



October 27, 2017

United States Senate  
Washington, DC 20510

Dear Senator:

On behalf of the hundreds of thousands of members of People For the American Way, I write to express our strong opposition to the confirmation of Professor Amy Coney Barrett to a seat on the U.S. Court of Appeals for the Seventh Circuit.

Professor Barrett's record shows that she has a dangerous lack of deference to long-standing precedent and judicial restraint. She has also demonstrated a strong bias against reproductive justice and LGBTQ equality. Such a disturbing nominee should not be confirmed, especially in light of the obstruction that made this nomination possible.

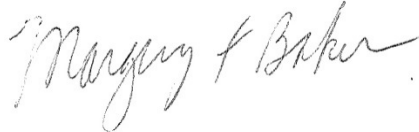
In an article that Professor Barrett co-authored entitled "Catholic Judges in Capital Cases," she wrote extensively about the responsibility of a Catholic judge who opposes the death penalty when she is assigned a capital case.<sup>i</sup> She acknowledges therein that the issue applies any time a judge finds herself religiously prohibited from carrying out the law. Her personal views, per her own admission, are intimately connected to how she would act as a judge. She has shown no meaningful restraint in expressing those views in the past.<sup>ii</sup> We have been given no reliable reason to believe that she would put her personal views aside and decide cases objectively on their merits if confirmed to serve on the Seventh Circuit.

Professor Barrett's far-right views on reproductive justice<sup>iii</sup> and LGBTQ equality<sup>iv</sup> are particularly concerning. She wrote in a law review article that abortion is "always immoral."<sup>v</sup> She served as a member<sup>vi</sup> of the "University Faculty for Life"<sup>vii</sup> organization at the University of Notre Dame. She signed a letter entitled "Unacceptable" opposing the Obama administration's proposal to accommodate religious employers while carrying out the Affordable Care Act's contraception mandate.<sup>viii</sup> She has criticized *Roe v. Wade*, saying that the decision "essentially permitted abortion on demand,"<sup>ix</sup> and has implied<sup>x</sup> that the landmark case was incorrectly decided. Professor Barrett also finds herself in direct conflict with the Supreme Court ruling in *Obergefell v. Hodges*, which established a constitutional right to marry for LGBTQ people nationwide, citing her commitment to "the meaning of human sexuality, the significance of sexual difference and the complementarity of men and women."<sup>xi</sup>

Professor Barrett's nomination is only possible given the obstruction that met President Obama's nominee to this seat, Justice Myra Selby. Justice Selby, who is currently a partner at the Ice Miller firm in Bloomington, was the first African American and first woman to serve on the state Supreme Court of Indiana and chaired the court's Commission on Race and Gender, which seeks ways to make the legal system fairer for all people.<sup>xii</sup> Though Justice Selby was nominated on January 12, 2016, more than a year prior to President Obama leaving office, she was denied a hearing and a vote.<sup>xiii</sup>

For all of these reasons, I strongly urge you to vote against the confirmation of Professor Barrett to serve on the U.S. Court of Appeals for the Seventh Circuit.

Sincerely,



Marge Baker  
Executive Vice President for Policy and Program

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<sup>i</sup> <http://www.pfaw.org/blog-posts/The-Religious-Rights-Bankrupt-Attacks-on-Democratic-Senators-Questioning-of-Amy-Coney-Barrett>

<sup>ii</sup> <https://civilrights.org/oppose-confirmation-amy-barrett/>

<sup>iii</sup> <http://www.pfaw.org/blog-posts/trump-judicial-nominee-amy-barrett-poses-grave-threat-to-reproductive-rights/>

<sup>iv</sup> <https://civilrights.org/oppose-confirmation-amy-barrett/>

<sup>v</sup> [http://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1523&context=law\\_faculty\\_scholarship](http://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1523&context=law_faculty_scholarship)

<sup>vi</sup> [http://civilrights.org/oppose-confirmation-amy-barrett/#\\_ftn1](http://civilrights.org/oppose-confirmation-amy-barrett/#_ftn1)

<sup>vii</sup> <http://ufl.nd.edu/>

<sup>viii</sup> <http://civilrights.org/oppose-confirmation-amy-barrett/>

<sup>ix</sup> <http://civilrights.org/oppose-confirmation-amy-barrett/>

<sup>x</sup> [http://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1421&context=law\\_faculty\\_scholarship](http://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1421&context=law_faculty_scholarship)

<sup>xi</sup> <https://civilrights.org/oppose-confirmation-amy-barrett/>

<sup>xii</sup> <https://medium.com/@peoplefor/when-charges-of-anti-religious-bigotry-become-a-cynical-distraction-4600761a53d3>

<sup>xiii</sup> <https://civilrights.org/oppose-confirmation-amy-barrett/>