

Senator wants to exclude gays from domestic-violence statute

Associated Press

LEXINGTON, Ky. — The interim chairman of the Senate Judiciary Committee wants to amend the state's domestic violence statute to prevent judges from giving protective orders to members of gay and lesbian couples.

The proposal by Sen. Tim Philpot, R-Lexington, for the 1998 General Assembly is likely to face opposition from victims' advocates and others who say the statute should remain gender-neutral.

Current law covers unmarried couples who live together, formerly lived together or have a child in common. It also covers spouses and some other relatives.

Philpot's proposed revision would limit the definition of an unmarried couple to people "of opposite sex."

Philpot said he decided to prefile the legislation after learning that

some judges have been applying the law to homosexual partners, which he said is not what legislators had in mind when the law was approved.

"I don't have any doubt that the legislative intent behind the legislation was to protect women and children," he said. "I think nature itself tells us it is women that are in need of protection from violent men. That's historically been true, very true, in Kentucky."

But Sherry Currens, director of the Kentucky Domestic Violence Association, said some members of homosexual couples need the same protection, and she thinks it's wrong to use sexual orientation to deny protection.

"Clearly we need to focus on the need for safety and that all people have the right to safety that are victims, no matter what their (sexual) orientation is," Currens said.

Currens also questioned Philpot's motives for proposing the legislation.

"This is a witch hunt," she said. "I mean, we're losing perspective here."

Philpot said he is open to the possibility of providing protection to homosexual victims of domestic violence if gays prove there is a problem.

"If violence among homosexuals is so profound that they need special protection, the gay community needs to come forth and explain what the problem is," he said. "I can assure them they will get a hearing in my committee."

Sen. David Karem, D-Louisville, said he doesn't understand Philpot's logic. "If he thinks the protection might need to be there, why not leave it (the statute) alone and simply find out what problems exist in leaving it alone?" Karem said.

Philpot became interim chairman of the Judiciary Committee after a coup in which Sen. Larry Saunders, D-Louisville, became Senate president in January.