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June 11, 2009

VIA FAX, REGULAR MAIL, AND ELECTRONIC MAIL

John Sansone, Esq.
County Counsel
County Administration Center
1600 Pacific Highway, Room 355
San Diego, CA 92101

Re: County recognition of same-sex marriage

Dear Mr. Sansone:

We understand Anthony Gioffre and Gary Rader were married on June 17, 2008. We have been told that on June 8, 2009, Mr. Gioffre and Mr. Rader went to the County's Family Resource Center so that Mr. Rader could apply for financial assistance in paying a medical bill. Mr. Gioffre was listed as Mr. Rader's spouse.

However, we understand that when Mr. Gioffre accompanied Mr. Rader into his appointment with a county employee, the employee said only one of them could come in. When Mr. Gioffre responded that he was Mr. Rader's spouse, they were told the County does not recognize same-sex marriage and Mr. Gioffre would have to wait outside. The employee indicated she was so instructed by her supervisor. When questioned, the supervisor, Terry Jenkins, also indicated to Mr. Gioffre, in the presence of other persons in the waiting room, that the County does not recognize same-sex marriage.

This incident has been reported by San Diego News Network and is profoundly disturbing. The California Supreme Court recently confirmed that same-sex marriages entered into before Proposition 8 was approved, such as the marriage of Messrs. Gioffre and Rader, remain lawful and valid for all purposes in the state of California.

We understand a county official apologized yesterday to Mr. Gioffre, and we appreciate that the County has taken prompt action to correct the problem. We understand the County will conduct training on the duty to respect the same-sex

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marriages upheld by the California Supreme Court. We expect the County's apology and training program will ensure that similar incidents are not repeated in future. We will monitor the situation and remain available to address similar incidents in the hopefully unlikely event they arise again. If there is other information of which I should be aware, or if you have any questions, please feel free to contact me.

Sincerely yours,



David Blair-Loy
Legal Director