The Kentucky
CITIZEN
STRENGTHENING FAMILIES AND THE VALUES THAT MAKE FAMILIES STRONG
Vol. XIX No. 4 July/August 2010

Statewide voter registration effort launched; *Vote Kentucky!* requests your assistance

If citizens get involved with their churches and organizations, thousands of new voters could be EASILY registered.

Never before have as many Kentuckians been invited to participate in a nonpartisan voter registration effort than what is now being initiated. The Family Foundation, with its *Vote Kentucky!* project is asking citizens, organizations and churches to hold voter registration drives between now and the end of September.

"These are critical days in our nation's history," said Kent Ostrander, executive director of The Family Foundation. "It's crucially important that we have everyone lifting their voices to Washington and Frankfort in the Nov. 2 elections."

> **"With our Forefathers pledging their lives, their fortunes and their sacred honor to secure our right to vote, it doesn't seem like too much to ask someone to hold a voter registration day for the people they care about."**
>
> *– Kent Ostrander*
> *The Family Foundation*

The Family Foundation is offering at no cost a simple "voter registration kit" with contents that can be copied and used by anyone to get people registered across the state. Because the kit has nonpartisan guidelines and instructions, it can be used by nonprofits and churches alike, both of which must refrain from partisan politics.

Vote Kentucky!
Voter Registration Project

"The key of the project's success will be the willingness of citizens to step forward and serve their friends," said Ostrander. "With our Forefathers pledging their lives, their fortunes and their sacred honor to secure our right to vote, it doesn't seem like too much to ask someone to hold a voter registration day for the people they care about."

Interested persons can call The Family Foundation at (859)255-5400 to request the free kit or they can email their request to *tffky@mis.net* along with their *mailing address*. The website is also useful: *www.votekentucky.us*. To assist The Foundation, Ostrander encourages everyone to mention which organization or church they plan to serve in order to connect individuals who have the same goal. He underscores that Oct. 4 is the last day to turn in completed forms to the County Clerk so September is the best time to hold a registration drive.

Contact us for a free kit

If you want our simple and easy to use "kit" to help you register citizens in your church or organization, call us or send us an email requesting it. It is extremely simple to use. It is free. It follows the Secretary of State's guidelines and it meets all IRS standards.

Be sure to give us your mailing address and tell us what church/group you will be registering when you contact us.

Contact us:
tffky@mis.net *or* **(859) 255-5400**

Release of *KCIS* set

The 2010 Survey will be on-line and available on Sept. 15.

Since 1993, the *Kentucky Candidate Information Survey (KCIS)* has served Kentucky citizens in the form of a printed newspaper. This year that process will change – it will be released on Sept. 15 and will only be available on-line at *www.votekentucky.us*. But as such, the *KCIS* will be

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KY Candidate Information Survey ready Sept. 15

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easily accessible in order for concerned citizens to print the information to be copied as many times as needed to serve a church, a neighborhood or other groups and organizations.

"So many Kentuckians now use the Internet as a resource that we feel the on-line approach will work better and be far more cost effective," said Sarah Roof, *KCIS* project coordinator. "As it is set up, voters can identify which district they live in and download only the races that impact them."

Roof points out that there is a high number of races this Fall, something she attributes to the numerous issues that have Republicans and Democrats at distinct odds with one another, both on the national and state levels. Another factor is the influence of the newly formed "Tea Party Movement," which has many newcomers to the political realm of things.

There are 118 candidates vying to serve in the State House of Representatives, which has 100 members. Over half (53) of the incumbents have drawn challengers and there are five open seats.

In addition, half of the state's Senate seats are up for re-election this year. Only four senators did not draw challengers, leaving 13 incumbents with a contested race and two open seats up for grabs.

On the federal level, each of the Commonwealth's 6 Congressmen face challenges, and the open U.S. Senate seat also has a stiff race.

"When you consider the various issues – health care, cap and trade, immigration, sanctity of life, sanctity of marriage, spending, taxation and the deficit – you find that major differences and disagreements are easily recognizable," said Roof. And she points out that that is the goal of the *KCIS* – to help voters differentiate between candidates and determine who will best represent them.

