



JAPANESE AMERICAN CITIZENS LEAGUE / JACL

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FOR IMMEDIATE RELEASE

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JACL SUPPORTS INVALIDATION OF PROPOSITION 8

SAN FRANCISCO, CA – The Japanese American Citizens League (JACL) has joined the Anti-Defamation League, the Asian Law Caucus, Bet Tzedek Legal Services, and Public Counsel in submitting an amicus brief (friend of the court brief) in support of the Petition for Writ of Mandate in the case of *Strauss, et al. v. Horton, et al.*

The Writ requests that the California Supreme Court issue an order invalidating Proposition 8 in its entirety. Proposition 8 was passed by the voters on November 4th and added Section 7.5 to Article I of the California Constitution providing: “Only marriage between a man and a woman is valid or recognized in California.” The passage of Proposition 8 overruled portions of the *In re Marriage Cases* where the California Supreme Court held that statutes precluding same-sex marriage were unconstitutional and in violation of the Equal Protection Clause of the California Constitution.

“The JACL supports the invalidation of Proposition 8 because it effectively eliminates the protections of the state’s Equal Protection Clause for same sex couples with regard to their fundamental right to marry,” said National President Larry Oda. “The JACL was among the first civil rights organizations in the nation to support marriage equality. We believe Proposition 8 sets a dangerous precedent by taking away from citizens the rights that have already been granted.”

In the past, JACL has been a strong supporter of marriage equality. In 1967, the JACL was an amicus to the U.S. Supreme Court in the case of *Loving v. Virginia*, the seminal case that struck down anti-miscegenation in 17 states. Since 1994, throughout the *In re Marriage Cases* of 2007-2008, and to the present, JACL has supported equal protection of the right to marry regardless of a person’s sexual orientation.

“The JACL has always worked for maintaining the Equal Protection Clause of the Constitution. Any union of a couple that is based on love, mutual respect, sacrifice, and lifetime commitment should be afforded the same legal rights and process regardless of what that union is called by institutions within our society,” said National Director Floyd Mori.

As amici, the JACL supports the Petitioners contention that the implications of an attempt to constitutionalize an overt denial of equal protection are profound and are not limited to gays, or to lesbians, or to marriage. The same process could effectively eliminate any and all protected rights under the state Constitution and no Californian should be denied state equal protection with regard to the fundamental right to marry.

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