

June 13, 2018

Dear Senator,

On behalf of Alliance for Justice, a nationwide alliance representing 130 groups committed to justice and civil rights, I write to oppose the confirmation of Patrick Wyrick to the United States District Court for the Western District of Oklahoma.

Wyrick has ties to one of the most ethically compromised officials in the United States, EPA Administrator Scott Pruitt, and has a long record of anti-environmental positions. During Pruitt's tenure as Oklahoma Attorney General, Wyrick participated in a number of exchanges in which oil and gas industry executives exerted extraordinary influence over the AG's office, providing talking points and outlining positions the AG's office should take. Illustrative is an exchange from 2011 when a Devon Energy lobbyist sent Wyrick a draft letter opposing a federal environmental regulation, with the intention that Wyrick would communicate the contents to Attorney General Pruitt. Pruitt reportedly changed 37 words out of the 1,016 words in the draft letter, added the seal of the State of Oklahoma, and sent it to the Administrator of the Environmental Protection Agency.

Wyrick has also led multiple lawsuits against efforts to protect the environment. Given his record, we have serious concerns that Wyrick, if confirmed, will oppose protections for clean air and water, rather than giving full, unbiased effect to some of our nation's most critical statutes.

Wyrick's effort at his Senate Judiciary Committee confirmation hearing to minimize his role and relationship to industry lobbyists (claiming that he was a "litigator" and would have just "passed [emails] on to the appropriate person"), does not alleviate our concerns. The multiple emails on record that relate conversations, discussions, instructions, and appreciation between Wyrick and energy industry lobbyists continue to raise questions about Wyrick's past activities and agenda and ability to separate these from the proper role of a federal judge.

We are also concerned about Wyrick's apparent attempts to mislead the committee in light of a previous attempt to mislead the Supreme Court during his defense of Oklahoma's death penalty protocol. As Justice Sotomayor said to Wyrick, "I am substantially disturbed that in your brief you made factual statements that were not supported by the sources [you cited], and in fact directly contradicted. So nothing you say or read to me am I going to believe, frankly, until I see it with my own eyes in the context, okay?" At his confirmation hearing, Wyrick said that Justice Sotomayor was "mistaken." In fact, Wyrick himself corrected the record after the oral argument.

Wyrick's record with regard to critical legal rights and protections is also troubling. He is on the President's short list for the Supreme Court and thus certainly meets the President's litmus test of someone who will "automatically" overturn *Roe v. Wade*, and he fought to restrict women's access to reproductive health care as a top official in Oklahoma. Moreover, he worked to

dismantle protections for workers and defended a law that attempted to codify religious intolerance towards Muslims.

As detailed more fully in our report on his nomination issued prior to his hearing, which can be found at the following link, <https://www.afj.org/our-work/nominees/patrick-wyrick>, Wyrick does not have either the record or the ethics to be a lifetime appointee to the federal bench. We ask the Judiciary Committee to oppose Patrick Wyrick for the United States District Court for the Western District of Oklahoma.

Sincerely,

A handwritten signature in black ink, appearing to read "Nan Aron".

Nan Aron