

HOSTILITY TO RELIGION

The Growing Threat to Religious Liberty
in the United States



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Hostility to Religion: The Growing Threat to Religious Liberty in the United States

When the first edition of this report was released in July 2014, religious freedom violations across the United States were already significantly high. Since that date, the number of incidents has only increased. The first edition—spanning over a decade—contained 90 incidents. Yet 69 new incidents have been added in the short time since the last report. That is a 76 percent increase in just under three years. Moreover, Sections III and IV, documenting hostility to religious beliefs on natural marriage and human sexuality, contained 42 incidents in the report’s first edition. In the time since then, 48 new incidents have been added to these sections. Thus, the number of these religious freedom violations more than doubled in a 114 percent surge. While every section of the report shows an increase in the suppression of religious freedom, the changes in Sections III and IV show an even greater increase in the level of hostility to religious beliefs on the topic of sexuality. This trend was apparent in the first edition, and following the Supreme Court’s decision in *Obergefell v. Hodges* and other developments, is even clearer now. These numbers are also conservative estimates; some incidents contain more than one person or entity affected by the religious freedom violation, yet we only counted it as one incident. Thus, the actual figures are likely much higher. In a society like ours, we must be the guardians of our own freedom. Anyone who desires freedom in the future must take note of what these trends tell us about our freedom right now—relative to where we have come from—in order to protect freedom going forward.

Many of the first European settlers on American shores sought freedom from religious persecution. Decades later, the Founding Fathers considered religious liberty to be a paramount principle in the new United States. Religious liberty is our “first freedom,” not only because it is listed first in the Bill of Rights but because without it, all other freedoms are impossible: The Founders affirmed that allegiance to God precedes allegiance to the state, and that our rights come from our Creator, not the government. This is the essential assumption upon which our entire system of government has been built. Religious liberty was so important to the Framers of the new United States Constitution that they included it in the First Amendment: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...”

Fast forward over three hundred years, and hostility to religious expression in the public square is reaching levels unprecedented in the history of the United States. Since the first edition of this report came out about three years ago, the problems have only grown. Militant atheists and progressives continue to target long-existing crosses and historical markers of America’s religious heritage in public places. Teachers tell young school-children they can’t read their Bible in school. Private citizens and the government alike are attacking religious expression by other citizens. Whether it’s a media backlash to merely expressing a faith position on sexuality, or the use of nondiscrimination laws to punish religious business owners for their decisions, threats to free speech and free exercise are heating up both in the courts and the public square.

This publication contains a list of documented accounts of hostility toward faith in the United States today, broken down in the following four definable types of incidents – Section I: Suppression of Religious Expression in the Public Square; Section II: Suppression of Religious Expression in Schools and Universities; Section III: Censure of Religious Viewpoints Regarding Sexuality; and Section IV: Suppression of Religious Expression on Sexuality Using Nondiscrimination Laws.*

The report focuses heavily on incidents occurring in recent years; if the scope extended further back in time, the number of documented incidents would only grow. This report also emphasizes personal stories involving

* This report does not cover the many domestic religious freedom incidents that have occurred in the military context. For those, please see the Family Research Council report: “A Clear and Present Danger: The Threat to Religious Liberty in the Military, June 16, 2015 ed.,” <http://www.frc.org/clearpresentdanger>, and Volume II of the same report: <http://www.frc.org/clearpresentdanger2>.

religious hostility in order to draw attention to those impacted by the issue the most – some of these incidents are in the courts and others are not (and some documented incidents contain multiple impacted individuals; thus, the numbers of those affected are actually even higher). In addition, many other violations of religious freedom law have occurred over the years, but may not be mentioned here. Yet in spite of this report’s limited scope, the trends revealed by the incidents listed here are alarming enough. In some areas, particularly with regard to statements and positions on sexuality (many of which are documented in Sections III and IV), hostility toward religion has increased at an exponential rate. This trend should cause any freedom-loving individual to be truly alarmed.

Americans urgently need to be aware of the suppression of religion as documented in this report. These incidents should not just concern those whose rights are most immediately affected, for the principles underlying suppression of rights in this area will very quickly and easily lead to the restriction and suppression of free inquiry and critical thinking more broadly. All should be concerned that suppression of rights, particularly as outlined in Sections III and IV of this publication, is the product of more insidious forces which ultimately will erode liberties for all Americans, regardless of viewpoint or level of concern with these immediate issues.

As more Americans grow aware of this issue, we can focus our attention more effectively on the public debate and the state of the law. Liberty does not maintain itself, and in a democracy, many voices are constantly clamoring for desired protections and privileges to be enshrined in law. As we become more fully conscious of and engaged on the issue of hostility toward religion, we can more successfully defend civil liberties and restore religious liberty to its proper place in American society.

Section I: Attacks on Religious Expression in the Public Square

Attacks on the expression of religion in the “public square” of government and public property, land, and buildings are not recent. For many years, those opposed to crosses and monuments in public places have attempted to use the courts to have these displays declared unconstitutional, often under Establishment Clause grounds. However, zealous atheist groups increasingly have focused their hostility on private religious expression which is only very tenuously connected to government. They have continued to harass small towns and localities which merely maintain the traditions handed to them involving years of public prayer, displays of religious history on public buildings, or crosses on veterans’ memorials.

Often, not knowing any better and lacking proper counsel, localities capitulate to the demands of those hostile to any public expression of faith. However, capitulation is not necessary, as attorneys and advocates are ready to help. Following are documented incidents of hostility to religious expression in the public square.

Girl Barred from Singing “Kumbaya” Because It Was a “Religious” Song – August 2000*

Samantha Schulz, an eight-year-old girl from Port Charlotte, Fla., was barred from singing “Kumbaya” at a Boys & Girls Club talent show because the song included the words “Oh, Lord.” Bill Sadlo, the club’s Director of Operations, “worried parents would complain if children went home and said they heard a religious song at the nonsectarian camp.” He said, “[w]e don’t want to take the chance of a child offending another child’s religion.” Randy Bouck, the club’s local director, chimed in: “We just can’t allow any religious songs ... You have to check your religion at the door.” Samantha’s parents were livid at not being given notice that their daughter’s song would be barred. Her mother said, “I learned that song in Girl Scouts, not in church ... It’s a campfire song, for goodness’ sake.” Mr. Sadlo agreed the club should have notified the girl’s parents earlier that the song would not be allowed, and apologized to the family.¹

Church Investigated by IRS for “Political” Comments – November 2004

Just before the 2004 election, a former pastor of All Saints Church in Pasadena, Calif., delivered a sermon concerning the presidential candidates George W. Bush and John Kerry. He offered several positive comments about Kerry and criticized Bush, insinuating that Jesus would have disapproved of the Iraq war and some of his actions as president. After press coverage of the sermon, the Bush administration’s IRS began a tax inquiry on the church. In 2007, the IRS closed the matter, but wrote a final letter stating that the IRS still considered the sermon to be illegal.²

Catholic Organization Scrutinized by IRS for “Political” Speech – January 2005

Catholic Answers is a 501(c)(3) public charity that emphasizes lay apologetics and evangelism. In 2004, its president Karl Keating posted two letters online which questioned whether presidential candidate John Kerry should present himself for Holy Communion because of his support for abortion. On January 3, 2005, the IRS notified Catholic Answers that it was beginning an examination to determine whether Catholic Answers ran afoul of the prohibition on political intervention. Even though it found that the organization’s voter’s guides did not constitute political intervention, the IRS imposed Section excise taxes of \$101.93 relating to the expenditures by Catholic Answers for the two e-letters and required Keating to reimburse Catholic Answers \$831.41. Catholic Answers paid the excise taxes, but the IRS decided to rescind its assessment of the taxes and refund the money to Catholic Answers, plus interest, because the alleged political activity “was not willful and flagrant.” The organization was upset by the assessment of the excise taxes and believed they were improperly assessed, and likewise filed suit against the IRS in 2009. The court dismissed the lawsuit as moot since the IRS had issued a refund. When the appeals court upheld the district court’s dismissal Catholic Answers appealed to the United States Supreme Court, but the Court declined to consider the case.³

Seniors Banned from Singing Christmas Carols in Their Homes – December 2005*

Seniors living in facilities owned by the Housing Resource Development Corporation in Winter Park, Fla., were told they could not sing Christmas carols. Following an attorney's demand letter, the facility reversed its decision.⁴

Voluntary After-Prison Rehab Center Closed Because of Its Faith-Based Technique – May 2007*

The Bristol County, Mass. sheriff's department funded a rehabilitation program to help recently released prisoners deal with drug addiction and reintegrate into society. Americans United for Separation of Church and State threatened legal action against the county for funding a faith-based organization. The sheriff gave in to the pressure and expelled the group from the facility.⁵

ACLU Works to Stop Tourism Grant from Going to Christian Concert – November 2008*

Hernando County, Fla., makes grants available for events that will bring tourists into the county in order to spur economic development and promote the county as a tourist destination. The Tourist Development Council approved a grant for the Freedom Fest, a Christian music festival held on the Fourth of July weekend. Despite the secular purpose of the grant and the neutral manner in which it is granted, the American Civil Liberties Union (ACLU) complained about the funds going to a religious festival. In response to the complaints, the festival was forced to change its name from the "God and Country" festival to the "Family, Freedom, and Country" festival, and the grant had to be given directly to vendors instead of the organization promoting the festival. The ACLU still warned that any "overt religious overtones" at the event would cause "trouble" for the county.⁶

Freedom from Religion Foundation Threatens Technical Colleges in Wisconsin for Having Good Friday Holiday – January 2009*

The Freedom from Religion Foundation (FFRF) sent letters to technical colleges in Wisconsin claiming that having Good Friday as a holiday was unconstitutional. In 1996, FFRF won a lawsuit in federal court, invalidating a Wisconsin statute that closed public buildings on Good Friday. Several of the technical colleges indicated that they would eliminate their celebration of the holiday.⁷

All Christmas Displays Banned from Washington State Capitol Building after Complaint from Freedom from Religion Foundation – October 2009*

After receiving a complaint from FFRF, the state of Washington banned all holiday displays other than the "holiday tree" inside its capitol building.⁸

Freedom from Religion Foundation Attacks Mother Teresa Stamp – January 2010*

The United States Postal Service (USPS) honored Mother Teresa, a Noble Peace Prize recipient, with a memorial stamp for her humanitarian relief. FFRF criticized the stamp as a violation of USPS regulations by honoring a religious figure and called on its members to boycott the stamp and begin a letter-campaign to expose the "darker side" of Mother Teresa.⁹

Federal Reserve Board Demands Bank Remove Religious Christmas Decorations – December 2010*

An Oklahoma bank was forced to remove Bible verses from its website, crosses from teller stations, and buttons that carried a Christian Christmas message for a day after a visit from Federal Reserve employees. The Federal Reserve Board ruled that banks may not make any religious statement as doing so might discourage people from applying for loans. The Federal Reserve employees checking the bank to make sure it complied with regulations cited the religious material and demanded its removal. After the president of the bank challenged the Federal Reserve, the religious items were restored while the Federal Reserve made a more thorough investigation of the issue.¹⁰

Freedom from Religion Foundation Threatens Commissioner for Having a Cross and Nativity Scene in His Personal Office – December 2010*

The Freedom from Religion Foundation sent a letter to Dennis Lennox, a county drain commissioner, threatening a lawsuit if he would not remove a cross and Nativity scene from his personal office. FFRF claimed the display was a violation of the Establishment Clause. Lennox commented, "This is my private office in my private area, I'm not trying to force my faith down anybody's throat[;] I'm just saying I celebrate Christmas."¹¹ Lennox refused to take down his display.¹²

Obama Administration Tries to Keep Prayer off World War II Memorial – November 2011*

The Obama administration initially opposed the World War II Memorial Prayer Act of 2011, which would have put a copy of Franklin D. Roosevelt's D-Day prayer on the World War II Memorial in Washington, D.C. The administration claimed that, under the Commemorative Works Act, it is prohibited to put anything on a memorial that will hide part of it. Senator Rob Portman renewed efforts to have the prayer placed at the memorial in May of 2013, and in 2014 President Obama directed the Secretary of the Interior to add the prayer to the memorial.¹³

City Threatened for Renting Amphitheater to Christian Musician – April 2012*

A resident of Draper, Utah, threatened to sue the city if it did not cancel a Michael W. Smith concert because the city rented the city's amphitheater to the Christian musician and facilitated ticket sales through the city's website. The city refused to cancel the concert and noted that it treated the Michael W. Smith concert in the same manner that it treats all groups that desire to perform at the amphitheater.¹⁴

Atheist Group Bullies Santa Clara, Calif., to Remove Historical Marker – April 2012*

The Freedom from Religion Foundation demanded that Santa Clara, Calif., remove a granite cross from Memorial Cross Park. The Santa Clara Lions Club had donated the cross for the park as a historical marker to mark the location of a mission built in 1777. FFRF sued the city in April, 2016 and in January, 2017 they reached a settlement and the city took down the cross and donated it to a local university.¹⁵

Church Excluded from Public Grant Program Just Because It Is a Church – May 2012

Trinity Lutheran Church in Missouri has a child play area open to members of the community. When the state began offering public grants to refinish playground surfaces with recycled rubber tires (the purpose was to improve safety and reduce landfill waste), the church sought to participate in the program and improve the safety of its playground (it had a gravel surface). Despite otherwise meeting the requirements of the program, the church was disqualified solely because it was religious (the state cited a section of the state constitution that prohibits government aid to religion). Thus, in this case, an entity was excluded from the public square solely because it was religious. The church brought a lawsuit, and in June 2017 the Supreme Court ruled for the church on First Amendment grounds.¹⁶

Steakhouse Threatened for "Church Member Appreciation Day" – June 2012*

The Western Sizzlin' Steakhouse in Wiggins, Miss., developed promotional offers to attract customers. One such offer was the "church member appreciation day," during which church members could get a discount at the steakhouse. The Freedom from Religion Foundation threatened the steakhouse for offering this discount, asserting that this promotion violated the Civil Rights Act. The restaurant responded by stating that it would "discontinue including churches in [its] discount promotions and programs moving forward and will only offer them to other local businesses and companies that are not religious in nature."¹⁷

Government Bans Prayer at Homeless Shelter – July 2012*

The United Caring Shelter (UCS) in Evansville, Ill., allowed prayer before a free meal provided by the shelter. The prayers were open to all and were not mandatory. The U.S. Department of Agriculture, however, demanded that UCS stop the prayers or stop accepting federal assistance to feed the homeless. The UCS now permits only a moment of silence before meals.¹⁸

Seniors Threatened with Removal of Christmas Tree – December 2012

Senior citizens in Los Angeles, Calif., were threatened with the removal of a Christmas tree from the communal area of their assisted living apartment complex. Initially, the company running the complex planned to remove all religious holiday items from the apartment complex's communal areas. After residents strongly protested, the company reversed course and claimed it never intended to prohibit the celebration of the holidays, and that the planned removal of the Christmas tree was due to a misunderstanding.¹⁹

Atheist Group Demands Vietnam Veterans Memorial Be Removed – February 2013*

The Freedom from Religion Foundation sent a letter to Coos Bay, Ore., demanding that the city remove its Vietnam Veterans' Memorial because the memorial includes a cross. Since FFRF sent its letter, the cross has been vandalized and a bomb was placed on the cross near a playground. City officials, however, are not backing down and have refused to remove the cross.²⁰

Forest Service Sued for Having Jesus Statue on Federal Land – June 2013

In 1950, the Knights of Columbus placed a life-sized Jesus statue on U.S. Forest Service Land as a memorial to World War II soldiers. It now overlooks a ski mountain, and is a beloved attraction. When the Forest Service tried to take it down in 2011, they were forced to leave it up due to popular support for the statue. When the statue remained on federal property, the Freedom From Religion Foundation sued. In June 2013, a federal court held that the statue's historical significance and non-religious popularity with skiers outweighed any potential "promotion" of religion. The Ninth Circuit Court of Appeals upheld the ruling in 2015, stating that leaving the statue in place did not constitute a violation of the Establishment Clause. FFRF intended to appeal the ruling but missed its deadline; the statue will thus remain in place.²¹

Atheists Target Nativity Scene – December 2013

The Freedom from Religion Foundation (FFRF) wrote a letter to local officials in Chipley, Fla., and demanded that the city remove a nativity scene from the grounds surrounding its City Hall, alleging that the crèche represented a violation of the separation of church and state. Yet many locals supported the crèche's presence. Resident Anne Chenault said she enjoyed the nativity scene and that those who disliked it were not forced to embrace its sentiment. "We think it represents the majority of the beliefs of the people that live here," she said. Many Chipley residents showed up to a city council meeting to show their support for the crèche and to fight back against attempts to have it removed from the Chipley City Hall grounds.

A local reporter unwittingly put FFRF on notice of the crèche when he contacted the organization to learn if the nativity's presence is constitutional. He then published an apology, explaining that he had contacted the organization, among others, out of curiosity and did not intend to spark controversy over the nativity. The newspaper clarified that it did not desire the removal of the crèche. Council members have so far pledged to keep the nativity in place.²²

Football Coach Criticized for Hosting Devotionals and Bible Studies – April 2014

Before Dabo Swinney, the head coach of Clemson's football team, became nationally famous, he faced opposition from the Freedom From Religion Foundation. In April 2014, FFRF sent a letter to Clemson that complained, "Christian worship seems interwoven into Clemson's football program." More specifically, Swinney had invited a chaplain to conduct Bible studies with the team, conducted devotionals, and helped organize transportation to churches for his players. Even though all these meetings were always voluntary, FFRF demanded they stop, claiming they were unconstitutionally religious in nature. Swinney responded to the statement by making it clear that his standards for players have nothing to do with religion and he has recruited football players of many faiths. However, he feels compelled to live according to his faith and he refused to stop his activities. Clemson backed its football coach and did not capitulate to FFRF's demands.²³

Restaurant Threatened with Lawsuit for Giving “Prayer Discount” – August 2014

Mary’s Gourmet Diner in North Carolina gave a 15 percent discount to customers who prayed before their meal. When one pleasantly-surprised customer posted a picture of her receipt to Facebook, it drew attention from the Freedom From Religion Foundation. FFRF sent an open letter to the restaurant, claiming that a “discriminatory” discount based on religion violated the Civil Rights Act and was illegal. Rather than face a lawsuit, Mary’s Diner ceased to give the discount.²⁴ In a similar case, FFRF threatened to sue a pizza parlor in Arkansas that gave a discount to patrons that brought in a church bulletin, claiming that it also violated the Civil Rights Act.²⁵

Chaplains Removed from Florida High School Football Team – August 2014

Under the threat of litigation from the Freedom From Religion Foundation, Olympia High School informed the chaplain of their football team that he would no longer be allowed to serve as a chaplain unless he was called a “life coach” and didn’t use the Bible. Even though the chaplain was a volunteer and all his team prayers were voluntary, FFRF claimed having a chaplain was an illegal act by the school that granted a pastor a chance to “proselytize.”²⁶

School Board Prohibited from Praying Before Meetings – November 2014

The Freedom From Religion Foundation sued the school board in Chino Valley, Calif., because two Christian board members often made religious comments, read Bible verses, and offered prayers during meetings. In 2016, a district court judge held that this constituted an endorsement of religion in violation of the Establishment Clause, and ordered the school board to stop praying and “proselytizing.” In May, 2017, the school board appealed the ruling, arguing that the Supreme Court’s decision in *Greece v. Galloway*, which allowed prayer before public meetings, applies to school boards as well.²⁷

Western Michigan Community Forced to Remove Religious Symbols – January 2015

A small town in Western Michigan was required to remove a sign from a park that showed Psalm 19:1 and a 50-foot cross from a hillside in response to the protests of an atheist activist. Mitch Kahle is a life-long opponent of religion and he has argued repeatedly that the First Amendment bars government from promoting religion, even through public symbols. However, a county board eventually agreed to restore the sign if it included a placard that explained the history of the sign.²⁸

Federal Government Refuses to Accommodate Amish Workers – March 2015

After granting religious exemptions for years, the U.S. Department of Labor’s Mine Safety and Health Administration began requiring all employees at mining sites to wear hard hats. However, this conflicts with the rigid traditional Amish dress code and means that Amish miners in Pennsylvania have had to stop working (Amish are not allowed to wear anything other than customary black or straw hats). The rule affects Amish workers and impedes businesses who cannot hire Amish miners. Workers, stone businesses, and lawmakers have protested the rule but the Department of Labor has defended its statute on safety grounds.²⁹

Atheist Group Opposes College Basketball Programs with Unofficial Chaplains – March 2015

The Freedom From Religion Foundation sent letters to several colleges during March Madness, saying, “Public school athletic teams cannot appoint or employ a chaplain... because public schools may not advance or promote religion.” Major basketball programs such as the Universities of Kansas, Virginia, and Wichita State have chaplains that volunteer to spiritually mentor students and travel and pray with the teams. In response to FFRF, Alliance Defending Freedom responded and explained that the historic tradition of team chaplains is completely constitutional and has been repeatedly upheld by courts. No court, said ADF, “has ever said that public universities may not utilize chaplains for their athletic teams.” Senior Legal Counsel David Hacker added, “It’s shameful for groups like Freedom From Religion Foundation to attack chaplains, who provide student athletes who voluntarily choose to speak with them with positive support that builds character.”³⁰

Religious Mission to the Homeless Stymied by Regulations – April 2015

Joan Cheever runs a mission that serves meals to the homeless. She uses a food truck she calls the “Chow Train” to cook food and serve it to homeless individuals around San Antonio, Tex. Even though she has a

permit for the food truck, because she transported and served food from a different vehicle she was fined \$2,000. She appealed to Texas's Religious Freedom Restoration Act, saying the unreasonable regulations were preventing the exercise of her religious beliefs. Her case has come to the attention of the city council and other groups who feel the enforcement of city ordinances unfairly hurt the homeless population.³¹

Sheriff Protested for Giving Sermon in Uniform - April 2015

The Freedom From Religion Foundation sent a complaint letter to the sheriff of a Florida county for giving sermons in uniform at a local Baptist church. The sheriff, Grady Judd, was a guest pastor and gave a sermon in his police uniform about how faith in Jesus was the best way to reform criminals. FFRF said "Promoting your personal religion using your Polk County title and uniform gives the unfortunate impression that the county supports and endorses the First Baptist Church on the Mall and its religious teachings." Liberty Counsel offered to defend Judd, and Judd refused to stop preaching in uniform.³²

Police Officers Forced to Resign Over Prison Ministry - May 2015

Amanda Pettepher and David Bojczuk were both police officers in Georgia – Pettepher was a sergeant and Bojczuk was an investigator. Every third Thursday of the month they would go to the Bartow County Jail to read the Bible and pray with any inmates that wanted to. The Bartow County District Attorney worried that statements that the prisoners made to the officers might be considered inadmissible in court because they were made in confidence to "clergy." Even though Pettepher felt the clergy exception didn't apply to her and Bojczuk, they were informed by their superiors that they must give up their ministry or leave their jobs as police officers. Rather than give up their ministry, they chose to resign.³³

Atheist Group Pressures Policemen For "In God We Trust" Bumper Stickers - August 2015

Policemen in Illinois, Kentucky, North Carolina, Missouri, Texas, Florida, and several other states attempted to combat negativity about law enforcement by placing "In God We Trust" bumper stickers on their police vehicles. This drew the attention of the Freedom From Religion Foundation; even though the government has put "In God We Trust" on currency since the 19th century, FFRF contended it represented an unconstitutional endorsement of religion. However, law enforcement refused to back down. Florida's Bay County Sheriff Frank McKeithen said, "I'm not hiding from the fact that it's religious, and I'm not trying to make an excuse for the fact that it's religious." At his agency, he explained, "We still pray. We pray before we go to a horrible situation where we think someone could get hurt or killed." Texas's Lieutenant Governor Dan Paxton also released a formal opinion responding to the Foundation's complaint. "There is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life from at least 1789. A law enforcement department's decision to display the national motto on its vehicles is consistent with that history. Thus, a court is likely to conclude that a law enforcement department's display of 'In God We Trust' on its patrol vehicles is permissible under the Establishment Clause of the U.S. Constitution."³⁴

Indiana School District Ordered by Court to Stop Living Nativity Tradition - December 2015

The ACLU and the Freedom From Religion Foundation sued an Indiana school district, claiming that Concord High School's 45-year-old tradition of performing a living nativity for Christmas was an unconstitutional endorsement of religion. A federal judge preliminarily ruled against the school, and the school agreed to comply with the order by replacing live-actors with mannequins and removing much of the Christian imagery. In May 2017, the judge affirmed this ruling, calling the living nativity "an impermissible message" of state-endorsed religion.³⁵

Town Rallies after Atheist Group Forces Removal of 9/11 Sign - February 2016

The small town of Pittsburg, Kans. posted 1,500 "God Bless America" signs on lawns, car windows, and businesses after the Freedom From Religion Foundation forced the local post office to tear down its 9/11 banner that had stood for 14 years. U.S. Congresswoman Lynn Jenkins (R-Kans.) and U.S. Senator Jerry Moran (R-Kans.) both cheered the town's spirit. "It's outrageous that some would aim to divide a community over a banner that has been proudly displayed since September 11th," said Moran. "I commend the Pittsburg community for rejecting this decision, and I stand with them. The constitution guarantees... freedom of religion, not freedom from religion... Expressions of patriotism, faith, and community should be welcome in our society, and I have contacted USPS officials to express my concerns about their decision."³⁶

Atheist Group Pressures City to Remove Cross - May 2017

Neosho, Mo., has had a 60-foot cross in its public park since 1930. The Freedom From Religion Foundation wrote a letter to the city, pressuring it to remove the icon, stating, "A majority of federal courts have held displays of Latin crosses on public property to be an unconstitutional endorsement of religion." However, the mayor and the city council refused to take the cross down and the city residents have largely supported the decision on social media.³⁷

White House Nominee Opposed Solely Because of Religious Belief - June 2017

Russell Vought was President Donald Trump's nominee to be Deputy Director of the White House Office of Management and Budget. During Vought's confirmation hearing, he was asked by Senator Bernie Sanders about an article he wrote that said, "Muslims do not simply have a deficient theology. They do not know God because they have rejected Jesus Christ." The article was written in defense of Wheaton College's decision to fire a professor regarding her theological positions, and Vought simply expressed the orthodox position about the differences between Muslim and Christian theology. Regardless, Sanders grilled Vought in questioning, asking if these sentiments were "Islamophobic." Vought replied, "Absolutely not, Senator. I'm a Christian, and I believe in a Christian set of principles based on my faith." Senator Chris Van Hollen also lectured Vought on his beliefs, implying that his faith would be more acceptable if it was more universal. Even though Article VI of the Constitution precludes religious tests for candidates for public office, both senators appear to be engaging in such a test here.³⁸

Section II: Attacks on Religious Expression in Schools and Universities

Religious expression in our public schools has been a source of conflict and controversy for some time. Unfortunately, student rights and the rights of school employees are often restricted due to unwarranted Establishment Clause concerns. Some of the same atheist groups opposed to religious expression in the public square have also targeted our schools, and by extension, our children. Local communities across the nation have, historically, successfully determined how their children are to be educated – as parents, their children, and local administrators and teachers come together and participate in a microcosm of democracy. Yet outside groups hostile to faith often interject themselves to these local communities, threatening legal action if the communities do not capitulate to their demands. As is often the case in other situations, local governments do not know better, lack proper counsel, and therefore give in to these groups' wishes. However, capitulation within the academic arena is not necessary. Attorneys and advocates are ready to help these communities protect religious expression in their schools and educate their children as they see fit. Following are documented incidents of hostility to religious expression in our schools.

