



THREE WAYS A SUPREME COURT APPOINTEE COULD RESTRICT GAY RIGHTS:

- Violating privacy rights: Just one more justice like Scalia and Thomas on the Court would likely reverse the landmark holding in *Lawrence v. Texas* that all consenting adults, including gay men and lesbians, are entitled to privacy with respect to their private sexual conduct – and would revive the infamous *Bowers v. Hardwick* ruling allowing states to treat people as criminals based on their private conduct in their bedrooms.
- Authorizing blatant discrimination: Just two more votes with Scalia and Thomas would have reversed the entire *Lawrence* decision and made it legal for states to adopt anti-sodomy laws that specifically target lesbians and gay men. Two more Scalia-Thomas votes would also reverse a Supreme Court decision overturning an anti-gay constitutional amendment in Colorado. Any hope of arguing for non-discriminatory marriage rights under federal law or the Constitution would disappear.
- Weakening First Amendment and other protections: Right-wing assaults on museums, galleries, and arts agencies funded by government often focus on gay artists. More right-wing justices on the Court would further threaten the First Amendment rights of gay artists and performers against anti-gay censorship. And access to even basic due process is threatened – in a case concerning an employee fired by the CIA after he revealed he was gay, Justice Scalia claimed that the employee should not even be able to have a court consider his constitutional claims.

PROTECT GAY RIGHTS

Hard-won progress toward legal equality for gay and lesbian Americans is at risk. You can help preserve that progress by helping to save the Supreme Court.

The nine-member Supreme Court interprets the Constitution and laws – a powerful role that has a huge impact on equality and freedom for lesbians and gay men. Right now, the Court is closely divided, so the people appointed to fill vacancies expected on the Court over the next few years will have a huge effect on equality for decades to come. Just one or two new right-wing justices like Antonin Scalia and Clarence Thomas – the justices who President Bush has called his models for Supreme Court appointments – would reverse the progress made on gay rights over the last decade, and could make further progress through the courts virtually impossible.

WHAT YOU CAN DO

Despite the compromise over the filibuster, there remains an effort by allies of the White House to change Senate rules and make it harder to prevent anyone nominated by the president from getting on the Supreme Court for life. If you don't want a far-right dominated Supreme Court to reverse progress toward equality for gay Americans, now is the time to take action



For more information see: **savethecourt.org**

or to get involved call: **1-800-326-7329**