

Zachary West, President Trump's federal judicial nominee for the Northern District of Oklahoma, has spent nearly a decade advocating for far-right causes while working in the Oklahoma attorney general's office. After serving as Ted Cruz's counsel on the Senate Judiciary Committee from 2015 to 2017, West left to serve as assistant solicitor general in the Oklahoma attorney general's office, rising through the ranks until he reached his current position as director of special litigation. West used his power to restrict access to abortion care, deny transgender Oklahomans accurate birth certificates, criminalize doctors for providing gender affirming care for minors, and limit access to the ballot box. West's track record reveals a dedication to amassing power and placing his personal beliefs above the Constitution. If confirmed to the district court, he will undoubtedly place his own extremist beliefs over the rights of everyday Oklahomans.

Restricts and Demeans Reproductive Freedom and Abortion Access

During his time in the Oklahoma attorney general's office, West made a concerted effort to oppose reproductive freedom and restrict abortion access. This is no surprise, considering West has openly expressed his animosity towards abortion since he was in law school. Writing for Oklahoma University's newspaper, West referred to abortion in crudely unempathetic terms, describing it as having an abortion specialist "rip" an "unborn child apart limb by limb inside the womb."

In the same article, West mocked the privacy right that the Supreme Court found supported abortion access for nearly 50 years — precedent that was the law of the land at the time West was writing. This is the very same right to privacy that has been used to support access to contraception, consensual intimate relationships, same-sex marriage, interracial marriage, and a parent's right to make decisions about their child's education and upbringing. At the time of writing, West was an aspiring lawyer who knew the Supreme Court's precedent undergirded these fundamental rights. Still, West mockingly dismissed years of well-founded constitutional precedent because it didn't align with his personal views. West will likely follow this same strategy on the bench.

At the attorney general's office, West acted as the lead state attorney in a case defending Oklahoma's abortion restrictions at the Oklahoma Supreme Court. West defended both Oklahoma's 1910 criminal abortion ban, which makes performing an abortion a felony punishable by up to five years in prison unless necessary to save the pregnant person's life, and a second criminal abortion ban, which prohibits all abortion care except narrowly defined medical emergencies and makes abortion punishable by up to 10 years in prison and/or a \$10,000 fine. The Oklahoma Supreme Court mostly left these bans in place, leaving abortion care largely unavailable in the state.

Restricts and Demeans Reproductive Freedom and Abortion Access (Cont)

West also represented Oklahoma in its lawsuit against the United States Department of Health and Human Services, which stripped Title X funding in 2023 because the Oklahoma Health Department refused to provide unbiased, nondirective counsels and referrals for all family planning options, including abortion. After the district court refused to side with Oklahoma, West appealed the case to the Tenth Circuit and then again to the Supreme Court. The case is still ongoing.

West's consistent demonstrated bias against abortion access raises serious concerns about his ability to adjudicate cases involving reproductive freedom impartially.

Attacks Transgender Individuals' Rights to Live Safe and Healthy Lives

West also used his time at the Oklahoma attorney general's office to target transgender individuals, standing in the way of minors receiving gender affirming care and any individual listing their gender on their birth certificates. In *Poe v. Drummond*, West defended an Oklahoma law that banned all forms of gender-affirming medical treatment for transgender youth and imposed criminal penalties, like felony convictions and discipline from professional licensing boards, on health care providers who violate the law. The district court sided with West, and the case was appealed to the Tenth Circuit. In West's response brief for the Tenth Circuit appeal, West used the United States's history of forced sterilization on disadvantaged and vulnerable women as a dog whistle in his argument, implying that transgender youth who seek out lifesaving, gender affirming care are somehow being forced into sterilization. Such arguments are dangerous and disingenuous — tactics that are unacceptable from a litigator, let alone a potential federal district court judge.

West continued to use scare tactics and inaccurate characterizations of transgender individuals throughout his time at the Oklahoma attorney general's office. In one memo addressing the legality of allowing students to use bathrooms that align with who they are, West argued that eliminating "objective biology in favor of subjective identity as the basis for restroom usage threatens the privacy and safety of countless students." West makes no effort to support these ludicrous claims, nor could he.

West also represented Oklahoma executive officials in a lawsuit that challenged their refusal to change individuals' birth certificates to include their proper gender identity. Although the vast majority of states permit amending gender on birth certificates, Oklahoma refused to allow their citizens to do so, a reversal of their prior policy which allowed corrections for years. West was involved in the case as it was appealed to the Supreme Court. The case was remanded to the Tenth Circuit and is still ongoing.

Helps the Politically Connected Avoid Accountability

Though West is happy to impose criminal penalties on those whose actions do not align with his personal beliefs, West will help others avoid accountability for serious crimes when it's politically advantageous. West assisted in the efforts for former Army First Lieutenant Michael Behenna to obtain a presidential pardon for serious crimes he committed while deployed in Iraq. Behenna was found guilty of unpremeditated murder after he shot Ali Mansur Mohamed, an Iraqi man Behenna was tasked with transporting back to Mohamed's town. West's boss, then Oklahoma Attorney General Mike Hunter, repeatedly asked Trump to pardon Behenna.

When he received news of the pardon, Hunter's statement emphasized that Behenna had "served his country with distinction and honor." Behenna's family has deep ties to law enforcement and the legal system, as his father has worked for both the FBI and Oklahoma State Bureau of Investigation, and his mother was a longtime federal prosecutor in Oklahoma City. As a federal district court judge, West would be charged with extending empathy equally to all those who come before him, not just those who are politically connected enough to avoid accountability. West's track record shows he may not be capable of meeting that bar.