Elementary Student Told She Cannot Read Religious Book as Her Favorite Book about Christmas Traditions - December 2001*

A second-grade teacher at Northwest Elementary School in Massachusetts, as part of a class project, asked students to bring books to class about their Christmas traditions. Laura Greska, a second-grader, brought a book called *The First Christmas*, but her teacher stopped her from reading it because it was religious. A lawsuit was filed against the school district for violating Laura's First Amendment rights, and in the face of litigation the school agreed to change its policy.³⁹

Students Told They May Paint Panels at the School So Long As None Reference God or Jesus - May 2002*

When students at the Boca Raton School District in Florida were permitted to paint panels around the high school, members of the Fellowship of Christian Athletes were told that they could not paint messages with references to God or Jesus. The members and their parents filed a lawsuit against the school to stop the discrimination.⁴⁰

Muslim Student Suspended for Wearing Head Covering - October 2003*

Nashala Hearn, an eleven-year-old Muslim girl in the Muskogee Public School District, was suspended twice for wearing a head covering, since the school district's dress code did not allow "hats, caps, bandannas, plastic caps, and hoods on jackets." After a lawsuit was filed criticizing the dress code as unconstitutional, the school district changed the code to allow for religious exceptions.⁴¹

Student Threatened with Suspension for Posting Flyers of the Ten Commandments - June 2004*

High school junior Jason Farr wanted to see the Ten Commandments posted in his school and other schools in his district. So he posted flyers of the Ten Commandments, which resulted in a threat of a five-day suspension. Additionally, Farr was informed that the Bible was not suitable material for the silent reading period, despite the fact that it fulfilled the school's page and genre requirements for reading material.⁴²

Middle School Students Stopped from Praying at the Flagpole - October 2005*

Three students at a middle school in Barnegat, N.J., met at the flagpole and started to pray. A school administrator stopped the students, telling them that they could not participate in "See You at the Pole," that their prayers were creating a "disturbance," and they must stop mixing school and religion. Upon being threatened with a lawsuit, the school reversed its decision and allowed a "do-over" prayer meeting.⁴³

High School Cancels “Diversity Day” Instead of Including Christians – March 2006*

The Viroqua High School planned a “diversity day” in order to showcase the viewpoints of various religious groups, sexual orientations, and nationalities, but stated that Christian groups and former homosexuals would be excluded. After a legal organization intervened on behalf of the excluded groups, the school district cancelled the event entirely rather than include them.⁴⁴

University Denies Funding to Student Group That is “Too Religious” – September 2006*

The University of Wisconsin-Madison Roman Catholic Foundation was denied funds from the student activity fee funding on the grounds that the organization was “too religious.” The Foundation appealed to the Student Judiciary. The Freedom from Religion Foundation pressured the Student Judiciary to withhold funding, but the Student Judiciary reversed the university’s decision and granted the funding.⁴⁵

Student Penalized for Mentioning Jesus in a Christmas Poem – December 2008*

An eleven-year-old student in Hattiesburg, Miss., was penalized for mentioning Jesus in a Christmas poetry assignment. His teacher asked him to submit a rewrite of the poem. Upon being overruled by the principal, the teacher then refused to display the students’ poems as promised.⁴⁶

Principal and Athletic Director Criminally Charged for Praying over a Meal – January 2009*

Principal Frank Lay and Athletic Director Robert Freeman were charged with criminal contempt because they prayed over a meal. The ACLU had received an injunction prohibiting school employees from promoting religion at school events. Lay and Freeman were found not guilty of violating the injunction.⁴⁷

Oregon School Bans Christmas Trees, Santa Claus, and Dreidels – December 2009*

An elementary school in Ashland, Ore., banned Christmas trees, Santa Claus figures, and dreidels following a complaint from a parent. The school decided that the only acceptable decorations are wreaths, snowflakes, snowmen, candles, and candy canes. The school’s Christmas tree, which had no religious decorations, was replaced with a large snowman.⁴⁸

Virginia School Bans Students from Posting the Ten Commandments on Their Lockers – February 2011*

The Floyd County High School administration banned students from posting religious material in the school. This censorship resulted when students who are members of the Fellowship of Christian Athletes placed copies of the Ten Commandments on the fronts of their lockers. The administration removed these copies of the Ten Commandments from each locker that displayed them.⁴⁹

High School Class President Threatened with Arrest for Praying at Graduation – May 2011*

The class president of Hampton High School in Hampton, Tenn., wanted to pray at her graduation. The principal of the school, however, said that any students who attempt to pray would be stopped, escorted from the building by police, and arrested. After receiving a demand letter, the school reversed its policy.⁵⁰

In a similar case, parents sued Medina Valley High School in Texas for including “invocations” and “benedictions” and prayers in their graduation ceremonies, and a federal court ruled that anyone who prayed at the school’s graduation events could be sent to jail. Valedictorian Angela Hildenbrand, who was intending to pray in her speech to her classmates, filed an emergency motion for intervention. In June, 2011, the Fifth Circuit Court of Appeals overturned the lower court ruling and allowed Hildenbrand to freely express her religion in her graduation speech.⁵¹

Residents and Teachers Prohibited from Praying at School Flagpole – November 2011*

Freedom from Religion Foundation complained to a Jacksonville, Fla., school about privately-organized, weekly prayers around its flagpole before school begins. Even though the prayers had occurred for the previous twelve years, the county school board requested the prayers stop. When the prayers continued, the school district’s attorney said it would use whatever legal means necessary to remove Ron Baker, the minister leading the prayers, from the grounds. The school district only stopped its action against the prayers after Mr. Baker promised to only lead prayers off school grounds.⁵²

Group Demands School Band Stop Playing “God Bless America” – August 2012*

The Freedom from Religion Foundation demanded that the Wayland High School band in Wayland, Mass., stop playing “God Bless America” on Pearl Harbor Day and Memorial Day. FFRF’s letter to the school stated that playing “God Bless America” on a repetitive basis “sends a message to students that the school is endorsing and compelling belief in a god.” The school did not acquiesce to the group’s demands.⁵³

Atheist Group Threatens School for Teaching Two Songs that Mention God in Music Class – August 2012*

The Freedom from Religion Foundation threatened the Shenendehowa Central Schools of Clifton Park, N.Y., because the school district’s music class includes two songs that mention God in their lyrics. The school district refused to change its curriculum, noting that the songs “were used appropriately to teach specific musical concepts, and as the basis for secular classroom activities.” FFRF did not follow through on its threats against the school district.⁵⁴

Oklahoma School Bullied into Replacing Christmas Songs with “Secular Winter-Themed Songs” – December 2012*

The Freedom from Religion Foundation threatened Sulphur Elementary School in Sulphur, Okla., for including Christmas songs referencing the historical reason for Christmas in the school’s December play. FFRF claimed that references to “a baby boy” as the “reason for the season” are “divisive” and the Christmas songs should be replaced with generic “secular winter-themed songs.” The school submitted to FFRF’s demand.⁵⁵

Atheist Opposition to “Merry Christmas, Charlie Brown” Cancels School Field Trip – December 2012

Students in Little Rock, Ark., were planning to take a field trip to Agape Church to see *Merry Christmas, Charlie Brown*, a stage adaptation of the classic *A Charlie Brown Christmas*. The school made the trip optional, and explained it “wanted to provide a cultural opportunity to the students through a holiday production.” Nevertheless, one parent complained to the Arkansas Society of Freethinkers, which took issue with the students being exposed to religious themes on a field trip. After this controversy arose, the pastor of Agape Church cancelled the showing for the students.⁵⁶

EEOC Investigates Firing of Teacher for Giving a Bible to a Student – January 2013*

Walt Tutka, a substitute teacher in New Jersey, was fired by the Phillipsburg School District for handing a Bible to a student who asked for one. When the student was the last to enter through a door, Mr. Tutka said, “The first shall be last, and the last shall be first.” The student repeatedly inquired about the origin of the phrase. Eventually, Mr. Tutka found the quote in a pocket New Testament and showed it to the student. The student then commented that he did not own a Bible, so Mr. Tutka offered the pocket Bible to the student. The school district then fired Mr. Tutka. With help from First Liberty Institute, Mr. Tutka filed a charge of discrimination against the school district with the U.S. Equal Employment Opportunity Commission (EEOC). Without conducting the required review, the EEOC dismissed Mr. Tutka’s complaint. After First Liberty Institute pressured the EEOC to perform the required investigation and discovered evidence that the school district fired Mr. Tutka because of his membership in The Gideons International, the EEOC reopened its investigation and requested that Mr. Tutka and the school district enter mediation.⁵⁷

School Bans Teachers from Mentioning Religion in Personal Biographies - January 2013*

The Jackson-Madison County School District in Jackson, Tenn., asked its teachers for biographical information for the district's website. As would be expected in a diverse selection of teachers, some of the teachers found religion important to their lives and incorporated this into their biographies. The Freedom from Religion Foundation accused these teachers of "push[ing] religion on a captive audience" and demanded that the "religious messages be scrubbed" from the biographies. The school district responded by requiring all teachers to remove any religious elements from their personal biographies.⁵⁸

Pennsylvania School District Denies Equal Access to Religious Club - February 2013*

When the Good News Club, a Christian student club, wanted to start an after-school program at Foose Elementary School in Harrisburg, Pa., the school responded that the club would have to pay a \$1,200 annual fee to use the school's facilities because the club is religious. Other nonprofit organizations are granted free use of the school facilities after school. The Good News Club filed a lawsuit against the school district, asking to be treated fairly.⁵⁹

Florida College Student Suspended for Refusing to "Stomp on Jesus" - March 2013*

A professor at Florida Atlantic University required the students in his class to write "Jesus" on a piece of paper and then stomp on the paper. Ryan Rotela, a Mormon student in the class, refused to stomp on the paper because of his religious beliefs. Rotela then reported the incident to university officials. Instead of protecting Rotela's religious freedom, however, the university officials brought academic charges against Rotela and suspended him. Following a legal demand from First Liberty Institute, the university reversed its decision, apologized to Rotela, expunged the academic charges, and agreed to allow him to take the class from a different professor.⁶⁰

Valedictorian Silenced during Speech for Sharing His Faith - June 2013*

Remington Reimer, valedictorian of Joshua High School in Joshua, Tex., planned to give his valedictorian address and, upon graduation, attend the U.S. Naval Academy. Texas law prohibits schools from editing valedictorian addresses, but as soon as Reimer began to speak about liberty and his faith, school officials cut his microphone. Furthermore, the principal of Joshua High School threatened to send a letter to the U.S. Naval Academy to ruin Reimer's reputation in retaliation for Reimer's speaking about his faith. Following a demand letter from First Liberty Institute, school officials apologized to Reimer and provided assurances that no further discrimination against student religious speech will occur in the future.⁶¹

College Student Ordered to Hide Cross Necklace - June 2013*

Audrey Jarvis, a student at Sonoma State University, was working at a student orientation fair when her supervisor told her to hide her cross necklace because it "might offend others" and "might make incoming students feel unwelcome." Jarvis, a devout Catholic, was so upset by the incident that she left the student fair. First Liberty Institute assisted Ms. Jarvis in seeking a religious accommodation from Sonoma State University, and the university is now investigating the religious discrimination. They eventually issued a formal apology.⁶²

School Bans Religious Christmas Carols, Even without the Words - November 2013

A band director at a South Carolina public charter school recently prohibited students from performing "Joy to the World" and "O Come All Ye Faithful." The carols were banned, even though the words to the songs were not going to be sung. The school claimed it received a communique from the ACLU or "another group" after the students began rehearsing, and the school responded by banning the songs. Yet the students had chosen these songs, and contrary to the school's belief, it did not have to play songs from other religions in order to comply with the Constitution. Alliance Defending Freedom sent a letter to the school informing the school that the songs were constitutional.⁶³ After receiving the letter, the school removed its ban on the music.⁶⁴

Kindergartner Told by Teacher to Stop Praying during School Lunch Time – March 2014

At Carillon Elementary School in Oviedo, Fla., when Marcos Perez's daughter bowed her head to pray, a teacher interrupted her and said, "You're not allowed to do that." The five-year-old looked surprised and responded, "But it's good to pray" – to which the teacher replied, "It's not good." The little girl tried to pray again but was stopped. When she got home and explained what happened, Marcos and his wife were furious. "My five-year-old should not feel conflicted about prayer with respect to trying to follow rules or authority. We remain speechless that our daughter had to experience [that] from an individual with an agenda." They contacted the school, demanding to know why their five-year-old would be prohibiting from exercising her religious rights. The principal promised to investigate, but when she quizzed school employees, no teacher remembered the incident. Either way, she assured the Perez parents that she took the matter seriously. "Please know that students are permitted to pray during school. I will remind all staff members of this." A spokesman at Florida's Seminole County Public Schools echoed the policy, which allows prayer as long as it isn't disruptive.⁶⁵

Controversy over Alumni Plaque that Mentions God – March 2014

Dr. Michael McCracken and his wife, alumni of Purdue and donors to the university, were initially denied a request to include a mention of God on a plaque in their name in a newly-renovated building. Neither side wanted a legal dispute however, and with counsel from First Liberty Institute Dr. McCracken was allowed to include the reference to God on the plaque as long as a secondary plaque was included that expressed that the statement was not the speech of Purdue.⁶⁶

Student Told to Stop Bringing Bible to School for Reading Time – April 2014

In Cypress, Tex., parents were furious to hear that a teacher told their second-grader to stop bringing her Bible to school for the class's silent reading time. The teacher apparently informed the young female student that the Bible is "inappropriate reading material" and that she should not bring it back to school again. The girl's parents, who were afraid to go public with the story, turned to First Liberty Institute for help. When its attorneys raised the concerns with school officials, a school spokesman released a statement distancing itself from the teacher's intolerance and explained that students can read any book as long as it is deemed appropriate by the school. "As such, religious material, including the Bible, that meets these guidelines would be permissible for a classroom assignment and/or independent reading."⁶⁷

Wrestling Team Harassed for Wearing T-Shirts with Bible Verses – April 2014

The Freedom from Religion Foundation targeted a West Virginia wrestling team for posting a Bible verse on the school's athletic page, and for wearing t-shirts (paid for by the students) with a Bible verse printed on them. The verse, "I can do all things through Him that strengthens me," has been the team's motto for months. Now, fearing an expensive and time-consuming lawsuit, the local superintendent is ordering the high school to delete Philippians 4:13 from the website. While the wrestlers complied with this request, they draw the line at the shirts they had made for the team. "It's not part of the official uniform," said an attorney representing one of the kids. "If a student athlete doesn't want to wear that shirt, they don't have to. It's not a requirement." And these students are willing to go to court to prove it. "It's frustrating for the parents," said lawyer Bill Merriman, "because they see a lot of other t-shirts being worn by students that are certainly not religious – but they are offensive. Nobody is saying they can't wear those shirts." The school eventually took down the verse and no longer endorsed it as a motto.⁶⁸

Teacher Confiscates Student's Bible during Reading Time – April 2014

In Broward County, Fla., teacher Swornia Thomas ordered one of her fifth graders – Giovanni Rubeo – to hand over his Bible that he was reading during the class's free reading time. Giovanni asked Swornia to call his parents, which she did. In a voicemail left for Giovanni's father Rubeo, she said, "I noticed that he [Giovanni] has a book – a religious book – in the classroom. He's not permitted to read those books in my classroom." Rubeo subsequently contacted the school's principal, Orinthia Dias, who brought in the school's legal department. But none of them were willing to acknowledge that Giovanni has a constitutional right to read the Bible. Facing a hostile school administration, Rubeo sought assistance from attorneys at First Liberty Institute.

As First Liberty Institute pointed out to the school, students are well within their rights to read Scripture. “Banning religious books like the Bible violates Giovanni’s civil rights to religious free speech and free exercise,” said Hiram Sasser, First Liberty Institute Director of Litigation. “The school’s actions exemplify the hostility to religion that the U.S. Supreme Court has condemned.” Faced with a lawsuit from the child’s parents, Broward County reconsidered. In a victory for religious liberty and common sense, school district officials say they will “allow the Bible as part of the Accelerated Reader Program.”⁶⁹

Universities Target Christian Groups on Campus – June 2014

Bowdoin College, along with the California State University public system, sought to exclude evangelical groups from official university recognition starting in the Fall 2014 semester. The university employed nondiscrimination rules to say that any student must be allowed to be a leader of any student group, no matter his or her religious beliefs. The Bowdoin Christian Fellowship (BCF) does not agree. “It would compromise our ability to be who we are as Christians if we can’t hold our leaders to some sort of doctrinal standard,” Bowdoin graduate and former leader of BCF Zackary Suhr told *The New York Times*. Groups like BCF view such university policies as encroachments on their religious liberty and are refusing to agree to such policies. If these groups lose official university recognition, they are denied access to the university’s name, facilities, money, and other important benefits.⁷⁰ Moreover, other colleges have employed nondiscrimination laws similarly. A handful of Christian student groups were forced to leave campus when Vanderbilt University enforced their nondiscrimination policy in a similar manner.⁷¹

Christian College Group Barred from State University – July 2014

InterVarsity Christian Fellowship is the largest campus ministry in America, but has faced hostility at public colleges because of their requirements that student leaders be Christians. Over 40 colleges have opposed the student group, most notably California State University. In 2012, Cal State changed their policy to require student groups to allow all people to potentially become leaders. This meant that InterVarsity could not have a religious requirement for leadership and that their 19 chapters on Cal State’s 23 campuses could not use university spaces. In 2014, the policy change took effect for the student group and they were removed from the campus. Even though exceptions were granted to sororities and fraternities, no exception was given to InterVarsity. However, in June 2015, after some negotiation, Cal State agreed to reinstate InterVarsity Christian Fellowship on their campuses as a recognized student group.⁷²

High School Censors Graduation Speech Thanking God – July 2014

Brooks Hamby attempted to thank Jesus in his salutatorian address upon his graduation from Brawley Union High School in California. The school district eliminated every mention of God from all three drafts of his speech that he submitted, claiming that it would violate the Establishment Clause. Yet Hamby ignored the school and proclaimed his faith, exclaiming “[m]ay the God of the Bible bless each and every one of you every day in the rest of your lives.” In response, the school hired a law firm to write a letter to Hamby defending the censorship and informing him that his speech was illegal. First Liberty Institute now represents Hamby and is attempting to secure the rights of students to mention God in school speeches.⁷³

Student Suspended for Saying “Bless You” in School – August 2014

Kendra Turner of Dyer County High School claims to have been suspended because she said “bless you” after a classmate sneezed. Her teacher admitted that “bless you” was one of several banned expressions that were posted on the whiteboard, although school administration claims Kendra was removed from class for being disruptive. Kendra and some of her student friends, on the other hand, recall the teacher objecting to Kendra’s outburst by saying there would be no “godly” speaking in class.⁷⁴

School Repeatedly Denies Religious Student Group Right to Meet on Campus – October 2014

In 2013, Ward Melville High School in New York denied Students United in Faith (SUIF) – a student religious club – the right to meet on campus. First Liberty Institute and McDermott, Will & Emery wrote to the school and they reversed their decision, but the next year they denied SUIF access to the school again. In response to threats of further legal action, the school avoided a federal lawsuit by recognizing the student group.⁷⁵ In a similar case in November 2014, Wantagh High school denied recognition to student Liz Loverde and her

Christian club “Dare to Believe” that seeks to minister to high school students facing anxiety and depression. However, First Liberty Institute quickly convinced the school to allow Dare to Believe to advertise and use space at the school.⁷⁶

Football Coach Placed on Leave for Postgame Prayers – September 2015

Joe Kennedy was a beloved football coach at Bremerton High School in Washington who had a tradition of praying on the 50-yard-line after every game. In September 2015, the coach was told by the superintendent that he must stop praying after games. Even after the involvement of First Liberty Institute, the coach was told he couldn’t even bow his head privately as a coach of the team. He was suspended in October 2015 after Kennedy refused to comply with the directive. He filed a religious discrimination claim with the Equal Opportunity Employment Commission, and First Liberty Institute filed a lawsuit against the school.⁷⁷

Christian Acapella Group Only Allowed to Sing Secular Christmas Songs – December 2015

The student government at James Madison University invited Into Hymn, a Christian acapella group, to sing at the lighting of the “unity tree” (JMU’s name for the Christmas tree in its quad). The group had prepared an arrangement of “Mary Did You Know?” but were told they couldn’t perform the song because it was sectarian. Instead, they were given a list of secular songs to potentially choose from. Rather than perform a secular song, Into Hymn chose to not perform at the event.⁷⁸

Atheist Group Sues Public School for Offering Elective on the Bible – April 2017

Mercer County, W.Va., has offered an elective class on the Bible in its public schools for decades, but in January 2017 the Freedom From Religion Foundation sued the school district for violating the Establishment clause. Even though the class is completely voluntary, the lawsuit was prompted by a parent who withdrew her child from school because of the class. The case is ongoing in federal court, but in the meantime, the school district has cancelled the class. The school district is reviewing its curriculum with input from teachers, religious leaders, and lawyers to ensure it complies with the Constitution and guidelines from the U.S. Department of Education.⁷⁹

Student Bible Club Shut Down by School District – May 2017

Students at an elementary school in Bartlett, Tenn., met to study the Bible before school. The group was led by a teacher outside of school hours. When the Freedom From Religion Foundation learned of the meeting, it sent a letter to the school claiming the activity was unconstitutional. The letter asserted, “The Establishment Clause prohibits religious clubs because elementary students are too young to truly run a club entirely on their own initiative with no input from school staff or outside adults, and school employees may not organize a religious club for students.” Even though the courts have consistently held that it is lawful for religious student clubs to meet in schools, the school shut down the group, claiming it needed an “outside sponsor.” Religious freedom groups have written to the Bartlett school district, defending the right of students to meet.⁸⁰

Student Censored for Praying to “Heavenly Father” in Speech – June 2017

In another case of school censorship, student Moriah Bridges intended to pray during her graduation speech and ask her “Lord” and “Heavenly Father” for mercy and goodness in the lives of the graduates of Beaver High School. On May 31, the school district informed her that her comments would not be allowed because prayers and invocations that excluded other religions were unconstitutional. The school said Moriah’s remarks violated federal law despite the protections of the Constitution and the policy of the U.S. Department of Education which states that graduation speakers have a right to express their religious views. Moriah chose to abide by the school’s instructions, but contacted First Liberty Institute and is seeking to meet with the school to discuss the incident. “The last lesson this school district taught its students is that they should hide their religious beliefs from public view,” an attorney from First Liberty Institute said. “That fails the test of the First Amendment.”⁸¹

Section III: Censure of Religious Viewpoints Regarding Sexuality

In one of the more alarming and fastest growing trends demonstrating an increase in hostility to religious expression, private citizens and groups are finding themselves subject to increasing public censure and hostility simply for making a statement or taking a public stance on sexuality in accord with their religious convictions.

Many Americans of different faiths simply cannot approve of a willful embrace of sexual practices contrary to their religious teachings and conscience – whether it be homosexuality or another sexual practice. They do not want to be forced to do so by law, and have a right to not be forced into such situations. This is a matter of serious conviction, conscience, and deeply held religious beliefs, and affects the ability to speak freely and the freedom to live and act according to one’s beliefs. Yet many are ridiculed and shamed in the court of public opinion for simply holding these religious convictions. Indeed, individuals have not even had to make a public statement to be subject to such hatred; a simple donation to a political group is enough to draw hostility for their “unacceptable” viewpoint.

While much of this censure occurs in the private sector (media, entertainment, and business worlds) and is thus outside the realm of government action (and the protection of the First Amendment), the two are not wholly unrelated. For law follows culture, and if civil discourse and public debate devolve to the point where opposing (and religious) views are no longer heard or even tolerated, court decisions and laws will not be long behind. Due to rapidly growing hostility to religious viewpoints regarding marriage and sexuality, many of these incidents have occurred quite recently. The following are documented incidents of this type of hostility.

Father Jailed for Asking to Exempt 5-Year-Old Son from Pro-LGBT Curriculum – April 2005

David Parker of Lexington, Mass., learned that his 5-year-old son had been given a book that depicted same-sex couples raising children. During a meeting with school administrators, he refused to leave the premises until he was assured that he would be notified when “adult” themes were mentioned in school and that he could exempt his son from such topics as he chose. When the school refused, he was arrested and spent one night in jail, and continued to face opposition from the school. Parker’s wife said that, as Christians, they didn’t hate those who identify as homosexual: “We’re not intolerant. We love all people. That is part of our faith.” They simply wanted control over how the subject was treated with their child.⁸²

Ohio Library Prohibits Christian Group from Meeting to Discuss Natural Marriage Unless Advocates of Same-Sex Marriage Also Present – May 2005*

A Christian group requested access to a community room in the Newton Falls Library in Youngstown, Ohio, for a meeting about the biblical perspective of natural marriage. The library director denied the request because the library’s policy required that any time a “controversial subject” was discussed, the opposing viewpoint must also be presented. The policy was revised only after a lawsuit was filed.⁸³

Employee Fired after Column on Homosexuality – February 2006

In 2005, Matt Barber was fired by Allstate Insurance Company for allegedly using a company laptop to write a column against homosexuality (which violated Allstate’s “diversity” standards). Barber sued Allstate and ultimately settled the case. Barber is now a popular conservative writer and is associate dean of the Liberty University School of Law, as well as vice president of Liberty Counsel Action.⁸⁴

Employee Fired for Religious and Political Message Written on His Car – October 2006*

Luis Padilla, a Cargill Foods employee, was fired over the display of a sign on his private vehicle. The sign said, “Please vote for marriage on Nov. 7.” The statement reflected the employee’s religious conviction that marriage should remain a union of one man and one woman. The company requested that Mr. Padilla remove the sign, and he did. Mr. Padilla restored the message before returning to work the next day. In an attempt to

avoid further conflict with his employers, he even parked on what he believed to be a public street, but it was in fact also company property. Cargill subsequently fired Mr. Padilla, and a statement from the company's attorney said he was dismissed because of insubordination, for ignoring orders to remove a sign that could be "reasonably construed as a show of hostility and intolerance toward homosexuals." After others spoke out on his behalf, and after he met with Cargill management, the company restored his employment with full back pay and benefits, and said the incident would be erased from Mr. Padilla's employment record.⁸⁵

San Diego Firefighters Forced to Participate in Gay Pride Parade – July 2007*

San Diego, Calif., hosted a "Gay Pride Parade" and demanded that its firefighters participate in their official capacities or face retaliation. Four of those firefighters were Christians who objected to attending the parade because of their religious beliefs. The city threatened the firefighters with disciplinary action if they refused to participate. During the parade, the firefighters were subject to verbal abuse and sexual gestures. The firefighters sued the city and were awarded approximately \$30,000.⁸⁶

Pageant Contestant Ridiculed for Views on Marriage – May 2009

Carrie Prejean, Miss California USA, was ambushed by pageant judge Perez Hilton during the final round of the contest. Hilton asked Prejean for her opinion of same-sex marriage. Her respectful and historically acceptable response, in which she stated, "I believe that marriage should be between a man and a woman, no offense to anybody out there, but that's how I was raised and I believe that it should be between a man and a woman," was considered so outrageous that the evangelical Christian contestant was widely mocked and ridiculed.⁸⁷

Prop 8 Supporters Retaliated Against – October 2009

Donor laws in California mandate that people who donate \$100 or more in support of or in opposition to certain ballot measures must release some of their personal information. As a result, hundreds of Prop 8 supporters were targeted. Indeed, "[p]ublicly available sources, including evidence submitted in a federal lawsuit in California, show that expressions of support for Prop 8 have generated a range of hostilities and harms that includes harassment, intimidation, vandalism, racial scapegoating, blacklisting, loss of employment, economic hardships, angry protests, violence, at least one death threat, and gross expressions of anti-religious bigotry." Some opponents published a "Dishonor Role" on a website called "Californians Against Hate" of those who supported the proposition.⁸⁸

Minister's Invitation to National Prayer Luncheon Revoked because of His Comments on Homosexuality in the Military – February 2010*

An ordained minister and Marine Corps veteran was punished for speaking out on a topic unrelated to his planned comments at the National Prayer Luncheon at Andrews Air Force Base outside of Washington, D.C. The minister criticized President Obama's call to end the military's "don't ask, don't tell" policy, resulting in his invitation to speak at the National Prayer Luncheon being rescinded. He subsequently criticized the action as "black-listing" to suppress unwanted viewpoints.⁸⁹

Doctoral Student Bullied by Professor for Her Views on Sexuality – October 2010

Ms. Gillian John-Charles was a single mom, mathematics teacher, and African-American who had been enrolled in Roosevelt University's Ed.D. program since 2009. In October 2010, in a class discussion led by a professor, John-Charles said she does not believe that those who identify as homosexual are born "gay." As a result, her professor bullied her by falsely accusing her of having a "negative and disparaging" view of people who identify as homosexual – though she stated clearly in class that, as a teacher, she treats all her students with the same respect without regard to "sexual orientation." Within a year of the initial classroom incident, John-Charles was expelled from the doctoral program, citing unsatisfactory academic performance (despite her 3.51 GPA). John-Charles sued, but on appeal to the Appellate Court of Illinois for the 1st District, the court held that the school was within its rights to give her failing grades and expel her.⁹⁰

Former Olympian Resigns from Olympic Committee after Backlash – May 2011

In May 2011, former Olympic gold medalist Peter Vidmar was appointed the head of the 2012 U.S. Olympic team. However, when media reported that Vidmar had participated in two demonstrations that opposed same-sex marriage and had donated \$2,000 to the Proposition 8 campaign in California (Vidmar's opposition to same-sex marriage stemmed from his religious convictions as a member of the Mormon church), the news sparked a firestorm and criticism from the U.S. Olympic Committee and other Olympians. Vidmar resigned within a week, claiming he didn't want to be a distraction.⁹¹

Company Criticized for Holding to Religious Values – June 2011

When Access Printed Media received a request to print advertisements for the opening of a new gay bar in the Seattle area, it objected to the job out of moral convictions. An employee responded to the request with the following email: "Not that we're against homosexuals at all, but because knowing that our printed products will be advertising and promoting the kind of lifestyle that goes against our morals is something that [the owner] can't bring himself to do..." The employee emphasized that "[w]e're just not morally able to promote that kind of a lifestyle." Consistent with its owners' beliefs, the company had also refused to print an advertisement for a tarot reader. "We're a small business owned by a small conservative Christian family. I'm sorry but we have values..." The individual seeking the print job was "furious," and the ACLU of Washington indicated it "would be glad to hear from the bar owner and provide assistance if he wishes to pursue the matter." Nevertheless, the bar was able to fulfill its flyer order elsewhere.⁹²

NFL Players Draw Criticism for Support of Natural Marriage – June 2011

David Tyree, former wide receiver for the New York Giants, drew public fire for his stance on same-sex marriage. In 2011, Tyree worked on the campaign against the New York state law that legalized same-sex marriage and advocated for sexual reorientation therapy. He stated publicly that he believed God made marriage for one man and one woman and that the most important thing to him was that God was honored. He was heavily criticized by the Human Rights Campaign and when the Giants hired him as the director of player development he backed away from many of his comments, saying he no longer supported sexual reorientation therapy.⁹³

Similarly, Baltimore Raven's Center Matt Birk wrote an op-ed in the *Minnesota Star Tribune* in 2012 that argued for the sanctity of natural marriage. Birk stated that he didn't mean to offend any group and was not "homophobic" but that both mothers and fathers were important to the development of children and that children and society would suffer if the government continued to condone same-sex marriages. He drew criticism from fellow NFL players including Minnesota Vikings' punter Chris Kluwe who said he supported Birk's right to free speech but not his right to force that belief on other people (something Birk never did).⁹⁴

Bridal Store Owner Threatened for Declining to Provide a Dress for a Same-Sex Wedding – August 2011

Donna Saber, owner of Here Comes the Bride in Somers Point, N.J., has had callers threatening to burn down her store and throw a brick through the window after she reportedly refused to provide a dress for a same-sex marriage. For staking out her position, and noting that such marriages were not even lawful at the time, Saber's store has been the target of protests and boycotts. Saber says she is simply trying to live peacefully and run her business.⁹⁵

Teacher Suspended for Facebook Comments about Homosexuality – August 2011

Jerry Buell is a high school history teacher at Mount Dora High School in central Florida. He was awarded Mount Dora Teacher of the Year for the 2010-2011 school year. In 2011 he reacted on Facebook to new reports of New York State's legalization of same-sex marriage. As a Baptist, Buell said that homosexuality was a sin and that it mocked God. He was quickly suspended by the school district and they launched an investigation to see if he violated the school district's ethics code. However, even the ACLU acknowledged that since he spoke as a private citizen and not as a public school teacher his speech was protected and Buell was reinstated.⁹⁶

Student Suspended for Identifying As a Christian and Stating Views on Homosexuality – September 2011*

Dakota Ary, an honors student in Fort Worth, Tex., mentioned to a friend during German class that he was a Christian and that he believed homosexuality is wrong. The comment was a result of the German teacher's discussion of homosexuality with the class and the teacher's displaying of a picture showing two men kissing. The teacher overheard Ary's comment and became irate. The teacher then sent Ary to the principal, who suspended Ary for three days. After the school was confronted with its discrimination against Ary's Christian beliefs, it rescinded his punishment.⁹⁷

High School Student Dismissed and Criticized for Refusing to Celebrate Homosexuality – October 2011

In 2011, Howell High School tried to raise awareness for the bullying of LGBT youth by planning a "Spirit Day." Many students and some teachers wore purple tee shirts in support of a student who identified as homosexual at Rutgers who committed suicide. On the Spirit Day, teacher Jay McDowell criticized a female student for wearing a Confederate flag belt buckle, claiming it was offensive. Student Daniel Glowacki challenged the teacher, saying the tee shirts were offensive to Catholic students who believed in the Church's teachings on sexuality. McDowell threw Glowacki out of class, telling him to recant and that he was being a bully. McDowell even initiated disciplinary procedures on the student. The school eventually issued an apology letter and in 2013 a federal court ruled in favor of Glowacki, stating the school had violated his freedom of speech.⁹⁸

Cake Cottage under Fire for Refusing to Provide Cake for Same-Sex Wedding – November 2011

Victoria Childress, owner of Victoria's Cake Cottage in Des Moines, Iowa, refused to provide a wedding cake for a same-sex couple, and came under fire for her decision. Childress told Trina Vodraska and Janelle Sievers that she could not make the cake they requested because of her "convictions for their lifestyle," and made sure they understood she was not discriminating against them, but just honoring her "walk with God." Nevertheless, Vodraska described the encounter as "degrading," and said she felt like they were "chastised for wanting to do business with her." According to Sievers, Childress introduced herself and asked if Vodraska was her sister. Sievers replied: "No, this is my partner." Childress asked them to sit down and said, "We need to talk." Childress then said, "I'll tell you I'm a Christian, and I do have convictions ... I'm sorry to tell you, but I'm not going to be able to do your cake." Vodraska then said "that was fine and I appreciated her being honest."

