

The Kentucky CITIZEN

STRENGTHENING FAMILIES AND THE VALUES THAT MAKE FAMILIES STRONG

Vol. XVII No. 3

May/June 2008

VICTORY OVER CASINOS!

Last Fall, no Frankfort insider would have guessed that the people of Kentucky would have triumphed over so powerful a foe!

The ill-fated effort to bring casino gambling to Kentucky succeeded in wasting enormous amounts of time and effort in the legislature, but ultimately failed in its primary goal. The reasons generally fall into two categories: the failure of strong leadership by the pro-casino side and the success of a coalesced anti-casino network, made up of diverse groups and individuals.

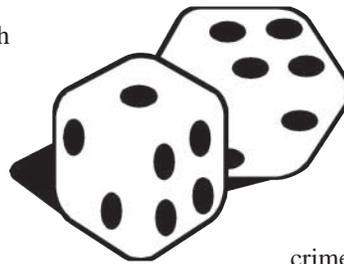
Many errors by casino advocates have been credited to the bill's demise. Gov. Beshear was criticized for his belated Feb. 14 introduction of the casino bill. One such critique came from former Governor Brereton Jones, a leading proponent of casinos and current Kentucky Equine Education Project chairman, who took Gov. Beshear to task in the March 28 *Bloodhorse*, saying, "I think it's going to be much more difficult (*to pass in the*

future). I think it was extremely doable with a new governor showing the proper leadership, but for whatever reason, he chose to take a different approach, and I think it was the wrong approach."

Once the bill was brought up for vote on Feb. 26 in its House committee, the members bungled it and could not find a majority for the various versions. Later that day, Rep. Dottie Sims was removed from that committee because she voted contrary to the wishes of Speaker Jody Richards, leading to a backlash of reactions from legislators, the media and citizens.

All of these moves raised serious

questions about who was in charge of this major effort to change Kentucky's economic landscape. But things were further complicated when it was widely reported that casino owner Bill Yung and other casino-



backers had contributed over \$2.5 million to Gov. Beshear-related campaigns and projects. Though casinos and gambling in general stir the imagination regarding crime, the question of corruption, or even undue influence, began to be a backdrop of the Kentucky debate.

On the other side of the issue, congratulations must be offered to a number of key leaders and groups:

- To Rev. Willis Polk of Lexington who coordinated a Feb. 6 Frankfort news conference by the Kentucky Baptist Convention African-American Fellowship.
- To Carol Devine and Joy Bolton who co-chaired the Feb. 19 *Women Against Gambling Expansion* rally at the Capitol.
- To Pastor Jeff Fugate of Lexington's Clays Mill Baptist Church who coordinated and moderated the March 5 Capitol Rotunda rally that news agencies estimated at 500-600 participants.
- To John-Mark Hack, chairman of the *Say No To Casinos* campaign, who coordinated efforts across the state as well as engaged the media and legislators with timely comments, editorials and debate.
- To the Kentucky Baptist Convention and, in particular, executive director Dr. Bill Mackey and communications director

"Legislators heard the message – loudly and clearly – that the people of Kentucky don't want this insidious industry . . . now or ever."

*– John-Mark Hack
Say No To Casinos*



Robert Reeves, who faithfully informed their member churches about the issue and stirred them into action during the session.

- To *Citizens Against Gambling Expansion* and its director, Rev. Nancy Jo Kemper, who kept lines of communications open between numerous groups and individuals as the debate raged. Kemper, herself, was an oft-quoted spokesperson for the no expansion side.
- To the citizens of Senate District 30, who studied their candidates and issues and then chose in a special election on Feb. 5 to send the candidate who was against casino gambling to Frankfort – Brandon Smith.

That vote was critical because as time would tell the pro-casino candidate spent over \$550,000, while Smith spent about half that amount. When that race was decided, it became crystal clear that many Kentucky citizens would not be persuaded by expensive and slick advertising

Continued on page 2



Other victories are described on page 2.

Disappointments are outlined on pages 4-5.

For more, visit: www.kentuckyfamily.org

In the 2008 Session, pro-family victories were few, but they were worthwhile

Unfortunately, most pro-family bills were deliberately killed by a handful of very liberal representatives. But a few did pass.

Without doubt, the death of the casino legislation was the big news of the 2008 session – everyone assumed it would pass. A second strong storyline of the session would be the blatant killing of three pro-life and pro-family bills by liberal members of House Leadership, after each had already passed its Senate committee and the full Senate handily. But what many have not noticed was a few pro-family bills that did pass and that will make a real difference in the Commonwealth.

House Bill 211, sponsored by Rep. Jim Wayne (D-Louisville), was one of five bills The Family Foundation endorsed and was a major success. Targeting adult authority figures who have access to children under their supervision, HB 211 did a number of things to deter sexual abuse:

First, it increased the ages covered in

first degree child sexual abuse from “up to 12-years-old to up to 16 years of age.” Second, it added to sexual abuse crimes the knowingly committing a sex act in front of a child for the child’s viewing to the first degree abuse category. Third, it significantly increased the penalty for an adult who knows about an abuse but does not report the activity. And fourth, it increased the statute of limitations from one year after the incident to five years after the last incident, or five years after the eighteenth birthday or five years after a person first comes to realize he/she was abused.

