

San Diego County's "Tipping Point"

Due to the San Diego City Council's official endorsement of a friend-of-the-court brief to the California Supreme Court in support of homosexual "marriage", the evangelical Christian and Catholic communities have been moved to action. As the city council majority and mayor disregarded the will of the people (Proposition 22) and ignored reasoned communications from the pastors and religious leaders of San Diego, it has become apparent that a coordinated, strategic response must take place. San Diego's model of response will be offered to cities and counties throughout the state.

Can Churches Legally Participate?

Yes! "Churches and pastors have broad constitutional rights to express their views on a broad array of social issues, such as marriage and homosexual behavior. Furthermore, other activities, such as allowing parishioners to sign petitions in support of traditional marriage, are almost undoubtedly permissible under federal law [Additionally, churches] may expend funds for religious, charitable and educational purposes and an insubstantial* amount on lobbying and to promote legislation."

Taken from "Constitutional Protections for Pastors," a combined legal effort from the Alliance Defense Fund, James Madison Center for Free Speech, Concerned Women for America, Focus on the Family and the Family Research Council.

[*Note: In IRS decisions, "insubstantial" has been qualified as roughly 5 percent of a church's annual expenses.]

For more information about the amendment and coalition, see back panel.



California Family Council

in association with Focus on the Family*

P.O. Box 20012
Riverside CA 92516
951.354.8362

E-mail: info@CaliforniaFamily.org
www.CaliforniaFamily.org

ProtectMarriage.com Coalition

Proposition 22 Legal Defense and Education Fund
California Family Council
Focus on the Family®
Concerned Women for America
Capitol Resource Institute
Pacific Justice Institute
Family Research Council
Eagle Forum of California
Alliance Defense Fund
(as Legal Counsel)

For an extensive list of organizational and individual endorsements, visit www.ProtectMarriage.com

**To Get Petitions
for Signatures Call:
916.446.5031**

The California Marriage Protection Act



*Standing together for children
and families in support of
biblical marriage*

The California Marriage Protection Act will place the language of Proposition 22, defining marriage as the "union of one man and one woman," into the state

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF
CALIFORNIA

Case number: 3:09-cv-02292-VRW

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PLTF EXHIBIT NO. PX0021

Date admitted: _____

By: _____

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The California Marriage Protection Act will place the language of Proposition 22, defining marriage as the "union of one man and one woman," into the state Constitution.

This is necessary because next year the California Supreme Court may determine that Proposition 22 is unconstitutional. However, the Court cannot invalidate a constitutional amendment.

What You Can Do

The first step to qualify the California Marriage Protection Act for the November 2008 ballot requires the collection of almost one million signatures between now and Easter 2008. That is why your participation and that of your church is so important.

The Amendment's Language

“Only marriage between a man and a woman is valid or recognized in California.”

This is the language of Proposition 22, passed by the people of California in 2000. Proposition 22 placed this definition of marriage into California's Family Code, not its Constitution. This initiative would make the historic definition of marriage “constitutional,” and render the courts powerless to redefine marriage. While some may argue that a more aggressive initiative should be pushed — such as attempting to strip away rights given to domestic partners — research shows that repealing existing rights is simply not feasible in California's current cultural condition (2007 Pew Research Center survey).

Issue Background

The biblical and socially proven benefits of historic marriage are continually attacked by homosexual activists, the secular media, and popular culture. Research conducted in 1999 showed a **22 point gap** between those who favored traditional marriage and those who favored the legalization of homosexual “marriage”. Today in California, **that gap has decreased to a narrow margin** (2007 Pew Research Center survey).

Judicial decisions are now hindering the religious freedoms of pastors and churches to act according to biblical truth. If the California Supreme Court overturns Proposition 22, the current legal protections for churches — and pastors' freedom of speech — will be contested in the courts at every opportunity.

The goal of the homosexual community is not “marriage.” In fact, in countries where homosexual “marriage” is legal, no more than **three percent** of homosexuals are “married”. **The ultimate goal is the annihilation of marriage and full legal acceptance of homosexuality.** Those

challenging this agenda will lose their freedom to express biblical truth — as is the case in several countries — and fear of legal retaliation is intended to silence the Church.

Legislative History

- 1999 – With the onset of domestic partnerships, the California Legislature begins an incremental attack on marriage.
- 2000 – 61 percent of voters approve Proposition 22, adding a new statute to California's Family Code to define marriage as only between a man and a woman
- 2006 – all state rights and benefits available to married couples are granted to California domestic partners
- For the past two legislative sessions, the California Legislature has passed same-sex “marriage” bills. Gov. Schwarzenegger has vetoed them.
- In mid-2008, the California Supreme Court will decide whether the definition of marriage as only between a man and a woman (Proposition 22) is constitutionally protected.



ProtectMarriage.com

In 2004, saying there was no constitutional reason to exclude homosexual couples from legal marriage, Judge Richard Kramer of the San Francisco Superior Court ruled against Prop. 22. Based on this decision, a coalition of local, state and national organizations was formed as ProtectMarriage.com. With minimal funding, the coalition spearheaded an attempt to place onto the ballot an initiative of the people to upgrade the state's legal definition of marriage from a statute to a constitutional amendment.

The Protect Marriage coalition's volunteer effort gathered nearly 300,000 signatures through church communications. This may have been the most successful signature-gathering effort ever to be accomplished by California's churches. Unfortunately, 600,000 valid signatures were required by California to place the people's initiative on the ballot, and, without the sufficient funding needed to pay for additional signature gathering, the effort fell short.

ProtectMarriage.com is now moving forward with another attempt to qualify a ballot measure. Now, 700,000 valid petition signatures will be required, which will require **more than one million total signatures to be gathered. As many as 500,000 petition signatures could be acquired by the voluntary and concerted efforts of churches.** However, nearly \$1.5 million will be needed for **paid gatherers to obtain the additional 500,000 signatures.**

[Note: Across the country over the past three years, for every \$1 given in support of a marriage initiative campaign, \$3-\$5 was given to the opposition. However, all but one of the initiative efforts succeeded, despite being significantly outspent. An amendment in California will bring levels of funding never before seen from the homosexual activist lobby. Therefore, a minimum of \$15 million will be required for the promotional campaign that follows.]