



Press Release
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Contact: Lacey McNiel, media@firstliberty.org
Direct: 972-941-4453

First Liberty Celebrates Supreme Court Decision Protecting Free Exercise Rights of Business Owners

Victory for Free Exercise should protect other business owners like First Liberty Institute clients Aaron and Melissa Klein

Plano, Texas—First Liberty Institute today issued a statement regarding the United States Supreme Court decision in *Masterpiece Cakeshop v. Colorado Civil Rights Commission*. In a 7-2 decision, the justices upheld the free exercise rights of Jack Phillips, a cakebaker in Colorado, to operate his business according to his beliefs.

“The Supreme Court today determined once again that the First Amendment prohibits the government from forcing Americans to violate their religious beliefs,” said Kelly Shackelford, President and CEO for First Liberty Institute. “No one in America should be forced by the government to choose between their faith and their livelihood. But that’s exactly what happened to our clients, bakers Aaron and Melissa Klein. The Kleins deserve the same protection from a hostile government given Jack Phillips.”

In 2013, the State of Oregon issued a crippling \$135,000 damages award against the Kleins—who have since been forced to close their family business because of the state’s action against them—because they declined to design and create a custom wedding cake for a same-sex wedding, which violates the Kleins’ sincerely religious convictions. In December the Oregon Court of Appeals rejected the Klein’s appeal. First Liberty Institute appealed that decision to the Supreme Court of Oregon in March.

Adam Gustafson of Boyden Gray & Associates, who with First Liberty filed the appeal on behalf of the Kleins added, “The Oregon Bureau of Labor and Industries (BOLI) decision against the Kleins was tainted by the same anti-religious bias that caused the U.S. Supreme Court to rule for Masterpiece Cakeshop on Free Exercise grounds. This anti-religious bias is evident in Commissioner Avakian’s Facebook post about the Kleins’ religious beliefs, the Commissioner’s decision to award damages for Aaron Klein’s quotation of Scripture, and the outrageous magnitude of the \$135,000 damage award.

“The U.S. Supreme Court did not reach the free-speech claim in *Masterpiece* because of uncertainty about whether the proprietor of Masterpiece Cakeshop declined to sell a custom cake or a pre-made cake. ‘If a baker refused to design a special cake with words or images celebrating the marriage . . . that might be different from a refusal to sell any cake at all.’ There is no dispute that the Kleins only sold custom cakes, so their case squarely presents the free-speech question that the Court avoided in *Masterpiece*.”

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About First Liberty Institute

[First Liberty Institute](#) is the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

To arrange an interview, contact Lacey McNiel at media@firstliberty.org or by calling 972-941-4453.