Secretary, State Personnel Board  
of the State of California



QUESTIONNAIRE

Page 1

(To be filled out in accordance with Senate Concurrent Resolution adopted January 18, 1942, and Resolution adopted by State Personnel Board on January 28, 1942.)

IMPORTANT: THIS QUESTIONNAIRE MUST BE COMPLETED AND RETURNED WITHIN TEN DAYS AFTER RECEIPT. SEND QUESTIONNAIRE DIRECTLY TO STATE PERSONNEL BOARD, 1015 L STREET, SACRAMENTO.

Every question in this Questionnaire must be completely answered. If more space is required to answer any question, attach supplemental sheets of this same size and number your answer to correspond to the number of the question. Remember that all your answers are being given under oath, and that the affidavit at the end of the Questionnaire must be completed.

1. Full, true, and correct name \_\_\_\_\_  
First Middle Name(s) Last

2. Address \_\_\_\_\_  
Street Number City County State

3. If employed by State of California, give following:

Department Classification Name of Supervisor

4. List all state civil service lists on which your name appears:

5. Have you ever used or been known by any other names? \_\_\_\_\_ If yes, list each name and indicate  
yes-no  
places and dates you used them and why.

Name \_\_\_\_\_ Place \_\_\_\_\_ Date \_\_\_\_\_ Reason \_\_\_\_\_

Name \_\_\_\_\_ Place \_\_\_\_\_ Date \_\_\_\_\_ Reason \_\_\_\_\_

6. Age: \_\_\_\_\_ years \_\_\_\_\_ months. Date of birth \_\_\_\_\_

7. Sex: (check one) Male \_\_\_\_\_ Female \_\_\_\_\_

8. Height: \_\_\_\_\_ feet \_\_\_\_\_ inches Weight \_\_\_\_\_ lbs. Color of eyes \_\_\_\_\_ Color of hair \_\_\_\_\_

9. Do you have any identifying marks or scars? \_\_\_\_\_ If so, describe and indicate location:  
yes-no

10. Do you normally wear glasses? \_\_\_\_\_ Describe fully any visible physical defects: \_\_\_\_\_  
yes-no

Present marital status:

11. (Check one) Single \_\_\_\_\_ Married \_\_\_\_\_ Divorced \_\_\_\_\_ Widowed \_\_\_\_\_

12. If ever married, give dates and places of each marriage, and full maiden name of each wife or full name of each husband:

Date Place Name of Spouse

Date Place Name of Spouse

13. Where were you born? \_\_\_\_\_  
City or Town County State or Province Country

14. What is the nearest large city to your place of birth? \_\_\_\_\_

How many miles from your birthplace? \_\_\_\_\_ In what direction does it lie? \_\_\_\_\_



15. Give name of physician or midwife attending your birth. \_\_\_\_\_  
Give names and addresses of at least two witnesses who attended your birth:

_____	_____	_____	_____
Name	Address	Name	Address

16. Give names and addresses of persons who can testify to the time and place of your birth:

_____	_____	_____	_____
Name	Address	Name	Address
_____	_____	_____	_____
Name	Address	Name	Address

17. When and where was your birth recorded?

_____	_____	_____	_____
City	State	Country	Date

18. Was the record of your birth established by a court? \_\_\_\_\_ If so, give the following information: yes-no

_____	_____	_____	_____
Name of Court	City and State	Country	Date

19. Are you a citizen of the United States? \_\_\_\_\_ How did you acquire citizenship? (check below)  
yes-no

Birth \_\_\_\_\_ Naturalization \_\_\_\_\_ Marriage \_\_\_\_\_

IF NOT BORN IN THE UNITED STATES, ANSWER THE FOLLOWING QUESTIONS, 20 through 31:

20. What was your last foreign address? \_\_\_\_\_

21. Name the place where you took ship or train which brought you to the U. S. \_\_\_\_\_

22. Name the place at which you bought your ticket: \_\_\_\_\_

23. Name the transportation company and the mode of travel: \_\_\_\_\_

24. Did you arrive as a passenger, stowaway, seaman, member of crew, or otherwise? \_\_\_\_\_

25. Did you enter the U. S. on an immigration visa, passport, or permit to re-enter? State which: \_\_\_\_\_

26. Name the place at which you were examined by U. S. Immigration Officers: \_\_\_\_\_

27. If not examined, give the circumstances of your entry: \_\_\_\_\_

28. Give name and address of person(s) in the United States to whom you were coming: \_\_\_\_\_

Relationship: \_\_\_\_\_

29. Name the place in the United States to which you were coming: \_\_\_\_\_

30. Why did you come to the United States? \_\_\_\_\_

31. If naturalized, give full information concerning naturalization including:

_____	_____	_____	_____
Name of Court	City and State	Date	Number of naturalization certificate

32. Name all countries of which you have been a subject or citizen: \_\_\_\_\_



33. Was your birth registered with any foreign government, organization, association, or other foreign representative whatsoever? yes-no If so, give the following information:

Name of Officer or Organization	Country Represented	Place of Registration	Date
---------------------------------	---------------------	-----------------------	------

34. Have you ever taken an oath of allegiance to any country other than the United States?

[illegible]

