

April 22, 2009

Dear County Recorder,

“Our liberties we prize and our rights we will maintain.” This noble motto graces the Seal of the State of Iowa, and is emblematic of the moral sentiments of Iowans from the banks of the Missouri to the waters of the Mighty Mississippi. One of the most foundational rights and liberties we enjoy as Iowans is the right of conscience, as evidenced by Iowa Code § 146.1. This right is based upon the simple truth that it is wrong to force anyone to violate his or her conscience.

As citizens of the State of Iowa and thus, the United States, we enjoy the protections of this right guaranteed in the U.S. and Iowa Constitutions. This right of conscience protects individuals against coercion by the state authority, and serves as the first line of defense against the cancer of tyranny.

Therefore, the Iowa Family Policy Center and the Alliance Defense Fund propose that the following language be adopted by your office and each of Iowa’s 99 County Recorders.

The Alliance Defense Fund will defend this policy language and will provide free legal review and defense if this policy is challenged on the basis of its content.

POLICY:

An individual who may lawfully perform services for or provide services to the [NAME] County Recorder’s office shall not be required to issue or process a marriage license, or to perform, assist, or participate in such procedures, against that individual's religious beliefs or moral convictions. A person shall not discriminate against any individual in any way, including but not limited to employment, promotion, advancement, transfer, licensing, education, training, or the granting of employment privileges or conditions, because of the individual's participation in or refusal to participate in the issuance of a marriage license.

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Please call us, and/or seek your own legal counsel, if you have questions. Thank you.