

# The Kentucky CITIZEN

STRENGTHENING FAMILIES AND THE VALUES THAT MAKE FAMILIES STRONG

Vol. XXIII No. 5

September/October 2014

## It's time to vote . . . Let's **ALL** do our part!

*Major changes could happen both in the nation and in Kentucky based on how Kentuckians cast their ballots. Your vote is important!*

Though not a presidential or gubernatorial election year, Nov. 4 could be the most important election for Kentuckians for decades, with implications on the largest national as well as the smallest city stages. The bottom line is that Kentucky citizens have a host of decisions . . . and those decisions will affect the nation and their families for years to come.

On the national level, Kentucky will likely decide whether the U.S. Senate remains

under Democrat control or switches to Republican control. Clearly, should he win, there is a chance that Sen. Mitch McConnell will become the Senate Majority Leader, moving from his current position of Senate Minority Leader.

Given the leadership style of President Obama, that decision would have a huge impact on the nation.

Key issues in the race include the future of "The Affordable Care Act" (Obamacare) and the future of coal mining in Kentucky, given the strong environmental commitment of the President.

A similar seismic shift is possible within the state when one considers the State House of Representatives, where Democrats currently have a 54 to 46 majority. With the State Senate reasonably secure in Republican hands, a swing to Republican control in the House would significantly change the legislative dynamic during the sessions of the General Assembly.

Key issues that have been elevated in this battle include the sanctity of life (because no new pro-life bills have been allowed on the House Floor for debate in over ten years) and the question of whether Kentucky will become a "right-to-work" state or remain as a strong union bastion.

Both Parties are optimistic about their chances — Democrats believe they can hold the House, and Republicans believe the day they have been waiting for is here. The last time Republicans controlled the State House was in 1921. They lost their 55 to 45 advantage in the next election cycle of 1922.

"It's important that everyone get out and vote their conscience," said Jack Henshaw, The Family Foundation's policy analyst for the western region of Kentucky. "Our nation is at a crossroads and we need all the wisdom that can be mustered to guide us through this period."

Because Kentucky is quite efficient with its election reporting, Americans will likely see an indication of where the nation is headed early on the evening of Nov. 4.



### What's at stake on Nov. 4:

**Control of the U.S. Senate** - Current Sen. Mitch McConnell, a Republican, is being challenged by the current Kentucky Secretary of State, Alison Lundergan Grimes, a Democrat. If she wins this seat, the U.S. Senate will likely remain under Democrat control and Sen. Harry Reid will continue to preside . . . and support President Obama's efforts.

**The Sixth District Congressional seat** - Current Congressman Andy Barr, a Republican, is being challenged by Elizabeth Jensen, a Democrat. Though the balance of power in the House of Representatives does not hinge on this race, it is the most hotly-contested Congressional race in Kentucky this election cycle.

**Control of the State House of Representatives** - Both Parties recognize that the control of the State House is "up for grabs" on Nov. 4 . . . and **BOTH** Parties believe they can prevail. Democrats have controlled the Chamber since 1922.

**All together, there are** - One U.S. Senate seat, six U.S. Congressional seats, 9 State Senate seats, 53 State House of Representative seats and 65 Judgeships (nonpartisan) to be decided on Nov. 4.

Opinion: I'm not going to tell you "Who to vote for," but I am going to encourage you "How to vote."

# Here's how to vote . . . (Don't we already know?)

I am not going to tell you "Who to vote for" – that is your job to discern and decide. But I can give you some pointers that will help you make your vote really count.

**I. First, vote God's choice; don't vote your choice.** Clearly, every candidate thinks that he or she is "God's choice," so here is *exactly* what I mean: Vote for the one that best represents the Lord's values and best articulates the Lord's concepts or principles for running government.

Here is the contrast: **DO NOT VOTE** for *your* choice, for *your* pocketbook, for *your* friend's preference or for how one candidate makes *you* feel. This election is not about *YOU*; it is about God's work in the earth . . . in Kentucky and the United States.

