



Feedback via the Judicial Candidate Survey 2020 [#60]

1 message

EmailMeForm <burst@emailmeform.com>

Sun, Jan 19, 2020 at 12:08 PM

Reply-To: burst@emailmeform.com

To: kbyrne@cincinnatirighttolife.org

Check that you have read and understand the following: Surveys may be submitted by mail, email, or online., Upon submission, this survey will be posted to our website and published in the CRTL News Bulletin as public information., We will redact your contact information before posting to our website., The completed survey is required for endorsement consideration., Direct questions to KByrne@CincinnatiRighttoLife.org

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Position and District Sought*: Judge, Hamilton County Common Pleas Court (terms commencing 1/4/21)

Are you an incumbent for this office?*: NO

Have you previously held an elected position?*: YES

: Judge, Hamilton County Common Pleas Court, 2017-2018
Township Trustee, Pierce Township, Clermont County, 1995-2001

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1. Which former U.S. president's political philosophy best matches your own?: Ronald Reagan

Comments - Question 1:

2. Which U.S. Supreme Court Justice's legal philosophy best matches your own?: Justice Thomas

Comments - Question 2: I am consistent with Justice Thomas' appreciation of the First Principles of government as stated in the Declaration of Independence -- the protection and advancement of life, liberty and the pursuit of happiness.

3. Rate your judicial philosophy regarding the U.S. Constitution on a scale of 1-10 with "living/evolving document" being 1 and "strict constructionist" being a 10:: 9

Comments - Question 3: Like Justice Thomas, I rely upon the text of the Constitution and, only when necessary, a careful supplementation by the history and context in which the Framers wrote and ratified the Constitution. Thus, for example, while the authority for the maintenance of an air force is not authorized within the strict confines of the Constitution, the history and context at the time of the adoption of the Constitution of empowering the national government to provide for a military for national defense would justify the maintenance of an air force as being consistent with the Constitution.

4. In *Roe v. Wade*, 410 U.S. 113 (1973), the U.S. Supreme Court recognized a "right to privacy" under the Constitution that includes abortion. The Constitution does not include this right.: Agree

Comments - Question 4: While stated as my personal opinion, I am nonetheless constrained and required to follow binding precedent of the Supreme Court until such precedent is reversed.

5. Judges should refrain from "legislating from the bench." The translation of public policy into law and the creation, extension, modification or limitation of citizens' rights (and governmental authority) are properly within the province of the legislative, not judicial, branch of government.: Agree

Comments - Question 5:

6. An unborn child is biologically human at every stage of his or her biological development, beginning at fertilization.: Agree

Comments - Question 6:

7. The law should be applied to pro-life demonstrators in the same manner as is applied to environmental, anti-war and labor demonstrators.: Agree

Comments - Question 7: As a attorney with a significant practice with First Amendment cases (including before the U.S. Supreme Court), I strongly advocate and litigate against efforts by governments to regulate speakers based upon the content of his or her speech. It is not compatible with our Constitution for the viewpoints of certain speakers to be given favorable preference by government officials over contrary viewpoints.

8. There is no provision in the current Ohio Constitution intended to require the use of public funds for abortion.: Undecided

Comments - Question 8: I am not aware of any such provision and am not aware of any argument making such a contention. As the issue may reasonably come before me on the bench, I am precluded by judicial ethics from commenting further.

9. The judiciary does not possess the authority to expand the definition of marriage to include anything but one man and one woman.:

Comments - Question 9: While, as a general proposition, I recognize the role of the legislature as the final arbiter of public policy, as presented by the question, the issue may reasonably come before me on the bench and, thus, I am precluded by judicial ethics from commenting further

10. The law protects individuals' and organizations' rights of conscience from being forced to participate in abortion or other practices contrary to their moral or religious convictions.:

Comments - Question 10: While, as a general proposition, I believe strongly in individual freedom and liberty (and against governmental compulsion of thought or belief), as presented by the question, the issue may reasonably come before me on the bench and, thus, I am precluded by judicial ethics from commenting further.

11. Laws, regulations, or ordinances that restrict individuals' and organizations' rights of conscience are unconstitutional.:

Comments - Question 11: See answer to Question No. 10.

12. Laws that require businesses or religious organizations to work for or provide services to gay, lesbian, bisexual and transgender persons despite these entities' religious or moral objections are unconstitutional.:

Comments - Question 12: See answer to Question No. 10.

13. List all organizations to which you have contributed time or money in the past four years.: Citizens for Community Values
Zion Lutheran Church
I also donated my time in February 2019 to provide testimony before the Ohio General Assembly in support of passage of S.B. 23 - The Heartbeat Bill.