35. Do you now hold, or have you ever held, dual citizenship? yes-no If so, name other country:

36. Have you ever formally renounced citizenship or allegiance to any country including the U. S.?
- If so, give the following information:
- yes-no

Name of Country	Place of Renunciation	How Accomplished	Date

37. Have you ever visited any places outside of the continental limits of the U. S.? If so, give the following information concerning each visit:

[illegible]

Describe activities or purposes of each trip:

38. Can you furnish passports or other documentary evidence of your travels? yes-no

39. Name foreign languages you speak \_\_\_\_\_ or read \_\_\_\_\_

40. To what foreign (or foreign language) newspapers and periodicals do you or your family subscribe?

41. What military, naval, or aviation training have you ever had, either in the United States or any foreign country?

Kind of Training	Length of Training	Place	Date
------------------	--------------------	-------	------

Kind of Training	Length of Training	Place	Date
------------------	--------------------	-------	------

42. Were you ever liable for or registered for military, naval, or any kind of service whatever with any government or any of its political subdivisions other than the United States? \_\_\_\_\_  
If so, give the following: \_\_\_\_\_ yes-no

Country	Kind of Service	Date of Registration
---------	-----------------	----------------------

<u>Country</u>	<u>Kind of Service</u>	<u>Date of Registration</u>



43. If called for such service, did you claim exemption?        With whom was claim of exemption  
yes-no

filed: \_\_\_\_\_

Name of person or agency

Date

44. Have you ever been called or been subject to call by any foreign government to perform military or other services?        If so, give the following:  
yes-no

Time

Place

Nature and Source of the Call

45. Are you registered under the U. S. Selective Service Act?        How are you classified?         
yes-no

46. What is your Draft Board order number?

47. Do you now hold, or have you ever held a business, vocational, or professional license in the United States or any foreign country?        If so, give following:  
yes-no

Nature of License

Place Issued

Date

Nature of License

Place Issued

Date

48. Do you hold a driver's license in California?        If so, what number?                       
yes-no

49. Have you ever been arrested for any reason whatsoever?        If so, describe, giving the date,  
yes-no  
place, charge, court, and disposition of each case.

50. Have your fingerprints ever been taken by a public authority?        If so, name the  
yes-no

authority: \_\_\_\_\_

51. Do you object to your fingerprints being taken by the State Personnel Board?         
yes-no

52. List all the schools you have attended (without exception), giving the name of the school, the location, and the dates of attendance:

Name of School	Location	Dates of Attendance	Did you Graduate? (Yes-No)	Major Subject

(If more space needed, use reverse side)



53. Have you attended any schools not conducted in the English language?            If so, give the following:

Name of School	Language Used	Location of School	yes-no Conducted by Whom	Dates of Attendance

54. Have you ever been an employee of any foreign government or of any of its subdivisions?             
If so, give information concerning each employment: yes-no

Full Name of Government or Subdivision	Place of Employment	Dates of Employment	Name of Superior	Duties	Salary	Reason for Leaving

55. On following sheet entitled "Employment History" give complete record of every job you have held.

56. Give names of all clubs, organizations, societies, or fraternal orders of which you have been a member or with which you have been affiliated at any time:

Name of Organization	Place	Dates of Affiliation

57. Indicate all offices you have held in such clubs, organizations, etc., and dates of holding such offices:

Office	Organization	Dates Held

58. Have you ever received any official recognition or award by any foreign government?             
If so, describe fully, including the name of country from which received: yes-no


59. Beginning with your present residence, indicate on the reverse side all former places of residence in the order of their recency:

(over)



[illegible]







### EMPLOYMENT HISTORY

55. Continued.

[illegible]











69. Is any of the property described under question #68 held in your name for the benefit and use of others? yes-no If so, give location of property, for whom held and his relationship to you, and whether business, residential, or agricultural property.

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70. Do you hold leases on any real property? yes-no If so, give location of property, date of leasing, from whom leased, and whether business, residential, or agricultural property.

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71. Are any of the leases described under question #70 held for the benefit and use of others? yes-no If so, indicate location of property, for whom held and his relationship to you, and whether business, residential, or agricultural property.

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72. Have you or your near relatives been employed or otherwise associated with any foreign travel agencies or other foreign businesses? yes-no If so, give following:

Name of Person So Employed	Relationship To You	Name of Business	Location	Dates of Employment	Amount of Compensation



73. Give following information concerning your father and mother and all your brothers and sisters.

FATHER:

- a. Full name: \_\_\_\_\_
- b. Place of birth: \_\_\_\_\_ Date of birth: \_\_\_\_\_
- c. Country of citizenship: \_\_\_\_\_
- d. Is he living or dead? \_\_\_\_\_
- e. If dead, date of death: \_\_\_\_\_ Place of burial: \_\_\_\_\_
- f. If living, where is he now? \_\_\_\_\_
- g. If foreign born, date and place of entry to United States: \_\_\_\_\_
- h. If naturalized, give court, place, and date: \_\_\_\_\_
- i. If foreign born, can passports be submitted? \_\_\_\_\_  
yes-no
- j. Does he own property in any foreign country? \_\_\_\_\_  
yes-no
- k. Name countries for which he has performed military, naval, or other governmental service: \_\_\_\_\_
- l. Has he ever left the U. S. or visited any foreign country? \_\_\_\_\_  
yes-no
- m. If answer to l. is "yes," give country visited, date of leaving U. S., date of return, and place of re-entry in each case: \_\_\_\_\_

