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Oct 10, 2008 12:42 pm US/Eastern

## Conn. High Court Rules Same-Sex Couples Can Marry

HARTFORD, Conn. (CBS/AP) — Connecticut's Supreme Court ruled Friday that same-sex couples have the right to marry, making the state the third behind Massachusetts and California to legalize such unions.

The divided court ruled 4-3 that gay and lesbian couples cannot be denied the freedom to marry under the state constitution, and Connecticut's civil unions law does not provide those couples with the same rights as heterosexual couples.

"I can't believe it. We're thrilled, we're absolutely overjoyed. We're finally going to be able, after 33 years, to get married," said Janet Peck of Colchester, who was a plaintiff with her partner, Carole Conklin.

"I'm just ecstatic. It's such a relief, the joy of it," said another plaintiff, Jodi Mock of West Hartford, who sued with partner Elizabeth Kerrigan.

"Interpreting our state constitutional provisions in accordance with firmly established equal protection principles leads inevitably to the conclusion that gay persons are entitled to marry the otherwise qualified same sex partner of their choice," Justice Richard N. Palmer wrote in the majority opinion that overturned a lower court finding.

"To decide otherwise would require us to apply one set of constitutional principles to gay persons and another to all others," Palmer wrote.

The Family Institute of Connecticut, a political action group that opposes gay marriage, called the ruling outrageous.

"Even the legislature, as liberal as ours, decided that marriage is between a man and a woman," said executive director Peter Wolfgang. "This is about our right to govern ourselves. It is bigger than gay marriage."

Gov. M. Jodi Rell said Friday that she disagreed with the ruling, but will not fight it.


"The Supreme Court has spoken," Rell said in a statement. "I do not believe their voice reflects the



Bob Sodervick holds a gay pride flag outside of San Francisco City Hall June 17, 2008 in San Francisco, California.  
Justin Sullivan/Getty Images

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majority of the people of Connecticut.

However, I am also firmly convinced that attempts to reverse this decision -- either legislatively or by amending the state Constitution -- will not meet with success."

But House Speaker Jim Amann, a Democrat, said he expects the issue to be taken up by the General Assembly.

"The legislature, as the lawmaking branch of government, debated this issue and made Connecticut one of the few states that offers civil union status for same-sex couples," Amman said.

The lawsuit was brought in 2004 after eight same-sex couples were denied marriage licenses and sued, saying their constitutional rights to equal protection and due process were violated.

They said the state's marriage law, if applied only to heterosexual couples, denied them of the financial, social and emotional benefits of marriage.

Peck said that as soon as the decision was announced, the couple started crying and hugging while juggling excited phone calls from her brother and other friends and family.

"We've always dreamed of being married," she said. "Even though we were lesbians and didn't know if that would ever come true, we always dreamed of it."



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