The best Biblical example of this is when Samuel was commissioned to anoint a new king for Israel from Jesse's family after Saul failed. Samuel initially wanted to anoint one of David's seven older brothers because they appeared to him to be "kingly." But Samuel was truly spiritual and he continued to seek the Lord, ultimately recognizing God's will. He chose the "ruddy" one – David (the man who was not perfect, but who was after God's heart).

Kentucky (and America) need this kind of person to lead us back into the blessing of God. So, Kentucky (and America) need this kind of voters – "God's choice" voters.

**II. Second, consider the "Rifle Technique" when voting** – line up your candidate with his Party just like you line up the two iron sights – the front sight with the rear sight – on a rifle. Once the two line up, "pull the trigger" (pull the voting lever).

Here is why this is important: if you choose a candidate that is *FOR* Issue A and he or she wins, but his Party is *AGAINST* Issue A, you likely will never

see Issue A moved forward. Why? Because Parties have a tendency to only push their Platform after the election is over, regardless of any individual member's perspective.

Yes, there are exceptions . . . and sometimes those exceptions work out beautifully. But make sure if you "violate" this rule of thumb that your choice truly is *exceptional*.

**III. Last, cast your vote with faith.**

It is true, you cannot change the world by yourself. But it is also true that you know the One Who can.

When you hear the phrase, "Let your voice be heard in Frankfort" (or Washington), understand that is not a political statement, it is a spiritual one. You are called to be one of God's prophets who speaks to government by voting. It was this understanding held by our Founding Fathers that created the system of government that we cherish.

Go ahead . . . cast your vote and prophesy to government knowing that as you line up your choices with His choices, He will move whether those candidates win or lose. The fact of the matter is your faith can *never* lose.



**Kent Ostrander** is the executive director of The Family Foundation



*K.O.*

## Here are some political Party Platform generalities:

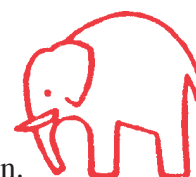
*Remember, candidates may differ in their views, but the overall Party's will is usually pushed in Frankfort or Washington.*

### The Democrat Party is more . . .



- . . . Pro-Choice regarding abortion.
- . . . Pro-Union regarding labor issues.
- . . . Pro-Gay rights regarding homosexuality.
- . . . For new definitions of marriage.
- . . . For larger, more helpful government supported by higher taxation.
- . . . Claims to be for the environment, wanting to stop significant use of fossil fuels.
- . . . For strong domestic spending by government coupled with less spending for military.

### The Republican Party is more . . .



- . . . Pro-Life regarding abortion.
- . . . Right-To-Work regarding labor issues.
- . . . Pro-traditional values regarding homosexuality.
- . . . For marriage defined as one man and one woman.
- . . . For smaller, less intrusive government combined with lower taxation rates.
- . . . Claims to be for the environment, wanting to slowly reduce use of fossil fuels.
- . . . For strong military investment coupled with less investment in welfare programs.

## For More:

For more on the candidates, go to the Kentucky Candidate Information Survey at:

[www.votekentucky.us](http://www.votekentucky.us)



**Kentucky  
Candidate  
Information  
Survey**

**For more on the Party Platforms, go to [www.votekentucky.us](http://www.votekentucky.us)**

# Who is the group “Kentucky Family Values”?

*As it turns out, it is a political action group that works during election cycles exclusively on behalf of Democrat candidates.*

Let's be clear – anyone in America can stand for anything they desire to. One can even take a stand for something that is against the law and by so-doing, change the law. That being said, it is important to remember that it is always best to say what you mean and mean what you say. Political campaigning, in particular, sometimes generates distortions of reality so every citizen *must* be a careful judge.

After receiving several calls about a mysterious group called “Kentucky Family Values” that was doing polling or “push polling” across the Commonwealth, here is what The Family Foundation's research revealed: Kentucky Family Values is a political organization that supports Democrat political candidates *exclusively*.

