

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ALIANZA AMERICAS, YANET DOE,
PABLO DOE, and JESUS DOE on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

RONALD DESANTIS, Governor of Florida in
his official and personal capacities; JARED W.
PERDUE, Secretary of the Florida Department
of Transportation in his official and personal
capacities; LAWRENCE A. KEEFE, Florida
Public Safety Czar, in his official and personal
capacities; JAMES UTHMEIER, Chief of Staff
to Florida Governor, in his official and personal
capacities; STATE OF FLORIDA; THE
FLORIDA DEPARTMENT OF
TRANSPORTATION; JAMES
MONTGOMERIE; PERLA HUERTA; and
VERTOL SYSTEMS COMPANY, INC.,

Defendants.

Civil Action No. 1:22-cv-11550-
ADB

**BRIEF OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF
COLORED PEOPLE MARTHA'S VINEYARD BRANCH AS AMICUS CURIAE
IN SUPPORT OF PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION TO DISMISS**

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INTEREST OF AMICUS CURIAE

The National Association for the Advancement of Colored People (NAACP) is the oldest and largest civil rights organization in the country. The NAACP works to ensure the political, educational, social, and economic equality of all citizens and strives to create a society free from racial discrimination. The NAACP has over two million supporters and members, and it is organized in nearly 2,200 units across the United States, including on Martha's Vineyard. For more than a century, the NAACP has used collective action and the legal process to champion equality and justice.

Amicus curiae the Martha's Vineyard Branch of the NAACP has advanced the NAACP's goals of countering discrimination and seeking social justice for more than five decades in and around the Martha's Vineyard community. In 2022, it was among the civic organizations that provided support to immigrants who had been deceived into flying to Martha's Vineyard as a result of the scheme that is the subject of this litigation. Sixty years earlier, its nearby sister branch, Cape Cod Branch of the NAACP, similarly provided support to Black families who were transported to Hyannis, Massachusetts, as part of the Reverse Freedom Rides.¹ In this brief, amicus curiae seeks to inform the Court about the parallels between these two shameful historical events, and seeks to situate the events at issue in this litigation into a broader historical context.

INTRODUCTION

In 1962, southern segregationists ("Segregationists") organized what have come to be known as the "Reverse Freedom Rides" as part of their efforts to retaliate against Northern states for supporting desegregation, to "restor[e] the declining political

¹ See Gabrielle Emanuel, *The Long Journey North: The Forgotten Story of the Reverse Freedom Rides of 1962*, WGBH (Oct. 7, 2019) <https://www.wgbh.org/news/the-long-journey-north>.

influence of the White Citizens' Council," and to prove that Northern states were hypocritical in embracing desegregation.² In connection with the Reverse Freedom Rides, Segregationists and their collaborators targeted economically struggling Black Southern families and lured them onto buses to Northern states with false promises of jobs, shelter, and a better life.³ But, instead of jobs, the families found members of the media waiting to report on their arrival as part of a public display that had been stage-managed by the Segregationists.⁴ The largest contingent of Black riders was transported to Hyannis, Massachusetts.

Sixty years later, in 2022, Governor Ron DeSantis and the other Defendants in this case are alleged to have lured 49 Venezuelan and Peruvian immigrants—lawfully in the United States pending immigration proceedings—onto privately chartered planes in Texas under the guise of moving them to a large city in the Northeastern United States where jobs, housing, and resources would be waiting for them (the “Fraudulent Immigrant Flights”).⁵ But, instead, the immigrants were flown to Martha’s Vineyard, where no such resources had been arranged for them. Indeed, no one on Martha’s Vineyard other than a videographer arranged by the Defendants expected their arrival. The goal of this scheme was, similar to the Segregationists’ Reverse Freedom Rides decades earlier, to embarrass

² Clive Webb, *A Cheap Trafficking in Human Misery: The Reverse Freedom Rides of 1962*, 38(2) J. AM. STUDIES 249, 250, 253 (2004). Our account relies throughout on Professor Webb’s authoritative article.

³ Gillian Brockell & Jodie Tillman, “Reverse Freedom Rides”: An Echo of Martha’s Vineyard Migrant Flights 60 Years Ago, WASH. POST (Sept. 16, 2022, 4:04 PM ET), <https://www.washingtonpost.com/history/2022/09/16/reverse-freedom-rides-marthas-vineyard-desantis/> (targets for Reverse Freedom Rides included single mothers with many children and individuals with criminal records).