Childress has maintained that it is her right to refuse to do the cake: "I didn't do the cake because of my convictions for their lifestyle. It is my right as a business owner. It is my right, and it's not to discriminate against them. It's not so much to do with them, it's to do with me and my walk with God and what I will answer (to) him for." Childress continued: "They thanked me for being honest with them, and they were very pleasant. I did not belittle them, speak rudely to them. There were no condescending remarks made, nothing." At time of publication, no legal action appears to have been taken. However, under Iowa law, people like Ms. Childress could be forced to serve causes in violation of their conscience.⁹⁹

Pastor Receives Death Threats for Opposing Potential Legislation – November 2011

Reverend Paul Blair, a Baptist minister in Oklahoma City, spoke at a city council meeting and argued against a proposed law that would prohibit employment discrimination based on sexual orientation. Afterward, he received calls where anonymous voices threatened to kill him and suggested there was a bomb planted in his church. Another caller threatened to rape his wife. Police investigated the situation but Blair and his wife remained unharmed.¹⁰⁰

County Attorney Opposed for Ties to Pro-Marriage Organization - January 2012

Democratic Albany County Executive Dan McCoy appointed Thomas Marcelle to be a new county attorney in Albany County, N.Y., but his nomination was opposed by LGBT rights groups in the strongly Democratic county. Marcelle was a senior counsel for Alliance Defense Fund (now Alliance Defending Freedom), an organization which defends the sanctity of life and marriage. This and Marcelle's opposition to same-sex marriage drew protest from LGBT activists like Libby Post, who even created a website, www.stoptommarcelle.org, to oppose him. However, McCoy defended his legal record and said Marcelle's religious beliefs had nothing to do with his ability to practice law. Marcelle was eventually confirmed.¹⁰¹

High School Student Criticized for Op-Ed Opposing Same-Sex Adoption - January 2012

15-year-old Brandon Wegner was asked by his teacher to write a paper on the opposite side of a contentious social or political issue. The school newspaper was featuring an editorial page with arguments for and against homosexuality and Brandon wrote an opinion piece that argued same-sex couples shouldn't be allowed to adopt because homosexuality violated God's law and the children of same-sex parents were more likely to report a host of moral and behavioral problems. A same-sex couple who had a child attending complained to the school, and the school quickly apologized, saying the opinion was a "form of bullying and disrespect." They then removed the piece, and the principal reprimanded Brandon and threatened to suspend him. The Liberty Counsel threatened legal action against the school, stating that Brandon has a First Amendment right to express his opinion in school.¹⁰²

14-Year-Old Girl Has Life Threatened After Defending Natural Marriage - February 2012

Sarah Crank told the Maryland Senate Judicial Proceedings Committee that she thought children should have a father and a mother. "Today's my 14th birthday, and it would be the best birthday present ever if you would vote 'no' on gay marriage," she said. Crank added, "People say that they were born that way, but I've met really nice adults who did change." A video of the testimony was posted on YouTube, and the comments are almost unbelievable. One person said, "If I ever see this girl, I will kill her. That's a promise." Another added that "her parents should be exterminated." It gets worse. "I hope you get raped by your married parents." "Stupid bi**h - I hope you die on your Bday!!!!!"¹⁰³

Similarly, in 2013, 11-year-old Grace Evans testified before the Minnesota House Committee on Civil Law in support of natural marriage, asking "Which parent do I not need? My mom or my dad?" She was vilified in comments, where she was called "brainwashed" and "bigoted." One commenter said, "This bi**h needs to die."¹⁰⁴

Church Vandalized for Marriage Stance - April 2012

A group known as the Angry Queers donned black masks and threw rocks through the windows of Mars Hill Church in Portland, Ore., because of the church's stance on homosexuality. The church was founded by pastor Mark Driscoll, who is known for his complementarian views of marriage and biblical opposition to homosexuality. When the church first opened, protesters yelled curse words at the attendees.¹⁰⁵

Football Coach Criticized for Christian Stance on Sexuality – May 2012

When the city of Omaha attempted to add gender identity and sexual orientation as protected classes in its nondiscrimination law, assistant football coach at the University of Nebraska Ron Brown publicly testified against the law. As a Christian who heads a Christian ministry in the area and hosts a show on a Christian radio network, he called on the city to respect God and his law above all else. In response, the Lincoln Board of Education wrote to the University of Nebraska and petitioned the school to fire the coach. Several LGBT advocacy groups also circulated petitions to fire Coach Brown claiming his views would “undermine the wellbeing” of Nebraska athletes. However, Coach Brown has expressed that he would never violate the university’s non-discrimination policy or treat players who identify as homosexual differently, but he could not condone their sexual behavior. He said that the Bible compels him to speak out against homosexual conduct just as he speaks out against straight players who have sex before marriage. He stated, “I have and will embrace every player I coach, gay or straight ... but I won’t embrace a legal policy that supports a lifestyle that God calls sin.” He also answered the backlash he faced by claiming it would be an “honor” to be fired for his faith.¹⁰⁶

CEO Draws Fire for Views on Marriage – July 2012

The fact that Chick-fil-A CEO Dan Cathy opposed same-sex marriage and donated to traditional-values groups prompted LGBT activists to call for protests and a national boycott, with Chicago Mayor Rahm Emanuel and Boston Mayor Thomas M. Menino attempting to ban Chick-fil-A from the city and several universities barring Chick-fil-A from their campuses. Although the boycott effort backfired in the short term, when “Chick-fil-A Appreciation Day” and grassroots goodwill resulted in a dramatic increase in the chain’s income, over the longer term, the intimidation had its desired effect: Dan Cathy now says he made a “mistake” and has become “wiser.”¹⁰⁷

Church Threatened with Eviction for Beliefs About Homosexuality – July 2012

Impact Miami is a Southern Baptist church that meets in a high school in Miami-Dade County, Fla. In response to President Obama’s stance on same-sex marriage, the pastor Jack Hakimian preached two sermons on the biblical teaching on homosexuality, explaining it was a sin that could be overcome by the power of God. The school board released a statement that the sermons were “disturbing,” labelled the group as bigots, and tried to evict the church. After a defense from religious liberty groups, the church was thankfully able to continue renting the space.¹⁰⁸

Man Attempts Murder of Family Research Council Employees because of Organization’s Stance on Homosexuality – August 2012*

A man planned to engage in mass-murder of the employees of four religious organizations and then smear Chick-fil-A sandwiches on the employees’ faces because of their opposition to same-sex marriage. He entered the lobby of Family Research Council (FRC) headquarters in Washington, D.C., and was stopped by FRC employee Leo Johnson, who was able to subdue the man despite being shot in the arm, preventing loss of life through his actions. The perpetrator was sentenced to 25 years in prison.¹⁰⁹

Chief Diversity Officer Suspended for Signing Petition on Marriage – October 2012

In October 2012, Gallaudet University suspended its chief diversity officer Angela McCaskill for signing a petition calling for Maryland’s same-sex marriage law to be put to a referendum vote instead of being implemented by lawmakers. When the names on the petition became public, a Gallaudet faculty member confronted McCaskill and then alerted university leaders in a formal letter. McCaskill and another faculty member who reportedly signed the letter were referred to during a press conference as “extremist faculty” and “a few rotten apples.” Despite the fact that she never publicly stated her position on same-sex marriage, and has said that she supports all students, regardless of their race or sexual orientation, McCaskill was still put on paid administrative leave after refusing to issue an apology for signing the petition. Yet opponents and proponents of same-sex marriage have both criticized the University for disciplining McCaskill for signing the petition. Since then, the web has erupted with support for McCaskill and calls for her to be reinstated by Gallaudet, which is a university for the deaf and hard of hearing.

Subsequently, the president of Gallaudet University has said that McCaskill is welcome to return to the university. Yet an attorney representing McCaskill said that would likely only happen if the university compensates her for the emotional distress she endured, along with the damage to her reputation. There are also calls for university trustees to examine the situation. "I am dismayed that Gallaudet University is still a university of intolerance, a university that manages by intimidation, a university that allows bullying among faculty, staff and students," McCaskill is reported as saying at a press conference regarding her situation, with the assistance of an interpreter. The lawsuit McCaskill had filed in federal court was dismissed in April 2014 in part due to a narrow view of the type of "political activity" protected by D.C. law.¹¹⁰

Member of Air National Guard Reprimanded for Voicing Opposition to Same-Sex Marriage in West Point Wedding Chapel – December 2012

Technical Sergeant Layne Wilson, a member of the Utah Air National Guard and a 27-year veteran of the armed forces, read an article that there was a same-sex wedding performed in the Cadet Chapel at West Point and decided to write an email to a person who he thought was a chaplain at the military academy. Wilson wrote that it was a "mockery" to God and the values of the military and pleaded that similar ceremonies not be performed in the future. However, his commanding officer reprimanded him and told him that his correspondence didn't maintain the proper level of respect for a commissioned officer. Additionally, the Air National Guard voided his six-year reenlistment contract, replaced it with a one-year extension and told him to prepare for retirement.¹¹¹

Pastor Withdraws from Presidential Inauguration After Backlash Over Sermon – January 2013

Noted pastor Louie Giglio was set to give the benediction at the second inauguration of President Obama. Prior to the inauguration, news outlets uncovered a sermon from the 1990s that Giglio had given titled, "In Search of a Standard – Christian Response to Homosexuality," where he said, "only way out of a homosexual lifestyle ... is through the healing power of Jesus." While Giglio said that explicitly that he was not being homophobic but instead wanted to "make much of Jesus Christ," he was criticized by opponents for being "anti-gay" and withdrew from the inauguration.¹¹²

Party Venue Draws Ire for Refusing to Host Same-Sex Wedding – February 2013

Ben Allen and Justin Hudgins contacted All Occasion Party Place near Fort Worth, Tex., and requested that the All Occasion host their same-sex wedding. All Occasion Party Place refused to do so out of religious objections to same-sex marriage. In a response to the request of Allen and Hudgins, an employee stated: "It is because of God that I will not be a part in your reception, and I know he loves you, but not what you are doing ... I simply said I cannot rent to you which is also my right."

Allen said "it doesn't really make sense to me" to be denied this opportunity "simply because you date someone of the same-sex" in "today's day and age." Allen's beliefs obviously conflicted with those of the people who ran All Occasion Party Place, yet the business owners maintained that their consciences and beliefs drive their lives too. All Occasion Party Place is located outside the Fort Worth city limits, and therefore does not fall under the city's anti-discrimination code. The case has nonetheless sparked the ire of local LGBT rights advocates.¹¹³

Acclaimed Author Barred from Project and Criticized for View of Marriage – March 2013

Orson Scott Card, the award-winning author of *Ender's Game* and one of the most decorated science fiction authors in recent history, was slated to co-write the newest issue of Superman comics. However, Card is a Mormon and has been outspoken about his opposition to same-sex marriage for over a decade. As a result, one illustrator left the Superman project in protest and DC Comics stopped the project. Additionally, when a Hollywood film adaptation of the book *Ender's Game* came out, the LGBT community and other social liberals were outspoken in their distaste for Card's views and he was publicly distanced from the marketing of the movie.¹¹⁴

ESPN Personality Criticized for Defense of Marriage – April, 2013

Criticism erupted on social media after ESPN basketball analyst Chris Broussard made comments in defense of Christian sexuality in response to NBA player Jason Collins coming out with a homosexual identity. Broussard said, “If you’re openly living in unrepentant sin, whatever it may be, not just homosexuality, (but) adultery, fornication, premarital sex between heterosexuals ... I believe that’s walking in open rebellion to God and to Jesus Christ.” Quickly, internet outrage caused ESPN to issue an apology and another ESPN journalist criticized Broussard for purportedly imposing his private views on others.¹¹⁵

Cake Shop Taking Heat for Refusing to Provide Cake for Commitment Ceremony – May 2013

Pam Regentin, owner of Fleur Cakes, objected to providing a wedding cake for a same-sex couples’ commitment ceremony. Ms. Regentin objected to providing the cake due to her Christian beliefs, and is now receiving criticism for doing so. Regentin has said she believes she has “the liberty to live by my principles.”¹¹⁶

Pastors Beaten for Preaching at a Gay Pride Parade – July 2013

Two street preachers at a gay pride festival in Seattle were viciously attacked by a crowd, and the entire event was captured on video. The preachers held signs saying “Repent or Else” and “Jesus Saves from Sin.” Some women from the festival tried to steal their signs while others screamed and threatened them. Eventually they were dragged to the ground and punched and kicked by a crowd.¹¹⁷

Consultant’s Contract Terminated because of Views on Marriage – August 2013*

Frank Turek had served as leadership consultant to the Cisco Corporation for a number of years, and ran training seminars for the company. A student in one of Turek’s classes, on which he had always received excellent feedback, went on the Internet and read about his views pertaining to natural marriage. The student then complained to an HR professional. Turek’s contract was summarily terminated for failure to abide by “inclusion and antidiscrimination policies.” Notably, he was not “included” precisely because of his beliefs. This all occurred despite the fact that Turek had never expressed this view at work, but only through a book he authored. Turek was fired without having been addressed about the issue or given opportunity to speak, and despite high regard from other employees and managers.¹¹⁸

Appointment Rescinded for College Dean Who Disagrees with Same-Sex Marriage – August 2013

Dartmouth College appointed Bishop James Togatenga as the dean of the school’s William Jewett Tucker Foundation in the summer of 2013. Togatenga leads an Anglican Church in Malawi which has publicly supported the church’s traditional teaching about marriage. However, Togatenga has said, “I consider all people equal regardless of their sexual orientation.” He has even written in support of legal marriage equality and against discrimination against individuals based on their sexual orientation. However, his association with the Anglican Church drew opposition from liberal groups and Dartmouth rescinded his appointment.¹¹⁹

Broadcaster Fired when Past Statement on Marriage Was Unearthed – September 2013

Football star Craig James was fired by Fox Sports Southwest after a GOP debate tape showing him expressing Christian beliefs in opposition to same-sex marriage came to light. Previously, during a 2012 Republican primary debate for a U.S. Senate seat in Texas, then-candidate James was asked about his views on marriage, to which he responded that he believed marriage exclusively to be one man with one woman. The existence of that debate video apparently was enough to get James fired within days of being hired by Fox Sports Southwest as a college football analyst. A Fox spokesman told the *Dallas Morning News*, “We just asked ourselves how Craig’s statements would play in our human resources department ... He couldn’t say those things here.” James says he was fired over his religious beliefs, and filed a complaint with the Texas Workforce Commission.

The Texas Workforce Commission subsequently launched an investigation into whether James suffered from religious discrimination when he was fired. The state agency, which has authority over such employment matters in Texas, issued a “charge” document against Fox Sports Southwest and began an investigation. Fox Sports President Eric Shanks has admitted in a deposition that a senior vice president at the network anonymously told the media that James was fired for his religious views. Shanks denied that this was actually

the reason. Yet internal e-mails show that James' remarks about natural marriage were a topic of conversation immediately before he was fired. "The Texas Workforce Commission issuing a charge of discrimination against Fox Sports Southwest and conducting an investigation is a serious step toward holding Fox Sports accountable for violating the law and religious liberty on Craig James," said Hiram Sasser from First Liberty Institute, which represents James. He subsequently filed a religious discrimination lawsuit against Fox Sports,¹²⁰ and the suit was later settled.¹²¹

Human Rights Groups Protest Arkansas Catholic School for Firing Teacher Who Identified as Homosexual - October 2013

Mount St. Mary Academy in Arkansas informed English teacher Tippi McCullough that if she married her longtime same-sex partner she would be fired from the school. When McCullough went through with the wedding, she was informed she must resign or have her contract terminated. She chose to resign, and the school stated that they were compelled to insist that instructors follow the teachings of the Catholic Church. The Human Rights Campaign held a rally to support McCullough and her partner where individuals in the community lambasted the Catholic school for their actions.¹²²

Air Force Ethics Advisor Subjected to Smear Campaign for Views on Sexuality - November 2013

Mike Rosebush is a former Focus on the Family employee who subsequently was employed as a research analyst for the Air Force Academy's Center of Character and Leadership Development. While employed for the Academy, Mr. Rosebush was a positive influence among the students, working in the ethics program that guides young cadets. Nevertheless, he became the object of a vicious attack and subject of a nationwide smear campaign to remove him from the Academy, all for his private views on faith, marriage, and homosexuality. Citing a paper he wrote in 2009, titled "Sanctification Coaching: Sexual Purity and Peace for Christian Men with Same-Sex Attractions," those opposed to his views have unfairly attacked him. And while an academy spokesperson noted that Mr. Rosebush "does not and will not counsel cadets," LGBT activists have claimed his religious views are an example of "intolerance" that should no longer be condoned by the Academy.¹²³

Talk on Sexuality at Catholic School Postponed after Opposition - November 2013

Cardinal Spellman High School invited Donald G. Timone to speak after school. Timone is a priest involved with an organization that helps men and women overcome same-sex attraction. Even though it seemed that Timone was only going to express the traditional Catholic view of sexuality, alumni and outsiders criticized the choice because it might be judgmental or make students feel guilty about their orientation. The school decided to postpone the speech indefinitely.¹²⁴

Pennsylvania Catholic High School Criticized for Firing Teacher Who Identified as Homosexual - December 2013

Holy Ghost Preparatory School is a 116-year-old, all-boys Catholic school in Pennsylvania. When teacher Michael Griffin informed the school that he would be late one day because he was getting his same-sex marriage license, he was informed that he if he followed through he would be fired. When Griffin got the marriage license, he was fired. The school was immediately criticized by news outlets, students, and alumni although the school refused to comment.¹²⁵

Popular Media Figure Subjected to Hatred for Views on Sexuality - December 2013

In an interview with *GQ* magazine, *Duck Dynasty* star and Robertson family patriarch Phil Robertson expressed the view that he believed the Bible and that it stated that homosexuality was sinful. Robertson stated his support for natural marriage and used the book of Corinthians to explain it: "Don't be deceived," he said. "Neither the adulterers, the idolaters, the male prostitutes, the homosexual offenders, the greedy, the drunkards, the slanderers, the swindlers – they won't inherit the kingdom of God. Don't deceive yourself. It's not right."

The LGBT lobby reacted harshly, demanding the immediate censorship of or end to the *Duck Dynasty* show, and A&E reacted by dropping Robertson from the show, stating: "His personal views in no way reflect those of A&E Networks, who have always been strong supporters and champions of the LGBT community. The

network has placed Phil under hiatus from filming indefinitely.” Yet the outpouring of support for Robertson was widespread, and A&E reversed course and reunited with the family shortly thereafter. Despite all the criticism, Robertson has been unbending, noting: “My mission today is to go forth and tell people about why I follow Christ and also what the Bible teaches, and part of that teaching is that women and men are meant to be together.”¹²⁶

Bakery Faces Protest After Refusing to Bake for Same-Sex Commitment Ceremony – March 2014

Randy McGath and his wife are Baptists who operated a bakery on the west side of Indianapolis, a neighborhood notorious for its gay culture – there are three longstanding gay bars within a few blocks. In March 2014, two men asked the McGaths to bake a cake for a wedding-like commitment ceremony, but the McGath’s refused. They had served the local LGBT community for years, but they felt that baking for a commitment ceremony would offend God since the ceremony was making “a commitment to sin.” When the local news channel reported the story, they were vilified on social media and a picketer requested a boycott. Although sales initially spiked when some members of the community rushed to their defense by buying the McGath’s pastries, they eventually closed their doors in December 2014 because the business was wearing them out.¹²⁷

Similarly, “The Cake Pros” Bakery in Pennsylvania was criticized in the media for declining to bake a cake for a same-sex couple because to do so would have violated owner Lorraine Fleming’s religious beliefs. Fleming stated she was “sorry for the damage that’s been done as far as hurt feelings” but “in the end when I die and I’m one on one with God, I have to stand true to him.”¹²⁸

Accomplished Tech Entrepreneur Hounded out of His Job Due to Views on Sexuality – April 2014

After it was “discovered” that Mozilla co-founder Brendan Eich had donated money to the 2008 California Prop 8 campaign in support of natural marriage, he was subjected to fierce public criticism. Employees demanded he step down for committing the “crime” of holding true to his beliefs, and those opposed to Mr. Eich’s views demanded that he be removed from his position. There was no evidence that Mr. Eich had ever acted in a discriminatory manner at Mozilla, and he even stated his support for company policies. Nevertheless, three Mozilla board members quit in protest. Even dating site OKCupid “opposed” Mr. Eich. Ultimately, Mr. Eich “chose” to resign.

However, even people who disagree with Mr. Eich’s position on this issue recognized the importance of protecting freedom of speech and expression for all, regardless of viewpoint. Andrew Sullivan, a writer who identifies as homosexual and supports same-sex marriage, wrote: “The whole episode disgusts me – as it should disgust anyone interested in a tolerant and diverse society.”¹²⁹

Real Estate Media Personalities Had TV Show Cut off for Views on Sexuality – May 2014

As sons of a preacher, David and Jason Benham have never shied away from their beliefs, which led them to back the North Carolina marriage amendment – a stance the brothers seem now to be paying for, thanks to radical activists in organizations like GLAAD.

“If faith costs us a TV show, so be it,” they told reporters. “Anyone who suggests that we hate homosexuals or people of other faiths is either misinformed or lying. Over the last decade, we’ve sold thousands of homes with the guiding principle of producing value and breathing life into each family that has crossed our path – and we do not, nor will we ever discriminate against people who do not share our views.”

Nevertheless, the outpouring of fury against the brothers for merely expressing a tenet of their faith was loud and widespread. In addition, SunTrust Bank, which partnered with the brothers, announced it would drop them as financial partners due to their position on marriage. But soon after, Beth McKenna, a SunTrust spokesperson, said only that the bank “clarified” its policies with a “vendor” and reinstated the brothers’ property partnership. “SunTrust supports the rights of all Americans to fully exercise their freedoms granted under the Constitution, including those with respect to free speech and freedom of religion.”¹³⁰

Pro-Family Student Group Loses School Funding in face of LGBT Protest – June 2014

The Stanford Anscombe Society is a student group at Stanford University that hosts a conference promoting the natural family and natural marriage. LGBT groups on campus claimed that the society's defense of natural sexuality was "hate speech" and encouraged the Graduate Student Council (GSC) not to fund the society. The GSC eventually gave in to pressure and retracted their promised grant of \$600 from the Anscombe Society. Additionally, the student government threatened to impose a "security fee" of several thousand dollars because of how controversial the conference was and the risk of protest.¹³¹

Two Men Threatened by Government Union for Supporting *Duck Dynasty* – June 2014

The American Government Employees Union told two senior-management-level federal employees at Eglin Air Force base that they were being fired for putting *Duck Dynasty* stickers on their trucks. The union said that the men had great influence over a diverse workforce because of their high positions and should not be allowed to remain in them because they might be unfair in their dealings with or promotions of those they supervised, particularly those who identify as homosexual and African-Americans. The union official said that "it's definitely 100 percent inappropriate for an organization that espouses a zero tolerance policy." The whole debate stemmed from comments made by Phil Robertson to GQ magazine in 2013 regarding his support for natural marriage.