MOTHER:

- a. Full name: \_\_\_\_\_
- b. Place of birth: \_\_\_\_\_ Date of birth: \_\_\_\_\_
- c. Country of citizenship: \_\_\_\_\_
- d. Is she living or dead? \_\_\_\_\_
- e. If dead, date of death: \_\_\_\_\_ Place of burial: \_\_\_\_\_
- f. If living, where is she now? \_\_\_\_\_
- g. If foreign born, date and place of entry to United States: \_\_\_\_\_
- h. If naturalized, give court, place, and date: \_\_\_\_\_
- i. If foreign born, can passports be submitted? \_\_\_\_\_  
yes-no
- j. Does she own property in any foreign country? \_\_\_\_\_  
yes-no
- k. Name countries for which she has performed military, naval, or other governmental service: \_\_\_\_\_
- l. Has she ever left the U. S. or visited any foreign country? \_\_\_\_\_  
yes-no
- m. If answer to l. is "yes," give country visited, date of leaving U.S., date of return, and place of re-entry in each case: \_\_\_\_\_



BROTHER OR SISTER (Cross out one)

- a. Full name: \_\_\_\_\_
- b. Place of birth: \_\_\_\_\_ Date of birth: \_\_\_\_\_
- c. Country of citizenship: \_\_\_\_\_
- d. If <sup>he</sup><sub>she</sub> living or dead? \_\_\_\_\_
- e. If dead, date of death: \_\_\_\_\_ Place of burial: \_\_\_\_\_
- f. If living, where is <sup>he</sup><sub>she</sub> now? \_\_\_\_\_
- g. If foreign born, date and place of entry to United States: \_\_\_\_\_
- h. If naturalized, give court, place, and date: \_\_\_\_\_
- i. If foreign born, can passports be submitted? \_\_\_\_\_  
yes-no
- j. Does <sup>he</sup><sub>she</sub> own property in any foreign country? \_\_\_\_\_  
yes-no
- k. Name countries for which <sup>he</sup><sub>she</sub> has performed military, naval, or other governmental service: \_\_\_\_\_
- l. Has <sup>he</sup><sub>she</sub> ever left the U. S. or visited any foreign country? \_\_\_\_\_  
yes-no
- m. If answer to l. is "yes," give country visited, date of leaving U. S., date of return, and place of re-entry in each case: \_\_\_\_\_

BROTHER OR SISTER (Cross out one)

- a. Full name: \_\_\_\_\_
- b. Place of birth: \_\_\_\_\_ Date of birth: \_\_\_\_\_
- c. Country of citizenship: \_\_\_\_\_
- d. Is <sup>he</sup><sub>she</sub> living or dead? \_\_\_\_\_
- e. If dead, date of death: \_\_\_\_\_ Place of burial: \_\_\_\_\_
- f. If living, where is <sup>he</sup><sub>she</sub> now? \_\_\_\_\_
- g. If foreign born, date and place of entry to United States: \_\_\_\_\_
- h. If naturalized, give court, place, and date: \_\_\_\_\_
- i. If foreign born, can passports be submitted? \_\_\_\_\_  
yes-no
- j. Does <sup>he</sup><sub>she</sub> own property in any foreign country? \_\_\_\_\_  
yes-no
- k. Name countries for which <sup>he</sup><sub>she</sub> has performed military, naval, or other governmental service: \_\_\_\_\_
- l. Has <sup>he</sup><sub>she</sub> ever left the U. S. or visited any foreign country? \_\_\_\_\_  
yes-no
- m. If answer to l. is "yes," give country visited, date of leaving U. S., date of return, and place of re-entry in each case: \_\_\_\_\_



BROTHER OR SISTER (Cross out one)

- a. Full name: \_\_\_\_\_
- b. Place of birth: \_\_\_\_\_ Date of birth: \_\_\_\_\_
- c. Country of citizenship: \_\_\_\_\_
- d. If <sup>he</sup><sub>she</sub> living or dead? \_\_\_\_\_
- e. If dead, date of death: \_\_\_\_\_ Place of burial: \_\_\_\_\_
- f. If living, where is <sup>he</sup><sub>she</sub> now? \_\_\_\_\_
- g. If foreign born, date and place of entry to United States: \_\_\_\_\_
- h. If naturalized, give court, place, and date: \_\_\_\_\_
- i. If foreign born, can passports be submitted? \_\_\_\_\_  
yes-no
- j. Does <sup>he</sup><sub>she</sub> own property in any foreign country? \_\_\_\_\_  
yes-no
- k. Name countries for which <sup>he</sup><sub>she</sub> has performed military, naval, or other governmental service: \_\_\_\_\_
- l. Has <sup>he</sup><sub>she</sub> ever left the U. S. or visited any foreign country? \_\_\_\_\_  
yes-no
- m. If answer to l. is "yes," give country visited, date of leaving U. S., date of return, and place of re-entry in each case: \_\_\_\_\_

