



Artist sues Trump campaign over Skittles tweet about Syrian refugees

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October 20, 2016

An artist from the United Kingdom has filed a lawsuit against Republican presidential nominee Donald Trump, arguing that the campaign illegally used his photograph of a bowl of Skittles to illustrate its position against admitting Syrian refugees to the United States.

Donald Trump Jr., one of the candidate's sons, posted the image with his father's campaign hashtag on Sept. 19 in a tweet that has since garnered nearly 18,000 retweets and 20,000 likes.

David Kittos, the plaintiff, alleges that the campaign's actions resulted in a direct violation of his copyright and "rampant viral infringement" by third parties, according to the complaint filed Tuesday.

Mr. Kittos also said he found his photo's use as an anti-refugee meme "reprehensibly offensive," since he himself was a refugee forced to flee Cyprus when 6 years old.

The tweet in question, which Kittos included in court documents as an exhibit alongside his photograph, compares Syrian refugees to a hypothetical bowl of brightly colored candies in which a few are poisonous.

"If I had a bowl of skittles and I told you just three would kill you. Would you take a handful?" the message said above the photo and a campaign logo. "That's our Syrian refugee problem."

Above the meme, Mr. Trump wrote, "This image says it all."

Twitter removed the allegedly infringing image from its platform on Sept. 27 following a complaint from Kittos's attorney.

Trump's tweet seemed to align with statements by both the GOP candidate and his vice presidential running mate, Indiana Gov. Mike Pence, regarding those displaced by the Syrian conflict. Despite the rigorous refugee-vetting process in place, some have raised concerns that less information about Syrian refugees is available than for refugees from neighboring Iraq or other countries, since the civil war has limited officials' ability to cross-check information.

"The concern in Syria is that we don't have systems in place on the ground to collect information to vet," Michael Steinback, the assistant director of the FBI, told Congress last year. "You're talking about a country that is a failed state, that does not have any infrastructure, so to speak. So all of the datasets – the police, the intel services – that normally you would go to to seek information don't exist."

Although the United States has taken in far fewer Syrian refugees than many close allies, their admission has become a touchy issue for American politics. GOP nominee Donald Trump has said violent militants could enter the country posing as refugees, and Gov. Pence has sought to block Syrian refugees from resettling in Indiana.

When the Obama administration met its goal earlier this year of admitting 10,000 refugees from Syria – an aim that sparked harsh criticism, mostly from Republicans – the milestone was met with little fanfare, a sign of the tough politics around the issue.

But, as The Christian Science Monitor reported last month, the implicit math in the tweet dramatically exaggerated the scope of the real-world threat, when measured against past statistics:

Out of more than 3.2 million refugees admitted to the United States from 1975 through 2015, only 20 have been terrorists, according to a report released last week by The Cato Institute, a libertarian think tank that bills itself as “dedicated to the principles of individual liberty, limited government, free markets and peace.”

That's less than one-thousandth of a percent. Trump's three lethal Skittles would have to be mixed among about 480,000 others for his analogy to match the Cato report.

None of the 20 refugee terrorists identified in the report were involved in 9/11, and only three were successful in their attempts to kill.

“The three refugee terrorists were Cubans who committed their attacks in the 1970s and were admitted before the Refugee Act of 1980 created the modern rigorous refugee-screening procedures currently in place,” the report, written by immigration policy analyst Alex Nowrasteh, states.

Significantly more terrorists have been admitted to the United States as either lawful permanent residents or on tourist visas, the Cato report states.

The photographer's lawsuit names both Trumps, the campaign, and Pence as defendants. It seeks unspecified monetary damages and an order barring the campaign from continuing to use the image.