The men were condemned in an email that went out to several hundred employees. "I see the email that went out accusing me and my boss of being racist," one of the accused men said. "That couldn't be farther from the truth. I'm pro-family. I'm pro-life. I don't have a problem with anybody who doesn't agree with me." Thankfully, the Air Force correctly determined that the two men had the right to display the stickers on their trucks.¹³²

Christian Children's Home Criticized for Firing Employee Who Identified as Homosexual – July 2014

A nonprofit Christian childcare center fired social worker Casey Stegall after he introduced children to his male fiancée. The organization explained that as a Christian organization they expected their staff to adhere to and display biblical values. The organization was publicly criticized in the national and local media and Stegall blogged that he had been the subject of unjust discrimination.¹³³

Bank Asks Employees to Identify Stance on LGBT Issues – July 2014

The employees of JP Morgan Chase were sent out a survey for employees. The questionnaire asked if they were disabled, had family members who were disabled, if they were LGBT, or if they were allies of the LGBT movement. Answering the final question in the negative seemed likely to put any employee at odds with the administration, especially because Chase has been a vocal advocate of LGBT rights for years. Moreover, people with religious objections to homosexuality weren't given a platform on the survey, they simply had to identify themselves as opponents of LGBT rights.¹³⁴

Inn Targeted with Meritless Lawsuit for Declining to Host Same-Sex Wedding – July 2014

John Antolick owns a small inn in Pennsylvania, and because of his devout Christian convictions he declines to allow same-sex couples to host weddings at his establishment as a matter of policy. When a same-sex couple requested to use the inn for their wedding, he politely declined. He said, "I don't want to discriminate against anyone, but my conscience will not allow me to use my business to endorse an event that contradicts God's design for marriage." The mother of one of the women complained on Facebook and generated media criticism against Antolick's business. A LGBT lobbying organization then suggested the same-sex couple would have grounds for an anti-discrimination lawsuit under prospective legislation being considered at the time. When a third party – a heterosexual couple that had laid down a security deposit for a wedding the next year – tried to withdraw their business because they disagreed with the inn's stance, and the inn refused to refund the deposit, as is standard practice; the heterosexual couple sued. Yet when it became clear that the judge was going to rule against the plaintiffs, they withdrew their case.¹³⁵

Bridal Shop Owner Receives Death Threats for Not Making Gowns for Same-Sex Wedding – August 2014

Victoria Miller, a grandmother and owner of WW Bridal Boutique in Bloomsburg, Pa., informed a same-sex couple that she was unable to schedule an appointment to meet because she could not in good conscience be a part of such weddings. She said that making a wedding dress for a same-sex couple “for a sanctified marriage would break God’s law.” FRC contacted Miller and learned that she had received death threats from around the country, reducing this grandmother to tears and trembling – all because she chose to express her beliefs.¹³⁶

Contractor Fired for Disagreeing with Company’s Support of Homosexuality – August 2014

Thomas Banks, a product engineer who works for an engineering services company was contracted by Ford in 2011. In July 2014, he received a newsletter that expressed Ford’s intentions to provide resources and support for LGBT employees. Banks left an online comment in the feedback section expressing his disagreement with this position, saying that homosexuality was a violation of Christian morals and that companies and societies should not promote immoral sexual behavior. On August 4, he was informed that he could have violated the company’s anti-harassment policy even though he only spoke to the company about the company policy. He was fired that evening. Subsequently, with the assistance of First Liberty Institute, Banks filed a complaint of religious discrimination with the EEOC.¹³⁷

Christian Colleges Face Backlash for Requesting Religious Exemption – November 2014

In 2014, the Obama administration proposed new rules that would prohibit federal contractors from discriminating based on sexual orientation in their hiring and firing decisions. In response, the president of Gordon College, a Christian school near Boston, and 13 other religious leaders wrote an open letter to Obama asking for a religious exemption. This sparked an accreditation review and opposition from students on campus, alumni, some local partners, and a major federal grant provider, who all withdrew their support from the school. The college still maintains in its student code of conduct that homosexual behavior is immoral, but it faces increasing opposition from LGBT advocates within and without the school.¹³⁸

Additionally, Azusa Pacific University and several other schools that also requested religious exemptions were put on a “shame list” by Campus Pride, an LGBT advocacy organization for college students. The list was of institutions with a supposed history of discrimination and misconduct against students who identify as homosexual.¹³⁹

Photography Company Closes in Face of Backlash for Religious Decision – November 2014

Nang and Chris Mai were the owners of the San Francisco-based company, URloved Photography. After being approached about photographing a same-sex wedding, the owners politely responded that the event would not be the right match for the company and referred the same-sex couple to another business. After the couple was referred to another photographer, they posted negative reviews on URloved’s Facebook page, and the Mais were “flooded with hate calls, emails, and accusations that inaccurately depict[ed]” their business. After receiving the public backlash for their personal decision, the Mais closed URloved Photography, noting on their Facebook page that they did not want to sacrifice their own beliefs in order to follow California’s public accommodation laws.¹⁴⁰

Professor Suspended for Defending Student Who Opposed LGBT Rights – November 2014

On November 9, 2014, philosophy instructor at Marquette University Cheryl Abbate told a student who disagreed with LGBT rights that “homophobic” comments wouldn’t be allowed in class. In response, political science professor Dr. John McAdams wrote a blog post chastising Abbate and contending that liberals were too quick to shut down opinions they disagreed with. In response, the school suspended Dr. McAdams without pay and other professors wrote an open letter saying Dr. McAdams had violated the standards of professional conduct. Dr. McAdams claims his academic freedom is being trampled on. He sued the school for his suspension but in May 2017 a judge ruled in favor of Marquette. He has since appealed the ruling.¹⁴¹

Firefighters Forced to Drive in Gay Pride Despite Religion Objections – December 2014

Theodore Fabrizio and Stephen Deninno, two firefighters from Providence, R.I., were required to drive a fire truck in the city gay pride parade. However, both Mr. Fabrizio and Mr. Deninno were Roman Catholics and do not support homosexuality, and both objected. They sued the mayor and the fire chief. Even though the suit

was filed in 2004, the case moved slowly, and in December 2014 the Rhode Island Supreme Court finally threw out their lawsuits, claiming that driving a truck was not expressive conduct and wasn't a violation of the firefighters' rights.¹⁴²

Wedding Planners Criticized for Marriage Stance – January 2015

Lana Rusev, owner of Simply Elegant Wedding Planning in Jacksonville, Fla., informed a same-sex couple that she was already booked for the weekend and that because of her personal convictions, she would not be comfortable planning a wedding for the couple. Rusev stated that there were other wedding planners who would be willing to plan a same-sex wedding. The same-sex couple has since found another wedding planner, but they listed Rusev's business on a Facebook blacklist that catalogues businesses that are "unfriendly" to the LGBT cause. Rusev was criticized in the media and on Facebook, but the same-sex couple was unable to sue under current local and state law.¹⁴³

Lobbyist Fired After His Support of Natural Marriage is Revealed – February 2015

The tech giant Apple and its CEO Tim Cook have been staunch advocates of the liberal social justice agenda for many years. In 2014, Cook spoke to the Alabama Academy of Honor and said that Alabama had been "too slow" in allowing same-sex couples to marry. On February 13, 2015, the blog *Inside Alabama Politics* posted that Jay Love, Apple's lobbyist in Montgomery, had criticized same-sex marriage when he was a Republican legislator. Love was one of the first Republicans to criticize its legalization in California and had vowed in his campaign commercials to fight same-sex marriage. The very same day, Love was fired by Apple. Even though several news outlets asked Apple to comment, they refused to say anything more than confirm that Love wasn't employed by Apple any longer.¹⁴⁴

Police Officer Suspended for Requesting to Not Lead Gay Pride Parade – February 2015

Eric Moutsos was a police officer and is a member of the Mormon Church. He was asked to ride at the front of the motorcade that escorted the gay pride parade in Salt Lake City in 2014. Moutsos was willing to work during the parade, but because of his religious opposition to homosexuality, he requested to not ride in uniform at the front of the parade. He said, "I love gay people...I love them like I love humanity. I just did not agree with some of the messages in that parade." In response, Moutsos was placed on leave and criticized in the media and by the ACLU. After some debate with his supervisors, Moutsos quit the force.¹⁴⁵

Baseball Player Censored for Supporting Natural Marriage – March 2015

Daniel Murphy, the second baseman for the New York Mets, was interviewed after the Mets invited a baseball player who openly identified as homosexual to their spring training camp. Murphy said, "I do disagree with the fact that Billy is a homosexual. That doesn't mean I can't still invest in him and get to know him." Murphy said that even though he disagreed with homosexuality, he would embrace the player. However, after opposition from fans, the Mets issued a statement that in the future Murphy would talk "baseball only."¹⁴⁶

Teacher Criticized and Suspended from Private Catholic High School for Opposing Homosexuality on Facebook – March 2015

Patricia Januzzi, a teacher at Immaculata High School in New Jersey, posted on Facebook that homosexuality was a choice and that Western Civilization would slowly go extinct unless "healthy families" with both a mother and father were supported. An actor and former student of Januzzi's tweeted a picture of the post, saying, "This nightmare dumpster human taught me in high school, and still teaches there. Keep it classy, Immaculata." Januzzi was widely criticized by celebrities, teachers, and students when her story hit the media, and the school suspended her, saying her comments were "completely inconsistent with our policy and position as a Catholic Christian community." However, she was eventually reinstated, and the school claims the suspension was a "personnel, and not a theological issue."¹⁴⁷

Pizza Shop Subject to Online Vitriol and Arson Threat for Owner's Christian Beliefs - April 2015

Crystal O'Connor, daughter of Memories Pizza owner Kevin O'Connor, told a local reporter that the small business would not be able to cater a same-sex wedding because of their religious beliefs. O'Connor and his daughter supported Indiana's Religious Freedom Restoration Act, which provided increased protection for churches, organizations, and businesses to not engage in activity that conflicted with their religious beliefs. The law and the comments by O'Connor led to protests and boycotts in the state of Indiana by LGBT groups who claimed the law targeted them and legitimated discrimination, and the O'Connors were forced to close Memories Pizza for over a week after receiving multiple threats and much online vitriol. A local high school coach even said on Twitter that people should burn down the O'Connors' pizza shop. Kevin O'Connor eventually reopened his shop, saying his beliefs hadn't changed and it would still violate his conscience to cater a same-sex wedding, but that customers who identify as homosexual were always welcome at his establishment.¹⁴⁸

Videographers Face Opposition for Refusing to Tape a Same-Sex Wedding - April 2015

A same-sex couple approached a video production company in Bexley, Ohio, called "Next Door Stories" and asked them to film their wedding. When the owner, Courtney Schmakers, politely informed them that she didn't offer her services to same-sex weddings, the couple went to CNN and Facebook to voice their grievance rather than find another videographer. They generated public opposition to "Next Door Stories" and other businesses that allegedly discriminated against LGBT individuals, and both the Bexley Chamber of Commerce and the mayor voiced their opposition to the actions of Schmakers. However, Bexley has no law that prohibits discrimination based on sexual orientation, so "Next Door Stories" was not sued. Schmakers explained her decision on Facebook, saying, "I made a business decision based on my spiritual beliefs and the biblical definition of marriage because I thought that I had a right to that."¹⁴⁹

Students Protest Iowa Catholic School that Refused to Hire Teacher Who Identifies as Homosexual - April 2015

100 students walked out of Dowling Catholic High School in Iowa to voice their opposition to the school's decision to not hire Tyler McCubbin as a full-time teacher because he was in a same-sex relationship. The superintendent made it clear that as a Catholic school, the institution expected its teachers to support its moral teachings. In addition to the students, alumni and voices on social media have criticized the school, while the Bishop reaffirmed that Catholic tradition clearly teaches that only a sexual union between a man and a woman is moral.¹⁵⁰

Public Outcry as Catholic Archdiocese Affirms Traditional Sexual Morality - May 2015

Salvatore Cordileone, the Archbishop of San Francisco, revised the teacher handbook for Catholic schools in the archdiocese, calling for teachers to cleave to traditional Church teachings on sexuality. This included opposition to homosexuality, abortion, same-sex marriage, contraceptives, and artificial insemination. Four high school teachers publicly rejected the changes to the handbook, and liberal activist groups rallied behind them. San Franciscans wrote an open letter in the *San Francisco Chronicle* calling on Pope Francis to remove Archbishop Cordileone. After three months of protests and negotiations, the specific morality clauses in the handbook and the teacher contract were removed and the teacher contract was revised to simply state that the goal of Catholic schools was to "to affirm Catholic values through the Gospel of Jesus Christ."¹⁵¹

Pennsylvania Catholic School Criticized for Firing Teacher Who Identifies as Homosexual - June 2015

Waldron Mercy Academy in Pennsylvania fired teacher Margie Winters for being in a long-term same-sex relationship. The Archdiocese commended the school for following traditional Catholic teaching on morality and the school maintained that it could not vacillate on same-sex marriage without sacrificing its Catholic identity. However, after a petition accumulated 23,000 signatures calling to reinstate Winters, several parents withdrew their children from school and members of the LGBT community chastised the school. Although he claimed it was unrelated to the opposition, the principal stepped down at the end of the year.¹⁵²

Organic Grocery Closes After Boycott Because of Owners' Views on Marriage - August 2015

In 2014, Moreland Farmer's Pantry was an organic grocery store opened in Portland, Ore., by John and Chauncy Childs. Chauncy and her husband are Mormons, and she had posted on Facebook that America's embrace of same-sex marriage would cause our culture to "disintegrate because we are abandoning our principles as a society." Her comment spread quickly on social media when the Chauncys announced the opening of their grocery store, and some members of the community claimed they wouldn't shop there. Even though the Chauncys donated to an LGBT equality organization, hired an employee who identified as homosexual, and made it clear their personal religious views wouldn't affect their business, the boycott persisted. One year later, they were forced to close the store because business was so slow.¹⁵³

California Christian Kindergarten Criticized for Dismissing Child with Two Mothers - October 2015

Mt. Erie Christian Academy refused to allow the daughter of a same-sex couple to attend kindergarten. The school's admission policy states that the school can refuse to admit a student who is "living in, condoning or supporting sexual immorality; practicing homosexual lifestyle or alternative gender identity; promoting such practices; or otherwise having the inability to support the moral principles of the school." The couple criticized the school in the media, and other socially liberal voices accused the school of being discriminatory and indecent.¹⁵⁴

Professor Resigns After Backlash Against His View on Same-Sex Families - November 2015

Dr. Robert Oscar Lopez was a tenured professor at the State University of California where he taught classics and English. He is the son of two mothers, a "bisexual" woman and her partner, and claims that the experience permanently damaged him and likewise publicly opposes same-sex adoption. He has become a popular target for LGBT advocacy groups because of his opposition to what he considers to be the LGBT agenda, and in 2015 he resigned from his post because of opposition from students and faculty to his views. He was supported by some members of academia and organizations that promote academic and religious freedom, but he left and now teaches at Southwestern Baptist Theological Seminary.¹⁵⁵

Actor Criticized for Defending Natural Marriage on TV - February 2016

Filmmaker and actor Kirk Cameron was interviewed by British personality Piers Morgan on the topic of marriage. Cameron expressed his understanding of the natural and biblical conception of marriage and continued to call homosexuality "unnatural." He said, "I think that it's detrimental, and ultimately destructive to so many of the foundations of civilization." LGBT activist groups like the Gay & Lesbian Alliance Against Defamation were quick to criticize Cameron and generated much public opposition to his position.¹⁵⁶

Christian Bakers Receive Death Threats After Declining to Bake Wedding Cake for Same-Sex Couple - February 2016

Eddie and David Delorme are the proud owners of Kern's Bake Shop in Texas. The Delormes are devout Baptists, and refuse to bake cakes that promote messages that violate their moral convictions. They have refused to bake cakes that support alcohol, tobacco, gambling, or convey sexually inappropriate images. However, they sparked outrage when they refused to bake a cake for a same-sex wedding. Eddie Delorme politely told the couple that her decision was not personal and that she simply wanted to run her business in a way that honored God, and even offered to give them a list of bakeries that would be willing to bake their wedding cake. However, the couple simply left and complained to media outlets, and the bakery received threats of violence on social media and Yelp. Though the bakery was never threatened with a lawsuit, they remain a target of criticism by LGBT activists.¹⁵⁷

Backlash when LGBT Group Barred from St. Patrick's Day March - March 2017

For the 2017 St. Patrick's Day Parade in Boston, the Allied War Veterans Council voted 9-4 to not allow OutVets, a group that represents veterans who identify as homosexual, to march in the parade. The Council noted that in the two previous years the group had displayed a rainbow flag, which violated the Council's code of conduct against advertising one's sexual orientation. However, when the mayor of Boston and several major politicians threatened to boycott the parade, OutVets was allowed to march.¹⁵⁸

Section IV: Suppression of Religious Viewpoints on Sexuality Using Nondiscrimination Laws or Policies

In another alarming trend, people of faith increasingly find themselves subject to legal action (along with censure and hostility) when their religious convictions come into conflict with laws and government policies. Though the exercise of faith can be minimized and curtailed by any number of alleged governmental justifications or rationales, many of the threats to free exercise, free speech, and free expression today come in the form of laws or policies prohibiting discrimination on the basis of sexual orientation and/or gender identity (SOGI). Thus, while all of the incidents in this fourth and final section of the publication concern some type of legal conflict between religious beliefs and laws regarding sexuality, many of them lie at the intersection of religious expression and SOGI nondiscrimination laws.

SOGI laws are increasing in prevalence around the country, and generally compel equal treatment (and thus approval) of a variety of sexual practices. Given Christian orthodoxy as it concerns marriage and sexuality, Christians (and those of other faiths) do not want to be compelled to act in ways by which they must approve of sexual lifestyles their religion teaches to be wrong. Yet these laws have this exact effect, and force those objecting on the basis of religious belief to violate their consciences or face legal action. Because of the recent enactment of numerous such laws, many of the incidents documented below have occurred very recently.¹⁵⁹

Coerced “nondiscrimination” is a matter of serious concern, as it forces those of faith to violate their consciences, their convictions, and their deeply held religious beliefs. It consequently affects their ability to freely exercise their religion. For instance, when Christian wedding photographers who believe same-sex marriage is wrong are forced to provide their creative services at a same-sex wedding, under threat of fines imposed by SOGI laws, free speech and religious exercise are clearly and seriously imperiled. As we document here, many situations of this type have arisen as a result of SOGI laws and ordinances. These cases have resulted in adverse outcomes for people of faith whose consciences prevent them from participating in, or promoting, what they regard as wrong according to their religious teachings. As documented below, many have been compelled by the government to violate their consciences and act against their religious beliefs.

Cases Involving Religious Small Businesses

Christian Photographer Forced to Photograph a Same-Sex Wedding – September 2006**

Elaine and Jonathan Huguenin operated New Mexico-based Elane Photography, which specialized in wedding photographs. Elaine Huguenin, an artist with a degree in photography, has been the lead photographer for the company and employed a photojournalistic style in her work, using her pictures to tell stories for her clients.

In going about their work, both Elaine and Jonathan were ever-mindful about the messages communicated through the photographs Huguenin created. Company policy ensured that they would never tell a story or convey a message contrary to their belief system. As believing Christians, the Huguenins believed the Bible’s teaching that marriage is the union of one man and one woman.

In September 2006, Vanessa Willock asked Elaine Huguenin to create pictures of her same-sex commitment ceremony. Huguenin believed that the pictures she would create at the event would tell a story of marriage at odds with her religious convictions and what she believed to be God’s plan for marriage. As a result, she politely declined. Interestingly, Huguenin would have gladly provided other types of photography services to a customer who identified as homosexual. For instance, she would have happily taken a portrait of such a customer, or filmed a graduation ceremony. But what Willock and her partner wanted Huguenin to do was to participate in, and promote, their same-sex marriage. Huguenin was being asked to video-record the entire

ceremony and edit and splice it together to tell the 'love story' of their wedding. She would have to pose the couple intimately, gazing romantically and lovingly into one another's eyes, while holding hands and kissing.

Huguenin would have to create the memory of their wedding, portraying it as a joyous event, when Elaine believed it was sinful and saddened God. She was not being asked to merely take a photograph of a person who identifies as homosexual, something she gladly would have done. She was being asked to participate in, and use her talents to create speech that actually promoted an activity she believed was sinful. This was far different than, say, serving someone at a lunch counter. And so she declined to participate. After Huguenin said "no," Willock readily found another photographer eager to help her celebrate her day, and that photographer charged less money than Huguenin had to tell the story of the ceremony.

This was not enough for Willock. Unwilling to let the Huguenins conduct their lives consistent with their religious beliefs, Willock sued the company under the New Mexico Human Rights Act, alleging unlawful discrimination on the basis of sexual orientation. The New Mexico Human Rights Commission used the Act to punish the Huguenins for declining to photograph Willock's ceremony, and ordered them to pay nearly \$7,000 in attorneys' fees to Willock's attorney.

The New Mexico Supreme Court upheld the decision, ruling that the Huguenins' rights to free exercise of religion, guaranteed by the Constitution, must yield to the state's antidiscrimination law. One of the judges wrote that, while he understood that all the Huguenins wanted was to be let alone to live their lives according to their faith, they must surrender their right to freely exercise their religion as "the price of citizenship." On April 7, 2014, the U.S. Supreme Court declined to hear the case, and the ruling of the New Mexico Supreme Court against Elane Photography stands.

The Huguenins spent almost a quarter of their young lives – all while trying to make a living and raise a family – trying to vindicate First Amendment rights that were given pride of place in our nation's founding and still-governing documents. The courts ruled against them, determining that their rights to act according to their faith and be faithful to their understanding of what God wants them to do are not as important as the state antidiscrimination law.¹⁶⁰

Pharmacists Forced to Stock Drugs in Violation of their Conscience - 2007

The Stormans family has run their small pharmacy for four generations. They are also Christians, and can't dispense certain drugs they believe to be abortifacients without violating their consciences. If they receive requests for such drugs, they will refer the customer to one of many nearby pharmacies that is happy to provide them (within five miles of Ralph's are more than 30 pharmacies that stock and dispense Plan B, for example). Moreover, no one in Washington has ever been denied timely access to any such drug due to a pharmacist's conscience objection.

Yet in 2007, the State of Washington decided to bar such conscience referrals – despite permitting referrals for all sorts of other reasons. The Stormans were eventually forced to sue the state, yet the federal courts ruled against them, and the Supreme Court recently refused to accept the case. Every day, the Stormans remain at risk of having to violate their consciences in order to do their jobs.¹⁶¹

B & B Owner Sued for Refusing to Rent Room to Same-Sex Couple in Her Own Home - 2007**

Phyllis Young, a practicing Christian, resides with her husband in their family home in Honolulu, Hawaii. It has 1,926 square feet and 10 ½ rooms – 4 bedrooms, 2 ½ bathrooms, a family room, dining room, living room, and kitchen. The Youngs have owned this house for 35 years, having raised their children and been visited by their grandchildren here.

The Youngs also rented out one or more rooms of this family home, where they also resided. Because of her sincerely held religious beliefs, she has not allowed unmarried opposite-sex couples or same-sex couples to rent a room with a single bed together. Young believes that sexual intercourse is only proper in natural marriage and so it is immoral for opposite-sex, unmarried couples or same-sex couples to engage in sexual

behavior. She would not even allow her adult daughter to share a room with her live-in boyfriend when they visited. Young has based her beliefs about sexual morality upon the teachings of the Bible and the Catholic Church.

Young has called her rental business Aloha Bed & Breakfast, but Aloha has no checking account. All payments for rooms in Aloha are made payable to Phyllis. Unlike hotels, Aloha has no employees, no clerk, or office into which members of the public enter. In fact, people may not enter Young's home without her permission. She generally has kept her door locked, like other homeowners. No one has ever knocked on her door and asked to stay in Aloha and "Aloha" is not even listed in the phone book. The residence's listing is under the name of Don and Phyllis Young. When someone phones, Mrs. Young has answered with some variation of, "Hello, this is Phyllis." The Youngs and their guests all share the living space of the house, including the family room, bathrooms, and kitchen. Mrs. Young has stored some of her personal belongings in the closet of each room she rents to her guests and also allowed guests to use her personal computer, located in her own bedroom. Because of the intimate living arrangements Young shares with her guests, she is selective in determining who she will welcome into her home and will not allow couples to stay in Aloha if allowing them to do so would violate her religious convictions.

Diane Cervelli and Taeko Bufford, a couple who identify as "lesbian," asked to rent a room with a single bed in the Young's home. She declined because allowing a same-sex couple to share a room with only one bed in her home violates her beliefs. Cervelli and Bufford complained to the Civil Rights Commission, which found probable cause that Young had violated the state nondiscrimination law, which prohibits discrimination on the basis of sexual orientation.

Young appealed that decision to the state trial court. On April 15, 2013, the trial court judge found that Young had engaged in unlawful discrimination when she declined to rent a room — *in her own home* — to a same-sex couple. The case has been appealed to the Hawaii Intermediate Court of Appeals. The trial court's ill-considered ruling, if permitted to stand, will prevent Young and others from choosing the people they rent rooms to in their own homes. If Young does not have this freedom, she will be forced to stop renting her property. This will likely prevent her and her husband from meeting their monthly mortgage obligations, thus forcing them to give up the home in which they raised their children.¹⁶²

Cookie Shop Settles Complaint of Discrimination for Refusing to Create Rainbow Cookies and Cake for "Coming Out" Celebration - October 2010**

Just Cookies, a cookie shop owned by David and Lily Stockton and located at the Indianapolis City Market, ignited a firestorm in October 2010 after employees refused to fill a special order of rainbow cookies and multicolored cupcake for a "coming out" celebration hosted by an Indiana University Purdue University-Indianapolis group. The Stocktons were subsequently accused of discrimination for refusing to sanction the event because it was against their values. Shop owners David and Lily Stockton said they were within their rights to refuse the request and that the shop didn't have the capacity to fulfill the order. The city investigated whether the shop had violated the city's anti-discrimination ordinance, but the Stocktons ultimately settled the complaint. Under the agreement, the Stocktons acknowledged they understand the city's equal opportunity ordinance and agreed to update the Just Cookies website concerning special orders. The city will also post a public notice regarding the anti-discrimination ordinance.¹⁶³

Country B & B Sued for Refusing to Host Same-Sex Reception - July 2011**

In the bucolic Vermont countryside, Jim and Mary O'Reilly operate the Wildflower Inn, a family owned bed-and-breakfast. Because Vermont legally recognized same-sex unions in 2011, the O'Reillys, a committed Catholic family, had a well-established business practice when approached by anyone asking the Inn to host an event celebrating a same-sex marriage or civil union: Jim O'Reilly would disclose his deeply held religious conviction that marriage is the union of one man and one woman, while nevertheless maintaining that the Inn would host ceremonies or receptions for same-sex unions because that is what the State's nondiscrimination law requires. O'Reilly would disclose this information about his religious convictions because he felt compelled to be honest with potential customers. This practice was approved by the Vermont Human Rights

Commission in 2005, which concluded that there were “no reasonable grounds to believe that Wildflower illegally discriminated” merely by O’Reilly’s communicating his beliefs to a potential customer who inquired about celebrating a civil union on the property.

In 2011 the ACLU teamed up with the Vermont Human Rights Commission, the same entity that had blessed the O’Reillys’ conduct just six years before, in a lawsuit against Wildflower. The lawsuit began when a former Wildflower employee falsely claimed that the inn would not allow a same-sex wedding reception. But the ACLU and the government did not merely challenge Wildflower’s alleged unwillingness to host a same-sex reception; they directly attacked the O’Reillys’ approved practice of disclosing their religious beliefs about marriage to potential customers.

The O’Reillys’ expression of their religious beliefs came at great cost. The real-world implications of a protracted legal battle with the government and the ACLU (and the prospect of paying the government’s and the ACLU’s attorneys’ fees) threatened to bankrupt the O’Reillys and shutter the business they had worked so hard to build. Although the Commission agreed that the O’Reillys acted in good-faith reliance on its 2005 ruling, the government and the ACLU demanded that the O’Reillys pay \$10,000 to the Commission as a civil penalty and \$20,000 to a charitable trust set up by the ACLU’s clients. Forced with the prospect of potentially losing their business, the O’Reillys relented and agreed to these terms in August 2012. This case was not about access to services – the ACLU’s clients were easily able to find a venue for their reception, and the Wildflower’s business practice did not deny services to anyone, but merely disclosed the O’Reillys’ relevant religious convictions. What the government and the ACLU really objected to was the O’Reillys’ mere mention of their views about marriage – views that conflict with the prevailing political orthodoxy in Vermont.

For this, the government and ACLU insisted that the O’Reillys be punished. This case demonstrates the threat that nondiscrimination laws present to religious liberty – that those who disagree with the government’s views about issues implicating a statutorily protected classification may pay dearly for the exercise of their constitutional rights.¹⁶⁴

Multiple Religiously-Based Businesses Challenge Obama Administration’s Mandate that they Provide Drugs and Services that Can Destroy Human Embryos – August 2011

In the implementation of the Affordable Care Act, the federal government adopted a mandate that a number of employers provide contraceptives to their employees. While a number of entities were exempted, the Obama administration refused to exempt religiously-motivated businesses and other entities, despite their objections to being forced to provide contraceptives and drugs and devices that can destroy human embryos. They only asked to not be put in a position where they have to choose – as the price of following their conscience – between paying crippling fines that could shut down their organizations or dropping the healthcare for all their employees. Nevertheless, the government refused to accommodate them. This resulted in massive and wide-ranging litigation, in which the Supreme Court finally ruled in *Burwell v. Hobby Lobby* that the mandate violated the Religious Freedom Restoration Act with regard to these businesses.¹⁶⁵

B & B Sued for Stating Intention to Not Host Same-Sex Wedding on Religious Grounds – November 2011**

Jim and Beth Walder owned the TimberCreek Bed and Breakfast in Paxton, Ill. On February 15, 2011, LGBT activist Todd Wathen – anticipating enactment of Illinois’ “civil unions” law – sent them an email stating: “Do you plan on doing same-sex civil unions starting June 1st?” Jim Walder replied: “No. We only do Weddings.” In response, Wathen enlisted the help of the ACLU and filed a complaint with the Illinois Human Rights Commission: “As a result of Respondent’s violation of the Act, Complainant has suffered substantial mental and emotional distress as well as the stigmatizing injury and deprivation of personal dignity that accompanies denials of equal access to places of public accommodation.” Wathen seeks monetary damages, attorneys’ fees and “an order directing [the Walders] to cease and desist from any violation” of the Human Rights Act.

The Walders fired back, however. “No business owner may be forced to violate his sincerely held religious beliefs merely because someone demands it,” said Steve Amjad, an attorney for Timber Creek. “Constitutional and state laws guarantee religious freedom for every American, including business owners. These complaints

[by Wathen] ignore those fundamental freedoms and are further examples of the threat the homosexual legal agenda poses to every American's basic rights."

"TimberCreek does not host civil union ceremonies for same-sex or opposite-sex couples, so the discrimination charge is baseless," added attorney Bryan Beauman. "TimberCreek has done nothing wrong, and their right to freely exercise their faith should not be threatened." The answers filed in response to the complaints filed by Mark and Todd Wathen assert that "TimberCreek did not engage in sexual-orientation discrimination under the Illinois Human Rights Act" and that applying specific portions of the act to this situation would actually violate the state's Religious Freedom Restoration Act, federal law, and the First Amendment to the U.S. Constitution.¹⁶⁶ In September 2015, an administrative law judge ruled that public businesses, like Timber Creek Bed and Breakfast, could not refuse to serve same-sex clients for religious reasons,¹⁶⁷ and the Walders were fined \$80,000.