House Bill 211 “absorbed” a second bill The Family Foundation had endorsed, Rep. Kathy Stein’s (D-Lexington) House Bill 235, which was aimed at blocking teachers from having sex with underage students. Stein’s bill evolved from the tragic situation in western Kentucky where a 38-year-old band instructor had sex with

a 16-year-old student. The not-so-subtle irony is that in an email to House Leadership, Stein accused members of The Family Foundation of being “zealots,” apparently unaware that The Foundation had publicly endorsed her bill.

Her bill was passed (“tucked” within HB 211) at the same time she was personally presiding over the demise of two of the three other bills The Foundation had endorsed. (See related stories on page 4-5.)

Another victory pro-family citizens can claim is Senate Bill 192, sponsored by Sen. Jack Westwood (R-Crescent Spring). Though his pro-life “Ultrasound Bill” (Senate Bill 40) did not pass (See related story on page 4), he was able to bar abortion counseling and abortion referrals at the state’s Family Resource and Youth Service Centers.

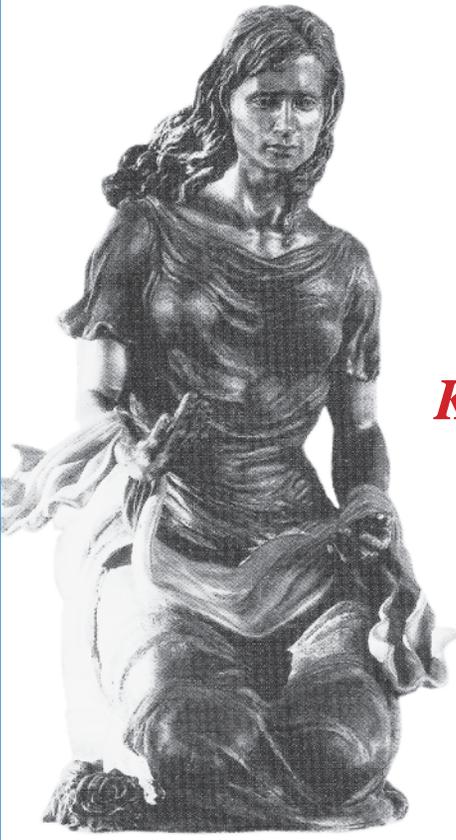
And still another victory, a “defensive” victory, came with the passage of



**SB 211
Sponsor:
Rep. JIM
WAYNE
(D-Louisville)**
*A 17-year
House veteran.*

House Bill 91 – The “Bullying” Bill. Though there are a number of reasons that this law was unnecessary, the fact that it was stripped of all its pro-homosexual baggage and “The Golden Rule” was amended into it indicates that some very bad outcomes had been avoided.

All in all, the 2008 General Assembly will go down in history as an unproductive session. But the several good things mentioned above have sweetened the bitter taste.



*This summer,
county teams
will begin to inform
their communities
about the*

***Kentucky Memorial
for the Unborn.***

*Please help. Call
859-255-5400
or email
tffky@mis.net*

Casino bill defeated

Continued from page 1

campaigns, but would vote their convictions.

Observers now question whether the casino issue is dead until the next “long” legislative session in 2010, or whether there will be an attempt to pass a constitutional amendment in the “short” session of 2009. Either way, a constitutional amendment would not be voted on by the people until the regular election in November 2010.

Hack hopes the casino industry will recognize the message sent by the people of Kentucky during this General Assembly Session, in which a pro-casino governor who won by 17 points could not even muster enough support to get the measure voted on by the chamber his own party controls.

“Throughout the deliberation of this issue, some in the horse industry wailed

‘Let the people decide’,” said Hack. “Well, the people clearly decided this issue through their grassroots opposition from all across the state and their active,

“... but for whatever reason, he [Gov. Beshear] chose to take a different approach, and I think it was the wrong approach.”

*– Gov. Brereton Jones
KEEP chairman*



constitutional participation in the legislative process. Legislators heard the message – loudly and clearly – that the people of Kentucky don’t want this insidious industry and its predatory addictive products, now or ever.”

Shaking up the Darwinian establishment

The advertisements for *Expelled: No Intelligence Allowed*, a new movie assailing the intolerance of the Darwinian academic establishment, feature Ben Stein sporting sneakers, pants that are too short, and a megaphone. The attire, which includes an undersized jacket with a school crest, seems to say that the academics are just not making sense on the issue of where we came from and how we got here. The bullhorn, undoubtedly, is meant to suggest that those who have gotten control of how this question can legitimately be answered are refusing to listen to anyone but themselves.

But despite the tongue he seems firmly to have planted in his cheek—in the advertisement and in the movie—Stein has a purpose that is deadly serious: to call out those involved in the reigning Darwinian orthodoxy in our universities to explain why they are systematically throwing out anyone who believes in a competing theory that has come to be called “Intelligent Design.”

