



Written by [R. Cort Kirkwood](#) on August 16, 2018

## Christian Baker Sues Colorado Over Discrimination

Once again, the Colorado Civil Rights Division has attacked Jack Phillips (shown), the Christian baker who famously defeated the state in the U.S. Supreme Court. The High Court [ruled in Phillips' favor in June](#) when he fought Colorado's discriminatory attack on his right not to bake a cake for a same-sex "wedding."



But now another "claimant" — this time a "transgender woman" — has persuaded the state to launch another war against Phillips because he refused to bake a "transgender transition" cake.

So here we go again.

### A Man Named Autumn Complains

The trouble began when attorney [Autumn Scardina](#) called Phillips' Masterpiece Cakeshop and asked for cake with a pink interior and blue exterior. It would mark the day, he said, he became a woman.

While a pink and blue cake might sound revolting to some, that isn't why Phillips refused to bake it. Phillips would not, he said, support Scardina's "transgender" ideology. Claiming discrimination, [Scardina complained](#) to Colorado's civil rights enforcers, who gave him what he wanted.

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While admitting that Phillips won't "promote the idea that a person's sex is anything other than an immutable God-given biological reality," a sincerely-held belief, the Colorado Civil Rights Division [notified Phillips June 28](#) that he cannot so discriminate, citing the decision in Phillips' victory at the U.S. Supreme Court:

The refusal to provide service to the Complainant was based on the Complainant's transgender status. A claim of discriminatory denial of full and equal enjoyment of a place of public accommodation has been established. As asserted by the Supreme Court, "It is unexceptional that Colorado law can protect gay persons, just as it can protect other classes of individuals, in acquiring whatever products and services they choose on the same terms and conditions are offered to other members of the public."...

The Respondents denied [Scardina] equal enjoyment of a place of public accommodation.... Parties hereby are ordered ... to proceed to attempt amicable resolution of these charges by compulsory mediation.

### Phillips' Lawsuit

Phillips' attorneys at the Alliance Defending Freedom (ADF) filed suit against the Colorado officials Tuesday, noting something curious about Scardina's complaint. He called Masterpiece *the very same day* the Supreme Court agreed to hear Phillips' case about the homosexual wedding cake: June 26, 2017. Scardina's call was no accident, [the lawsuit says](#):



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Some Colorado citizens, emboldened by the state’s prosecution of Phillips [in the first case] have targeted him. On the same day that the Supreme Court announced it would hear Phillips’s case, a Colorado lawyer called his shop and requested a cake designed with a blue exterior and pink interior, which the caller said would visually depict and celebrate a gender transition. Throughout the next year, Phillips received other requests for cakes celebrating Satan, featuring Satanic symbols, depicting sexually explicit materials, and promoting marijuana use. Phillips believes that some of those requests came from the same Colorado lawyer.

So Phillips refused the business because it “would have celebrated messages contrary to his religious belief that sex — the status of being male or female — is given by God, is biologically determined, is not determined by perceptions or feelings, and cannot be chosen or changed.”

Colorado acted quickly to stamp out that crazy idea: “A mere 24 days after Phillips prevailed in the Supreme Court, Colorado told him that he violated Colorado law by declining to create that cake.”

Colorado, ADF avers, “will not rest” until Phillips closes or surrenders and agrees to spread anti-Christian messages. “The state’s continuing efforts to target Phillips do not just violate the Constitution; they cross the line into bad faith,” the lawsuit says. “This Court should put a stop to Colorado’s unconstitutional bullying.”

[The lawsuit also alleges](#) that “Colorado’s current practice is to treat Phillips worse than others because it despises his religious beliefs and how he practices his faith,” and that it unconstitutionally forbids Phillips from publishing notices that he will not create cakes advocating “transgender” ideology.

### **Economic Harm, Hostility Every Day**

Thus, the lawsuit of Phillips claims, Colorado not only violated Phillips’ constitutionally-protected rights, but also harms him economically and threatens his business’ future. Phillips will “suffer ongoing irreparable harm as well as economic and non-economic injury, including emotional distress and other compensable damages.”

The lawsuit asks the court to stop the state’s unconstitutional war against Phillips’ religious, free speech, and due-process rights.

[Said ADF Senior Counsel Jim Campbell](#), “officials are targeting Jack because they despise his religious beliefs and practices.” Phillips, he continued, “shouldn’t have to fear government hostility when he opens his shop for business each day.”

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