



National Asian Pacific American Women's Forum

NAPAWF

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NAPAWF Opposes Roberts for Supreme Court

The National Asian Pacific American Women's Forum (NAPAWF) opposes the nomination of Judge John G. Roberts, Jr. as associate justice to the Supreme Court of the United States. As the only national, multi-issue APA women's advocacy organization, NAPAWF finds Judge Roberts hostile to fundamental rights and liberties, unwilling to respect precedent, and a strict constructionist of hard-won constitutional and other legal protections for women and minorities.

Judge Roberts' narrow interpretation of the right of privacy and reproductive choice is troubling. As Deputy Solicitor General during the first Bush Administration, Judge Roberts co-authored a brief in Rust v. Sullivan arguing that Roe v. Wade was "wrongly decided and should be overruled" and that the Supreme Court's conclusions in Roe have "no support in the text, structure, or history of the Constitution." More alarming is that Rust involved the global gag-rule, and did not present the issue of Roe v. Wade's validity. Similarly, during his confirmation hearing to the D.C. Circuit Court in 2003, he evaded directly answering questions about his views on Roe v. Wade, whether the case was wrongly decided, and whether the right of privacy includes the right to an abortion. Abortion is a critically important issue for APA women, who have the second highest utilization rate among all racial/ethnic groups and a high rate of unintended pregnancies. Judge Roberts' positions and statements raise serious doubts about his willingness to continually ensure that all APA women, especially immigrant, poor and minority, have the ability to exercise their fundamental right to reproductive choice and access to the full-range of reproductive health services.

Similarly, Judge Roberts' positions in Bray v. Alexandria and Franklin v. Gwinnett County Public Schools also indicate an unwillingness to protect women from discrimination. In Bray, he argued in support of a radical anti-choice group called Operation Rescue that their tactics of blocking access to reproductive health care clinics and harassing patients and doctors did not constitute discrimination against women. Congress responded by subsequently enacting the Freedom of Access to Clinic Entrances Act to protect women and health care providers from harassment and clinic violence. In Franklin, he authored an amicus brief arguing that a high school student, who was sexually harassed by her teacher and coach, could not receive damages for the injuries that she suffered under Title IX. The Supreme Court unanimously rejected Roberts' views and held that sexual harassment is an intentional violation of Title IX, and that victims are entitled to monetary damages. His overly-restrictive arguments in both of these cases will limit APA women's ability to seek protection from discrimination and vindication of their legal rights.

The Supreme Court is closely divided on issues of importance to the APA women's community, including abortion, affirmative action, and Title IX. Judge Roberts' record demonstrates his lack of commitment to protecting and expanding the progress that has been made on fundamental rights, constitutional protections, and individual liberties.

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NAPAWF is dedicated to forging a progressive movement for social and economic justice and the political empowerment of Asian and Pacific American women and girls. NAPAWF unites our diverse communities through organizing, education and advocacy.