BROTHER OR SISTER (Cross out one)

- a. Full name: \_\_\_\_\_
- b. Place of birth: \_\_\_\_\_ Date of birth: \_\_\_\_\_
- c. Country of citizenship: \_\_\_\_\_
- d. Is <sup>he</sup><sub>she</sub> living or dead? \_\_\_\_\_
- e. If dead, date of death: \_\_\_\_\_ Place of burial: \_\_\_\_\_
- f. If living, where is <sup>he</sup><sub>she</sub> now? \_\_\_\_\_
- g. If foreign born, date and place of entry to United States: \_\_\_\_\_
- h. If naturalized, give court, place, and date: \_\_\_\_\_
- i. If foreign born, can passports be submitted? \_\_\_\_\_  
yes-no
- j. Does <sup>he</sup><sub>she</sub> own property in any foreign country? \_\_\_\_\_  
yes-no
- k. Name countries for which <sup>he</sup><sub>she</sub> has performed military, naval, or other governmental service: \_\_\_\_\_
- l. Has <sup>he</sup><sub>she</sub> ever left the U. S. or visited any foreign country? \_\_\_\_\_  
yes-no
- m. If answer to l. is "yes," give country visited, date of leaving U. S., date of return, and place of re-entry in each case: \_\_\_\_\_



BROTHER OR SISTER (Cross out one)

- a. Full name: \_\_\_\_\_
- b. Place of birth: \_\_\_\_\_ Date of birth: \_\_\_\_\_
- c. Country of citizenship: \_\_\_\_\_
- d. If <sup>he</sup><sub>she</sub> living or dead? \_\_\_\_\_
- e. If dead, date of death: \_\_\_\_\_ Place of burial: \_\_\_\_\_
- f. If living, where is <sup>he</sup><sub>she</sub> now? \_\_\_\_\_
- g. If foreign born, date and place of entry to United States: \_\_\_\_\_
- h. If naturalized, give court, place, and date: \_\_\_\_\_
- i. If foreign born, can passports be submitted? \_\_\_\_\_  
yes-no
- j. Does <sup>he</sup><sub>she</sub> own property in any foreign country? \_\_\_\_\_  
yes-no
- k. Name countries for which <sup>he</sup><sub>she</sub> has performed military, naval, or other governmental service: \_\_\_\_\_
- l. Has <sup>he</sup><sub>she</sub> ever left the U. S. or visited any foreign country? \_\_\_\_\_  
yes-no
- m. If answer to l. is "yes," give country visited, date of leaving U. S., date of return, and place of re-entry in each case: \_\_\_\_\_

BROTHER OR SISTER (Cross out one)

- a. Full name: \_\_\_\_\_
- b. Place of birth: \_\_\_\_\_ Date of birth: \_\_\_\_\_
- c. Country of citizenship: \_\_\_\_\_
- d. Is <sup>he</sup><sub>she</sub> living or dead? \_\_\_\_\_
- e. If dead, date of death: \_\_\_\_\_ Place of burial: \_\_\_\_\_
- f. If living, where is <sup>he</sup><sub>she</sub> now? \_\_\_\_\_
- g. If foreign born, date and place of entry to United States: \_\_\_\_\_
- h. If naturalized, give court, place, and date: \_\_\_\_\_
- i. If foreign born, can passports be submitted? \_\_\_\_\_  
yes-no
- j. Does <sup>he</sup><sub>she</sub> own property in any foreign country? \_\_\_\_\_  
yes-no
- k. Name countries for which <sup>he</sup><sub>she</sub> has performed military, naval, or other governmental service: \_\_\_\_\_
- l. Has <sup>he</sup><sub>she</sub> ever left the U. S. or visited any foreign country? \_\_\_\_\_  
yes-no
- m. If answer to l. is "yes," give country visited, date of leaving U. S., date of return, and place of re-entry in each case: \_\_\_\_\_



74. Do you have grandparents, uncles, aunts, or first cousins living now in any foreign country?

If so, list below:

yes-no

Name \_\_\_\_\_

Relationship

Country of Residence

Questions 73 & 74

75. Have any of the relatives listed above/ever been interned or held in custody for any reason?

yes-no  
retention, and reason therefor:

76. Do you have relatives who now work for the State of California?                      If so, list below.  
yes--no

Name

Relationship to You

Department or Agency

State of California  
County of

I have read the foregoing Questionnaire of the State Personnel Board and do hereby swear (or affirm) that all of the answers given above to these questions are true and complete to my best knowledge and belief, that all answers are made in good faith and that no facts pertinent to the questions or answers hereon have been withheld or omitted.

Signature of Employee or Applicant

Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1942.

Notary Public

This statement being made under oath; any false statement contained herein is perjury. The penalty for perjury is imprisonment not to exceed six months, fine not to exceed \$500.00, or both. Any false statement is grounds for dismissal from the California civil service, or removal of your name from state employment lists.



715.07

Japanese Relocation Papers  
Bancroft Library

JAMES C. PURCELL  
Mills Tower - Do. 6633  
San Francisco, California  
Attorney for Petitioner

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

Southern Division  
-----

In the Matter of the Application of  
MITSUYE ENDO  
For a Writ of Habeas Corpus.