⁴ See Gabrielle Emanuel, *The Martha’s Vineyard Migrant Flight Has Echoes of a Dark Past: Reverse Freedom Rides*, NPR (Sept. 20, 2022, 4:52 PM ET), <https://www.npr.org/2019/12/10/786790638/the-reverse-freedom-rides>.

⁵ This brief assumes the truth of the factual allegations contained in the First Amended Class Action Complaint, Doc. 21. See Compl. ¶¶ 75, 82, 85, 92, 95.

Northern states, and aggrandize Defendant DeSantis’s public profile for a rumored presidential campaign, all at the expense of the rights and dignity of unsuspecting immigrant adults and children.⁶

Understanding the parallels between these two events helps put Defendants’ scheme into a broader historical context of racial prejudice and political opportunism. Both events treated individuals and families as tools for political gain and “offend[ed] human dignity.” *Cummings v. McIntire*, 271 F.3d 341, 344 (1st Cir 2001). While each event is tragic in its own way, the Martha’s Vineyard scheme is notably distinct from the Reverse Freedom Rides for being state-sponsored at enormous taxpayer expense and for being orchestrated by Defendants sixty years later, despite significant and hard-fought moral progress since the desegregation era. The deceitfulness and brazenness of Defendants’ scheme are unprecedented in recent American history and run headlong into, among other things, the Due Process Clause, which at its core is intended to prevent government officials “from abusing [their] power[.]” *Cnty. of Sacramento v. Lewis*, 523 U.S. 833, 840 (1998) (citations omitted).

ARGUMENT

A. Segregationists Conceived the Reverse Freedom Rides to Retaliate Against Northern States and to Regain Their Waning Political Influence

1. The Freedom Rides

In May 1961, the Congress of Racial Equality launched a civil rights campaign known as the Freedom Rides. Black and White civil rights activists set out on buses for Southern states in an attempt to desegregate interstate buses and bus terminals. The campaign was met with little physical resistance until the Freedom Riders reached

⁶ See Compl. ¶¶ 27–35.

states in the deep South. In Alabama, one of the buses was firebombed, and the freedom riders were beaten. In Montgomery, “Whites attacked the riders . . . where they also besieged a black church in which a rally was being held in support of the [Freedom Rides] campaign.”⁷

Meanwhile, established in July 1954 “in opposition to racial integration,”⁸ the White Citizens’ Council had been trying to distance itself from the Ku Klux Klan and other extreme racial groups by disavowing violent opposition. But, “[d]espite the sanitized name,” the Council, according to some observers, was “the Ku Klux Klan without the hoods and the masks.”⁹ At its peak, the Council had over 300,000 members across the country.¹⁰ Less than ten years after its founding, however, the Council had waned in its influence. Following the Supreme Court decision in *Brown v. Board of Education*, a case brought by NAACP General Counsel Thurgood Marshall, many Southern states feared that integration was inevitable. As desegregation became more mainstream throughout cities such as New Orleans and Little Rock, the Council’s factions in both cities “suffered serious political setbacks and needed to take remedial measures to restore their faltering influence.”¹¹ In addition, New Orleans Archbishop Joseph Rummel excommunicated two of the Council’s leaders in April 1962, because of their “outspoken opposition to school desegregation.”¹² This incident only further damaged the Council’s reputation. The Freedom Rides, and the ensuing press coverage, threatened to further undermine the Council’s reputation.

⁷ Webb, *supra* note 2, at 252.

⁸ *Id.* at 250.

⁹ Emanuel, *supra* note 4.

¹⁰ Webb, *supra* note 2, at 250.

¹¹ *Id.* at 251.

¹² *Id.*

2. The Reverse Freedom Rides

In the early 1960s, the Council conceived the Reverse Freedom Rides as “a public relations exercise that would at once politically embarrass [its] Northern liberal critics and thereby reestablish [its] support among white Southerners.”¹³ In short, the Reverse Freedom Rides were intended as “a means of restoring the declining political influence of the White Citizens’ Council.”¹⁴

George Singelmann, a member of the Greater New Orleans Citizens’ Council, masterminded the Reverse Freedom Rides. He reportedly believed that the best way for the Council to restore its reputation was to discredit the Northern liberals. In Singelmann’s view, sending thousands of unemployed Black Americans to test the North’s supposed goodwill would expose the Northerners as hypocrites and fraudulent.

