

Beat: Politics

## U.S. judge strikes down Montana's gay marriage ban

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**USPA News** - A federal judge has overturned a ban on same-sex marriages in the U.S. state of Montana, striking down a decade-old, voter-approved amendment that defined marriage as a union between a man and a woman, the court said on Wednesday. Judge Brian Morris, of the U.S. District Court in Great Falls, said the amendment passed by Montana voters in November 2004 is in violation of the Equal Protection Clause of the 14th Amendment to the U.S. Constitution.

He said his ruling would take effect immediately, allowing same-sex couples in Montana to apply for marriage licenses right away. "The Court hereby declares that Montana's laws that ban same-sex marriage, including Article XIII, section 7 of the Montana Constitution, and Montana Code Annotated section 40-1-103 and section 40-1-401, violate Plaintiffs' rights to equal protection of the laws as guaranteed by the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution," Morris said in his ruling. The judge instructed the State of Montana to immediately stop enforcing any laws or regulations that prohibit otherwise qualified same-sex couples from marrying in the state. He also ordered the state's government to start recognizing same-sex marriages which were performed outside of its jurisdiction. It was not yet known whether the state would appeal Wednesday's ruling. "Love won today," said Angie Rolando, who, alongside her partner Tonya, was one of four couples to challenge the ban. "When our love was brand new, it never occurred to me that I would be standing here, with the opportunity to marry the woman that I love and to have our relationship and commitment to each other not only recognized by the great state of Montana but to be given all of the rights, privileges and opportunities afforded to each citizen that enters into marriage." Angie Rolando added: "Calling Tonya my partner, my significant other, my girlfriend, my perpetual fiancée just has never done justice to our relationship. Until this day, this moment, we have been unjustly withheld the opportunity to solidify our commitment to each other and have the day where I can introduce Tonya as my wife. Words are simply inadequate to express the feelings I have as I now move forward in planning my wedding." Wednesday's ruling follows similar rulings in a number of other U.S. states over the past few years as the public's support for same-sex marriage continues to increase across the country, with now 35 states and the District of Columbia either already performing them or beginning soon. A Gallup poll in 1996 found that only 27 percent of Americans were in favor of allowing marriages between people of the same gender, but the latest survey conducted in May 2014 found that 55 percent of Americans are now in favor of same-sex marriage. Nearly 8 in 10 young adults are in favor of legal gay marriage, the latest poll showed. Last year, the U.S. Supreme Court struck down the Defense of Marriage Act (DOMA), the 1996 law that blocked federal recognition of same-sex marriages and denied more than 1,100 federal benefits to married individuals in same-sex relationships. It was signed into law by President Bill Clinton in September 1996, but he later withdrew his support for the law.

### Article online:

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