

# LGBT Rights At Stake: You Can Help Protect Constitutional Rights



**Your individual rights**, which are protected by our Constitution and laws depend on having Supreme Court Justices who will uphold those rights. Your vote on Election Day '08 will help determine the future of LGBT rights for decades to come.

When Americans vote for a President and Senators this November, they'll be electing the people who will decide who gets a lifetime seat on the Supreme Court if there are any vacancies. It is likely that the President elected this fall will get to nominate one or more justices — and Senators will vote on whether to confirm them.

## Here's why LGBT rights depend on the Court:

- » In 2003, a sharply divided Court ruled in *Lawrence v. Texas* that state laws criminalizing private, consensual sex between same-sex partners are unconstitutional. Justices Scalia and Thomas dissented from that ruling, and since then two more right-wing justices, Chief Justice Roberts and Justice Alito, have joined the Court. They are unlikely to vote to strike down such laws, and the addition of yet another right-wing justice to the Court would thus imperil this landmark ruling.
- » In 1996, in *Romer v. Evans*, another sharply divided ruling, the Court struck down a Colorado constitutional provision that prohibited local governments from enacting laws protecting gay men and lesbians from discrimination based on sexual orientation. Justices Scalia and Thomas dissented from that ruling, and voted to uphold the anti-gay state constitutional provision. Since then, Chief Justice Roberts and Justice Alito have joined the Court. There is no reason to believe they would strike down such a provision either, and therefore one more right wing justice on the Court would imperil this critical ruling as well.

Right now, four Supreme Court justices — Chief Justice Roberts and Justices Alito, Scalia, and Thomas — share a right-wing ideology that undermines legal and constitutional protections for LGBT people. It's likely that the next President will get to nominate at least one new Justice, and possibly more.

That's why it's so important that the next President nominates — and Senators confirm — only Justices who are committed to upholding the rights guaranteed by our Constitution and laws.

The addition of any more Justices who aren't committed to our rights could undo many of the gains that LGBT people have made over the past decades.

***We can't let that happen. Help us take back the Supreme Court on election day.***

SaveTheCourt.org

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