Ricci v. DeStefano was heard by the United States Supreme Court in 2009. The case concerns white and Hispanic firefighters in New Haven, Connecticut, who upon passing their test for promotions to management were denied the promotions, allegedly because of a discriminatory or at least questionable test. The test gave 17 whites and two Hispanics the possibility of immediate promotion. Although 23% of those taking the test were African American, none scored high enough to qualify. Because of the possibility the tests were biased in violation of Title VII of the Civil Rights Act,[REF][REF] no candidates were promoted pending outcome of the controversy [REF]. In a split 5-4 vote, the Supreme Court ruled that New Haven had engaged in impermissible racial discrimination against the White and Hispanic majority