

Unmarried America



the promise of equality applies to everyone regardless of marital status

April 23, 2003

Senator John Traynor
President Pro Tem
State Senate
600 E. Boulevard Ave. Dept. 150
Bismark, ND 58505

Re: Defeat of bill to repeal anti-cohabitation law

Dear Senator Traynor:

The website of the American Association for Single People recently published a story about the Senate's defeat of a bill to repeal an antiquated and unconstitutional law making it a crime for an unmarried man and woman to cohabit outside of wedlock. The bill was sponsored by Senator Linda Christenson.

North Dakota has the dubious distinction of being one of only eight states which continue to make it a crime for an unmarried man and a woman to cohabit together. The others are Florida, Idaho, Michigan, Mississippi, North Carolina, Virginia and West Virginia. Arizona and New Mexico decriminalized unmarried cohabitation in 2001.

Recent sociological studies have documented that a majority of adults now cohabit prior to marriage. Since cohabitation has become a normal part of the marital decision-making process for unmarried adults, it is inappropriate for North Dakota to be branding these couples as criminals. Senator Christenson was quite right in her attempt to remove this unwarranted stigma from the law books in your state.

The United States Supreme Court will issue a ruling within two months which will determine whether state laws criminalizing private sexual behavior of consenting adults violate the federal Constitution. If the nation's high court declares the Texas sodomy law unconstitutional -- as many legal scholars and court watchers believe it will -- then the constitutionality of the North Dakota anti-cohabitation law will be called into question.

Nearly 47 percent of the households in North Dakota are headed by unmarried adults. Their right to privacy, including the right to cohabit if they wish, has been disrespected by the state Senate. We hope that Senator Christenson will soon reintroduce her bill to repeal the anti-cohabitation statute. Perhaps when the next vote is taken, Senators will show a little more regard for the privacy rights of North Dakota citizens.

Very truly yours,

Thomas F. Coleman
Executive Director

cc: Senator Linda Christenson
812 Belmont
Grand Forks, ND 58201

AMERICAN ASSOCIATION FOR SINGLE PEOPLE • Unmarried America • Membership Division
Post Office Box 11030 • Glendale, California 91226 • (818) 230-5156
Fax (888) 295-1679 • www.unmarriedAmerica.org • mail@unmarriedamerica.org

