

Fearing Jail, Two Pastors Sue City Over Gay Marriage Law

Two pastors in Idaho, who fear they could be penalized for refusing to perform newly legal gay marriages at their private wedding chapel, have filed a lawsuit, saying an Idaho anti-discrimination law violates their right to free speech and religious liberty.

Donald and Evelyn Knapp, who run the Hitching Post Wedding Chapel in Coeur d'Alene, are asking a federal judge to temporarily bar the city from enforcing a local ordinance that bans discrimination tied to sexual orientation in businesses that are used by the public, their attorney said on Monday.

The couple, both ordained Christian ministers, say that under the ordinance, they could face up to six months in jail and a \$1,000 fine each time they decline to wed same-sex couples in line with their religious beliefs.

"The government has no business compelling ministers to violate their beliefs and break their ordination vows or risk escalating jail time and fines," said the Knapps' attorney, Jeremy Tedesco.

The U.S. Supreme Court surprised observers this month by leaving intact lower court rulings that struck down gay marriage in five states. A day later, the 9th U.S. Circuit Court of Appeals found gay marriage bans in Idaho and Nevada were unconstitutional, and same-sex marriages are now proceeding there.

The Coeur d'Alene city attorney's office did not immediately respond to a request for comment, but City Attorney Warren Wilson has told the *Spokane Spokesman-Review* newspaper that the Hitching Post would likely be bound by the ordinance.

The lawsuit said the city contends that because the chapel is not a church, it is not exempt from the ordinance and must afford gays the same rights as other couples seeking to wed.

The Knapps on Friday “respectfully declined such a ceremony,” Tedesco said. By Monday, they had not been charged with violating the non-discrimination ordinance, he said.

The Knapps said in the lawsuit filed on Friday in U.S. District Court that their business was formed as an avenue to exercise their religious beliefs, which include helping people “create, celebrate and build lifetime, monogamous one-man one-woman marriages as defined by the Holy Bible.”

Their chapel, technically a for-profit corporation, has hosted roughly 35,000 weddings since opening in 1989.

Tedesco, senior attorney with the Alliance Defending Freedom which focuses on religious freedom issues, said ceremonies performed there for a fee include prayer, traditional wedding vows and biblical sermons.