



Written by [Dave Bohon](#) on August 6, 2017

Wis. Photographer Victorious Over Pro-Homosexual Discrimination Laws

A Wisconsin circuit judge has ruled that a Christian photographer in Madison cannot be forced to compromise her religious beliefs and photograph same-sex “weddings” as required by city and state anti-discrimination ordinances.

Amy Lawson, who owns a photography business in Madison, filed a lawsuit through the conservative public advocacy group Alliance defending Freedom (ADF) against the City of Madison and the Wisconsin Department of Workforce Development in March after a customer complained to her about a statement on her website stating that she would not photograph same-sex weddings.



Lawson said that same-sex “weddings” violated her Christian convictions that marriage is between one man and one woman, and photographing such ceremonies would infringe upon her right to control her individual artistic expression.

Lawson’s fear of legal or criminal action against her prompted her to delete the statement from her website and to refuse all wedding clients.

On August 1 Wisconsin’s Dane County Circuit Judge Richard Niseis agreed to sign an order conceding that city and state public accommodation laws cannot apply to Lawson and similar business owners who do not have a physical storefront.

ADF noted that under current Dane County and Wisconsin public accommodation laws, Lawson and her photography studio would have been 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.”

The laws also prohibit Lawson from stating that she “cannot promote pro-abortion organizations or same-sex marriage because of her religious, political, and artistic beliefs,” according to ADF.

ADF noted that since 2006 the city of Madison has investigated nearly a dozen “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.” Those found in violation of Madison’s non-discrimination ordinance “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.”

ADF Senior Counsel Jonathan Scruggs applauded the circuit court announcement, saying that it “has important implications for everyone in Wisconsin who values artistic freedom. It means that



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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.”

Scruggs noted that Niseis found, and the city and state have agreed, that, artistic professionals like Lawson “cannot be punished under public accommodation laws for exercising their artistic freedom because those laws simply don’t apply to them.” Scruggs added that “no one should be threatened with punishment for having views that the government doesn’t favor.”

Baptist Press News reported that ADF is still defending clients in two similar religious freedom cases in other states. In one, “the U.S. Supreme Court has agreed to hear the case of Jack Phillips of Masterpiece Bakeshop in Lakewood, Colo., who is fighting for the right to refuse to design cakes for same-sex weddings. The high court agreed in June to hear Phillips’ case after the Colorado Supreme Court refused to overturn a lower court ruling against the baker.”

ADF has requested the Supreme Court “to join Phillips’ case with that of a second client, Washington florist Barronelle Stutzman, since the issues in their cases are identical,” reported BP News. Stutzman, the owner of Arlene’s Flowers in Richland, Washington, “was found guilty of unlawful discrimination against a longtime customer and his partner when she refused to create floral arrangements for the couple’s homosexual commitment ceremony.”

In the Phillips’ case, a May 2014 ruling by the Colorado Civil Rights Commission had ordered the baker and his employees to create cakes for same-sex weddings, and required Phillips to “re-educate” his staff concerning Colorado’s Anti-Discrimination Act, along with filing quarterly compliance reports for two years.



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