The attorney for the Walders has appealed the ruling, asking the Commission to reverse on the liability of TimberCreek and the damages owed.¹⁶⁸

On November 18, 2016, a 3-member panel of the Commission refused to review the administrative law judge's decision.¹⁶⁹ Walder said the "fix was in from the get-go," and reported that "two of the three panel members were involved in LGBT activism or openly gay." He continued, "[t]he public probably assumes that these three commissioners were nonpartisan, fair and neutral when the exact opposite was the case." Walder plans to appeal to the full Commission.¹⁷⁰

Print Artist Sued for Refusing to Promote Homosexual Lifestyle – March 2012**

Blaine Adamson was the managing owner of Hands On Originals, a printing company in Lexington, Ky., that specializes in producing promotional materials. Adamson, a practicing Christian who strives to live consistently with biblical commands, has not distinguished between conduct in his personal life and his actions as a business owner. As a result, he has avoided using his company to design, print, or produce materials that convey messages or promote events or organizations that conflict with his sincerely held religious convictions.

Hands On Originals has served customers that Adamson knew self-identified as homosexual, and it has employed (and, at time of publication, continues to employ) persons who identify as homosexual. But Adamson has not wanted to produce printed materials that promote homosexual *behavior*. Doing so would conflict with his sincerely held religious beliefs about sex and sexuality. In March 2012, the Gay and Lesbian Services Organization (GLSO), an advocacy organization that promotes same-sex relationships and homosexual conduct, asked Adamson and his company to print promotional shirts for the Lexington Pride Festival, which (like GLSO) celebrates same-sex relationships and homosexual conduct. Adamson politely declined the request because he knew that the content of those shirts and the event that they would promote would communicate messages clearly at odds with his religious beliefs. Adamson nevertheless did offer to connect GLSO with another company that would print the shirts for the same price that Hands On Originals would have charged. Yet this courtesy was not enough for the GLSO and its members. They believed that Adamson and his business should be punished for his objection to their messages. As a result, the GLSO filed a discrimination complaint with the Lexington-Fayette Urban County Human Rights Commission, alleging that Hands On Originals unlawfully discriminated on the basis of sexual orientation.

This discrimination complaint had nothing to do with ensuring access to services since soon after filing its nondiscrimination complaint, GLSO filled its shirt order with little trouble when another company offered to print the shirts for free. Nevertheless GLSO continues – to this day – to press its claim against Adamson and his company by not dismissing its complaint. To add injury to insult, upon filing its discrimination complaint, GLSO and its allies began a public campaign against Hands On Originals in the community, which included, among other things, a page on the group's website and a "Boycott Hands On Originals" Facebook page. As a result of the public pressure created by GLSO, some of Hands On Originals' large customers – such as the University of Kentucky, the Fayette County Public School System, and the Kentucky Blood Center – have

publicly stated that they are placing a hold on further business with Adamson and his company, resulting in a significant loss of business for Hands On Originals. This development has jeopardized the livelihood of Adamson's many employees and the future of his company.

In November 2012, the Commission found probable cause to believe that Hands On Originals violated the local nondiscrimination ordinance.¹⁷¹ After the Commission ruled against Hands On Originals, Adamson appealed the order to a Fayette County Circuit Court in December 2014.¹⁷² In April of the following year, the Kentucky court ruled that the government cannot force the Lexington printer to print messages that conflict with his religious beliefs.¹⁷³ This ruling was recently affirmed on appeal.¹⁷⁴

Cakeshop Sued for Refusing to Bake for Same-Sex Couple's Wedding Celebration - July 2012**

Jack Phillips has used his artistic talents to design and create wedding cakes and baked goods for the last 40 years. Twenty years ago, he started Masterpiece Cakeshop, and since that time he has served thousands of customers in Colorado without regard to race, religion, sexual orientation, or any other status.

In addition to being a baker, Phillips has been a committed Christian who believes that he should live consistently with what he believes to be true. As a consequence, Phillips has sought to operate his business in accordance with his faith, even when doing so might cost him.

While Phillips served all *people*, because of his faith he chose not serve all *events*. For instance, he has chosen not to bake any Halloween-themed goods, even though Halloween typically provides bakeries increased revenue-making opportunities, because he believes that Christians should not promote Halloween. He has chosen to close his store on Sunday, so his employees might be able to go to church if they so desire.

In July 2012, Charlie Craig and David Mullins asked Phillips to make a wedding cake to celebrate their same-sex ceremony. In an exchange lasting about 30 seconds, Phillips politely declined, explaining that he would gladly make them any other type of baked item they wanted but that he could not make a cake promoting a same-sex ceremony because of his faith. Craig and Mullins, now represented by the American Civil Liberties Union, immediately left the shop and later filed a complaint with the Colorado Civil Rights Division. After the Civil Rights Division found probable cause, the complaint was heard by an administrative law judge, who ruled in favor of Craig and Mullins and against Phillips. Phillips filed an appeal with the Colorado Civil Rights Commission but the Commission upheld the administrative law judge's ruling.¹⁷⁵ After appealing the Commission's ruling, the Colorado Court of Appeals affirmed the lower court's decision.¹⁷⁶ Phillip's petition for the Colorado Supreme Court to hear his case was denied on April 25, 2016.¹⁷⁷

On July 22, 2016, Phillips asked the Supreme Court to hear his case.¹⁷⁸ On June 26, 2017, the Court agreed to hear it.¹⁷⁹

Farm Punished and Fined for Refusing to Host Same-Sex Wedding - October 2012**

Liberty Ridge Farm, in Schaghticoke, N.Y., is the home of the Gifford family. It is a working farm that has been in the family for many years, and the main structure on the property is where the Giffords reside, raise their children, and engage in the private affairs of family life. The Gifford family has chosen to allow people on their property for certain select events on given days at given times. Their home is not opened indiscriminately like a hotel, and although visitors pay for certain events held on the property, the Giffords have determined the types of activities they will or will not allow.

The family holds deeply-held religious beliefs, and one of these is that God created the design for marriage as the union of one man and one woman in a lifelong and exclusive relationship. The Giffords have not denied access to the Farm to any visitor on the basis of race, religion, sex, and other factors including sexual orientation. Everyone has been welcome to attend any scheduled events on their property; the Giffords would even permit a same-sex couple to hold a reception on their property. But they would not allow a same-sex marriage ceremony, because it violated their religious beliefs.

Melissa Erwin and Jennifer McCarthy wanted to hold their wedding at Liberty Ridge Farm. The Giffords declined to allow them to do so because of their religious beliefs; Erwin and McCarthy then filed a complaint with the New York Division of Human Rights. There was an evidentiary hearing in November 2013 before an administrative law judge (ALJ). The ALJ asked both sides for briefs after that hearing; these briefs were submitted on January 7, 2014. Jim Trainor, representing the Giffords, argued in his brief that Liberty Ridge Farm did not fit within the definition of public accommodation, and also that the Farm did not decline services because of the sexual orientation of the complainants but rather because of the Giffords' beliefs about marriage.¹⁸⁰ In July 2014, the ALJ ruled against the Giffords,¹⁸¹ fining them \$10,000 plus \$3,000 in damages as well as ordering them "to implement re-education training classes designed to contradict the couple's religious beliefs about marriage." After the Giffords appealed the decision, The New York Supreme Court, Appellate Division, Third Department, "upheld [the lower court's] order and the fines, finding that the government can punish the Giffords for declining to coordinate a ceremony that conflicts with their conscience."¹⁸²

"Sweet Cakes" Baker Sued and Threatened for Not Baking for Same-Sex Wedding - January 2013

Melissa and Aaron Klein owned Sweet Cakes by Melissa, a bakery located in Gresham, Ore. They declined, because of their religious beliefs, to bake a wedding cake for a same-sex wedding. The same-sex couple filed a complaint against the Kleins with the Oregon Bureau of Labor and Industries (BOLI). The commissioner of BOLI, Brad Avakian, has been quoted as saying that, "The goal is never to shut down a business. The goal is to rehabilitate."

Nevertheless, BOLI ruled against the Kleins, and issued an administrative decision saying that Sweet Cakes engaged in discrimination against the same-sex couple. Due to threats and fearing for their safety, the Kleins closed Sweet Cakes by Melissa in September 2013.¹⁸³ The Kleins were forced to pay \$135,000 for refusing to bake the cake that violated their beliefs.¹⁸⁴ They have now completely closed up shop, and can't ever see the prospect of opening another business in Oregon again.¹⁸⁵

Even the editorial board of a prominent Oregon news source (which has been no fan of the Kleins) believes the Oregon Attorney General is out of bounds for continuing to argue for the future suppression of the Kleins' speech on the theory that it shows an intent to discriminate. This argument was too superfluous even for the paper, which believes the Kleins should have been found guilty of discrimination, but doesn't feel they should be punished in this way.

Aaron and Melissa appealed their case to the Oregon Court of Appeals in April 2016,¹⁸⁶ where the case is pending.

Florist Sued for Refusing to Create Arrangement for Same-Sex Wedding - April 2013**

Sixty-eight-year-old Barronelle Stutzman, the sole owner of Arlene's Flowers in Richland, Wash., has for her entire career served and employed people who identify as homosexual. One of her longtime clients, whom she had served for nine years while knowing that he identified as homosexual, asked her to design the floral arrangements for his same-sex wedding. Ms. Stutzman had always considered him a friend. She responded by telling him that, while he knew she loved him, her religious convictions would not allow her to design floral arrangements that would support same-sex marriage. The ACLU responded by bringing suit against her, as did the State of Washington. Both suits alleged violations of Washington's state nondiscrimination law.

Ms. Stutzman filed a countersuit against the State of Washington, arguing that the nondiscrimination law, as applied to Ms. Stutzman, was unconstitutional because it forced her to act contrary to her religious convictions and also forced her to promote a message that she did not wish to convey.¹⁸⁷ The Benton Superior Court ruled against Barronelle, ordering her to pay penalties and fees.¹⁸⁸

After rejecting a settlement offer from the state's attorney general, which would have required Stutzman to pay over \$2,000 and give up her religious freedom by forcing her to serve same-sex weddings,¹⁸⁹ Barronelle appealed her case to the Supreme Court of Washington in April 2015.¹⁹⁰ On March 1, 2016, the Washington Supreme Court granted review of Stutzman's case.¹⁹¹

The court heard oral arguments on November 15, 2016, and issued a decision on February 16, 2017, ruling against Barronelle and refusing to honor her religious liberty rights. She plans on appealing to the U.S. Supreme Court.¹⁹²

Gallery and Venue Space Forced to Close or Violate Their Religious Beliefs – October 2013

Dick and Betty Odgaard of Des Moines, Iowa, owned the Gortz Haus Gallery which was also used a venue for weddings. A same-sex couple filed a complaint with the Iowa Civil Rights Commission in 2013 after the Odgaards refused to rent the space for the same-sex wedding ceremony. As a part of a settlement agreement, Dick and Betty agreed to pay the two \$5,000 and to not discriminate against other same-sex couples. In order to not violate their beliefs, the Odgaards closed the gallery and have since sold the property to a church.¹⁹³

Wedding Chapel Owners Sue, Reorganize Business to Protect against Local Discrimination Ordinance – October 2014

Don and Evelyn Knapp own the Hitching Post Wedding Chapel in Coeur d'Alene, Idaho. After a federal court struck down the state's ban on same-sex marriage, the Knapp's filed a lawsuit against the city because their for-profit company could be compelled to comply with the city's ordinance that prevents most businesses from discriminating based on a person's sexual orientation. Don and Evelyn briefly closed the wedding venue after a person inquired about using the chapel for a same-sex wedding.

When the Knapp's reopened the Hitching Post, they reorganized the company as a religious corporation, which, according to the City's attorney, meant the ordinance "did not apply to them and they wouldn't have been compelled to perform same-sex weddings." The city of Coeur d'Alene eventually settled the lawsuit when the Knapps accepted an offer for \$1,000.01 in May 2016 for the time the chapel was closed.¹⁹⁴ However, the matter is not completely resolved and could arise again.¹⁹⁵

Meat Packing Plant Threatened with Closure by Federal Government Due to Owners' Belief in Natural Marriage – September 2015

The West Michigan Beef Company is a family-owned business that states expressly on their website that they seek to glorify God through their business. When the owner Donald Vander Boon noticed that the literature in the break room was largely supportive of the recent Supreme Court decision constitutionalizing same-sex marriage, he placed a faith-based article on the table that expressed a belief in traditional marriage between a man and a woman. However, the Department of Agriculture had recently passed a policy that instructed USDA officials to oppose communications that were considered disrespectful towards someone's sexual orientation. When the USDA public health veterinarian saw the article, he removed it and threatened to remove the inspector from the company. Without an on-site inspector, the company would be in violation of USDA regulations and would be shut down. Mr. Vander Boon acquiesced and removed the article, but filed a complaint with the USDA; since then he has only received acknowledgement that his complaint was received. He still faces the closure of his business if he simply places his religious literature in the open.¹⁹⁶

Artists Sue the City of Phoenix over Law Forcing them to Create Message that Violates Their Beliefs – May 2016

After meeting at a Bible study, Joanna Duka and Breanna Koski decided to open an art studio, specializing in "hand-drawn invitations and paintings for weddings, businesses, and everyday moments." With the business's focus on weddings, the two artists became concerned that their views of marriage conflicted with a city non-discrimination ordinance that prevented artists and businesses from expressing messages that make someone feel "unwelcome" based on sexual orientation. In fact, the Phoenix law seems to not only require Brush & Nib to create invitations or other forms of artwork for same-sex weddings, the ordinance also prevented the company from discussing with potential customers or the general public that the artists would only create art consistent with their beliefs. Instead of waiting for lawsuit to be filed against them, Joanna and Breanna sued the city in May 2016. The lawsuit "alleged that Phoenix is violating Joanna, Breanna, and Brush & Nib's rights under the Arizona Constitution and the Arizona Free Exercise of Religion Act by compelling them to create art they object to and by stopping them from discussi[ng] their artistic and religious beliefs with

others,”¹⁹⁷ and asked that the ordinance not be enforced against them. A trial court judge refused to grant the request, so Joanna and Breanna appealed. The case is currently pending on appeal.¹⁹⁸

Media Group Threatened with Lawsuit and Fines If They Refuse Same-Sex Wedding – December 2016

Carl and Angel Larsen are orthodox Christians who work in media and film, and part of their work is filming weddings. Being orthodox Christians, they believe the truth about what God says about marriage, and don’t want to be forced to be a part of promoting any other message about marriage – such as support for same-sex marriage. Yet under Minnesota law, they could be forced to do that if someone walks in to their business and asks that they film their same-sex wedding ceremony – even if it violates their faith.

State officials have repeatedly threatened to prosecute such business owners, who could be forced to pay up to \$25,000 in damages and serve up to 90 days in jail. Carl and Angel can’t comply with this law, for this would violate their faith. But they don’t want to wait around to be fined and jailed either. So they have filed suit asking that a court declare that they can’t be compelled to violate their faith in this way.¹⁹⁹

Madison Law Threatens to Force Creative Professionals to Violate Religious Beliefs – March 2017

A law in Madison, Wis. (combined with the enforcement of a state law), forbids businesses from declining to do work because they consider it to violate their religious beliefs. Madison and the State of Wisconsin have interpreted this to mean that an artist like Amy Lynn Lawson, a photographer, must serve clients even if it violates her political or religious beliefs. Artists like Lawson aren’t even allowed to preemptively write statements reserving their right to refuse projects that offend their consciences. Moreover, the law forbids discriminatory messages such as a photographer that did an pro-life photoshoot to also be required to do a pro-abortion photoshoot. Alliance Defending Freedom is pursuing a pre-enforcement challenge in defense of Lawson and is attempting to declare the law unconstitutional.²⁰⁰

Farmer Excluded from Market Because of Christian Views – May 2017

Steve Tennes and his wife, who are Catholic, run Country Mill Farms in Michigan. He posted on Facebook that he supports natural marriage and reserves the right to not host a wedding on the premises of his farm if it conflicts with his religious convictions about marriage. When he was criticized on social media and by advocacy groups, he responded by publicly stating he would stop hosting all weddings. Even though Tennes serves LGBT people at his farmer’s market booth and employs LGBT individuals, the city has targeted him for his stance on marriage. The City of East Lansing, Mich., has a longstanding non-discrimination statute, and in 2017 the city manager clarified that it covered “all business practices” and subsequently chose to exclude Tennes from the city farmer’s market. Alliance Defending Freedom has filed a federal lawsuit on Tennes’ behalf.²⁰¹

Cases Involving Religious Nonprofit Organizations

Salvation Army’s Contracts Revoked for Not Giving Benefits to Same-Sex Partners – November 2001

In order to do business in San Francisco, companies must provide benefits to all marriage partners. The Salvation Army, an international Christian charity, declined to provide benefits to same-sex partners because it would violate their religious beliefs. As a result, the city of San Francisco removed \$3.5 million in social services contracts and the Salvation Army could no longer accept government money to help fund their programs.²⁰²

Christian Group Forced to Host Same-Sex Wedding in Its Boardwalk Pavilion – June 2007**

The Ocean Grove Camp Meeting Association was founded in 1869 by a small band of Methodist clergymen on the New Jersey shore. It is a religious association that provides a venue for religious services, including Sunday services, Bible studies, camp meetings, revival gatherings, gospel music programs, religious educational seminars, and other religious events. Upon its incorporation, the Association pledged that it would use its facilities for God’s glory and would abstain from using them in any way “inconsistent with the doctrines, discipline, or usages of the Methodist Episcopal Church.” As part of its outreach programs to the community, the Association has made regular use of its privately owned, open-air Boardwalk Pavilion

overlooking the Atlantic Ocean. Each day throughout the summer, the Association has hosted overtly and exclusively religious events in the Boardwalk Pavilion, events ranging from Bible studies to worship services and revival meetings. Events held in the Boardwalk Pavilion have been consistent with the religious beliefs and doctrines of the Association.

In 1997, the Association began operating a wedding ministry in many of its private places of worship, including the Boardwalk Pavilion. Because this ministry was a means of Christian outreach to the community, the Association permitted members of the public to have their weddings in the Boardwalk Pavilion. In March 2007, Harriet Bernstein asked the Association if she could use the Pavilion for a civil-union ceremony with her same-sex partner, Luisa Paster. The Association believed, based on its interpretation of the Holy Bible and its reading of the Methodist Book of Discipline, that marriage is the uniting of one man and one woman. The Association also believed that homosexual behavior is incompatible with Christian teaching, and thus it does not condone that practice.

Naturally, then, the Association denied the couple's request because the proposed use of the facility violated the Association's religious beliefs. In June 2007, the couple filed a discrimination complaint with the New Jersey Division on Civil Rights, alleging that the Association's denial of their request amounted to unlawful discrimination under the New Jersey Law Against Discrimination. The Division agreed, concluding in October 2012, that the Association had violated the State's nondiscrimination law, despite the fact that the Pavilion was a place of religious worship used by a religious organization. As a result, the Association has stopped renting out the Boardwalk Pavilion for weddings.²⁰³

The complaining couple neither suffered nor sought any monetary damages. Nor were they left without a suitable venue for their event, as evidenced by the fact that they held their civil-union ceremony on September 30, 2007, on a fishing pier in Ocean Grove. This case, like others discussed, was not about a lack of access to services or facilities. Instead, the couple filed their complaint to compel a religious organization to act in a manner that would violate core tenets of its religious faith. The government permitted the couple to use the nondiscrimination laws to prevent the Association from operating its programs and activities consonant with its religious faith.²⁰⁴ On top of this, the state revoked the Association's tax exemption for abiding by its faith.²⁰⁵

Catholic Church Forced to Shut Down Adoption Agencies to Avoid Violating Beliefs - August 2011

The state of Illinois ended its historic relationship with Catholic Charities – which was the first organization to inspire child welfare services in that state – because the organization would not adopt children to same-sex couples. Adoptions by same-sex couples would violate well-established Roman Catholic Church doctrine. Although Catholic Charities was willing to refer same-sex couples to other adoption agencies, the state refused to accommodate them. Ironically, this religious-based discrimination is in response to the Religious Freedom Protection and Civil Unions Act. The Act, when combined with state antidiscrimination laws, requires same-sex civil unions to be treated like marriages, but only provides protection for religious clergy who decline to officiate a civil union. It is estimated that two-thousand children will now have to transition to new agencies.²⁰⁶

In Massachusetts, the Catholic Church also shut down a successful adoption agency following the state supreme court's imposition of same-sex marriage to avoid being forced to place children in same-sex households.²⁰⁷ Catholic entities have similarly been discriminated against for their views in the District of Columbia and San Francisco, and have chosen to shut down adoption services rather than be forced to violate their conscience by the government.²⁰⁸

Multiple Religious Nonprofits and Schools Challenge Obama Administration's Mandate that they Provide Drugs and Services that Can Destroy Human Embryos - August 2011

Just as in the case of the businesses mentioned above ("*Multiple Religiously-Based Businesses Challenge Obama Administration's Mandate...*") the federal government adopted a similarly unacceptable mandate forcing religious organizations and schools – and even a group of nuns who care for the elderly poor (the Little Sisters of the Poor) – to provide contraceptives to their employees against their conscience. This has resulted in protracted litigation culminating in the Supreme Court's decision in *Zubik v. Burwell*, but the case is still not

resolved. For years, these numerous religious schools and nonprofit institutions have made it clear to the federal government that they don't object to the government providing such contraceptives to who it wants; they only want to avoid being forced to be involved in all this. A leaked rule drafted by the Trump administration may solve these issues, but the matter remains unresolved at this point.²⁰⁹

Man Sues Religious Living Facility for Discrimination – October 2015

A nonprofit assisted living center run by the Catholic Diocese of Richmond fired John Murphy when they learned he was in a same-sex marriage. Even though Murphy identifies as a Catholic, the nonprofit informed him that a homosexual relationship contradicted Church doctrine and they expected their employees to uphold the tenets of Catholic teaching in their lives. Murphy filed a discrimination lawsuit in federal court. The suit was eventually dismissed when the parties resolved their differences but refused to comment further.²¹⁰

Federal Non-Discrimination Laws Contribute to Closure of Catholic Charities – August 2016

In 2016, the Catholic Charities of Omaha stopped providing their behavioral health services when the federal funding they heavily relied on wasn't meeting their budgetary needs. They transferred their mental health and substance abuse service to other health organizations and are working with the archdiocese on other projects. Additionally, the Catholic Charities felt that federal nondiscrimination regulations were compromising their religious beliefs. These federal statutes would require the social workers to affirm same-sex marriages and transgenderism, both of which the Catholic Church opposes. The regulations would also have prevented employees from talking about their faith during their work.²¹¹

Catholic Hospital Sued for Not Performing Abortion – September 2016

Tamesha Means went to a Catholic hospital while she was in the process of a miscarriage, and because of the Catholic church's strong stance against direct killing, the hospital refused to abort the child. The ACLU then sued the hospital on behalf of Means saying that an abortion would have been safer and less emotionally traumatic for the mother. The suit was dismissed, however, because the plaintiff hadn't suffered enough of an injury to claim negligence on the part of the hospital and it would unjustly intrude on the religious convictions of the institution.²¹²

Religious Hospitals Bring Lawsuit Challenging Federal Regulation that Would Require Them to Perform Gender Reassignment Surgery – November 2016

In July 2016, the Department of Health and Human Services issued a rule that clarified an anti-discrimination provision of the Affordable Care Act (ACA). The new rule explained that the Obama administration would consider discrimination on the basis of gender identity a form of prohibited sex-discrimination. The Religious Sisters of Mercy, Sacred Heart Mercy Health Care Center, and others filed suit in federal court, claiming that the law would force Catholic hospitals to perform gender reassignment surgery (for those seeking to try to change their biological sex) in violation of their religious beliefs. In addition, a doctor who refuses for either medical or moral reasons to perform such surgeries could be subject to a lawsuit and could lose his job. Becket Law is representing the Catholic hospitals in their suit, which points out that the religious liberty of medical professionals across the country has been violated.²¹³

Religious Hospitals Are Sued for Not Providing Gender Reassignment Surgery – January 2017

Jionni Conforti, a woman who identifies as a transgender man, had scheduled a hysterectomy at St. Joseph's Regional Medical Center in New Jersey. Conforti thought it was medically necessary to remove her female organs to facilitate her gender transition. However, the Catholic hospital, which follows the guidelines laid out by the U.S. Conference of Catholic Bishops, felt it would violate their religious convictions to assist in gender reassignment surgery. Conforti and Lambda Legal filed suit against the hospital, alleging violations of state law and the Obama administration rule declaring gender identity to be protected by sex discrimination prohibitions in the ACA.²¹⁴

Similarly, in April 2017, Evan Michael Minton, a woman who identifies as a transgender man, had a hysterectomy scheduled with Dignity Health Mercy San Juan Medical Center in California. The hospital

cancelled the surgery because they felt that such a procedure was not medically helpful and rejected the natural order of a person's sex. Minton had surgery at another center, but sued the Catholic hospital with the ACLU, claiming it was a violation of California's Unruh Civil Rights Act.²¹⁵

Cases Involving Religious Schools

Christian High School Sued for Dismissing Students in a Same-Sex Relationship - December 2005

California Lutheran High School Association, a Christian school, was sued for sexual orientation discrimination by two former students who were dismissed because of their impenitent homosexual relationship. Such a relationship was expressly forbidden by the school's code of Christian conduct. However, the lawyers of the couple argued that as a "business establishment" that sold goods, the school was bound by the Unruh Civil Rights Act to not discriminate based on sexual orientation. In January, 2009, the California Court of Appeals dismissed the case.²¹⁶

Teacher Identifying as Transgender Sues Catholic School for Being Fired - October 2011

A former teacher of St. Francis Catholic Preparatory School in New York sued the school, claiming gender-identity discrimination. The teacher, who had been working at the school for 32 years, was asked to conform his appearance to the standards of the dress code. When confronted, the teacher stated he was transgender. The teacher had adopted a feminine name, was wearing women's clothing, and was taking hormone therapy. The school claimed the teacher was insubordinate for refusing to conform to dress code rules. In December 2013, the two parties reached a confidential settlement.²¹⁷

Same-Sex Couple Sues Christian Preschool for Not Allowing Child to Attend - December 2012

Hope Christian School, a Christian preschool in Albuquerque, was sued by a same-sex couple after their child was refused admission to the school. Administrators felt that the home environment and beliefs regarding homosexuality could not be reconciled with the school's beliefs, stating in a letter, "same gender couples are inconsistent with scriptural lifestyle and biblical teachings." They likewise felt an educational partnership would not be possible. The same-sex couple sued the preschool under New Mexico's Human Rights Act.²¹⁸

Catholic School Sued for Expelling Student Who Identified as Homosexual - November 2013

The administrators of Preston High in New York, a Catholic School, expelled two female students for fighting. One of the students, Amanda Acevedo, sued the school alleging that the real reason she was expelled was because she identified as a lesbian, and that the school had been hostile to her ever since she took a girl to prom. The judge issued a temporary restraining order, forcing the school's administration to readmit her.²¹⁹

Catholic School Sued over Refusal to Hire Individual in a Same-Sex Marriage - January 2014

It looked like Matthew Barrett was going to be hired at the Catholic Fontbonne Academy in Milton, Mass., but then administrators noticed his emergency contact form. On it, Barrett had identified his same-sex "spouse" as the person to call. The Academy called him into the office and rescinded the job offer. The headmaster was polite but resolved. "Fontbonne Academy does not discriminate against anyone based on their sexual orientation," said Assistant Head of School Gregg Chambers. But it is "guided by the religious doctrines and beliefs of the Roman Catholic Church [which] has a very specific belief that marriage between two persons of the same-sex is contrary to the teachings of the Catholic Church and that belief informs policies of how Fontbonne Academy and all Catholic schools are to operate on this issue."²²⁰ That didn't sit well with Barrett, who contacted the local Gay & Lesbian Advocates & Defenders (GLAD) and filed a complaint with the state. "Religiously-affiliated entities do not have a free pass to do as they please in how they treat employees," GLAD insisted. Other social liberals piled on, arguing that Barrett wouldn't have been working in the classroom to impose his agenda on the students. GLAD subsequently filed a complaint with the Massachusetts Commission Against Discrimination (MCAD) against Fontbonne Academy.²²¹

In December 2015, the Massachusetts Superior Court judge ruled that the Academy was not exempt from the state's antidiscrimination laws because of the school's religious beliefs. While the Catholic school argued that hiring him would "be inconsistent with both the teachings of the Catholic Church and its own policy that all

employees are models for the students,” the Superior Court Judge ruled that “[r]equiring Fontbonne to retain a food service director who has done nothing more than list a same-sex husband as an emergency contact does not significantly and seriously burden Fontbonne’s expressive situation.” The school reached a confidential settlement in December 2015, which means that Fontbonne Academy will not appeal the ruling.²²²

University Sued for Not Allowing Student Who Identified as Transgender to Live with Men – July 2014