This is a movie about the debate over Intelligent Design and evolution. It is about how our institutions of higher learning are persecuting those who question dogmatic Evolutionism.

In fact, this movie does not attempt, as its critics seem to think it does, to disprove Darwin. This is not a movie about Intelligent Design or evolution. This is a movie about *the debate over Intelligent Design and evolution*. It is about how our institutions of higher learning are persecuting those who question dogmatic Evolutionism.

Stein, although dressed in a fairly normal suit, does don his sneakers and goes in search of truth. He interviews people (those willing to talk anyway) who have been expelled from their college and university positions for expressing doubts about the Darwinian idea of “natural selection.” Intelligent Design advocates are not primarily concerned with the idea of common descent—that all life forms of life originated in simpler life forms. Some ID advocates accept it, some don’t. Their problem is with the idea of natural

selection, the idea that the impersonal mechanism of random mutation is a sufficient explanation for all present life forms. They argue that this world cannot be explained without an intelligent designer.

Witness after witness testifies to Stein (who in addition to being a popular Hollywood figure is an attorney) that they had their jobs or other privileges stripped from them for believing this.

Stein also interviews the opponents of Intelligent Design in the Darwinian academic community, many of whom come off imperious and sometimes silly. The interview with the famous atheist Darwinian Richard Dawkins is worth the price of admission. The deadpan Stein maneuvers him into admitting that he believes that terrestrial life here could be the result of aliens planting it on Earth—a very bad position to take when you are trying to portray your ID opponents as the



Martin Cothran is the senior policy analyst for The Family Foundation

silly ones.

The movie also points out that many of the totalitarian political movements of the 20th century as well as the sinister eugenics movement of the same period all appealed to Darwin’s view of origins to scientifically ground their beliefs, and asks why this is.

But the best aspect of this movie is that it explodes the stereotype Darwinists have tried to foist on the public of those who disbelieve in its dogmas. Intelligent Design is just warmed over creationism, they say, hoping that their audience will see in their minds the stereotype of the scientifically ignorant Bible-thumper that doesn’t know what he’s talking about.

That’s a hard thing to square, however, says David Berlinski, the polymath PhD from Princeton, postdoctoral fellow at Columbia University in

mathematics and molecular biology, analytic philosophy, and philosophy of mathematics, and former professor at Stanford, Rutgers, the City University of New York, and the *Universite de Paris* with the stereotype of the creation scientist—particularly when he is shown being interviewed casually slouched back in a chair in his exquisitely decorated Paris townhouse.

No wonder the Darwinists are upset about this movie. If this gets a wide audience, as its producers hope, it could shake up their world and force them to actually debate what has become a very contentious issue.



No Intelligence Allowed

Big Science has expelled smart new ideas from classrooms...

Ben Rebels!
OPENS APRIL 18

EXPULSED opens April 18.

Here are a few sites:

Great Escape Greenwood 10

– *Bowling Green*

Showcase Cinema Erlanger

– *Erlanger*

Highland Cinema 8

– *Glasgow*

Hamburg Pavilion Stadium 16

– *Lexington*

Lexington Green 8

– *Lexington*

Tinseltown 19

– *Louisville*

AMC Newport on the Levee 20

– *Newport*

Riverfill 10

– *Pikeville*

Showplace 9

– *Somerset*

Great Escape 14

– *Wilder*

THREE DISAPPOINTMENT

Besides the success of merged House Bills 211 and 235, three pro-family bills were initiated by the Senate. Each of the three cleared the S

Senate Bill 40 – the Ultrasound Bill:

SB 40 would have required an abortion clinic to give full disclosure to a woman considering abortion through an ultrasound. Since clinics currently use ultrasound to help determine the amount of money to charge for an abortion based on age of gestation, they should have no problem with allowing the woman to see the image of the child within her womb. Besides the ultrasound, SB 40 also would have banned Partial-Birth Abortion and required an abortion clinic to have face-to-face counseling with the abortionist prior to the procedure, rather than the taped recording some use to skirt the intent of the current law.



The 2008 General Assembly was an emotional roller coaster for Kentucky's pro-life citizens and legislators. Emotions ran high on Feb. 7 as Senate Bill 40 sailed through the Senate Judiciary Committee and then passed by an overwhelming majority (32-4) on the Senate floor.

What excited pro-life advocates about the bill, sponsored by Sen. Jack Westwood (R-Crescent Springs), was that it provided a real opportunity to save lives of unborn babies in Kentucky—this year! Reports indicate that up to 50 percent of women considering an abortion who view an ultrasound of their unborn child choose life instead.

After the fast-track passage in the Senate, SB 40 was sent to the House on Feb. 8 where House Leadership assigned it to the House Judiciary Committee, chaired by Rep. Kathy Stein (D-Lexington). In 2007, Martin Cothran of The Family Foundation and Margie Montgomery of Kentucky Right to Life questioned Stein's new appointment to chair the committee because she was a longtime pro-choice crusader.