In 2012, as reported by the political accountability website – *followthemoney.org*, Kentucky Family Values reported 178 expenditures totalling \$2,139,149 supporting 19 key Democrat races. Many of these candidates had radically pro-choice records.

In 2011, Kentucky Family Values supported Democrat gubernatorial candidate Steve Beshear to the tune of over \$1.2 million. Gov. Beshear, of course, is the only governor in the last 20 years *NOT* to sign any pro-life legislation. In fact, he has been and is now a strong supporter of Planned Parenthood. Yet, he was fully supported by Kentucky Family Values.

Similarly, Gov. Beshear has been a strong supporter of those pushing gay rights and signed an executive order almost immediately after his first inauguration granting special rights to gays and lesbians when it comes to state hiring practices.

In addition, Gov. Beshear has been an ardent supporter of those who want to radically expand gambling in the Commonwealth. In 2008, he proposed a constitutional amendment to expand gambling.

When that failed, he supported a simple statute to expand gambling. When that failed, he offered prime state jobs to Republican senators who he believed were blocking his efforts, only to fall short of his goals in the ensuing elections to replace those he had hired.

And finally, he had his administration attempt to expand gambling through a courtroom strategy that is still locked up because The Family Foundation intervened in the case.

Yet, Gov. Beshear was endorsed and avidly supported by Kentucky Family Values.

“We just want to be sure that those who receive materials from Kentucky Family Values are not confusing their political endorsements with our public policy work,” said Kent Ostrander, executive director of The Family Foundation. “There is room for all Kentuckians to share their point of view, but anything that confuses voters should be clarified – we already have too many Kentuckians not turning out to vote.”

Concerns are not limited to the similar names: Examine the logos of The Family Foundation and Kentucky Family Values. The ultimate question is –

**“Are they trying to fool voters?”**



*The TFF logo  
and  
The KFFV logo*



## *The Family Foundation enrolls in Kroger donor program*

**Kroger recently launched a program called Kroger Community Rewards® to give back to local communities through schools, churches and other nonprofit organizations. The Family Foundation is proud to be a participant in this program . . . but we need your help!**



**If you shop at Kroger, you can very easily enroll your Kroger Rewards Card to benefit The Family Foundation. A percentage of your purchase totals will then be donated to The Family Foundation on a quarterly schedule. Please join us in this simple fundraising effort (at *NO ADDITIONAL COST* to you). It takes a couple minutes to register your card — *just follow the steps below and note our official incorporation name.***

- 1. Go to [www.kroger.com/communityrewards](http://www.kroger.com/communityrewards)**
- 2. Sign into your account (or create a new one).**
- 3. Click the “Enroll Now” button.**
- 4. On the “Find Your Organization” page, use organization #92920 or search for Family Trust Foundation of Kentucky, Inc and click “enroll.”**

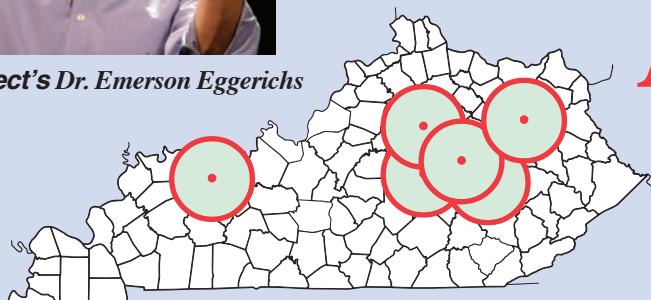
**Please call us if you have trouble enrolling, and we'll be happy to help you! Thank you.**

## **“Let's go Krogering!”**





Love & Respect's Dr. Emerson Eggerichs



Love & Respect's Sarah Eggerichs

# The Kentucky Marriage Movement

*Various regional events listed below*

## **Salt Lick, Oct. 3-4**

**Love and Lordship Retreat - Greg Williams**

KY Ministries of The Church of God - Four Seasons Retreat  
3169 Mudlick Road, Salt Lick, KY 40371

