



1 Washington Lawyers' Committee for Civil Rights and Urban Affairs, through undersigned  
2 counsel, respectfully seek leave to file the attached *amici curiae* brief.

3 All parties have consented to the filing of this *amici* brief.

4 **Interest of Amici**

5 *Amici* are national and regional civil rights groups interested in the promotion of civil  
6 liberties throughout the country, and the elimination of discrimination in any form:  
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8 1. The National Association for the Advancement of Colored People (NAACP) is  
9 the nation's largest and oldest civil rights grassroots organization. Since its founding in 1909,  
10 the mission of the NAACP has been to ensure the political, educational, social, and economic  
11 equality of all persons and to eliminate race-based discrimination. The NAACP has fought in  
12 the courts for decades to protect the guarantee of equal protection under law. To advance its  
13 mission, the NAACP has represented parties in landmark civil rights cases, perhaps most  
14 famously in *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954), which outlawed  
15 segregation in public schools. The NAACP also has filed numerous *amicus* briefs over its  
16 decades of existence in cases that significantly impact minority groups.  
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18 2. The Advocates for Youth (Advocates) is a nonprofit organization that helps young  
19 people make informed and responsible decisions about their reproductive and sexual health. For  
20 more than three decades, Advocates has partnered with youth leaders, adult allies, and youth-  
21 serving organizations to advocate for effective adolescent reproductive and sexual health  
22 programs and policies. In 2017, Advocates launched the Muslim youth Leadership Council  
23 (MyLC). MyLC is a yearlong Leadership Council dedicated to bringing together young Muslim-  
24 identifying people in the United States and furthering their goals of becoming leaders within their  
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1 communities and beyond. Each year MyLC recruits and trains 15-20 young people who advocate  
2 for the inclusion of young Muslim-identifying people in the planning, implementation, and  
3 evaluation of Reproductive Justice related programming and policies at the local, state, and  
4 federal levels.

5 3. The Chicago Lawyers' Committee for Civil Rights (CLCCR) is a nonprofit public  
6 interest law organization founded in 1969. CLCCR works to secure racial equity and economic  
7 opportunity for all. CLCCR provides legal representation through partnerships with the private  
8 bar, and collaborates with grassroots organizations and other advocacy groups to implement  
9 community-based solutions that advance civil rights. In all practice areas, including education  
10 equity, fair housing, economic opportunity, hate crime prevention, and voting rights, CLCCR  
11 advocates for immigrants who have been subject to racially-discriminatory governmental  
12 practices and policies. CLCCR's goal is to ensure that America fulfills its promise of democracy  
13 and equal justice for all.

14 4. The Judge David L. Bazelon Center for Mental Health Law is a national public  
15 interest organization founded in 1972 to advance the rights of individuals with mental disabilities.  
16 The Bazelon Center advocates for laws and policies that provide people with mental illness or  
17 intellectual disabilities the opportunities and resources they need to participate fully in their  
18 communities. Its litigation and policy advocacy is based on the Americans with Disabilities Act's  
19 guarantees of non-discrimination and reasonable accommodation. People with mental illness or  
20 intellectual disability commonly face discrimination based on myths and stereotypes, and the  
21 eradication of such discrimination is among the Bazelon Center's primary goals.

