

Sodomy decision triggers emotional reactions

By Michael Carney
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THE WASHINGTON TIMES

The Supreme Court's decision yesterday to overturn a Texas law against sodomy drew cheers from homosexual rights groups nationwide and sharp criticism from conservative family rights organizations.

Both sides agree, however, that the high court's 6-3 decision will have landmark effects on the future.

"This is a giant leap forward to a day we are no longer branded as criminals and where that is no longer accepted by the most powerful court in the country," said Ruth Harlow, legal director at Lambda Legal Defense and Education Fund.

Ms. Harlow, lead counsel for John Lawrence and Tyron Garner in the Texas case, said the ruling is a turning point. Prior to yesterday's decision, *Bowers v. Hardwick* — a 1986 Supreme Court ruling upholding Georgia's sodomy law — "was cited against us in almost every litigation we brought," she said.

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Garner were arrested in Mr. Lawrence's home in Houston and jailed overnight after police, responding to a distress call, found the men engaged in consensual sexual activities. The two men were charged under a Texas law prohibiting sodomy between persons of the same sex.

"The Supreme Court has said people have the right to intimate relations regardless of their sexual orientation and the laws of the 13 states still with sodomy laws must

respect that," said Richard Sincere, chairman of Gays and Lesbians for Individual Liberty. "The sodomy law has been used bludgeonly, in peripheral ways, and the government will no longer be able to persecute."

Rep. James P. Moran of Virginia, one of the states whose sodomy laws were invalidated by yesterday's decision, praised the ruling in a statement.

"The government has no business regulating or legislating morality, and it certainly has no business interfering with this very private action between consenting adults," the Democrat said. "While it is true that laws of sodomy are rarely enforced, they are often used to validate discrimination on the basis of sexual orientation."

Critics said the decision undermines the family. The ruling unlocks "one of society's last social seat belts," said Tom Minnery, vice president of public policy for Colorado-based Focus on the Family.

"With today's decision, the court continues pillaging its way through the moral norms of our country," Mr. Minnery said in an interview. "If the

people have no right to regulate sexuality, then ultimately the institution of marriage is in peril, and with it, the welfare of the coming generations of children."

Mr. Minnery said the ruling violates the rights of Texans who can no longer decide "what they find appropriate in terms of sexual behavior."

But the decision will "raise the alarm" that marriage needs further protection, he said, noting that the court stopped short of saying people had a fundamental right to engage in homosexual acts.

The American Center for Law and Justice, which filed an amicus brief in support of the Texas law, argued that states and their legislatures should have final say on the issue.

"By providing constitutional protection to same-sex sodomy, the Supreme Court strikes a damaging blow for the traditional family and will only intensify the legal battle to protect marriage," Jay Sekulow, the conservative public interest law firm's chief counsel, said in a statement.