

ARIZONA REPUBLIC

SATURDAY, JUNE 27, 2015

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EXTREME WEATHER

When a record deluge turned deadly

SHAUN MCKINNON
THE REPUBLIC · AZCENTRAL.COM

When the rain finally stopped a week into September 1970, when authorities believed there were no more missing campers to find and no more bodies to be recovered, state and federal investigators spread out on a landscape no one recognized.

Before Labor Day, cabins and campsites hid among the soaring pine trees 20 or so miles north of Payson. Bridges carried motorists across creeks that someone on foot could probably ford most days. Hiking trails crisscrossed the hills and ridges.

After the rain, trails were gone, erased by mud and rocks. Trees and boulders that might have steered hikers had been ripped away, gouged out by floodwaters like a knife through peanut butter. Bridges lay in ruins if they were visible at all.

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Coming Sunday: Lake Havasu City was the site of Arizona's hottest day ever.

Video online: Shaun McKinnon explains Arizona's weather extremes at bestreads.azcentral.com.

Dozens die in terror attacks on 3 continents

Acts of terror claimed lives in Africa, the Middle East and Europe on Friday, leaving nearly 70 dead and

AT THE SUPREME COURT

Supreme victory for gay marriage



MARK WILSON/GETTY IMAGES

The White House is lit in a rainbow of colors Friday to mark the Supreme Court's 5-4 ruling that all states must grant same-sex couples the right to marry.

High-court ruling won't end Ariz. fight, both sides say

ALIA BEARD RAU THE REPUBLIC · AZCENTRAL.COM

The U.S. Supreme Court has ruled that all states must grant same-sex couples the right to marry. But the 5-4 ruling won't end the debate over the rights of same-sex couples.

In Arizona, where same-sex unions have been legal since late last year, the battle has turned to more than a thousand state statutes that still define marriage as between a man and a woman, from adoption to taxes to property rights. It's also expected to spur a fight over Arizona's lack of discrimination protection for individuals based on gender identity and sexual orientation, as well as a push from the other side to boost protections for individuals and businesses with religious objections.

"We want to leverage this ruling to bring full equal-

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NICK OZA/THE REPUBLIC

Summer Schaudt and her son, River Schaudt-Waller, celebrate the Supreme Court's ruling on same-sex marriage Friday at CityScape in downtown Phoenix.

COURT ENTERS HOME STRETCH

As the U.S. Supreme Court's term draws to a close, justices have yet to decide cases with strong implications for Arizona. In addition to considering the legality of Arizona's lethal-injection procedure, the court will rule on two cases involving Arizona political boundaries, which could overturn the state's congressional map. Visit azcentral.com just after 7 a.m. Monday for news on the court's decisions. And follow these *Republic* reporters on Twitter: @alilarau, @maryjpitzi, @michaelbkiefer and @RebekahLSanders.

Marriage

Continued from Page 1A

ity for LGBT couples living in Arizona," said ACLU of Arizona President Alessandra Soler. "The work isn't over."

Arizona had defined marriage as only between one man and one woman, but an October U.S. Court of Appeals ruling in a lawsuit challenging the definition led to Arizona becoming the 31st state to allow same-sex couples to marry. Friday's Supreme Court opinion solidified that ruling.

Legal insiders widely predicted the justices, in a split decision, would require all states to recognize the marriages of same-sex couples. But the day was still an emotional one for Arizona same-sex couples.

"I never, ever thought I would see this day," said a tearful Nelda Majors of Scottsdale, standing next to Karen Bailey, her partner of 57 years. "I am now more hopeful than ever that we will see full protections in Arizona for LGBT people in our lifetime. We must keep pushing."

Rebecca Wininger, public policy co-chair of Equality Arizona, said she fears the split court opinion will do little to close the divide over this issue. "I'm not sure this is the equality game-changer like the Civil Rights Act was," she said. "I'm not sure this is the day that naysayers of same-sex marriage are going to say, 'Fine. We lost. We're giving up.'"

The historic abortion ruling *Roe vs. Wade* was a 7-2 decision, and Wininger said the fight over that has raged for more than 40 years. "And ever since then, the people who opposed abortion have slowly chipped away at it," she said.

The influential conservative advocacy group the Center for Arizona Policy has been at the front of Arizona's battle over both abortion and marriage for same-sex couples, successfully pushing state laws to limit both. Spokesman Aaron Baer also referenced *Roe vs. Wade* in responding to the high court's ruling on marriage.

"The Supreme Court thought they were going to give the final word on abortion," he said. "Today I'm sure many are hailing this as the final word on marriage. But this was done through a non-representative process. There has been no social transformation here."

In Arizona, the adoption issue came to a head

in April when Republican Gov. Doug Ducey ordered the state Department of Child Safety to immediately resume issuing adoption and foster-care licenses to legally married same-sex couples. The agency had halted the practice based on legal advice from Republican Attorney General Mark Brnovich.