Singelmann also reportedly believed that sending Black American families north would be a way to relieve his state’s strained resources. To that end, the Council focused on recruiting individuals such as welfare recipients and prison inmates, including by posting notices in prisons.¹⁵ The Council believed that “White liberals would welcome [these populations] the least.”¹⁶ The Council even offered families monetary incentives to board the buses. For example, newspaper advertisements stated, “Free Transportation plus \$5.00 for Expenses to any Negro Man or Woman or Family (no limit to size) who desire to migrate to the Nation’s Capital or any city in the north of their choosing.”¹⁷

¹³ *Id.* at 252.

¹⁴ *Id.* at 250.

¹⁵ Emanuel, *supra* note 4; Brockell & Tillman, *supra* note 3.

¹⁶ Brockell & Tillman, *supra* note 3.

¹⁷ *Id.*

These were not the only tactics that Singelmann and the Council employed to recruit African American families for their scheme. Singelmann and his co-conspirators also promised families jobs, housing, and a better life in the North.¹⁸ They told families boarding buses to Hyannis, Massachusetts that the Kennedy family would be waiting for them upon arrival.¹⁹ Recruitment posters promised, “President Kennedy’s brother assures you a grand reception to Massachusetts. Good jobs, housing, etc. are promised.”²⁰ These were lies. The largest group of families were sent to Hyannis, and when they arrived, none of the promised resources were waiting for them—no jobs, no housing.

To maximize any potential political gain from the Rides, Singelmann had contacted newspapers, radio, and television crew to document the families’ arrival. He wanted people to know that the Council was behind the efforts “to expedite volunteer migration of any dissatisfied Negroes from the South.”²¹ But this component of the scheme did not go as planned. Press throughout the country condemned the Reverse Freedom Rides; the *New York Times* dubbed the campaign as “a cheap trafficking in human misery.”²²

Accounts of families who were lured into participating in the Reverse Freedom Rides through false promises of a better life demonstrate how they were negatively impacted by the scheme. For example, the family of Lela Mae Williams had lived on the border of Louisiana and Arkansas for generations, where they owned a small farm.²³ Acutely aware of the growing political and racial tension in the country at the time,

¹⁸ Jacey Fortin, *When Segregationists Offered One-Way Tickets to Black Southerners*, N.Y. TIMES (Oct. 14, 2022), <https://www.nytimes.com/2022/10/14/us/reverse-freedom-rides-marthas-vineyard-migrants.html>

¹⁹ Emanuel, *supra* note 4.

²⁰ Webb, *supra* note 2, at 257.

²¹ *Id.* at 254.

²² *Id.* at 259.

²³ Emanuel, *supra* note 4.

Lela Mae was intrigued by promises of jobs and housing in the North.²⁴ More than anything, she believed that she would find a better life for herself and her children. So, Lela Mae accepted the tickets for the Reverse Freedom Rides.²⁵ After the school year ended, Lela Mae and her nine children—aged two to fourteen—traveled 150 miles to Little Rock’s bus terminal.²⁶ The family had brought some of their belongings, but little else. The Segregationists had informed the family that whatever they needed would be provided upon arrival in the North.²⁷ At the bus terminal, Lela Mae was greeted by press—alerted by the Reverse Freedom Rides’ conspirators—who took pictures of families boarding the buses.²⁸ After three days on the bus, Lela Mae asked the bus driver to stop.²⁹ She wanted to change into her finest clothes for President Kennedy, whom she had heard was going to greet her upon arrival in Hyannis, Massachusetts.³⁰ Lela Mae’s bus rolled into the makeshift bus stop near the Kennedy’s home on Cape Cod on May 12, 1962.³¹ But of course President Kennedy was not there to greet Lela Mae.³² Nor were jobs or housing offered to her and her family in Hyannis.³³

Having heard that the Reverse Freedom Rides were on their way to Massachusetts, local activists, including residents, religious leaders, and the local NAACP chapter attempted to provide assistance.³⁴ Margaret Moseley, a local civil rights activist, who later described the scheme as “one of the most inhuman things I have ever seen,” was

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ Brockell & Tillman, *supra* note 3.

