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NEWS RELEASE

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NAPIPA URGES PRESIDENT OBAMA TO NOMINATE A QUALIFIED ASIAN AMERICAN JUSTICE TO THE SUPREME COURT

SAN JOSE, CA – The National Asian Pacific Islander Prosecutors Association (“NAPIPA”) urges President Obama to nominate a qualified Asian Pacific Islander (“API”) Supreme Court Justice.

NAPIPA is a non-profit professional organization dedicated to advancing the interests of prosecutors of API heritage and promoting a greater understanding of the criminal justice system in the API community. NAPIPA has members across the country, consisting of federal, state and local prosecutors, elected officials, and law students. NAPIPA is currently made up of five chapters, including New York, Chicago, Southern California, San Diego, and Northern California.

While we applaud the president for increasing the diversity of the federal bench from eight API judges to twenty-five today, we would point out that these numbers still reflect a per-capita underrepresentation of the nation’s fastest growing population group. APIs make up approximately almost 6% of the population and only 2% of the federal bench. Also, no API has ever even been interviewed by the president for the Supreme Court.

“With the relatively large number of extremely well qualified API jurists for the President to choose from we hope that he will strongly consider and ultimately nominate one of them,” said Paul T. Jhin, NAPIPA President. “With important cases regarding education, discrimination, and immigration looming, the importance of having a bench that matches the diversity of the country cannot be overstated.”

Here are five examples of extraordinarily qualified API candidates to the Supreme Court.

Justice Goodwin Liu

Justice Goodwin Liu, the son of Taiwanese immigrants, graduate of Stanford University and Yale Law School, and former Boalt Law School professor, serves as an associate justice on the California Supreme Court.

During his time on the bench, he has consistently demonstrated a high respect for the law by exercising judicial restraint when deciding political issues. For example in terms of the death penalty, many prosecutors feared his nomination would signal the end of this punishment. Yet, among the nearly one hundred capital cases he has heard, Justice Liu has voted in dissent to reverse a death sentence only six times.

Five years ago, a minority of Republican senators filibustered Justice Goodwin Liu's nomination to the 9th Circuit Court of Appeals based on claims that he lacked judicial experience and would turn into a liberal activist judge. After five years on the California Supreme Court, these claims are simply not supported by Justice Liu's record.

Justice Tani Cantil-Sakauye

Born in Sacramento, Justice Cantil-Sakauye is the Chief Justice of the California Supreme Court. She started her career in the Sacramento District Attorney's office. In 1990 she was nominated as a judge to the Sacramento Municipal court. Seven years later she was nominated to the Sacramento Superior court. In 2005 Governor Arnold Schwarzenegger appointed Judge Cantil-Sakauye to the California Third District Court of Appeal. Five years later the judge was appointed to the California Supreme Court and was unanimously approved as the Chief Justice. She is the first Asian American and second woman to serve as the state's Chief Justice.

Judge Sri Srinivasan

Judge Srinivasan was born in India. As a child, he immigrated to Kansas before moving to the West Coast where he earned three degrees at Stanford University. He is eminently qualified in Supreme Court law, arguing cases in the Solicitor General's Office and chairing the Supreme Court and Appellate practice division at O'Melveny and Myers. In 2013, he became the first South Asian appellate court judge, when he was nominated by President Obama and confirmed to the D.C. Court of Appeals in a unanimous 97-0 vote. Notably, even his Republican colleagues in the Solicitor General's Office praised his appointment.

Judge Denny Chin

Though born in Hong Kong, Judge Chin grew up in New York City after his family fled China to escape the Communist Revolution. Judge Chin graduated Fordham Law School and spent his first few years in private practice, before serving as a prosecutor at the U.S. Attorney's Office. After returning to private practice, he was appointed to the U.S. District Court for the Southern District of New York in 1994. In 2010, Judge Chin became the first Asian American judge confirmed to the 2nd Circuit. Judge Chin enjoyed strong bipartisan support, being approved by a 98-0 vote in the Senate.

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Judge Jacqueline Nguyen

Judge Nguyen fled Vietnam as a child and grew up in the greater Los Angeles area, where her parents worked tirelessly, saving up enough money to open a donut shop. She earned an academic scholarship to Occidental before graduating from UCLA School of Law. After a brief stint in private practice, Judge Nguyen began her career in public service, serving as a prosecutor for the US Attorney's Office in Los Angeles. In 2002, she was appointed as a superior court judge. After moving to the federal district court, she was confirmed, in 2012, as a judge on the 9th Circuit Court of Appeals, where she continues to serve as the only female Asian American judge on any federal appellate court.

With such qualified candidates for Supreme Court judge ready to serve, we should no longer be satisfied with our candidates merely being made "part of the conversation." These judges have proven not only that they can do the job, but they will enrich the court by adding a previously unrepresented perspective. It's time for the President to appoint the first API justice to the Supreme Court.

NAPIPA URGES THE SENATE TO CONDUCT FAIR HEARINGS AND A TIMELY VOTE ON THE NOMINEE

Regardless of who the President nominates, NAPIPA urges the Senate to uphold its Constitutional duty by holding a fair hearing and timely vote on any Supreme Court nominee to ensure the effective operation of our judicial system.

A full complement of Supreme Court Justices is essential for our legal system to function properly. Leaving the court with eight justices will mean that cases could deadlock in a 4-4 split. This legal-limbo will create uncertainty over the legality of policies in the public and private sectors. The inability of the Supreme Court to fulfill its duties will directly impact all Americans and damage our confidence in the judiciary and its ability to dispense justice.

The President has the constitutional right to nominate Supreme Court Justices. The Constitution further demands that the Senate ensure the full functionality of our courts by giving the nominee fair hearings and ultimately a vote on his or her merits. We urge the Senate to abide by the Constitution and hold fair hearings and timely vote on any Supreme Court nominee.