



Robert Conrad (Fourth Circuit)

- Judge Conrad’s record raises serious questions about his ability to fairly interpret and apply laws and precedent protecting reproductive rights, civil rights, and the environment. In light of Judge Conrad’s extreme record, both on the bench and off, the Senate should reject his nomination to a lifetime appointment on the Fourth Circuit.
- In 1988, Judge Conrad wrote an Op-Ed entitled *Planned Parenthood, A Radical, Pro-Abortion Fringe Group*. In the article, Judge Conrad repeatedly referred to Planned Parenthood’s OB/GYNs as “abortionists.” He stated that “Planned Parenthood knowingly kills unborn babies, not fetuses, as a method of post conception contraception.”
- In a 2005 article entitled *Can Ordinary Practice of Law Be a Religious Vocation? A Panelist’s Response*, one example Judge Conrad provided of making legal work a “religious vocation” was when several of his fellow law students started a crisis pregnancy center to “minister to the needs of pregnant women.”
- In an Op-Ed from 1991, Judge Conrad criticized Magic Johnson’s message that safe sex was a way to avoid contracting HIV. Judge Conrad stated “Sexual promiscuity is wrong not because it leads to disease (so if it could be made ‘safe’ no moral significance would attach), but because it contradicts nature and nature’s God.” He went on to add, “‘Safe sex’ is a myopically misconceived liberal ‘solution’ that fails to address the promiscuity underlying the AIDS disease and others.”
- In 1999, Judge Conrad wrote a letter, which was published in the *Catholic Dossier*, entitled *Habitually Wrong*. In it, he heavily criticized Sister Prejean’s book *Dead Man Walking*. He referred to the book as “liberal drivel” and to Sister Prejean as a “Church-hating nun.” He contended that, “This surprisingly shallow book wallows in worn-out liberal shibboleths and dated anecdotes.”
- In Judge Conrad’s only environmental case, a number of environmental organizations sued the Army Corps of Engineers, alleging that it had violated the Clean Water Act when it approved a permit for the discharge of material from mountain-top mining. Judge Conrad, sitting by designation on the Fourth Circuit, joined an opinion by Judge Luttig holding that, contrary to the findings of the district court, the Corps did not violate the Clean Water Act. In a dissent to denial of rehearing en banc, Fourth Circuit Judge King said the decision “eviscerates the important distinction drawn by Congress between individual and general permits ..., and it undermines the CWA’s primary purpose of protecting the environment.”
- Judge Conrad has sat on twelve employment discrimination cases as a judge, ten on the district court and two on the Fourth Circuit. In every case but one (his most recent district court opinion), Judge Conrad wrote or joined an opinion granting summary judgment for the defendant and thereby barring the plaintiff from having his case decided by a jury.