

### Equal Protection and the Yick Wo v. Hopkins Case: Teacher Key

Directions: While reading each historical source, think about what each says and means. Then decide if this information convinces you that the law is fair. List any questions you may have. Ultimately, you are to decide if the law is fair or not.

| SOURCE   | What does it <u>say</u> ?<br>Write down important facts or quotes.   | What does it <u>mean</u> ?<br>Write down your interpretation of the important facts and quotes.  | Does this source show that there is equal protection under the law? In other words, was the law enforced equally? Explain.  | What questions do you have?  |
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| A – San Francisco Ordinance 156, passed May 1880           | <ul style="list-style-type: none"> <li>*anyone who operates a laundry must get permission from the SF Board of Supervisors, unless it is in a brick or stone building</li> <li>*anyone who uses scaffolding needs to tell the SF Board of Supervisors why and get permission</li> <li>*there is jail, fine, or both if you break this law</li> </ul> | <ul style="list-style-type: none"> <li>*anyone who wants to operate a laundry business in a wooden building must get permission from the SF Board of Supervisors.</li> </ul> | Responses will vary. Possible responses: Hypothetically there is equal protection under the law because it is saying anyone can operate a laundry that is not in a brick or stone building so long as they get permission. Some may disagree and say that this only protects those who operate in brick or stone buildings, not wooden buildings. | Possible questions may include: <ul style="list-style-type: none"> <li>*Why do laundries in brick and stone buildings not need permission?</li> <li>*What is scaffolding?</li> <li>*What does scaffolding have to do with laundry?</li> <li>*How many people operate laundries in San Francisco?</li> <li>*Why would you need permission to start a laundry business, and did other businesses need permission?</li> </ul> |
| B – description of laundries in San Francisco in the 1880s | <ul style="list-style-type: none"> <li>*laundry was done by hand</li> <li>*it took some money and materials to start a laundry business</li> <li>*most of San Francisco’s laundries were in wooden buildings</li> </ul>  | <ul style="list-style-type: none"> <li>*it was hard work because it was done entirely by hand</li> <li>*San Francisco laundries might be considered a fire hazard</li> </ul> | This shows that the city was thinking about people’s safety from fire. It does not explicitly say how the ordinance was enforced.   | Possible questions may include: <ul style="list-style-type: none"> <li>*How much money did people make in laundry?</li> <li>*How did laundries catch fire?</li> <li>*Who was in the laundry business?</li> </ul>   |

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| C – description of laundry owners in San Francisco in the 1880s                              | *1,300 Chinese Americans were in the laundry business<br>*240 of the 320 laundries in San Francisco were Chinese owned  | *a majority of the laundries in San Francisco were Chinese-owned   | This does not show if there was or was not equal protection before the law.  | Possible questions may include:<br>*Who else operated laundry businesses?<br>*How much does it matter if the majority of laundries were owned by Chinese people?  |
| D – number of petitions granted and denied by the San Francisco Board of Supervisors in 1883 | *201 petitions by Chinese laundry owners were denied<br>*79 petitions by non-white laundry owners were granted  | *the race of the laundry owner was a reason to grant or deny petitions   | The number of petitions shows that there was not equal protection before the law for Chinese laundry owners in San Francisco, and that the ordinance was enforced unfairly | Possible questions may include:<br>*Why don't Chinese laundry owners change from wood to brick buildings?<br>*Why would the Board deny the petitions of the Chinese laundry owners but grant permits to the white laundry owners? |
| E – Lee Yick's story   | *Lee Yick operated his laundry for 22 years before the ordinance passed<br>*His laundry business passed fire and health inspections<br>*He was arrested in 1885 for operating in a wooden laundry | *Lee Yick tried to make sure that his laundry was safe, but only because of the new ordinance was he violating a law | Although Lee Yick's laundry passed fire and health inspections, the sheriff still arrested him for operating a laundry in a wooden building.                               | Possible questions may include:<br>*What did Lee Yick decide to do?<br>*Is this fair?   |
| F – Yick Wo v. Hopkins case  | *Lee Yick took his case to court, and on appeal, it went to the U.S. Supreme Court  | *the ordinance was enforced in a discriminatory way based on the petitioners' race                                   | The ruling shows that the enforcement of the law targeted only Chinese laundry owners, and not white laundry owners.   | Questions will vary.  |

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|  | <p>*The Supreme Court ruled that the ordinance might sound fair, but it was administered in a way that was unfair</p> <p>*The justices said that since Board of Supervisors denied the request of every Chinese petitioner, while approving the petitions of nearly all non-Chinese laundry owners, it was clear that there was racial discrimination</p> <p>*The justices used the equal protection clause of the 14<sup>th</sup> Amendment to support their ruling</p> |  |  |  |
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Reading Questions:

**1. Who or what provided equal protection under the law for Lee Yick? How?**

The U.S. Supreme Court provided equal protection under the law for Lee Yick by hearing his case and ruling that the sheriff did not indiscriminately enforce the law. The evidence shows which laundry owners were granted permits.

**2. Who or what denied equal protection under the law for Lee Yick? How?**

The San Francisco Board of Supervisors denied Lee Yick equal protection by creating an ordinance that appeared to be neutral but was unfairly enforced to target Chinese laundrymen. All the petitions but one of white laundry owners were granted.