

April 7, 2009

Dear Judiciary Committee:

I am writing to urge you to support LD 1020, the marriage equality bill sponsored by Sen. Dennis Damon.

My faith teaches me that, as a matter of fundamental fairness, same sex couples should be entitled to the same marital rights and responsibilities that heterosexual couples now enjoy. As a Christian Minister I believe that Jesus values all of God's children. During his time on earth Jesus showed a particular concern for those of the margins of society. He sought to break down the barriers of prejudice and exclusion so that all people could be treated with respect and dignity. Denying same sex couples full marital equality only serves to stigmatize these members of our society – denying them the respect that Jesus says they deserve. The denial of equality sends the message that same sex couples are of lesser value in our society. God is love and He blesses loving and committed relationships, regardless of gender. We should do no less.

Prior to entering the ministry I practiced law. My fifteen years in the courtroom and ten years teaching law have convinced me that the Due Process and Equal Protection Clauses of the Fourteenth Amendment require marriage equality. The Supreme Court ruled in *Loving v Virginia*, 388 U.S. 1 (1967) that marriage is a fundamental right. As such, the State bears a heavy burden to justify restrictions on the right of a consenting adult couple to enter into marriage. In *Loving* the State of Virginia could not justify the ban on interracial marriages. Similarly, the State of Maine has no compelling interest – and, indeed, not even a rational basis – for denying same sex couples the right to marry. Same sex marriage poses no threat to society or the institution of marriage. Nor are children endangered in any way. To the contrary, the psychological studies show that children raised by same sex couples are as happy and well adjusted as any other children. The dire predictions of the opponents of marriage equality are no more realistic than the dire predictions of those supporting anti-miscegenation laws in *Loving*. No harm resulted from interracial marriage and none will result from same sex marriage.

Far from harming the social order, I believe recognizing same sex marriage will promote positive social good. It will strengthen the commitment of same sex couples who already live together, and will afford them significant rights, financial and otherwise, including the right to inherit and the right to fully participate in the care of a dying spouse. Recognizing same sex marriage, recognizing that same sex couples should enjoy the same rights as other married couples, may also further the important objective of eliminating the bigotry that is so often visited upon this minority group.

A personal note, if I may. Many years ago a young man came to my law office. He had lived for several years in a committed relationship with his partner. The partner was hospitalized with AIDS dementia and could no longer make decisions for himself. The

parents controlled the decision-making. The young man sought our assistance because his partner's parents did not approve of the relationship and would not allow our would-be client to visit the hospital to see his dying lover. He had no rights to inherit, but that was not what was really important. He just wanted to go to see his partner before he died

There was no health care proxy. And since these two young men were not married, there was nothing we could do to help. The young man who came to see us never got to see his partner before he died. It just was not fair or right. And Jesus wept.

You have an opportunity to correct an injustice. Please do so.

Sincerely,

Rev John Woodward