

The CAAV VOICE

Newsletter
of the
Committee
Against
Anti-Asian
Violence

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PROPOSITION 187 - RACISM 90'S STYLE

Last November, California voters approved Proposition 187. Most disconcerting to us at CAAAV is that almost fifty percent of the Asian American voters in California supported the measure.

We wonder how so many Asian American voters forgot that our forebears — many of them undocumented "aliens" — immigrated here. It is incumbent upon all of us to remember how our history is inseparable from the courage and fortitude of immigrants. Did Chinese American voters forget the Chinese Exclusion Act or that many came into this country with "paper names" and "paper sons"? Did Japanese American voters forget how anti-foreigner and racist hysteria brought about the concentration camps? Did Southeast Asian voters forget the boats teeming with refugees trying to emigrate to another land?

EDITORIAL



courtesy of News from Indian Country

FOR ARTICLE ON
PROPOSITION 187,
SEE P. 3

Asian Americans know the price of scapegoating. Indeed, in California it will be Asians and Latinos especially — immigrants

and non-immigrants alike — who will be harassed and assaulted by those seeking to ferret out the "undesirables." The anti-immigrant movement is spreading rapidly to other states and against "green card" holders as well as undocumented immigrants.

- It has been proposed that the "Personal Responsibility Act", actively pushed by the Congressional Republicans, would deny all government benefits, including Medicaid, food stamps, Aid to Families with Dependent Children and Supplemental Security Income for the aged and disabled, to documented immigrants even though they are required to pay income taxes and serve in the armed forces.

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Victory Against Police Brutality

In a major victory for Asian Americans against abusive New York City police, police brutality victim, Dat Nguyen, was acquitted of all six criminal charges on September 30, 1994. Last summer, in conjunction with the Asian American Legal Defense and Education Fund, CAAAV provided victim advocacy services for Dat Nguyen and three other Vietnamese men who were

NEW YORK CITY INCIDENTS

assaulted by NYC police during a "trademark counterfeiting" investigation in Chinatown on November 9, 1993. The most seriously injured, Dat Nguyen, was beaten unconscious and sustained numerous head injuries. The officers attempted to justify their attack on Dat Nguyen by bringing criminal charges against him. (see CAAAV Voice, Spring '94)

District Attorney Robert Morgenthau's office attempted to convict Dat Nguyen on criminal charges, but a jury found him innocent on all counts. Dat Nguyen was represented by Legal Aid attorney John Yong. The CAAAV victim advocate and committee members played an instrumental role in Dat Nguyen's acquittal by gathering critical information and witnesses for the trial. Throughout the pre-trial and the

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NATIONAL INCIDENTS

Annie Lee, Quyen Pham, Minh Tran Garden Grove, California

In July 1993, three high school honor students, Annie Lee, Quyen Pham and Minh Tran, were waiting for a call from a friend at an outdoor mini-mall. Garden Grove police officers stopped them and proceeded to search, question and photograph them without their consent. The officers claimed that they had probable cause to suspect the teenage women of gang associations because of their clothing and the fact that they were loitering in a "gang-infested" area. In June, 1994, Pham and Tran filed a class-action lawsuit against the city of Garden Grove and several members of its police department. The two teens are suing for damages and to have existing files expunged. Since filing the suit the police have harassed Tran several times. Tran's and Pham's attorney, Robin Toma of the ACLU, states that police are in the process of creating an extensive file of Asian youths, a national computer database called GREAT (Gang Reporting Evaluation and Tracking). Crime victims who are shown photographs from these files could easily misidentify innocent teenagers, who were placed in the files for no reason.

Sam Wong and John Derago Hermosa Beach, California

On April 30, 1994, Sam Wong and John Derago were rollerblading along the beachfront when they were confronted by two men in military fatigues — standard dress for a local skinhead group known as "The Fourth Reich." The two Asian men were asked "Are you cruising?" before they were beaten. They suffered extensive bruises and cuts, and Derago required a neck brace after the incident. Jack Doolittle, 19, and a 16-year-old youth were arrested and charged with battery. Both victims believe that the attack was racially-motivated and gay-related.

Glendale Heights, Illinois

In March three teenagers allegedly wrote ethnic slurs on a Vietnamese church and then started a fire in the church. Matthew Russell, 19, was charged with committing a hate crime, arson and institutional vandalism.

UPDATES

Yoshihiro Hattori Baton Rouge, Louisiana

On October 16, 1992 16-year-old Japanese exchange student Yoshihiro Hattori was shot and killed by Rodney Peairs when he mistakenly rang Peairs' doorbell looking for a Halloween party. On September 16, 1994, Hattori's parents were awarded \$650,000 in damages and funeral costs, but Peairs' insurance company, which is liable for only \$100,000 of the award, plans to appeal the ruling. Portrayed by his defense lawyers as an ordinary homeowner defending his home, Peairs had been acquitted in the 1993 criminal trial. Information that Peairs was known to use racial slurs constantly has

confirmed the suspicion, held by many during the criminal proceedings, that Peairs' actions were motivated by racism.

Sam Nang Nhem Fall River, Massachusetts

On September 15, 1994, Harold R. Latour was found guilty of second-degree murder, assault and battery, and battery with the intent to intimidate based on race of Cambodian American Sam Nang Nhem. Only twenty-one, Nhem died two days after being attacked on August 14, 1993 by several white men, including 25-year-old Latour, who yelled "I'm gonna knock that gook out!" Of the assailants, Latour was the only one arrested. Latour and another man have been indicted for the assault of Sophy Seng, Nhem's friend, during the same incident.