PETITION FOR WRIT OF HABEAS CORPUS.

TO THE HONORABLE, THE DISTRICT COURT OF THE UNITED STATES OF  
THE NORTHERN DISTRICT OF CALIFORNIA:

The Petition of Mitsuye Endo respectfully shows:

I

That your petitioner was born on the 10th day of May,  
1920, in the City of Sacramento, County of Sacramento, State of  
California, United States of America.

II

That at the time of her birth, and ever since, said  
petitioner has been and now is subject to the jurisdiction of  
the United States of America, and of no other country.

III

That at all times said petitioner has been and now  
is a loyal citizen of the United States of America, and owes  
allegiance to, and is a citizen of, no other country.



IV

That Kunio Endo, the brother of your petitioner is at the present time a soldier in the military forces of the United States of America.

V

That at the present time your petitioner is confined in a certain concentration camp known as Newell, located in Modoc County, State of California, and within the jurisdiction of this Court.

VI

That your petitioner is confined in said concentration camp under armed guard, and is detained there against her will.

VII

That by reason of said detention, said petitioner is deprived of her liberty.

VIII

That your petitioner is informed and believes, and therefore alleges, that she is confined, detained and imprisoned in said concentration camp known as Newell, by Milton Eisenhower, the director of the War Relocation Authority and the director of the Wartime Civilian Control Administration; that your petitioner is informed and believes, and therefore alleges that said confinement and said imprisonment is maintained by and in accordance with the orders of J. L. Dewitt, Lieutenant-General, United States Army, Commanding Military Area Number One, and Colonel Carl. R. Bendetsen, Assistant Chief-of-Staff, Western Defense Command, Fourth Army, and officer in charge of the evacuation under the Wartime Civil Control Administration, and E. R. Fryer, Regional Director of the War Relocation Authority, and C. E. Rachford, Camp Director of the War Relocation Authority, and in charge of Camp Newell, in Modoc County, in the State of California.



IX

That your petitioner is informed and believes, and therefore alleges that said concentration camp known as Newell is under the joint command, management and control of said War Relocation Authority and the officers and members thereof, and said Wartime Civilian Control Administration, and the officers, members and directors thereof, and the persons heretofore named.

X

That your petitioner is informed and believes, and therefore alleges that the sole reason for detention of said petitioner is that she is an American citizen of Japanese ancestry.

XI

That your petitioner has been so imprisoned without any process or color of law whatsoever; that none such is pretended by those detaining her; that your petitioner alleges that no warrant or process of any court, magistrate, or other person having legal authority to issue the same exists to justify said arrest and imprisonment, but to the contrary, the imprisonment as above stated has been without color of law and in violation of the constitution and the laws of the United States of America, of which she is a citizen; that no charge has ever been made against said petitioner; that petitioner has never been informed of any other reason for which she is being held; that no hearing has ever been granted to said petitioner.

XII

That said petitioner is not, and never has been a member of the military forces of the United States, and is not subject to military law;

(1) that martial law has not been declared.

(2) that all courts in and of the State of California are open and sitting and available to any party charging



1 petitioner with crime or wrong doing.

2 XIII

3 That said petitioner in October, 1941, became a pro-  
4 bationary Civil Service employee of the State of California;  
5 that thereafter for a period of six months during said proba-  
6 tionary period the officials of the State of California investi-  
7 gated petitioner's qualifications for her position as a Civil  
8 Service Employee, and investigated her efficiency and fitness  
9 and moral responsibility.

10 XIV

11 That thereafter said officials certified said peti-  
12 tioner as a permanent Civil Service Employee, and said petition-  
13 er retained said position and classification until on or about  
14 the 7th day of April, 1942.

15 XV

16 That on or about the 7th day of April, 1942, the Per-  
17 sonnel Board of the State of California suspended your petition-  
18 er from her position as a Civil Service Employee of said State  
19 of California, and gave as one of the reasons for said suspen-  
20 sion that your petitioner was subject to being evacuated and  
21 consequently would be unable to perform the duties of her posi-  
22 tion.

23 XVI

24 That thereafter said Personnel Board filed supple-  
25 mentary charges against your petitioner, and stated that said  
26 petitioner had been evacuated, and was confined and detained  
27 and was unavailable to perform her duties as a Civil Service Em-  
28 ployee; that unless your petitioner is able to establish that  
29 she is not subject to said detention, the Civil Service stand-  
30 ing of said petitioner will be imperiled; that said Civil Serv-  
31 ice standing constitutes and is a vested property right. That  
32 the acts of said parties named in confining petitioner will re-



1 sult in the deprivation of said property.

2 XVII

3 That each of said persons now detaining said petition-  
4 er at said War Relocation Center known as Newell, located in  
5 Modoc County, State of California, professes to act under the  
6 color of, and by the authority of the United States.

7 XVIII

8 That no other application for a Writ of Habeas Cor-  
9 pus in this matter, on the grounds and facts herein asserted,  
10 has been made to this or any other court by petitioner, or by  
11 any one on her behalf.