Roof encourages everyone to get registered and vote their conscience this Fall. And she hopes that many citizens will utilize the *Vote Kentucky!* website and download the materials, then help to get others informed and educated.

"Elections are more than just a great American tradition," said Roof. "They are about our future."

Go to:

www.votekentucky.us

Get information as to . . .

#1 How *YOU* can register others to vote

#2 How to get insight on the candidates

Or phone: ***(859) 255-5400*** or email: ***tffky@mis.net***

Vote Kentucky!
Voter Registration Project

Online Aug. 15

Kentucky Candidate Information Survey

Online Sept. 15

Thank you!

Our thanks to these sponsors who have made the Vote Kentucky! Voter Registration Project and the *Kentucky Candidate Information Survey* possible.

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Kentucky Memorial for the Unborn moves forward and invites others on-board

More than halfway to their goal, the time is now to let Kentucky citizens get the message out.

For women like Kim Workman of Wilmore, who had two abortions 20 years ago, the crushing grief can seem endless.

"I went into a tailspin of depression," Workman recalled. "I stayed in my shame, and it was a dark time for me."

But now there's a new opportunity for closure and a chance to honor babies lost to abortion, miscarriage or stillbirth.

"This Memorial will offer a place for me to go and grieve the loss of my babies. Right now the only place I carry them is in my heart."

– Kim Workman
Wilmore, KY

The Kentucky Memorial for the Unborn, planned for a bluff in Frankfort Cemetery overlooking the Kentucky River, will be a refuge to reflect on these children and help heal the heartache. The centerpiece of the Memorial is a bronze statue – "Rachel Weeping for Her Children" – and families can express their personal tributes in brief inscriptions on a granite wall.

"This Memorial will offer a place for me to go and grieve the loss of my babies," Workman said. "Right now the only place I carry them is in my heart."

Kathy Rutledge, who spearheads the statewide effort, felt called to this mission because she could not forget about the baby she aborted as a teenager.

"The road to healing can be a long journey," she acknowledged.

Rutledge can also readily empathize with others like Colleen Milburn of Lexington, whose twins died in the womb. "It's a very personal, lonely loss," said Milburn, the mother of six healthy children.

The planned Memorial is designed in the shape of a womb, the hidden place that nurtures and protects the beginning of life. The statue of the biblical Rachel will be set over a pool of water symbolizing her tears as described in Jeremiah 31:15 as well as the living water described in the book of Revelation.

The garden site's granite wall will be reminiscent of the Wailing Wall in Jerusalem, where individuals place anonymous messages and prayers.

Bill Henard, senior pastor of Porter Memorial Baptist Church in Lexington, offers spiritual comfort to those who mourn the loss of a child before birth, but he also recognizes the value of a tangible memorial. "This is a way for families who have lost a child to find a way to have a visible fixture for hope and for healing in their lives," Henard said.

According to Rutledge, the Memorial Committee is now accepting requests from women who would like to memorialize their child at the Memorial. In addition, Committee members are also welcoming volunteers and contributors who would like to help move the project forward with their efforts and gifts. If plans continue to move forward, it appears that Kentucky will become the first state to have a Washington, D.C. caliber Memorial set aside exclusively for the unborn.

EDITOR'S NOTE: It is rare that one nonprofit organization helps to raise awareness and money for another. However, staff at The Family Foundation are committed to this project for two basic reasons: 1) Kentucky women need a place to memorialize their lost unborn children, and, 2) the Memorial itself stands as a monument testifying to all mankind of the sanctity of life in the womb. In this, Kentucky can and should lead our nation.

Join us. If you would like to . . .

1) **Contribute toward the construction of the Memorial.** *(All gifts go to the work -- there are no wages paid on the Memorial Committee.)*

2) **Inquire about memorializing your lost unborn child.** *(All inquiries are totally confidential.)*

3) **Learn how your family, church or business can contribute a $1000 gift and be listed on the bronze dedication plaque at the Memorial as a "Pillar of Faith" contributor.**

4) **Volunteer to let churches in your area know about the Memorial so that they have the opportunity to participate as well as let women in their midst know of its availability.**

Call (858)255-2000 or use the enclosed return envelope

Open homosexuality in the military pushed

President Clinton's "Don't Ask, Don't Tell" is being challenged with legislation that will mainstream gay sex in the Armed Forces.

