

A nighttime photograph of the United States Supreme Court building. The building is illuminated, highlighting its classical architecture, including a prominent portico with tall columns and a pediment. A large, white, semi-transparent text box is overlaid on the left side of the image. The text inside the box reads: "United States Supreme Court Town Hall" in a large, black, sans-serif font, and "Congressman Mark DeSaulnier (CA-10)" in a smaller, italicized, black, sans-serif font below it. The background shows the dark sky and the building's facade with some windows lit from within.

# United States Supreme Court Town Hall

*Congressman Mark DeSaulnier (CA-10)*

The image shows the interior of the U.S. Supreme Court. In the foreground, there are heavy red velvet curtains pulled back, revealing a grand hall. The hall features several tall, fluted columns with Corinthian capitals. In the background, a wooden bench is visible, and a clock hangs from the ceiling. The lighting is warm and dramatic, highlighting the architectural details.

# Background on the U.S. Supreme Court

# Makeup of the Court

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- The Supreme Court is currently composed of 9 justices, 6 appointed by Republican presidents and 3 appointed by Democratic presidents
- 3 justices were appointed by ex-President Trump (Gorsuch, Kavanaugh, and Barrett)
- Justices sit on the court for life – Justice Clarence Thomas is currently the longest serving justice, and has held the office since 1991

# Ideology of the Court

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- 6 out of 9 justices currently serving are ideologically conservative
- Republican-appointed justices have made up the majority on the Court since 1970
- While there have been many polarizing decisions from the Court in recent decades (*Bush v. Gore*, *Citizens United*, etc.), the number of sweeping partisan opinions on hot-button political issues has dramatically increased over the last few years





# Recent Court Decisions and Their Impacts

# Attacking Reproductive Rights

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- In *Dobbs v. Jackson Women's Health (2022)*, the Supreme Court decided that the Constitution does not protect an individual's right to abortion
- As of today, 22 states have banned or severely restricted abortion, and 1 in 3 women of reproductive age now live in a state with an abortion ban
- Since *Roe v. Wade* was overturned, elected Republicans have increased calls for a nation-wide abortion ban, as well as restrictions on contraception
- House Democrats have authored legislation in Congress to protect abortion (*Women's Health Protection Act*), contraception (*Right to Contraception Act*), and IVF (*Access to Family Building Act*) – all of which Congressman DeSaulnier sponsors and supports

# Undermining the Rule of Law

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- In *Trump v. United States* (2024), the Supreme Court ruled that ex-President Trump has presumptive immunity for any "official acts" he committed as President
- This decision partially shields ex-President Trump from accountability for his actions inciting an insurrection on January 6<sup>th</sup>
- It also makes it more difficult to hold any president—past, present, or future—accountable for crimes they commit, undermining our nation's principle that no one is above the law
- Congressional Democrats have proposed a constitutional amendment overturning this decision and asserting that no president is above the law (*H.J.Res. 193*), which Congressman DeSaulnier sponsors and supports

# Making Us Less Safe from Gun Violence

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- In *Garland v. Cargill* (2024), the Supreme Court ruled that the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) may not use current statute to restrict “bump stocks,” which are accessories that allows semi-automatic rifles to fire like machine guns
- The gunman who killed 60 people in Las Vegas in 2017 used bump stocks to fire over 1,000 rounds in just 10 minutes.
- House Democrats have introduced a bill to regulate bump stocks in a similar manner to machine guns (*Closing the Bump Stock Loophole Act*), which Congressman DeSaulnier sponsors and supports, and has signed a discharge petition to try to force a vote on



# Bowing to Corporate Special Interests

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- In *Loper Bright Enterprises v. Raimondo* (2024), the Court undermined decades of legal precedent by making it harder for federal agencies to use their expertise to enforce laws
  - The authority the Court overturned is commonly known as “Chevron deference”
- This ruling threatens our ability to protect the environment, keep our food safe, ensure our water is clean, and more while giving more power to corporate polluters and deep-pocketed special interests who benefit from a lack of government regulation
- House Democrats have introduced a bill to require courts to defer to agencies that Congress empowered to issue rulemakings to carry out laws (*Stop Corporate Capture Act*), which Congressman DeSaulnier sponsors and supports



# Misconduct by Supreme Court Justices

# Justice Clarence Thomas

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- Reporting has shown that Justice Thomas has been accepting luxurious trips from billionaire Republican donor Harlan Crow for over 20 years and did not disclose them
- Over the last 20 years, Justice Thomas has accepted gifts worth over \$4 million from individuals with business before the Court
- Ginni Thomas, Justice Thomas's wife, used her access to ex-President Trump's inner circle to promote and seek to guide his strategy to overturn the November 2020 election results