George Fox University is associated with the Meeting of Friends, a part of the Quaker movement. When a student named Jayce, who identified as transgender man, applied to move from female housing to male housing at the school, she was told that she could be housed only in a single apartment that was separated from the male students. The student filed a complaint with the Education department citing Title IX regulations. The complaint was rejected; the Education Department noted that George Fox had been exempted from Title IX regulations regarding facilities (such as restrooms and locker rooms), housing, and athletic teams. The exemption provided that “to the extent that they require a recipient to treat students consistent with their gender identity, but doing so would conflict with the controlling organization’s religious tenets.” Southwick, the lawyer for the student, recognized that the college does not take federal funds, but noted that George Fox does take federal aid and “educates students from non-Quaker faiths, even if all employees must be Christian.” The press secretary for the Education Department commented: “The Department of Education enforces Title IX’s prohibitions against discrimination on the basis of sex, including gender identity, in any education program or activity operated by a recipient of federal taxpayer dollars. However, Title IX also provides an exemption for institutions controlled by religious organizations where the institution asserts that its religious tenets conflict with the law.”²²³

Christian School Fined for Expelling Student Who Identified as Transgender – July 2014

An admitted student, who identified as transgender and went by the name Domaine, was expelled and banned from activities on campus at California Baptist University. The student sued, citing the Unruh Civil Rights Act, which bars different forms of discrimination, including on the basis of gender identity. The California Superior Court noted that the state had established the precedent that the rule “did not apply to organizations whose primary mission is ‘the inculcation of a specific set of moral values.’” The judge in this case ruled that the “residential academic program fit that model and thus was exempt.” This decision was based on the facts that the president and board of trustees must be members of the Southern Baptist church, the faculty must be Christian, and students are expected to attend chapel services and abide by “a strict moral code.” The judge did rule that other programs, such as access to the library, counseling center, galleries, and online courses “have little or no values-based component,” and, therefore, were covered by the non-discrimination law. The school was fined \$4,000 for its violation.²²⁴

For comparison’s sake, Biola University crafted language barring students who identify as transgender when CBU was going through its lawsuit. Biola filed its request for a waiver with the Department of Education. The waiver was denied because “the school did not prove that it was controlled by a religious entity.” The school has since revised its waiver, which is pending.²²⁵

Federal Commission Sues Catholic School for Requiring its Educators to Follow Catholic Church Teaching on Natural Marriage – January 2015

Mount de Sales Academy, a Catholic prep school, fired band teacher Flint Dollar in May 2014 when they discovered he was planning to marry his same-sex partner. The school explained that retaining Mr. Dollar would violate the school’s mission to adhere to the teachings of the Catholic Church in their education. The Equal Employment Opportunity Commission claimed in January 2015 that there was reasonable cause to believe that this constituted “sex discrimination” under Title VII of the Civil Rights Act of 1964 because the school was firing him based on a gender stereotype. However, Title VII does not mention gender identity or sexual orientation and the EEOC’s reinterpretation of the statute would mean Catholic schools would not be allowed to require their staff or teachers to follow the traditional teachings of the Church.²²⁶ The school eventually settled with the teacher out of court.²²⁷

Christian College Sued for its Stance on Hiring LGBT Individuals – April 2016

A Gordon College professor sued the school after she publicly denounced the school's stance (which is tied to its beliefs) against hiring LGBT people through federal contractors. The suit alleges that Gordon administrators "violated state laws that prohibit retaliation for opposing discrimination, discrimination on the basis of the sex, and interference with freedom of expression and association." The argument (according to an attorney for the ACLU working on the suit) is that faculty members like Lauren Barthold "are not ministers, and Gordon is not a seminary or a house of worship."²²⁸

Teacher Sues Catholic School and Church for Holding to Traditional Catholic Teaching – September 2016

Kate Drumgoole, a guidance counselor and coach at Paramus Catholic High School in New Jersey, was fired when the administration learned that she was in a homosexual relationship. She is suing the school and the archdiocese, claiming she was discriminated against. The issue was portrayed in the media as an issue of equal treatment, but the Catholic school maintains that it was exercising its liberty as a religious institution to require agents of the Church to uphold the moral teachings of the Church. As a teacher, Drumgoole signed the archdiocese's "Policies on Professional and Ministerial Conduct," which requires teachers to act in accordance with "the discipline, norms and teachings of the Catholic Church."²²⁹ The church and school asked that the case be dismissed based on the First Amendment ministerial exemption, but a Superior Court judge allowed it to proceed.²³⁰

Student Sues Catholic School for Barring Him from Taking Same-Sex Date to Prom – September 2016

Lance Sanderson, a former student at Christian Brothers High School, was prohibited from taking a male date to the homecoming dance hosted by the school. The story was picked up by the media and Sanderson created a petition that received thousands of signatures to let him take a same-sex date. When the school continued to refuse based on their belief in traditional Catholic teachings about homosexuality, Sanderson left the school. As a Catholic school that receives federal funds, Sanderson sued the school under Title IX for \$1 million, claiming that the school's treatment of him based on his sexual orientation constituted gender discrimination precluded by the statute.²³¹

Teacher and ACLU File Federal Lawsuit Against Catholic School – January 2017

Lonnie Billard, a former teacher at Charlotte Catholic High School announced on Facebook in 2014 that he was going to marry his same-sex partner. The school then fired him, "for going on Facebook, entering in a same-sex relationship and saying in a very public way that he does not agree with the teachings of the Catholic Church." The diocese has been outspoken in their support of natural marriage, but the ACLU claims that the Catholic school's religious convictions don't exempt them from the workplace discrimination prohibition in the Civil Rights Act. Billard and the ACLU are suing the school in federal court.²³²

Cases Involving Public Servants, Employees, and Students

Counselor Fired for Refusing to Assist in Counseling Same-Sex Relationships – August 2007*

A Christian counselor for the Computer Sciences Corporation, Marcia Walden, was fired because she refused to lie about why she was referring clients with same-sex relationship problems to other counselors. Walden told a client who identified as homosexual from the Center for Disease Control (CDC) that her personal values would interfere with the client/therapist relationship, never mentioning her religious objections. In response, the client complained to the CDC that Walden was homophobic. Walden reiterated to her supervisors that she had no problem counseling individuals who identified as homosexual, but her religious beliefs prevented her from conducting relationship counseling for those in homosexual relationships. Her supervisors suggested that she lie to clients who identify as homosexual and tell them she did not have much experience with relationship counseling. Walden refused to lie about why she was referring clients and was ultimately fired for not "altering her approach." The Eleventh Circuit Court of Appeals rejected claims that Walden's free exercise rights were violated under the First Amendment, affirming the district court's summary judgment ruling against her.²³³

Employee Fired for Column on Homosexual Rights - May 2008

Crystal Dixon, a University of Toledo human resources employee, was fired in 2008 after writing a column critical of "homosexual rights." A black Christian, she argued that those choosing to embrace a homosexual lifestyle are not "civil rights victims." Ms. Dixon's editorial letter in the *Toledo Free Press* objected to the idea that "those choosing the homosexual lifestyle are 'civil rights victims'" because they "violate God's divine order." She identified herself in the letter as Associate Vice President for Human Resources at the University of Toledo. The university proceeded to terminate her employment on the grounds that her free expression violated her responsibility to uphold the university's nondiscrimination statement, which includes sexual orientation. She sued, and in December 2012 the Sixth Circuit Court of Appeals ruled that the university had legitimate grounds to fire her. She appealed further, but unfortunately, the U.S. Supreme Court has declined to take the case.²³⁴

Graduate Student Expelled from Program Based on Nondiscrimination Policy after She Refused to Compromise Her Religious Beliefs - January 2009**

Julea Ward was enrolled as a student in a graduate counseling program at Eastern Michigan University (EMU). As part of a practicum course, Ward was assigned a potential client seeking assistance for a same-sex relationship. Ward knew that she could not affirm the client's relationship without violating her religious beliefs about extramarital sexual relationships, so she asked her supervisor how to handle the matter. Consistent with ethical and professional standards regarding counselor referrals, Ward's supervisor advised her to refer the potential client to a different counselor. Ward followed that advice. The client was not in the least negatively impacted and indeed never knew of the referral.

Shortly thereafter, EMU informed Ward that her referral of the potential client violated the American Psychological Association's (APA) nondiscrimination policy, which mirrors many nondiscrimination laws enacted across the country. EMU also told Ward that the only way she could stay in the counseling program would be if she agreed to undergo a "remediation" program, the purpose of which was to help her "see the error of her ways" and change her "belief system" as it related to providing counseling for same-sex relationships. Ward was unwilling to violate or change her religious beliefs as a condition of getting her degree, and therefore she refused "remediation."

At a subsequent disciplinary hearing, EMU faculty denigrated Ward's Christian views and asked several uncomfortably intrusive questions about her religious beliefs. Among other things, one EMU faculty member asked Ward whether she viewed her "brand" of Christianity as superior to that of other Christians, and another engaged Ward in a "theological bout" designed to show her the error of her religious thinking. Following this hearing, in March 2009, EMU formally expelled Ward from the program, basing its decision on the APA's nondiscrimination policy. At that time, Ward had been enrolled in the counseling program for three years and was only 13 quarter hours away from graduation.

Ward filed suit against EMU officials. After the trial court dismissed her claims, Ward won a unanimous victory from the Sixth Circuit Court of Appeals. When ruling in Ward's favor, that court noted that "[t]olerance is a two-way street," for if it were otherwise, nondiscrimination measures would "mandate orthodoxy, not anti-discrimination." After being sent back down to the district court, the case settled. The abuse of religious liberty in the name of "tolerance" that the Sixth Circuit diagnosed is the same abuse that other American citizens regularly suffer, all over this country. It is visited upon them by the very nondiscrimination laws that, ironically enough, purport to protect the religious from discrimination.²³⁵

Public University Professor Fired then Reinstated for Teaching Catholic View of Homosexuality in “Introduction to Catholicism” Class – May 2010*

Dr. Kenneth J. Howell, an adjunct professor at the University of Illinois, was fired from his position after a lecture on the Catholic view of homosexuality set off a firestorm of “insensitivity” complaints on campus. Although Dr. Howell had given the same lecture for nearly ten years to his Introduction to Catholicism class, this was the first time it had sparked such debate. After Dr. Howell’s attorneys sent a letter to the University threatening legal action if Dr. Howell’s First Amendment rights were not respected, the university agreed to reinstate him as a member of the faculty.²³⁶

Counseling Student Forced to Approve of Homosexuality to Complete Degree – July 2010

Jennifer Keeton, a former counseling student at Augusta State University (ASU), was ordered by her school to complete remedial training after expressing her views concerning homosexuality. Faculty members told Jennifer she couldn’t complete the degree program if she did not complete a remediation plan, which included attending diversity workshops, reading articles about counseling students who identify as lesbian, gay, bisexual and transgender, and submitting monthly writing assignments.²³⁷ Jennifer filed a lawsuit in federal court alleging constitutional violations, but her claims were dismissed.²³⁸

Teacher Fired for Speaking Christian Truth About Sexuality – December 2011

New Jersey teacher Viki Knox was suspended in December 2011 for using her Facebook account to oppose her school, Union High School in Union Township, because it was honoring October as LGBT History month. Knox is an ordained minister, and she engaged in several conversations on Facebook, in which she called homosexual conduct sinful. While the ACLU has recognized that Knox has a right to free speech, it and other proponents of LGBT rights called upon the school to investigate whether Knox is fit to be teaching in the school. The anti-Christian Human Rights Campaign said, “[She] should be serving as an educator and role model for her students. Instead, she is sending a very clear message that being lesbian, gay, bisexual, or transgender is not right – a hurtful message for students. She is failing in her responsibility to ensure all students feel safe and confident in their communities.” She sued the board of education in 2013 and in February, 2015 the district court allowed the lawsuit to move on.²³⁹

Notaries Who Refuse to Notarize Same-Sex Marriage License in Violation of Human Rights Law – December 2012

After Maine legalized same-sex marriage in 2012, the Office of the Secretary of State issued a statement that notaries could be subject to a discrimination lawsuit under the Maine Human Rights Act if they refused to issue same-sex marriage licenses because of their personal beliefs. If notaries officiate natural marriages, they are required by law to officiate same-sex ceremonies even if they have a religious objection.²⁴⁰

Judge Criticized by State for Refusing to Perform Same-Sex Marriages – October 2013

After Washington State legalized same-sex marriage, Superior Court Judge Gary Tabor informed his colleagues that he could not perform same-sex weddings because of his “philosophical and religious” convictions. He made sure that same-sex couples had someone who could officiate their weddings, but a board of judges found that he was in violation of the Code of Judicial Conduct for his “discriminatory” actions. He was admonished by the board and agreed to follow its directive.²⁴¹

Public Health Director Placed on Leave and Also Fired for Views on Sexuality – May 2014

Dr. Eric Walsh, the Public Health Director for Pasadena, Calif., was placed on administrative leave for expressing views consistent with his Christian faith in the private context of several sermons. Despite the fact that these views were expressed privately (Walsh has actually expressed support for “diversity” in the context of his employment), the mayor directed an “inquiry” into Walsh’s statements. Moreover, “AIDS Healthcare Foundation President Michael Weinstein denounced Walsh’s comments Thursday, saying he did not think Walsh could realistically separate his religious views from his actions as a public official.”²⁴²

Amazingly, Dr. Walsh was also fired by the State of Georgia because it didn't like the fact that he preached about sexuality in several sermons. The state had offered him a public health position, but then terminated it after it "reviewed" his sermons. Dr. Walsh subsequently filed a lawsuit alleging religious discrimination. As part of the ongoing lawsuit, the government even demanded Dr. Walsh turn over all his sermons for review. There was a public outcry, and that demand was withdrawn.²⁴³ Shortly afterwards, the suit was settled in Dr. Walsh's favor.²⁴⁴

Fire Chief Fired After Writing Devotional Book - November 2014

Atlanta Fire Chief Kelvin Cochran, who was awarded "Fire Chief of the Year" by *Fire Chief Magazine* in 2012, wrote a men's devotional book that briefly mentioned biblical sexual morality. The book was written in Chief Cochran's personal time and not in his capacity as Fire Chief, but when activists protested his view of marriage, the mayor suspended him and required that he attend "sensitivity training." Even though a city investigation found he never discriminated against anyone in his role as chief, he was eventually fired. He subsequently sued the city of Atlanta and in 2015 a federal judge allowed the case to move forward because the city potentially discriminated against him simply because of his viewpoint.²⁴⁵

Country Magistrate Resigns Rather Than Perform Same-Sex Marriages - October 2014

When North Carolina lifted its statewide ban on same-sex marriage and judges were ordered to perform same-sex weddings, several county magistrates stepped down after realizing that they could not perform their duties because of their religious convictions. One such man, Judge Gilbert Breedlove, was a Christian and a pastor who believed the Bible's teaching on sexuality was very clear: anything outside of marriage between a man and a woman was fornication. In the wake of the change in the law, he resigned saying, "We were directed we had to perform the marriages, and that was just something I couldn't do because of my religious beliefs."²⁴⁶

John Kallam, Jr., another county magistrate, submitted a resignation letter that expressed his sincere Christian convictions about marriage. He said that for him to perform same-sex marriages would be to "desecrate a holy Institution established by God Himself." He decided to step down rather than violate his beliefs.²⁴⁷

Group of Florida Counties Unable to Hold Courthouse Marriages - January 2015

In October 2014, a federal judge struck down Florida's same-sex marriage ban. In January, 2015, on the eve of the ruling's implementation, a group of Florida counties ceased offering courthouse weddings. While there were several factors that went into these counties' decisions, one factor was that significant numbers of court clerks felt like they could not conduct same-sex ceremonies in good conscience. One head clerk said, "I do not want to have members of our team put in a situation which presents a conflict between their personal religious beliefs and the implementation of a contentious societal philosophy change." Another clerk, Paula O'Neil of Pasco County, said that ceasing to perform marriages was the only alternative to transferring a significant number of clerks to different departments or refusing to perform only same-sex marriages, which would have been a violation of the law. Since then, some counties have resumed offering courthouse marriages while others have not.²⁴⁸

In a more publicized case, the Clerk of Courts from Duval County, Ronnie Fussell, stopped offering court marriages in his county. Part of the decision was fiscal, since performing marriages was a net loss for the clerk's office, but Fussell was also a Baptist. He said, "I believe marriage is between a man and a woman ... Personally it would go against my beliefs to perform a ceremony that is other than that." Like Ms. O'Neil, Fussell chose to end performing marriages in his county. People could still get married in the courthouse by willing judges, pastors, or notaries; however, the clerk's office will not be involved.²⁴⁹

Alabama Supreme Court Justice Criticized for Opposition to Same-Sex Marriage - February 2015

In 2015, a federal district court in Alabama ruled in favor of same-sex marriage. Judge Roy Moore, the Chief Justice of the Supreme Court of Alabama, was heavily criticized when, in his administrative capacity as Chief Justice, he instructed Alabama probate judges not to violate Alabama law, which still prohibited same-sex marriage. However, much of the public protest in this matter was directed at Chief Justice Moore's opposition

to same-sex marriage, not at his legal reasoning. Still, a few commentators conceded that while it might be “easier” for state judges to follow the federal court ruling, federal district court rulings with an order directed at specific parties (such as the one at issue here) only apply to the parties to the case and don’t set the law for all of Alabama – vindicating Chief Justice Moore’s instruction to probate judges to not consider themselves bound by the federal district court order.²⁵⁰

Municipal Judge Censured for Support of Natural Marriage – March 2015

Following the State of Wyoming’s decision to legalize same-sex marriage in 2014, local municipal judge Ruth Neely told reporters that she believed marriage was between one man and one woman and she could not perform same-sex weddings in good conscience. In March 2015, the Wyoming Commission on Judicial Conduct and Ethics accused Judge Neely of misconduct and recommended that she be removed from the bench, a position she held for 21 years. Even though Judge Neely had not yet refused to perform any ceremony, and municipal judges are not legally obligated to solemnize any marriage, the commission filed their report and the issue was appealed to the Wyoming Supreme Court.²⁵¹ While she was not removed from the bench, in March 2017 the Supreme Court of Wyoming censured Judge Neely and required that she either perform all marriages, regardless of the couples’ sexual orientation, or perform no marriages at all.²⁵²

Municipal Judge Required to Perform Same-Sex Marriages – July 2015

Allen C. McConnell was a municipal judge in Northwest Ohio. Two weeks after the Supreme Court constitutionalized same-sex marriage in *Obergefell v. Hodges*, Judge McConnell refused to perform a civil ceremony for two women who requested to get married in his court room. McConnell stated, “The declination was based upon my personal and Christian beliefs established over many years. I apologize to the couple for the delay they experienced and wish them the best.” After Judge McConnell refused, another judge named William Connelly, Jr. performed the ceremony for the women. Judge McConnell sought an advisory opinion from the Supreme Court of Ohio to see if he could continue to defer performing same-sex marriage ceremonies. The Court’s Board of Professional Conduct concluded that the rules of judicial conduct dictate that Judge McConnell was required to perform both natural and same-sex ceremonies. Following the publication of the Supreme Court’s opinion, Judge McConnell conceded and agreed to perform same-sex weddings in the future if he was requested.²⁵³

Kentucky Clerk Faced Backlash and Lawsuits for Refusing to Issue Same-Sex Marriage Licenses – July 2015

Kim Davis, a clerk in Rowan County, Ky., captured national headlines when she was taped refusing to issue a marriage license to a same-sex couple several weeks after the Supreme Court’s *Obergefell* decision. Despite orders from the Kentucky Attorney General to abide by the Supreme Court decision, Davis felt that to follow the ruling would violate her beliefs about marriage. “It’s a deep-rooted conviction; my conscience won’t allow me to do that,” Davis said. “It goes against everything I hold dear, everything sacred in my life.” As a result, she stopped offering marriage licenses to either heterosexual or same-sex couples. She was sued by the ACLU and a federal judge ordered her to begin issuing licenses again. She appealed her case all the way to the U.S. Supreme Court, but the Court refused to hear the case and the lower court ordered her to begin giving out the licenses. When she still refused to do so on conscience grounds, Davis was jailed for contempt of court. She was subsequently released after agreeing that the licenses would still be issued by her office, but handled by other clerks.²⁵⁴

Illinois Excludes Social Workers and Potential Foster Families Who Don’t Affirm LGBT Ideology – May 2017

The Illinois Department of Children and Family Services (DCFS) with the assistance of the ACLU issued new policies on May 6, 2017 that require staff to “affirm, ... support and respect” the self-expressed sexual orientation or gender identity of a child. They also refuse to contract with agencies that don’t have equivalent policies towards LGBTQ youth and will terminate any employees that don’t follow the protocol. Prospective families looking to take in a foster child that is LGBTQ must be “affirming” of the child’s sexual orientation or gender identity or the state agency will intervene and take corrective action, or the child will not be placed with the “non-affirming” family. Moreover, when a child is in state care, parental permission is not required for the state to refer the child to transgender medical care such as hormone blockers.²⁵⁵

Cases Involving Churches

Catholic Church of Chicago Sued for firing Man for Homosexuality - July 2014

Colin Collette was a music director at Holy Family Parish in Illinois, but was fired from his position in 2014 when he announced he was planning to marry his same-sex partner. He sued the Archdiocese of Chicago, but the church argued, in accord with the First Amendment's ministerial Exemption, that it should be exempt from employment discrimination laws if an employee contradicted their religious mission. In April 2017, a federal judge ruled that the ministerial exemption allowed the church to fire Collette.²⁵⁶

Church Sues State of Massachusetts Over Transgender Policy - October 2016

When the Massachusetts Commission Against Discrimination released guidance on its new gender identity requirements for public accommodations, it laid out the state's broad definition of a public accommodation, then described examples of places which had been found to be public accommodations. The guidance even brought houses of worship under its purview, stating "a church could be seen as a place of public accommodations if it holds a secular event, such as a spaghetti supper, that is open to the general public." On October 11, 2016, several Massachusetts churches filed suit against the state alleging their constitutional rights would be violated by the guidance, and asking the court to enjoin the state from enforcing it. The state backed down and revised its guidance to protect churches from such liability, and the churches dismissed their suit.²⁵⁷

Iowa Churches Sue Over Transgender Guidance - July 2016

Fort Des Moines Church of Christ filed a lawsuit against the Iowa Civil Rights Commission after the Commission interpreted a state law in a way that prevents churches from expressing their views on sexuality when those with a different gender identity feel unwelcome. The Commission noted that this interpretation would include any events or activities at the church that did not have a "bona fide religious purpose," such as child care programs or church services open to the public. As such, it would impede the ability of churches to exercise their First Amendment freedoms of religion and speech.²⁵⁸

Though the brochure asserting this new interpretation for the state law was revised after public outcry, the Alliance Defending Freedom asserts the harmful guidance is still in place and will continue to challenge it on behalf of Fort Des Moines Church of Christ.²⁵⁹

Another house of worship, Cornerstone Church, also filed a lawsuit after the Commission published a brochure alleging that churches were subject to the state's public accommodation laws protecting sexual orientation and gender identity. After First Liberty Institute sent a letter on behalf of Cornerstone Church, a new brochure was published clarifying that churches are exempt from public accommodation laws. First Liberty noted that for now, they are taking the state at its word, but will continue to pursue all available legal options if circumstances change.²⁶⁰

Conclusion

The stories you read above feature real Americans who are trying to live peaceful, faithful lives, but find their conscience and liberty under attack. They are fathers, mothers, sons, and daughters. Many of them look like us and our neighbors.

Often with little warning, they are attacked and marginalized by those who are seeking to redefine the rights given by God and expressed by our Founders and earlier Americans. The victims in these stories are caught in the center of a larger struggle – as their fellow citizens seek to redefine rights through policy, law, and culture. This narrative pits our historical understanding of the notion of religious liberty – an expansive vision that includes the ability to apply one’s faith to all the details of one’s life – against a more recent understanding of freedoms in which “rights” to a “religion-free” environment or to unfettered sexual expression are crafted into new law and elevated to the level of and even above our foundational constitutional rights of freedom of speech and religion.

While the incidents listed above are troubling, there is still time to address and counter the many current threats to religious liberty. Although most of these accounts have occurred within the past several years, it is important to react – not simply with urgent concern for those whose rights are most immediately affected – but also with prudent, informed advocacy for the principles underlying our religious liberty. The suppression of religious liberty is not entirely disconnected from the restriction and suppression of free inquiry and critical thinking we are observing today. We should be concerned that the suppression of rights, particularly as outlined in Sections III and IV of this publication, is the product of more insidious forces which ultimately will erode civil liberties for all Americans, even if they hold a different viewpoint than our own. Thus, all these threats are properly countered by addressing not only the primary religious liberty issues but also the underlying philosophical thinking that leads to such attacks in the first place.

But to do so we must first become aware of religious liberty violations. Then we can focus on legal, policy, and cultural responses to these violations. Liberty does not maintain itself. Only as we become more fully aware of and engaged on the issue of hostility toward religion, can we effectively defend civil liberties and restore religious liberty to its proper place in American society.

* These stories have been published in First Liberty Institute and Family Research Council’s joint publication *Undeniable: The Survey of Hostility to Religion in America* and have been reprinted with permission.

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¹ “Girl Banned from Singing ‘Kumbaya’ at Camp,” *Bangor Daily News*, accessed June 8, 2017, <http://news.google.com/newspapers?nid=2457&dat=20000814&id=G6tJAAAAIIBAJ&sjid=TA4NAAAAIIBAJ&pg=4186,3873034>; “‘Kumbaya’ Deemed too Religious for Talent Show,” *Orlando Sentinel*, August 14, 2000, accessed June 8, 2017, http://articles.orlandosentinel.com/2000-08-14/news/0008140269_1_port-religious-songs-girls-club.

² “Government Regulation of Political Speech by Religious and Other 501(c)(3) Organizations,” Commission for Accountability and Policy for Religions Organizations, accessed May 23, 2017, <s3.documentcloud.org/documents/756981/report.pdf>.

³ “Government Regulation of Political Speech by Religious and Other 501(c)(3) Organizations,” Commission for Accountability and Policy for Religions Organizations, accessed May 23, 2017, <s3.documentcloud.org/documents/756981/report.pdf>.

⁴ “Housing Authorities Tell Senior Citizens and Persons with Disabilities ‘No Christmas this Year,’” Liberty Counsel, December 13, 2005, accessed June 8, 2017, <https://www.lc.org/newsroom/details/housing-authorities-tell-senior-citizens-and-persons-with-disabilities-no-christmas-this-year>.

⁵ “Out-of-Court Victories: Falls Fiver, MA,” Americans United for Separation of Church and State, accessed June 8, 2017, <https://www.au.org/our-work/legal/successes/falls-river-ma>.

