



Sonya Gross, Chair
Deb Warner, Secretary
David Hofstad, Treasurer

Progressive Cheverly
progressivecheverly.org

6313 Jason St.
Cheverly, MD 20785

August 25, 2018

Governor Larry Hogan
100 State Circle
Annapolis, Maryland 21401-1925

Dear Governor Hogan:

On behalf of Progressive Cheverly, a grassroots advocacy and education organization in Prince George's County, we urge you to take a public stand against the nomination of Judge Brett Kavanaugh for the U.S. Supreme Court.

We were pleased that you did not sign on to the Republican Governors' letter supporting the nomination, but the people of Maryland need you to step off the sidelines and actively oppose this nomination. Appointing and approving a Supreme Court justice may be a federal function, but to stay quiet is to pretend that there will not be significant long-term consequences for our state. President Trump and the U.S. Senate need to hear that directly from our Governor. Judge Kavanaugh has ruled against civil rights, women's rights, worker's rights, consumer rights, and environmental protections. All Marylanders will be impacted by a Supreme Court that includes Judge Kavanaugh. Below we highlight just a few of the issues that are deeply concerning.

It is very likely that with Judge Kavanaugh's vote on the U.S. Supreme Court, coverage of pre-existing conditions under the Affordable Care Act will be eliminated, which will have devastating consequences, particularly for women, people of color, people with disabilities, and low-income families. This could mean that many of the over 150,000 Marylanders who purchased ACA plans in 2018, not to mention millions more throughout the country, could be denied health insurance for their pre-existing conditions, or find it unaffordable and, therefore, go without vital coverage. The result would be more Marylanders struggling and dying from illnesses that could be treated, health care costs rising because people would be sicker if they are not being treated, and valuable health resources and providers focused more on emergency care instead of wellness and improved quality of life. Maryland has done an extraordinary job in expanding affordable health coverage to so many residents in need through the ACA and the expanded Medicaid program. We can't go backwards.

On environmental issues, Judge Kavanaugh has made his mark on a number of important cases on climate change and air pollution that came before the Court of Appeals for the District of Columbia Circuit. In one case, the Circuit court upheld the Environmental Protection Agency's greenhouse gas regulations, but Judge Kavanaugh vigorously dissented from the majority. Based on his view of Congressional authority, Judge Kavanaugh believes that in the absence of explicit instructions from Congress, any regulatory effort by the EPA to address environmental problems should be challenged by the courts. Maryland's efforts to clean up the Chesapeake Bay and to move aggressively towards renewable energy could be in jeopardy.

Judge Kavanaugh has a clear record of legal opinions that demonstrates a lack of commitment to civil rights, racial justice, worker rights, and immigrant rights. One such example, was an opinion he wrote in 2012 that upheld the South Carolina voter ID law which was objected to by the Department of Justice based on racial disparities. Judge Kavanaugh's ideological bias can also be seen in his rulings in employment discrimination cases, where he has dissented and voted to dismiss claims that a majority of the jurists on the D.C. Circuit found to be meritorious. Similarly there is a pattern in his opinions that undermines workplace safety, worker privacy and the right to collective bargaining. There is no question that the Supreme Court will be considering cases that determine the fate of millions of immigrants, including many who live in our state and who seek a better, safer life than they have known in their home country. And we know that Judge Kavanaugh has consistently departed from precedent to argue that undocumented immigrants are not protected under federal laws.

On a women's reproductive rights, it has been very clear that Judge Kavanaugh does not support abortion rights. *Roe v. Wade* will most certainly be on the chopping block. Judge Kavanaugh has already ruled to limit access to safe, legal abortion. Last year, he used his judicial power to try and prevent a young, undocumented woman in U.S. custody from accessing the safe, legal abortion she had asked for. He hasn't just ruled to limit access to abortion. He's also opposed women's access to birth control. He authored the dissenting opinion in the D.C. Circuit's 2015 ruling on the Affordable Care Act's birth control benefit, writing that he believed employers have the right to deny their employees health insurance coverage for birth control. What would be the consequences for Maryland women if the U.S. Supreme Court eliminated *Roe v. Wade* or continued to erode women's rights to abortion and contraception.

In Maryland, we can be proud of the fact that in 2013 we passed one of the most stringent gun control laws in the country. In our state, while supporting the right of law-abiding citizens to own guns we said that owning a gun was not the way to curb violence. Nominating Judge Kavanaugh, however, could be the decisive vote that would reverse the gains we have made as a state to curb the proliferation of guns. He argued that the District of Columbia's ban on semi-automatic rifles and its gun registration requirement were unconstitutional. Like gun control legislation, Maryland was at the forefront of the fight for same-sex marriage and the rights of LGBTQ people. And now marriage equality has become a constitutionally protected right. With the potential for Judge Kavanaugh to join the Supreme Court, LGBTQ Marylanders have much to fear

from a Supreme Court justice who clearly is willing to strip away or undermine these constitutionally protected rights.

The list goes on. As we all know, whoever sits on the U.S. Supreme Court will dramatically affect this country for decades and generations. For the sake of all Marylanders, and the country, we need you to speak out today and urge the Senate not to confirm the nomination of Judge Brett Kavanaugh.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sonya Gross", with a stylized, flowing script.

Sonya Gross, Chair
Progressive Cheverly