## **Lexington, Oct. 12, 14, 15 & 16**

**Love, Life and Relationships - Greg Williams**

UK Campus (UK Every Nation Campus Ministry)  
Contact: Conkandaviesfamily@gmail.com

## **Lexington, Nov. 7**

**Love and Lordship Workshop - Greg Williams**

Northeast Christian Church  
990 Star Shoot Pkwy, Lexington, KY 40509

## **Owensboro, Nov. 14-15**

**Love and Respect video conference - The Eggerichs**

Bellevue Baptist Church  
4950 Kentucky 56, Owensboro, KY 42301

## **Lawrenceburg, Nov. 14-15**

**Love and Lordship Retreat - Greg Williams**

Ninevah Christian Church  
1195 Ninevah Road, Lawrenceburg, KY 40342

## **Lexington, Dec. 9**

**Love and Lordship: "Loving Extravagantly" - G. Williams**

MOPS - Tates Creek Christian Church  
3150 Tates Creek Road, Lexington, KY 40502

**For more or to register, call (859) 255-5400 or go to [www.kentuckymarriage.org](http://www.kentuckymarriage.org)**

Dear Friend,

October 3, 2014

Each Fall and Spring The Family Foundation "knocks on your door" and asks for financial assistance. We do this only twice each year because we know that we are not the only organization you give to, and we do not want to badger you.

Would you please join us now to make next year a GREAT year?

Some people give to us because: 1) THEY value the information we send and THEY use it to make a difference. 2) Some give because they know we are helping OTHERS engage with the information we distribute. 3) Others know that WE are working hard in Frankfort. My hope is that many give for all three reasons.

Please consider a gift now. Every gift is 100 percent tax-deductible and is used on the issues we focus on. Everyday folks like you and me are "the salt of the earth." But, we must act faithfully or we, and our family values, will be thrown out and trodden underfoot. (See Matt. 5:13)

This I know: If everyone gives something, we will have enough.

*Y&T*

**The Family Foundation  
P.O. Box 911111  
Lexington, KY 40591**

Checks can be made to "The Family Foundation." Just so you know, a year's subscription to our bimonthly CITIZEN costs us \$15. A gift of \$25 or \$35 or more helps cover the cost of all our work in Frankfort.

# “Choose you this day whom you will serve”

*The people of Israel came to a crossroads in their history and Joshua challenged them. Like them, Americans are now at a crossroads.*

Joshua's full quote reads as follows: “And if it seems evil unto you to serve the Lord, choose you this day whom ye will serve; whether the gods which your fathers served that were on the other side of the flood, or the gods of the Amorites, in whose land ye dwell: but as for me and my house, we will serve the Lord.”

There is no doubt that this election is not only a battle of wills, a battle of perspective and a battle of *political* Parties, but more importantly, it is a spiritual battle.

Consider the major *spiritual* issues that will be decided at the national level with the Nov. 4 election: 1) The sanctity of human life or the freedom to choose; 2) the sanctity of marriage or the liberty to re-define marriage; 3) the integrity of balanced budget spending or the borrowing against future generations to finance needs of today; and 4) the standing with Israel or the standing apart from Israel.

Each of these will have serious spiritual repercussions on America and all have

arguments and advocates. But what do *YOU* believe? And even more important to the future of America, what does God believe?

Beyond these issues is the reality that a change in the U.S. Senate could change the balance of power on the U.S. Supreme Court over the next few years. Some suggest that as many as several justices will retire soon, but even simple math confirms that the next choice for the Supreme Court will change the balance that the Court currently manifests.

But Nov. 4 is not just the day of decision for the U.S. Senate and the U.S. House of Representatives, but also for the Kentucky State Senate and State House, as well as city, county and judicial races. In short, your future and the future of your children will be changed by this election like no other before it.

Please vote and please do your best to reflect in your choices what leaders the Lord would have to lead us through these perilous times.

