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League of Women Voters Files Amicus Brief Opposing Proposition 8

SACRAMENTO, CA – The League of Women Voters of California filed an amicus brief with the California Supreme Court today supporting the legal challenge against Proposition 8.

Proposition 8 amends the California Constitution to provide that only marriage between a man and a woman is valid or recognized in California. The legal challenge to Proposition 8, which passed on November 4, 2008, seeks to invalidate the proposition. Among those spearheading the challenge are the City and County of San Francisco, the County of Santa Clara, the City of Los Angeles, the County of Los Angeles, and numerous individual Californians.

LWVC President Janis R. Hirohama said: “The League believes that Proposition 8 is unconstitutional and should be invalidated. It sets a dangerous precedent by singling out a particular group and depriving that group of a fundamental right. In doing so it threatens the rights of us all.”

The League’s amicus brief argues that Proposition 8 is an invalid amendment to the California Constitution because it violates the overriding, fundamental constitutional principles of protection of equality and human dignity. The League also argues that Proposition 8 does not apply retroactively to invalidate same-sex marriages that took place before the measure took effect, because there is no clear indication of voter intent that it apply retroactively.

The LWVC has long opposed measures that threaten individual rights, including Proposition 22 in 2000, which also limited marriage to only being between a man and a woman. “We oppose Proposition 8 because we believe in protecting individual rights and no person or group should suffer legal discrimination,” said Hirohama.

The law firm of Pillsbury Winthrop Shaw Pittman LLP provided pro bono representation to the League in the filing of the amicus brief.

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Founded in 1920, the League of Women Voters is a nonpartisan political organization that encourages informed and active participation in the democratic process and influences public policy through education and advocacy. It does not support or oppose any political party or candidate.

For more information on the LWVC and our positions, visit www.lwvc.org.

Interviews available upon request