

DEBATE CHUMAR

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WASHINGTON (UPI) Defendants in the 40-year-old Supreme Court decisions used to justify the wartime internment of 110,000 Japanese Americans are planning to seek a reopening of their cases, it was reported.

The Washington Post said in its early Monday editions the defendants seek an unprecedented Supreme Court admission of error in the cases Yasui vs. U.S.; Hirabayashi vs. U.S. and Korematsu vs. U.S. that would nullify their convictions for violations of restrictions and serve as a symbol of apology by the court.

"We are trying to preserve the constitutional principles of our country," said one of the original defendants, Minoru Yasui, now a lawyer and director of the Denver Human Rights Commission.

"In this country, we try to rectify our errors," he told the Post. "The possibilities are not good, but it seemed to me we ought to make the effort."

Yasui said the defendants were "aiming" to file petitions by Dec. 15, possibly in the U.S. 9th Circuit Court of Appeals in California.



Another of the defendants, Gordon Hirabayashi, a

professor of sociology at the University of Alberta in Canada, said lawyers have been working on the petitions for months in Seattle and San Francisco under the direction of Peter H. Irons, a lawyer and scholar researching a book on the cases.

Irons told the Post he had found new information about alleged "destruction" of evidence by the government during the war that will form the basis for seeking a reopening of the cases. But he declined to provide details.

In seeking the internment of the Japanese Americans, the government claimed at the time that "military necessity" required the curfews and evacuation orders.

Hirabayashi and Yasui were convicted of violating the 8 p.m.-to-6 a.m. curfews imposed on Japanese Americans after the Pearl Harbor attack Dec. 7, 1941.

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