Same-sex attraction in the ranks of soldiers and sailors has always been viewed as incompatible with military service but on May 27, Congress sided with gay political groups and voted to repeal the 1993 "Don't Ask, Don't Tell" (DADT) policy. The House of Representatives approved the measure, which prohibits open homosexuality in the military, by a vote of 234-194. The 1993 law states that homosexuality is not compatible with military service and openly practicing homosexuals were discharged.

The issue has become even more controversial with the reports that the recent leak of 92,000 classified documents regarding the war in Afghanistan were deliberately released by a disgruntled gay soldier.

Rep. Mike Pence (R-Indiana) criticized the repeal. "The American people don't want to see the American military used to advance a liberal political agenda, especially when the men and women who serve in our military haven't had a say in the matter," Pence said. "I urge this Congress to stop and put our priorities in order."

In January, President Obama endorsed the repeal of DADT in his State of the Union Address, which triggered a multimillion-dollar lobbying campaign by gay political strategists to persuade moderate members of the Senate Armed Services Committee to change the law. On May 27, that committee voted to repeal the law by a 16-12 margin. Even though the measure passed the House the same day, it must pass the full Senate before it becomes law. Senate Republicans have vowed to filibuster if necessary.

Elaine Donnelly, president of the Center for Military Readiness, harshly criticized the speed at which the vote took place and predicted that if the Senate concurs, it will hurt unit cohesion, undermine discipline and eventually lead to decreased re-enlistments. "Same-sex couples in family housing will become a reason for families to decline re-enlistment or a change in station," Donnelly said. "Over a period of time, not all at once, people who find themselves out of step with zero tolerance will not re-enlist."

"I do not believe we should overrule a policy ahead of our military's recommendations and I do not support changing the existing guidelines."

– Con. Ed Whitfield
Kentucky's 1st District

More than 13,000 service men and women have been discharged for violating the prohibition against open homosexuality in the Armed Forces since 1993. There are nearly 2.3 million active duty and reserve personnel serving in the Armed Forces.

Just prior to the vote, all four uniformed service chiefs – Air Force Chief of Staff General Norton Schwartz, Army Chief of Staff General George Casey, Marine Commandant General James Conway, and Chief of Naval Operations Admiral Gary Roughead – asked Congress to defer any legislation to repeal the 1993 law until the Defense Department completes its review of the policy. The Pentagon, which will have input as to how the changes are to be implemented, is slated to release its study to Congress by Dec. 1.

Critics say Congress is forcing the measure now instead of waiting for Pentagon recommendations because Democrats are expecting losses in the November election, which could prevent them from repealing the measure next year.

According to Donnelly, the Obama Administration has undermined DADT by abrogating "the law by redefining its purpose." Consequently, discharges for open homosexuality have dramatically dropped since January. Kentucky Congressman Ed Whitfield (R-Hopkinsville), whose district covers Fort Campbell in Western Kentucky, believes overturning DADT might compromise military readiness. "I do not believe we should overrule a policy ahead of our military's recommendations and I do not support changing the existing guidelines," Whitfield said.

Military experts say that success in combat requires military units that are characterized by high morale, good order, discipline, and unit cohesion. Same-sex attraction in the barracks and close living quarters undermines that. Congressman Louie Gohmert (R-Texas) was particularly incensed by the vote. "We're saying we're shoving this down your throat and we don't care," Gohmert said on the House floor the day of the vote. "The military is not a social experiment." The full U.S. Senate has yet to take action on the measure, giving conservatives time to make their case that changing the policy would be unwise.

Amicus filed in prayer court case

The Family Foundation, other family groups intervene in National Day of Prayer suit.

After filing one *amicus* brief in a Kentucky religious liberty case on May 10, The Family Foundation has joined another religious liberty *amicus* along with several other family policy councils from other states. This time it is in federal court and in response to the recent federal ruling that the annual National Day of Prayer (NDP) is an unconstitutional activity.

