

## Lambda Legal speaks out against William Pryor

Organization calls Pryor 'most demonstrably anti-gay judicial nominee in recent memory'

by Lisa Hardaway

NEW YORK CITY, N.Y. — Lambda Legal announced April 26 its opposition to the nomination of William Pryor to the U.S. Court of Appeals for the Eleventh Circuit. In a summary of Pryor's record, the organization points out he has repeatedly shown clear hostility to the rights of LGBT people



Pryor has repeatedly shown clear hostility to the rights of the LGBT community and those with HIV.

and those with HIV — and also to women, people of color, disabled people and others.

Pryor has been nominated to the appeals court before but failed to win Senate confirmation, largely because of his extreme judicial views. After Pryor's nomination failed, President George W. Bush temporarily placed Pryor on the court while the Senate was briefly in recess.

Earlier this year, President Bush again

nominated Pryor to serve permanently on the Eleventh Circuit of the federal appeals court (whose judges hear a wide range of cases appealed from trial-level federal courts in Florida, Georgia and Alabama). The Senate Judiciary Committee has already held hearings on his nomination and a vote by the committee is expected soon.

"William Pryor is the most demonstrably anti-gay judicial nominee in recent memory," said Kevin Cathcart, executive director of Lambda Legal. "It's clear from his record that William Pryor does not belong on the federal appeals court."

In particular, Cathcart cited several major cases where Pryor put animosity toward LGBT people ahead of constitutional and legal principles. For example, when Pryor served as Alabama's attorney general he wrote a friend-of-the-court brief defending Texas's anti-gay sodomy law in *Lawrence v. Texas*, Lambda Legal's landmark U.S. Supreme Court case.

In that brief, Pryor made comparisons between the rights of gay people and "prostitution, adultery, necrophilia, bestiality, possession of child pornography and even incest and pedophilia." Years earlier, when the U.S. Supreme Court ruled in *Romer v. Evans* that a state cannot broadly prohibit local anti-discrimination ordinances barring anti-gay discrimination, Pryor said the ruling shows "new rules for political correctness." The *Atlanta Journal-Constitution* has described Pryor as a "right-wing zealot [who] is unfit for confirmation."

"We oppose William Pryor not just because he disrespects the rights of LGBT Americans, but because he disrespects the legal system and our Constitution," Cathcart said. "Pryor's approach to the law is driven by his extremely conservative personal and political beliefs. Our nation's judges should hear each case before them with an open mind and a fair application of the law, and William Pryor has shown that he's incapable of doing that."

According to Lambda Legal, which released a backgrounder on Pryor's record and his nomination's potential impact on LGBT people, Pryor has already done significant harm to fairness and justice during his temporary stint on the federal appeals court. Last year, he cast the deciding vote to deny a full appeals court hearing for a lawsuit challenging Florida's anti-gay adoption law. The court was split evenly, 6-6, on whether to review a three-judge panel's ruling in the case. Had Pryor not been serving temporarily on the court, the full court would have heard the case. Instead, the earlier ruling that upheld the discriminatory law remained in place, and the U.S. Supreme Court declined to hear an appeal.

"Several judges on the appeals court wanted to hear the case and said the law raised 'serious and substantial questions,' but William Pryor kept that from happening. As a result, lesbians and gay men in Florida cannot adopt children who need permanent, loving homes," Cathcart said.

In opposing Pryor's nomination, Lambda Legal is mobilizing its 25,000-plus members

to voice their concerns to members of the U.S. Senate. Lambda Legal is working with People for the American Way, Alliance for Justice, the Leadership Conference on Civil Rights and dozens of other groups to defeat Pryor's nomination and make sure the nation's courts remain fair and independent.

The effort to defeat Pryor's nomination is the latest step in Lambda Legal's wide-ranging new national campaign, "Courting Justice: Stand Up for Fair Courts — Protect Our Rights." The campaign aims to mobilize LGBT people, those with HIV and allies to advocate for unbiased judicial nominees, defend fair-minded judges from political attacks and support the legitimate role of courts in addressing civil rights claims. As part of the campaign, Lambda Legal will be releasing substantive material on a number of issues and nominees, giving members and the public avenues to get involved in fighting for fair courts, reaching out to activate constituencies through advertising and other vehicles and working closely with other leading civil rights and judicial organizations.

In late March, Lambda Legal also opposed the nomination of Terrence Boyle to the U.S. Court of Appeals for the Fourth Circuit, citing a troubling record on disability law that jeopardizes the rights of people with HIV.

"Fighting for fair courts is one of our priorities in the months ahead — and its impact will last a generation. We're at a critical juncture where one federal nomination could make a difference between fairness and injustice for all Americans," Cathcart said.

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