

May 23, 2006

Dear Senator,

We, the undersigned, ask that you oppose the Federal Marriage Amendment and consider the potential effect of passing such an amendment on domestic violence victims, regardless of their marital status.\* Recent media accounts of Ohio violence victims losing the protection of domestic violence laws shows how destructive the state marriage amendment has been. The Federal Marriage Amendment would create similar ambiguities that would endanger protections for non-married victims, potentially reduce criminal penalties, and invalidate many state and local statutes.

The Ohio marriage amendment prohibited any state or local law that would "create or recognize a legal status for the relationships of unmarried individuals." The courts had formerly defined a family as including an unmarried couple living together, as would a husband and wife. Several judges have ruled that the state's new constitutional amendment banning same-sex marriage prohibits the bringing of domestic violence charges by unmarried people. The ruling by Judge Stuart A. Friedman of the Cuyahoga County Court of Common Pleas reduced a felony domestic violence charge against Frederick Burk to a misdemeanor assault charge. A similar ruling was made by Cleveland Municipal Court Judge, Lauren C. Moore, one week earlier. While two of the state's appeals courts have overturned this and similar rulings, these cases will continue to the Ohio Supreme Court and jeopardize domestic violence victims' safety if their abusers receive reduced sentences because of the Ohio statute.

We ask that you oppose the Federal Marriage Amendment so as not to write discrimination into the U.S. Constitution. The Federal Marriage Amendment would not only amend the Constitution to define marriage as strictly between a man and a woman, but also jeopardize the safety and equal protection of the laws for unmarried persons, in more areas than intended by the amendment's drafters.

We believe that amending the Constitution is an extreme act. Revising the Constitution to incorporate discrimination against anyone is wrong and should be rejected. Attempts to amend the Constitution by defining marriage as between a man and a woman reject American traditions of life, liberty and the pursuit of happiness. It would reverse the constitutional tradition of protecting individual freedoms. None of our constitutional amendments restrict individual freedoms, except prohibition which was repealed. In fact, the amendments to the Constitution have been the source of most of the Constitution's protections for individual rights.

By voting to reject the Federal Marriage Amendment, you will prevent laws from being called into question that protect domestic violence victims across the United States, regardless of their marital status. Thus, courts will not need to determine on a state-by-state basis whether protections for unmarried cohabitants remain in place. This amendment is not only unnecessary, but could complicate established laws in place to protect victims of violence. Protection from their abusers should outweigh this unclear and unnecessary amendment.

Thank you,

Alternatives to Marriage Project, Inc.  
Americans for Democratic Action  
Center for Women Policy Studies  
Family Violence Prevention Fund  
General Federation of Women's Clubs  
Illinois National Organization for Women  
Legal Momentum  
National Coalition Against Domestic Violence  
National Latina Institute for Reproductive Health  
New Hampshire Coalition Against Domestic and Sexual Violence  
Sargent Shriver National Center on Poverty Law  
The Friends of National Hook Up of Black Women, Inc  
Welfare Rights Organizing Coalition  
Women Against Abuse  
Younger Women's Task Force

American Association of University Women  
Association of Reproductive Health Professionals  
Chaya  
Genderwatchers  
Hadassah, the Women's Zionist Organization of America  
King County Coalition Against Domestic Violence  
National Asian Pacific American Women's Forum  
National Council of Jewish Women  
National Poverty Engine  
NYS Coalition Against Domestic Violence  
Stop Family Violence  
Unitarian Universalist Association of Congregations  
Wisconsin Coalition Against Domestic Violence  
Wyoming Coalition Against Domestic Violence and Sexual Assault  
YWCA USA

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\* Note: Not all signatories have an official position on the issue of same-sex marriage.