

# CITIZEN

STRENGTHENING FAMILIES AND THE VALUES THAT MAKE FAMILIES STRONG

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## The 2018 Session will be pivotal

*In less than a week the 2018 General Assembly Session will open. Are you ready to let your voice be heard? To be salt and light?*

The 2018 General Assembly Session could be a wonderful second step forward after a remarkable 2017 Session, OR it could become a disappointing retreat from the direction and momentum established last year. There are several pressures working against a strong encore performance; but the newly-elected freshmen legislators were feisty last year, and they just may be the fuel that helps the Assembly stay the course.

The first concern that is currently plaguing the Assembly is the issue of inappropriate sexual behavior by some of its members. Earlier this Fall a male senior senator was publicly accused of making sexual advances toward a young male that he was supposed to be helping secure a scholarship. More recently, four House members have been accused of inappropriate texting with a Capitol employee. Most recently, a fifth House member has been accused of actually having sexual contact with a minor.

None of these situations have gone to court, but in each case the behavior is much less than what citizens expect from their elected officials.

**“Given the unsettledness and the issues of 2018, it will be the people who call in that direct the way forward – legislators are listening.”**

– Kent Ostrander  
The Family Foundation

Additionally, the second concern that may plague the Session is the pension crisis. Gov. Bevin had wanted to deal with the pension this Fall during a Special Session. That would have taken a huge amount of pressure and controversy out of the 2018

Session; however, Republican consensus and the recent texting allegations helped burn through the time available for a Special Session. As Christmas approached, the Republican Caucus in the House signed a letter asking the Gov. Bevin to fold the pension issue into the 2018 Session.

A third concern is tied to the first; the Speaker of the House resigned his position as Speaker because he was involved in the texting scandal. His departure from the Speaker’s office leaves the House Chamber “headless” just before a long, 60-days Session is about to begin. To make matters worse, the Speaker *Pro Tempore*, David Osborne (*R-Prospect*), is a strong proponent of gambling expansion in Kentucky; and

that leaves many of the rank and file legislators concerned about where he may want to take the House in this Session.

With these three hurdles already giving this Session a rocky start, there are also the routine issues the Republicans and Democrats wrestle with that will add waves to the process this year. Three of the “regular” battles that take place between the members of the two political parties are:

The sanctity of life has always been a controversy in Frankfort. For ten years the Democrat Leadership of the House killed all pro-life bills that came over from the Senate or that were introduced by House members. The bills never even made it to the House Floor for debate.

With last year’s flip to Republican control, three pro-life bills cleared the House with two completed in the first week of the Session. What will Republican Leadership and House members do this year – move forward or retreat?

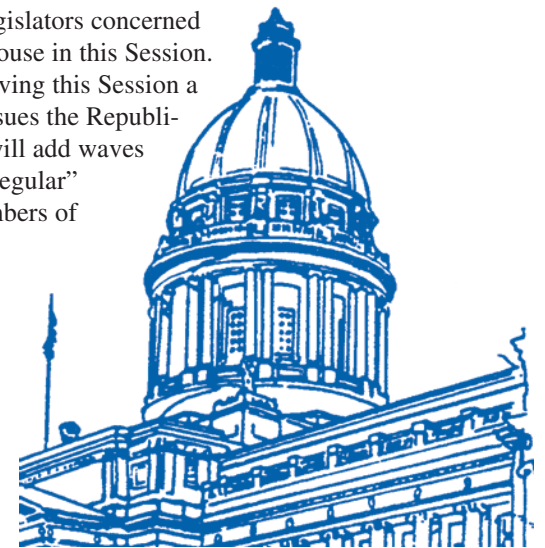
The question of boys and girls being forced to share the same restrooms, locker rooms and shower rooms at Kentucky’s public schools will likely arise. Parents are concerned.

For the last two years bills have been introduced to guide Kentucky’s educational leaders *not* to allow the mixing of biological genders when students are in various states of undress. Both times liberal legislators and LGBT activists succeeded in stopping the bills’ forward motion. Will there be the will to protect children this year?

Sex trafficking is a topic that unites both Democrats and Republicans in principle, but the steps taken in recent years have not been substantive. This is particularly frustrating when soliciting sex with a minor carries a lesser penalty that shoplifting a pair of jeans.

“It’s apparent that God is bringing to light much of what has been done in darkness,” said Kent Ostrander, executive director of The Family Foundation. “Nobody wants false accusations, but clearly our sexualized culture has made inappropriate behavior commonplace, both in liberal and conservative circles.”

“Given the unsettledness and the issues of 2018, it will be the people who call in that direct the way forward – legislators are listening,” said Ostrander. “The question remains: Will citizens call in?”



**Instant Racing Court Date set for Jan. 8**

*see page 3*

# U.S. Supreme Court hears religious liberty case

*The Masterpiece Bakeshop case could become an historical watershed case for or against religious liberty in this country.*

On Dec. 5, the U.S. Supreme Court heard oral arguments in *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*, in which Colorado attempted to force Jack Phillips, the owner of Masterpiece Cakeshop, to create a custom wedding cake for a same-sex marriage ceremony despite his religious objections.