Jimmie Yee

JACL Sacramento, California

In August, 1994, 19-year-old Richard Campos was found guilty of several counts in a string of racially-motivated firebombings the previous October — including two counts of arson and possessing a destructive device (Molotov cocktail), and firebombing City Councilman Jimmie Yee's house for racial reasons. The jury deadlocked on the firebombing of the Sacramento NAACP, the Sacramento JACL and the Temple B'nai Israel, and the attempted murder of Yee, who had been home asleep at the time of the attack. Retrial proceedings began in November.

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A new height in the anti-immigrant sentiment that is sweeping the nation was reached on November 8, 1994, when the California electorate approved Proposition 187, formally titled the "Illegal Alien Initiative". Nicknamed the "Save our State" proposition by supporters, Proposition 187 will deny access to education, health care (with the exception of emergency care) and social services to any man, woman, or child who cannot prove citizenship, legal residency, or temporary status. It also requires all public school teachers, doctors, social workers and police to report anyone who is a "suspected undocumented immigrant" to the Immigration and Naturalization Service and the State Attorney General.

If Proposition 187 is enforced to the letter of the law, at least 300,000 students enrolled in the California public school system would be kicked out of class. Health care workers could not provide medical services to anyone who could not prove his or her legal status, possibly creating the potential for a public health crisis especially in connection with contagious diseases. Already two deaths have been attributed to the new law. In both cases undocumented families did not seek medical attention for their loved ones from fear of prosecution or deportation. Many vital social services, previously available to all immigrants regardless of legal status, such as family planning, aid to the elderly, and drug and alcohol abuse programs, would no longer be available.

Although Proposition 187 passed by what appeared to be a convincing mandate, the vote was clearly divided along racial lines and motivated by economic fears. Approximately eight out of ten white voters supported Proposition 187 and eight out of ten Latino voters voted against the measure. Asian Americans and African Americans split their vote down the middle. The debate over illegal immigration was the dominating issue in the state's gubernatorial and senate races. Pete Wilson, the victor in his re-election bid for governor, and Michael Huffington, who was narrowly defeated in the race for senator, both vigorously campaigned around this issue. Wilson, Huffington and their supporters blamed illegal immigrants for the steady rise in unemployment rates, for the decline in the schools and for depriving citizens of social services. The proponents of Proposition 187 never explicitly state whom they are targeting, but clearly the xenopho-

PROPOSITION

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(EDITORIAL CONTINUED FROM PAGE 1)

- Last spring, New York State Senator Frank Padavan issued a report, "Our Teeming Shores", claiming that undocumented immigrants were costing the state millions. Immigration experts across the country found the report biased and incomplete, citing other studies showing that immigrants pay more in taxes than what they receive in public assistance. Immigrant rights advocates think this report may be a first step in pushing for a New York version of Proposition 187.

CAAAV urges all of its members to resist actively any attempt to scapegoat immigrants for the economic troubles of this country and to work for the defeat of all measures similar to Proposition 187.

bic sentiment in California is being aimed at the growing Latino population.

Some of the loudest protests came from thousands of Latino students who walked out of classes and took to the streets. In one rally, prior to the election, 70,000 people, mainly Latino but including Asian Americans and African Americans, joined the students in a show of solidarity against Proposition 187 in one of the largest civil rights gatherings ever in Los Angeles.

There were millions of California voters who rallied against the passage of Proposition 187 and vowed to oppose any efforts to implement the measure. As early as the morning after election day, a coalition of immigrant rights advocates and civil rights organizations took to the streets and the courts demanding the immediate halt to the enforcement of the law. Calling Proposition 187 an inhumane and discriminatory law which also raises many serious Constitutional questions, civil rights lawyers filed a law suit in the U.S. Federal District Court asking for an immediate temporary restraining order to block implementation of the law. The lawsuit was filed jointly by the ACLU Foundation of Southern California, the ACLU National Immigrants' Rights Project, the Asian Law Caucus, the Asian Pacific American Legal Center of Southern California, the Central American Resource Center, the Immigrant Legal Resource Center, the Mexican American Legal Defense and Education Fund, and the firm of O'Melveny and Myers. Lawsuits have also been filed on behalf of the Los Angeles and San Francisco Unified School Districts and the California School Boards Association asking for a temporary stay in enforcement of the proposition's requirement that illegal immigrants be expelled from California public schools. At least a half dozen other suits have been filed challenging various sections of Proposition 187. Coalitions of Asian American organizations and agencies have formed to watchdog against Proposition 187-related discrimination or harassment.

Since the election, the movement against implementation of Proposition 187 is growing but so, too, is the anti-immigrant movement. Supporters have initiated efforts to make similar laws in states with large populations of recent immigrants. Right wing groups like the Federation for American Immigration Reform now have the sympathetic ear of the Republican-controlled Congress and their ultra-conservative spokesman, Newt Gingrich. In the meantime, anti-immigrant hate crimes continue to rage — fueled by anti-immigrant rhetoric . . . and legislation.

