

Matthew Byrne, nominated to the U.S. District Court for the Southern District of Ohio, is a well-connected far-right judge and staunch advocate against reproductive freedom and LGBTQ+ rights. Before being elected to the Ohio Twelfth District Court of Appeals, Byrne worked at Jackson Lewis, where he regularly litigated against everyday people by defending big corporations against a number of different employment actions brought by harmed employees.

Byrne has been a steadfast supporter of the Federalist Society for nearly 20 years, serving as the local chapter president for five years and reportedly working “behind the scenes” to promote conservative legal principles. In his campaign for an Ohio Court of Appeals position, Byrne received the endorsements of several Right to Life coalitions, the National Rifle Association, and several local Republican parties. Byrne repeatedly emphasized his personal commitment to conservatism and these beliefs have bled into his judicial opinions. Byrne’s track record shows he is not fit to sit on the federal bench.

STAUNCH ADVOCATE AGAINST REPRODUCTIVE FREEDOM

In his campaign [videos](#) and materials for the Ohio Court of Appeals, Byrne repeatedly emphasized his anti-choice credentials. Byrne has been actively engaged in anti-choice advocacy throughout his life, including through donations to anti-choice organizations, attendance at banquets, and policy events sponsored by groups such as Cincinnati Right to Life, Warren County Right to Life, and LIFE Pregnancy Center. Byrne has volunteered for the anti-choice organization at his Catholic parish, and even included a prayer for the unborn at his wedding. Byrne also served as a member of the advisory board (and as a speaker and member of several key committees) at the Pregnancy Center East, an anti-choice pregnancy crisis center in Ohio.

Byrne organized Federalist Society debates on abortion clinic laws and litigation and has written about his strongly held views against abortion and birth control in the Cincinnati Enquirer, on social media, and in personal writings dating back to his time at his college newspaper. Byrne himself noted that his “pro-life credentials cannot be questioned.” Byrne has also indicated that it was a “biological, scientific reality” that an unborn child is biologically human at every stage of his or her biological development, beginning at fertilization.

Byrne insists that he will be able to separate these strongly held personal beliefs from his rulings on the bench, but that is not true. While Byrne was a visiting judge on the Ohio Supreme Court, the state of Ohio brought an appeal to urge the Court to bring back Ohio’s 2019 abortion ban that prohibited early term (six-week) abortions, before most people know they are pregnant. The case was dismissed after the Ohio voters passed the Reproductive Freedom Amendment, amending the Ohio Constitution to add abortion rights and other reproductive rights. Still, Byrne was one of two judges who dissented from the dismissal, and the only judge to dissent because he wanted to “proceed with addressing the propositions of law” that had been accepted for review.

ANTI-LGBTQ+ RIGHTS

Byrne has expressed his harmful views against LGBTQ+ individuals and their rights, and his animosity comes through in his judicial opinions as well. Byrne marked that he was “fully supportive” of the statement: “The judiciary does not possess the authority to expand the definition of marriage to include anything but one man and one woman.” Byrne also expressed that he strongly believed that individuals and organizations engaged in creative or artistic professions should not be required to provide services that “violate their consciences.”

Byrne has also let his animosity towards LGBTQ+ individuals, specifically those who are transgender, show in his judicial opinions. In *re S.B.*, Byrne repeatedly displayed transphobic sentiments. The case revolved around a minor who is LGBTQ+ and was removed from parental custody due to abuse and neglect. The minor had been exploring the use of different pronouns and the parents were not supportive. Throughout the opinion, Byrne refused to use the minor's preferred pronouns, but instead deadnamed the minor and noted in a footnote that he would refer to them repeatedly “accurately, as female.”

Byrne also goes out of his way to express that there is “no requirement” that parents must support their child's identity or preferred pronouns and that there was “no serious concern” presented by the parent's reactions to the minor's pronoun preferences and transgender identity. Byrne previously joined opinions that misgendered those involved in the case, emphasizing that, for purposes of “readability,” he would refer to a transgender individual with their pronouns associated at birth, rather than their chosen pronouns. Such biased comments demonstrate that Byrne is not fit to offer each litigant the respect they deserve and that he will let his personal beliefs guide his conduct and rulings in court, rather than the law.

LINKS TO RIGHT-WING ORGANIZATIONS

Byrne's involvement in several right-wing organizations for the majority of his career remains concerning for a lifetime role on the federal judiciary — one that requires judicial independence. For over five years, he belonged to and worked with the American Enterprise Institute Leadership Network, a right-wing think tank that has ties to the Koch Brothers, has alignment with the tobacco industry, and that works to cast doubt on global warming. Byrne has also been involved with the Goldwater Institute, another conservative think tank with ties to the Koch Brothers, which drives right-wing agendas in statehouses nationwide.

This active politically charged work, coupled with his demonstrated biases toward LGBTQ+ individuals and access to abortion care, render him unfit and unqualified to sit on the federal bench.