

Court to order that Christian photographer can refuse same-sex wedding work, law firm says

Dave Urbanski (<http://www.theblaze.com/author/dave-urbanski/>) Aug 3, 2017 3:02 pm



A Wisconsin court reportedly will issue an order declaring that Amy Lawson, a Christian photographer and blogger, can refuse to do work for same-sex weddings, pro-abortion groups and other individuals or groups promoting messages that conflict with her values because she doesn't have a storefront. (Image source: Alliance Defending Freedom)

A Wisconsin court will issue an order declaring that a Christian photographer and blogger can refuse to do work for same-sex weddings, pro-abortion groups and other individuals or groups promoting messages that conflict with her values because she doesn't have a storefront, law firm Alliance Defending Freedom said (http://adflegal.org/detailspages/press-release-details/huge-victory-for-photographer-other-wisconsin-creative-professionals?utm_content=buffer2odd6&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer).

Amy Lawson, who owns Amy Lynn Photography Studio in Madison, sued the city of Madison and state officials in March, ADF said.

"The court's announcement has important implications for everyone in Wisconsin who values artistic freedom," Alliance Defending Freedom Senior Counsel Jonathan Scruggs said. "It means that government officials must allow creative professionals without storefronts anywhere in the city and state the freedom to make their own decisions about which ideas they will use their artistic expression to

promote.

“The court found — and the city and state have now agreed — that such professionals cannot be punished under public accommodation laws for exercising their artistic freedom because those laws simply don’t apply to them,” Scruggs said. “No one should be threatened with punishment for having views that the government doesn’t favor.”

The court has not yet issued its order but is expected to do so in the coming weeks, ADF said.

Under public accommodation laws, Lawson and her photography studio are “required to create photographs and blog posts promoting pro-abortion groups and same-sex marriages if she creates content that promotes pro-life organizations or that celebrates the marriage of one man and one woman,” ADF [noted \(http://adflegal.org/detailspages/press-release-details/wis.-photographer-asking-court-to-shutter-enforcement-of-laws-allowing-govt-control-of-artistic-expression\)](http://adflegal.org/detailspages/press-release-details/wis.-photographer-asking-court-to-shutter-enforcement-of-laws-allowing-govt-control-of-artistic-expression). But the laws also prevent Lawson from stating that she “cannot promote pro-abortion organizations or same-sex marriage because of her religious, political, and artistic beliefs.”

Lawson used to have a statement on her studio’s website that said she doesn’t photograph same-sex weddings due to her religious beliefs, according to Lawson’s [verified complaint \(https://adflegal.blob.core.windows.net/web-content-dev/docs/default-source/documents/case-documents/amy-lynn-photography-studio-v.-city-of-madison/amy-lynn-photography-studio-v-city-of-madison---complaint.pdf?sfvrsn=4\)](https://adflegal.blob.core.windows.net/web-content-dev/docs/default-source/documents/case-documents/amy-lynn-photography-studio-v.-city-of-madison/amy-lynn-photography-studio-v-city-of-madison---complaint.pdf?sfvrsn=4).

But in late spring 2016, one of Lawson’s wedding clients told her she noticed the same-sex wedding statement on the website and told Lawson she no longer wanted her to photograph her wedding because she disagreed with Lawson’s views, the complaint continued.

Lawson told her client she didn’t want to her to promote a business she disagreed with and let her client cancel her contract without penalty — and even refunded her client’s deposit and sent her a wedding gift, the complaint added.

But later, Lawson grew concerned that her website statement may violate the law and took it down. Then while seeking legal advice, she could no longer accept job requests for weddings and organizations and still comply with the law, the complaint noted. Her subsequent lawsuit contended that Madison and state laws violate the Wisconsin Constitution’s guarantees of free speech, freedom of conscience, and equal protection — and challenged the city’s public accommodation law, ADF said.

“Amy is happy to take photographs of anyone; she simply objects to being forced to participate in events, or promote messages or causes, that she can’t support,” Scruggs said. “Photography and writing are quintessential examples of protected artistic expression and free speech.”

More from ADF:

Since 2006, Madison has investigated at least 11 alleged violations involving sexual orientation or political beliefs, and Wisconsin officials have investigated at least nine businesses accused of not complying with their respective laws based on sexual orientation. Violators of Madison's law are subject to fines of up to \$500 per day as well as liability for civil damages. Those who violate the state law are subject to severe fines of up to \$10,000 and business license suspension or revocation, as well as civil damages and punitive damages.

(H/T: [The Christian Post \(http://www.christianpost.com/news/wisconsin-cant-force-christian-photographer-to-work-gay-weddings-court-announces-194122/\)](http://www.christianpost.com/news/wisconsin-cant-force-christian-photographer-to-work-gay-weddings-court-announces-194122/))