Victory for Young Chinatown Workers

Faced with a trial at the National Labor Relations Board on December 5, Immigrant Social Services, Inc., a Chinatown social service agency, conceded to paying back wages and interest to three workers it had wrongfully fired in summer, 1993. These three young employees, who had been working as classroom instructors in an ISS summer school program, were fired for circulating a petition asking for better wages and improved working conditions. (see *CAAAY Voice*, Fall '93 and Spring '94)

In addition to the monetary settlement, ISS was ordered by the NLRB to post an official NLRB notice to employees stating that they have the right to organize, to form, join or assist any union, to bargain collectively, and/or to act together for mutual aid or protection without risk of repercussions from ISS. In addition, the notice announces the back wages agreement.

The NLRB settlement marks a victory for the workers and the Chinese Community Organizing Committee, which helped organize community support. As one of the workers, Samantha Hang, said at a press conference, the teachers did not picket for the money. They acted to assert their rights as employees and the rights of parents and children to a quality tutorial program. Furthermore, she hoped their struggle would help raise awareness in the community about these rights and the need to struggle for them.

Still pending is the \$6 million lawsuit that ISS filed in the summer '93 in an attempt to intimidate the workers and their supporters, including CAAAV. ISS is seeking to discontinue the libel suit. Meanwhile, the teachers and their allies are seeking monetary sanctions against ISS for its frivolous suit.

Popular Education and Community Outreach

Recognizing the need to inform the community about police abuse, a team of the Korean Community Organizing Committee (KCOC) members designed a presentation to educate people on what they should do when victimized. The presentation centers around a skit, which is based on two

CAAAY COMMUNITY BASED STRUGGLES

actual cases advocated by CAAAV. The skit, which depicts police brutalizing a cashier in a Korean deli, freezes the

action periodically so that the moderator can tell the audience what the victim should be doing at various points in the action (e.g. memorizing the officer's badge number, requesting medical treatment, etc.) Presentations given at the Korean Methodist Church in Bayside, Queens and the Flushing YWCA Senior Citizens Program were well received and gave us a chance to meet and talk with people in our communities about shared concerns and issues.

During the summer, the Southeast Asian Organizing Collective conducted trips to Southeast Asian enclaves to begin outreach and to conduct needs assessment. Teams went to the Fordham area in the Bronx, Sunset Park and Church Avenue in Brooklyn, Woodside, Elmhurst, and Flushing in Queens, and Stuyvesant Town and Chinatown in Manhattan. The teams talked to residents, presented educational workshops, and met with community and church leaders to discuss ways in which we could work together in the future.

English Classes for Korean Women Workers

The English classes organized by the KCOC for Korean women workers are now in their third session. The classes, started with the goal of building a community base of Korean immigrant women workers, now have twenty student-participants who are garment workers, manicurists, and cooks. The curriculum includes discussions on workers' rights and other workplace and community issues. The classes will be integrated into CAAAV's worker organizing programs as they develop further.

Because the number of participants in Manhattan is growing, new space in midtown is needed as soon as possible. Please contact Hyun Lee at CAAAV with suggestions.

Drivers' Campaigns Move Forward

The Lease Drivers Coalition continues to challenge the Taxi and Limousine Commission's (TLC) rules and practices, which invariably favor the owners at the expense of



the drivers. In November 17, LDC testified at a hearing regarding changes in the rule book concerning fast/defective meters. LDC is not opposed to measures against drivers who are guilty of meter offenses, but is concerned that owners may pass on their own fines to drivers, who should not be responsible for malfunction in the cars they lease. The TLC chairman has invited LDC to propose rules that will protect drivers against this abusive practice.

At LDC's prompting, the TLC has expressed interest in meeting with Lojack, the company that manufactures a tracking device for pinpointing the location of a car. At present, private car owners in New York City can install the device. If a car with this device is stolen, a radio signal is emitted which enables police to track the car. If cabs had the device, drivers in distress could set off the signal and call police to their aid.

New CAAAV Victim Advocacy Manual

This year, SEAOC has been writing CAAAV's Legal/Victim Advocacy Manual. Based on various legal sources and CAAAV's firsthand legal and advocacy experiences, the manual will be a layperson's guide to the law and victim advocacy. CAAAV plans to use the manual in its advocacy training program for the CAAAV general membership, which will begin in February.

Youth Leadership Program

Through its outreach program, SEAOC has identified key groups of Southeast Asian students who are experiencing problems with violence and harassment at their schools in the Fordham area of the Bronx, and Stuyvesant Town in Manhattan. This groundwork provides the basis for the Youth Leadership Development Program at Roosevelt High School in the Bronx to begin this spring.

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trial hearings, approximately 70 CAAAV members attended court regularly in support of Dat Nguyen and a multiracial crowd of over 120 supporters were there to share the victory on the final day.

The community saw another great success when, after nine months of tremendous community pressure, the office of Brooklyn District Attorney Charles Hynes indicted Officer Rolando Boquadano (78th Precinct) for assaulting Ki Tae and Son Tae Kim on April 19, 1994. According to the Kims, Officer Boquadano came to their store in Park Slope to resolve a dispute between the Kims and a customer. When the Kims asked the officer why he was writing a police complaint report based solely on the customer's account, Boquadano punched Ki Tae Kim in the face. He arrested the brothers and yelled, "Orientals are animals!" (see CAAAV Voice, Spring '94) The charges of disorderly conduct and resisting arrest against the Kims were dismissed in August.

