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Second ruling favors comfort-women statue

Judge says park memorial in recognition of comfort women has precedent.

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The Comfort Women Statue is located in Central Park in Glendale. (Tim Berger / Staff Photographer / April 14, 2014)

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By Arin Mikailian, arin.mikailian@latimes.com
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A controversial statue in Glendale's Central Park will stay standing after another judge ruled in favor of the monument dedicated to women forced into sex slavery by the Japanese Imperial Army during World War II.

L.A. County Superior Court Judge Michael Linfield handed down the decision Monday in the most recent case filed by Glendale resident Michiko Shota Gingery and the nonprofit Global Alliance for Historical Truth.

The plaintiffs demanded the removal of the statue in their lawsuit, claiming the monument interfered with the federal government's Foreign Affairs Power and that the Glendale City Council should have voted on the wording of the

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monument's inscription.

In his ruling, Linfield wrote that historically, states and cities have passed resolutions in support of various foreign policy issues.

"If plaintiff's argument were correct then such historically routine activities undertaken by state and local government throughout the country would all be unconstitutional," the judge wrote in his decision.

Last year, U.S. District Court Judge Percy dismissed a similar case, though the plaintiffs have filed an appeal against the federal ruling that is still pending.

Deputy City Atty. Andrew Rawcliffe said he was fairly confident the court would side with the city because the comfort-women statue fell under "protected activity."

"Our whole position is that the city of Glendale has a right to comment on historical events," he said. "It does not constitute a violation of the Foreign Affairs."

William DeClercq, attorney for the plaintiffs, did not return phone calls for comment.

Officials with the Global Alliance for Historical Truth have said in the past that the comfort-women statue puts Japan in a negative image and that the nonprofit wants to present a balanced examination of the issue of wartime prostitution.

Rawcliffe, along with City Atty. Mike Garcia, said they appreciated the work done by a team of litigators at the law firm Sidley Austin who worked to represent the city in the superior court case pro bono.

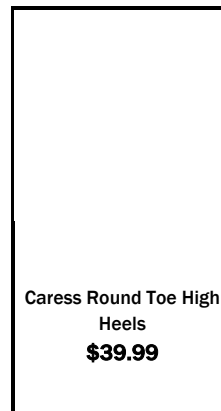
The 1,100-pound statue depicting a sitting woman wearing Korean garb is a memorial to sex slaves during World War II that was erected in July 2013.

The monument has won support from the Korea-Glendale Sister City Assn. and the Korean American Forum of California.

Supporters of former comfort women said an estimated 80,000 to 200,000 women from Korea, China and other countries were mistreated from 1932 to 1945. An ex-prime minister from Japanese has since apologized for their treatment.

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