



## David Dugan

President Trump nominated David Dugan to serve on the U.S. District Court for the Southern District of Illinois on February 5, 2020. Dugan is extremely hostile to reproductive freedom.

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

- Bachelor of Arts, Eastern Illinois University, 1982
- Juris Doctorate, Valparaiso University School of Law, 1985
- Law Clerk, Attorney, Coppinger, Carter, Schrempf & Blaine, Ltd., 1985-1987
- Attorney, Law Offices of Gary E. Peel, 1987-1991
- Attorney, Lakin & Herndon, 1991-1994
- Prosecutor (part time), Madison County State's Attorney's Office, 1993-1994
- Attorney, Pitts, Dugan & Diaz, 1994-1999
- Contract Pilot, Sabreliner Corporation, 1999-2013
- Attorney, Simmons & Cooper, 2003-2005
- Attorney, David W. Dugan P.C., 2007-2017
- Circuit Court Judge, Third Judicial Circuit Court, 2017-present

### Record on Reproductive Freedom

- While running for judicial office, Dugan responded to the anti-reproductive freedom group Illinois Right to Life Action's 2018 Judicial Candidate Survey. In his response, Dugan expressed views that are extremely hostile to reproductive freedom, writing that he has "been deeply involved in various organizations as a pro-life advocate," indicating his support for laws and regulations restricting reproductive freedom, and questioning the Supreme Court's decision in *Roe v. Wade*.<sup>2</sup>
  - Dugan wrote: "My belief is that life begins at conception and that from that moment forward, taking that child's life is the taking of a human life. I believe in the sanctity of life."<sup>3</sup>
  - Dugan openly questioned the Supreme Court's decision in *Roe v. Wade*, writing that he believes that "for a number of reasons, the case of *Roe v. Wade* is sorely misplaced."<sup>4</sup> Dugan further stated that while *Roe v. Wade* is currently established law: "[E]ven with that, I do not believe that the Illinois Constitution, independent of the United States Constitution, provides a sound basis for expansion of the right of privacy to the same extent." In response to a

question from Sen. Cory Booker (D-NJ) about whether he stands by these statements, Dugan wrote: “As a nominee, it would be inappropriate to now provide my opinion as to whether the Supreme Court rightly or wrongly decided a case.”<sup>5</sup>

- Dugan signaled support for biased counseling laws and cited discredited information about the risks of abortion care: “I am of the belief that it is an incongruent argument for those who are ‘pro choice’ to advocate that in only the case of the abortion ‘medical procedure’ should a patient be deprived of the knowledge and information for her to make a fully informed decision. Public policy requires that her decision be based on all available information, including, not just the physical, but also the emotional and psychological, risks to her.”<sup>6</sup> In response to a question from Sen. Cory Booker (D-NJ) about whether he stands by these statements, Dugan wrote: “Prior to becoming a judge, I voluntarily provided my time, talent and treasure for the protection of children of all ages, including unborn children and their mothers. My pro-life advocacy has always been in the form of faith-based efforts to reduce the need and demand for abortion by providing alternatives and options to, and support for, women who find themselves with an unwanted pregnancy.”<sup>7</sup>
- Dugan indicated he supports restrictions on young people’s access to abortion care and called young people seeking abortion care “presumably very emotional and maybe even irrational.”<sup>8</sup> In response to a question from Sen. Cory Booker (D-NJ) about whether he stands by these statements, Dugan wrote: “Prior to becoming a judge, I voluntarily provided my time, talent and treasure for the protection of children of all ages, including unborn children and their mothers. My pro-life advocacy has always been in the form of faith-based efforts to reduce the need and demand for abortion by providing alternatives and options to, and support for, women who find themselves with an unwanted pregnancy.”<sup>9</sup>
- Dugan stated in his survey response that he was a co-founder of Illinois Vision 2020.<sup>10</sup> Illinois Vision 2020 is a group whose aim is to “end abortion in Illinois by 2020” and who partners with Illinois Federation for Right to Life.<sup>11</sup> In response to a question from Sen. Richard Blumenthal (D-CT) about Dugan’s work “as a pro-life advocate” Dugan wrote: “I attended the meeting and luncheon at which the Vision 2020 concept was founded.”<sup>12</sup>
- Dugan described himself as a “supporter, volunteer, board member, and then president of, and legal counsel for, a large faith-based women’s pregnancy medical center.”<sup>13</sup> The organization, now called Thrive Metro East, and formerly Options-Now Medical Pregnancy Center, is a so-called “crisis pregnancy center” that peddles medically inaccurate information about abortion in order to discourage women from

receiving abortion care. Dugan perpetuated the anti-reproductive freedom movement's false narratives about post-abortion care, saying of his involvement with Thrive Metro East (then Options-Now) that he "became very aware of the wide and deep swath of hurt to the mother and her family that seemingly follows so many abortions. Not infrequently, post abortive women suffer both emotionally and physically as a result of their decision to abort."<sup>14</sup> In response to a question from Sen. Richard Blumenthal (D-CT) regarding the "various organizations" where Dugan worked as a self-described "pro-life advocate," Dugan wrote that he served as a corporate attorney and financial supporter for Arms of Love, a corporate attorney, board member, and financial supporter for Options Now Medical Pregnancy Center, and a member, elder, and financial supporter of First Baptist Church of Bethalto.<sup>15</sup>

- Dugan was a member of the Alliance Defending Freedom (ADF) from 2014-2016.<sup>16</sup> ADF's work includes funding cases and training attorneys about "religious freedom," "the sanctity of life," and "marriage and family."<sup>17</sup> ADF has been designated as a hate group by the Southern Poverty Law Center.<sup>18</sup>

July 23, 2020

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<sup>1</sup> *Questionnaire for Judicial Nominees: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Questions for the Record: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>6</sup> *Questionnaire for Judicial Nominees: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>7</sup> *Questions for the Record: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>8</sup> *Questionnaire for Judicial Nominees: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>9</sup> *Questions for the Record: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>10</sup> *Questionnaire for Judicial Nominees: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>11</sup> *Vision 2020 - Ending Abortion in Illinois by 2020*, ILLINOIS FEDERATION FOR RIGHT TO LIFE, <https://ifrl-blog.blogspot.com/p/vision-2020-ending-abortion-in-illinois.html> (last visited Mar. 18, 2020).

<sup>12</sup> *Questions for the Record: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>13</sup> *Questionnaire for Judicial Nominees: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>14</sup> *Id.*

<sup>15</sup> *Questions for the Record: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>16</sup> *Questionnaire for Judicial Nominees: David Wayne Dugan*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY.

<sup>17</sup> *Who We Are*, ALLIANCE DEFENDING FREEDOM, <https://www.adflegal.org/about-us> (last visited Mar. 18, 2020).

<sup>18</sup> *Alliance Defending Freedom*, SOUTHERN POVERTY LAW CENTER, <https://www.splcenter.org/fighting-hate/extremist-files/group/alliance-defending-freedom> (last visited Mar. 18, 2020).