

## In This Issue #197

This is a Special Edition to cover the court hearing on the emergency motion for preliminary injunction to block Florida's new discriminatory housing law and a new movement emerging from the protests and rallies against the legislation in front of the courthouse.

- July 18, 2023 - A New Movement Emerges
- Florida State and Local Leadership
- Meet The Attorneys for The Plaintiffs
- National and Community Organizations Support and Leadership
- Color Yellow, Playbooks, and Tracking Hate
- Federal Level Support and Leadership

## July 18, 2023 - A New Movement Emerges



According to *NBC News* and multiple media reports on July 18, 2023, as U.S. District Court Judge **Allen Winsor** heard arguments for more than two hours on a motion to block Florida's new law that prohibits Chinese citizens from owning land in the state, multi-racial, multi-state,

and multi-generational protesters rallied against the legislation, slamming Gov. **Ron DeSantis** for the discriminatory measure.

An unusually large crowd packed the federal courthouse in Tallahassee indicating strong interest in the case.

American Civil Liberties Union (ACLU) lawyer **Ashley Gorski** said Florida's law is extreme and amounts to blanket discrimination against Chinese citizens by equating them to the Chinese Communist Party. She said there is no evidence that Chinese nationals pose a security threat. "This law is unjustified, unfair, and unconstitutional," said Gorski. "This is a highly unusual law," she told Judge Winsor. "Florida's law is truly extraordinary."

In June, the U.S. Department of Justice filed a [Statement of Interest](#) in support of the injunction. In the statement, federal attorneys propounded that provisions within the legislation violate the Fair Housing Act, as well as the Equal Protection Clause within the U.S. Constitution.

The protesters, led by several Asian American civil rights groups, gathered outside the Tallahassee courthouse in support of the group of Chinese immigrants who [sued the state](#) over the law, which went into effect July 1.

**Echo King** 金美声, president of the nonprofit group Florida Asian American Justice Alliance (FAAJA), which helped spearhead the rally, told *NBC News* that the law could have chilling effects. "This will legalize Asian hate," King said. "People will have a reason — legally they have a law backing them up — to hate. ... I can't even imagine what kinds of hate crimes will increase."

Local Asian American groups were joined by several national organizations, including Chinese for Affirmative Actions (CAA), Stop AAPI Hate, United Chinese Americans (UCA) as well as representatives of the Iranian and Latino American leaders and out of state community leaders who traveled from Alabama, N. Carolina, S. Carolina, Tennessee and Texas to support the plaintiffs. In their suit, the plaintiffs, who are in part represented by ACLU, argued that the law is a form of housing discrimination and in violation of the Fair Housing Act.

"Today we gather here to condemn Florida's 'alien land law' and to reject the dangerous trend of anti-Asian scapegoating," said **Nicholas Gee**, advocacy manager for nonprofit group Chinese for Affirmative Action, referring to [20th century laws](#), which were later deemed unconstitutional, that prohibited Asian immigrants from owning land. "This law is not just an attack on the property rights of individuals of Chinese descent; it is a stark reminder of the discriminatory practices of the past that we have fought so hard to overcome."

Protesters also argued that the "overbroad" law plays on harmful stereotypes portraying all Chinese immigrants as working for the Chinese government. "They have no evidence proving that these people coming from [China] and living in the U.S. have anything to do with national security issues," King said.

The complicated terms of the law, King said, could lead to racial profiling out of fear of possible repercussions. "There's no clear definition," she said. "This law subjects both buyer and seller

to civil and criminal penalties, so the sellers will be very reluctant to sell to any Chinese people because they can't tell if their house is in the restriction zone and they cannot tell if the buyer is from the restricted category. The law is very complicated and confusing.”

Drawing parallels between the Trump-era China initiative — a security program aimed at addressing Chinese economic espionage that was heavily criticized for racial profiling — as well as then-President **Donald Trump**'s “China virus” rhetoric amid the height of the Covid-19 pandemic, King said that legislation is likely to similarly stoke anti-Asian hate. She also noted that the legislation could have a larger impact on many groups across the Asian diaspora, not just Chinese Americans.

Florida is among several states — including Montana, Arkansas, Idaho and Tennessee — that have considered or proposed legislation restricting Chinese nationals from owning land. But not all have been implemented.

