

November 30, 2017

RE: VOTE “NO” ON JUDICIAL NOMINEE BRETT TALLEY FOR U.S. DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF ALABAMA

An Open Letter to the Members of the United States Senate:

We, the undersigned community leaders and community-based civil society, civil rights organizations, faith groups and law offices write to **strongly request all members of the U.S. Senate to vote “NO” on the confirmation of Brett Joseph Talley for the position of United States District Judge for the Middle District of Alabama.**

Our request is based on Talley’s expressed animosity toward and distrust of American Muslims, and his inability to act impartially as a federal judge on cases impacting the religious freedom and rights of Americans Muslims and the community as a whole.

Prior to his November 9th nomination hearing, Talley failed to disclose to the U.S. Senate Judiciary Committee his frequent and numerous postings on TideFans.com under the username “BamainBoston,” concealing from the committee his public record of making Islamophobic and disparaging remarks about American Muslims and Islam.¹

We note that the Senate Judiciary Committee requires all nominees to complete a questionnaire that includes the request for "published material you have written or edited, including material published only on the Internet."²

In addition to defending “the first KKK” in a message board post,³ Talley wrote in December 2015, in response to an article about a pig’s head thrown through the door of a Philadelphia mosque:

“There’s no comparison between Christians and Muslims when it comes to terrorism. There’s just not. There are terrorists who are Christians, but there is no organized Christian terrorist movement. *Today, in countries around the world, the mainstream, dominant sect of Islam preaches the worldwide caliphate and the murder of nonbelievers.* Doesn’t mean we should be throwing pigs heads on Mosques, but we should recognize that this is not a lone-wolf issue.⁴ – Italics added for emphasis, “Trump Judicial Nominee Brett Talley Appears to Have Disparaged Muslims in Message Board Posts,” November 16, 2017, Slate.com.”

¹ Zoe Tillman, “A Trump Judicial Nominee Appears To Have Written About Politics On A Sports Website And Didn’t Disclose It,” BuzzFeed News, November 13, 2017. See: https://www.buzzfeed.com/zoetillman/a-trump-judicial-nominee-appears-to-have-written-about?utm_term=.suB8g7ZbE3#.rqIavzb3kx

²United States Senate Committee on Judiciary, “Questionnaire for Judicial Nominees,” for Brett Joseph Tally, Public Document. See: <https://www.judiciary.senate.gov/imo/media/doc/Talley%20SJQ.pdf>

³ Mark Joseph Stern, “Trump Judicial Nominee Brett Talley Appears to Have Defended ‘the First KKK’ in Message Board Post,” The Slatest, November 16, 2017. See: http://www.slate.com/blogs/the_slatest/2017/11/15/trump_nominee_brett_talley_appears_to_have_defended_the_first_kkk.html

⁴ Mark Joseph Stern, “Trump Judicial Nominee Brett Talley Appears to Have Disparaged Muslims in Message Board Posts,” The Slatest, November 16, 2017. See: http://www.slate.com/blogs/the_slatest/2017/11/16/trump_judicial_nominee_brett_talley_seems_to_have_disparaged_muslims.html

In March 2016, Talley also wrote, “[Trump] says what everyone is thinking about Islam but doesn’t want to say,” several weeks later then candidate, now president Donald Trump, said “I think Islam hates us. . . . There’s a tremendous hatred.”

In addressing the need for federal judges to have a respect for law in avoiding impropriety and the appearance of impropriety in all activities, the code of conduct for United States federal judges’ states: “A judge should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.”⁵

It is our sincere belief Talley’s publicly-stated Islamophobic opinions that “mainstream” Islam preaches the “murder of nonbelievers” and his support for President Trump’s statement “Islam hates us,” demonstrate an unquestionable inability to be impartial with respect to the rights and religious freedom of American Muslims. These biased beliefs should disqualify him for a lifetime position as a federal district judge.

Our opposition to Talley’s confirmation also coincides with the American Bar Association’s Standing Committee on the Federal Judiciary’s rating him as “not qualified” to serve in this position based on his lacking the “the requisite experience.”⁶

Considering that this new and damaging information only coming to light after the Senate Judiciary Committee had voted in approval of Talley’s nomination, we strongly request that all members of the U.S. Senate vote “NO” on his confirmation for the position of United States District Judge for the Middle District of Alabama.

Sincerely,

National Organizations

African American Ministers In Action
Alliance for Justice
American-Arab Anti-Discrimination Committee (ADC)
Appeal for Justice
Asian Americans Advancing Justice - AAJC
Coalition on Human Needs
Council on American-Islamic Relations (CAIR)
Defending Rights & Dissent
Equality Labs
Franciscan Action Network
Generation Progress
Indivisible

⁵ United States Courts, “Code of Conduct for United States Judges,” sourced November 2017. See: <http://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges#d>

⁶ American Bar Association’s Standing Committee on the Federal Judiciary’s November 7, 2017 Letter to the U.S. Senate Committee on the Judiciary, “Nomination of Brett Joseph Talley to the United States District Court for the Middle District of Alabama.” <https://www.americanbar.org/content/dam/aba/uncategorized/GAO/TalleyratinglettertoGrassleyandFeinstein.authcheckdam.pdf>

Japanese American Citizens League
Lambda Legal
MPower Change
Muslim Public Affairs Council
NAACP
NARAL Pro-Choice America
National Association of Social Workers (NASW)
National Center for Transgender Equality
National Council of Jewish Women
National Health Law Program
National Network for Arab American Communities
Project South
Refugee and Immigration Ministries, Christian Church (Disciples of Christ)
Sierra Club
Win Without War

State Organizations

Adelente Alabama Worker Center [Alabama]
Autism Society of Alabama [Alabama]
Birmingham Islamic Society [Alabama]
CAIR-Alabama [Alabama]
Coalition for Humane Immigrant Rights (CHIRLA) [California]
Equality California [California]
Faith in Action Alabama [Alabama]
Grassroots Coalition of Birmingham [Alabama]
Greater Birmingham Ministries [Alabama]
Harvard Islamic Society Anti-Islamophobia Network [Massachusetts]
Hispanic Interest Coalition of Alabama (HICA) [Alabama]
Jaam'e Masjid Bellmore [New York]
Manjusha Kulkarni, Esq. [California]
Massachusetts Immigrant and Refugee Advocacy Coalition [Massachusetts]
Services, Immigrant Rights, and Education Network (SIREN) [California]
Westchester Coalition against Islamophobia [New York]
Women's March Alabama [Alabama]