The NDP has been celebrated by Congress and the President for over half a century, but on April 15, U.S. District Judge Barbara Crabb struck down official government recognition of the day as unconstitutional. "In fact, it is because the nature of prayer is so personal and can have such a powerful effect on a community that the government may not use its authority to try to influence an individual's decision whether and when to pray," Crabb wrote.

U.S. District Judge Barbara Crabb

Critics charge that Crabb's ruling imposes a radical secularism that is foreign to our nation's history. Our charter political document – the Declaration of Independence– is predicated on the idea that there is a God and that our rights come from Him. The Continental Congress on 16 occasions called the nation to pray and fast during the American Revolution – a significant part of our history that Crabb ignored.

The *Freedom From Religion Foundation*, a Madison-based group of atheists and agnostics, filed a lawsuit against the federal government in 2008 arguing that a day set aside by government for prayer violated the separation of church and state. The Obama Administration has countered that the NDP statute simply acknowledges the role of religion in the United States. In addition, President Obama issued a prayer proclamation last year, but did not hold public events with religious leaders as former President George W. Bush had done in each year of his two terms.

Congress established the NDP in 1952. Since 1988, the first Thursday in May has been designated as the day for presidents to issue proclamations calling on Americans to pray. The case is expected to be tied up in the courts for some time.

Kelly Shackleford, the lead attorney for Liberty Institute, drafted the *amicus* and filed it on July 7 in the Seventh Circuit Court of Appeals. In his news release, Schackleford said, "In her decision to strike down the National Day of Prayer, Judge Crabb attempted to undo two hundred years of American history."

Porn scandal puts SEC under fire

As it turns out, a number of key employees were surfing porn while Wall Street crashed.

If Nero fiddled while Rome burned, then the modern day equivalent of a five-alarm fire in the financial world occurred when the U.S. Stock Market crashed in Oct. 2008 as senior level Securities and Exchange Commission (SEC) employees surfed porn on the Internet. According to an SEC Inspector General Report obtained by an open records request in February, 33 SEC employees used government computers to access porn in the workplace during the time period when Wall Street was in the midst of financial meltdown.

"If one does this in private practice one has disciplinary action taken against one, and if the fraud is large enough there is the potential for additional action. Lawyers should not be excused simply because they work for the government."

– Attorney Kevin Evans

Instead of fulfilling their duties to regulate stock market practices, 31 SEC employees used porn while working within the last 2 ˚ years—the most tumultuous for the stock market since the Great Depression. Rep. Darrell Issa (R-CA) the ranking Republican on the House Committee on Oversight and Government Reform responded to the report and said it was "disturbing that high-ranking officials within the SEC were spending more time looking at porn than taking action to help stave off the events that put our nation's economy on the brink of collapse."

One person under investigation said they had no self control over their addiction. Another told investigators it was "kind of distraction per se." Some of the more egregious cases involved a senior attorney who spent eight hours a day viewing and downloading so much porn that he ran out of hard drive space. An SEC accountant was blocked more than 16,000 times in one month from accessing porn sites but eventually found a way to bypass the SEC's internal filter. The attorney later resigned and the accountant was suspended for two weeks but many other SEC employees received little punishment. Seventeen porn users were senior level employees making between $100,000 and $220,000 per year.

On May 7, Denver attorney Kevin Evans filed a lawsuit against the SEC since they denied an open records request of those involved. "If one does this in private practice one has disciplinary action taken against one, and if the fraud is large enough there is the potential for additional action. Lawyers should not be excused simply because they work for the government," Evans said. SEC Inspector General David Kotz refused to release the offenders' names because he feared it could lead to harassment. Kotz, aware of the activity for over two years, detailed the violations in the past four semiannual reports he sent to Congress.

SEC spokesman John Nester said "We will not tolerate the transgressions of the very few who bring discredit to their thousands of hard working colleagues." More than 3000 people work for the SEC.

The latest revelation of SEC incompetence has resulted in outrage from an American public that has weathered 10 percent unemployment and a volatile stock market that saw the Dow drop over 1,874 in Oct. 2008—its worst weekly decline ever. The SEC ignored numerous whistleblowers reports about Bernie Madoffs ponzi scheme which culminated in his arrest in late 2008 and missed "numerous potential red flags" in the March 2008 collapse of Bear Stearns.