The indictment against Boquadano is a result of the Kims playing an active role in the campaign to publicize their victimization by the police. Recognizing that their case was part of a larger problem confronting the community, they spoke at meetings with community leaders and met with the D.A. CAAAV advocated in the Kims' case and was instrumental in influencing the D.A.'s office to press charges against Boquadano. CAAAV will continue to advocate in this case along with the Asian American Legal Defense Education Fund, which will represent the Kims in a civil suit.

Update on Saleem Osman Case

Organizing continues around the police brutality case against CAAAV victim advocate and LDC organizer Saleem Osman. On May 26, 1994, two plainclothes transit police officers dragged Osman from his car, and beat and arrested him. Osman had been trying to help mediate a dispute between a Pakistani cab driver and a white-

truck driver. (see CAAAV Voice, Spring '94) In June, CAAAV organized a second successful demonstration, this time disrupting lunchtime traffic in Herald Square, the site of Osman's beating. CAAAV is also organizing a petition drive and letterwriting campaign demanding that the District Attorney drop all charges against Osman.

The Center for Constitutional Rights, which specializes in cases involving the civil rights of minorities, is representing Osman. His next court date is April 25, 1995.

If you would like to sign the petition or your organization would like to send a letter to the DA, contact CAAAV.

Recently CAAAV has been inundated with victim advocacy cases, especially incidents involving the police. Below are only some of the new cases.

Bayside, Queens, 11/13/94

On November 13, 1994, a Korean man JMW was driving down a residential street when he nearly hit a parked car as he swerved to avoid hitting an on-coming car that was driving on the wrong side of the street. The owner of the parked car saw what happened and started yelling racial epithets at JMW. After a heated exchange the owner and three neighbors chased after JMW. They dragged him from his car and punched him repeatedly in the face as JMW's four-year-old daughter witnessed the entire incident.

Officers from the 111th Precinct arrived at the scene. Although JMW's head was bleeding, they reported the incident as "harassment" and did not report the names of the attackers, who had disappeared into their homes.

Bay Ridge, Brooklyn, 9/15/94

After paying bills at Con Edison, LS, a Chinese man, was approached by two white men in a blue car. One yelled at him and

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the other stepped out of the car waving a pistol. Without offering an explanation, the two showed their badges and proceeded to frisk LS. One of the men then opened LS's wallet and asked whether he had any money. When LS confronted the officers, they told him to shut up. They handcuffed LS, took him to the precinct and issued him a summons for disorderly conduct.

Chinatown, Manhattan, 8/25/94

NT, a Chinese American woman, was stuck in traffic on Mott Street when she stepped out of her car to see what was causing the congestion. A police officer ordered her back in her car. When traffic was clear, the officer ordered NT to pull over and checked her identifications. She was then falsely accused of driving with a suspended license, handcuffed, arrested and taken to the 5th Precinct. At the station, she was strip-searched, placed in a holding cell, and denied her right to make a phone call. She was given 2 summonses for minor traffic violations. One has been dismissed and the other is being appealed.

Chinatown, Manhattan, 8/8/94

On the evening of August 8, 1994, a Chinese man, his wife and two young daughters opened the gate leading to the waiting area of the Grand Street subway station because the turnstile was not working properly. A female transit officer stopped the family, and accused them of not having paid. BHY tried to explain that he had paid the fares and would pay again if necessary. BHY tried to go back to the gate and put tokens in the token box. Using her nightstick, the officer suddenly shoved BHY through the gate and against a wall. Almost immediately, 7 to 8 police officers arrived to assist with the arrest. In the patrol car, an officer told BHY, "Fuck you. . . How long have you been here?" At the transit police station, BHY was asked, by the desk sergeant, "How long have you been in this country?"

Charged with resisting arrest, BHY was finally released around 1A.M.

Brooklyn, 8/6/94

A Chinese woman was driving with a friend in Brooklyn when the driver of the car behind her, who felt she was driving too slowly, came over to her, called her a "fucking Chinese pig" and punched her in the eye. JK's glasses were cracked and her face was cut and bruised. Her attacker, Peter Galatro, tried to escape in his car after an angry crowd gathered. Suspicious that the police would let Galatro off the hook, a couple followed him in their car, called the police and observed the arrest themselves. However, when JK was brought to the scene of the arrest, she saw Galatro smoking and chatting with the officers. JK called the precinct a few days later and was told that no report had been filed.

Subsequently she solicited help from CAAAV and AALDEF. An AALDEF volunteer was able to get another police report filed. CAAAV followed up with the 61st Precinct, and the Brooklyn District Attorney's office. CAAAV also registered complaints that the officer failed to follow proper arrest procedures.

Upper West Side, Manhattan, 8/2/94

At approximately 5:30P.M. on August 24, 1994, YJ was distributing menus for a Chinese restaurant. As he approached 317 West 75th Street, a white man was leaving the building. YJ complied with the man's request to stay out of the building and moved back onto the sidewalk, and then to the curb. Still unsatisfied, the man then flagged down a passing patrol car and spoke to the officers. Without saying a word, one officer violently shoved and kicked YJ in the shoulder and leg, shouting at YJ to leave.

When YJ attempted to write down the officer's badge number, the officer handcuffed him, shoved his head against the trunk of the patrol car and kned him in the back. In the patrol car, YJ was punched and told to go back to China. The handcuffs were

so tight that they left scars and caused pain that lasted over a week. At the precinct, YJ was handed a summons for trespass.

The charge was dismissed in December. CAAAV assisted in court and in filing a complaint against the officer with the Patrol Bureau Manhattan North Inspections.