## Races available on the KCIS website

**The U.S. Senate:** Kentucky has one of its two U.S. Senate seats challenged this year.

**The U.S. House:** All of Kentucky's six U.S. Congressional Districts have challengers in 2014.

**The State Senate:** The 38-member Senate elects one half of its members every two years. Of the 19 available seats, only 9 have challengers this Fall.

**The State House of Representatives:** The House elects all of its members every two years. Of the 100 members in the House, only 53 seats are being challenged this year.

**Kentucky Court System:** Most court seats are open this cycle.

*Each of the **KCIS** candidate surveys can be downloaded, copied and shared, including with nonprofit groups and churches.*

**Coming soon . . .**

## The Marriage Decision



At press time, no decision had come down from the Sixth Circuit Court of Appeals regarding the Kentucky Marriage Protection Amendment. Oral arguments were made in Cincinnati on Aug. 6, and as recently as Sept. 18, the *Wall Street Journal* reported that U.S. Supreme Court Justice Ruth Bader Ginsburg had commented that she was watching for that ruling. This is exactly what Kentuckians have been hoping for – that Kentucky would stand its ground within the court system and make a difference as the question of states' rights to govern marriage moved toward the U.S. Supreme Court in 2015. Court watchers expect the decision soon. A report will follow in the next *CITIZEN*.



## Kentucky Candidate Information Survey

To get information about Kentucky's candidates *in their own words*, and/or . . .

To print off information on races that you can copy and give to others, go to:

**[www.votekentucky.us](http://www.votekentucky.us)**

*All information has been handled by IRS standards and is totally suitable for churches and nonprofit organizations.*

*If you do not have access to the Internet, call or email us and we'll mail or email your races:*

**[kent@ kentuckyfamily.org](mailto:kent@kentuckyfamily.org)**

**or (859) 255-5400**

# Owensboro officials postpone gay rights effort

*Though it is a victory for now, it may be a temporary one — many believe they are just dodging the election cycle by postponing.*

A proposed “Fairness Ordinance” in Owensboro has raised concerns by many in the city that their religious freedom would be undermined if the ordinance was adopted. These citizens see their community as a place where faith and their sincerely-held religious convictions are part of the daily fabric of their lives, and where the most vulnerable are cared for by faith-based organizations, such as Sunrise Children’s Services located in Owensboro.

So when word got out that the city was considering a gay rights ordinance focused on Lesbian, Gay, Bi-Sexual and Transgender (LGBT) individuals as a protected class, Owensboro residents were quick to flood the phone lines and email accounts of City Commissioners with their views. The people wanted to know why most of the Commissioners said things that made Owensboro appear to be a community beset with serious bigotry and financial problems.

On Aug. 5, Sylvia Coleman, executive director of the Owensboro Human Relations Commission, proposed a gay rights ordinance for the commissioners’ consideration. The ordinance was described as an “anti-discrimination law” that would protect individuals in the LGBT community from being barred from employment or housing. She asserted that the “anti-discrimination law is not a violation of anyone’s religious freedoms.”

Coleman’s statement was telling, especially since a similar ordinance in Danville was specifically adjusted to exempt Sunrise Children’s Services on the grounds of religious freedom. At that point, the Danville proponents of the ordinance became critical of their own ordinance. Sunrise Children’s Services, a faith-based agency that cares for orphans and foster children, has a policy of not hiring openly homosexual individuals. The Owensboro office is Sunrise’s largest foster care center in western Kentucky.

The request for the Owensboro ordinance was reportedly in response to an unspecified number of letters received by Commissioners requesting action. During the meeting

on Aug. 5, Mayor Ron Payne said the legal department had been looking into the matter and then handed it over to the Owensboro Human Relations Commission weeks before. It was then that Coleman made her report and ordinance proposal.

After the presentation, Mayor Pro-Tem Deborah May Nunley cited author and urban theorist, Richard Florida, stating that a “mixture of diversity enriches any community.” She said, “It is my privilege and honor to vote in favor of this ordinance.”

