



## **Richard H. Honaker**

President Bush nominated Richard Honaker to be a U.S. District Judge for the District of Wyoming on March 19, 2007.

### **Career**

Currently a private practice attorney in Rock Springs, Wyoming, and adjunct professor at Western Wyoming Community College.<sup>1</sup>

- Bachelor of Arts degree, Harvard College, 1973
- Juris Doctorate, University of Wyoming College of Law, 1976
- Assistant Attorney General for the State of Wyoming, 1976-1978
- Public Defender, Wyoming, 1979-1981
- President, Wyoming Trial Lawyers Association, 1986
- Representative, Wyoming House of Representatives, Sweetwater County, 1987-1993
- Switched party registration from Democrat to Republican in 1994<sup>2</sup>
- Attorney, Honaker Law Offices, LC, 2000-present<sup>3</sup>
- President, Wyoming State Bar, 2002
- Campaign co-chair for U.S. Sen. Mike Enzi (R-WY) in 1996 and 2002; campaign co-chair for U.S. Sen. Craig Thomas (R-WY) in 2006<sup>4</sup>

### **Hostility to Reproductive Rights**

Richard Honaker has a long history of working to end legal abortion.

- In 1991, introduced the "Human Life Protection Act" in the Wyoming House.<sup>5</sup> The bill, a direct attack on *Roe v. Wade*, was a near-total ban on abortion, including an exception only to protect a woman's life, or in certain cases of rape or incest *if* the woman reported the attack within five days.<sup>6</sup> The bill also included the following legislative findings:
  - "It is a medical and scientific fact that the life of each individual human being begins at the moment of conception."<sup>7</sup>
  - "Unborn children are human beings, and abortion is the taking of the life of an unborn child who is a member of the human race."<sup>8</sup>

- “This state has a compelling interest in protecting the lives of unborn children throughout pregnancy.”<sup>9</sup>  
Fortunately, the bill failed in the House Judiciary Committee by a 5-4 vote.<sup>10</sup>
- Undeterred, Honaker attempted to reintroduce the near-total abortion ban again in 1992.<sup>11</sup> The bill, which was very similar to the 1991 version, failed again.<sup>12</sup>
- Served as counsel to the Unseen Hands Prayer Circle, an anti-choice political action committee formed to put the “Human Life Protection Act” on the ballot as a statewide initiative in 1994.<sup>13</sup> Despite enthusiastic support from Honaker and his allies, the initiative was overwhelmingly rejected by Wyoming voters: supporters could not muster even 40 percent of the vote.<sup>14</sup>
- Since 2002 has been a member of the Federalist Society, a group whose experts on abortion have advocated for the overturn of *Roe v. Wade*.<sup>15</sup>
- Is supported by Right to Life of Wyoming.<sup>16</sup>

### Legal Philosophy

Honaker has not just pushed to make abortion illegal; he has also published articles and given speeches about the right to choose and how laws should be interpreted in general. These public statements raise significant concerns about Honaker’s ability to fairly and impartially apply the law.

About a woman’s right to choose:

- “Regarding the ethics of abortion, if I were to take a position - and I do - I say that abortion is the killing of an innocent, living human being. It’s wrong, and no one should have the right to do what is wrong.”<sup>17</sup>
- “There is no longer any scientific or medical doubt about the fact that abortion kills innocent human beings.”<sup>18</sup>
- “If we walk away from this [abortion ban] bill, you are saying that in Wyoming, it is OK to kill these children.”<sup>19</sup>

Legal philosophy generally:

- “I came to know that if the Bible is true, if Christianity is true, then it is true in family life. It is true in economics. It is true in law, and it is true in all facets of human

endeavor. I know that with only such a world view can Christians have any impact upon the culture around them.”<sup>20</sup>

- “Autonomy is the new secular religion sanctioned by [t]he United States Supreme Court. The Supreme Court no longer talks about America as a Christian nation or about the Christian underpinnings of the law. In moving even beyond the pale of neutrality, it openly advances the idea of autonomy, stating that ‘personal dignity and autonomy are central to the liberty protected by the Fourteenth Amendment’.”<sup>21</sup>
- “This nation was founded upon absolutes. It could not have been otherwise. The signers of the Declaration of Independence looked to a higher law with which to judge, point by point, the unjust acts of King George III. None of those acts violated the law of England which was applicable to the colonies. They violated the law of God. Like political philosophers Samuel Rutherford and John Locke, the colonists firmly believed that a man-made law which violated the law of God was illegitimate and could not be enforced against them.”<sup>22</sup>
- Referring to William Blackstone’s assertion that “no human laws are of any validity, if contrary to...the law of God,” Honaker wrote: “It was this sort of legal profession that was able, in Jefferson’s words, to articulate the state of the American mind. The American mind, then, was a mind that accepted the principles of the Bible and Christianity as truth - as absolute truth for American society.”<sup>23</sup>

April 13, 2007

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<sup>1</sup> Honaker Law, *Biography*, at [http://www.honakerlaw.com/hl\\_bio.html](http://www.honakerlaw.com/hl_bio.html) (last visited April 11, 2007).