-
- ⁶ Joel Anderson, "ACLU wants to ensure Freedom Fest not overtly Christian," *Tampa Bay Times*, November 21, 2008, accessed June 8, 2017, <http://www.tampabay.com/news/humaninterest/aclu-wants-to-ensure-freedom-fest-not-overtly-christian/912837>.
- ⁷ Deborah Ziff, "MATC Officials Defend Good Friday Decision," *Madison*, January 21, 2009, accessed June 5, 2017, http://host.madison.com/news/local/matc-officials-defend-good-friday-decision/article_69f0a94d-9048-5f03-98ff-3a5698277844.html.
- ⁸ "Washington State Bans Holiday Displays Inside Capitol," *FoxNews.com*, November 27, 2009, accessed June 8, 2017, <http://www.foxnews.com/politics/2009/11/27/washington-state-implement-rules-barring-holiday-displays-inside-capitol/>.
- ⁹ Diane Macedo, "Atheist Group Blasts Postal Service for Mother Teresa Stamp," *FoxNews.com*, January 28, 2010, accessed June 8, 2017, <http://www.foxnews.com/story/2010/01/28/atheist-group-blasts-postal-service-for-mother-teresa-stamp/>.
- ¹⁰ "Fed Reverses Ban on Christian Symbols, Verses at Oklahoma Bank," *Bloomberg*, accessed June 8, 2017, <http://www.bloomberg.com/news/2010-12-17/fed-s-hoenig-reverses-ban-on-christian-symbols-verses-at-oklahoma-bank.html>; "Feds Force Okla. Bank To Remove Crosses, Bible Verse: Federal Examiners Say Religious Decoration Inappropriate," *KOCO 5 News*, December 17, 2010, accessed June 8, 2017, <http://www.koco.com/Feds-Force-Okla-Bank-To-Remove-Crosses-Bible-Verse/10744952#ixzz33bPRFeaL>.
- ¹¹ Nathan Edwards, "Anti-religion group challenges nativity scene," *UpNorthLive.com*, January 8, 2013, accessed June 20, 2017, <http://upnorthlive.com/news/neighborhood/anti-religion-group-challenges-nativity-scene>.
- ¹² "County reviewing options in Nativity dispute," *Cheboygan Tribune*, accessed June 8, 2017, http://afamichigan.org/pipermail/e-news_afamichigan.org/2011-February/000382.html.
- ¹³ Todd Starnes, "Obama Administration Opposes FDR Prayer at WWII Memorial," *FoxNews.com*, November 4, 2011, accessed June 8, 2017, <http://www.foxnews.com/politics/2011/11/04/obama-administration-opposes-fdr-prayer-at-wwii-memorial/>; "D-Day Prayer," *Friends of the National World War II Memorial*, accessed June 5, 2017, <http://www.wwiimemorialfriends.org/fdr-d-day-prayer>.
- ¹⁴ Michael Gryboski, "Michael W. Smith Says Atheist Lawsuit Threat Is 'Absurd,'" *The Christian Post*, July 19, 2012, accessed June 8, 2017, <http://www.christianpost.com/news/michael-w-smith-says-atheist-lawsuit-threat-is-absurd-78569/>.
- ¹⁵ "Help remove cross in Santa Clara park!" *Freedom From Religion Foundation*, August 16, 2012, accessed June 8, 2017, <http://ffrf.org/news/action/item/15057-help-remove-cross-in-santa-clara-park>.
- ¹⁶ *Trinity Lutheran Church of Columbia v. Comer*, *Alliance Defending Freedom*, accessed on June 22, 2017, <https://www.adflegal.org/detailspages/case-details/trinity-lutheran-church-of-columbia-v.-pauley>.
- ¹⁷ "FFRF stops Mississippi restaurant's discriminatory discount (Sept. 11, 2012)," *Freedom From Religion Foundation*, accessed June 8, 2017, <http://ffrf.org/legal/other-legal-successes/item/15923-ffrf-stops-mississippi-restaurant%E2%80%99s-discriminatory-discount-sept-11-2012>.
- ¹⁸ "Feds Pull Plug on Pre-Meal Prayer at Shelter," *CNN iReport*, August 7, 2012, accessed June 8, 2017, <http://ireport.cnn.com/docs/DOC-825921>.
- ¹⁹ Katherine Weber, "Seniors at LA Home Allowed to Keep Christmas Tree After Fear of Removal," *The Christian Post*, December 10, 2012, accessed June 8, 2017, <http://www.christianpost.com/news/seniors-at-la-home-allowed-to-keep-christmas-tree-after-fear-of-removal-86415/cpt>.
- ²⁰ Lori Tobias, "Coos Bay Vietnam memorial stirs up strong feelings and a bombing over Christian symbolism," *The Oregonian*, August 31, 2013, accessed June 8, 2017, http://www.oregonlive.com/pacific-northwest/news/index.ssf/2013/08/coos_bay_vietnam_memorial_stir.html.
- ²¹ "Appeals court upholds Jesus statue on Montana mountain," *FoxNews.com*, August 31, 2015, accessed June 20, 2017, <http://www.foxnews.com/us/2015/08/31/appeals-court-upholds-jesus-statue-on-montana-mountain.html>; "Montana's 'Big Mountain Jesus' saved from atheist group's lawsuit," *FoxNews.com*, March 1, 2016, accessed June 20, 2017, <http://www.foxnews.com/us/2016/03/01/montanas-big-mountain-jesus-saved-from-atheist-groups-lawsuit.html>.
- ²² Billy Hallowell, "Officials Refuse to Back Down in Battle With Atheists Over Florida City's Nativity Scene," *TheBlaze*, December 12, 2013, accessed June 8, 2017, <http://www.theblaze.com/stories/2013/12/12/officials-refuse-to-back-down-in-battle-with-atheists-over-florida-citys-nativity-scene/>.
- ²³ David French, "Clemson Coach Dabo Swinney Shows How to Defeat Anti-Christian Scolds," *National Review*, January 11, 2016, accessed June 21, 2017, <http://www.nationalreview.com/article/429571/clemson-coach-dabo-swinneys-christian-faith-he-wont-hide-it>.
- ²⁴ Michelle Singletary, "N.C. restaurant pulls discount for praying before your meal," *The Washington Post*, August 14, 2014, accessed June 1, 2017, https://www.washingtonpost.com/business/economy/nc-restaurant-pulls-discount-for-praying-before-your-meal/2014/08/13/4ed16028-2227-11e4-86ca-6f03cbd15c1a_story.html?utm_term=.2d3bee073ca6.
- ²⁵ Todd Starnes, "Pizza parlor's church discount gives atheists indigestion," *FoxNews.com*, August 21, 2014, accessed June 1, 2017, <http://www.foxnews.com/opinion/2014/08/21/pizza-parlor-church-discount-gives-atheists-indigestion.html>.

-
- ²⁶ Todd Starnes, "Florida school district replaces football chaplains with 'life coaches,'" *FoxNews.com*, August 27, 2014, accessed June 1, 2017, <http://www.foxnews.com/opinion/2014/08/27/from-voluntary-football-team-chaplain-to-life-coach.html>.
- ²⁷ Beau Yarbrough, "Appeal filed over prayer at Chino Valley Unified school board meetings," *The Press-Enterprise*, May 18, 2017, accessed June 20, 2017, <http://www.pe.com/2017/05/18/now-on-appeal-chino-valley-unified-prayer-lawsuit-lives-on/>.
- ²⁸ Francis X. Donnelly, "West Mich. towns riled by atheist's crusade," *The Detroit News*, January 24, 2015, accessed June 1, 2017, <http://www.detroitnews.com/story/news/local/michigan/2015/01/24/west-mich-towns-riled-atheists-crusade/22253013/>.
- ²⁹ Tim DeVaney, "Hard hat dispute pits Amish miners against Labor Dept.," *The Hill*, March 26, 2015, accessed May 31, 2017, <http://thehill.com/regulation/labor/237016-hard-hat-dispute-pits-amish-miners-against-labor-dept>.
- ³⁰ Alliance Defending Freedom, "Atheist group launches full-court press against basketball chaplains," press release, April 14, 2015, <http://www.adfmedia.org/News/PRDetail/9603>; Freedom From Religion Foundation, "FFRF slams five more universities with basketball team chaplains, Wichita State investigating," press release, March 25, 2015, <https://ffrf.org/news/news-releases/item/22649-ffrf-slams-five-more-universities-with-basketball-team-chaplains-wichita-state-investigating>.
- ³¹ Bryce Covert, "Woman Cites Religious Freedom Law To Defend Her Right To Feed The Homeless," *Think Progress*, April 18, 2015, accessed May 31, 2017, <https://thinkprogress.org/woman-cites-religious-freedom-law-to-defend-her-right-to-feed-the-homeless-a11739d890e7>.
- ³² "FFRF criticizes sermonizing Fla. Sheriff," Freedom from Religion Foundation, April 19, 2015, accessed June 12, 2017, <https://ffrf.org/news/news-releases/item/23064-ffrf-criticizes-sermonizing-fla-sheriff>; "Grady Judd," Family Research Council, accessed June 12, 2017, <http://www.frc.org/get.cfm?i=ST16A01>.
- ³³ "2 Officers Resign After Being Forced to Choose Between Their Faith and Jobs," *Fox News Insider*, May 23, 2015, accessed June 21, 2017, <http://insider.foxnews.com/2015/05/23/2-georgia-police-officers-resign-after-being-forced-choose-between-faith-and-jobs>.
- ³⁴ Elahe Izadi, "Why officers are putting 'In God We Trust' bumper stickers on their patrol cars," *The Washington Post*, August 5, 2015, accessed June 20, 2017, https://www.washingtonpost.com/news/acts-of-faith/wp/2015/08/05/why-officers-are-putting-in-god-we-trust-bumper-stickers-on-their-patrol-cars/?utm_term=.c59918b652a6; Bobby Blanchard, "Paxton: Police can display 'In God We Trust' on patrol vehicles," *Dallas News*, November 4, 2015, accessed June 20, 2017, <https://www.dallasnews.com/news/politics/2015/11/04/paxton-police-can-display-in-god-we-trust-on-patrol-vehicles>.
- ³⁵ "Indiana school district drops live Nativity scene," *Indy Star*, December 13, 2015, accessed June 20, 2017, <http://www.indystar.com/story/news/education/2015/12/13/live-nativity-banned-elkhart-school-opts-mannequins/77250924/>; "Judge Rules Indiana School's Live Nativity Unconstitutional," *U.S. News & World Report*, March 7, 2017, accessed June 20, 2017, <https://www.usnews.com/news/best-states/indiana/articles/2017-03-07/judge-rules-indiana-schools-live-nativity-unconstitutional>.
- ³⁶ Jeannie Law, "Christians in Kansas Fight Back When Atheists Remove God Bless America Sign," *The Christian Post*, February 4, 2016, accessed June 20, 2017, <http://www.christianpost.com/news/atheist-christians-kansas-god-bless-america-sign-156688/>.
- ³⁷ Michael Gryboski, "Missouri City Refuses to Remove Cross From Public Park, Despite Atheist Group's Demands," *The Christian Post*, May 30, 2017, accessed June 20, 2017, <http://www.christianpost.com/news/missouri-city-refuses-remove-cross-public-park-despite-atheists-demands-185712/>.
- ³⁸ Emma Green, "Bernie Sanders's Religious Test for Christians in Public Office," *The Atlantic*, June 8, 2017, accessed June 8, 2017, <https://www.theatlantic.com/politics/archive/2017/06/bernie-sanders-chris-van-hollen-russell-vought/529614/>; David French, "Watch Bernie Sanders Attack a Christian Nominee and Impose an Unconstitutional Religious Test for Public Office," *The National Review*, June 7, 2017, accessed June 8, 2017, <http://www.nationalreview.com/corner/448393/watch-bernie-sanders-unconstitutionally-impose-religious-test-public-office>.
- ³⁹ "Lawsuit: Jesus Book Banned in Massachusetts Class," *ABC News*, July 29, 2002, accessed June 8, 2017, <http://www.freerepublic.com/focus/f-news/724609/posts>; "School to Allow Girl Use of 'Religious' Book," *WND*, May 18, 2003, accessed June 5, 2017, <http://www.wnd.com/2003/05/18831/>.
- ⁴⁰ Nisha N. Mohammed, "Lawsuit Filed Against Florida High School for Free Speech Violations and Staff Misconduct," *The Rutherford Institute*, May 9, 2002, accessed June 8, 2017, https://www.rutherford.org/publications_resources/on_the_front_lines/pr411.
- ⁴¹ Nisha N. Mohammed, "Institute Succeeds in Protecting Muslim Girl's Right to Wear Religious Head Covering," *The Rutherford Institute*, May 19, 2004, accessed June 8, 2017, https://www.rutherford.org/publications_resources/on_the_front_lines/%20pr492.

-
- ⁴² Nicole Buzzard, "A Youth with a Mission: A Santiago High School Junior Seeks to Post the Ten Commandments at Corona-Norco Campuses," *The Press Enterprise Co.*, June 30, 2004.
- ⁴³ Jim Brown, "School Reverses Decision on Student Prayer Rally," *ChristianHeadlines.com*, November 1, 2005, accessed June 8, 2017, <http://www.christianity.com/news/religiontoday/1360179/>.
- ⁴⁴ "Viroqua High School Cancels Diversity Day," *Madison.com*, November 11, 2006, accessed June 8, 2017, http://host.madison.com/news/local/viroqua-high-school-cancels-diversity-day/article_3dd62b0a-b5a1-5787-b6c5-b0f52df1a499.html.
- ⁴⁵ "UW Catholic Group Sues Regents, Officials," *Madison.com*, accessed June 8, 2017, http://host.madison.com/news/local/uw-catholic-group-sues-regents-officials/article_f9019161-269d-5579-a85f-00d1e0c6c042.html.
- ⁴⁶ "Sixth-Grader Penalized For Mentioning Jesus in His Christmas Paper at School," Liberty Counsel, December 18, 2008, accessed June 8, 2017, <https://www.lc.org/newsroom/details/sixth-grader-penalized-for-mentioning-jesus-in-his-christmas-paper-at-school-1>.
- ⁴⁷ Julia Duin, "School prayer charges stir protests," *The Washington Times*, August 14, 2009, accessed June 8, 2017, http://www.washingtontimes.com/news/2009/aug/14/criminal-prayer-case-stirs-protests/?feat=home_headlines.
- ⁴⁸ "Christmas Trees and Santa Thrown Out of Oregon School," Liberty Counsel, December 8, 2009, accessed June 8, 2017, <http://www.lc.org/newsroom/details/christmas-trees-and-santa-thrown-out-of-oregon-school>.
- ⁴⁹ "Ten Commandments Pulled Off Students' Lockers by Virginia School Administration," Liberty Counsel, February 28, 2011, accessed June 8, 2017, <http://www.lc.org/newsroom/details/ten-commandments-pulled-off-students-lockers-by-virginia-school-administration-1>.
- ⁵⁰ "Hampton High School Graduates Choose Prayer at Ceremony," Liberty Counsel, May 24, 2011, accessed June 8, 2017, <https://www.lc.org/newsroom/details/hampton-high-school-graduates-choose-prayer-at-ceremony-1>.
- ⁵¹ "Student Takes Bold Stand Against Government Religious Censorship," First Liberty Institute, May 11, 2012, accessed June 12, 2017, https://www.libertyinstitute.org/liberty_case/shultz-v-medina-valley-i-s-d.
- ⁵² Topher Sanders, "School Board attorney: Clay County school prayers violate U.S. Constitution," *The Florida Times-Union*, November 1, 2011, accessed June 8, 2017, <http://jacksonville.com/prayer-and-government/2011-11-01/story/school-board-attorney-clay-county-school-prayers-violate-us>; Topher Sanders, "Clay pastor backs down, ends prayers on school property," *The Florida Times-Union*, November 10, 2011, accessed June 8, 2017, <http://jacksonville.com/prayer-and-government/2011-11-10/story/clay-pastor-backs-down-ends-prayers-school-property>.
- ⁵³ Mike Wyner, "Group lodges complaint about "God Bless America" in Wayland," *The MetroWest Daily News*, August 4, 2012, accessed June 8, 2017, <http://www.metrowestdailynews.com/x521650947/Group-lodges-complaint-about-God-Bless-America-in-Wayland>.
- ⁵⁴ Michael Gryboski, "Atheist Group Demands NY School District Remove Songs Mentioning God From Curriculum," *The Christian Post*, August 13, 2012, accessed June 8, 2017, <http://www.christianpost.com/news/atheist-group-demands-ny-school-district-remove-songs-mentioning-god-from-curriculum-79929/>.
- ⁵⁵ "FFRF calls out religious songs and bullying at Oklahoma grade school (Jan. 11, 2013)," Freedom from Religion Foundation, accessed June 8, 2017, <http://ffrf.org/legal/other-legal-successes/item/17345-ffrf-calls-out-religious-songs-and-bullying-at-oklahoma-grade-school-jan-11-2013>.
- ⁵⁶ "Charlie Brown Play Cancelled after Atheists Complain," *CBN News*, December 9, 2012, accessed June 23, 2017, <http://www.cbn.com/cbnnews/us/2012/december/charlie-brown-play-cancelled-after-atheists-complain/?mobile=false>.
- ⁵⁷ "Was Teacher Fired For Giving Student a Bible?," *Fox News Insider*, June 19, 2013, accessed June 8, 2017, <http://foxnewsinsider.com/2013/06/19/nj-teacher-walt-tutka-says-he-was-fired-giving-student-bible>.
- ⁵⁸ "FFRF cleans up Jackson, Tennessee's school district website (Jan. 22, 2013)," Freedom from Religion Foundation, accessed June 8, 2017, <http://ffrf.org/legal/other-legal-successes/item/17343-ffrf-cleans-up-jackson-tennessee%E2%80%99s-school-district-website-jan-22-2013>.
- ⁵⁹ Matt Miller, "Bible class fight: Christian group sues Harrisburg School District over fee demand for after-school program," *Penn Live*, February 11, 2013, accessed June 8, 2017, http://www.pennlive.com/midstate/index.ssf/2013/02/bible_class_fight_christian_gr.html.
- ⁶⁰ "Update: Victory for Florida Student Who Refused to Stomp on Jesus' Name," First Liberty Institute, accessed June 8, 2017, <http://www.libertyinstitute.org/pages/florida-atlantic-university-student-suspended>.
- ⁶¹ Todd Starnes, "School Apologizes for Threatening Valedictorian," *FoxNews.com*, accessed June 8, 2017, <http://radio.foxnews.com/toddstarnes/top-stories/school-apologizes-for-threatening-valedictorian.html>.
- ⁶² Oliver Darcy, "Public university allegedly orders student to remove cross necklace because 'it might offend others,'" *Campus Reform*, July 2, 2013, accessed June 8, 2017, <http://www.campusreform.org/?ID=4821>; "Student Told to Remove Her Cross Necklace," First Liberty Institute, October 12, 2013, accessed June 5, 2017, <https://www.libertyinstitute.org/pages/issues/in-the-school/audrey-jarvis>.

-
- ⁶³ Alliance Defending Freedom, "SC school bans religious Christmas carols . . . even without words," press release, November 21, 2013, <http://www.adfmedia.org/News/PRDetail/8677>.
- ⁶⁴ Alliance Defending Freedom, "SC School Lifts Ban on Religious Christmas Carols," press release, November 25, 2013, <http://www.adfmedia.org/News/PRDetail/?CID=71693>.
- ⁶⁵ Todd Starnes, "Dad: Teacher Told My Kid to Stop Lunchtime Prayer," FoxNews.com, accessed June 8, 2017, <http://radio.foxnews.com/toddstarnes/top-stories/dad-teacher-told-my-kid-to-stop-lunchtime-prayer.html>; Dave Urbanski, "Teacher's Alleged Response to 5-Year-Old's Endearing Act Has These Outraged Parents Strongly Considering Homeschooling," *TheBlaze*, March 28, 2014, accessed June 8, 2017, <http://www.theblaze.com/stories/2014/03/28/teachers-stunning-response-to-5-year-olds-endearing-act-has-these-outraged-parents-strongly-considering-homeschooling/>.
- ⁶⁶ Taylor Carlier, "Purdue approves donor's reference to God on plaque inscription," *The Exponent*, March 6, 2014, accessed June 1, 2017, http://www.purdueexponent.org/campus/article_ebf0642f-bc7e-5d1e-8c40-aa26f885aa1a.html.
- ⁶⁷ Evan Bleier, "Texas second grader claims teacher confiscated Bible during reading time," UPI, April 23, 2014, accessed June 8, 2017, http://www.upi.com/Top_News/US/2014/04/23/Texas-second-grader-claims-teacher-confiscated-Bible-during-reading-time/7561398252811/#ixzz33bfwIKE9; Billy Hallowell, "Lawyers Deliver First Amendment Lesson After Parents Accuse Teacher of Banning Child's Bible," *TheBlaze*, April 23, 2014, accessed June 8, 2017, <http://www.theblaze.com/stories/2014/04/23/lawyers-deliver-first-amendment-lesson-after-parents-accuse-teacher-of-banning-childs-bible/>.
- ⁶⁸ Todd Starnes, "Atheists Strong Arm Wrestling Team over Bible Verse," FoxNews.com, accessed June 8, 2017, <http://radio.foxnews.com/toddstarnes/top-stories/atheists-strong-arm-wrestling-team-over-bible-verse.html>; "Wrestling team will no longer wear bible quote T-shirts," *Freedom from Religion Foundation*, April 21, 2014, accessed June 5, 2017, <https://ffrf.org/legal/other-legal-successes/item/20649-wrestling-team-will-no-longer-wear-bible-quote-t-shirts-april-21-2014>.
- ⁶⁹ Ken Klukowski, "FL Teacher Banned Bible from 'Free Reading' Time in Classroom," *Breitbart*, May 5, 2014, accessed June 8, 2017, <http://www.breitbart.com/Big-Government/2014/05/05/FL-Teacher-Bans-Bible-He-s-Not-Permitted-to-Read-Those-Books>; "Giovanni Rubeo Case Updates," First Liberty Institute, accessed June 8, 2017, <https://www.libertyinstitute.org/rubeo>.
- ⁷⁰ Molly Wharton, "Colleges Use 'Anti-Discrimination' Rules Against Christians," *National Review*, June 11, 2014, accessed June 8, 2017, <http://www.nationalreview.com/article/380177/colleges-use-anti-discrimination-rules-against-christians-molly-wharton>.
- ⁷¹ Blake Farmer, "Vanderbilt Rule Rankles Faith-Based Student Groups," NPR, March 22, 2012, accessed June 7, 2017, <http://www.npr.org/2012/03/22/149141095/vanderbilt-rule-rankles-faith-based-student-groups>.
- ⁷² Jeremy Weber, "InterVarsity Regains Access to Cal State Campuses," *Christianity Today*, June 19, 2015, accessed May 31, 2017, <http://www.christianitytoday.com/news/2015/june/intervarsity-regains-access-cal-state-campuses.html>.
- ⁷³ Todd Starnes, "School: We have a right to ban God," FoxNews.com, July 11, 2014, accessed May 31, 2017, <http://www.foxnews.com/opinion/2014/07/11/school-have-right-to-ban-god.html>.
- ⁷⁴ "Student suspended for saying 'bless you' after classmate sneezed," *Fox6Now.com*, August 20, 2014, accessed June 1, 2017, <http://fox6now.com/2014/08/20/student-suspended-for-saying-bless-you-after-classmate-sneezed/>.
- ⁷⁵ "New York High School Faith-Based Club Has Happy Ending as School Officials Again Reverse Unconstitutional Ban," First Liberty Institute, October 10, 2014, accessed June 1, 2017, <https://www.libertyinstitute.org/suif>.
- ⁷⁶ "Eight Days to a Victory," First Liberty Institute, accessed June 1, 2017, <https://www.libertyinstitute.org/daretobelieve?erid=36356463&trid=009e09a5-2d6a-40c2-98bc-0705ddb26899>.
- ⁷⁷ "Coach Kennedy," First Liberty Institute, accessed June 12, 2017, <https://firstliberty.org/cases/coachkennedy/>.
- ⁷⁸ Grace Thompson, "Christian a cappella group's song request for tree lighting ceremony denied," *The Breeze*, December 6, 2015, accessed June 20, 2017, http://www.breezejmu.org/news/christian-a-cappella-group-s-song-request-for-tree-lighting/article_36ff7660-9c83-11e5-8bbd-d3f67d3a24ab.html.
- ⁷⁹ Joe Heim, "W.Va. public school district halts weekly Bible classes," *The Washington Post*, May 26, 2017, accessed June 20, 2017, https://www.washingtonpost.com/local/education/wva-public-school-district-halts-weekly-bible-classes/2017/05/26/90a3a81a-4229-11e7-8c25-44d09ff5a4a8_story.html?utm_term=.d60e9b801c25.
- ⁸⁰ Bob Kellogg, "Atheists pounce on school-sponsored Bible club," *One News Now*, May 24, 2017, accessed June 20, 2017, <https://www.onenewsnow.com/education/2017/05/24/atheists-pounce-on-school-sponsored-bible-club>; "In Theory: Elementary school Bible club shut down after atheist group decries it as unconstitutional," *Los Angeles Times*, May 23, 2017, accessed June 20, 2017, <http://www.latimes.com/socal/burbank-leader/opinion/tn-blr-me-intheory-20170523-story.html>.
- ⁸¹ Todd Starnes, "School: You may not recite prayer in the name of Jesus Christ," FoxNews.com, June 13, 2017, accessed June 14, 2017, <http://www.foxnews.com/opinion/2017/06/13/school-may-not-recite-prayer-in-name-jesus-christ.html>.
- ⁸² Maria Cramer and Ralph Ranalli, "Arrested father had point to make," *The Boston Globe*, April 29, 2005, accessed June 12, 2017,

http://archive.boston.com/news/local/massachusetts/articles/2005/04/29/arrested_father_had_point_to_make?pg=fu
ll.

⁸³ “Ohio Library Settles Lawsuit Over Policy Which Banned ‘Controversial’ Religious Speech,” Liberty Counsel, December 18, 2006, accessed June 8, 2017, <https://www.lc.org/newsroom/details/ohio-library-settles-lawsuit-over-policy-which-banned-controversial-religious-speech>.

⁸⁴ Michael Higgins, “Allstate and ex-worker settle online-essay suit,” *Chicago Tribune*, February 17, 2006, accessed June 8, 2017, http://articles.chicagotribune.com/2006-02-17/news/0602170193_1_allstate-same-sex-spokesman-michael-trevino.

⁸⁵ Randy Hall, “Virginia Man Rehired After Flap Over Pro-Marriage Slogan,” *CNS News*, October 27, 2006, accessed June 8, 2017, <http://www.crosswalk.com/1441745/>; “Rutherford Institute Attorneys Secure Victory for Virginia Employee Fired Over Message Supporting Same-Sex Marriage Amendment,” Rutherford Institute, October 30, 2006, accessed June 8, 2017,

https://www.rutherford.org/publications_resources/on_the_front_lines/Rutherford_Institute_Attorneys_Secure_Victory_for_Virginia_Employee_Fired_O.

⁸⁶ *Ghiotto v. City of San Diego*, No. D055029 (Ct. App. Cal. 2010); Kathleen Gilbert, “San Diego firefighters victorious in suit against forced participation in gay pride parade,” *LifeSiteNews*, January 28, 2011, accessed June 8, 2017, <http://www.lifesitenews.com/news/san-diego-firefighters-victorious-in-suit-against-forced-participation-in-g>.

⁸⁷ Robert Farley, “Miss USA runner-up Carrie Prejean’s comments on same-sex marriage mirror Obama’s,” *PolitiFact.com*, May 12, 2009, accessed June 8, 2017, <http://www.politifact.com/truth-o-meter/statements/2009/may/12/miss-california-usa/miss-usa-runner-carrie-prejeans-comments-same-sex/>.

⁸⁸ Thomas Messner, “The Price of Prop 8,” The Heritage Foundation, October 22, 2009, accessed June 8, 2017, <http://www.heritage.org/research/reports/2009/10/the-price-of-prop-8>.

⁸⁹ Jennifer Wishon, “Tony Perkins ‘Disinvited’ to National Prayer Luncheon,” *CBN News*, February 25, 2010, accessed June 8, 2017, <http://www.cbn.com/cbnnews/politics/2010/February/Tony-Perkins-Uninvited-to-National-Prayer-Luncheon/>.

⁹⁰ Hemant Mehta, “Despite What This Group Says, ‘Homosexual Aggression’ Isn’t Limiting the Career Options for Christians,” *Patheos*, April 24, 2014, accessed June 8, 2017,

<http://www.patheos.com/blogs/friendlyatheist/2014/04/24/despite-what-this-group-says-homosexual-aggression-isnt-limiting-the-career-options-for-christians/#ixzz33gG75YUD>; John Biver, “Tolerance Is A One-Way Street at Chicago’s Roosevelt University,” Illinois Family Institute, June 22, 2013, accessed June 8, 2017,

<http://illinoisfamily.org/homosexuality/tolerance-is-a-one-way-street-at-chicagos-roosevelt-university/>; “*John Charles v. Roosevelt University*,” Illinois Court of Appeals for the First Judicial Circuit, accessed June 5, 2017, http://illinoiscourts.gov/R23_Orders/AppellateCourt/2016/1stDistrict/1142696_R23.pdf.

⁹¹ Christine Brennan, “USOC official Peter Vidmar resigns after anti-gay marriage actions,” *USA Today*, May 6, 2011, accessed May 30, 2017, http://usatoday30.usatoday.com/sports/olympics/2011-05-06-peter-vidmar-resignation_N.htm.

⁹² Cienna Madrid, “Local Printer Refuses Service to New Capitol Hill Gay Bar,” *The Stranger*, June 20, 2011, accessed June 8, 2017, <http://www.thestranger.com/slog/archives/2011/06/20/local-printer-refuses-service-for-new-capitol-hill-gay-bar&view=comments>; “We’re a small business owned by a small conservative Christian family. I’m sorry but we have values and we can print whatever we want,” *The Advocate*, June 22, 2011, accessed June 8, 2017, <http://www.advocate.com/news/daily-news/2011/06/22/seattle-company-refuses-business-gay-bar>.

⁹³ Michael O’Keeffe, “NY Giants director of player development David Tyree reverses gay stance,” *New York Daily News*, July 24, 2014, accessed May 30, 2017, <http://www.nydailynews.com/sports/football/giants/david-tyree-reverse-gay-stance-article-1.1879644>.

⁹⁴ Michael Gold, “Vikings punter Chris Kluwe responds to Ravens center Matt Birk’s stance on same-sex marriage,” *The Baltimore Sun*, October 2, 2012, accessed May 30, 2017, <http://www.baltimoresun.com/sports/baltimore-sports-blog/bal-vikings-punter-chris-kluwe-responds-to-matt-birk-s-stance-on-same-sex-marriage-20121002-story.html>.

⁹⁵ Elaine Rose, “Somers Point bridal shop owner stuck in one’s-word-against-the-other’s dispute,” *The Press of Atlantic City*, August 25, 2011, accessed June 5, 2017,

http://www.pressofatlanticcity.com/communities/northfield_linwood_somers-point/somers-point-bridal-shop-owner-stuck-in-one-s-word/article_6b21679a-cf97-11e0-8e9d-001cc4c03286.html.

⁹⁶ Tim Padgett, “A Teacher Is Back in Class After Anti-Gay Diatribe, but Did He Really Win?,” *Time*, August 30, 2011, accessed May 30, 2017, <http://content.time.com/time/nation/article/0,8599,2091038,00.html>.

⁹⁷ Todd Starnes, “Texas School Punishes Boy for Opposing Homosexuality,” *FoxNews.com*, September 22, 2011, accessed June 8, 2017, <http://www.foxnews.com/us/2011/09/22/texas-school-punishes-boy-for-opposing-homosexuality/>.

⁹⁸ Anthony Esolen, “A Pulpit for Bullies,” *Public Discourse*, August 12, 2013, accessed June 7, 2017, <http://www.thepublicdiscourse.com/2013/08/10477/>.

