



Written by [Dave Bohon](#) on September 20, 2017

## Trump DOJ Sides With Christian Baker in Religious Freedom Case

The Trump administration's Department of Justice (DOJ) has come out in support of a Christian baker in Colorado whose discrimination case over his refusal to provide a wedding cake to a same-sex couple is headed to the U.S. Supreme Court.

In 2012, Jack Phillips, owner of the Denver-area Masterpiece Cakeshop, was convicted by the Colorado Civil Rights Commission of sexual orientation discrimination after he declined to do business with two men who requested a cake for the same-sex ceremony, citing his Christian convictions against homosexual behavior.



The civil rights commission mandated that Phillips had to create cakes for same-sex wedding celebrations, implement new policies to comply with state discrimination laws, file reports for two years demonstrating that he had eliminated Christian values from his business, and even provide non-discrimination training for his employees.

After the Colorado Supreme Court refused to consider an appeal of the case, Alliance Defending Freedom (ADF), which is representing Phillips, appealed to the U.S. Supreme Court, which agreed consider the First Amendment case.

In an amicus brief on behalf of Phillips, the DOJ's acting Solicitor General Jeff Wall wrote: "When Phillips designs and creates a custom wedding cake for a specific couple and a specific wedding, he plays an active role in enabling that ritual, and he associates himself with the celebratory message conveyed. Forcing Phillips to create expression for and participate in a ceremony that violates his sincerely held religious beliefs invades his First Amendment rights."

The DOJ statement is among at least 45 briefs filed on behalf of Phillips and his religious freedoms, including one by 86 U.S. congressmen, who challenged whether Colorado state law can "compel artists to create expression that violates their sincerely held religious beliefs about marriage." The congressmen also argued that the application of Colorado's accommodation law in Phillips' case would violate an artist's rights to free speech and the free exercise of religion as guaranteed by the First Amendment.

Among those criticizing the DOJ for expressing its opinion in the case was the American Civil Liberties Union (ACLU), which is representing the same-sex couple in the same case. "This Justice Department has already made its hostility to the rights of LGBT people and so many others crystal clear," declared Louise Melling, the ACLU's deputy legal director. "But this brief was shocking, even for this administration. What the Trump Administration is advocating for is nothing short of a constitutional right to discriminate."

Commenting on the case, ADF Senior Counsel Kristen Waggoner expressed her hope that "the US Supreme Court will consider the arguments in these briefs and declare that the government cannot



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force Jack to surrender his freedom in order to run his family business.” She added that “regardless of one’s view on marriage, all Americans should support Jack. To have First Amendment freedoms for ourselves, we must respect those same freedoms for people with whom we disagree on important issues.”



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