

EQUALITY CALIFORNIA



November 1, 2017

To the Honorable Members of the United States Senate
United States Senate
Washington, DC 20510

RE: Anti-LGBTQ Judicial Nominees Steven Grasz, Jeff Mateer and Gregory Katsas

Dear Senator,

On behalf of our 800,000 members and millions of LGBTQ people across the country, Equality California is writing to express our deep concern about the anti-LGBTQ views and judicial records of many of the dozens of candidates who will be coming before the Senate Judiciary Committee in the next few weeks.

Three nominees – Leonard “Steven” Grasz, Jeff Mateer, and Gregory Katsas -- stand out as particularly hostile to LGBTQ civil rights and are unworthy of lifetime appointments.

Unanimously ranked “Not Qualified” by the American Bar Association for “professional competence, integrity and judicial temperament,” is **Leonard Steven Grasz**, nominated to the US Court of Appeals for the 8th Circuit.

Mr. Grasz serves on the board of directors of the virulently anti-LGBTQ Nebraska Family Alliance, an organization affiliated with Focus on the Family and which maintains that bans on conversion therapy “trample on parental rights and decrease options for young people struggling with unwanted same-sex attraction or gender dysphoria.”

As an attorney, Grasz fought *Obergefell v. Hodges*, arguing that only the parenting of a mother and a father “provides children with the optimal environment for their cognitive, social, and emotional development from infancy through adolescence.”

In his role as Chief Deputy Attorney General of Nebraska, Grasz wrote opinions defending laws that prohibited the use of state-funded grants to organizations that provide abortion-related services, which he typically calls “infanticide,” and banned the use of tissue and organs from aborted fetuses for research. His office also fought the federal mandate requiring public financing for abortions for low-income patients – even women who are victims of rape and incest.

Jeff Mateer, nominee for the US District Court for the Eastern District of Texas, has made comments that are as breathtakingly hateful as unjudicial.

In a speech posted to Vimeo in 2015, Mr. Mateer, the first assistant attorney general of Texas, and formerly general counsel of the First Liberty Institute, opined on accommodations for transgender students. “In Colorado, a public school has been sued because a first grader and I forget the sex, she's a girl who thinks she's a boy or a boy who thinks she's a girl, it's probably that, a boy who thinks she's a girl. And the school said, 'Well, she's not using the girl's restroom.' And so she has now sued to have a right to go in. Now, I submit to you, a parent of three children who are now young adults, a first grader really knows what their sexual identity? I mean it just really shows you how Satan's plan is working and the destruction that's going on.”

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Mateer's thoughts then veered to marriage equality, which had been recently legalized by the US Supreme Court. "And actually in the arguments Chief Justice Roberts, who's in the center there said, I mean, what is the limiting? Why couldn't four 4 people wanna get married? Why not one man and three women? Or three women and one man?" He continued, "I mean, it's disgusting. There are people who marry themselves. Somebody wanted to marry a tree. People marrying their pets. It's just like -- you know, you read the New Testament and you read about all the things and you think, 'Oh, that's not going on in our community.' Oh yes it is. We're back to that time where debauchery rules."

And, in a series of radio interviews, Mateer seemed caught up in conspiracy theories about anti-Christian persecution, comparing the treatment of Christians in the United States to that of Nazi Germany. Speaking of then-Mayor of Houston Annise Parker, an open lesbian, Mateer said, "the first thing they want to do is they go after the pastors, they go after their sermons. I do know it happened in the 1930s and 1940s in Nazi Germany. It happened in Stalinist Russia, and it happened in Maoist China. Totalitarian governments often want to censor and silence pastors, and that's exactly what the mayor of Houston, she's in that company, when she makes this type of affront on religious liberty."

The third judicial candidate which we strongly oppose is **Gregory Katsas**, who has been nominated for the influential U.S. Circuit Court of Appeals for the District of Columbia. Mr. Katsas, currently a White House lawyer, is serving in a capacity which requires him to be intimately involved in a wide range of controversial legal issues that have been challenged by courts across the country, including such things as the Muslim ban, the Executive Order on expanded religious liberties, the pardon of the racist Arizona Sheriff Arpaio, the decision to roll back DACA, and a wide range of attacks on civil rights, the environment, healthcare, and LGBTQ rights.

Equality California urges the Senate Judiciary Committee to reject these three nominations, and we call on every US Senator to oppose candidates for lifetime appointments who do not seek to protect the civil rights of all Americans, regardless of sexual orientation, gender identity, HIV status or marital status.

Sincerely,



Rick Zbur
Executive Director



Valerie Ploumpis
National Policy Director

cc: Senator Dianne Feinstein
cc: Senator Kamala Harris