Bensonhurst, Brooklyn, 7/94

In July, 1994, IA, a Pakistani cab driver, was attacked by five white men as he tried to park his cab near his home in Bensonhurst. The men pelted IA's cab with beer bottles, pulled him from the front seat and beat him. They returned later to attack the cab with baseball bats. During their attacks, they repeatedly used racial slurs and told IA that "Paks" weren't allowed in "their" neighborhood. The white police officer who came to the scene refused to listen to IA and arrested him, accusing him of attacking the five men.

CAAAV helped IA prepare for a series of court appearances which stretched into November, and helped compile lists of witnesses and testimonies from other Pakistani residents of Bensonhurst who had experienced similar attacks and/or instances of racially-motivated vandalism. IA was finally give an ACD*.

Bayside, Queens, 7/13/94

On July 13, 1994, a twelve-year old Korean boy was riding his bicycle when he was hit by a car. He remains hospitalized in critical condition. When his father SS went to the 111th Precinct to ask for information concerning the accident, officers were uncooperative and dismissive. Although SS speaks English, one of the detectives at the precinct was quoted in *New York Newsday* as saying, "He [SS] should bring someone who can interpret for him."

Accompanied by CAAAV, SS returned to the 111th Precinct to meet with the captain and a Community Affairs officer to complain about the treatment he received and to demand the police be more sensitive to the fast-growing Korean American community in

Bayside. The officers agreed to provide a Korean language translator at the precinct for non-English speaking Korean immigrants, to keep an open channel of communications between CAAAV and the precinct, and to put in a request to NYPD headquarters for a Korean-speaking officer.

Chinatown, Manhattan, 03/27/94

On March 27, 1994, a young Chinese couple, MM and DY, stopped for a red light at the intersection of Canal and Mott when an officer from the 5th Precinct rode up on his scooter yelling, "You asshole, open the window." The officer pointed his gun at MM's head and threatened to punch him. When MM's wife DY asked the officer for his name, badge number, and an explanation, she was rebuffed and threatened. MM and DY were given five traffic tickets plus a summons against DY for disorderly conduct. In May, DY was found guilty of disorderly conduct because the judge felt that there was a "greater ring of truth" to the officer's testimony.

The couple contacted CAAAV in June. CAAAV helped obtain a dismissal of the traffic charges and also assisted the couple in filing for an appeal against the conviction and a complaint against the offending officer with the NYPD Internal Affairs Bureau.

Assault and Harassment

Brooklyn, 10/7/94

AS, who is of Bangladeshi descent, had been living in the top apartment of a two family home in the Mill Basin area of Brooklyn for over a year. After a new landlord took over in August, AS and the owner had a dispute over a rent increase. On October 7, 1994,

the landlord came to the apartment with two men, allegedly to make some repairs. One man punched AS in the face, knocking him down, and then kicked him repeatedly. One of the men told AS that his landlord did not want "his kind" here. The men then threw AS's possessions into trash bags and loaded them in a truck.

While the truck was being loaded, AS was able to escape. He returned with officers from the 63rd Precinct. The landlord denied any eviction had occurred and maintained that AS was never a tenant there. While the officers investigated, the landlord became nervous. Within earshot of the officers, the landlord offered to return AS's possessions and to give him a thousand dollars if AS would not press charges. AS agreed, but pressed charges as soon as his possessions were returned.

The landlord and his accomplices were charged with assault, robbery, unlawful imprisonment, unlawful eviction, and possible civil rights charges, which shall be determined by the Brooklyn District Attorney, Civil Rights Bureau.

Coney Island, Brooklyn, 9/94

In September, 1994, AW, a Pakistani cab driver, stopped at an intersection on Coney Island Blvd. when two white men jumped out of a tow truck and pulled him from his car. As one held AW, the other hit him repeatedly and took money from his shirt pocket. The attackers were apprehended by other drivers who responded to an alert broadcast over a CB radio by another taxi driver.

*ACD, Adjudgment in Contemplation of Dismissal Although this is essentially an admission of guilt, the defendant's record will be expunged as long as s/he is not arrested in the next six months. This plea bargain is often accepted in order to avoid repeated, time-consuming court appearances.

