



May 4, 2020

Re: Opposing ACA-5

Honorable Assembly Members:

We have learned that Assembly Constitutional Amendment No. 5 (ACA-5) has been introduced to repeal Proposition 209. We strongly urge you to vote No on this bill!

To understand ACA-5, we have to remember what Proposition 209 is. In November 1996, Proposition 209 (also known as the California Civil Rights Initiative) amended the state constitution to prohibit state government institutions from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. In the 23 years that Proposition 209 took effect, California has become the most diversified state in the US. Also, we fully support comprehensive measures having since been introduced to help students from disadvantaged families obtain higher education.

On August, 28, 1962, MLK said, "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character." Yet, 58 years later, some Californian legislators are proposing to entirely repeal Proposition 209 and unfairly roll the clock back to legalize discriminating a person based on her/his race, sex, color, ethnicity, or national origin. We are outraged!

The 14th Amendment of the US Constitution clearly states that no state shall deny to any person within its jurisdiction the equal protection of its laws. ACA-5 re-introduces racial presences, still a form of racial discrimination, into the state law. Therefore, it violates the US Constitution. It will divide California and pit one group of citizens against another simply based on their race, sex, color, ethnicity or national origin. It will minimize the accomplishments of minority groups to a simple result of preferential treatment, a blow to their extraordinary hard work and sacrifice.

We initiated a [change.org petition](#) which has garnered more than 22,600 signatures and that number is growing. It speaks to the fact that Californians are against this divisive and backward bill.

We hereby strongly urge you to vote NO on ACA-5!

Sincerely,

Crystal Lu
President
Silicon Valley Chinese Association Foundation