During the meeting Commissioners Pam Smith-Wright and Bob Glenn also expressed their support for the ordinance. Jeff Sanford seemed to be the only commissioner who refrained from publicly supporting the ordinance — an ordinance that has not even been drafted.

“This ordinance could be a tool of harassment against Owensboro businesses and agencies such as Sunrise,” said Jack Henshaw, policy analyst for The Family Foundation. “What has been described as an anti-discrimination law is itself discriminatory towards people and organizations of faith.”

City attorney Ed Ray was directed to draft the ordinance, and, initially, the City Commission planned to have a reading at its next meeting. However, after some residents became aware of the proposed ordinance and many spoke up in opposition, the Commission decided to wait a year to study the issue and resume the discussion at a later date.



**“What has been described as an anti-discrimination law is itself discriminatory towards people and organizations of faith.”**

*— Jack Henshaw,  
policy analyst for The Family Foundation*



# Berea also offers to delay gay rights ordinance

*It appears that the same tactic of waiting is being used to protect city government incumbents who are FOR a new gay rights law.*

Though the campaign in Owensboro was more subtle, it looks very much like the effort launched in Berea. The bottom line in Berea is that the city was targeted by a statewide organization, Kentucky Fairness Campaign, that raises funds, in part, by how many ordinances are passed and how many ordinances are attempted.

Their activist formula is very simple: 1) Is there a local entity that is firmly on the side of “Gay Rights? (Like a focused church or nonprofit organization); 2) Is there a university nearby where “foot soldiers” can be recruited? 3) Is there someone on the city council who will push the ordinance?

Clearly, this was “Community Organizing 101.”

An African-American, who spoke at a Berea town meeting against the gay rights ordinance, summed up the city most accurately: “Berea was where I found home after a lifetime of (racial) discrimination.”

His points were sound because there is . . .

1) No economic degradation of the gay-lesbian community as there was with the African-American community. (Some of America’s richest citizens are gay or lesbian, and there is no gay and lesbian ghetto in Berea.)

2) No report of limitation in their access to educational institutions as there was with the African-American community. (UK and U of L have special offices for gays and lesbians and Berea College is also likely supportive.)

3) No blatant wholesale discrimination like that experienced by the African-

American community — many of today’s gray-haired citizens have, in fact, seen “White” and “Colored” water fountains side-by-side, and “White” and “Colored” restrooms side-by-side.

4) No lack of political power or representation as there was with the African-American community. (President Obama, Gov. Beshear, and the Louisville and Lexington Mayors are all pro-gay . . . *THAT* is political power!)

Though local citizens have outnumbered the ordinance supporters at the City Commission meetings and the supporters are predominately college students with some driving in from outside the county, several of the City Commission are still committed to the ordinance’s passage.

In the past few weeks there has been an overture to Rev. Kenny Davis, one of the key leaders of the group against the ordinance, suggesting that he agree to support a re-written ordinance without any verbiage relating to sexuality and gender identity. Puzzled by the turnaround, Davis looked more deeply into the matter when someone sent him a copy of an email from the Fairness Campaign that told their supporters:

*“Rachel said to not be concerned if mayor compromises on ordinance as done for the purpose of getting re-elected as all parties will be satisfied if we do not get upset. After election new council will have pro ordinance people elected in place of current people and can bring back up and pass as now written.” (Email quoted exactly)*





# Boys in girls' bathrooms: Is this the new norm?

*There must be a better way to help a struggling student than to discard ALL the rules for safety, modesty and common sense.*

This summer the Site-Based Decision-Making Council (SBDM Council) at Atherton High School in Jefferson County adopted an “anti-discrimination” policy regarding gender identity and gender expression. The new policy allows a student who was born a male but currently identifies as a female to use the female restroom, locker room and shower facilities.

Early last spring, an unnamed freshman student requested permission from Atherton’s Principal Thomas Aberli to use the girls’ facilities instead of the boys’. After Aberli granted permission, he told the *Courier-Journal* that he received “about a dozen phone calls from concerned parents” complaining about his decision. Last June the school’s SBDM Council adopted 8-1 the Los Angeles Unified School District anti-discrimination policy regarding gender identity and gender expression.