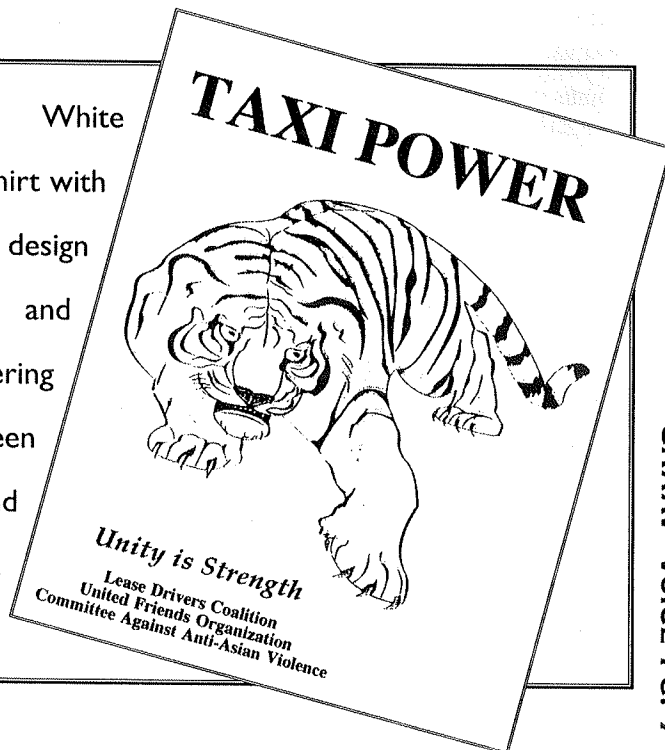
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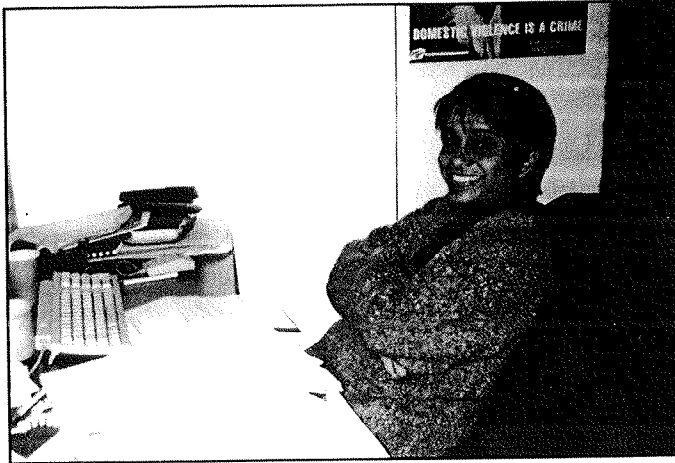
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New Executive Director Energizes CAAAV

In October, Anannya Bhattacharjee began work as CAAAV's first Executive Director. A native of India, Anannya was one of the founders of Sakhi, a New York based organization concerned with violence against women of South Asian origin.

Before coming to CAAAV, Anannya served as the Program Coordinator at Sakhi and was responsible for coordinating all organizational aspects and many projects, including working directly with battered South Asian women, training volunteers, strategizing for legal advocacy, working with the media, and promoting community education. Most recently, she helped establish a domestic worker project at Sakhi



Anannya has sound experience and knowledge in strategic planning, Board development, and fundraising. Under her guidance, the CAAAV staff and Board have developed a strategic work-plan for the year. In addition, because Anannya shares CAAAV's commitment to membership ownership of the organization, she has fostered the revival and revamping of the monthly members' bulletin and general meetings.

Anannya is enthusiastic about her move from an ethnic-specific organization to the pan-Asian context of CAAAV: "I am excited to be a part of CAAAV, both because of the tremendous work it has done in the past, and because, at this time, CAAAV is redefining for itself the

to organize and empower this often invisible workforce, mostly comprised of undocumented immigrant women. Anannya also helped found SAMAR (South Asian Magazine for Action and Reflection), a progressive magazine published in New York.

significance of working against anti-Asian violence. I have been following its work closely, and have been impressed by its commitment to a truly pan-Asian constituency. Its uncompromisingly progressive politics and its ability to evolve form a powerful combination."

Asians and Gays Dissed by the CCRB

P O L I C Y W O R K

commitment to fair and impartial investigations, and to support the appointment of a CCRB Asian

Recent events initiated by homophobic remarks by Civilian Complaint Review Board (CCRB) member Reverend Ruben Diaz have again raised doubts about the ability of the CCRB to represent a diverse community in addressing problems of police abuse and brutality in New York City.

American Commissioner who understands Asian American communities and police relations. A coalition letter, which was also signed by several elected officials, was sent to the mayor, Police Commissioner Bratton and City Council Speaker Vallone and released at a press conference just prior to the next CCRB meeting. Despite the outrage expressed by this broad spectrum of groups and elected officials, the CCRB refused to address these concerns at the October meeting.

Last spring, prior to the Gay Games in New York City, Rev. Diaz repeatedly made homophobic and AIDS-phobic statements. He grouped homosexuals with thieves, murderers and criminals and stated that homosexuals were a danger to public morals. In August, Commissioner Tom Lim, the only Asian American CCRB member, attempted to introduce a resolution to repudiate and disassociate the CCRB from Diaz's remarks. Five days before action on the resolution was to be taken by the CCRB at its September meeting, Mayor Giuliani replaced Lim.

Cases that come before the CCRB disproportionately involve people of color, the poor, lesbians and gays. For the CCRB to be credible and effective for the communities it is meant to safeguard, all New Yorkers must perceive it to be accessible and fair. These recent events only serve to increase cynicism in our communities about the CCRB's effectiveness in the face of escalating police abuse.

Hearings on Racism as a Human Rights Violation

In October, CAAAV testified at Canaan Baptist Church in Harlem before a panel of international human rights advocates and religious officials for the "Racism as a Human

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Rights Violation Campaign." The campaign is a national effort co-sponsored by the World Council of Churches and the National Council of Churches to examine the neglected issue of human rights violations in the United States.

Hearings on the issues, ranging from racial violence and police brutality to housing and environmental racism, were held in seven cities throughout the country during a two-week period. Following the U.S. hearings, the panel will report its findings to the United Nations Human Rights Commission and Special Rapporteur on Racism with the recommendation that the U.N. monitor human rights violations in the U.S.

**Luyen Phan Nguyen
Coral Springs, Florida**

On August 15, 1992, a 19-year-old Vietnamese American college student, Luyen Phan Nguyen, was kicked and beaten to death by 15 youths at a party after he challenged their repeated taunts of "gook", "chink" and "sayonara." In May, 1994, William Madalone, Terry Jamerson and Christopher Anderson were convicted of second-degree murder. Madalone, who had three prior felony convictions, was sentenced to life without parole. Another defendant, Chris Madalone, has since pled guilty to second-degree murder. Two other defendants were scheduled for trial in early 1995.