Stein responded to the criticism by vowing to the *Courier-Journal* on Jan. 6 that “. . . she wants input from Cothran and Montgomery's groups, and said she would approach their issues as a presiding officer and ‘no longer a passionate advocate. Their fears need to be assuaged somewhat,’ she said. ‘I hate this cliché, but I have a different hat now.’”

In early March, Montgomery feared her earlier concerns were coming to fruition when Stein told her that she would not hear SB 40. “It was disappointing to see Rep. Stein refuse to give the bill a fair hearing and obstruct a fair vote on the House floor,” said Montgomery.

With SB 40 collecting dust in Stein's committee for 30 days during the 60-day session, House Republicans took matters into their own hands and filed the first of five discharge petitions on March 12. A discharge petition is a parliamentary procedure designed to get a bill a fair hearing when the committee process is being obstructed.

Once a discharge petition is filed, the Speaker of the House must recognize the petition's sponsor on the House floor to speak on the matter. After the first discharge petition failed in a 40-16 vote – *with 44 members not voting*, Jody Richards would not allow petition spokesman Rep. Joe Fischer (R-Ft. Thomas) the opportunity to speak on subsequent petitions. Instead, Richards recognized a group of female representatives, led by Rep. Ruth Ann Palumbo (D-Lexington), who filibustered on women's history during the time allotted for petitions.

According to Richards, he would leave the decision about whether to give the bill a hearing to Stein.

Finally, on Good Friday, March 21, the hopes for SB 40 advocates rose when Stein called an unscheduled meeting of the Judiciary committee to commence immedi-

ately after the House adjourned for the day. Some legislators postponed Good Friday plans and some, who had traveled back to their districts for Easter weekend observances, returned to Frankfort for the meeting.

House Minority Leader Jeff Hoover (R-Jamestown) said he and other committee members had been told Thursday night that the bill would be heard during the

Good Friday meeting.

Instead, the meeting consisted of an hour-long monologue from Stein about why she would not be calling a vote on a bill dealing with illegal immigration. No discussion or vote was taken on that bill, or on SB 40.

“I'm just offended that we were led to believe and were told that Senate Bill 40 . . . would be voted on today,” Hoover said. “We're here to vote on that bill.”

According to an AP article, Stein announced Thursday that the vote was coming up, but that the plan was scuttled Friday morning in “a joint decision” with House Leaders.

David Edmunds, policy analyst for The Family Foundation expressed frustration: “It's disturbing that

House Leadership is allowing a few liberals in their Party to run the entire business of the House. They are ruining the voting records of more conservative Democrats.”



SB 40 Sponsor:
Sen. JACK WESTWOOD

(R-Crescent Spring)

*An 11-year
veteran of the
State Senate.*

Hoover referred with disgust to the treatment of SB 40 as well as the move to throw Rep. Dottie Sims off a committee earlier in the session when she did not vote to advance the casino bill. “I'm just concerned about the committee process, and the further deterioration of the committee process in this General Assembly, particularly in the House,” Hoover said. I just regret that this action was taken and that we were misled about what this meeting was about.”

Edmunds concluded, “I wish that Richards and House Leadership would have advocated on behalf of life with the same vigor as they worked for casinos.”

Senate Bill 112 – Barring “dome benefits at state agencies:

UK and U of L continue to defy the 2004 Marriage Protection Amendment and to discriminate against family members of employees while covering live-in lovers and roommates with insurance. Observers expect the practise to spread to other state universities and then to state agencies in violation of the Constitution and the will of the people.

In a year where the budget shortfall has been deemed a crisis looking to reduce future benefits for state workers, Kentucky ca “domestic partner” insurance. Yet that is exactly the path that a the House are leading Kentuckians down as activists use state u marriage. With Senate Bill 112, Sen. Vernie McGaha (R-Russel steer state policy back on track.

During last year's regular General Assembly, McGaha filed failed to pass the House Health and Welfare Committee by an 8 higher this year because more had been learned about the issue.

In 2007, U of L lawyer and gay activist, Sam Marcossan, f members that the “partner” plan, complete with marriage-like at the Constitution. He was wrong according to The Family Found Defense Fund attorney who came to Kentucky to testify. Attorn agreed on June 1, *after* the bill had died in committee.

U of L President James Ramsey also falsely insisted in test committee that U of L was not subsidizing the benefits, but the

“I'm just concerned about the committee process, and the further deterioration of the committee process in this General Assembly, particularly in the House. I just regret that this action was taken and that we were misled about what this meeting was about.”

— *Rep. Jeff Hoover*
House Minority Leader

ITS: The full Senate passed each, but House Leaders scuttled all three in committee

the Senate with overwhelming majorities, but then each was managed to its demise in its respective House committee.

Senate Bill 63 – The Public Decency Act:

SB 63 would have stopped total nudity at all Kentucky strip clubs and would have banned the touching of performers by patrons. Since 114 of Kentucky's 120 counties already have such regulations, the law would have brought state support to the efforts of local city and county governments.



Social skills are important. One social skill that most people over the age of four have mastered is keeping their clothes on in public. Unfortunately, state lawmakers seem to be struggling with this idea. It's not that legislators have been convening in Frankfort in the buff recently, but they've got nothing to hide behind for their failure to pass a statewide public decency law.