1           5.       The Mississippi Center for Justice is a nonprofit public interest law organization  
2 founded in 2003 in Jackson, Mississippi and committed to advancing racial and economic justice.  
3 Supported and staffed by attorneys and other professionals, the Center develops and pursues  
4 strategies to combat discrimination and poverty statewide. One of amicus' original areas of  
5 interest involved predatory loan practices directed at migrant poultry workers, and MCJ has  
6 remained concerned about the plight of Mississippi's growing immigrant population for the last  
7 decade, particularly in the areas of access to healthcare, education, housing, and fair lending.  
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9           6.       The National Center for Lesbian Rights (NCLR) is a national non-profit legal  
10 organization dedicated to protecting and advancing the civil rights of lesbian, gay, bisexual, and  
11 transgender people and their families through litigation, public policy advocacy, and public  
12 education. Since its founding in 1977, NCLR has played a leading role in combating  
13 discrimination and securing fair and equal treatment for LGBT people and their families in cases  
14 across the country involving constitutional and civil rights. NCLR has a particular interest in  
15 protecting the rights of LGBT immigrants and other immigrants to this country. Since 1994,  
16 NCLR's Immigration Project has provided free legal assistance to thousands of LGBT  
17 immigrants nationwide through, among other services, direct representation of immigrants in  
18 impact cases and individual asylum cases and advocacy for immigration and asylum policy  
19 reform.  
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22           7.       People For the American Way Foundation (PFAWF) is a nonpartisan civic  
23 organization established to promote and protect civil and constitutional rights, including religious  
24 liberty and freedom from discrimination. Founded in 1981 by a group of civic, educational, and  
25 religious leaders, PFAWF now has hundreds of thousands of members nationwide. Over its  
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1 history, PFAWF has conducted extensive education, outreach, litigation, and other activities to  
2 promote these values. PFAWF strongly supports the principles that it violates the First  
3 Amendment and civil rights principles for government to take action that, effectively or on its  
4 face, harms one particular religious group. This is especially important because of the additional  
5 harm such government opprobrium can and has caused, and with respect to particularly  
6 vulnerable populations like immigrants, as in this case.  
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8 8. The Southern Coalition for Social Justice is a nonprofit public interest law  
9 organization founded in 2007 in Durham, North Carolina. SCSJ partners with communities of  
10 color and economically disadvantaged communities in the south to advance their political, social,  
11 and economic rights through the combination of legal advocacy, research, organizing, and  
12 communications. Originally, one of amicus' primary practice areas was immigrants' rights,  
13 which remains important to its mission. SCSJ frequently advocates on behalf of immigrants who  
14 have been subject to racially-discriminatory governmental practices, and promotes the  
15 application of basic human rights principles to policies affecting migrant communities.  
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18 9. The Washington Lawyers' Committee for Civil Rights and Urban Affairs is a  
19 non-profit civil rights organization established to eradicate discrimination and poverty by  
20 enforcing civil rights laws through litigation. In furtherance of this mission, the Washington  
21 Lawyers' Committee has a dedicated Immigrant Rights Project, which has served as a critical  
22 resource for some of the most vulnerable populations in the Washington, D.C. area: newcomers  
23 and non-English speakers, who are often discriminated against on the basis of their religious  
24 background or national origin, and who are often unaware of their legal rights and protections.  
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**Summary of Argument**

In promotion of their interests, *amici* respectfully submit this brief to advance a key argument in support of granting the plaintiffs’ request for injunctive relief.

*Amici* submit that the balance of equities and public interest weigh heavily in favor of enjoining President Trump’s September 24, 2017 Executive Order, “Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry into the United States by Terrorists or Other Public-Safety Threats” (the “Executive Order”), as it improperly promotes social categorization and stereotyping that endangers the lives and well-being of individuals of the Muslim faith. The Executive Order is the product of several centuries of Muslim stereotyping in this country, and harms even those who are not the direct victims of specific attacks on immigrants. Here, the evidence demonstrates that, regardless of the Government’s *post-hoc* explanations, the Executive Order was motivated by animus toward Muslims and singled out, as a proxy, those born in the targeted majority-Muslim countries.

No counsel for any party participated in the authoring of this document, in whole or in part; no party or party’s counsel contributed any money that was intended to fund preparation or submission of the brief; and no person, other than *amici curiae*, their members and their counsel, contributed money that was intended to fund preparation or submission of the brief.

Therefore, *amici* respectfully request that this Court grant their consent motion to participate as *amici* in the consolidated cases.

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1 DATED this 4<sup>th</sup> day of December, 2017.

2 Respectfully submitted,

3 */s/ Michael C. Subit*

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**Local Civil Rule 7.1 Corporate Disclosure Statement**

Pursuant to Local Civil Rule 7.1, *Amici* National Association for the Advancement of Colored People, Advocates for Youth, Chicago Lawyers' Committee for Civil Rights Under Law, Judge David L. Bazelon Center for Mental Health Law, Mississippi Center for Justice, National Center for Lesbian Rights, People for the American Way Foundation, Southern Coalition for Social Justice, and Washington Lawyers' Committee for Civil Rights and Urban Affairs, hereby certify as follows: *Amici* have no parent corporations, have no stock, and are not a joint venture, limited liability corporation (LLC), partnership, or a limited liability partnership (LLP). *Amicus* People for the American Way Foundation is a non-profit affiliate of People for the American Way, a 501(c)(4) social welfare association.

DATED this 4<sup>th</sup> day of December, 2017.

Respectfully submitted,

*/s/ Michael C. Subit*

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STIPULATED MOTION FOR LEAVE TO  
FILE AMICI CURIAE BRIEF – 8  
(Case No. C17-1707-JLR)

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 4, 2017, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all of the registered CM/ECF users for this case.

I hereby declare under the penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

DATED this 4<sup>th</sup> day of December, 2017.

/s/ Michael C. Subit

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