Jefferson County Public Schools (JCPS ) already has a district-wide non-discrimination policy, but it does not include gender identity or gender expression as factors. The model adopted by Atherton is the first to include those factors in the district. JCPS policy allows individual schools to set their own policies regarding their own facilities.

Clint Elliott, a Louisville attorney with the Christian-based legal group Alliance Defending Freedom (ADF), who is representing concerned students, parents and other citizens in an appeal of the new policy, argued that this new policy jeopardizes the privacy and safety of students at the school and infringes upon the religious liberties of many students who object to such an environment due to sincerely held religious convictions. According to Elliott, the concerns expressed by the community “make it clear that this issue is not about feelings or desires or expressions, nor is it about discrimination, but rather this is about biology and common sense and decency.”

Aberli told the *Courier-Journal* last May that Atherton has two facilities for all female students to use, and “initially the student was allowed to use both facilities. However, in addressing concerns raised by parents and students, I wanted to respond to those concerns, so at this time, the student is only being allowed to use one of the two restrooms.”

Concerned parents and students offered an alternative policy for the Council’s consideration concerning transgender students, advocating the use of unisex restrooms, or staff restrooms. However, the Council rejected that policy.

According to Elliott, JCPS Superintendent Dr. Donna Hargens, recently rejected ADF’s appeal and suggested that students and parents should not be concerned with the new policy because only one boy at Atherton has been given access to the girls’ facilities and because the facilities provide sufficient privacy with stalls. However, Elliott contends the policy does not provide an exception for “only one particular student” but applies to any student who expresses a desire to identify with the opposite gender and use the opposite-sex facilities.

Also, Elliott maintains the policy does not apply only to biological boys but to biological girls as well. “Therefore,” Elliott says, “this situation begs the absurd question – why have separate facilities at all in our public schools, and further begs the question – what will the school do when the first girl expresses a desire to use the boys’

facilities with no stall to protect against exposure at the urinals?”

Elliott sees a number of problems with the policy. For example, he says the policy states that a student’s gender identity is not necessarily their actual sex assigned at birth, but may instead be

their “perceived sex or identity, and responsibility for determining a student’s gender identity rests with the individual student.”

So under the new policy a biological boy who has expressed a desire to start identifying as a female is now allowed to use the girls’ restroom, locker room and shower facilities at the school, notwithstanding the

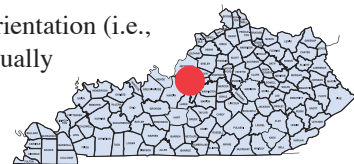
student’s actual sexual orientation (i.e., the boy could still be sexually attracted to girls).

Some parents who attended an appeal hearing in July with the SBDM Council expressed safety concerns for students who are obliged to share bathrooms with persons who are biologically different from themselves. One parent of a recent graduate said he was worried that “hormonal exploratory” boys would take advantage of the policy to gain access to female restrooms, but according to a newspaper account of the hearing, Aberli said there have been no instances of heterosexual boys using the policy to gain access to girls’ facilities in the Los Angeles School District.

The next option for Elliott and those opposed to the new policy is to appeal Superintendent Hargens’ decision to the Appeals Board, composed of two parents appointed by the 16<sup>th</sup> District Parent-Teachers Association, three teachers appointed by the president of the Jefferson County Teachers Association, and a school administrator appointed by the president of the Jefferson County Association of School Administrators.

The Atherton situation has raised the question of whether JCPS should adopt a district-wide policy relating to gender identity, something it has discussed but never adopted.

According to a May 14 *Courier-Journal* article, Linda Duncan, a JCPS board member who serves on the board’s policy committee said, “Our schools have been dealing with this for years and have made individual accommodations. This is a big issue, but we can’t just open up all of our restrooms to the opposite sex. We need to be careful so that we are protecting the rights of everyone.”



