



For Immediate Release
Friday, March 30, 2018

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LDF Files Supreme Court Amicus Brief Against Trump Administration’s Discriminatory Muslim Ban

Government’s Reliance on Unsubstantiated Concerns Regarding National Security Echoes Dark Chapters of American History

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF) filed an amicus [brief](#) before the Supreme Court in *Trump v. Hawaii* opposing the Administration’s Presidential Proclamation banning large numbers of immigrants from eight nations – six of which are predominantly Muslim – from entering the United States. While purportedly justified by national security concerns, this ban represents the Administration’s latest effort to implement President Trump’s campaign promises to ban Muslims from entering this country after prior iterations were invalidated by federal courts.

“This Order is still nothing more than an attempt to legalize discrimination against Muslims,” said [Ajmel Quereshi](#), LDF Senior Counsel. “Not only is the ban unnecessary, given the extensive vetting procedures already in place for those seeking admission to the United States, but it would result in the traumatization and separation of American families.”

In its amicus brief, LDF explains how the Proclamation evokes the most shameful periods of our nation’s history: the stereotype that African Americans were inherently dangerous was used to justify slavery and Jim Crow laws, and the same stereotype about Japanese Americans was used to justify their internment during World War II.

“This is a moment that tests us as a nation, and the Supreme Court as an institution,” said LDF’s Director of Litigation [Samuel Spital](#). “Future generations will look back and either laud the Court for the courage to stand on the right side of history, as it did in unanimously striking down segregation in *Brown v. Board of Education*, or wonder how the Court could allow the President to trample on the Constitution, as it did in permitting the Japanese American internment in *Korematsu v. United States*.”

Last year, LDF [successfully argued](#) *Buck v. Davis* in the Supreme Court. In that case, Duane Buck’s own lawyer presented an expert witness who testified that he was more likely to commit violent acts in the

future because he is Black at the sentencing phase of his capital trial. The Court denounced the racial stereotyping in overturning Mr. Buck's death sentence and reaffirmed the fundamental constitutional principle that our law punishes people for what they do, not who they are. The idea that Muslims are inherently violent is likewise a myth, and government action infected by that false stereotype cannot be tolerated under our Constitution.

Read LDF's full amicus brief [here](#).

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.