Sen. Julie Denton (R-Louisville), a perennial voice against the exploitation of women, sponsored SB 63, the Public Decency Act, which would have prohibited total

nudity in strip clubs and ban table and lap dancing by creating a buffer zone between strippers and patrons. It also marshaled state support behind local decency standards, which may be the most crucial point since 114 of 120 Kentucky counties already strictly regulate strip clubs.

Advocates argued the bill was necessary to thwart aggressive strip club owners intent on doing business regardless of local laws. Kenton and McCracken County decency ordinances were targeted by high-paid, out-of-town strip club attorneys who attempted to overturn the laws on technicalities. While both counties successfully defended their laws, facing a challenge is more daunting for smaller counties that don't have similar resources and funds.

SB 63 passed the Senate on Feb. 13 by a vote of 34-3, but it eventually died in the House because leadership was infatuated with the idea of introducing another business known to rip people off. As a result, Kentucky remains vulnerable to the social fallout associated with strip clubs. And municipalities in need of extra protection against strip clubs, notorious for challenging constitutionally-sound restrictions, will be left to fend for themselves for at least another year.

On Feb. 21, the Kentucky County Judge Executive Association endorsed SB 63. Larue County Judge-executive Tommy Turner, chair of the Legislative Affairs Committee, strongly supported the measure.



SB 63 Sponsor:
Sen. JULIE DENTON

*(R-Louisville)
A 13-year
veteran of the
State Senate.*

“Senate Bill 63 helps every county and in effect, every citizen of Kentucky,” Turner said. “Many communities feel as if they are isolated or are left to fend for themselves when dealing with issues related to sexually oriented businesses. This legislation can and will become a strong ally for Kentucky counties.”

All decency advocates requested was a fair hearing. Instead, House leadership turned a deaf ear to local officials and for the better part of the session listened to the siren song of the casino lobby. Of course, the lyrics were hollow, not unlike the refrain from attorneys who defend the exploitation of women for profit.

Strip club defenders often wrap themselves in First Amendment free speech rhetoric, but their arguments are increasingly being exposed by the courts. Just eight weeks ago, the U.S. Sixth Circuit Court upheld Kenton County's ban on total nudity. The ruling joined a chorus of recent legal opinions stating that total nudity and stripping is not an absolute free speech right.

The court of public opinion is also beginning to realize that too many young women get trapped by an industry that objectifies them for profit. And too many men addicted to porn and strip clubs end up with a warped view of women. Decency laws were hardly necessary decades ago, but that was before the strip club and porn industry began mainstreaming sexual exploitation. Now we live in the age of Paris, Britney and “wardrobe malfunctions.”

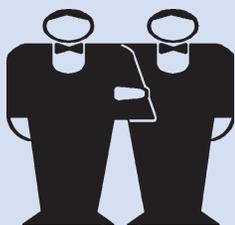
For many parents, this issue hits home. Most can drive no more than 30 minutes from their home to find some sexually oriented business. There are issues of health and safety. There's blight and increased crime, including assault, drug dealing and prostitution. Strip clubs make bad neighbors and they give any community a black eye.

The “free-speech” arguments are getting old. The “consenting adult” thing can go only so far. And “entertainment” does have limits. For the sake of our families, it's time we insist that state legislators raise the bar for decency and join states like Indiana, Ohio and Tennessee which have solid public decency laws on the books.

It's a modest proposal.

domestic partner”

otec-
em-
om-
to
encies
le.



a crisis and the legislature is
ky can ill-afford to subsidize
at a few liberal Democrats in
ate universities to redefine
ussell Springs) attempted to

filed identical legislation that
an 8-8 tie vote. Hopes were
ssue.

on, falsely told committee
ke affidavit, did not violate
oundation and the Alliance
ttorney General Greg Stumbo

a testimony before the
t the school's own website

described in detail how employees should report the subsidy to the IRS.

In an attempt to circumvent the law, U of L has then widened the plan to include roommates as well as live-in lovers . . . but *not* mothers.

Besides the false testimony, U of L's problems grew when insurance costs increased by 12.3 percent last year—twice as much as the other state universities. So now University Trustees are raising tuition by double-digits while at the same time asking the General Assembly for more money.

There was optimism this year when 18 House Democrats sponsored HB 118, a bill identical to SB 112.

Rep. Bob Damron (D-Nicholasville) insisted the issue should be dealt with in the Banking and Insurance Committee, not Health and Welfare where the liberal make-up of the committee led by Rep. Tom Burch (D-Louisville) was sure to doom the bill. Burch himself recognized that SB 112 would likely pass on the House floor with many Democrats voting for it if given a fair vote. He told the *Kentucky Kernel* on March 21, “If it got there, those chickens would probably vote for it because they think the folks back home are against homosexuality.”

House Democratic Leadership ignored Damron's advice regarding committee placement and chose to send SB 112 to Burch's committee, which killed the bill again this year with a 9-6 vote.