**Wat Promkunaram Buddhist Temple
Phoenix, Arizona**

The last defendant accused in the murder of nine people during a robbery at the Wat Promkunaram Buddhist Temple has finally been sentenced almost three years after the crime occurred. On August 9, 1991, armed with a shotgun and rifle, Alessandro Garcia and Jonathan Doody, now both 19, broke into the temple. After they robbed and ransacked the temple, they brutally murdered six monks, a 16-year-old novice and a 75-year-old nun. In February, 1994, Doody was sentenced to nine consecutive life terms and in July, Garcia was sentenced to 10 life sentences, including one for an unrelated case.

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ALL-AMERICAN

Margaret Kim is an All-American girl. We know that because she emulates Charlie's Angels and hangs out at Skank. She pops gum, drops slang, and wears heels and "toilet-seat-cover" fur. Yet the audience still needs to be told. The title of the first Asian American sitcom questions Margaret's American-ness while ostensibly affirming it.

On this show, American means "normal" and Korean means more "ridiculous." Many of the grandmother's lines are greased with canned laughter for no reason other than her accent. When Margaret is invited to a Korean man's house for a family dinner, an older man roars in unintelligible Korean while the laugh track is cranked up. The Korean-ness that is depicted neither breaks down stereotypes nor sustains any kind of cultural accuracy. The show's two Chinese writers (the other nine are white) may have come up with the "fong-shui" episode, but no Korean would refer to the practice by that word. Never on the show is there a representation of an Asian American who is neither freaky nor whitewashed. We are on a one-way street to assimilation and Margaret's in the fast lane.

Korean men on the show are careerist dweebs who cannot handle a sharp Korean sister. Margaret inspires her brother's fiancée to rebel. It's



a classic narrative — passive and pliable yellow woman rejects yellow man and throws herself into the freedom of the Western world (stage diving at Skank) thereby becoming an individual. In this show we don't need the usual white savior because we've got the "All-American girl."

Rarely, the show offers a glimpse of what it could be. When Margaret and her mother argue in a store's electronics section, a closed-circuit video camera captures them on a wall of TV screens behind them. One customer remarks, "It's 'The Joy Luck Club.'" This singular instance of tongue-in-cheek is evidence that there is sophisticated sensibility lurking somewhere. And yes, it's only a sitcom and sitcoms are cartoons. But most do not single-handedly present ethnic groups to an audience that is largely ignorant of and often hostile to them. As one

black comedian has pointed out, white people do not worry that everyone will think that "Hee Haw" represents their culture.

This show tells us that Asian cultures are a quaint mish-mash; the definition of friend is white; Korean men are rejects; and Korean women who act "rhite" will get a chance at "Mr. Wight." And in our push to be "all-American," even our rice doesn't have to stick togetha!

C A M P A I G N S FOR

J U S T I C E

Chinese Construction Workers Defeat Chinatown Giant

After six years of bitter struggle with the Chinese-American Planning Council (CPC) over issues of prevailing wages and unionization, Chinese immigrant construction workers hired by the CPC to participate in a job training program, including thirty illegally fired by CPC for forming a union, achieved a hard-won victory. As a result of federal suits against the city of New York and CPC, they will be awarded \$1.7 million from New York City for violation of prevailing wage regulations and \$450,000 from CPC for union-busting violations and back pay for the thirty ousted workers.

According to the *Chinese Staff & Workers Association News*, this victory is a precedent setting outcome. It is the first time in history that a civil rights law, allowing private citizens to sue the government for flagrant violations of the law, was applied to a prevailing wage dispute.

CPC had hired 200 workers to participate in the Inter-City Remodeling & Apartment Repair (IRAR) program set up by the city

to give immigrants job training in the construction industry while working on low-income city-owned housing sites. However, CPC offered no training and paid the workers only \$4 to \$6 an hour while the prevailing wage for projects funded by the Department of Housing and Urban Development (HUD) was \$18 to \$22. After thirty workers organized to form the CPC Independent Workers Union, which was then recognized by the National Labor Relations Board, CPC booted them out as "graduates" of the program on New Year's Eve, 1988.

Despite the amply funded legal resources of their opponents, the workers' persistence and organized resistance, aided by the Chinese Staff & Workers Association, led to their victory. Congratulations!

More Trouble Brewing at Silver Palace?

Supporters of the Silver Palace Restaurant workers may find that their jubilation in the workers' victory in a securing a fair con-

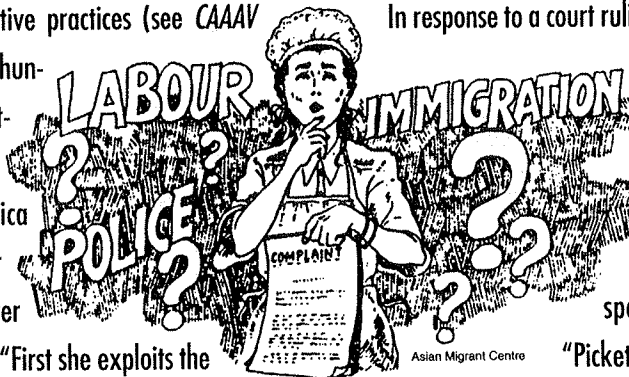
Jessica Tries to Shut Up Garment Workers

To add insult to injury, Jessica McClintock, a San Francisco manufacturer of boutique apparel, filed for a court order against garment workers protesting her exploitative practices (see *CAAV Voice*, Spring '94). Undaunted, one hundred militant workers and their supporters countered this development with one picket line in front of Jessica McClintock's flagship and one at her residence. All the pickets wore gags over their mouths and held signs that read, "First she exploits the workers, now Jessica wants to shut them up."

