

Dear Chair Klemin and the members of the Judiciary Committee,

I urge a Do Not Pass on HRC 3013.

I am writing to express my strong opposition to ND HCR 3013, a resolution that poses a direct threat to the rights and legal protections of LGBTQ+, and with an unintentional threat to interracial marriages. As a licensed clinical social worker and a partner in an interracial marriage, I am deeply concerned that this resolution could lead to the erosion of fundamental marriage protections that safeguard the well-being of North Dakotan families.

As a social worker, my ethical obligations are guided by the National Association of Social Workers Code of Ethics, which affirms the dignity and worth of every person and calls for the advancement of social justice. ND HCR 3013 stands in direct opposition to these principles, as it seeks to undermine established marriage protections that promote family stability, economic security, and emotional well-being. The NASW Code explicitly urges social workers to challenge discrimination and advocate for equal rights, making it imperative that we oppose any legislation that threatens the rights of marginalized communities. As a clinician, I witness firsthand the devastating mental health toll of institutional discrimination and legal uncertainty on North Dakotans and their families. Legal recognition of marriage is not just about ceremony or tradition—it provides critical protections in areas such as healthcare, parental rights, and financial stability. Stripping away these rights places families in vulnerable positions, exacerbating stress, anxiety, and systemic inequities.

The landmark Supreme Court case *Loving v. Virginia* (1967) struck down state bans on interracial marriage, affirming that marriage is a fundamental right protected by the Equal Protection and Due Process Clauses of the Fourteenth Amendment. Decades later, *Obergefell v. Hodges* (2015) extended these protections to same-sex couples, ensuring marriage equality nationwide. In response to growing concerns that these rights could be overturned, the Respect for Marriage Act (RFMA) was enacted in 2022, codifying federal recognition of both same-sex and interracial marriages. This legislation ensures that if a marriage is legally performed in one state, all states must recognize it, regardless of future court rulings or state-level attempts to restrict marriage rights. By seeking to challenge or weaken these protections, ND HCR 3013 could pave the way for a legal rollback of marriage rights, putting North Dakotan families—including my own—at risk of losing essential benefits, legal recognition, and protections.

If passed, this resolution would not only jeopardize LGBTQ+ marriages but could also set a dangerous precedent for challenging interracial marriage protections. While many assume that interracial marriage is universally accepted, history has shown that rights once considered secure can be eroded through legal and legislative means. My marriage, like many others, exists today because of the hard-fought legal protections that ensure equal rights regardless of race or sexual orientation. Legislation like ND HCR 3013 targets and harms North Dakotans.

I urge you to oppose ND HCR 3013 and instead advocate for policies that uphold the dignity, rights, and protections of all families. Upholding marriage equality is not only a legal and ethical necessity but a moral imperative. I implore you to stand on the right side of history and reject this harmful resolution.

Respectfully,

A handwritten signature in black ink, appearing to be 'KD' followed by a long, sweeping horizontal line.

Katherine Dachtler, MSW, LCSW, LICSW