



May 14, 2014

U.S. Senator Johnny Isakson
131 Russell Senate Office Building
United States Senate
Washington, DC 20510

U.S. Senator Saxby Chambliss
416 Russell Senate Office Building
United States Senate
Washington, DC 20510

Dear U.S. Senators Chambliss and Isakson:

As constituents and members of Georgia's lesbian, gay, bisexual, and transgender (LGBT) community, we write to express our serious concerns with Judge Michael Boggs, a judicial nominee to the U.S. District Court for the Northern District of Georgia.

On December 19, 2013, President Obama nominated six individuals, two for the Eleventh Circuit and four for the Northern District of Georgia, as a product of extensive negotiations with you. This letter conveys our grave concerns with one of those nominees, who appeared before the Senate Judiciary Committee on May 13, as a result of his troubling legacy on the issue of equality. **We strongly urge you and the White House to reconsider this nomination.**

Sitting Georgia Court of Appeals Judge Michael Boggs has been nominated for a lifetime appointment on the Northern District of Georgia. Before Judge Boggs became a judge, he was an elected state legislator from South Georgia. His voting record and public statements during his four years in office and during his campaign for state judge call into question his qualifications for a lifetime appointment to the federal bench.

As a member of the Georgia legislature, Judge Boggs was an outspoken proponent of the constitutional ban prohibiting same-sex marriage and recognition of all out of state unions including civil unions and domestic partnerships. In a floor speech supporting the measure, Boggs introduced the ban for consideration in a floor vote stating:

It's my opinion, both as a Christian, as a lawyer and as a member of this House, that it's our opportunity to stand up in support of this resolution [to support a constitutional amendment banning same-sex marriage].



I think it's important to recognize the dangers that we face with respect to activist judges, with respect to mayors who are operating in derogation of current state law

I submit to you that proposing a constitutional amendment that, in fact, mirrors the language, for the most part, that is ... codified in Georgia's Defense of Marriage Act will give us an additional safeguard It will, in fact, prohibit state constitutional challenges to the proposition ... that is outlined in Georgia law already

I submit to you that whether you're a Democrat or whether you're a Republican, whether you're rural from a rural area, like myself, or whether you represent an urban area, we have opportunities seldom [seen] in my short tenure in the legislature to stand up for things that are commonsensical; things that are premised on good conservative Christian values, and, in this instance in particular, to support the sanctity of marriage. I'm going to ask all of you like me to support this proposition.

When Judge Boggs later ran for election as a Georgia state judge, during the campaign, he emphatically reiterated his opposition to same-sex marriage, stating that: "You don't have to guess where I stand - I oppose same-sex marriages."

Judge Boggs' clear statements against LGBT Georgians, as well as other anti-equality actions including his vote to maintain the Confederate battle emblem on the Georgia State flag, undermine the strength of his nomination and call into question his ability to fairly administer justice on the federal bench.

If confirmed, Judge Boggs would hear and decide federal cases involving a host of issues that could greatly impact Georgia's LGBT community. Every community deserves to believe in their courts, and to have impartial, competent judges who believe in basic constitutional principles. Judge Boggs' record falls woefully short.

The federal judiciary has long been a place of refuge for minority groups to seek relief from political oppression. Should Judge Boggs be confirmed, however, he will be conferred a lifetime appointment to impose his views that simply affirming the constitutional principle of equal protection is "judicial activism."

Finally, Judge Boggs' failing to mention in his Senate questionnaire his floor statement and his vigorous efforts to fight marriage equality raise significant questions about his forthrightness. It strains credulity to conclude that his omission was not an effort to obfuscate his past record from the Senate Judiciary Committee and U.S. Senate. These omissions surely ought to disqualify him from a lifetime appointment to the federal bench, where candor to the tribunal is an expectation of every officer of the court.



Therefore, we oppose Michael Boggs' nomination to the Northern District of Georgia. We strongly urge you to reconsider this nominee, and if submitted for a vote, we request that members of the Senate Judiciary Committee vote "NO" on Judge Boggs.

Sincerely,

**THE ATLANTA STEERING COMMITTEE
HUMAN RIGHTS CAMPAIGN**

GEORGIA EQUALITY

cc: President Barack Obama
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Washington, DC 20500

U.S. Senator Patrick Leahy
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U.S. Senator Harry Reid
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U.S. Representative John Lewis
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