In Texas, a similarly controversial bill known as Senate Bill 147 [died in the state House](#) in May.

“There's people who are asking if they need to get out of the state, like right now,” Democratic Texas state Rep. **Gene Wu** 吳元之, who represents a heavily Chinese district, told *NBC News* in March. “I have never seen the Chinese community this active and this motivated in my entire adult life. The community is inflamed right now. They are enraged.”

Read the *NBC News* report: <https://nbcnews.to/3Y3kzye>



*Sinovision* assigned two reporters to provide an [onsite report](#) (12:49), which covered four segments in Chinese: background and overview, inside the courtroom, outside the courtroom, and interviews with the organizers and protesters from diverse backgrounds, including real estate agents, a university professor, and local Chinese community groups from Alabama,

California, North Carolina, South Carolina, Tennessee, Texas, and others states

佛州政府限制包括华人在内的 7 个国家公民在当地购买不动产的 SB264 法案 5 月初州长德桑蒂斯签字成为新法后，居住在当地的 4 位中国籍公民和 1 家主要服务华人的房地产公司迅速提起诉讼，并向佛州北区联邦法院申请临时禁令。周二下午，法院就此案召开公众听证。记者邱洪辉和鄢田去到现场进行全程跟踪报道。



### Additional media reports:

- AP News: [Florida ban on property purchases by citizens of China and some other countries is challenged](#)
- AsAmNews: [In Florida, protestors rally against discriminatory alien land law bill](#)
- CBS News: [Florida's Chinese land ownership law debated](#)
- News Service Florida: [Chinese Land Ownership Law Debated](#); [Orlando Sentinel](#); [Tampa Bay Times](#); [Tampa Free Press](#); [WGCU](#)
- Tallahassee Democrat: [Florida's Chinese land ownership law debated in court as protesters gather outside](#)
- The Capitolist: [Federal judge hears arguments over Chinese property ownership limitations](#)
- WPTV: [Injunction sought against Florida law banning foreign nationals from buying land](#)

### Photo Album:

Readers are urged to send their photos of the protest to [contact@apajustice.org](mailto:contact@apajustice.org) so that they can be added and shared at <https://bit.ly/3Q7SqEk>

## Photo Album - Tallahassee, Florida, July 18, 2023



## Florida State and Local Leadership



Florida State Representative [Anna Eskamani](#) spoke at the press conference in front of the courthouse. Born and raised in Orlando, Rep. Eskamani is the daughter of working-class immigrants who came to Florida from Iran in search of the American Dream. Anna went to Orange County Public Schools and then to the University of Central Florida. She earned dual degrees as an undergrad and graduate student, works as a nonprofit professional and is now getting her PhD in Public Affairs.

According to [the Capitolist](#), Florida House Minority Leader Rep. **Fentrice Driskell** weighed in on the matter on July 18, stating that the Senate bill crosses the line from security to discrimination and should be thrown out by the courts. "How can Governor DeSantis call this the 'free state of

Florida' when he's interfering with the rights of a community to buy a home here?" Said Driskell. "We cannot give in to this kind of fear, hate, or bigotry. The Chinese people are not the Chinese government, and we must reject the unjust and un-American idea that they should be subject to a separate set of rules than the rest of us."



The press conference and protests in front of the courthouse were organized by **Echo King 金美声**, President of [Florida Asian American Justice Alliance \(FAAJA\)](#), a 501(c)(4) non-profit organization whose work is to advocate for and advance justice and equality for the AAPI community and all Floridians, and **Jenny Liu 刘洁**, President of The Yick Wo Institution 益和学会. **Allegra "Ally" Harpootlian**, Communications Strategist, ACLU, was also on the ground as part of the organizing efforts.

The Yick Wo Institution is a new non-profit public policy organization registered in Washington, DC. The organization's name pays tribute to the historic legal battle fought by a Chinese immigrant in the era of the Chinese Exclusion Act, eventually reaching the U.S. Supreme Court. According to [Wikipedia](#), [Yick Wo v. Hopkins](#), decided on May 10, 1886, was the first case where the Supreme Court ruled that a law that is race-neutral on its face, but is administered in a prejudicial manner, is an infringement of the Equal Protection Clause in the Fourteenth Amendment to the U.S. Constitution. The landmark case ultimately led to the establishment of the fundamental principle that discrimination based on race, religion, national origin, and alienage is in direct violation of the Fourteenth Amendment.