According to Kotz, in some cases the SEC ignored its own procedures. "It is undisputable that the SEC failed to carry out its oversight of Bear Stearns," Kotz said. Now to learn that senior officials were toying with porn in the workplace brings even greater disgrace to an agency charged with policing the financial sector.

At a time when liberals clamor for more government control, Rep. Issa said, "This stunning report should make everyone question the wisdom of moving forward with plans to give regulators like the SEC even more widespread authority."

Tim Gill brings homosexual politics into Kentucky

Lexington's mayoral race marks the first time that out-of-state, pro-gay funds have been committed to decide a Kentucky election.

According to the Kentucky Registry of Election Finance, an out-of-state pro-homosexual funding icon has engaged Kentucky politics by making a large gift in the Lexington mayoral race. Tim Gill is not a household name because he chooses to work behind the scenes, giving large political gifts quietly. But more important than his giving, he is effective in encouraging others to follow his lead.

Gill is the Denver-based software tycoon who founded Quark. In 1992 he began to direct his computer fortune toward the gay activism of his college days. Even though he is a self-described introvert and rarely speaks publicly, his efforts have had a huge impact on various targeted political races as he focuses his and the gay community's attention on key strategic races.

Gill "overwhelmed us with a tsunami of money."

– John Andrews
Colorado Senate President

In 1994 Gill established the Gill Foundation through which he invested start-up money to gay rights organizations in all of the nation's 50 states. According to GLSEN Executive Director Kevin Jennings, "The gay community in its current form could not exist without Tim."

By 2000, Gill had become a hero to homosexual activists across the nation even though he was unnoticed in the media. He challenged activists with a whole new aggressiveness. "We have got to stop playing the victim role," he said, and began a process of "strategic philanthropy" to which "strategic politics" was added.

In 2000, he gave $300,000 to political campaigns and then jumped that figure up to $800,000 just two years later. In 2004 it was $5 million. By 2006 he was targeting a total of 70 state and local races, which he felt would turn the tide for same-sex marriage and dumped $15 million into the process. With that investment he succeeded in 50 of the 70 races.

What adds to his impact is that others follow his lead. It's not just his money that makes a difference, but the fact that pro-homosexual donors look to him for leadership and give where he gives, swelling the assets of any particular candidate. After suffering heartbreaking defeats, former Colorado Senate President John Andrews said Gill "overwhelmed us with a tsunami of money."

Now that pro-homosexual political money has made its way into the Lexington mayoral race from outside the state, political observers question how much other money will follow and what the ultimate impact may be. Like Gill, the mayoral candidate to whom he gave is also openly gay.

In addition to the mayoral candidate, Gill gave a similar large contribution to another openly gay candidate, Mike Slaton, who lost his bid to be the Democrat contender for the 41st House District in Louisville during the Spring primary.

OPINION: When judge rules against the Ten Commandments with confusing logic, our most basic freedoms are questioned.

Court harms free speech, religious liberty

When the U.S. 6th Circuit Court of Appeals denied restoration of a Ten Commandments display in the McCreary County Courthouse on June 9, it left many free speech advocates in disbelief. After all, the same court had ruled in January that an identical display could remain in the Grayson County Courthouse. So what gives?

The main issue percolating in this decade-long legal dispute centers on whether the intent of posting the original display was secular or religious in purpose. If the intent is secular and educational, the display is okay. But when the men and women in black robes suspect even a hint of religious motivation**,** then the displays are deemed contraband and cast into figurative purgatory.

Judge Eric Clay wrote for the 2-1 majority and said that McCreary and Pulaski Counties failed to provide a "valid secular purpose" for the revamped display. "The fact that Defendants seek to minimize the residue of religious purpose does not mean that Plaintiffs do not suffer continuing irreparable injury so long as the display remains on the walls of the county courthouses," Clay said.

Residue? Irreparable injury? Sounds like there has been some kind of a mold outbreak in the county courthouse jeopardizing the very health of occupants. While Judge Clay didn't order the courthouses to scrub down with Lysol, sanitizing of another sort by secularists has definitely taken place.

