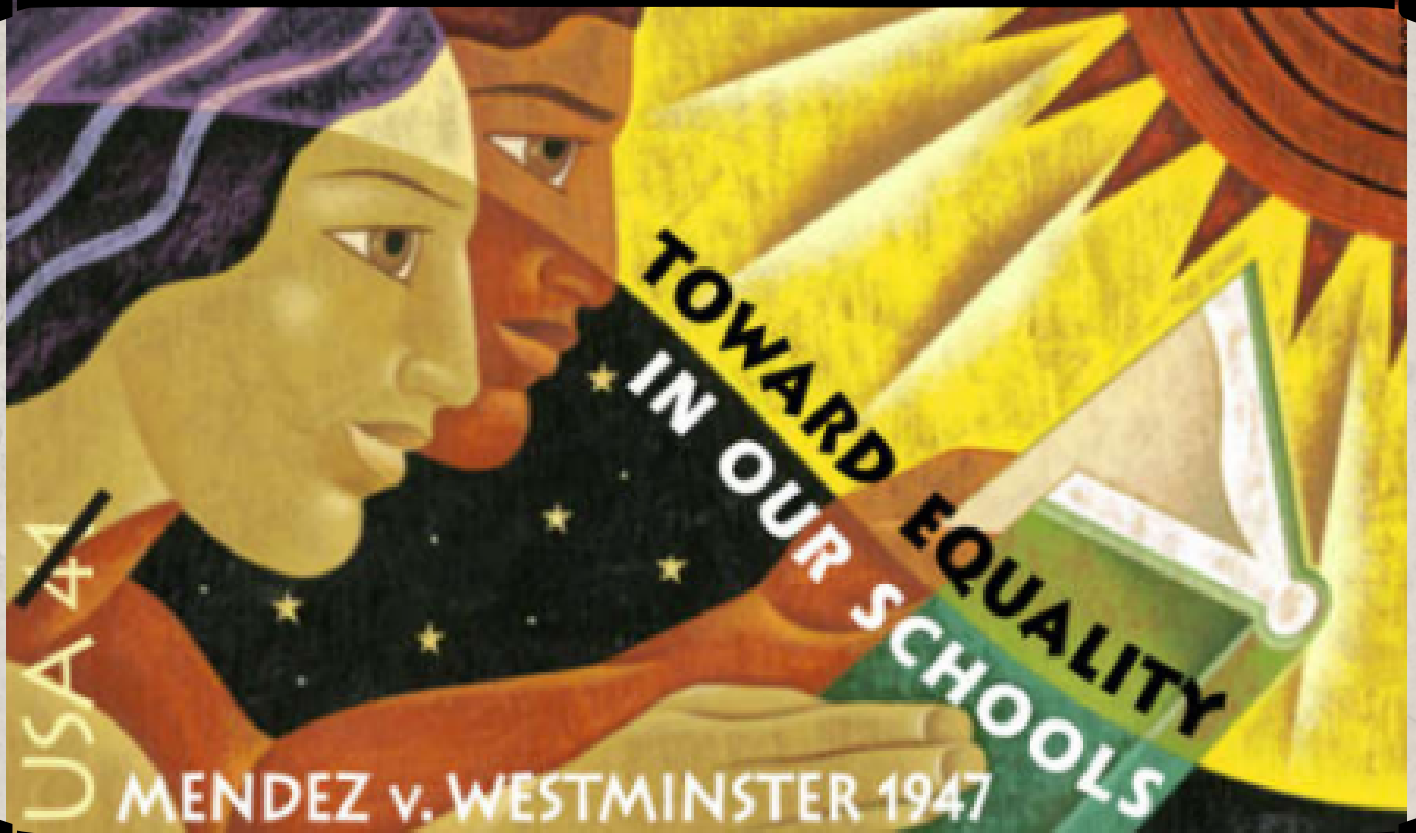


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MENDEZ V. WESTMINSTER

THE REENACTMENT



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THE 76TH ANNIVERSARY OF A SEMINAL CASE TOWARD DESEGREGATION

MARCH 23, 2023

6-8PM

**U.S. DISTRICT COURT,
SOUTHERN DISTRICT OF NEW YORK**

CASE SUMMARY

Gonzalo Mendez, a naturalized citizen from Mexico, moved to the United States in 1919, at age six. Gonzalo grew up in Westminster, California, where he and his wife Felicitas, born in Puerto Rico, eventually raised their three children and operated a leased vegetable farm from their friends, the Munemitsus, a Japanese-American family ordered to a relocation camp during World War II. In 1944, after the Mendez family tried to enroll their children at 17th Street School, they were told that their children would need to attend the school for Mexican children, Hoover Elementary.

