

NAPO Once Again Successful in U.S. Supreme Court Case

The National Association of Police Organizations, Inc. (“NAPO”) was once again successful in its arguments to the United States Supreme Court in a case of national significance for public safety personnel. On Monday, June 29, 2009, the Court handed down its long-awaited decision in *Ricci v. City of New Haven* (Case Numbers 07-1428 and 08-328). This case has been referred to in the media as the “New Haven firefighters case.”

The issue before the Court was whether the City of New Haven could throw out the results of a previously validated promotional exam based on the skin color of the highest scoring exam takers. NAPO, in an *amicus curiae* brief to the Court, argued that several important reasons should prohibit public safety employers from throwing out promotional results based on skin color. First, the morale of public safety agencies would suffer if employers were allowed to act in this fashion. Second, the ability of law enforcement and fire personnel to rely on their best-qualified colleagues (regardless of color) to “watch their back” or save them from a fire or criminal attack would suffer. And, third, the public safety in general would be put at unnecessary risk if agencies were allowed to refuse promotions to the most qualified applicants because of those applicants’ skin colors. The U.S. Supreme Court agreed with NAPO’s arguments, and reversed a lower court’s holding that had allowed the City of New Haven to act in this manner.

Of note, NAPO was the only national law enforcement organization allowed by the Court to participate in this case.