

FEDERAL JUDGE ALLOWS LAWSUIT TO PROCEED AGAINST TRUMP BIGOTRY

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To be a decent nation within the norms of common decency and the intent of the US Constitution, we must resist and reject bigotry in all its forms.”

Ben Mitchell

LETTER TO THE EDITOR, April 3

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TO THE EDITOR:

On March 29, a federal judge rejected the US Justice Department argument that, just because the president repeatedly makes racially and culturally bigoted remarks – like calling Mexicans thugs, animals, and bad hombres – that doesn’t prove his actions against minorities are based on his bigotry.

“Plaintiffs have alleged sufficient facts to raise a plausible inference that the DACA [Deferred Action for Childhood Arrivals] rescission was substantially motivated by unlawful discriminatory purpose,” Judge Nicholas Garaufis wrote in his ruling to allow *Batala Vidal v. Baran et.al*, a suit against the government’s immigration plans, to go forward

Or to put it in lay terms, the immigrant Dreamers, people who were brought here as children and have grown up as American as you or I, were and very likely still are targets of the president’s vitriolic hatred expressed at the start of his campaigning when he called all Mexican immigrants criminals, drug dealers, rapists, and “some, I assume, are good people.”

Rejecting the Justice Department's motion to dismiss the case, Judge Garaufis wrote dryly: "Although the use of racial slurs, epithets, or other racially charged language does not violate equal protection per se, it can be evidence that official action was motivated by unlawful discriminatory purposes." Again, in lay terms that means that when a known bigot does something bigoted, then perhaps his bigoted action is derived from his expressed bigotry. Just maybe.

In February, Judge Garaufis issued an injunction (like one issued earlier in California), preventing the Trump administration from carrying out mass deportations under DACA until the case is tried on its merits. The judge wrote: "One might reasonably infer that a candidate who makes overtly bigoted statements on the campaign trail might be more likely to engage in similarly bigoted action in office."

Judge Garaufis's ruling should allow the case to go to trial and be determined by the evidence: "The court does not see why it must or should bury its head in the sand when faced with overt expressions of prejudice. The court is aware of no authority holding that this rule does not apply simply because the speaker is, or is running to be, the President of the United States."

Bigotry is soul-destroying for everyone, as our bigot-in-chief in the White House demonstrates almost daily. To be a decent nation within the norms of common decency and the intent of the US Constitution, we must resist and reject bigotry in all its forms.

Benjamin L
Committee to Elect Ben Mitchell
802-289-4838
email us here

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