Feeling aggrieved by the school's decision, Gonzalo protested further, urging the school faculty to allow his children to enroll in the school. Unfortunately, his efforts were to no avail. Finding no other solution, the Mendez family, with the help of their lawyer, Los Angeles civil rights attorney David Marcus, recruited other parents from local school districts and sued the school districts in federal court.

The parents petitioned that segregating K-12 students based on their nationality or ethnic background violated California law and the 14th Amendment's Equal Protection Clause. Specifically, the parents argued that segregation resulted in feelings of inferiority among Mexican-American children that could undermine their ability to be productive Americans. The State fought ardently and argued that Mexican schools were necessary due to the lack of English proficiency and unfamiliarity with American values among Mexican-American children.

Despite the State's fervent defense of its practices, in 1946, Judge McCormick ruled in favor of the Mexican-American parents. Judge McCormick noted that segregating children of Mexican ancestry made it more difficult for the children to learn English. Moreover, Judge McCormick, while not addressing the constitutionality of "separate but equal", ruled that both California and U.S. federal law prohibited the segregation of Mexican-American children, finding that "segregation... fosters antagonisms in the children and suggests inferiority where none exists."

The State appealed Judge McCormick's decision to the Ninth Circuit Court of Appeals. With the help of Thurgood Marshall of the National Association for the Advancement of Colored People (NAACP) and other civil rights organizations (including the ACLU, Japanese American Citizens League, and the American Jewish Congress) as amici curiae, the Court unanimously affirmed the decision. The Mendez decision paved the way for the later landmark decision in *Brown v. Board of Education*. In *Brown*, like in *Mendez*, Thurgood Marshall argued that separate was not equal, segregation was in fact harmful to children, and that such practices were unconstitutional. The United States Supreme Court agreed, and unanimously decided that "separate but equal" schooling was unconstitutional.

CAST

STUDENT 1
STUDENT 2
STUDENT 3

SYLVIA MENDEZ
GONZALO MENDEZ
FELICITAS MENDEZ
RECEPTIONIST

DAVID MARCUS, DISTRICT COURT
JOEL OGLE, DISTRICT COURT
HON. PAUL J. MCCORMICK
JOEL OGLE, NINTH CIRCUIT
THURGOOD MARSHALL

NINTH CIRCUIT PANEL DECISION

GISELLE VALDEZ
MERCEDES CHAVEZ
MARIO REYES SOLANO

NICOLE CASTILLO
RUDY CARMENATY, ESQ.
DEAN ANDREA SAAVEDRA
KEVIN PAREDES

NICOLAS RODRIGUEZ
TATIANA ZAPATA
HON. JOANNE D. QUIÑONES
THEODORE TAMAYO
GABRIEL TEJADA

HON. ANALISA TORRES
HON. BETSY BARROS

ACTS

ACT I: INTRODUCTION

SCENE 1: LAW SCHOOL STUDY GROUP

DELVES INTO THE CASE

SCENE 2: INTRODUCING THE

MENDEZ FAMILY

ACT II: DISTRICT COURT ARGUMENTS AND DECISION

SCENE 1: SETTING THE STAGE

SCENE 2: THE PROCEEDINGS

SCENE 3: THE DECISION

ACT III: APPELLATE ARGUMENTS AT THE NINTH CIRCUIT

SCENE 1: THE PROCEEDINGS

SCENE 2: THE DECISION

ACT IV: THE MENDEZ LEGACY

SCENE 1: STUDENT REFLECTION

CLOSING CEREMONY

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