²⁸ Emanuel, *supra* note 4.

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *See id.*

³³ *Id.*

³⁴ *Id.*

dedicated to welcoming the families to Hyannis. She saw that the families arrived with no money and very little possessions, and mobilized the local community to support the new families.³⁵ The local community college also opened its dormitories, and the Governor of Massachusetts lobbied for Otis Air Force Base to open its barracks to provide further accommodation.³⁶

B. The Fraudulent Immigrant Flights Echo The Reverse Freedom Rides

Despite more than sixty years separating the Reverse Freedom Rides and Defendants' scheme, they share unfortunate parallels. First, in both instances, vulnerable populations were deceived into believing a better life waited for them in the North. Second, the schemes both were motivated by racial prejudice and a desire for political aggrandizement. Third, both schemes have and will likely have profound lasting adverse impacts on the exploited families.

1. The Fraudulent Immigrant Flights Involved Luring Vulnerable Populations With Lies of a Better Life in the North

The Reverse Freedom Rides and the Fraudulent Immigrant Flights both involve luring vulnerable individuals using false promises of jobs, housing, and other resources. For example, at the direction of Defendant DeSantis and his executive staff, Defendant Perla Huerta, a former counterintelligence agent, approached immigrants at the Migrant Resource Center in San Antonio, offering to help them improve their circumstance.³⁷ Speaking to them in Spanish, Huerta said the immigrant families would be flown to cities such as Washington, D.C. or another "sanctuary state," and be provided

³⁵ *Id.*

³⁶ *Id.*

³⁷ Edgar Sandoval et al., *The Story Behind DeSantis's Migrant Flights to Martha's Vineyard*, N.Y. TIMES (Oct. 4, 2022), <https://www.nytimes.com/2022/10/02/us/migrants-marthas-vineyard-desantis-texas.html>; Compl. ¶¶ 77, 78, 84, 89, 90.

with stable housing, work, and educational resources.³⁸ Huerta coerced the targeted immigrants to sign a sham document releasing an “anonymous benefactor” of all liability—without of course disclosing material elements of the scheme—in exchange for a promise of a \$10 gift card for food.³⁹

The Plaintiffs and other immigrants approached by Huerta “were authorized to remain in the United States pending the resolution of their immigration proceedings,”⁴⁰ and they had come to the United States for economic opportunity and for safety having fled poverty, political turmoil, violence, and instability in their home countries of Venezuela and Peru, and having endured long and arduous journeys to the United States.⁴¹ Insensitive to their struggles and precarious circumstances, Defendants schemed to trick these adults and children—one as young as eleven years old—to board the flights bound for Martha’s Vineyard.⁴²

Before landing on Martha’s Vineyard, each immigrant was given a red folder containing several documents, including a brochure entitled, “Massachusetts Refugee Benefits / Massachusetts Beneficios para Refugiados.”⁴³ But the brochure was fake and was intended to mislead the families about potential assistance, including cash assistance that they might be eligible to receive following their trip.⁴⁴ But the Massachusetts Refugee Resettlement Program, which was named in the brochure, had

³⁸ Compl. ¶¶ 78; 82.

³⁹ Compl. ¶¶ 115-118.

⁴⁰ Compl. ¶ 1.

⁴¹ See Sandoval et al., *supra* note 37; see Dan Rosenzweig-Ziff et al., *DeSantis Move to Fly Migrants to Mass. Stokes Confusion, Outrage From Critics*, WASH. POST (Sept. 15, 2022 2:07 PM ET) <https://www.washingtonpost.com/nation/2022/09/15/marthas-vineyard-desantis-migrants-venezuela/>;

Compl. ¶ 1.

⁴² Compl. ¶ 77.

⁴³ Sandoval et al., *supra* note 37; Compl. ¶¶ 134, 137-141.

