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Support piling up in Arlene's Flowers request for Supreme Court review

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Richland florist Barronelle Stutzman is receiving support from other states, members of Congress and conservative organizations in her request to have the U.S. Supreme Court review the discrimination case against her flower shop.

Stutzman's attorneys filed a petition with the nation's highest court in July, asking the justices to review the February decision by the state Supreme Court.

The court's justices unanimously agreed that Stutzman, the owner of Arlene's Flowers, violated Washington's anti-discrimination law and the Consumer Protection Act by declining to provide services based on sexual orientation. Stutzman had refused to make arrangements for a longtime customer's same-sex wedding in 2013.

The U.S. Supreme Court has not indicated whether it will consider her case.

Alliance Defending Freedom, a legal group representing Stutzman, says numerous friends-of-the-court briefs have been filed with the U.S. Supreme Court asking it to consider the lower court's decision.

Many of the briefs also encourage the alliance's request to consolidate the Richland florist shop case with the similar case of a Denver-area baker.

In late June, the U.S. Supreme Court agreed to hear the case of Jack Phillips, the owner of Masterpiece Cakeshop in Lakewood, Colo., who refused to make a wedding cake for a same-sex wedding reception. Alliance Defending Freedom also is representing Phillips.

One brief asking that the Arlene's Flower case be considered was filed on behalf of 29 members of Congress, including Republican Sens. Ted Cruz of Texas, Mike Lee of Utah and James Risch of Idaho. No Washington members of Congress were among them.

"This case involves more than a clash between norms of non-discrimination and religious freedom," the court filing said.

The more fundamental question in both the florist's and baker's cases "is whether a government can coerce religious believers to speak or act contrary to their sincerely held religious beliefs," it said.

Briefs also were filed with the Supreme Court by 14 states or their governors. They include Arkansas, Alabama, Arizona, Idaho, Kentucky, Louisiana, Maine, Nebraska, Nevada, Oklahoma, South Carolina, Texas, West Virginia and Wisconsin.

Among the groups that filed friend-of-the court briefs were the Cato Institute, Becket Fund for Religious Freedom, the Restoring Religious Freedom Project and the Thomas More Society.

Stutzman and her corporation were sued by Washington state's attorney general, Bob Ferguson, and the American Civil Liberties Union, on behalf of Robert Ingersoll and Curt Freed, who were refused flower arrangements for their wedding.

Stutzman, a Southern Baptist, said she declined her services not because of Robert Ingersoll and Curt Freed's sexual orientation, but because of her religious views on marriage. She argued that arranging flowers is artistic expression protected under the First Amendment.

"As a Christian, weddings have a particular significance," she wrote in an op-ed for The Seattle Times. "I just couldn't see a way clear in my heart to honor God with the talents He has given me by going against the word He has given us."

But the state Supreme Court justices affirmed the 2015 ruling in Benton County Superior Court. They unanimously agreed that the owner of Arlene's Flowers violated Washington's anti-discrimination law and the Consumer Protection Act by declining to provide services based on sexual orientation.

If the U.S. Supreme Court agrees to hear the florist's case, friends-of-the-court briefs also are likely to be filed in support of the couple denied service. Many briefs were filed supporting the couple and the state of Washington when the case went to the state Supreme Court.

"Religious freedom is a fundamental part of America," said Kathleen Taylor, executive director of ACLU of Washington. "But religious beliefs do not give any of us a right to ignore the law or to harm others because of who they are."

When people experience discrimination, they feel they are not full and equal members of our society, she said.