



## **Supremes On Culture War!**

### LFF Commentary

[Three religious freedom cases will be argued](#) before the U.S. Supreme Court today. At issue is whether existing federal civil rights law extends special protections to LGBT people. The Court is being asked to determine if employers are required to treat biological men as women – if they so identify! The U.S. Supreme Court's answer could have [enormous implications for workplace guidelines and women's rights](#).

Sexual orientation and gender identity (SOGI) [are not specifically protected enumerated categories](#); however, two federal courts have held that Title VII's ban on sex discrimination covers gay employees, and a third held it covers transgender workers. **The government and its allies contend that the ordinary meaning of "sex" does not include sexual orientation or gender identity.** Further, the Court should not usurp the proper role of Congress by redefining the word "sex" in the statute. The re-definition of sex will inevitably reduce privacy protections for everyone and erode specific protections enshrined in law to protect women and children.

### **Unanimous Jury Question**

Yesterday, the U.S. Supreme Court heard [oral arguments in Ramos v Louisiana](#), a challenge to the [constitutionality of non-unanimous jury verdicts](#). In 2018 Louisiana voters approved a constitutional amendment requiring unanimous jury votes for felony offenses after January 1st, 2019.

Evangelisto Ramos, convicted of murder in 2016 by a 10-2 vote, argues that he too has a constitutional right to a unanimous verdict. Louisiana Solicitor General Elizabeth Murrill argued that "nothing in the text, structure, or history of the Sixth Amendment requires unanimous jury verdicts." She said the state had relied on the Court's expressed approval of non-unanimous verdicts for more than 50 years, and 32,000 people are in prison under that system. [At stake in the Ramos case](#), at minimum, are scores of convictions from the last few years in Louisiana and Oregon that remain on appeal and could be upended should the court overturn its precedent. In Louisiana, the decision could also affect defendants awaiting trial for crimes committed before this year.

### **Louisiana Abortion Laws**

On Friday, SCOTUS announced that it would [hear its first abortion dispute](#) since Justice Brett Kavanaugh joined the bench last year. The case involves Act 620, the Louisiana law authored by Senator-elect Katrina Jackson, requiring physicians who perform abortions to have admitting privileges at local hospitals. [June Medical Services v. Gee](#) may very well be the [most consequential abortion case](#) in a generation.

Federal appellate judges in New Orleans on Monday [heard arguments on whether Mississippi can prohibit most abortions after 15 weeks](#) - a case that could decide the fate of a similar

Louisiana law. Texas and Louisiana both weighed-in, submitting briefs that echoed Mississippi's arguments. Louisiana passed a ban on most abortions after 15 weeks last year, but it will go into effect only if Mississippi's law is upheld.

**Immigration 'Dreamer' Debate Continues-** The Court will consider whether the Trump administration can terminate DACA, an Obama-era amnesty program that gives temporary legal status to 700,000 foreign nationals who came to the U.S. as children. The case is set to be heard on November 12th.

**Gun Rights Court Battle Becomes Political-** The Court deals with a dispute over New York City's gun transportation regulations. The case is the first 2nd Amendment issue taken up since 2010 and could be used as an opportunity to set standards for judging other gun rights issues like concealed carry. The court will hear arguments on December 2nd.