The workers are demanding that McClintock pay \$15,000 in back wages owed to twelve garment workers, who were employed by a now defunct contractor and supplier of McClintock clothing.

Asian Immigrant Women Advocates (AIWA) based in Oakland launched a nationwide campaign and boycott demanding McClintock pay the back wages, guarantee minimum wage, pay overtime, and guarantee safe working conditions.

In response to a court ruling restricting the access of the demonstrators, Ed Chen, staff attorney at the Northern California American Civil Liberties Union and co-counsel for AIWA, told a reporter from *Asian Week* that First Amendment free speech rights are involved here: "Picketing, as a time-honored method of educating the public about social injustice, has long enjoyed full protection under the Constitution." For further information about this situation and how to support the workers call Amy Hsi, 212-595-5500, or AIWA, 510-268-0192.



tract may be short-lived. (see *CAAV Voice*, Spring 94) The National Labor Relations Board (NLRB) has sued the management for \$650,000 to recover the loss of pay for the seven months the workers were locked out and the unpaid back taxes. In retaliation, the management has threatened to close the restaurant if the workers insist on exercising their rights to recover the lost compensation.

The management has discouraged several customers from using the restaurant for large events, directing them to other restaurants. These actions have led to widespread suspicion among the workers that the management, borrowing a tactic used by garment factory owners, is conspiring to close the Silver Palace to avoid payment of back pay and taxes. (Garment factory owners often

avoid payment of wages by relocating to another site.)

The management also claims that there is a "gentleman's agreement," allegedly made with the workers outside of the written contract negotiated with the union, stating that tips should be shared with maitre d'hôtels. The NLRB, which is investigating, states that a verbal agreement is binding only if it serves to clarify a written contract. However, the Silver Palace owners insist that the gentleman's agreement is a longtime Chinatown tradition that should be honored. Management has enlisted the press, including *The New York Times*, to promote the idea that Chinese workers should not enjoy the same protections as other American workers.

OUR READERS WRITE

WHAT KOREA CRISIS?

When our government policies are about division and confrontation, and the media distorts the facts to say that these are the public's interests, we become numb. South Korean people were talking about peace and reunification after the collapse of the socialist bloc. Then, the Pentagon and the CIA flashed a sign: "nuclear bomb". As the result, our happy thoughts of peace and unification were replaced with war and tension.

The US government and media have historically depicted various figures as war-happy maniacs and inhumane dictators. Ex-general Powell said, "We are running out of demons and we are down to Castro and Kim Il Sung." We get confused in the argument of chicken or egg: maintaining the US military and its related industries with \$300 billion military budget or warring against those little demons. Anyhow, US is busy creating the New World Order. For example, Yemen, the only country other than Cuba that opposed the UN endorsement of the US invasion of Iraq in 1991, entered into a civil war as a result of the loss of \$70 million in US aid that had previously been committed.

There is no justification in the interest of the general public whenever the US enters into military confrontation and spends billions of dollars on carpet bombing and precision bombing. How about improving jobs, education, and health care for the people's sake? Some multi-national corporations might benefit from international confrontations, but minorities are the first ones to suffer when the domestic economy is ignored and the poor get poorer. Antagonism between races, fighting for the same piece of the economic pie, continues to grow. Furthermore, immigrant Americans suffer from demoralizing racist attacks as a result of media sensationalism and scapegoating.

HYUNGJU PARK

The opinions expressed in this column do not necessarily reflect CAAV's position. Voice readers are invited to submit opinion pieces, 250 words or less, which will be printed as space permits.

PUBLIC FORUM: Korea-U.S. Relations Examined

On August 15, 1994, the day commemorating Korea's liberation from Japanese occupation, a coalition of progressive Korean community organizations held a forum at the Public Theater during a period of escalating post-Cold War tensions in the Korean peninsula. The coalition included CAAV's Korean Community Organizing Committee, Action for Young Korean Americans, Center for Korean American Culture, Korea Working Group, SEORO Cultural Network and KAYA Productions. The program included a cultural performance by the Center for Korean American Culture, invited speakers and a public speak-out.

The purpose of the forum was to educate the public about the history behind the current situation in Korea, focusing on the role of American involvement, and to dispel distorted views about the Korea crisis created by the media. Speakers discussed the U.S. motivation in scapegoating North Korea as it jockeys to define changing roles in a post-Cold War era, the forty years North Korea has endured the threat of the American nuclear presence in Asia, and the unreasonableness of the U.S. demand to inspect military installations of North Korea, which is entitled to its sovereignty. At the end of the forum, the audience was asked to sign petitions to demand peaceful negotiations and normalization of relations with North Korea, and reunification of the nation and people of Korea.

Attended by nearly 150 people, the event was very successful in building solidarity among the participating groups.

Special thanks to the Funding Exchange and the Public Theater.

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•

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•

Empowering Asian immigrant women workers in marginalized industries

•

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•

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