



## Gordon Giampietro

President Trump nominated Gordon Giampietro to serve on the U.S. District Court for the Eastern District of Wisconsin on December 20, 2017.

### Career<sup>1</sup>

- Bachelor of Arts, The Catholic University of America, 1988
- Juris Doctorate, The Catholic University of America, 1992
- Clerk, Judge Rudolph T. Randa, U.S. District Court for the Eastern District of Wisconsin, 1992-1995
- Litigation Associate, Michael, Best & Frederick LLP, 1995-2000
- Litigation Partner, Michael, Best & Frederick LLP, 2000-2002
- Assistant U.S. Attorney, Eastern District of Wisconsin, 2002-2015
- Assistant General Counsel, The Northwestern Mutual Life Insurance Company, 2015-present

### Record on Choice-Related Issues

#### Notable Information

- Giampietro has made numerous extreme and troublesome statements hostile toward reproductive rights:
  - “Going back to the founders of this country, they would be shocked to think that it’s a constitutional right to kill an unborn child, it’s a constitutional right to marry a person of the same sex. This would be insane to them, and yet that’s where we find ourselves.”<sup>2</sup>
  - “[The birth control pill] is an assault on nature. And any time you assault nature there’s going to be a backlash. And that’s what we’re seeing today. In all kinds of ways, not just with respect to contraception and marriage. Whenever you go against god’s plan, bad things are going to happen.”<sup>3</sup>
  - “I would say [*Obergefell*] is worse than *Roe* because of the damage it does to civil society. Because certainly *Roe* dealt with innocent human life and nothing is worse than the lawful, constitutional taking of innocent human life. But it’s worse from a philosophical, civilizational standpoint because what the Supreme Court did in this decision didn’t just let people live their lives as they choose, it ordered the citizens of this country to essentially confer status on it, a blessing on it, so if you think about it this way it’s really an assault on the conscience rights of all Americans.”<sup>4</sup>

- Giampietro described the Affordable Care Act’s contraceptive-coverage policy as a “precise, coercive threat from the government.”<sup>5</sup>
- Giampietro posted an online comment on a blog post about the *Hobby Lobby* case. He wrote: “As usual, Hadley Arkes is exactly right to trace the intrusion into private business to the Civil Rights Act. I would go even farther back (and I assume Prof. Arkes would too) to the original sin of slavery. Absent slavery, there might have been a vibrant federalism that allowed for differences of opinion to exist side by side until the truth will out. Absent slavery, there is no racial spoils system, no calls for diversity – which is code for relaxed standards (moral and intellectual) – and no eye-rolling when appeals are made to ‘states rights.’ In short, because we denied blacks the fundamental human right to freedom we sowed the seeds of our own loss of freedom. The Hobby Lobby cases – if we lose – will represent the end of the American experiment.”<sup>6</sup>
- Giampietro is associated with the conservative, anti-choice Federalist Society.<sup>7</sup> He served as president of the Milwaukee chapter from 2005-2007.<sup>8</sup>

### **Record on Other Key Issues**

- Giampietro has made offensive comments about LGBTQ relationships and equal marriage:
  - “Society’s interest has been in really the next generation. What is the optimal way to raise children for the next generation? That’s why society has always recognized marriage. When you focus on that, you recognize why same-sex marriage is incoherent. That’s not how we bring children into the world.”<sup>9</sup>
  - In several cases, Giampietro has suggested that equal marriage will lead to the legalization of incest and polygamy:
    - In discussing Chief Justice Roberts’ dissent in *Obergefell*, Giampietro stated, “There really is no constitutional reason to say that polygamy isn’t the next thing to go... There’s no reason why you couldn’t do these other arrangements.”<sup>10</sup>
    - In an interview, Giampietro was asked if, after equal marriage was recognized, three people could marry or a brother and sister could marry. He responded, “Why not?”<sup>11</sup>
- While in law school at Catholic University, Giampietro wrote a piece criticizing the University for charging every student a fee to subsidize the university health plan. He wrote, “what we have here is an attempt to make the whole student population pay a portion of the health care costs of a certain few.”<sup>12</sup> He continued, “The last time I checked, the United States hadn’t yet adopted socialized medicine.”<sup>13</sup>

February 23, 2018

## Notes

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<sup>1</sup> *Questionnaire for Judicial Nominees: Gordon Giampietro*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY, <https://www.judiciary.senate.gov/imo/media/doc/Giampietro%20SJQ.pdf> (last visited Feb. 23, 2018)

<sup>2</sup> Nazareth Project on Relevant Radio (July 4, 2014), <https://www.youtube.com/watch?v=J6oqOjhr0gl&t=1273s>

<sup>3</sup> *The Lydia LoCoco Show feat. Gordon Giampietro* (July 24, 2015), <https://www.lydialococo.com/archives>.

<sup>4</sup> *The Lydia LoCoco Show feat. Gordon Giampietro* (July 24, 2015), <https://www.lydialococo.com/archives>.

<sup>5</sup> Nazareth Project on Relevant Radio (July 4, 2014), <https://www.youtube.com/watch?v=J6oqOjhr0gl&t=1273s>

<sup>6</sup> Zoe Tillman, *One of Trump's Judicial Nominees Once Wrote That Diversity Is "Code For Relaxed Standards"*, BUZZFEED NEWS (Feb. 15, 2018), [https://www.buzzfeed.com/zoetillman/one-of-trumps-judicial-nominees-once-wrote-that-diversity?utm\\_term=.hvwy4GKI#.odMxqP1zm](https://www.buzzfeed.com/zoetillman/one-of-trumps-judicial-nominees-once-wrote-that-diversity?utm_term=.hvwy4GKI#.odMxqP1zm).

<sup>7</sup> Joseph Loconte, *Paying the Piper*, HOOVER INSTITUTION: POLICY REVIEW (Jan. 1, 1999), <https://www.hoover.org/research/paying-piper>

<sup>8</sup> *Questionnaire for Judicial Nominees: Gordon Giampietro*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY, <https://www.judiciary.senate.gov/imo/media/doc/Giampietro%20SJQ.pdf> (last visited Feb. 23, 2018)

<sup>9</sup> Nazareth Project on Relevant Radio (July 4, 2014), <https://www.youtube.com/watch?v=J6oqOjhr0gl&t=1273s>

<sup>10</sup> *The Lydia LoCoco Show feat. Gordon Giampietro* (July 24, 2015), <https://www.lydialococo.com/archives>.

<sup>11</sup> Nazareth Project on Relevant Radio (July 4, 2014), <https://www.youtube.com/watch?v=J6oqOjhr0gl&t=1273s>

<sup>12</sup> Gordon Giampietro, *Health service fee is patently unfair*, THE CATHOLIC UNIVERSITY OF AMERICA: THE TOWER (Nov. 8, 1991).

<sup>13</sup> *Ibid.*