October 12, 2020

Dear Senator,

On the first day of confirmation hearings of President Donald Trump's nominee to the Supreme Court to fill the seat of the former Justice Ruth Bader Ginsberg, we write to alert you to a new analysis of the court cases in which Amy Coney Barrett was involved as a judge on the Seventh Circuit Court of Appeals following. In our analysis, you will find a record of Barrett consistently siding with corporations over consumers, workers, and immigrants.

The analysis consists of the categorization of hundreds of cases in which Barrett either wrote the opinion, dissented, or served as a panelist since her appointment to the Seventh Circuit Court in 2017. In line with previous findings showing her siding with corporations 76% of the time in precedent-setting appellate cases in the appeals court, the watchdog’s expanded findings show Barrett’s proclivity for siding against consumers, workers, and immigrants while siding with law enforcement and even defendants accused of discrimination.

Accountable.US found:

- **CONSUMERS**: Amy Coney Barrett sided against consumers in 78% of cases she saw while serving on the 7th Circuit.
- **IMMIGRATION**: She ruled against immigrants 88% of the time while serving on the 7th Circuit.
- **POLICING**: She sided with policing 86% of the time when police actions were at issue in the 7th Circuit.
- **WORKERS**: She sided with workers in just 8% of cases during her tenure on the 7th Circuit Court of Appeals.
- **DISCRIMINATION**: She sided with entities accused of discrimination 85% of the time during her tenure on the 7th Circuit Court of Appeals.

Additionally, Accountable.US’s analysis pointed to a handful of particularly egregious examples of Coney Barrett’s judgment that threatened the rights and safety of people and families, including the following:

In one instance, Coney Barrett agreed with a lower court opinion dismissing a case in which a woman had been fired after requested leave from her employer to go see a doctor for her strep throat. Coney Barrett called the request for leave “not a statutorily protected activity.” In an opinion she authored and in which her colleagues dissenting from her opinion said would pave the way for abusive debt collection practices, Coney Barrett sided with a debt collector who failed to inform a woman of her rights as required by law, causing her to supposedly forfeit those rights under the Fair Debt Collection Practices Act. And in another instance concerning immigrants receiving public assistance, Coney Barrett dissented from her judicial colleagues’ opinion and called the Trump administration’s definition of “public charge” reasonable.
These Senate hearings are being rushed despite the rash of positive COVID-19 cases recently diagnosed in the Senate, including on the Senate Judiciary Committee, and despite the urgent need for relief funding for small businesses and workers experiencing hardship during this pandemic, we urge you to review these findings during your consideration of Amy Coney Barrett’s nomination to the U.S. Supreme Court.

Thank you for your time and consideration.

Kyle Herrig
President
Accountable.US