Kristen Waggoner, the Alliance Defending Freedom (ADF) attorney arguing on behalf of the baker, drew an important distinction between an artist serving gay customers and using one's artistic talents to create a custom work



for the purpose of celebrating a same-sex marriage. It is this essential distinction which brings the First Amendment's "compelled speech doctrine" into play. Just as the First Amendment limits the government's ability to prevent you from saying something, it also limits the government's ability to

**"Let the patron find a willing creator, and let the unwilling artist keep his conscience clean."**

– The Family Foundation's  
*public policy amicus brief*

compel you to say something. ADF is also arguing the case on religious liberty and right of conscience grounds.

The full implications of Colorado's position were exposed when the ACLU attorney representing the gay couple and the state's solicitor general were forced to admit that if a baker made a cross-shaped cake for the Red Cross, he would be forced by the government to create a cross-shaped cake for a group holding the beliefs of the KKK. Likewise, a baker who created a cake celebrating Nov. 9 as someone's anniversary, would be

on the sexual orientation or "identity" of the individuals involved. Kennedy called this argument "facile" or superficial, appearing neat and comprehensive only by ignoring the true complexities of the issue.

While LGBT activists have claimed that bakers such as Jack Phillips are bigots, Kennedy wondered if it was Colorado's Civil Rights Commission which had shown bigotry. The state's Solicitor General was allowed to continue his oral arguments only after he disavowed a commissioner's comments comparing the baker to a racist and Nazi. Kennedy went on to say that "tolerance is essential in a free society. And tolerance is most meaningful when it's mutual. It seems to me that the state in its position here has been neither tolerant nor respectful of Mr. Phillips' religious beliefs."

Justice Alito also pointed to Colorado's lack of "mutual tolerance" by protecting the freedom of cake artists when three religious customers requested cakes that criticized same-sex marriage, but imposing a three-part penalty on Jack Phillips when he refused to make a cake supporting same-sex marriage.

The Family Foundation and over 30 other of its sister organizations across the nation filed a public policy *amicus* brief in the case concluding, "Let the patron find a willing creator, and let the unwilling artist keep his conscience clean."

## Pastors express support for student privacy

*The Family Foundation surveyed over 500 pastors across the state. 91% were very clear – "Protect the privacy of all students!"*

Many have been concerned and wondering why in some schools in Kentucky, young girls, who are mandated by law to be in school, are then ordered to share their restroom, locker room and shower rooms with young boys who believe they are of the female gender. The Family Foundation reached out to pastors to find out where they stood on the question of privacy, safety and dignity for all students.

In late September, staff at The Family Foundation mailed a survey to over 500 Kentucky's pastors, inquiring where they stood on the most recent sexual cultural effort which maintains that everyone should be able to select their own gender. The question asked of pastors was this:

**Do you agree that boys and girls should be separated when they are in various states of undress?**

**52.2 percent of the respondents replied "Surely."**

**38.8 percent of the respondents replied "Yes."**

**14.0 percent of the respondents replied "Neutrally."**

**2.0 percent of the respondents replied "No."**

Unfortunately, students around the state have experienced different policies. At least one school is allowing a biological male into the girls' bathroom and locker room.



That has left some of the female students having to go to the faculty restroom and others choosing to wear their physical education clothing under their school clothes so that they do not have to undress in front of a male.

Students at other schools have come home asking their parents why one of their fellow students is using the

wrong bathroom. Parents of these children are frustrated because school officials did not even brief them on the school's new "bathroom" policy.

With 91 percent of the responding pastors in agreement, answering "Surely" or "Yes," and with parents universally being protective of their children, there is little doubt that it would be the will of Kentucky citizens to protect student privacy.

The bottom line is that ALL students should have their privacy, their dignity and their safety protected. That's what all parents want, and that should be the reality in ALL schools in Kentucky.

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# “Instant Racing” trial begins on Jan. 8

*These machines have been operating for more than six years and have made owners millions, but they have yet to be declared legal.*

It's been 24 years since those pushing casinos and a major expansion of gambling in Kentucky began their drum beat. At the request of the horse racing industry, The Family Foundation joined in the fray. The horse racing industry didn't want the competition of casinos gambling and The Family Foundation knew that all the money casinos vacuum out of the economy comes from families – no other entity can gamble, just family members.

## Bypassing the Legislature

But times have changed. Around 2000, the horse racing industry concluded, “If you can't beat them, own them.” Thus, the race tracks, along with the Kentucky Horse

Racing Commission, are now in court against The Family Foundation. They are trying to have the court reinterpret the longstanding gambling laws that prohibit “gambling devices” so that they would now *allow* the “Instant Racing” devices. The trial on the first machine begins in Frankfort Circuit Court on Jan. 8.

