

# **Citing God's Authority, Kentucky Clerk Defies Supreme Court on Gay Marriages**

Invoking God's authority, a Kentucky county clerk defied the U.S. Supreme Court on Tuesday and stood by her refusal to issue marriage licenses to same-sex couples.

Rowan County Clerk Kim Davis has refused to issue marriage licenses to any couples—gay or straight—since the court in June ruled that same-sex couples had the right to marry under the U.S. Constitution.

On Monday, the same court rejected Davis' request for an emergency order allowing her to deny marriage licenses to gay couples while she appeals a federal judge's order requiring her to issue them.

Amid calls for her resignation, death threats and an order that she appear in federal court on Thursday, Davis clung to her religious beliefs.

"I have no animosity toward anyone and harbor no ill will," she said in a statement. "To me this has never been a gay or lesbian issue. It is about marriage and God's word. It is a matter of religious liberty."

"It is not a light issue for me. It is a heaven or hell decision. For me it is a decision of obedience," she said.

Outside the building in Morehead, Kentucky, that houses the clerk's office, large crowds supporting both sides on the issue gathered and chanted slogans.

Those favoring same-sex marriage chanted, "What do we want? Equality," said Chris Hartman, director of the Louisville-based Fairness Campaign.

Backers of Davis included a person dressed as a Revolutionary War patriot.

"These couples, they torment her because of her beliefs," said Penny Stinnett of nearby Mount Sterling, who came out to support Davis.

### **'Under God's Authority'**

Four couples filed a federal lawsuit against Davis in July challenging her office's policy of not issuing marriage licenses.

On Tuesday the couples filed a motion asking U.S. District Judge David Bunning to hold Davis in contempt of court, seeking fines but no jail time for the clerk.

During a call with attorneys for both sides, Bunning ordered Davis and her deputies to appear in federal court in Ashland, Kentucky, on Thursday, said Joe Dunman, an attorney for one of the couples who had sued.

Last month, the judge said Davis had to live up to her responsibilities as county clerk despite her religious convictions.

Lawyers for at least three same-sex couples said they were refused licenses on Tuesday. She said her office would go on denying marriage licenses pending an appeal to the 6th U.S. Circuit Court of Appeals in Cincinnati.

The videotaped exchange between a couple seeking a license and Davis was posted on the Courier-Journal newspaper website.

In the video, David Ermold and David Moore, a same-sex couple, ask Davis under whose authority was she denying them a marriage license. "Under God's authority," Davis replies.

While issues related to gay marriage have arisen in courts in several states, the American Civil Liberties Union said the

organization was unaware of any other U.S. county clerk refusing to issue same-sex marriage licenses.

“She’s an outlier,” ACLU national spokeswoman Allison Steinberg said of Davis.

Democratic Kentucky Governor Steve Beshear said in a statement on Tuesday that he could not remove Davis from her job or relieve her of her statutory duties without a change in state law, something that cannot be done until state legislators convene in four months. He said calling a special session of the general assembly would be too costly.

“The future of the Rowan County clerk is now in the hands of the courts,” he said.

A spokeswoman for Kentucky Attorney General Jack Conway said on Monday that his office was reviewing a request for a special prosecutor to determine if Davis committed official misconduct. On Tuesday morning she said a final decision was pending.

Official misconduct is a misdemeanor punishable by up to 365 days in jail, the spokeswoman said.

Rowan County Attorney Cecil Watkins, who requested the special prosecutor after one of the plaintiff couples complained to him, said he expected the attorney general’s office to decide the matter by Thursday.

© 2015 Thomson Reuters. All rights reserved.