Yick Wo was a laundry facility owned by Lee Yick. Lee Yick immigrated from China to California in 1861. After 22 years of managing the facility, provisions set out by the San Francisco Board of Supervisors said that he could not continue to run it in a wooden building. He continued to operate his laundry and was convicted and fined ten dollars for violating the ordinance. He sued after he was imprisoned in default for having refused to pay the fine. The Supreme Court held that while the law was not discriminatory, it had been applied with "an evil eye and an unequal hand" in singling out Chinese laundry business owner Lee Yick. The Yick Wo Institution takes on a new battle against Florida Senate Bill 264 with the same dedication of its namesake in addition to other issues.

## Meet The Attorneys for The Plaintiffs



In addition to **Ashley Gorski** of ACLU who presented the plaintiffs' arguments and rebuttals, attorneys **Clay Zhu 朱可亮** of DeHeng Law Offices and **Bethany Li** of the Asian American Legal Defense and Education Fund (AALDEF) were also present in the courtroom and spoke at the press conference. A full list of all the attorneys for the plaintiff, defendant, and amicus is located here: <https://bit.ly/3QfUiLO>.

**Madeleine K. Rodriguez** of Foley Hoag LLP, **Robert S. Chang** of Ronald A. Peterson Law Clinic of Seattle University School of Law, **Gabriel J. Chin** of UC Davis School of Law, and **Rose Cuison-Villazor** of Rutgers Law School are Counsels for Amici Curiae for [19 Racial Justice Centers, Affinity Bar and Professional Associations, and Civil Rights Advocacy Organizations in Support of Plaintiffs' Motion for Preliminary Injunction](#).

## National and Community Organizations Support and Leadership



Dr. **Sergio Lira**, President of Greater Houston LULAC and Vice President of Texas Multicultural Advocacy Coalition (TMAC), and his wife Mrs. **Maria Lira**, Chaplain of Greater Houston LULAC Council, flew in from Houston to speak at the press conference. Sergio spoke in English and Maria in Spanish.

Professor **Steven Pei 白先慎**, Co-Organizer of APA Justice and Founding Chair of UCA, also flew in from Houston to support the protests.

**Nicholas Gee**, Advocacy Manager, Chinese for Affirmative Action (CAA) and Stop AAPI Hate, flew in from California and spoke at the press conference.

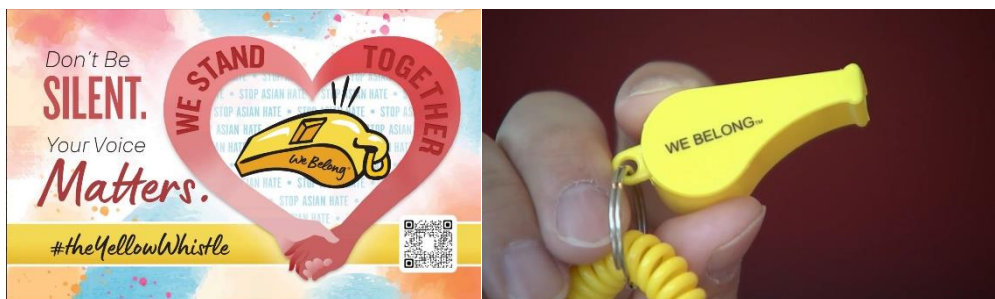
The National Iranian American Council (NIAC) issued a [statement](#) to support the Florida lawsuit and rally against S.B. 264, stating that "[w]e are proud that Iranian Americans will join and speak out against this xenophobic law, and we look forward to celebrating when it is overturned... NIAC emphatically supports these efforts in challenging and working to overturn xenophobic laws in the United States. Alien land laws from over 100 years ago had no place in the fabric of U.S. society then, and they certainly have no place in that same fabric today." **Myriam Sabbaghi** is NIAC National Organizing Director.

**Haipei Shue** 薛海培, President of UCA Chair, rode the "Freedom Bus" from Orlando to Tallahassee to attend the event. UCA released a Chinese-language report [全美华人维权代表聚集佛州首府听证会声援对 SB264 的起诉](#), including a short video about the "Freedom Bus" ride.

