



# LEAGUE OF WOMEN VOTERS® OF CALIFORNIA

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## League of Women Voters Expresses Disappointment in Proposition 8 Decision

The California Supreme Court issued its decision today upholding the constitutionality of Proposition 8. The measure, passed by the voters on November 4, 2008, amended the California Constitution to provide that only marriage between a man and a woman is valid or recognized in California.

In today's 6-1 ruling, the Supreme Court rejected a constitutional challenge to Proposition 8 brought by 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. The LWVC, represented pro bono by the law firm of Pillsbury Winthrop Shaw Pittman LLP, had filed an amicus brief with the Supreme Court in January supporting the legal challenge against the measure.

The Court held that Proposition 8 is a valid amendment to the California Constitution and that it is not an invalid constitutional revision carried out through the initiative process. It also found that the measure does not entirely repeal or abrogate the constitutional right to privacy and due process of same-sex couples. The Court did, however, unanimously hold that Proposition 8 applies prospectively only, and therefore does not affect the continued validity of same-sex marriages that took place before the November 5, 2008 effective date of the initiative.

LWVC President Janis R. Hirohama said: "We are deeply disappointed by the Court's decision. The League opposed Proposition 8 because we believe in protecting individual rights and that no person or group should suffer legal discrimination." She noted, "We are concerned that the ruling raises the possibility of future ballot measures being used to change or alter the state Constitution in order to single out other groups for discriminatory treatment." Hirohama added, "However, we are relieved that the Court agreed with the retroactivity argument raised by the League and others in finding that the marital status of same-sex couples who married before November 5, 2008 should be recognized and preserved."

The LWVC has long opposed measures that threaten individual rights, including Proposition 22 in 2000, which also limited marriage as only being between a man and a woman.

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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](http://www.lwvc.org).

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1107 9<sup>th</sup> Street  
Suite 300  
Sacramento, CA  
95814-3608  
916 442.7215  
888 870.8683  
916 442.7362 fax  
lwvc@lwvc.org  
www.lwvc.org  
www.smartvoter.org  
www.easyvoter.org