“These machines use random number generators, there are fixed prizes and they are not pari-mutuel,” said Kent Ostrander, executive director of The Family Foundation. “Though I can no longer blindly trust the court system given the rulings across America today, I am confident that these machines are *not* a ‘pari-mutuel horse race’ as they claim.”

## Gambling Efforts in the 2018 Assembly

Besides the Instant Racing trial beginning on Jan. 8, the 2018 General Assembly Session begins on Jan. 2, where there are already several bills are pre-filed or planned that expand gambling in other directions.

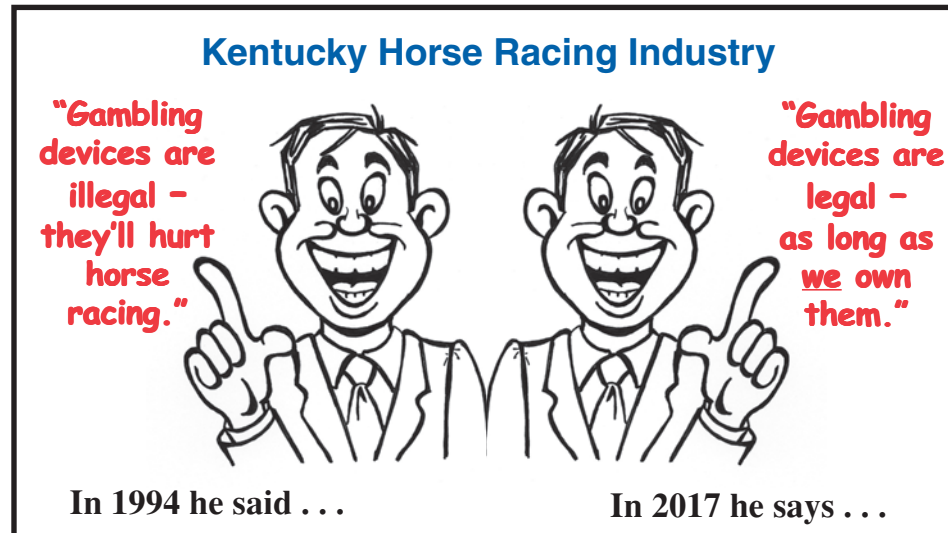
These include several different bills that legalize sports betting and several other bills that legalize full-blown casinos.

“The possibili-

ties are staggering,” said Ostrander. “In April, at the end of the 2018 Session, we could have ‘Instant Racing’ machines at 10 different race track sites, casinos near our larger cities and sports wagering online everywhere.”

## What Citizens Can Do

Stan Cave, The Family Foundation's attorney, has done an outstanding job, sometimes against as many as 14 of the state's highest paid attorneys working for the horse racing industry. Citizens can come to the trial and observe what will be a very interesting courtroom battle.



There is one other step where citizens can have an impact. The Kentucky Horse Racing Commission, which is pushing the machines along with the horse tracks, is in the Executive Branch of government. Gov. Bevin is *over* the entire Executive Branch. As citizens make their calls to the legislators for the 2018 Session, it will help if they also make an encouraging call to the Governor's office asking him *to do all he can* to stop the judiciary from legislating these gambling devices at race tracks. (See yellow action box below.)

With respect to legislation, citizens are in the driver's seat if they would recognize that they can make the difference. The bottom line is that legislators want to be re-elected; if enough calls come in against the expansion of gambling, what reasonable legislator would want to risk his future on voting *for* something so sleazy? (See box below.)

## **YOU can stop the expansion of gambling!**

*The 2018 Session begins Jan. 2. NOW is the perfect time to make these calls.*

### **#1 Leave a message for your legislators: 1-800-372-7181**

**NOW**, while things are “quiet”, please leave a kind but firm encouragement with the operator for your legislators by saying, “***Please give this message to all the legislators in my county.***” (Some counties have more than one representative and one senator). Simply say, “***Please VOTE AGAINST ANY expansion of gambling.***” The Legislative Message Line is 1-800-372-7181. To multiply your impact, ask the operator to, “***Copy my message to the Leaders of the House and Senate.***” The call is free and it should take about one minute. Call now! The Message Line is open now from 8 AM to 4:30 PM Eastern. (When the 2018 Session begins, you can call 7 AM to 9:00 PM Eastern.)



### **#2 AND, leave a message for Gov. Bevin: 1-502-564-2611**

Leave this message, “***Please act to stop the expansion of gambling thru the horse-themed, slot-type machines at race tracks.***” (These gambling devices have ***NEVER been voted*** upon by the legislature and the court has ***NOT determined*** them legal, yet they have been operating for six years, sucking up millions of dollars from Kentucky families. **AND**, the Kentucky Horse Racing Commission that is pushing them is in the Executive Branch under the Governor's control.) The Governor's Message Line is 1-502-564-2611. It is open from 8 AM to 4:30 PM Eastern. (For more, see story above)

**Letting your voice be heard in Frankfort is a prophetic task – speaking truth to power. If you hit any snags, call The Family Foundation at 859-255-5400.**

The 2018 Session is upon us . . . Here's what we need to know:

# How A Bill Becomes Law



A law begins its journey toward enactment when it is introduced as a bill. It can be introduced in either the House of Representatives or the Senate, but it must be approved by both in order to be sent to the Governor for his signature, at which point it becomes law.

