

Colorado cake baker back in court defending his religious freedom

DENVER (BP and local reports) – Southern Baptists’ Ethics and Religious Liberty Commission (ERLC) in Nashville is criticizing the most recent court ruling in cake artist Jack Phillips’ string of battles to defend the freedom to conduct business according to his Christian convictions.



Jones

Colorado District Court Judge A. Bruce Jones in Denver ruled on June 15 that Phillips and his Masterpiece Cakeshop in Lakewood broke the Colorado Anti-Discrimination Act (CADA) by denying attorney Autumn Scardina “goods and services because of her transgender status,” when Phillips declined to make a pink birthday cake with blue frosting to commemorate Scardina’s gender transition.

Phillips was fined \$500, which must be paid directly to Scardina.

It is the second time in recent years Phillips has been in court for refusing a request to create a cake because he believed the theme of the request would compromise his faith. The first case landed before the U.S. Supreme Court, which found in Phillips’ favor in 2018.



Leatherwood

“Americans of goodwill can recognize the difference between a sincere disagreement and absurd harassment,” said Brent Leatherwood, ERLC vice president of external affairs and chief of staff, in written comments to Baptist Press. “Jack Phillips’ free speech and free exercise rights were protected by the Supreme Court in a 7-2 ruling, and it is to the shame of some state authorities that he’s being forced back to court again.

“While we are rightly exasperated at this situation, we know that as Christians we cannot grow weary in doing good. We will patiently continue contending for a free public square where the government cannot coerce consciences because that is in the interest of all Americans, no matter what kind of cake they’d bake.”

The ERLC filed an amicus (friend of the court) brief with the U.S. Supreme Court in support of Phillips before the Supreme Court’s 2018 decision.

Jones also rejected arguments that CADA violates Phillips’ First Amendment rights of free speech and free exercise of religion. “Because CADA does not compel speech, but forbids discriminatory business practices, it does not punish [Phillips and Masterpiece] based on the content or viewpoint of their speech,” he wrote.

Masterpiece Cakeshop, in business since 1993, posts a disclaimer on its website: “Masterpiece Cakeshop will happily create custom cakes for anyone. But like many cake artists, Jack cannot create all custom cakes. He cannot create custom

cakes that express messages or celebrate events that conflict with his religious beliefs.”

Alliance Defending Freedom, the conservative Christian nonprofit legal group in Scottsdale, Az., that took on Philip’s earlier case, is defending Phillips in the latest case. No decision has been announced on whether Phillips will appeal Jones’ ruling.