

COALITION TO SAVE MARRIAGE IN NEW YORK

CAPITOL STATION POST OFFICE

P.O. BOX 7252

ALBANY, NEW YORK 12224

(518) 364-5324

www.savemarriageny.org

February 22, 2008

**For Immediate Release: Comment on County of Monroe's Decision to Move for Leave to Appeal the *Martinez v. County of Monroe* Decision
Contact: Stephen P. Hayford (518-364-5324)**

The Coalition applauds the County of Monroe's decision to move for leave to appeal the recent decision of the Appellate Division, Fourth Department in *Martinez v. County of Monroe*. Despite the 2006 Court of Appeals decision that declined to legalize same-sex marriage in New York, the *Martinez* court ordered the defendants to recognize a same-sex marriage license obtained in Canada. "We are very happy that the County of Monroe has taken the courageous step of appealing the incorrect *Martinez* decision, and we are optimistic that the Court of Appeals will reverse it," said Stephen P. Hayford, a spokesman for the Coalition to Save Marriage in New York. Hayford stated, "Governor Spitzer's same-sex marriage bill died in our State Senate, and the Court of Appeals refused to legalize same-sex marriage back in 2006. Given that same-sex marriage has not been legalized, the Appellate Division, Fourth Department has overstepped its bounds. Courts are responsible for interpreting the law, not legislating from the bench." Hayford added, "The *Martinez* decision is appalling. It allows other countries – and, potentially, other states – to export same-sex marriage to New York and to compel New York employers to recognize it. Our laws are made by our state legislature and are subject to the New York Constitution; one activist court is not at liberty to substitute a foreign law for our state's law simply because that court may prefer the foreign law. This decision compromises the sovereignty of our state and violates its public policy."

Michael R. Long, Chairman of The Conservative Party of New York State, made the following remarks: "I think it's sad that our courts, together with Governor of the State of New York, are taking the lead on destroying the sanctity of marriage, and, therefore, bringing on the downfall of families."

Anne F. Downey, Esq. of Concerned Women for America of New York concurred. "Mandating recognition in New York of foreign same-sex marriages will open the door to legitimizing many diverse groupings of individuals. If a same-sex marriage from another jurisdiction is given mandatory recognition in New York, there is no logical stopping point at which to deny mandatory recognition to many different combinations of persons. If another jurisdiction allows a group of thirty persons to be deemed a marriage, will the Fourth Department dictate that New York must recognize such grouping? We need to apply New York law, as determined by our duly elected New York representatives, not a panel of judges."

Rev. Duane R. Motley, Executive Director of New Yorkers for Constitutional Freedoms, shared the following insights: "The battle for marriage is real. Government does not have the right to redefine an institution established by God and defined in the Scriptures."

Rabbi Aryeh Spero of Caucus for America offered the following thoughts: "When parents speak to their children of the hope they have for them to one day get married, they are referring to the timeless definition of marriage – the union between a man and a woman. By redefining marriage to mean the opposite, the state would work against parents and confuse our children. We need government to help parents and children, rather than working against them and against family stability."

New York does not need activist courts to import same-sex marriage into our state, and does not need legislators to push special-interest bills that weaken family structures. Our laws should promote healthy families.

The following organizations and individuals have endorsed the Statement of Position issued by the Coalition to Save Marriage in New York: The Rt. Rev. William H. Love, Bishop, Episcopal Diocese of Albany; The Conservative Party of New York State; New Yorkers for Constitutional Freedoms; Association of Hispanic Ministers; The American Family Association of New York; Caucus for America; Concerned Women for America of New York; New York Christian Coalition; United Chaplains of New York/Brooklyn Chapter; New York Family Policy Council; Marriage & Family Savers Institute; Nassau County Civic Association; National Traditionalist Caucus; The Association of Politically Active Christians.