Once a bill is introduced in one of the chambers (either the House or the Senate), the Committee on Committees (both the House and the Senate have one) decide to which committee the bill will be sent. This is an important decision because it is harder to get a bill through some committees than others.

The Speaker of the House is the chairman of the House Committee on Committees, and the Senate President is the chairman of the Senate Committee on Committees.

When the bill has been received by a committee, the chairman of the committee decides whether the bill should be heard by the committee. If the chairman decides that the bill should not be heard, it simply dies. If it is heard, it is either approved or defeated. If it is approved, it goes to the Rules Committee.

The Rules Committee of each chamber is also a powerful committee. There a bill gets its second reading. The Rules Committee decides when and if a bill gets to the chamber floor for a vote. It can either send the bill directly to the floor or back to another committee for further review.

When a bill finally reaches the floor, before it can be voted on, it must be announced three times. The Speaker of the House or the President of the Senate can refuse to call the bill for a vote, in which case it will eventually die. If the bill is voted on and passed, it goes on to the other chamber and starts the same entire process for approval there.

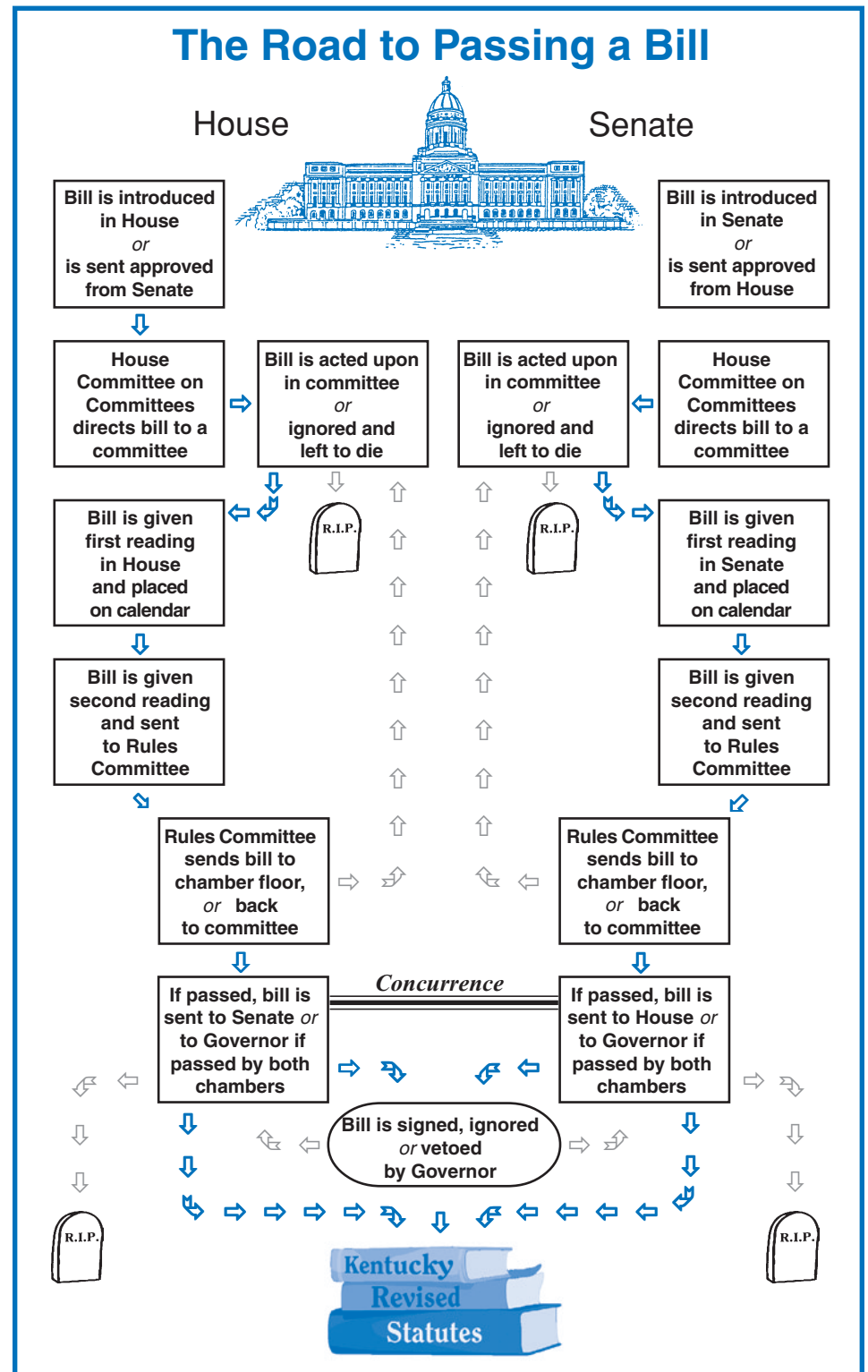
If one chamber passes a bill and the other chamber changes it in any way, the bill

must go back to the chamber in which it originated to approve the change. This is called "concurrency."