**... the concerns expressed by the community “make it clear that this issue is not about feelings or desires or expressions, nor is it about discrimination, but rather this is about biology and common sense and decency.”**

*– Clint Elliott, ADF attorney*

If you would like to receive the  
**Kentucky Candidate Information Survey**

for your area, or  
receive our Monday thru Friday

**Let Us Pray** emails,

please send us an email with your street address to

***kent@kentuckyfamily.org***

*(There is no cost and your information will remain confidential.)*

*Opinion: It's like NEWSPEAK from George Orwell's 1984.*

# “Fairness” is unfair

A federal judge recently declared the equivalent of martial law on marriage policy in Kentucky by striking down Kentucky's Marriage Protection Amendment. The Amendment to the Kentucky Constitution was passed by large margins in both the State House and State Senate in 2004 and approved by voters later that year.

More votes were cast in favor of the amendment than were cast for *and* against any other amendment placed on a Kentucky ballot.

Judge John G. Heyburn argued that there was no “rational basis” for Kentucky's law defining marriage as a relationship between one man and one woman. The judge doesn't have to agree with the reason for the law under the rational basis test. It need only be a *reason* that someone could conceive of as rational.

The fact that 75 percent of Kentucky voters *actually did* conceive of the law as rational in 2004 went unnoticed by the judge. And recent polls suggesting that the majority of Kentuckians *still* think it is rational was apparently considered beside the point.

One wonders how seriously we can take a judge who finds a law irrational in such an irrational way.

The ruling, *Love v. Beshear*, followed



**Martin Cothran is the senior policy analyst for The Family Foundation**

rulings by a number of other states where judges are striking down similar laws. All of them follow basically the same pattern: that there is no good reason

for laws defining marriage in a way that excludes same-sex couples.

The reason for the government promoting traditional marriage, of course, is that it benefits society by maximizing the chance that children will be raised in families with both a mother and a

father, which the evidence suggests is the most healthy environment in which a child can grow up.

Laws should promote what is good for society. It is good for society for children to grow up in families with a mother and a father. Therefore, laws should promote families with a mother and a father.

As someone who has authored three

textbooks on logic, I can tell you that argument is perfectly valid. No one who knows even basic logic would deny it. You can disagree with the facts it contains to



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### Contributing Editors

Martin Cothran  
Jack Westwood  
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Jack Henshaw  
Greg Williams  
David Moreland

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**The Family Foundation**  
P.O. Box 911111

Lexington, KY 40591-1111  
859-255-5400

e-mail: [tffky@mis.net](mailto:tffky@mis.net)  
Web site: [www.kentuckyfamily.org](http://www.kentuckyfamily.org)

The Family Foundation  
P. O. Box 911111  
Lexington, KY 40591-1111

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your heart's content, *but that doesn't make it irrational.*

But there is an interesting aspect to the reasoning judges like Heyburn are now

using in these cases and it is this: All the reasons these judges consider irrational turn out to be the

reasons considered rational by conservatives. Typical conservative reasons for a law might include tradition, custom, religion, and morality. These have always been considered legitimate reasons for laws. Only in recent years with the onset of a more powerful and more liberal judiciary have they been called into question.

On what basis can these traditional reasons for laws be considered irrational? And on what basis are they distinguished from the reasons liberals may have for having a law?

Why are liberals allowed to pass laws for liberal reasons when conservatives are barred from passing them for conservative reasons?

In fact, why are judges second-guessing the reasons voters and their elected representatives pass laws at all? Since when did we have to start approving

**We're in a pretty bad state when, in a debate over “fairness,” we unfairly privilege one side over the other.**

our reasons for voting any way we like with liberal judges?

And if morality is

not a legitimate reason for having a law, then pray tell what is? There are only two kinds of laws: those that command that someone do what he ought to do (in other words, what is moral) or those that prohibit someone from doing what he ought not to do (in other words, what is immoral). Search the entire body of state and federal laws and you will not find anything else.

We're in a pretty bad state when, in a debate over “fairness,” we unfairly privilege one side over the other.