In April, Federal District Judge Barbara Crabb ruled that it is illegal for governing bodies to officially recognize the National Day of Prayer. Another federal judge ruled in late May that a public high school graduation ceremony could not take place in a Connecticut church largely because it had numerous religious symbols and large crosses that couldn't be covered. Of course, seeing a large cross could cause nightmares and trauma for graduating seniors and their families.

In cases like these, secularists invoke the First Amendment, which prohibits Congress from establishing a religion. But a school board planning a graduation ceremony is not Congress. Nor is a local governing body deciding what to hang on the Courthouse walls. And it has yet to be explained how merely posting the Ten Commandments establishes a religion**.** Don't Jews, Christians and Muslims all honor the Ten Commandments? And what does the judge mean by "irreparable harm" anyway?

To arrive at Clay's conclusion, one has to do great violence to our history. Our political fabric is enmeshed with acknowledgment of God. Just pull a dollar bill out of your wallet or purse and you see that Caesar's image has been superseded by our National Motto: "In God We Trust." (Please note that pocketfuls of cash have yet to cause "irreparable harm" to atheists and ACLU attorneys who gladly accumulate as much of it as they can—often at taxpayer expense).

Richard Nelson is the western policy analyst for The Family Foundation

Until recent decades, we have been able to freely acknowledge God in the public schools which were birthed out of 17th century colonial churches desiring to teach children to read the Bible. Many of these same classrooms had the Ten Commandments posted on their walls, including Kentucky's until the U.S. Supreme Court banned them in 1980. The pilgrims and the Continental Congress gave us days of thanksgiving and prayer. In modern times, Franklin D. Roosevelt led the nation in a Christian prayer on D-Day. Nobody asserted he was trying to establish a religion.

Secularists succeeded in leaving a void on the McCreary and Pulaski Courthouse walls, but the larger result is that they have left a vacuum in American history—one replete with reference to God and where citizens can freely acknowledge Him both inside and outside the public square.

Yet few understand the stakes in this struggle. Judge James Ryan, the lone dissenter in the McCreary case said, "The result, I fear, is that federal courts will continue to close the Public Square to display of religious symbols as fundamental as the Ten Commandments, at least until the Supreme Court rediscovers the history and meaning of the words of the religion clauses of the First Amendment."

Richard

Colleges coerce counseling students

Students in two states forced to choose between Biblical beliefs and affirming sexual deviancy.

Augusta State University (ASU) graduate student Jennifer Keeton faced her biggest test this summer when administrators gave her an ultimatum: drop your Biblical views on human sexuality or face expulsion from the counseling program in which she was enrolled.

ASU administrators insisted that Keeton enroll in a one year "remediation plan" which required her to "attend at least three workshops … which emphasize … diversity training sensitive toward working with GLBTQ populations." Keeton was also required to "develop" her knowledge of homosexuality by reading 10 articles and increasing her exposure to homosexuals and lesbians by, among other options, attending a Gay Pride Parade.

Keeton refused the demands by ASU officials in an e-mail. "[Y]ou are requiring me to alter my objective beliefs and also to commit now that if I ever may have a client who wants me to affirm their decision to have an abortion or engage in gay, lesbian, or transgender behavior, I will do that," Keeton said. "I can't alter my biblical beliefs, and I will not affirm the morality of those behaviors in a counseling situation."

On July 28, the Alliance Defense Fund (ADF) filed suit on behalf of Keeton. "A public university student shouldn't be threatened with expulsion for being a Christian and refusing to publicly renounce her faith, but that's exactly what's happening here. Simply put, the university is imposing thought reform," ADF Senior Counsel David French said. "Abandoning one's own religious beliefs should not be a precondition at a public university for obtaining a degree."

In a similar case, a federal judge upheld the decision of an Eastern Michigan University (EMU) counseling program to kick out a graduate student who declined to counsel gay clients in an affirming way. On July 26, a federal court upheld EMU's decision to expel

Jennifer Keeton and Julea Ward

Julea Ward, who was required to affirm homosexuality in a counseling situation.