Once it passes in both chambers, it goes to the Governor for his signature.

When the Governor receives the bill on his desk, he can do one of three things: he can sign it, veto it, or simply not act on it. If he signs it, it becomes law. If he does not sign it, it still becomes law. Not signing a bill but letting it go into effect is a way for the Governor to express disapproval without actually stopping the bill.

If the Governor vetoes the bill, the bill can only become law if the General Assembly overrides the veto. A veto can be overridden only by a constitutional majority of both chambers. In the House, a constitutional majority is 51 votes (one more than half of 100). In the Senate, it is 20 votes (one more than half of 38). If the veto is overridden in this way, the bill becomes law. If it is not overridden, it does not become law.



## Calendar

for the 2018 General Assembly

<b>January 2</b>	<b>Session Begins</b>
<b>January 15</b>	<b>Martin Luther King, Jr. Day (holiday)</b>
<b>February 16</b>	<b>Last day for new bill requests</b>
<b>February 19</b>	<b>President's Day (holiday)</b>
<b>February 26</b>	<b>Last day for new House bills</b>
<b>February 28</b>	<b>Last day for new Senate bills</b>
<b>March 27-28</b>	<b>Concurrence</b>
<b>March 29-April 9</b>	<b>Governor's veto period (10 days)</b>
<b>April 12-13</b>	<b>Veto override period and Sine Die</b>

# News Briefs:

## Kentuckian awaits confirmation in D.C.

In November, President Trump nominated Johnny Collett of Georgetown, KY, to serve over the Office of Special Education and Rehabilitative Services. He is currently awaiting confirmation by the U.S. Senate. While testifying before the U.S. Senate Education Committee, he pledged to “work as hard, as strategically, and as collaboratively as I can to ensure that we deliver on the promises we have made . . .”

Collett currently serves as director of the Division of Learning Services and State Director of Special Education at the Kentucky Department of Education. He previously served as Director of the Division of Learning Services and State Director of Special Education.

Prior to his career in public education, Collett spent 10 years as a pastor. He explains it was there that his “commitment to individuals, their particular strengths and diverse needs, and the supports that would help them achieve the life they envisioned, was firmly established.”

When *Kentucky Today* asked him about his career accomplishments, he responded that he was most proud of his family and that from his view, “the extent to which I have been, or will be successful, will be measured most importantly by my faithfulness to God and, as a result, my faithfulness to them.”



## Project Weak Link may save babies' lives.

Created Equal, a pro-life organization based in Columbus, OH, has confirmed that Specific Waste Industries has ceased services to Kentucky's last abortion clinic and Planned Parenthood clinics throughout the Midwest. This is a result of their #ProjectWeakLink, which operates on the bottom line. If abortionists can't dispose of dead babies, they will be forced to stop killing them.

Launched in 2016, the campaign successfully convinced Stericycle, America's largest medical waste hauler, to cease services for Planned Parenthood. Announcing the success in June 2017, phase two was implemented on November 7, 2017. It sought to convince Specific Waste Industries to cease services to abortion clinics. The success of phase two was confirmed on Nov. 17.

The National Abortion Federation President and CEO, Vicki Saporta, recently expressed the impact this effort is having. She told National Public Radio, “There are very few companies that do what Stericycle did, and when companies like Stericycle give in to the harassment of anti-choice proponents, it puts an unfair burden on abortion providers.”

## Denzel Washington says it “starts in the home.”

In November, actor Denzel Washington was at an advanced screening of his latest film, *Roman J Israel, Esq.*, when he identified a root cause of problems in the black community. He claimed it all “starts in the home,” explaining that if “the father is not in the home, the boy will find a father in the streets.” When the streets raise you, “the judge becomes your mother and prison becomes your home.”

Washington says he saw it in his generation and “every generation before . . . and every one since.”



## Illegal sale of baby parts precipitates bold settlement.

Two bioscience companies in California have admitted violating state and federal laws prohibiting the sale or purchase of fetal tissue for research purposes.

The Orange County district attorney's office had opened an investigation into DV Biologics LLC and sister company DaVinci Biosciences LLC in September 2015 after the Center for Medical Progress filed a complaint. The pro-life group was responsible for releasing videos showing Planned Parenthood, America's largest abortion provider, discussing the illegal sale of aborted babies.

Announcing the \$7.785-million settlement, District Attorney Tony Rackauckas said that the settlement seized all profits the companies “acquired by viewing body parts as a commodity.” Prosecutors had alleged the companies illegally sold vials of fetal brain tissue for up to \$1,100 per vial to pharmaceutical companies and academic institutions in ten different countries from 2009-2015. The settlement amount also includes \$195,000 in civil penalties.