The National Fair Housing Alliance (NFHA) serves to eliminate housing discrimination and ensure equitable housing opportunities for all people and communities through its education and outreach, member services, public policy, advocacy, housing and community development, tech equity, enforcement, and consulting and compliance programs. It is working with a law firm, Relman Colfax PLLC, on SB 264 and alien land laws generally. Two attorneys from Relman Colfax, **Reed Colfax** and **Zoila Hinson**, reportedly attended the preliminary injunction hearing.

National Asian Pacific American Bar Association (NAPABA) reached out to the heads of all of the NAPABA chapters in Florida and encouraged members to attend the rally, including four affiliate organizations in Florida - Tampa Bay, Southern Florida (Miami), Orlando, and Jacksonville. NAPABA is one of the 19 organizations filing an amicus brief in support of the preliminary injunction which was announced in a [June 14 statement](#).

## Color Yellow, Playbooks, and Tracking Hate





*Help us*  
**TRACK HATE**

**IF THIS IS AN EMERGENCY,  
PLEASE DIAL 911.**

If you have experienced or witnessed an incident of anti-Asian hate, please report it. Sharing what happened makes a difference. It helps lawmakers understand what is happening to our community and helps us get the resources we need to better protect you and others.

When you report an incident to the National Asian Pacific American Bar Association (NAPABA), NAPABA will evaluate your submission, and if it determines that your situation may be suitable for legal help, they can provide a referral for appropriate pro bono assistance.

REPORT BY USING THE QR CODE OR GO TO  
[www.napaba.org/page/ReportaHateCrime](http://www.napaba.org/page/ReportaHateCrime)








Participants were encouraged to wear yellow as a symbol of unity at the press conferences and rallies.

In nature, yellow is the color of daffodils and sunflowers, signaling the advent of spring, bringing hope, optimism, and enlightenment. In America, yellow has been weaponized against Asians as the color of xenophobia.

In partnership with the [Yellow Whistle Project](#) (TYW), the Committee of 100 (C100) distributed hundreds of Yellow Whistles with the message of "We Belong" for the event. C100 is a non-partisan leadership organization of prominent Chinese Americans in business, government, academia, and the arts founded by **I.M. Pei** 貝聿銘, **Yo-Yo Ma** 马友友, **Oscar Tang** 唐驩千, **Henry Tang** 邓兆祥, **Shirley Young** 杨雪兰, and **Chien-Shiung Wu** 吳健雄. C100 is currently chaired by **Gary Locke** 骆家辉. Interim President and Executive Director is **Cindy Tsai**.

C100 is leading the effort to develop "playbooks" on building a national network on media communications and legislative advocacy with **Paula Madison**, retired NBCUniversal executive, **Helen Zia** 谢汉兰, Founder of the Vincent Chin Institute, like-minded organizations, and grassroots groups.

In partnership with NAPABA, TYW, the Anti-Defamation League, and the Asian American Education Project, C100 is also urging the communities and the public to report incidents of anti-Asian hate. Reporting incidents of hate makes a difference. It helps lawmakers understand what is happening to our community and helps us get the resources we need to better protect you and others.

When you report an incident to NAPABA, it will evaluate your submission, and if it determines

that your situation may be suitable for legal help, they can provide a referral for appropriate pro bono assistance. Report incidents to NAPABA at <https://www.napaba.org/page/ReportaHateCrime>.

## Federal Level Support and Leadership

On May 25, 2023, Reps. **Al Green** and **Judy Chu**, Chair of Congressional Asian Pacific American Caucus (CAPAC), introduced [H.R.3697 - Preemption of Real Property Discrimination Act](#). The bill preempts at the federal level state laws that would seek to deny foreign citizens the right to acquire real property in the United States.

Concerned organizations and individuals are urged to contact and express their support of H.R. 2697 to their congressional representatives (two senators, one representative, and appropriate committee members).

Inquiries about H.R. 3697 may be made to CAPAC Executive Director **Nisha Ramachandran** at [nisha.ramachandran@mail.house.gov](mailto:nisha.ramachandran@mail.house.gov) and CAPAC Policy Advisor **Casey Lee** at [Casey.Lee@mail.house.gov](mailto:Casey.Lee@mail.house.gov)

Read more coverage of the discriminatory alien land bills by APA Justice at: <https://bit.ly/43epBcl>

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