"I tried to explain that I had no problems counseling someone who was involved in homosexual behavior on any *other* issue that they might have. I wanted to make it clear that this had nothing to do with being afraid of homosexuals or thinking negative thoughts (about them)," Ward said. "This had everything to do with wanting to stay true to the word of God because of my relationship with God." ADF is appealing Ward's case.

OPINION: Kagan's confirmation will bring a whole new (and problematic) dimension to the highest Court in the land.

"Inception" on the Supreme Court?

Imagine you are accused of violating the law and are heading to court. Your attorney is well-educated, capable and has demonstrated passionate action in other cases. Most important of all, you know you are innocent – having several key arguments that will vindicate you. Then, while sitting with unflagging confidence on the first day in court, you are stunned when your attorney asks to approach the bench, speaks to the judge while pointing to you, and says, "My client is guilty, Your Honor. What shall we do?"

That is one nightmare! Cold sweat anyone?

Unfortunately, this rude awakening has just happened in Washington. And worse, America is still fast asleep. What makes this even more bizarre is that the attorney in this case is currently being promoted to the U.S. Supreme Court. The details: Elena Kagan is Obama's hand-picked Solicitor General, and as such, her job is to defend Congressional law from those who would challenge it – she is the personification of "Congress's attorney." In 1996, Congress passed the Defense of Marriage Act (DOMA) overwhelmingly – 342-67 in the House and 85-14 in the Senate! DOMA did two basic things: 1) it established that marriage is between one man and one woman for federal government's purposes, and 2) it honored the sovereignty of individual states *NOT* to have to recognize marriages defined differently from other states.

As a nation, it seems that America is crossing some metaphysical line downward with this nomination.

Here is where the nightmare begins – a lawsuit filed by several same-sex couples recently married under Massachusetts' law arrived on the desk of U.S. District Court Judge Joseph Tauro. It was there that the Solicitor General's office rolled over. According to Tauro, the Department of Justice attorneys under Kagan "disavowed Congress's stated justifications" for the law.

We have already been learning the downside of a "community organizer" in the nation's highest office; must we now also learn about a true "political activist" on our highest Court?

No defense was made! Can you say "legal malpractice"?

Yet the defense had already been outlined – contrary to most bills passed by Congress, DOMA actually had its four-point rationale itemized by Congress. (Imagine that in this era of "We have to pass it to find out what's in it.")

The four points? 1) to encourage responsible procreation and child-bearing; 2) to defend and nurture the institution of traditional heterosexual marriage; 3) to defend traditional notions of morality; and 4) to preserve scarce resources.

Still the D.O.J. attorneys withdrew.

So why the no-show in court? Bluntly, because Kagan does not support the rule of law – only *her* interpretation of what "the law should be." Why else did she as Dean of Harvard Law School literally throw military recruiters off campus — by any standard an extreme judgment upon those who have sworn *and demonstrated with their lives* their oath to uphold the Constitution? Answer: She says she personally objected to President Clinton's "Don't Ask, Don't Tell" policy.

Let us be clear – this is America where freedom reigns. And Kagan is a very smart woman and, though she has never been a judge, she is a very determined and focused person with strongly-held opinions. But even a cursory analysis

Kent Ostrander is the executive director of The Family Foundation

identifies that those are the qualifications of a passionate activist or militant, not a Supreme Court Justice.

But there is more: While working for Clinton as a White House policy adviser, Kagan was the one who manipulated the statement of the American College of Obstetricians and Gynecologists (ACOG) *in favor* of partial-birth abortion when their original position maintained the opposite. This revised statement, released by ACOG, was later used as "expert testimony" in several federal court rulings, including two Supreme Court decisions.

As a nation, it seems that America is crossing some metaphysical line downward with this confirmation. We have already been learning the downside of a "community organizer" in the nation's highest office; must we now also learn about a true "political activist" on our highest Court?

"CHOOSE LIFE" plates raise $40,000 for PCCs

Compassionate support for women in need rises again in 2010.

For the third time in three years the funds generated by the official Kentucky "CHOOSE LIFE" license plates have increased, this year to $40,041.74. The specialty plates have been on sale through the Kentucky Transportation Cabinet for just over three years and by all accounts have proven to be a great success.