While Burch did not allow testimony from The Family Foundation, he did allow Rep. David Watkins (D-Henderson) to launch a personal attack on Sen. McGaha and The Family Foundation. (See video at: www.kentuckyfamily.org/Spotlight)



SB 112 Sponsor:
**Sen. VERNIE
McGAHA**

*(R-Russell Springs)
A 11-year
veteran of the
State Senate.*

Sunrise victorious in court over the ACLU

After a 10-year battle with a disgruntled lesbian employee, this faith-based agency was finally vindicated by a federal judge.

Ten years after the Kentucky Baptist Homes for Children (KBHC) fired an employee for violating its conduct code prohibiting homosexual activity, their vindication is in sight. On March 31, U.S. District Court Judge Charles R. Simpson III, dismissed the ACLU-driven lawsuit, which contended that public tax money was unconstitutionally being used to promote religion and proselytize children in their care.

Simpson sided with KBHC, which renamed its organization Sunrise Children's Services in Feb. 2007, and said that the ACLU lacked standing in the case. Bill Smithwick, president of Sunrise, was pleased with the decision. "This long and stressful experience has made us a better agency by forcing us to look more closely at our procedures and practices," Smithwick said. "Without compromising our mission, we have improved service delivery to each child in our care."

Tim Tracey, litigation counsel for Christian Legal Society's Center for Law and Religious Freedom, worked on behalf of Sunrise and called the ruling an "important victory" for faith-based social services.

"Faith-based organizations should not be discriminated against for their beliefs," Tracey said. "The reimbursement Sunrise receives has never been used for religious indoctrination. It has always been used for social services that help needy kids, and we are pleased the court has dismissed this needless lawsuit."

But Alexander Luchenitser, an attorney for Americans United for Separation of Church and State (AUSCS), called the ruling "deeply disturbing." "We strongly believe that the record shows that there is sufficient connection between legislative action and the challenged funding," said Luchenitser.

AUSCS, which frequently challenges Christian involvement in the public square, failed to convince Judge Simpson that Sunrise should have its state reimbursements nixed. Simpson relied on a significant 2007 ruling by the U.S. Supreme Court that required plaintiffs to prove a specific injury from an alleged constitu-

tional violation rather than just an objection to the way public tax dollars are spent.

Sunrise, the state's largest single provider for abused and neglected children, employed 370 staff and served approximately 2000 Kentucky children in 2007.

Pat Gillen, an attorney working on behalf of Sunrise, defended the right of a religious organization to receive state funding for social services. "Sunrise Children's Services has the same right to receive reimbursement to provide help to the children of Kentucky as any other social services provider," said Gillen. The ACLU and its allies fought long and hard to take away that right, but the court didn't let that happen." However, legal analysts expect the ruling to be appealed.

In 2001, Simpson vindicated Sunrise in the religious discrimination lawsuit filed by Alicia Pedreira who was fired in 1998



"We choose compassion over coercion; for us choice trumps indoctrination, and hope overcomes despair."

*– Bill Smithwick
Sunrise president*



for violating the code of conduct. Simpson maintained that organizations like Sunrise have the right to insist that employees comply with core values. "The civil rights statutes protect religious freedom, not personal lifestyle choices," Simpson said.

In a press release issued April 2, Smithwick emphasized that his organization is not coercive as their critics charged. "Our mission motivates us to care for the physical, emotional, and spiritual needs of the kids charged to our care. We choose compassion over coercion; for us choice trumps indoctrination, and hope overcomes despair," Smithwick said.

Judge questions intent, nixes display

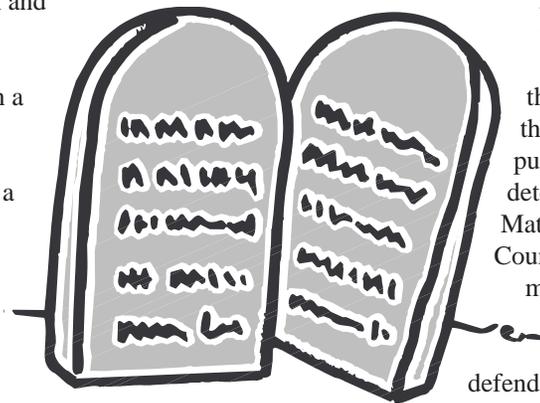
Contrary to a state law signed by Gov. Ernie Fletcher in 2006, this display must be taken down . . . at least for now.

When ACLU attorneys convinced a federal judge to remove the Ten Commandments from the Grayson County Courthouse in 2001, the unpopular ruling didn't extend to private property. Consequently, 150 business owners have since posted the Ten Commandments throughout Grayson County – a proliferation and backlash the ACLU didn't expect.

Rev. Chester Shartzter, the pastor behind the effort to post the historical display in the courthouse, sees the irony. "God has taken a mess and made a miracle," Shartzter said. Besides individual businesses there are now seven 8-foot by 16-foot Ten Commandments billboards around the main arteries of Leitchfield. "There's a lot more exposure now than if they were just in the courthouse," Shartzter said.

