

More on The Tao Case

On August 14, defense lawyers led by Peter Zeidenberg filed [a motion to dismiss](#) the government's case against Kansas University Professor Feng "Franklin" Tao. The reasons are compelling - the government misled and lied to the grand jury and failed to state an offense.

According to the defense lawyers, Dr. Tao does not face injustice alone. The prosecution has made clear that Dr. Tao is a paradigm case. It threatens to criminalize Chinese American scientists and the entire Chinese American community under the Department of Justice's "China Initiative."

Dr. Tao has courageously put up a fight, but the government's superseding indictments with slight variations are driving up his legal costs. Along with harassing tactics on him and his family, the government is trying to force a plead of guilt on Dr. Tao. There was no actual attempt by Dr. Tao to deceive or defraud. The government is criminalizing paperwork errors and scapegoating Chinese American scientists on international fundamental research that it has encouraged for decades.

Although the "China Initiative" is designed to prevent and punish illegal technology transfers to China, less than one third of its prosecutions are based on economic espionage charges. None of the cases against Chinese American scientists has an allegation that an illegal transfer actually occurred.

In the meantime, the government has stated publicly that it considers the Tao prosecution to be a new blueprint that it intends to follow in other cases. This could open the floodgate to criminalize many other innocent Americans.

Read more at <https://bit.ly/3fZWJvK>

Dr. Wen Ho Lee Revisited

September 13, 2020, will be the 20th anniversary of the occasion when Judge James Parker offered an apology to Dr. Wen Ho Lee, a nuclear physicist at the Los Alamos National Laboratory wrongly accused of spying for China. Dr. Lee walked out of the courtroom a free man that day and later won a civil suit settlement.

APA Justice is loosely patterned after a similar community task force in the 1999-2000 [Department of Energy \(DOE\) Task Force Against Racial Profiling](#). The government has removed these historical records from public access. Our special thanks to the Federation of American Scientists for preserving these and related records.

A story that has not been known until now is a visit led by Committee of 100 Founder I.M. Pei to the New York Times Editorial Board to protest its biased reporting on Dr. Lee. It led to [an unprecedented review and regret by the New York Times](#) less than 2 weeks after Dr. Lee's release.

Racial profiling of Chinese American scientists and researchers continues and has intensified today.

The Far Right Has Infiltrated The Police

On August 27, 2002 The Guardian reported that [White supremacists and militias have infiltrated police across US](#), including documented links between serving police officers and racist militant activities in more than a dozen states. On August 28, 2020, Mike German, a former FBI agent and a fellow at the Brennan Center for Justice's Liberty and National Security Program, published an opinion titled [The FBI warned for years that police are cozy with the far right. Is no one listening?](#)

According to the reports, the presence of active white supremacists in law enforcement must be treated as a matter of urgent concern. The criminal justice system "can never achieve its purported goal of fairness while white supremacists continue to hide within police departments".

Upcoming Activities

2020/09/02-03 Asia Society Southern California hosts [Standing Against Racism in the Time of COVID \(Part II\)](#). Featured speakers include The Reverend James M. Lawson, Jr.; Stewart Kwoh, Viet Thanh Nguyen, Nikole Hannah-Jones, Anthony Jackson, and Frank H. Wu.

2020/09/08 Asian Pacific American Law School Students Association hosts [a Virtual Conversation with Frank H. Wu: Asian Americans at a Crossroads - Covid-19, #BLM, Discrimination and Allyship](#).

2020/09/12-20 Asian American Unity Coalition hosts [the National Civic Leadership Forum](#). Registration has begun at <https://bit.ly/3lqpMfT>.

2020/09/14 APA Justice holds monthly meeting, featuring [Dr. David Zweig](#), Professor Emeritus of Hong Kong University of Science and Technology, and his paper [America Challenges China's National Talent Programs](#).

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