12 W H E R E F O R E, your Petitioner prays:

13 That a Writ of Habeas Corpus issue out of, and under  
14 the seal of the above entitled Court, directed to said J. L.  
15 Dewitt, Lieutenant General, United States Army, commanding Mil-  
16 itary Area Number One, and Colonel Carl R. Bendetsen, Assistant  
17 Chief-of-Staff, Western Defense Command, Fourth Army, and offic-  
18 er in charge of the evacuation under the Wartime Civil Control  
19 Administration, and E. R. Fryer, Regional Director of the War  
20 Relocation Authority, and C. E. Rachford, Camp Director of the  
21 War Relocation Authority, and in charge of Camp Newell in Modoc  
22 County in the State of California, and the servants, agents,  
23 employees and subordinates of each of said parties, commanding  
24 them, and each of them, to produce the body of petitioner be-  
25 fore the above entitled court on a day to be specified in said  
26 writ, and before Honorable \_\_\_\_\_, Judge  
27 thereof, with the cause if any they may have, for her arrest  
28 and detention, and that your petitioner be discharged and re-  
29 stored to liberty, and bring with them this said writ.

30

31 \_\_\_\_\_  
Petitioner

32 \_\_\_\_\_  
Attorney



1 UNITED STATES OF AMERICA )  
2 STATE OF CALIFORNIA )  
3 COUNTY OF MODOC ) SS  
4

5 MITSUYE ENDO, being first duly sworn, deposes and  
6 says:

7 That she is the Petitioner named in the foregoing  
8 Petition; that she has read the foregoing Petition and knows  
9 the contents thereof; that the same is true of her own knowledge  
10 except those matters therein stated on information and belief,  
11 and as to such matters she believes it to be true.

12

13 \_\_\_\_\_  
Petitioner

14

Subscribed and sworn to before

15

me this \_\_\_\_\_ day of \_\_\_\_\_, 1942.

16

17 \_\_\_\_\_

18

NOTARY PUBLIC

19

In and for the County of Modoc,  
State of California.

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My Commission Expires \_\_\_\_\_

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1 WILLIAM E. FERRITER  
2 JAMES C. PURCELL  
3 Mills Tower - Do. 6633  
4 San Francisco, Calif.  
5 Attorneys for Defendant

6  
7 BEFORE THE STATE PERSONNEL BOARD  
8 OF THE STATE OF CALIFORNIA  
9

10  
11 In the Matter of Charges Against  
12 SUMI KAWADA  
13 Employee of the State Personnel  
14 Board,  
15 Defendant

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A N S W E R

17 COMES NOW SUMI KAWADA, and answers the charges  
18 preferred against her by the State Personnel Board of the State of  
19 California, dated March 19, 1942, and admits denies, and alleges  
20 as follows:

21 I.

22 Admits the allegations contained in Paragraph I of said  
23 charges;

24 II.

25 Answering the allegations in Paragraph II of said charges,  
26 which is the vicious and unwarranted preamble to subsequent charges  
27 contained in the said charges, this defendant denies each and every,  
28 all and singular the allegations therein contained, and  
29 each and every part thereof, and the whole thereof; in so far as  
30 said observations and/or allegations and/or libelous matter by  
31 direction or indirection are construed to apply or pertain to the  
32 acts of conduct of this defendant;



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III.

Answering the allegations contained in Paragraph A of said charges contained, this defendant denies that she reads and/or writes the said Japanese language, and this defendant denies that she is exposed in any manner whatsoever or at all to propaganda or any propaganda printed or inserted in any Japanese newspaper if the same is so inserted; answering the remaining allegations contained in said Paragraph this defendant denies each and every, all and singular the allegations therein contained and each and every part thereof, and the whole thereof;

IV.

Answerin the allegations contained in Paragraph B of said charges, this defendant denies each and every, all and singular the allegations therein contained and each and every part thereof, and the whole thereof;

V.

Answering the allegations contained in Paragraph C of said charges, this defendant denies each and every, all and singular the allegations therein contained and each and every part thereof, and the whole thereof;

VI.

Answering the allegations contained in Paragraph D of said charges, this defendant denies each and every, all and singular the allegations therein contained and each and every part thereof, and the whole thereof;

VII.

Answering the allegations contained in Paragraph E of said charges, this defendant denies each and every, all and singular the allegations therein contained and each and every part thereof, and the whole thereof;



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VIII.

Answering the allegations contained in Paragraph G of said charges, this Defendant denies each and every, all and singular the allegations therein contained and each and every part thereof, and the whole thereof;

IX.

Answering each and every and all the allegations of said charges contained, not herein specifically admitted this defendant denies each and every, all and singular the allegations in said charges contained and each and every part thereof and the whole thereof; this defendant further alleges that she has been continuously and now is ready, willing and able to resume her duties as a member of the State of California, holding and occupying the position in said charges mentioned with the State Personnel Board of the State of California, in accordance with her Civil Service status thereas;

AS AND FOR A SEPARATE, FURTHER AND DISTINCT DEFENSE, THIS DEFENDANT ALLEGES:

I.

Defendant hereby incorporates Paragraphs I, II, III, IV, V, VI, VII, VIII, and IX, of the Answer herinabove set forth and incorporates the same herein as though the same were herein specifically set forth;

II.