The courthouse display had the wrong intent according to U.S. District Judge Joseph H. McKinley. On March 28, McKinley said the display had the "effect of endorsing religion," and called its depiction as educational a "sham." As a result, county officials are permanently barred from restoring the Ten Commandments. But the empty frame is still on display.

"Everybody knows what's supposed to be there," Shartzter said. "It's really not right to take part of our heritage away and leave part of it." Shartzter now carries the ostracized Ten Commandments document in his car and looks forward to the day he can put them back up.



The display originally included the Mayflower Compact, Declaration of Independence, Ten Commandments, Magna Carta, Star Spangled Banner, National Motto, and Preamble to the Kentucky Constitution, Bill of Rights, and a picture of Lady Justice. Each document also included an explanation of their significance. All but the Ten Commandments are still in place.

Identical displays have been upheld by the appeals court that oversees Kentucky. The only difference is that McKinley thought the motivation was wrong. If it is for educational purposes, the displays are allowed, but if the same display is determined to be religiously motivated, then it is unconstitutional. Mat Staver president of Liberty Counsel defended Grayson County and criticized the rationale. "The dickering over the motivation is about as ridiculous as trying to count how many angels can dance on the head of a pin," Staver said.

Frank Manion, a Kentucky attorney who successfully defended Mercer County's Ten Commandments display, agreed. "I don't think it's a proper decision. It's flawed from a constitutional standpoint," Manion said. "The court purports to read into the mind of the donor of the display."

Staver plans to appeal the ruling and believes that the Ten Commandments issue will eventually come before a more conservative U.S. Supreme Court. He argues that if the display itself is legal, then the motivation shouldn't matter.

The racist plague of Planned Parenthood

We all mourn the deaths in Iraq, now approaching 4,000 Americans, in the five-year-old fight for freedom and justice in that nation. But sadly we seem oblivious to the fact that we lose approximately the same number of our fellow citizens *everyday* to abortion.

The plague of abortion takes one American life about every 30 seconds. But here's a little good news:

Soon Congress will have the chance to limit severely the ability of this plague's principal purveyor, Planned Parenthood, to force you to pay for its deadly deeds. Planned Parenthood spends millions annually to maintain its reputation as the foremost champion of "responsible" sexuality and child-bearing, with, among other things, ads featuring hip, healthy-looking young people and cute, cuddly babies.

But Planned Parenthood's record refutes its well-honed reputation. In recent years, its affiliates have ignored numerous cases of statutory rape and sexual abuse of minors. Last fall, Planned Parenthood of Kansas and Mid-Missouri was handed a 107-count grand jury indictment, with allegations ranging from illegal late-term abortions, "making false information" and "unlawful failure to maintain records," among other violations. In California, meanwhile, several Planned Parenthood affiliates are under investigation for overcharging the state hundreds of millions (I repeat: hundreds of millions) of dollars on birth control.

Perhaps worst of all, last summer, The Advocate, a magazine published by students at UCLA, conducted an investigation in which an actor posing as a donor called Planned Parenthood centers in

seven states and asked if his donation could be used for the abortion of black babies, or as he said, "to lower the number of black people." All seven Planned Parenthood centers agreed to process the donations, and none seemed concerned at the racist motivations behind the donations.

Four out of every five Planned Parenthood centers are located in minority neighborhoods, and about one-third of its abortions are performed on blacks . . .

when the caller said, "The less black kids out there the better." The Advocate later published the transcript of the conversation, which so horrified UCLA students that many are calling for the university to cut all ties with the abortion business. Though Planned Parenthood apologized for this blatant racism, calling it a "serious mistake," this episode highlighted something Planned Parenthood would perhaps like to forget: its racist origins.

Planned Parenthood's founder, Margaret Sanger, is revered by many on the Left as "the mother of the birth control movement." But she was also a devout eugenicist who believed America needed to "cut down on the rapid multiplication of the unfit and undesirable at home." One of Planned Parenthood's earliest initiatives, called

the Negro Project, was designed to control the birth of minority babies, or "human weeds," as Sanger called them. She once wrote in a letter, "We don't want the word to go out that we want to exterminate the Negro population..."

Today, Planned Parenthood has learned to distance itself from its racist founder . . . But the fact remains that blacks are disproportionately affected by Planned Parenthood's "services."

Four out of every five Planned Parenthood centers are located in minority neighborhoods, and about one-third of its

abortions are performed on blacks, who constitute just 13 percent of the population. Overall, nearly as many black babies are aborted as are born.

Planned Parenthood is the behemoth of the "reproductive rights" industry. In 2006, it raked in record amounts of taxpayer-funded subsidies (over \$305 million) and record high revenues (\$900 million). And while Planned Parenthood's media campaigns typically focus on its other services – contraceptives, STD testing, cancer screening and prevention etc. – as Charlotte Allen has noted in the Weekly Standard, its abortion services "accounted for

at least one-third, probably more, of Planned Parenthood's \$345.1 million in clinic income

reported the last fiscal year." In 2005, Planned Parenthood performed more than 260,000 abortions in its 287 chemical and surgical abortion sites (out of 860 total centers) across the country.

