



Unitarian Universalist Church of South County

A member of the Unitarian Universalist Association of Congregations

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June 1, 2005

Speaker Fabian Nunez and Assembly member Mark Leno
c/o Geoffrey Kors, Executive Director
Equality California
1127 11th Street, Suite 208
Sacramento, CA 95814
FAX (916) 442-4616

RE: Support of (AB 19) Religious Freedom and Civil Marriage Protection Act

Dear Honorable Speaker Nunez and Assembly Member Leno;

I am writing in support of the Equality California sponsored "Religious Freedom and Civil Marriage Protection Act", legislation that protects religious freedom while ensuring equal treatment under the law for same-sex couples by allowing them to marry. This bill would remove the discriminatory barriers to equal protection under the law by returning the relevant California Family Code statutes to gender-neutral terms, as they were from 1850-1977.

In 1948, when the California Supreme Court became the first state court to strike down a law prohibiting interracial marriage, the Court held that "*marriage* is . . . something more than a civil contract subject to regulation by the state; it is a fundamental right of free men...legislation infringing such rights must be based upon more than prejudice and must be free from oppressive discrimination to comply with the constitutional requirements of due process and equal protection of the laws."

As the Massachusetts Supreme Judicial Court found, "The history of our nation has demonstrated that separate is seldom, if ever, equal." A bill that falls short of marriage equality makes for "unconstitutional, inferior, and discriminatory status for same-sex couples." As you are well aware, though domestic partnerships provide tangible benefits for couples, they, by their nature, set up a separate and unequal system for gay and lesbian people. All Californians deserve access to this civil institution that provides a myriad of rights and responsibilities not currently afforded to domestic partners, including social security benefits, family and medical leave, joint income tax filing, and thousands of Federal benefits, without regard to their gender or sexual orientation.

My organization supports both religious freedom and fair, equal treatment of lesbian and gay couples under the law. You have our full support in protecting families and fighting for the fundamental right of marriage.

Sincerely,

Rev. John Millspaugh
Unitarian Universalist Church of South County

CC: Equality California

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