That the libelous, vicious, and treacherous allegations set forth in said charges against this defendant are contrary to the laws of the State of California, and of the United States of America, and contrary to the Constitutional provisions of the State of California, and of the United States of America;

III.

That the vicious, libelous and treacherous allegations set forth in said charges reflect and disclose an ideology in



1 conflict with the laws of the State of California and the laws  
2 of the United States of America and express a political ideology  
3 consistent with the ideology political and sociological of the  
4 writer thereof and each and all of said allegations therein con-  
5 tained is an unjustified and unwarranted attack upon this  
6 defendant, a citizen of the United States of America, and entitled  
7 to the rights and privileges of a citizen thereof, pursuant to  
8 the laws of the State of California, and of the United States of  
9 America;

10 IV.

11 That the said allegations in said charges contained are  
12 contrary to section 173, Subdivision A, 196, and 201 of the  
13 Law and Rules governing the California State Civil Service, and  
14 of Article 14 of the State Constitution of the State of California,  
15 and of the Statutes of the State of California, 1937, Chapter 53  
16 as amended;

17 V.

18 That the writer and/or author of said allegations con-  
19 tained in said charges is guilty of violating section 204 of the  
20 Law and Rules governing the State Civil Service and of the State  
21 Constitution and of the Statutes hereinabove mentioned.

22 WHEREFORE, Said defendant prays that a hearing be had and  
23 that at said hearing said charges be dismissed and said defendant  
24 be restored to her position with pay for said period of unjustified  
25 suspension.

26 SUMI KAWADA

Defendant

27  
28 WILLIAM E. FERRITER

29  
30 JAMES C. PURCELL

31 Attorneys for Defendant  
32



A 108

CHURCH COUNCIL OF SACRAMENTO \* 203 Y M C A Building  
Telephone 2-2886  
SACRAMENTO, CALIFORNIA  
April 30, 1942

Officers

My dear .....

Enclosed please find copy of Dismissal Notices which are being served on State employees of Japanese ancestry. These employees are engaging the services of legal counsel to answer the charges. But with the present constituency of the State Personnel Board there can be but the scantiest hope of impartiality and fairness of hearing and action.

This unprecedented action of dismissal - so vile in its charges, and so subservient to blind prejudice - cannot go unchallenged by the Christian forces of our State.

These dismissal charges are -

a slander on the moral character of excellent Christians and fine American citizens, jeopardizing their future possibilities for employment in or with the State -

an indictment against our State which, if charges are true, have permitted this condition to exist for years, and which, if charges are untrue, is now permitting itself to be goaded into wholesale and unscrupulous accusations because of a blind prejudice which Democracy and Christianity condemn -

a devastating criticism of our professed Democracy in action - setting a precedent which will threaten every segment of our society which some form of prejudice may choose to injure or exterminate.

This is a challenge to Christian leadership action; we are called upon to make good on our Christian Faith and Religion. If all others forsake these fine people, are indifferent to their plight which they have not brought upon themselves, and fear to take a stand in the interests of our cherished Democratic and Christian principles, yet the Christian Church must not fail them. This is one of those drastic situations in which the Church should speak or act in unmistakable language or terms. This is one of those crucial tests which are and will be applied to American Christianity during this problematic period. We are called upon to justify our claim to Religious leadership and high moral courage.

*see in this* The action of the State Personnel Board will almost certainly be taken into the Courts, and we should begin immediately to explore the best ways and means to re-enforce this legal course.

How best can this be done? Through united action of California Protestantism? - or California Christianity? or California Religious forces of all available designations? By resolution? or by financing the legal journey through the Courts? or by personal representation of our united forces? - Or what is your suggestion?

But, whatever the "ways and means," we must initiate action NOW.

May we request your immediate reaction, as preliminary to further and prompt steps to be taken in the light of representative suggests.

Very sincerely,  
/s/ Alfred Tonness  
Alfred Tonness, Executive Secretary  
Church Council of Sacramento

Enc.

PS: This letter is being sent to -

Bishop James C. Baker, 125 E. Sunset Blvd., LA; (Meth); Dr. E. Ernest Davis, Pres. of LaVerne College, LaVerne (Ch. of the Breth.); Dr. W. H. Derr, 577 N. Madison Ave., Pas. (Luth); Dr. Creed W. Gauthrop, 83 McAllister St., SF; (Ep) Dr. Harloy Gill, 1164 Phelan Bldg., SF (Cong) Dr. H.H. Heberly, 3603 Vinton Ave., LA; (UB); Dr. Herbert Booth Smith, Immanuel Presby. Ch., LA; (Presby); Rev. E.W. Matz, 417 N. Harvard Blvd., LA; (Evang); Rev. A.G. Samuelson, 5209 Tenth Ave., Sac. (Miss Covt) Rev. Roy S. Smee, Beulah Park, Santa Cruz; (Naz) Mr. Lawrence Norrie, 715 S. Hope St., LA; (State YMCA); Mrs. Marian Reith, 715 S. Hope St., LA; (State Student Y) Mr. William C. James, 670 San Luis Road, Bork. (College Park Assoc. of Friends) Mr. Raymond Booth, East Orange Grove Ave. (Ex. Socy West Coast Branch of Am. Friends Service Comm.); Mr. Allen U. Tomlinson, Whittier; (Clerk of the California Yearly Meeting)



