



National Asian Pacific American Bar Association

Organizational Statement

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NAPABA Denounces Donald Trump's Racist Attacks on Judges

The National Asian Pacific American Bar Association (NAPABA) denounces Donald Trump's recent remarks accusing Judge Gonzalo Curiel of partiality because he is of Mexican descent. Judge Curiel, who was born in Indiana to Mexican immigrant parents, currently serves on the United States District Court of the Southern District of California. Mr. Trump has claimed that Judge Curiel should be disqualified from adjudicating a case to which Mr. Trump is a party because Judge Curiel is "Mexican" and because Mr. Trump believes that his support of the building of a wall along the U.S.-Mexico border creates "an inherent conflict of interest" with the judge. Mr. Trump later expanded his position to include Muslim judges, whom Mr. Trump believes would be unable to preside fairly over cases to which he is a party because of his public policy positions.

Judges should not be accused of unfair bias because of their race, ethnicity, national origin, or religion. When Donald Trump questions the independence, fairness, and impartiality of a judge simply because he is the son of immigrants or adheres to a particular religion, he sends a strong message to the American people against diversity in the judiciary and he undermines public trust in the rule of law.

"NAPABA has never endorsed a Presidential candidate, and does not intend to do so this year," said NAPABA President Jin Y. Hwang. "We speak out against Donald Trump because his remarks calling into question the ability of judges to be fair and impartial based on their ethnic background or religion are contemptible. This critique is not about politics — it is about fundamental respect for the judicial branch and those who serve in it. The fact that the comments came from a Presidential campaign podium only serves to make the comments even more disturbing — and dangerous."

Unfortunately, similar charges have been made against respected Asian Pacific American jurists. In *MacDraw Inc. v. CIT Group Equipment Financing Inc.*, 138 F.3d 33 (2d Cir. 1998), lawyers criticized Judge Denny Chin for alleged bias due to his ethnicity. Fortunately, the

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reviewing court condemned the charges and Chief Judge Ralph Winter of the Second Circuit Court of Appeals — one of the most respected jurists ever appointed to the federal bench by President Ronald Reagan — made clear that the race of a judge is an impermissible basis for attacking a judge's impartiality, and even went so far as to approve sanctions against the attorneys by forbidding them from ever appearing again in federal court in New York.

As the national representative of Asian Pacific American lawyers and judges, NAPABA strongly rejects the notion that judges of diverse backgrounds are unable to fulfill their Constitutional duties in a fair and impartial manner. Asian Pacific American judges from varied and different backgrounds ably serve as fair and impartial jurists who are dedicated to the fair application of the rule of law in the United States and they should not be subjected to speculative and unfounded attacks based on their race, ethnicity, national origin, or religion.

For more information, the media may contact Brett Schuster, NAPABA communications manager, at 202-775-9555 or bschuster@napaba.org.

The National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors, and law students. NAPABA represents the interests of almost 50,000 attorneys and approximately 75 national, state, and local Asian Pacific American bar associations. Its members include solo practitioners, large firm lawyers, corporate counsel, legal services and non-profit attorneys, and lawyers serving at all levels of government.

NAPABA continues to be a leader in addressing civil rights issues confronting Asian Pacific American communities. Through its national network of committees and affiliates, NAPABA provides a strong voice for increased diversity of the federal and state judiciaries, advocates for equal opportunity in the workplace, works to eliminate hate crimes and anti-immigrant sentiment, and promotes the professional development of people of color in the legal profession.

To learn more about NAPABA, visit www.napaba.org, like us on [Facebook](#), and follow us on Twitter ([@NAPABA](#)).