⁴⁴ Sandoval et al., *supra* note 37.

specific eligibility requirements for which all the families onboard failed to qualify.⁴⁵ Plaintiffs quickly realized that Huerta had lied to them. It became clear that Defendants had abandoned the immigrants on an island without any of the jobs, services, or benefits that they had promised.⁴⁶

There are other stark similarities between Defendants' scheme and the Reverse Freedom Rides. Like the Fraudulent Immigrant Flights, in plotting the Reverse Freedom Rides, the Segregationists embarked on an advertising campaign to lure Black families to accept the bus tickets, including handing out flyers in local communities and publicizing their campaign through radio commercials.⁴⁷ Further, like Defendants' scheme, which targeted recent immigrants, the campaign preceding the Reverse Freedom Rides was aimed specifically at vulnerable populations such as welfare recipients and former prison inmates.⁴⁸ Echoing sentiments publicly expressed by Defendant DeSantis decades later,⁴⁹ the Segregationists viewed these populations as burdening public resources and taxpayers, and they presumed that these populations were those that "White liberals would welcome . . . the least."⁵⁰ The Reverse Freedom Rides bused several hundred such individuals to the North. Of course, in both instances, when the families arrived at their

⁴⁵ Sandoval et al., *supra* note 37 ("The pamphlet, reviewed by The Times, also promised "up to eight months of cash assistance" for "income-eligible" refugees in Massachusetts, apparently mimicking benefits offered to refugees who arrive in the United States through the country's official resettlement program, which the Venezuelans were not part of."); Compl. ¶ 140.

⁴⁶ Emanuel, *supra* note 4; Sandoval et al., *supra* note 37 (describing how the immigrants "were taken in vans that had been waiting for them and deposited near a community center, where they were told to knock on the door. The woman who answered had no idea who they were and did not speak Spanish.").

⁴⁷ Emanuel, *supra* note 4.

⁴⁸ Emanuel, *supra* note 4.

⁴⁹ Compl. ¶ 182.

⁵⁰ Emanuel, *supra* note 4; Brockell & Tillman, *supra* note 3.

destinations, “there w[ere] no job[s] or permanent housing waiting for [them] Instead, [the families] were unwitting pawns” in a political stunt.”⁵¹

2. The Fraudulent Immigrant Flights Were Motivated By Racial Prejudice and Political Aggrandizement

Both events were rooted in racial prejudice. Prior to the Fraudulent Immigrant Flights, Defendant DeSantis repeatedly and publicly demonized immigrants fleeing dangerous circumstances and crossing the Mexican border to the United States, and his scheme specifically targeted recent Brown immigrants from Venezuela and Peru.⁵² His actions and the racist sentiment they tapped into are reminiscent of the Segregationists and the Reverse Freedom Rides, which were designed by the openly racist White Citizens’ Councils. The Segregationists were focused on using trickery to expel Black citizens from Southern states. Ned Touchstone, a spokesperson for a local segregationist group in Louisiana, explained the primary motivation for the Reverse Freedom Rides was “to bring about a more equitable distribution of the colored population.”⁵³

In both instances, racial prejudice intermingled with political aspiration. In September 2022, Defendant DeSantis was thought to be considering a presidential campaign for the 2024 election,⁵⁴ and he was eager to score political points by targeting Latinx immigrants.⁵⁵ Refusing to allow Florida to “bear the burden of our federal

⁵¹ Emanuel, *supra* note 4.

⁵² Compl. ¶ 75.

⁵³ Emanuel, *supra* note 4.

⁵⁴ Hannah Knowles & Mariana Alfaro, *DeSantis Dodges Questions on 2024, Abortion at Florida Gubernatorial Debate*, WASH. POST (Oct. 24, 2022 10:50 PM EDT), <https://www.washingtonpost.com/politics/2022/10/24/florida-governor-debate-desantis-crist/>

⁵⁵ Press Release, Office of Ron DeSantis, Governor Ron DeSantis Takes Additional Actions to Protect Floridians from Biden’s Border Crisis (June 17, 2022), <https://www.flgov.com/2022/06/17/governor-ron-desantis-takes-additional-actions-to-protect-floridians-from-bidens-border-crisis/>

government’s lawless open border policies,” he hatched a scheme to, in his words, “dump illegal aliens” on Northern states that have “sanctuary policies.”⁵⁶

While Defendant DeSantis ostensibly could have pursued “illegal aliens” from countries in Europe, Asia, or other regions, the scheme specifically targeted Latinx immigrants.⁵⁷ It is hardly coincidental that the 49 individuals who were unwillingly transported to Martha’s Vineyard were all Latinx immigrants from South America (Venezuela and Peru).⁵⁸ It stands to reason that they were selected by Defendants for that very reason. *See Alston v. Spiegel*, 988 F.3d 564, 574-75 (1st Cir. 2021) (describing the facts that support an Equal Protection claim).