In order to pay the large settlement amount, the companies are donating their adult biological samples, tissues, and cells to a nonprofit academic and scientific teaching institution affiliated with a major U.S. medical school. They are also donating and transferring lab storage containers and equipment worth more than \$10,000.

Additionally, the companies have just 60-120 days to cease all operations in California and are banned from ever again operating in the state.

## Kentucky Supreme Court to hear “Hands On” case.

Blaine Adamson's five-year legal battle is taking him to the Kentucky Supreme Court, where the justices must decide whether to uphold his freedom to decline printing messages that violate his religious beliefs.

In 2012, Adamson, the owner of Hands On Originals, was approached to print t-shirts for Lexington's gay pride festival. He politely declined because of his religious beliefs, but offered to refer the Gay and Lesbian Services Organization (GLSO) to another shop which would print the t-shirts for the same price. GLSO declined and instead filed a discrimination complaint with the Lexington Human Rights Commission. In November 2014, the Human Rights Commission concluded that Hands on Originals had engaged in unlawful discrimination.

Despite the decision of the Human Rights Commission, Adamson has won at every level of the court proceedings. Alliance Defending Freedom, representing Adamson, stated to the KY Supreme Court that the Court of Appeals decided this case based on the well-established distinction between unlawfully refusing services because of a customer's protected *status* and lawfully declining to produce speech because of its *message*,” and the “longstanding First Amendment jurisprudence discussed by the Circuit Court establishes that the Commission cannot apply its ordinance to compel Hands On Originals to print messages that its owners do not want to promote.”



**HANDS ON  
ORIGINALS**

# Kentucky House Leadership uncertain

*Who will be the next Speaker of the House will likely have to wait at least until the 2018 Session begins.*

As the pension, tax reform, the budget, and other policy questions weigh on legislators, who will lead the Kentucky House in 2018 remains unclear.

With the backdrop of national stories about powerful men who work in Hollywood, news and politics perpetrating sexual harassment (see story below), on Nov. 1 the *Courier-Journal* broke the news that Kentucky House Speaker Jeff Hoover (R-Jamestown) had secretly settled a sexual harassment claim at the end of October.

On Nov. 4, it became clear that the harassment claim also involved Representatives Jim DeCesare (R-Bowling Green), Brian Linder (R-Dry Ridge), and Michael Meredith (R-Oakland), who have since been removed from their positions as committee chairmen. An investigation is continuing.

Like Hoover, they have chosen not to resign their legislative seats. Gov. Bevin called for the immediate resignation of Hoover and lawmakers or state employees who have settled sexual harassment claims, saying the “people of Kentucky deserve better. We appropriately demand a high level of integrity from our leaders and will tolerate nothing less in our state.”

Nine Republican House members also called for the resignation of those involved. After initially refusing to resign, Hoover has since announced his intent to step down as House Speaker; but does not plan to resign his legislative seat. House Speaker Pro Tempore David Osborne has assumed operational control.

There had been speculation about when the Republican House Caucus would elect a new leader, but it appears that Hoover is still *legally* the House Speaker until the



legislative body accepts his resignation. Since the Kentucky General Assembly does not have authority while it is not in session and since a Special Session on pension reform in December seems unlikely, Hoover will likely remain the official Speaker until the 2018 Session opens.

A Dec. 6 statement from the other three, non-Speaker House Leaders reads:

“After meeting as a Republican caucus and consulting with attorneys . . . we have determined as a caucus that the House will operate as is when the General Assembly next gavels into session. As such, David Osborne will remain Acting Speaker of the House, and the rest of the Republican Leadership team will remain in their positions. We believe this is what the Constitution and Rules of the House provide as a remedy for the situation in which we find ourselves.”

While Osborne was among the majority of legislators who cast their votes to pass many good bills during the 2017 Session, he was also among 37 members of the House who voted to legalize fantasy sports gambling. After The Family Foundation exposed the bill as a massive expansion of gambling in Kentucky, the bill failed to obtain the minimum 40 votes necessary for passage. Unfortunately, the bill is likely to be re-introduced in 2018, particularly if Osborne is leading the House.

As far as family values are concerned, the 2017 General Session was the best The Family Foundation had witnessed in thirty years. When the Republican House Caucus replaces Hoover, they will have to decide whether to continue building upon the pro-family successes of the 2017 General Assembly or go in a different direction.

## “Silence Breakers” address sexualization of culture

*That which is done in darkness will be brought to light. It's time that the 60s & 70s sexual revolution is forced to take a step back.*

They “started a revolution of refusal, gathering strength by the day, and in the past two months alone, their collective anger has spurred immediate and shocking results: nearly every day, CEOs have been fired, moguls toppled, icons disgraced.” The “Silence Breakers” whose accusations of sexual harassment have dominated the news cycle and so greatly impacted our national conversation are *TIME Magazine's* 2017 Person of the Year.