Sen. Res. No. 30 - Introd. 1/17/42 - McBride

- Whereas - On 5/19/13, & on 11/2/20, the people of the St of Calif. adopted an Alien Land Law; &
- , The Alien L. L. were designed to prevent aliens ineligible to citizenship from directly or indirectly acquiring any interest in or dominion over land used or to be used for agric. purposes; &
  - , The reason for the passage of the law was: The clash of two races & two civilizations, socially & economically incompatible, no? of the inferiority or superiority of either race being involved. &
  - By subterfuge & device the A. L. L. has been circumvented until it has become a virtual nullity: Am-born here have been ~~and~~ substituted for their alien parents as owners or lessors, Am cits have been induced to do the same thing, while all the time the land purchased or leased was acquired with the intent that it be used by aliens forbidden to own or lease the land; &



Sen. Res. No. 30 - 1/17/42 - p. 2

- Great areas of land over which such aliens exercise all of the rights of ownership are situated along the shore lines of this St. & in many other places equally vital to the Military, political, & economic welfare of this St.; &
- Such<sup>a</sup> condition existing under a St. law designed to protect the Amer. farmer from deleterious economic competition in the growing & marketing of farm produce constitutes a menace to Nat'l. defense, to the cits. of this St. & Nation, & to the Amer. grower & dealer; &
- The problem presented is not one primarily of Fed. juris. but is one of a St. concern which may nevertheless endanger the Nat'l. security, now, ∴, be it

Res. by the Sen. of the St. of Calif. - That the Atty Gen & other proper law enforcement officers of this St are requested & urged to investigate any & all possible evasions of the F.L.L. & to prosecute to the utmost extent of the law any violations that may be discovered... also copies to Atty Gen. & d.a.s. of each county. Unanimously adopted  
(Sen. Daily Journal, 1/17/42, p. 190)



p. 133 - Sen. Res. No. 28 - re creating  
A New Land Law Investing. Com.  
Referred to Com. on Rules  
By Mc Bride (S. Journal 1/14)

140

p. 141 (S. Journal 1/14) (Swan-Metzer-Resperson)  
Sen. Res. No. 29 - Rel. to creation of a  
Sen. Com. to study & report concerning  
the employ, by the St, of A. born  
into of desc decent.  
To Com on Rules

Influential history - 28, 29, ~~30~~ merely  
"To Com on Rules"

S. Res. 30 - Introd. 1/17 - + adapted, p. 190  
Sen. D. Journal



Wash. & Ore.<sup>leg.</sup> normally meet the  
second Mon. in Jan. in odd years.  
Looked thru Lib. of Cong. legislative  
reference service digests of st. leg-  
islation. No mention of Wash or  
Ore. Looked thru Jan.-July 1942  
issues of periodical "State Gov't."  
which lists st. legislatures in  
session at time of publication.  
No mention of Wash. or Ore.



Mr. Mallory, State Personnel Board —

State empl. cannot before first monies  
examined.

But ~~dismissal~~ political  
in sense that it anticipated  
polit. appeal.

Absolutely no acts of questionable  
loyalty. no act in either  
Complaint of other employees  
"few" and "therefore" the

inimical to state service. And  
no accusations of this sort  
made to her for any indiv.  
ind. member.

fact of absence could not sufficient  
to fire people! U. case.

Impeaching them for period suggested by  
Mallory, this would allow them to con



(2)  
back to jobs; - but Board  
wanted to get rid of them  
permanently. This meant  
charge against Co. It never  
came down to jobs as employees.

---

(3) Could have suspended them  
+

---

Mollay wanted of organization, 2)  
bring in one charge, i. e. their  
presence inimical to state security  
owing to events beyond their  
control causing suspicion of  
public to lose faith in their govt.



(2)

~~on~~ July

Cdr. Bendtzen, (+ Major  
Buelkel) →

"not  
policy of army to interfere  
with Civil Officials. Army not  
making request of you or Board.  
But the Bd. ought to have  
facts - + be told of  
"international complications" -

Dismissal would interfere  
conduct of war:

- (1) Psychological effect  
going basis for <sup>civil</sup> war propaganda
- (2) Might have fine just feeling  
for bad treatment of our prisoners.

---

Buelkel wanted to get Bd.  
to get together with ACLU!! Want to  
let whole thing to drop until after  
war!! Bd. refused however.



(A)

Malary even + think RD has  
a code!

---

Tule Lake. ~~The~~

What happened when State  
Personnel Belman (Miller) went  
to Tule Lake to get affidavits.  
(Shmell + Japs he made say when  
he interviewed them)

---

Talk to <sup>Assemblyman</sup> ~~Law~~ Longberry.



7815 A.M.

Post + Powell



~~Board~~

who?

Jan 28 - 2 sen. before St. Pers. Bd. urging  
purge of disloyal Lap -

(minutes)

Feb 4: ACLU protested

Feb : Warren decl. not constit.

Files?

~~No~~

Feb 18: quest. mailed

Dismissals -

Protests - by L.A. (gr. 74)

Directive to staff

CFIC minutes

p. 41

see  
Tolan  
11279

~~Boyd~~