



**Statement of ADF Senior Counsel Kristen Waggoner from media briefing, Feb. 16, 2017
regarding Washington Supreme Court decision
in *State of Washington v. Arlene's Flowers* and *Ingersoll v. Arlene's Flowers***

We are deeply disappointed with today's court decision. It's unbelievable to think that Barronelle Stutzman, a small business owner and creative professional who loves and respects everyone who walks through her shop's doors, stands to lose all that she owns – her retirement, her life savings, her home – simply for declining to create custom expression for one event that violated her conscience for a long-time friend and customer. All Americans should be free to peacefully live and act consistent with their convictions and faith without threat of government punishment.

Our government was formed to be freedom's greatest protector, not its greatest threat. But we are here today because the state of Washington and the ACLU have relentlessly gone after Barronelle's freedom and everything she owns.

Barronelle created custom floral arrangements for Rob dozens of times over the course of nearly 10 years. Many of those artistic arrangements were for his partner, Curt. One time, in all those years, she declined to create a specific message that conflicted with her deeply held beliefs about marriage. And Rob and Curt had no trouble obtaining wedding flowers from two other local floral design artists. The only damages they claim are \$8 in gas to go there instead.

This case is about crushing dissent. In a free America, people with differing beliefs must have room to coexist. It's wrong for the state to force any citizen to support a particular view about marriage or anything else against their will. Freedom of speech and religion aren't subject to the whim of a majority; they are constitutional guarantees.

Our nation has a long history of protecting the right to dissent, but simply because Barronelle disagrees with the state about marriage, the government and ACLU have put at risk everything she owns. This includes not only her business, but also her family's savings, retirement funds, and home. It's no wonder that so many people are rightly calling on President Trump to sign an executive order to protect our religious freedom. Because that freedom is clearly at risk for Barronelle and so many other Americans, and because no executive order can fix all of the threats to that freedom, we will ask the U.S. Supreme Court to hear this case and reverse this grave injustice.

No one would expect a Muslim journalist to write a piece for a religious journal that attacked Mohammed; no one would expect an Orthodox Jewish artist to create a mural for a religious customer that contradicted the Torah's teachings. Nor should Barronelle be forced to create custom expression celebrating a same-sex wedding.

We all have reason to fear a government that can ruin a 72-year-old grandmother for politely disagreeing with a friend. Tolerance is a two-way street. Otherwise, the government requires surrender, not nondiscrimination. And no one in America should be required to surrender their constitutional rights.