Victims repeatedly recounted that shame, fear of their complaint becoming their identity, and fear of retaliation had kept them quiet until now. One Silence Breaker recounted her sense of shame, falling into the trap of thinking, “What just happened? Why didn't I react?” and “Did I do something, did I say something, did I look a certain way to make him think that was O.K.?”

One major aspect of the revolution started by the Silence Breakers has been the #MeToo movement on social media. Though it was first used more than a decade ago, its use exploded on the night of Oct. 15, 2017, when actor Alyssa Milano tweeted, “If you've been sexually harassed or assaulted write 'me too' as a reply to this tweet,” before she went to sleep. When she woke up the next morning, over 30,000 people had responded #MeToo.

Within nine days, the number of tweets had grown to 1.7 million. On Oct. 17, Facebook revealed that in less than 24 hours, there were more than 12 million posts,



comments, and reactions by 4.7 million users regarding “Me Too.” A staggering 45% of users in the U.S. have friends who posted “Me Too.”

Recognizing they had a role to play and bore a level of responsibility, men on social media began to respond with #HowIWillChange.

The recognition of responsibility and a willingness to uproot the behaviors contributing to the objectification of women is essential to ensuring #MeToo is not just another fad that comes and goes without transforming our society.

Here are a few facts from the National Center on Sexual Exploitation that our culture should consider as we weigh our response and the change required: 1) males who view pornography are significantly more likely to sexually harass a peer or force someone to have sex; 2) pornography use puts people at risk of committing sexual offenses and accepting rape myths; and 3) 88 percent of the scenes in the 50 most popular pornographic videos contain physical violence, 87% of which is directed toward women.

Research has also shown a connection between

pornography, prostitution, and human trafficking. The implications of pornography use are extremely troubling for the U.S., especially since Barna's 2015 study revealed that 1 out of every 3 Americans seeks out porn at least once a month. That's over 108 million Americans, the overwhelming majority of which are men. Tens of millions of Americans are conditioning themselves to objectify others while becoming more likely to sexually harass a peer, force someone to have sex, commit a sexual offense, and view violence against women as normal.

In 2017, it was the Silence Breakers who “most affected the news and our lives . . . and embodied what was important about the year.” Many are hoping 2018 will be the year of men who reject the porn industry's horrific objectification of women and contribution to sexual harassment, assault, prostitution, and human trafficking.

**For help with sexual addictions contact:**

**[www.purelifeministries.org](http://www.purelifeministries.org)**

**859-824-4444**

*This ministry is located in Dry Ridge, KY*

# Is judging the judges unfair?

In early April of this year, a family court judge in Metcalfe and Barren Counties issued a decree announcing that he would henceforth recuse himself from cases involving the adoption of children by same-sex couples. The announcement by Judge Mitchell Nance made it clear that he had made the decision based on his belief that such adoptions could never be in the best interest of the child.

The predictable howls of protest by liberal groups ensued. The Fairness Alliance called for him to resign. Then the American Civil Liberties Union and Lambda Legal, along with the Fairness Campaign, asked the Judicial Conduct Commission to remove Judge W. Mitchell Nance from office.

In the end, Nance retired before any removal proceedings could be attempted.

This is what we have come to: Calls from liberal organizations for judges to be removed if they don't like how they rule.

It is permissible for liberal judges to write their personal biases and prejudices into law, as has been done on issues of marriage and sexuality; but it is not permissible for conservative judges whose personal biases and prejudices are different to recuse themselves from certain cases.

If I'm a liberal, I'm feeling pretty good about conservative judges recusing themselves when it is required of them to rule in a liberal direction. But no. This is not enough.



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

Conservative judges, if they cannot do what liberals want them to do, must leave the bench.

Their argument is that, if a judge cannot rule according to the law, then he should not be a judge.

Law? What law? Do you remember the Kentucky General Assembly passing a law that mandated gay adoption?

Funny, neither do I. Possibly because no one ever did.

But, you see, liberals get to do that. They get to have government enforce laws that no legislature ever passed. Again, funny how that works.

Not only are conservative judges pressured to rule in favor of liberal causes; but even when abiding by the law, they still face calls for censure or resignation.

State law says that if a judge cannot decide a case impartially, he should recuse himself. In this case, that is exactly what Judge Nance did.

Here is the Kentucky Revised Statute 26A.015: *Any justice or judge of the Court of Justice or master commissioner shall disqualify himself in any proceeding: (a) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceedings, or has expressed an opinion concerning the merits of the proceeding . . .*

Judge Nance announced he would do exactly what the law says he should do. And for this he should have to quit?

Imagine what would happen if a liberal

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**Conservative judges, if they cannot do what liberals want them to do, must leave the bench.**

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judge had announced that he would recuse himself in a death penalty case because he was morally opposed to capital punishment. Do you think liberal groups would file complaints when this happened calling for their removal? Not on your life.

But it is not surprising that liberals called for Nance's removal. To these groups gay rights are sacrosanct, and anyone who gets in the way of the movement toward cultural normalization of every conceivable sexual proclivity are to be treated as heretics.