To maximize the exposure of this political stunt, Defendant DeSantis staged a campaign photo opportunity to capture the immigrants’ deplaning.⁵⁹ Defendants provided Fox News with a video of the immigrants’ deplaning and boarding vans to the local community center, Martha’s Vineyard Community Services.⁶⁰ On September 15, 2022, Defendant DeSantis also held a press conference during which he took credit for flying the immigrants to Martha’s Vineyard.⁶¹ He claimed that the flights were motivated by a desire to remove “illegal immigrants” from Florida and send them to sanctuary cities: “In Florida, we take what is happening at the southern border seriously. We are not a sanctuary state, and we will gladly facilitate the transport of illegal immigrants to sanctuary jurisdictions.”⁶² But in truth, these immigrants, lawfully in the United States, were actually

⁵⁶ Governor Ron DeSantis’s State of the State Address (Jan. 11, 2022) <https://flgov.com/2022/01/11/governor-ron-desantis-state-of-the-state-address-3/>

⁵⁷ D.E. 80 (“Florida Officials MTD”) at 5.

⁵⁸ Compl. ¶ 13.

⁵⁹ Compl. ¶¶ 148-149.

⁶⁰ *Id.*

⁶¹ Compl. ¶¶ 178-180.

⁶² Compl. ¶ 183.

living in Texas. In addition, Defendant DeSantis stated that his stunt had “already made more of an impact than anyone thought it could possibly make,” and that immigration was going to be “a big issue in the elections.”⁶³

The Segregationists also had political motivations for the Reverse Freedom Rides, which they coordinated in an attempt to “restor[e] the declining political influence of the White Citizens’ Council.”⁶⁴ As discussed, by the 1960s, the Council had declined in political influence, following political defeats, setbacks in fighting desegregation, and the excommunication of two of its leaders. The Reverse Freedom Rides were planned “as a public relations exercise that would at once politically embarrass their Northern liberal critics and thereby reestablish their support among white Southerners.”⁶⁵ Consistent with this goal, the Council also took a number of steps to capture the public’s attention around its scheme: for example, Amis Guthridge, a lawyer from Arkansas who helped to spearhead the Reverse Freedom Rides, had alerted local news outlets of the Rides and held a press conference. Singlemann also had contacted newspaper, radio, and television crews to document the families’ arrival in the northern communities.

3. The Fraudulent Immigrant Flights Traumatized Vulnerable Families and Adversely Impacted Local Communities

Just as the reverse Freedom Rides had lasting negative effects on Black families, so too did the flights to Martha’s Vineyard traumatize the impacted adults and children.⁶⁶ According to the immigrant families, when they arrived on Martha’s Vineyard

⁶³ Jesse Mendoza, *DeSantis Defends Martha’s Vineyard Decision, Blasts Biden During Visit in Bradenton*, HERALD-TRIBUNE (Sept. 20, 2022 5:56 PM ET), <https://www.heraldtribune.com/story/news/state/2022/09/20/marthas-vineyard-immigrants-florida-gov-desantis-blasts-immigration-policy-in-bradenton/10433726002/>

⁶⁴ Webb, *supra* note 2, at 250.

⁶⁵ *Id.* at 252.

⁶⁶ See Compl. ¶¶ 157–71.

and realized that they had been tricked, they “felt scared and confused,” “helpless, defrauded, desperate, anxious, and confused.”⁶⁷ Their emotional harm was not short lived: they reportedly experienced lack of sleep and vertigo, as well as a reluctance to trust others.⁶⁸ Parents reported feeling as if they had endangered their children by falling for Defendants’ scheme.⁶⁹ Defendants also callously jeopardized the individuals’ immigration proceedings.⁷⁰ Sixty years earlier, Lela Mae Williams likewise reported being in disbelief and trauma because of the Reverse Freedom Rides. Indeed, she reportedly refused to speak about the traumatic experience with her children, and ultimately spent “years . . . processing what happened to their family.”⁷¹

The malicious actions of the Segregationists and Defendants not only affected the participating families, but also local communities and community organizations, who were not expecting and were unprepared for the new arrivals.⁷² For example, when the Reverse Freedom Riders arrived in Hyannis, local organizations, a community college, and even a local jail, were called on to provide temporary accommodation, bedding, and other resources, with no advance notice⁷³ Similarly, on Martha’s Vineyard, Island residents were quick to provide vital necessities for the group as best they could. Those necessities included temporary housing in churches, as well as

⁶⁷ Compl. ¶¶ 155, 157, 160-170.

