



Judiciary II Committee Meeting

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Speech on Abolishing “Criminal Conversation”

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Madam Chairman, members of the Committee.

My name is Rev. Mark Creech, and I serve as executive director of the Christian Action League of North Carolina.

I think it's interesting to note that while social norms about sex have changed, a 2017 study designed by Y2 Analytics and conducted by YouGov. showed three-quarters of Americans still believe that adultery is wrong.

Some may contend our "criminal conversation" law is antiquated, ineffective, and should be repealed. They would argue the law was written when wives were considered the property of their husbands, the

judgments today are rarely collected, and the courts shouldn't impose morality on society.

Nevertheless, I suggest that the repeal of this tort would eliminate any recourse an aggrieved spouse has against a third party who had sex with their spouse, which contributed to the failure of the marriage. So, this isn't just about women. The law is not so much about money either. It's about protecting the sacredness of the marriage bond. Granted, the law can't heal broken hearts or bind the wounds, and even though the law can be used abusively in court, as some argue, and thereby exacerbate the pain, the law is still good because it works as an effective deterrent to home wrecking.

Without this tort, marriage, is unquestionably more vulnerable, and surely we should highly value that which remains the nucleus of our society. Moreover, with regard to arguments about the imposition of morality, let me say the law is always about somebody's value system being imposed on all of us whether we like it or not. To repeal this law makes the state complicit with an act that studies say usually kills a marriage.

The Christian Action League believes we still need a law, like the one we currently have, that says, "Would be adulterers beware. In North Carolina, having an affair that contributes to the break-up of someone's marriage may cost you in a big way."

And that's precisely how it ought to be, and for these reasons, the Christian Action League urges you not to repeal this tort.