

Ohio same-sex couples marrying in Wayne County

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(Photo: Louise Ronald/Palladium-Item file)

More than half the same-sex couples who were issued marriage licenses in Wayne County in 2014 were from Ohio.

An examination of records from Oct. 7 — when the U.S. Supreme Court declined to consider an appeal of a ruling by the U.S. District Court for the Southern District of Indiana requiring the state to license and recognize same-sex marriages — through Dec. 31 showed a total of 37 same-sex couples applying for licenses from the Wayne County Clerk's Office.

Of the 37 couples, Ohio was listed as the state of residence for both partners in 22 cases. In 11 cases, both members of the couple were from Indiana. The other four cases had either one partner from Indiana or Ohio and the other from out-of-state, or both partners from states other than Indiana or Ohio.

In other words, 59.4 percent of the same-sex marriage licenses went to couples in which both partners reside in Ohio. Only 29.7 percent went to couples from Indiana.

That's very different from the pattern for couples with one male and one female.

During the same time period, Wayne County issued 91 marriage licenses to different-sex couples.

Of those, 87.9 percent — or 80 couples — listed the residence for both as Indiana. Only 5 percent showed both as being from Ohio. Another 6.5 percent had one partner from Indiana or both partners from states other than Indiana or Ohio.

The pattern is clear. Ohio same-sex couples are crossing the state line to get married.

Clerk Debra Berry isn't surprised.

"Ohio doesn't allow them to have same-sex marriages, so of course they would come to Indiana," she said.

Berry has been a bit surprised, however, to see how far some of the couples have traveled to get their licenses.

Many come from the greater Dayton area or points north such as Sidney, Xenia and West Milton. But some are from Columbus and points east.

"I was kind of surprised that we had a couple from Columbus," Berry said.

In conversations with other clerks, Berry said she has heard similar reports from other border counties — both along the Ohio line and the Kentucky line.

Randolph County Clerk Laura Martin said her staff has seen "several" couples from Ohio. Newly installed Union County Clerk Loree Persinger said the numbers have been about half and half for Indiana and Ohio same-sex couples.

"I think it's something we expected," Persinger said.

Paul Castillo is an attorney with the Dallas regional office of Lambda Legal, a non-profit organization that advocates for the civil rights of lesbians, gay men, bisexuals, transgender people and those with HIV.

"This occurs often," said Castillo. "The couples traveling from Ohio into Indiana are doing so out of necessity. ... The state of Ohio is currently discriminating against them."

Although the primary reason for same-sex couples to marry might be simple respect for their relationship, there are other possible benefits, Castillo sai

Many federal agencies — most notably the Internal Revenue Service — recognize couples based on the state in which they were married. Private employers might extend benefits to married same-sex partners. And if one member of the couple requires medical treatment, it could be a real benefit t the couple to be married.

In fact, Castillo speculates Wayne and other counties along the border might see more Ohio same-sex couples coming to Indiana to have babies — so both parents can be listed on the birth certificate — or in cases of serious illnesses, so spouses can visit without restriction.

"I would anticipate that you'll continue to see those couples," he said.

This could mean a financial benefit to Wayne County.

The cost of a marriage license for county residents is \$20. For out-of-state couples, it's \$62.

Out-of-state couples who get their marriages in the county also must marry here.

Richmond City Clerk Karen Chasteen said she has been marrying two to three same-sex couples a week recently.

To her, it is simply a matter of treating everyone equally.

"If I'm marrying all these other heterosexual couples," Chasteen said, "then it just doesn't make sense that I would turn someone away."

Ardene Schoeffler of the Olde North Chapel in Richmond has officiated three marriages for same-sex couples from Ohio, all of whom brought along family and friends for the ceremony.

"I've met some really wonderful people," she said. "I married two gentlemen who had been together for 32 years."

If it is possible to see a trend in as short a time period as three months, then the number of same-sex couples coming from Ohio seems to be growing.

In October, there were six couples from Indiana and nine from Ohio. In November, there were only three couples from Indiana and five from Ohio. And December, the Indiana number had decreased to two, while there were eight couples from Ohio.

The whole pattern could change, however, if the U.S. Supreme Court makes a ruling forcing Ohio to recognize same-sex marriage or if — as Castillo hopes — it sets a standard for the entire country.

"Right now, we have a patchwork of laws," he said. "The country needs a uniform and national rule."

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