THE NAACP STRONGLY URGES THE U.S. SENATE TO THOROUGHLY VET AND REVIEW ANY SUPREME COURT NOMINEE TO FILL THE VACANCY LEFT BY JUSTICE ANTHONY KENNEDY’S RETIREMENT


THE ISSUE:

The announcement on June 27 by Supreme Court Justice Anthony Kennedy that he is retiring from the bench is monumental. In a number of historic Supreme Court decisions Justice Kennedy cast the decisive 5th vote on a deeply divided court. Sometimes the NAACP agreed with and applauded his position (such as in the 4-3 decision to uphold Affirmative Action programs in education in the seminal Fisher v. University of Texas case; or the landmark 5-4 decision to permit same-sex couples to marry nationwide in the 2015 Obergefell v. Hodges) and at times we disagreed with him (including the 2000 5-4 decision in Bush v. Gore or the 5-4 decision in the 2013 Shelby v. Holder case which decimated the 1965 Voting Rights Act or the recent anti-Union 5 - 4 decision in Janus v. AFSCME). These decisions demonstrate that the balance of the Court can shift dramatically with the actions of one Supreme Court Justice.

As a candidate for President, Donald Trump put out a list of 25 individuals he says he will choose from to nominate someone to fill a vacancy on the U.S. Supreme Court when needed. If confirmed by the U.S. Senate, any one of the candidates on this list would be a disaster for the protection of civil and human rights and civil liberties. After thorough research and review, we have concluded that everyone on that list holds destructive legal perspectives, appearing more concerned about promoting extremist right-wing philosophy and ideology than accurately interpreting the Constitution or protecting the civil rights, civil liberties, and voting rights of all Americans. This is especially important to racial, ethnic, and religious minorities, because in any given term the Court decides important cases regarding voting rights; equal educational opportunity; employment discrimination; fair housing; access to health care; the environment; immigration; equality for the LGBTQ community; women’s rights; and criminal justice issues, among others.

The stakes for nominating a new Supreme Court Justice could not be higher at this moment in our history. The Court is meant to be an unbiased guardian of rights and liberties of all Americans. The country desperately needs a fair-minded and independent jurist on the Supreme Court. Now is not the time for a divisive and biased appointment who will further shake the public’s faith in our nation’s justice system. The constitutional process for appointing and confirming the next justice must be thoughtful, careful, deliberative, and conducted with well-informed bipartisan support. The Senate should not consider a nominee until a new Senate is seated next year, after the results of the midterm election are in place. This will fully allow the American people, those who will be most affected by the confirmation, to have a voice in the selection of the nominee. Moreover, the new Senate should ensure that the nominee has a demonstrated commitment to equal justice and civil rights for all. The names identified on President Trump’s shortlist do not meet those qualifications. For the good of the American people, we urge the President and the U.S. Senate to carefully exercise their respective roles under the Constitution in light of the consequential impact of this nomination on our country.
THE ACTION WE NEED YOU TO TAKE:
Contact both your Senators and URGE THEM TO WAIT UNTIL 2019 TO VOTE ON A SUPREME COURT JUSTICE NOMINEE AND TO REJECT ANYONE WHO IS AN EXTREMIST IDEOLOGUE.

To contact your Senators, you may:

✓ Make a Phone Call:
Call your Senators in Washington by dialing the Capitol Switchboard and asking to be transferred to your Senators’/Congressman’s offices. The switchboard phone number is (202) 224-3121 (see message section, below).

✓ Write a Letter
To write letters to your Senators, send them to:
The Honorable (name of Senator)
U.S. Senate
Washington, D.C. 20510

✓ Send a Fax
If you would like to send a fax, call your Senators’ offices (through the Capitol switchboard) and ask for their fax numbers (you can use either the attached sample letter or the message box, below).

✓ Send an E-Mail
To send an e-mail to your Senators, go to www.senate.gov; click on “Find Your Senators”. Look up your Senators by state; go to their web sites for e-mail addresses.

REMEMBER TO CONTACT BOTH YOUR SENATORS!!!!!

THE MESSAGE

● Our community knows better than most about the crucial role the Supreme Court plays in establishing and protecting civil rights. With cases like Brown v. Board of Education, the Supreme Court has been strategic to our progress in the struggle for civil rights for all Americans.

● The Supreme Court is the last line of defense on civil rights. It has the final say on our rights under the American Constitution.

● In any given term, the Court decides important cases regarding voting rights, equal educational opportunity, employment discrimination, fair housing, access to health care, the environment, immigration, equality for the LGBTQ community, women’s rights, and criminal justice issues.

● The stakes for nominating a replacement could not be higher at this moment in our history. Now is not the time for a divisive and biased appointment who will further shake the public’s faith in our nation’s justice system.

● The constitutional process for appointing and confirming the next justice must be careful, deliberative and conducted with bipartisan support. The Senate should not rush to consider a nominee until a new Senate is sworn in, in January 2019, after the results of the 2018 midterm election are in place. This will fully allow the nominee to be thoroughly vetted, and the American people, those who will be most affected by the confirmation, to have a voice in this crucial part of the democratic process.

THANK YOU FOR YOUR ATTENTION TO THIS IMPORTANT MATTER!!!
If you have any questions, call Hilary Shelton at the Washington Bureau at (202) 463-2940.

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(date)

The Honorable ___________________________
United States Senate
Washington, D.C.  20510

RE: DO NOT RUSH THROUGH THE CONFIRMATION OF THE NEXT SUPREME COURT JUSTICE

Dear Senator __________________________;

As your constituent, I am very concerned about who will be the next person confirmed to a life-time appointment to the U.S. Supreme Court. I understand all too well the crucial role the Supreme Court plays in establishing and protecting civil rights. With cases like Brown v. Board of Education, the Supreme Court has been strategic to our progress in the struggle for civil rights for all Americans. The Supreme Court is the last line of defense on civil rights, human rights, and civil liberties. It has the final say on our rights under the American Constitution. In any given term, the Court decides important cases including those regarding civil rights, voting rights, equal educational opportunity, employment discrimination, fair housing, access to health care, the environment, immigration, equality for the LGBTQ community, women’s rights, and criminal justice issues.

The stakes for nominating a replacement could not be higher at this moment in our history. Now is not the time for a divisive and / or biased appointment who will further shake the public’s faith in our nation’s justice system. The constitutional process for appointing and confirming the next justice must be careful, deliberative and conducted with bipartisan support. The Senate should not rush to consider a nominee until a new Senate is sworn in, in January 2019, after the results of the 2018 midterm election are in place. This will fully allow the nominee to be thoroughly vetted, and the American people, those who will be most affected by the confirmation, to have a voice in this crucial part of the democratic process.

Please do all you can to ensure that the next Supreme Court Justice is qualified and that he or she cares more about Americans’ constitutional rights than about promoting an extremist ideology. I look forward to hearing from you soon to let me know of your intentions and for your advice on what more I can do to ensure that cool heads and the deliberative process reign.

Sincerely,

(sign and print your name and remember to include your address)

Remember to contact BOTH your U.S. Senators.