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ACLU Asks Federal Court to Strike Down Utah Marriage Ban Calls for Heightened Scrutiny to Apply to Discrimination Against Same-Sex Couples

SALT LAKE CITY, Utah – The American Civil Liberties Union and the ACLU of Utah today submitted a “friend of the court” brief in support of a case challenging Utah’s ban on marriage for same-sex couples, *Kitchen v. Herbert*. The ACLU brief calls for a heightened level of scrutiny to be placed on any law that discriminates against same-sex couples and their families.

“It is time for courts to recognize that laws that discriminate against people based on sexual orientation must be subjected to heightened scrutiny,” said John Mejia, Legal Director of the ACLU of Utah. “We urge the court to strike down Utah’s discriminatory marriage bans, which deny loving, committed couples the protection and dignity that that comes with marriage.”

The ACLU has brought challenges of its own against similar laws in Pennsylvania, North Carolina, and Virginia. Following the Supreme Court’s decision striking down the federal Defense of Marriage Act – a case in which the ACLU served as co-counsel to Edie Windsor – the ACLU launched the Out for Freedom campaign to achieve the freedom to marry for same-sex couples across the country.

“The past few years have seen an amazing push forward in the fight to achieve equality for every family,” said Joshua Block, staff attorney with the ACLU Lesbian Gay Bisexual and Transgender Project. “We are proud to stand with our allies in Utah and across the country to ensure that couples in all 50 states have the freedom to marry.”

The complete ACLU brief may be downloaded from <http://www.acluutah.org/legal-work/current-cases/item/574-kitchen-v-herbert>

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