# Justice Samuel Alito

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- Justice Alito has accepted 16 gifts worth over \$170,000 in his time on the court, \$120,000 more than the next sitting justice (Roberts)
- Reporting from earlier this year shows that Justice Alito flew two flags known to be symbols for supporting the insurrectionist "Stop the Steal" campaign
- Congressman DeSaulnier joined House Democrats in penning letters to Justice Alito urging him to recuse himself from any further participation in cases that arise from the events surrounding January 6 or the 2020 election, which he declined to do



The image shows the exterior of the Supreme Court Building in Washington, D.C. The building is a neoclassical structure with a prominent portico supported by tall, fluted columns. Above the columns is a large triangular pediment containing a relief sculpture. The words "JUSTICE UNDER LAW" are inscribed on the frieze below the pediment. In the foreground, there is a decorative stone lamp post with three white globe lights. The sky is a clear, bright blue.

# Supreme Court Reform

# Ethics Reform

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- Unlike federal district and appeals courts, the Supreme Court has no code of conduct
- Two bills Congressman DeSaulnier sponsors to make necessary reforms are:
  - The *Supreme Court Ethics, Recusal, and Transparency Act (H.R. 926)*, which would create a binding code of conduct for Supreme Court justices
  - The *High Court Gift Ban Act (H.R. 8830)*, which would create limits for justices on the number and value of gifts they can accept
    - Members of Congress and other public officials are already bound by similar rules

# Term Limits

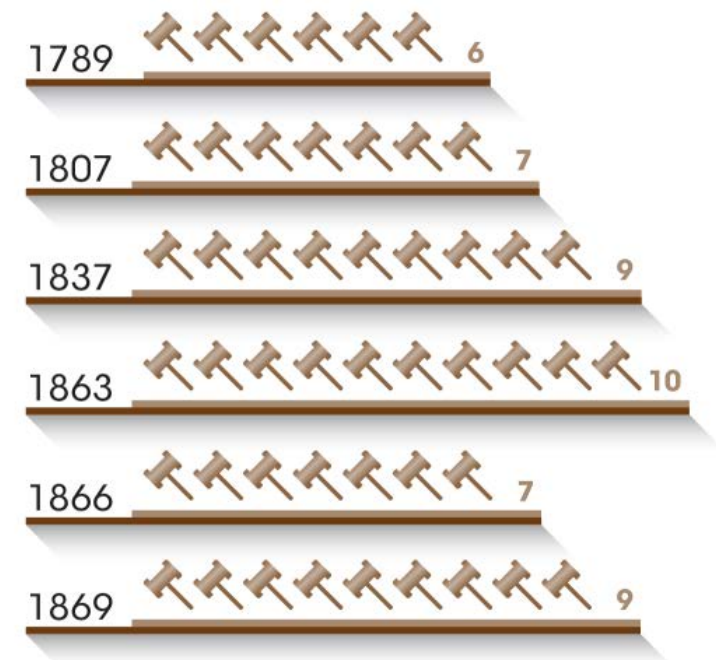
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- No other major democracy in the world provides life tenure for high court judges who hear constitutional cases
- Since the formation of the Court in 1790, there have been only 17 Chief Justices and 104 Associate Justices
- A system already exists for lower court judges in the federal judiciary, who may take “senior status,” handle a reduced caseload, and open their seat for a new full-time judge to be appointed
- Congressman DeSaulnier sponsors the *Supreme Court TERM Act (H.R. 5566)*, which would establish 18-year terms for Supreme Court Justices
  - After their term ends, justices would assume senior status
- H.R. 5566 would also establish regular nominations so each President would have the opportunity to appoint two justices

# Bringing Balance Back to the Court

- With a 6-3 majority of far-right justices appointed for life, the U.S. Supreme Court could continue to hand down extreme and partisan decisions for decades
- House Democrats introduced the *Judiciary Act (H.R. 3422)*, which would increase the size of the Supreme Court from 9 to 14, allowing the immediate appointment of five new justices who can balance out the extreme right wing of the court
  - Congressman DeSaulnier sponsors and supports this legislation
- The Constitution does not stipulate the number of Supreme Court Justices; the number is set instead by Congress. The number of Justices on the Supreme Court changed six times before settling at the present total of nine in 1869

Supreme Court Changes Since 1789



 Justice

Bloomberg Law





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