<sup>2</sup> Katharine Collins, *Honaker, Eyre Share Similar Views; Ex-Democrat Takes on Political Newcomer*, CASPER STAR-TRIBUNE, July 19, 1994.

<sup>3</sup> Honaker Law, *Biography*, at [http://www.honakerlaw.com/hl\\_bio.html](http://www.honakerlaw.com/hl_bio.html) (last visited April 11, 2007).

<sup>4</sup> Richard Honaker, *Questionnaire for Judicial Nominees (Public)*, United States Senate Committee on the Judiciary, Mar. 20, 2007.

<sup>5</sup> H.B. 221, 51<sup>st</sup> Leg., Gen. Sess (Wyo. 1991).

<sup>6</sup> H.B. 221, 51<sup>st</sup> Leg., Gen. Sess (Wyo. 1991).

<sup>7</sup> H.B. 221, 51<sup>st</sup> Leg., Gen. Sess (Wyo. 1991).

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<sup>8</sup> H.B. 221, 51<sup>st</sup> Leg., Gen. Sess (Wyo. 1991).

<sup>9</sup> H.B. 221, 51<sup>st</sup> Leg., Gen. Sess (Wyo. 1991).

<sup>10</sup> Joan Barron, *Speaker Defends Assigning Abortion Bill to Judiciary; Cross: Sponsors Played 'Games' With Him*, CASPER STAR-TRIBUNE, Jan. 30, 1991.

<sup>11</sup> H.B. 207, 51<sup>st</sup> Leg., Budget Sess. (Wyo. 1992).

<sup>12</sup> Wyoming State Legislature, *Legislative Session Information Archives*, at <http://legisweb.state.wy.us/sessions/legsess.htm> (last visited Apr. 11, 2007); H.B. 207, 51<sup>st</sup> Leg., Budget Sess. (Wyo. 1992).

<sup>13</sup> Jim Angell, *Supreme Court Hears Arguments on Abortion Initiative*, LARAMIE DAILY BOOMERANG, June 23, 1994.

<sup>14</sup> Wyoming Elections Division, *Initiative and Referendum Summary Sheet*, Mar. 9, 2007, at <http://soswy.state.wy.us/election/IRSum.pdf> (last visited Apr. 11, 2007).

<sup>15</sup> Richard Honaker, *Questionnaire for Judicial Nominees (Public)*, United States Senate Committee on the Judiciary, Mar. 20, 2007; NARAL Memorandum on the Federalist Society to Interested Parties, May 22, 2001 (reviewing information on the Federalist Society website at <http://www.fed-soc.org/>).

<sup>16</sup> Ben Neary, *Honaker's Nomination Worries Pro-Abortion Activists*, ASSOC. PRESS, Mar. 20, 2007.

<sup>17</sup> Richard Honaker, *Heralding the Good News of Jesus Christ*, REFORMED HERALD, Nov. 1992, at <http://incolor.inebraska.com/stuart/justice.htm> (last visited Apr. 11, 2007).

<sup>18</sup> Joan Barron, *Bipartisan Group of Legislators Sponsors Bill to Outlaw Abortion*, CASPER STAR-TRIBUNE, Jan. 12, 1991.

<sup>19</sup> Ben Neary, *Honaker Nominated for District Judgeship*, LARAMIE DAILY BOOMERANG, Mar. 20, 2007.

<sup>20</sup> Richard Honaker, *Heralding the Good News of Jesus Christ*, REFORMED HERALD, Dec. 1992, at <http://incolor.inebraska.com/stuart/justice.htm> (last visited Apr. 11, 2007).

<sup>21</sup> Richard Honaker, *Heralding the Good News of Jesus Christ*, REFORMED HERALD, Dec. 1992, at <http://incolor.inebraska.com/stuart/justice.htm> (last visited Apr. 11, 2007).

<sup>22</sup> Richard Honaker, *Heralding the Good News of Jesus Christ*, REFORMED HERALD, Nov. 1992, at <http://incolor.inebraska.com/stuart/justice.htm> (last visited Apr. 11, 2007).

<sup>23</sup> Richard Honaker, *Heralding the Good News of Jesus Christ*, REFORMED HERALD, Nov. 1992, at <http://incolor.inebraska.com/stuart/justice.htm> (last visited Apr. 11, 2007) [emphasis added].