But what about the Judicial Conduct Commission? Surely, they are an impartial arbiter of such issues.

Then again, maybe not.

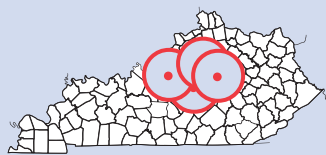
This is the second time the Commission has censured a judge for doing what state law requires him to do. In an earlier case, the Commission censured Judge Tim Philpot, a Fayette County family court judge, for requiring couples with children to participate in special hearings to determine whether their marriage was irretrievably broken before finalizing a divorce.

As it turns out, state law requires

that *all* couples seeking divorce undergo such hearings. So, the Judicial Conduct Commission censured Philpot for requiring that couples *with* children undergo such hearings and no other couples.

Why did the Commission censure a judge who was only following the law in some cases, but not all the other judges who are not following the law in any such case?

The Judicial Conduct Commission clearly has trouble treating certain issues impartially. Maybe they should recuse themselves.



## *The Kentucky Marriage Movement*

### **Georgetown, Feb. 9**

***"Loving Extravagantly" - Love and Lordship - Greg Williams***  
MOPS - Gano Baptist Church  
212 Bevins Lane, Georgetown, KY 40324

### **Lexington, starting date TBD**

***Healthy Relationships - 12 Week Series - Greg Williams***  
Lexington Leadership Foundation  
Location TBD, Lexington, KY

### **Winchester, March 9-10**

***Love and Lordship - Greg Williams***  
Calvary Christian Church  
15 Redwing Drive, Winchester, KY 40391

### **Willisburg, starting date TBD**

***Love and Lordship Wed. AM Series - Greg Williams***  
Isaiah House  
2084 Main Street, Willisburg, KY 40078

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

# Please weigh in . . .

**This is a “wonderfully” critical time. Please help us.**

The 2018 Session of the General Assembly is just days away – beginning Jan. 2. The trial that may become the finale of our seven-and-a-half year court case regarding the expansion of gambling through the use of the judicial system begins just a week later – on Jan. 8. Both are “heavy lifts,” and we would welcome your assistance.

Bluntly, we need your help.

How can you help, you ask?

Yes, we do need the financial support that funds what we do. And yes, we are behind securing what we need to engage both the 2018 Session *AND* the court case. If you can help, please do. If not, I understand.

But it’s not just about money. During the General Assembly, the most powerful influence is a “substance” that no one can bottle or control or manipulate – it is faith.

How?

Faith enables each of us to “step out of the boat” and let our voice be heard . . . and more importantly, let God’s voice be heard.

Legislators actually do listen. Some legislators only count the calls “for” and “against” – a simple political calculation, with the purpose of securing re-election. But they are listening!

Others *actually listen* and “get” the heart of the one communicating. When that happens, fuel is added to the fire of purpose and often something good gets done.

You and I are in two different places – different geographies, different perspectives different motivations. But we are both in Kentucky, and we both have the family’s and God’s interests at heart. If we pray, if we believe and if we act, *then* we will be the salt and light we were created to be.

Let us each do our part and then watch what happens . . . we truly are placed in Kentucky for a purpose higher than our own.



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

*Kent*

## Pro-life leaders meet in Louisville

*Working together will save more from the abortion deception.*

With Kentucky now a “one-abortion-clinic state,” the intensity and passion has risen in both the pro-choice and pro-life camps. Louisville is a focal point. Clearly, those pushing abortion cannot tolerate a state that would have no abortion clinic at all – it would set a dangerous precedent for the rest of the nation from their perspective.

Those on the other side of the issue would delight in seeing Kentucky as a state with no abortion procedures performed – less loss of life and less pain inflicted on the mothers.

With that understanding, on Dec. 9, about 20 Louisville-area pro-life leaders assembled and heard from David Bereit, the Founder of 40 Days for Life, an international, religiously-based pro-life advocacy group that campaigns against abortion in over 20 nations worldwide. Bereit, who has mobilized over 750,000 volunteers in more than 700 cities across all 50 America states, led a discussion that focused on how Louisville’s groups and churches could work together to increase their ability to avert the continued tragedy of abortion in Louisville.

To participate in the next meeting with Bereit in Louisville, please contact The Family Foundation at 859-255-5400.



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**Giving** A \$10 covers the cost of the *CITIZENs* mailed to you each year. A \$35 or \$50 gift helps us engage Frankfort *and* do work on the projects around the state.

**Calling** A simple phone call encourages and empowers a legislator to stand for what is right when “everyone” around him – the opposition Party, the media and even colleagues are asking him/her to cower and compromise, or act only to “get reelected.” (We will provide more information like on page 3.)

**Volunteering** We have information that needs to get out across your county and your city. Would you contact us now to help us set up a “team” in your county?

To volunteer, please call us at: 859-255-5400

Or email us at: [kent@kentuckyfamily.org](mailto:kent@kentuckyfamily.org)

All gifts are tax-deductible. Kindly make checks to:



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