The big winner in the "CHOOSE LIFE" license plate project are the Kentucky women who are caught in an untimely pregnancy and who do not feel that they have life-giving options. Since 100 percent of the money generated by the plates goes to the local pregnancy care centers (PCCs) that dot the state, it is the women in need that experience the most meaningful impact.

"I like the fact that the local centers themselves end up receiving more of the credit that is due them," said Kent Ostrander, executive director of The Family Foundation, the organization that disperses the funds. "Every day they have local residents driving around their community with CHOOSE LIFE 'advertising' on the rear of their cars. They deserve the credit for the important and sacrificial work that they do."

OPINION: They're pulling another fast one. This time in court.

The latest attempt to hoodwink Kentuckians

Martin Cothran is senior policy analyst for The Family Foundation

The issue of expanded gambling has been debated in Kentucky for over a decade. The first time around, the advocates of expanded gambling tried to convince state lawmakers to pass a Constitutional amendment to bring casinos into the state. After several unsuccessful attempts, they gave up.

Then they changed their strategy and came back again, demanding that the legislature pass a Constitutional amendment to put slot machines at horse tracks. After several tries, they failed again.

Having failed repeatedly with two different strategies, they came up with another one: convince people that we really don't need a Constitutional amendment to expand gambling in the state.Tell them that what they really passed in 1989 was not a lottery, like they were told, but that they really approved casino-style gambling, even though they didn't know it, and that the Constitution would allow putting slot machines at horse racing tracks and give them monopoly control over them. But despite having the support of powerful political figures in Frankfort, they failed again.

What could they do now?

After repeatedly failing to convince elected lawmakers that expanding gambling in Kentucky is good for the state, the gambling industry is now attempting a new strategy: try to bring slot machines in under the cover of an attractive sounding name – "Instant Racing."

In Instant Racing, low-end gamblers would be attracted to horse tracks by machines that play videos of old horse races which gamblers individually bet on. Since they are betting on horse races, they argue, it's just like any other kind of pari-mutuel betting, which is already allowed under state law.

There's only one problem with the strategy: like every other strategy the forces of expanded gambling have attempted, it's based on untruths. Instant Racing involves nothing more than glorified slot machines.The only difference is the name.

Pari-mutuel betting on live horse races has long been allowed in the state. But Instant Racing is not betting on live horses. Many of the horses shown on Instant Racing machines assumed room temperature a long time ago. Just like slot machines, Instant Racing machines will be able to consume vast quantities of money from low-end gamblers at a frenzied pace.

A Maryland Attorney General opined that Instant Racing is not pari-mutuel racing, since pari-mutuel racing involves bettors in a betting pool, and they have a role in setting the odds. But Instant Racing does not do this. An Attorney General's opinion from Jack Conway's office found the same thing earlier this year.

"Instant Racing" involves nothing more than glorified slot machines. The only difference is the name.

But this hasn't stopped expanded gambling advocates from trying anyway. Their strategy this time attempts to completely bypass elected lawmakers and instead involves trying to convince a Frankfort court to give them a stamp of approval.

The Beshear Administration, at the behest of several horse tracks, says it is moving ahead with a regulation to implement Instant Racing. Having failed to convince the people's representatives, they will now try their luck before a hopefully friendly judge, filing an unusual motion in the Franklin Circuit Court that asks the court to give them a piece of paper they can wave before the media to say that what they are doing is legal.

Hopefully, the justice system will see through the latest attempt to short-circuit the state's policy-making process.

The gambling industry has already corrupted the election process by dropping huge amounts of cash (lost by gamblers in other states) into the campaign coffers of politicians willing to do their bidding.

Then they tried to pick off anti-slots legislators in the General Assembly and replace them with their friends. Now they are trying to distort the legal process itself.

Hopefully, they will fail again.

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Editor's Notes:

#1 To make a *real* difference in the Commonwealth, get involved with the *Vote Kentucky!* voter registration project - *see page 1*

#2 Kentucky can lead the nation with the Kentucky Memorial for the Unborn - *see page 3 & return envelope*

#3 In an effort to save money in these demanding times, we've gone to a new format. We hope you enjoy . . .