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## State admonishes Thurston Judge Gary Tabor over wedding remarks

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Judge Gary Tabor

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Staff writer

Thurston County Superior Court Judge Gary Tabor was admonished by state judicial authorities Friday for saying last year he would not perform weddings for same-sex couples — even though he was doing them for opposite-sex couples.

The Washington Judicial Conduct Commission announced the sanction Friday, saying that state law does not allow discrimination based on sexual orientation. The admonishment amounts to a warning and was the least-severe punishment available.

It came about as part of a stipulated agreement with the socially conservative judge.

Tabor did not return a telephone message left at the Superior Court, but the commission said Tabor has since stopped performing weddings as a judge.

The court's board of judges also put out a statement saying that "Judge Tabor has accepted the Judicial Conduct Commission decision. It provides guidance to all judges in Washington state. No same-sex couples will be denied the right to be married in Thurston County."

Tabor told The Olympian early this year he did not wish to perform same-sex weddings for "philosophical and religious reasons."

The disciplinary action comes 11 months after Washington voters approved a referendum that affirmed the Legislature's action to bestow marriage rights to same-sex couples. The law took effect in early December.

Tabor, a judge since he was first elected to the bench in 1996, told colleagues in a court administration meeting shortly after the election that he did not want to perform weddings for same-sex couples.

In its decision, the commission said it is against the law to discriminate in Washington based upon sexual orientation. Once Tabor agreed to make himself available to solemnize marriages, he was bound to do so in a way "that did not discriminate or appear to discriminate against a statutorily-protected class of people, thereby undermining public confidence in his impartiality," the commission order says.

By publicly stating he would not perform same-sex marriages as a judge while continuing to perform opposite-sex marriages, Tabor "created an appearance of impropriety in violation of ... the Code of Judicial Conduct." The agreement with the commission did note that Tabor stated he had taken steps to ensure that same-sex couples were not without someone to officiate at their ceremonies.

Tabor was a deputy prosecutor for Thurston County for nearly 19 years and top criminal deputy before joining the bench. He is a graduate of Oklahoma Christian College, now known as Oklahoma Christian University.

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