Maricopa County Attorney Bill Montgomery, also a Republican, continues to refuse to provide adoption services to married same-sex couples, and the American Civil Liberties Union of Arizona has notified him of its intent to sue.

"The Supreme Court has made clear that same-sex couples need to be treated just like heterosexual couples," Soler said. "We will be writing a letter to Montgomery to get some clarity on what his position will be in light of this decision, and if he doesn't agree to provide same-sex couples with adoption services, we will move forward with litigation."

Brnovich, Montgomery and the Center for Arizona Policy all have argued that the lower-court ruling on marriage doesn't automatically apply to other statutes.

Arizona law does not use the broader word "spouse" in some of its adoption statutes, instead stating, "A husband and wife may jointly adopt children."

Changing statutes such as this one, they said before the Supreme Court ruling, requires either individual legislation or additional lawsuits and court rulings. Baer said Center for Arizona Policy attorneys are still analyzing the impacts of the Supreme Court ruling.

Maricopa County Attorney's Office spokesman Jerry Cobb said Montgomery hasn't changed his position on the issue; however, the county has outsourced the state-mandated adoption services, and outside lawyers are helping all applicants.

"They are not getting direction from us on who or who not to provide services for," he said. "Those determinations rest entirely with them."

Arizona law also currently states that, all other things being equal, a "married man and woman" should be selected first in adoption situations. Community-property statutes address the rights of a "husband and wife."

Soler said she believes those statutes are invalidated by the high-court ruling.

"Adoptions should be granted equally to same-

"By adopting fully inclusive laws that celebrate, respect and protect all Arizonans ... we will ensure we have a prosperous future. If you want to be competitive, you need to be inclusive. It's not a social-justice issue; now it's an economic issue."

ANGELA HUGHEY

MEMBER OF COALITION OF BUSINESSES THAT SUPPORT THE LGBT COMMUNITY

sex couples," she said. "They can certainly give preference to married couples, but they can't treat married same-sex couples differently than married heterosexual couples."

There are groups already looking at pushing for changes to wording in state laws to ensure married same-sex couples have all the same rights as married opposite-sex couples.

Democrats this session introduced legislation to change the adoption statutes, but Republican leadership killed the bills without allowing any votes or public hearings.

Beyond that, Arizona groups are in the early stages of a push to add sexual orientation and gender identity to existing categories, such as race, religion, gender and disability, protected under state discrimination laws. Thirty other states have such discrimination protections, which can be applied to employment and housing.

"The majority of Arizonans believe that our laws are already fully inclusive," said Equality Arizona co-chair Catherine Alonzo. "But a couple in Arizona could get married on this monumental day and then go into work on Monday and be fired."

A new group of business and community leaders called the Competitive Arizona Coalition kicked off its efforts Friday.

The group is focusing on education but hopes to work with city and local leaders to implement anti-discrimination measures. Leaders said they've not decided whether to put a statewide measure on the 2016 ballot.

A handful of cities, including Tucson, Flagstaff, Phoenix and Tempe, have written such protections into their city ordinances. Others, including Mesa and Scottsdale, are considering similar measures.

"To attract large companies, to attract the Millennials who will fill those jobs and to attract convention and tourism business, we have to be competitive," Alonzo said.

ment to celebrate this day in history," he said. "But we must also realize there is still much to be done to make Arizona the best place to live, work and play. The fact that you can be legally fired, denied housing or refused service because you are gay or transgender is working against us."

The Center for Arizona Policy and other groups are likely working on legislation of their own, although the center never discusses its legislative plans in advance.

"The Center for Arizona Policy is going to continue to advocate for marriage between a man and a woman," Baer said.

He said the group is concerned about the impact of the opinion on businesses, religious institutions and individuals.

"Will the government now say if you don't comply with their definition of marriage, you are going to be punished?" he asked. "Is a Christian university going to be forced to participate and celebrate same-sex unions? Is a church with their staff going to have to violate their beliefs in their hiring practices? Will the government allow people who don't agree with their definition of marriage to live peaceably?"

The center was behind the unsuccessful push for Senate Bill 1062, which would have offered a legal defense for individuals and businesses facing discrimination lawsuits if

they proved they had acted on a "sincerely held religious belief." Proponents cited as an example a wedding photographer who was sued for refusing business from a same-sex couple.

Opponents argued it would legalize discrimination — in particular, allowing businesses to refuse to serve the lesbian, gay, bisexual and transgender community.

Former Republican Gov. Jan Brewer in 2014 vetoed SB 1062 under pressure from corporate America, including the NFL, civil-rights groups and the LGBT community.

Baer declined to say whether his organization would introduce something similar again next session.

"We need to look at how this decision is going to impact religious freedom across the board," he said. "Not in the overexaggerated examples that came out with 1062, but with very specific examples. People of faith should not be forced out of the marketplace because the government has redefined marriage."

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