⁶⁸ *See, e.g.*, Compl. ¶¶ 165, 167.

⁶⁹ Compl. ¶ 156.

⁷⁰ *See generally* Compl. (describing how the immigrants were promised assistance with immigration proceedings); *id.* ¶ 142 (describing the form given to the immigrants for purposes of alerting USCIS that they have relocated, but which would in actuality be insufficient to notify USCIS of the immigrants’ change of address).

⁷¹ Emanuel, *supra* note 4.

⁷² *See* Rosenzweig-Ziff et al., *supra* note 41 (“Vans were waiting at the airport to pick up the passengers, he said. He added that “no one in the commonwealth of Massachusetts knew what was going on” ahead of time, echoing local officials.”).

⁷³ Webb, *supra* note 2, at 270.

clothes, meals, legal services, child support and translation services. These efforts were led by local religious groups, social justice associations, town officials, Martha's Vineyard Community Services, and individual citizens. Indeed, the immigrants subject to Defendants' scheme ultimately were sent to the same military base used to house the Reverse Freedom Riders.⁷⁴

CONCLUSION

Despite the many parallels between the Reverse Freedom Rides and the Fraudulent Immigrant Flights, there are at least two distinctions that bear noting. First, while the White Citizens' Council may have coordinated with state officials, the Reverse Freedom Rides were orchestrated principally by private actors who relied on comparatively limited financial resources. By contrast, Defendants' alleged scheme was in a sense more invidious because it was a state-sponsored affair: it was engineered by a sitting Governor and other Florida state officials, with the ability to draw on \$12 million in taxpayer funds allocated by the state legislature "to facilitate the transport of unauthorized aliens from th[e] state."⁷⁵ For example, to select the airline used to fly the immigrants, the Defendant Florida officials conducted a government bidding process.⁷⁶ But instead of being constrained by the Federal and State constitutions and the trappings of government bureaucracy, Defendants are alleged to have brazenly executed this scheme and to have used public resources to deceive and harm vulnerable immigrant families, who had fled dangerous conditions and sought refuge in the United States. Notwithstanding the sixty

⁷⁴ Jaclyn Diaz, *Migrants Sent to Martha's Vineyard Are Being Rehoused on a Base in Cape Cod*, NPR (Sept. 16, 2022 4:37 PM ET), <https://www.npr.org/2022/09/16/1123521033/marthas-vineyard-migrants-sent-to-cape-cod>.

⁷⁵ Sandoval et al., *supra* note 37.

⁷⁶ See Compl. ¶¶ 40-57.

years of hard-fought progress since the desegregation era and the widespread condemnation of the Reverse Freedom Rides, the Defendants allegedly chose to recreate and revitalize this shameful historic event, this time harming and humiliating vulnerable immigrant families from South America.

Second, unlike in the 1960s, when access to the courts to redress discriminatory wrongs was exceedingly limited as a practical matter for the individuals and families lured by the Segregationists into leaving their communities based on false promises of a better life in the North, the instant lawsuit provides a means of redress for the vulnerable Latinx immigrant families who fell prey to Defendants' scheme.⁷⁷ The Martha's Vineyard Branch of the NAACP fully supports holding accountable the individuals and entities responsible, both to deliver justice to the individuals and families impacted and to prevent the recurrence of similar political stunts that abuse government power and victimize vulnerable groups based on their race and national origin.

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⁷⁷ See Mark S. Brodin, *The Boston Lawyers' Committee for Civil Rights Under Law: The First Fifty Years*, 101 MASS. L. REV. 43, 43 (2020) (describing how the national Lawyers' Committee for Civil Rights was formed in 1963, "with the aim of activating the pro bono resources of the private bar in the struggle for racial equality and justice."); Alan Houseman & Linda E. Perle, *Securing Equal Justice For All: A Brief History of Civil Legal Assistance in the United States* (May 2020), https://www.clasp.org/sites/default/files/publications/2018/05/2018_securingequaljustice.pdf (stating that with the passing of the Economic Opportunity Act in 1964, "[f]or the first time, Congress made federal money available for legal services for the poor.").

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