Planned Parenthood's revenue gains are curious given that its own research organization, the Alan Guttmacher Institute, recently released data showing a 25 percent decline in the number of abortions since 1990 to the lowest point in 30 years. Clearly, with the help of lavish government subsidies, Planned Parenthood is increasing its own market share. That explains why Planned Parenthood recently embarked upon the "One Million Strong" campaign, during which its political arm will spend \$10 million to try to persuade one million people to vote for pro-abortion candidates in 2008.

But there's hope for pro-lifers. Congressman Mike Pence (R-Ind.) has proposed an amendment to the appropriations legislation that funds the Departments of Labor and Health and Human Services to bar federal funding for Planned Parenthood. H.R. 4133 prohibits any organization that promotes or practices abortions from receiving federal funds.

I understand that the last time Pence



Gary Bauer is a Kentucky native and chairman of Campaign for Working Families

offered this amendment it was met with stern opposition, not just by House Democrats, but also by some Republican colleagues who seem to have fallen for Planned Parenthood's savvy marketing strategies. Congressman Pence plans to bring his amendment to the House floor for a vote this

The Negro Project: "We don't want the word to go out that we want to exterminate the Negro population . . ."

– Margaret Sanger, founder Planned Parenthood

summer. I hope the Pence Amendment gets a vote. Our elected representatives need to be on record as either supporting or opposing giving hundreds of millions of taxpayer dollars to a racist, deceptive and corrupt organization that believes pregnancy is a disease for which abortion is the cure.

Gary L. Bauer

The article was originally published in Human Events. [www.humanevents.com]

UPDATE: Hopefully, this is the last request for clarification.

A little “housekeeping” after the flood

It's been 18 months since our office was completely destroyed by the flood in September 2006. I am delighted that we are alive and well. Even more, I am grateful for the grace of God that has been extended to us as an organization!

Candidly, in my humble opinion, I think we've functioned quite well given the fact that, literally, all was lost in that flood. But there are still a few database details that we want and need to clarify.

Now is the time to update things once and for all . . .

Because we lost our updated master list of *CITIZEN* recipients when our computers went under 8 feet of water, we have had to piece together smaller lists to even approximate the master list. That,

we're certain, has caused us to include addresses that have changed and names of individuals who really don't care to receive our mailings.

Good stewardship encourages us to “get the list right.” Therefore, I ask for your assistance . . .

We obviously have updated the records of all donors who have given since the flood in order to comply with IRS standards for a nonprofit organization. So, please, *if you have not contributed to The*



Kent Ostrander is the executive director of The Family Foundation

Family Foundation since the flood – September 2006 – please mail or email to

us your name, address and phone number in order that we can confirm that you do, in fact, want to receive our bimonthly newsletter.

Clearly, if someone has not contributed since

the flood, the address we have may be incorrect. Your taking the time will help us be more resourceful and efficient.

And certainly, while The Foundation is on your mind, consider contributing at this time. As you know, we ask for funds only twice each year so as not to burden anyone – *we know* you contribute to other worthy causes. April is one of our two fund-raising months. For your information, a \$10 gift covers the cost of the *CITIZENs* that are mailed to you every other month. A

Candidly, in my humble opinion, we've functioned quite well given the fact that, literally, all was lost in that flood. But there are still a few database details that we want and need to clarify.

The Kentucky Citizen is published by The Family Foundation, a Kentucky nonprofit educational organization that works in the public policy arena on behalf of the family and the values that make families strong.

The Kentucky *CITIZEN*

Executive Editor
Kent Ostrander

Editor
Sarah Roof

Contributing Editors
Martin Cothran

David Edmunds
David Moreland

Don Pinson
Richard Nelson

The Family Foundation
P.O. Box 911111

Lexington, KY 40591-1111

859-255-5400

e-mail: tffky@mis.net

Web site: www.kentuckyfamily.org

The Family Foundation
P. O. Box 911111
Lexington, KY 40591-1111

Non-Profit Org.
U. S. Postage
Paid
Lexington, KY
Permit No. 555

larger gift helps us do the many other things that we do – the research, the seminars, the special *CITIZENs*, the Town Meetings, lobbying in Frankfort, etc.

Generally speaking, individuals and families give to The Family Foundation for one of two reasons . . . or both. First, they like receiving our newsletter because they themselves like to be on top of issues and like to get involved. They believe the newsletter serves them well in their efforts.

Second, some individuals are less

involved personally with issues but like the service that we provide for the state – so, they give to keep us prospering. Either reason is helpful for us!

Thank you for your help with this “final” mundane clean-up of our mailing list. And thank you also for your consideration of financial support.

Yours, very sincerely,

***One of the best ways
you can help us right now
is to give us
information that tells
us “you are there.”***

If you've not corresponded with us in the last 18 months, please contact us with your name, mailing address and email address as soon as possible. Your assistance with this “housekeeping” matter will help fix our post-flood mailing list “once and for all.”

Call us at (859) 255-5400

email to us at tffky@mis.net

or mail to us at P.O. Box 911111

Lexington, KY 40591