⁹⁹ Kathleen Gilbert, “Lesbian couple mulls action against Christian wedding cake baker,” *LifeSiteNews*, November 16, 2011, accessed June 6, 2017, <https://www.lifesitenews.com/news/lesbian-couple-mulls-action-against-christian-wedding-cake-baker>; Warren J. Blumenfeld, “Religious Freedom in Practicing the Platinum Rule,” *Huffington Post*, April

2, 2015, accessed June 6, 2017, http://www.huffingtonpost.com/warren-j-blumenfeld/religious-freedom-in-prac_b_6989192.html.

¹⁰⁰ "Oklahoma Pastor Paul Blair Faces Death Threats After Opposing Gay Rights Legislation," *Huffington Post*, accessed June 2, 2017, http://www.huffingtonpost.com/2011/11/18/oklahoma-pastor-gay-rights_n_1101936.html.

¹⁰¹ Jordan Carleo-Evangelist, "Gay rights activist opposes lawyer's hiring," *Times Union*, January 20, 2012, accessed June 2, 2017, <http://www.timesunion.com/local/article/Gay-rights-activist-opposes-lawyer-s-hiring-2651748.php>; Jordan Carleo-Evangelist, "Conservative county attorney confirmed," *Times Union*, February 14, 2012, accessed June 2, 2017, <http://www.timesunion.com/local/article/Conservative-county-attorney-confirmed-3319901.php>.

¹⁰² Laura Hibbard, "Brandon Wegner Threatens School With Legal Action For Removing OpEd Mentioning Gays Be 'Put To Death,'" *Huffington Post*, January 27, 2012, accessed June 2, 2017, http://www.huffingtonpost.com/2012/01/27/brandon-wegner-15-sues-sc_n_1237157.html; Joshua Bolding, "Boy, 15, reprimanded for backing traditional family in school paper," *Deseret News*, January 27, 2012, accessed June 8, 2017, <http://www.deseretnews.com/article/700219619/Boy-15-reprimanded-for-backing-traditional-family-in-school-paper.html>.

¹⁰³ Ben Johnson, "14-year-old homeschooled girl receives death threats for defending marriage," *LifeSiteNews*, February 22, 2012, accessed June 8, 2017, <http://www.lifesitenews.com/news/14-year-old-homeschooled-girl-receives-death-threats-for-defending-marriage>; "Girl, 14, gets death threats for defending marriage," *The Christian Institute*, February 28, 2012, accessed June 8, 2017, <http://www.christian.org.uk/news/girl-14-gets-death-threats-for-defending-marriage/>.

¹⁰⁴ "11 Yr Old Implies Same Sex Marriage Would Take Away Her Mom," YouTube.com, accessed June 12, 2017, <https://www.youtube.com/watch?v=CRhGDmdG4dk>.

¹⁰⁵ Stephen Beaven, "'Angry Queers' damage Driscoll's Portland church," *The Washington Post*, April 25, 2012, accessed June 8, 2017, https://www.washingtonpost.com/national/on-faith/angry-queers-damage-driscolls-portland-church/2012/04/25/gIQA0zEShT_story.html?utm_term=.2e01b151cebc.

¹⁰⁶ "Ron Brown, Anti-Gay Football Coach: I'd Tolerate An Openly Gay Player, But Won't Support Lifestyle," *Huffington Post*, May 7, 2012, accessed May 30, 2017, http://www.huffingtonpost.com/entry/ron-brown-anti-gay-football-coach-tolerate-lifestyle_n_1496380.html; "Ron Brown, University Of Nebraska Assistant Football Coach: Being Fired For Anti-Gay Views Would Be An 'Honor,'" *Huffington Post*, April 26, 2012, accessed May 30, 2017, http://www.huffingtonpost.com/2012/04/26/ron-brown-nebraska-football-coach-anti-gay-views_n_1455712.html.

¹⁰⁷ Sarah Aarthun, "Chick-fil-A wades into a fast-food fight over same-sex marriage rights," *CNN.com*, July 28, 2012, accessed June 8, 2017, <http://www.cnn.com/2012/07/27/us/chick-fil-a-controversy/>; Clare O'Connor, "Chick-fil-A CEO Cathy: Gay Marriage Still Wrong, But I'll Shut Up About It And Sell Chicken," *Forbes*, March 19, 2014, accessed June 8, 2017, <http://www.forbes.com/sites/clareoconnor/2014/03/19/chick-fil-a-ceo-cathy-gay-marriage-still-wrong-but-ill-shut-up-about-it-and-sell-chicken/>.

¹⁰⁸ Todd Starnes, *God Less America*, (FrontLine/Charisma Media, 2014), 81-82.

¹⁰⁹ Ann E. Marimow, "Family Research Council shooter sentenced to 25 years," *The Washington Post*, September 19, 2013, accessed June 8, 2017, https://www.washingtonpost.com/local/2013/09/19/d0df61f2-2131-11e3-b73c-aab60bf735d0_story.html?utm_term=.0ffcc0f40a00.

¹¹⁰ "Gallaudet University wants official who signed anti-gay marriage petition back on job," *NBC News*, October 16, 2012, accessed June 8, 2017, http://usnews.nbcnews.com/_news/2012/10/16/14481487-gallaudet-university-wants-official-who-signed-anti-gay-marriage-petition-back-on-job?lite; Evan Gahr, "Judge dismisses diversity officer's lawsuit against Gallaudet University," *The Daily Caller*, April 22, 2014, accessed June 8, 2017, <http://dailycaller.com/2014/04/22/judge-dismisses-diversity-officers-lawsuit-against-gallaudet-university/>.

¹¹¹ Todd Starnes, "Airman Punished for Objecting to Gay Marriage in Military Chapel," *FoxNews.com*, accessed May 30, 2017, <http://radio.foxnews.com/toddstarnes/top-stories/airman-punished-for-objecting-to-gay-marriage-in-military-chapel.html>.

¹¹² Jaweed Kaleem, "Louie Giglio, Atlanta Pastor Giving Benediction At Inauguration, Under Fire For Anti-Gay Sermon," *Huffington Post*, January 9, 2013, accessed June 8, 2017, http://www.huffingtonpost.com/2013/01/09/louie-giglio-anti-gay-benediction-inauguration_n_2441698.html?1357765404&ncid=edlinkusaolp00000009.

¹¹³ "Ben Allen And Justin Hudgins, Texas Gay Couple, Says Wedding Venue Turned Them Down," *Huffington Post*, February 22, 2013, accessed June 6, 2017, http://www.huffingtonpost.com/2013/02/22/ben-allen-justin-hudgins-texas-gay-reception-hall_n_2741503.html.

¹¹⁴ Cavan Sieczkowski, "Chris Sprouse, 'Superman' Artist, Drops Orson Scott Card Project After Anti-Gay Controversy," *Huffington Post*, March 5, 2013, accessed May 31, 2017, http://www.huffingtonpost.com/2013/03/05/chris-sprouse-superman-orson-scott-card_n_2812942.html; Aja Romano, "Orson Scott Card's long history of homophobia," *Salon*, May 7, 2013, accessed May 31, 2017, http://www.salon.com/2013/05/07/sci-fi_icon_orson_scott_card_hates_fan_fiction_the_homosexual_agenda_partner/.

-
- ¹¹⁵ Jon Weisman, "ESPN's Chris Broussard Under Fire Over Homosexuality Comments," *Variety*, April 29, 2013, accessed June 8, 2017, <http://variety.com/2013/tv/news/espns-chris-broussard-under-fire-over-homosexuality-comments-1200425834/>.
- ¹¹⁶ "Fleur Cakes, Oregon Bakery, Turns Away Lesbian Couple Seeking Wedding Cake," *Huffington Post*, May 15, 2013, accessed June 6, 2017, http://www.huffingtonpost.com/2013/05/15/fleur-cakes-gay-wedding-oregon_n_3279833.html.
- ¹¹⁷ Todd Starnes, "Christian Preachers Brutally Beaten at Gay Pride Festival," *FoxNews.com*, accessed June 8, 2017, <http://radio.foxnews.com/toddstarnes/top-stories/christian-preachers-brutally-beaten-at-gay-pride-festival.html>.
- ¹¹⁸ Nathan Black, "Christian Consultant Fired by Bank of America Over Gay Marriage Book," *The Christian Post*, September 4, 2011, accessed June 8, 2017, <http://www.christianpost.com/news/christian-consultant-fired-by-bank-of-america-over-gay-marriage-book-55047/>; Ann Carroll, "Cisco Worker Fired for Same-Sex Marriage Views Equips Christians for Culture War," *CharismaNews*, August 12, 2013, accessed June 8, 2017, <http://www.charismanews.com/us/40595-cisco-worker-fired-for-same-sex-marriage-views-equips-christians-for-culture-war>.
- ¹¹⁹ Daniel Lovering, "Bishop James Tengatenga's Dartmouth Dean Appointment Rescinded By College Over Anti-Gay Opinions," *Huffington Post*, August 16, 2013, accessed June 7, 2017, http://www.huffingtonpost.com/2013/08/16/bishop-james-tengatenga-appointment-rescinded_n_3767982.html; "'Courageous Moral Leadership': A Message From James Tengatenga," *Dartmouth News*, July 18, 2013, accessed June 7, 2017, <https://news.dartmouth.edu/news/2013/07/courageous-moral-leadership-message-james-tengatenga>.
- ¹²⁰ Cheryl K. Chumley, "Craig James: Fox Sports firing for gay marriage comment a 'terrible mistake,'" *The Washington Times*, September 24, 2013, accessed June 8, 2017, <http://www.washingtontimes.com/news/2013/sep/24/craig-james-fires-legal-team-over-religious-firing/>; "Former CFB analyst, Senate candidate Craig James files complaint with state alleging religious discrimination," *The Dallas Morning News*, accessed June 4, 2014, <http://www.dallasnews.com/sports/college-sports/headlines/20140225-former-cfb-analyst-senate-candidate-craig-james-files-complaint-with-state-alleging-religious-discrimination.ece>; "Liberty Institute enters mediation with Fox Sports SW over James' firing," First Liberty Institute, accessed July 2, 2014 <http://blog.libertyinstitute.org/2014/06/liberty-institute-enters-mediation-with.html>; "Ex-broadcaster Craig James sues Fox Sports over firing," *FoxSports.com*, August 3, 2015, accessed June 5, 2017, <http://www.foxsports.com/college-football/story/ex-broadcaster-craig-james-sues-fox-sports-over-firing-080315>.
- ¹²¹ David Barron, "Craig James' lawsuit against Fox Sports settled," *Houston Chronicle*, June 6, 2016, accessed June 23, 2017, <http://www.chron.com/sports/college/article/Craig-James-lawsuit-against-Fox-Sports-settled-7965773.php>.
- ¹²² David Koon, "Mount St. Mary Academy and the firing of Tippi McCullough," *Arkansas Times*, October 24, 2013, accessed June 6, 2017, <https://www.arktimes.com/arkansas/mount-st-mary-academy-and-the-firing-of-tippi-mccullough/Content?oid=3084045>.
- ¹²³ Leo Shane III, "Academy's Hiring of Anti-gay Author Draws Ire," *Stars and Stripes*, November 21, 2013, accessed June 8, 2017, <http://www.military.com/daily-news/2013/11/21/academys-hiring-of-anti-gay-author-draws-ire.html>; Zack Ford, "Air Force Academy Defends Employment Of Ex-Gay Therapist," *ThinkProgress*, November 22, 2013, accessed June 8, 2017, <http://thinkprogress.org/lgbt/2013/11/22/2984411/air-force-academy-gay/>.
- ¹²⁴ Al Baker and Nate Schwebernov, "A Talk That Stirred Fear of Antigay Bias Is Postponed at a Bronx High School," *The New York Times*, November 18, 2013, accessed June 7, 2017, <http://www.nytimes.com/2013/11/19/nyregion/concern-about-antigay-bias-at-a-high-school-talk.html>.
- ¹²⁵ Hunter Stuart, "Holy Ghost Preparatory Teacher Allegedly Fired For Getting Gay Marriage License: Report," *Huffington Post*, December 7, 2013, accessed June 6, 2017, http://www.huffingtonpost.com/2013/12/07/holy-ghost-teacher-fired_n_4405039.html.
- ¹²⁶ Eric Kelsey, "A&E puts Phil Robertson back on 'Duck Dynasty' after anti-gay flap," *Reuters*, December 27, 2013, accessed June 8, 2017, <http://www.reuters.com/article/2013/12/27/us-duckdynasty-idUSBRE9BQ0J820131227>; "'Duck Dynasty' star Robertson unsurprised by controversy over gay remarks," *FoxNews.com*, May 30, 2014, accessed June 8, 2017, <http://www.foxnews.com/entertainment/2014/05/30/duck-dynasty-star-robertson-unsurprised-by-controversy-over-gay-remarks/>.
- ¹²⁷ Will Higgins, "Bakery that refused to do cake for gay couple closes its doors," *USA Today*, February 27, 2015, accessed May 30, 2017, <https://www.usatoday.com/story/life/2015/02/26/bakery-refused-cake-gay-couple-closes-doors/24074691/>.
- ¹²⁸ Curtis M. Wong, "Pennsylvania's Cake Pros Bakery Rejects Lesbian Couple's Cake As Owner Vows To 'Stand True To God,'" *Huffington Post*, August 14, 2014, accessed June 1, 2017, http://www.huffingtonpost.com/2014/08/14/pennsylvania-cake-pros-gay-wedding_n_5678410.html.
- ¹²⁹ Gail Sullivan, "Mozilla exec out of job for gay rights intolerance. Some think that's intolerant.," *The Washington Post*, April 4, 2014, accessed June 8, 2017, http://www.washingtonpost.com/news/morning-mix/wp/2014/04/04/mozilla-exec-out-of-job-for-gay-rights-intolerance-some-think-thats-intolerant/?tid=pm_pop.

-
- ¹³⁰ “SunTrust Reinstates Benham Brothers Listings,” *CBN News*, September 8, 2014, accessed June 8, 2017, <http://www.cbn.com/cbnnews/us/2014/May/SunTrust-Cuts-Ties-with-Benhams-after-HGTV-Flap/>; Billy Hallowell, “HGTV Drops Show After Controversy Erupts Over Hosts’ Christian Views on Gay Marriage and Abortion,” *TheBlaze*, May 8, 2014, accessed June 8, 2017, <http://www.theblaze.com/stories/2014/05/08/hgtv-drops-christian-twins-tv-show-after-controversy-erupts-surrounding-their-gay-marriage-and-abortion-views/#>.
- ¹³¹ Kaitlyn Schallhorn, “Stanford student government upholds funding ban for pro-family group,” *Campus Reform*, June 3, 2014, accessed June 7, 2017, <http://www.campusreform.org/?ID=5660>.
- ¹³² Todd Starnes, “Government Union Wants Duck Dynasty Fans Fired,” *The Christian Post*, June 12, 2014, accessed June 8, 2017, <http://www.christianpost.com/news/government-union-wants-duck-dynasty-fans-fired-121404/>.
- ¹³³ Shadee Ashtari, “Children’s Home Fires Gay Employee For Presenting ‘Damaging’ Lifestyle,” *Huffington Post*, July 31, 2014, accessed June 1, 2017, http://www.huffingtonpost.com/2014/07/31/casey-stegall-fired-texas-gay_n_5638404.html?utm_medium=referral&utm_source=pulsenews.
- ¹³⁴ Austin Ruse, “How Chase Bank and other Corporations Coerce and Bully Christians,” *Crisis Magazine*, July 4, 2014, accessed June 2, 2017, <http://www.crisismagazine.com/2014/chase-bank-corporations-coerce-bully-christians>.
- ¹³⁵ Samuel Smith, “Suit Against Pennsylvania Wedding Venue That Declined to Host Same-Sex Weddings Unsuccessful,” *The Christian Post*, October 1, 2014, accessed May 31, 2017, <http://www.christianpost.com/news/suit-against-pennsylvania-wedding-venue-that-declined-to-host-same-sex-weddings-unsuccessful-127355/>.
- ¹³⁶ Curtis M. Wong, “Pennsylvania’s W.W. Bridal Boutique under Fire for Reportedly Turning Away Lesbian Brides-To-Be,” *Huffington Post*, August 11, 2014, accessed June 7, 2017, http://www.huffingtonpost.com/2014/08/11/ww-bridal-boutique-lesbia_n_5668645.html.
- ¹³⁷ “Ford contractor says he was fired for anti-gay remarks,” *The Detroit News*, January 30, 2015, accessed May 24, 2017, <http://www.detroitnews.com/story/business/autos/ford/2015/01/30/ex-ford-employee-says-fired-anti-gay-remarks/22575103/>.
- ¹³⁸ Michael F. Haverluck, “Christian college’s ‘gay’ dilemma in a post-Christian society,” *One News Now*, November 15, 2014, accessed June 1, 2017, <https://www.onenewsnow.com/education/2014/11/15/christian-college-s-gay-dilemma-in-a-post-christian-society>.
- ¹³⁹ Michael Gryboski, “LGBT ‘Shame List’ of Christian Colleges Includes Azusa Pacific, Biola, Liberty, Wheaton,” *The Christian Post*, September 1, 2016, accessed June 6, 2017, <http://www.christianpost.com/news/lgbt-shame-list-christian-college-azusa-pacific-biola-liberty-wheaton-168945/>.
- ¹⁴⁰ Leah Marieann Klett, “Calif. Christian Couple Closes Photography Business Due to Harassment from LGBT Activists,” *The Gospel Herald*, November 21, 2014, accessed June 8, 2017, http://www.gospelherald.com/home/news/services/print.php?article_id=53290.
- ¹⁴¹ Brendan O’Brien, “Marquette suspends professor for slamming instructor on gay rights,” Reuters, December 17, 2014, accessed June 1, 2017, <https://www.yahoo.com/news/marquette-suspends-professor-slamming-instructor-gay-rights-225227542.html>; “Open Letter in Support of Cheryl Abbate,” John Portevi’s Blog, November 18, 2014, accessed June 1, 2017, <http://protevi.blogspot.com/2014/11/open-letter-in-support-of-cheryl-abbate.html>; Beverly Taylor, “Judge sides with Marquette, dismisses case involving suspended professor’s blog criticizing student,” Fox6Now.com, May 4, 2017, accessed June 1, 2017, <http://fox6now.com/2017/05/04/judge-sides-with-marquette-dismisses-case-involving-suspended-professors-blog-criticizing-student/>.
- ¹⁴² “Rhode Island court throws out city firefighters’ gay pride parade lawsuits,” *The Guardian*, December 29, 2014, accessed May 24, 2017, <https://www.theguardian.com/us-news/2014/dec/29/rhode-island-court-rejects-firefighters-gay-parade-lawsuits>.
- ¹⁴³ Zack Ford, “Wedding Planner Goes out of Her Way to Tell Couple She Does ‘Not Feel Comfortable’ Helping Them,” *ThinkProgress*, January 21, 2015, accessed June 7, 2017, <http://thinkprogress.org/lgbt/2015/01/21/3613626/florida-wedding-planner-discrimination/>.
- ¹⁴⁴ Kirsten Andersen, “Apple fires Alabama lobbyist on same day he was targeted for his pro-family stand,” *LifeSiteNews*, February 18, 2015, accessed May 30, 2017, <https://www.lifesitenews.com/news/apple-fires-alabama-lobbyist-on-same-day-he-was-targeted-for-his-pro-family>.
- ¹⁴⁵ John M. Glionna, “Utah officer defends his objections to riding at head of gay pride parade,” *Los Angeles Times*, February 26, 2015, accessed June 12, 2017, <http://www.latimes.com/nation/la-na-utah-officer-gay-pride-20150226-story.html>.
- ¹⁴⁶ Adam Rubin, “Murphy now to talk baseball only,” ESPN.com, March 4, 2015, accessed June 12, 2017, http://www.espn.com/new-york/mlb/story/_/id/12419543/daniel-murphy-new-york-mets-keep-religious-beliefs-himself; Mike Vorkunov, “Mets ask Billy Bean to suit up, but how do players feel about gay player in baseball?,” NJ.com, March 3, 2015, accessed June 12, 2017, http://www.nj.com/mets/index.ssf/2015/03/mets_ask_billy_bean_to_suit_up_but_how_do_players.html.
- ¹⁴⁷ Sergio Bichao, “Sons of suspended Catholic teacher try to raise \$100G after anti-gay comment outcry,” *MyCentralJersey.com*, March 18, 2015, accessed June 12, 2017,

<http://www.mycentraljersey.com/story/news/local/somerset-county/2015/03/18/immaculata-high-school-patricia-jannuzzi-raises-money/24963905/>; Dave Hutchinson and Alex Napoliello, "Immaculata teacher reinstated after anti-gay Facebook posts," *NJ.com*, April 10, 2015, accessed June 12, 2017,

http://www.nj.com/somerset/index.ssf/2015/04/immaculata_will_not_fire_teacher.html.

¹⁴⁸ Tom Coyne, "Memories Pizza Reopens after Gay Wedding Comments Flap," *The Washington Times*, April 9, 2015, accessed June 7, 2017, <http://www.washingtontimes.com/news/2015/apr/9/memories-pizza-walkerton-indiana-reopens-after-gay/>; Tony Cook and Brian Eason, "Gov. Mike Pence signs RFRA fix," *IndyStar*, April 1, 2015, accessed June 6, 2017, <http://www.indystar.com/story/news/politics/2015/04/01/indiana-rfra-deal-sets-limited-protections-for-lgbt/70766920/>; Madeline Buckley, "Threat tied to RFRA prompt Indiana pizzeria to close its doors," *IndyStar*, April 2, 2015, accessed June 24, 2017, <http://www.indystar.com/story/news/2015/04/02/threats-tied-rfra-prompt-indiana-pizzeria-close-doors/70847230/>.

¹⁴⁹ Chris Agee, "Lesbian Couple Accuses Wedding Videographer Of Discrimination," *Western Journalism*, March 19, 2015, accessed May 31, 2017, <http://www.westernjournalism.com/lesbian-couple-accuses-wedding-videographer-discrimination/>; Jareen Imam, "Ohio same-sex couple accuses videographer of discrimination," *CNN.com*, April 7, 2015, accessed May 31, 2017, <http://www.cnn.com/2015/03/16/living/same-sex-wedding-videographer-feat-irpt/index.html>; Samuel Smith, "Christian Videographer Faces Legal Action After Refusing to Work Lesbian Wedding, Says It's Against Her Biblical Beliefs," *The Christian Post*, March 18, 2015, accessed June 5, 2017, <http://www.christianpost.com/news/christian-videographer-faces-legal-action-after-refusing-to-work-lesbian-wedding-says-its-against-her-biblical-beliefs-135888/>.

¹⁵⁰ Ben Johnson, "Students protest after Catholic high school won't hire a gay teacher 'engaged' to another man," *LifeSiteNews*, April 9, 2015, accessed June 6, 2017, <https://www.lifesitenews.com/news/students-protest-that-catholic-high-school-will-not-hire-an-openly-gay-teac>.

¹⁵¹ "San Francisco Catholic School Teachers Rally Against Archbishop Salvatore Cordileone's 'Morality Clauses,'" *Huffington Post*, May 21, 2015, accessed May 31, 2017, http://www.huffingtonpost.com/2015/05/21/san-francisco-catholic-teachers-morality-clause_n_7357962.html; "Archdiocese of San Francisco and teachers reach contract agreement," *The Catholic World Report*, August 23, 2015, accessed May 31, 2017, http://www.catholicworldreport.com/Item/4112/archdiocese_of_san_francisco_and_teachers_reach_contract_agreement.aspx.

¹⁵² Kathy Boccella, "New principal to replace Waldron Mercy administrator at center of gay teacher controversy," *The Philadelphia Inquirer*, March 28, 2017, accessed June 6, 2017, <http://www.philly.com/philly/education/New-principal-for-school-that-fired-gay-teacher.html>.

¹⁵³ Anna Marum, "Moreland Farmers Pantry is closing a year after gay marriage controversy," *The Oregonian*, August 18, 2015, accessed June 1, 2017, http://www.oregonlive.com/window-shop/index.ssf/2015/08/moreland_farmers_pantry_closing.html; "I'm Gay and I Work at Moreland Farmers Pantry," *The Portland Mercury*, February 4, 2015, accessed June 2, 2017, <http://www.portlandmercury.com/IAnonymousBlog/archives/2015/02/04/im-gay-and-i-work-at-moreland-farmers-pantry>.

¹⁵⁴ Hazel Torres, "California kindergarten slams its door on girl, 5, for having 2 lesbian mothers," *Christian Today*, October 2, 2015 accessed June 6, 2017, <https://www.christiantoday.com/article/california.kindergarten.school.shuts.door.on.5.year.old.girl.for.having.2.lesbian.mothers/66314.htm>.

¹⁵⁵ Mirah Riben, "End the Witch Hunt: In Defense of Dr. Robert Oscar Lopez," *Huffington Post*, November 13, 2015, accessed June 12, 2017, http://www.huffingtonpost.com/mirah-riben/end-the-witch-hunt-in-def_b_8539402.html; "Texas Chapter of Anti-LGBT Hate Group Mass Resistance Launches, Helmed by Robert Oscar López," Southern Poverty Law Center, March 29, 2017, accessed June 12, 2017, <https://www.splcenter.org/hatewatch/2017/03/29/texas-chapter-anti-lgbt-hate-group-mass-resistance-launches-helmed-robert-oscar-lopez>; Colleen Flaherty, "Whose Bias?" *Inside HigherEd*, November 24, 2015, accessed June 12, 2017, <https://www.insidehighered.com/news/2015/11/24/cal-state-northridge-professor-says-hes-being-targeted-his-conservative-social-views>.

¹⁵⁶ "Kirk Cameron Tells Piers Morgan Homosexuality Is 'Unnatural,' 'Ultimately Destructive,'" *Huffington Post*, March 3, 2012, accessed May 24, 2017, http://www.huffingtonpost.com/2012/03/03/kirk-cameron-piers-morgan-homosexuality-unnatural_n_1318430.html.

¹⁵⁷ Todd Starnes, "Texas bakers face threats after declining to bake gay wedding cake," *FoxNews.com*, February 25, 2016, accessed June 21, 2017, <http://www.foxnews.com/opinion/2016/02/25/texas-bakers-face-threats-after-declining-to-bake-gay-wedding-cake.html>; Billy Hallowell, "Texas Bakers Refused to Make a Gay Wedding Cake, Citing Their Christian Faith. Now, They're Facing Violent Threats," *The Blaze*, March 1, 2016, accessed June 21, 2017, <http://www.theblaze.com/news/2016/03/01/texas-bakers-refused-to-make-a-gay-wedding-cake-citing-their-christian-faith-now-theyre-facing-violent-threats/>.

- ¹⁵⁸ “With Gay Veterans Group Marching, Boston’s St. Patrick’s Day Parade Rolls On,” *WBUR News and Wire*, March 19, 2017, accessed May 31, 2017, <http://www.wbur.org/news/2017/03/19/st-patricks-day-parade-outvets>.
- ¹⁵⁹ Many of the laws providing special protection for sexual orientation and gender identity have been enacted within the last few years. The Human Rights Campaign and the American Civil Liberties Union provide lists of the cities, counties, and states that have added special protection. “Cities and Counties with Non-Discrimination Ordinances that Include Gender Identity,” Human Rights Campaign, accessed May 24, 2016, <http://www.hrc.org/resources/entry/cities-and-counties-with-non-discrimination-ordinances-that-include-gender>; “Non-Discrimination Laws: State by State Information – Map,” American Civil Liberties Union, accessed May 24, 2016, <https://www.aclu.org/maps/non-discrimination-laws-state-state-information-map>.
- ¹⁶⁰ *Elane Photography v. Willock*, 309 P.3d 53 (N.M. 2013), <http://www.adfmedia.org/files/ElanePhotoNMSCopinion.pdf>; Alliance Defending Freedom, “Elane Photography v. Willock,” press release, April 7, 2014, <http://www.adfmedia.org/News/PRDetail/5537>.
- ¹⁶¹ *Stormans v. Weisman*, Alliance Defending Freedom, accessed on June 22, 2017, <https://www.adflegal.org/detailspages/case-details/stormans-v.-wiesman>.
- ¹⁶² “Cervelli v. Aloha Bed & Breakfast,” Alliance Defending Freedom, accessed June 8, 2017, <https://www.adflegal.org/detailspages/case-details/cervelli-v.-aloha-bed-breakfast>; Kirsten Andersen, “Judge Rules against Christian Innkeeper Who Refused to Rent Bedroom to Lesbian Couple,” *LifeSiteNews*, April 16, 2013, accessed July 8, 2017, <http://www.lifesitenews.com/news/judge-rules-against-christian-innkeeper-who-refused-to-rent-bedroom-to-lesb>.
- ¹⁶³ “Cookie Shop Accused Of Refusing ‘Coming Out Day’ Order,” *The Indy Channel*, October 1, 2010, accessed June 8, 2017, <http://www.theindychannel.com/news/cookie-shop-accused-of-refusing-coming-out-day-order>.
- ¹⁶⁴ Alliance Defending Freedom, “Vt. Government Ends Religious Persecution of Family Business, Admits Wildflower Inn Acted in Good Faith,” press release, August 23, 2012, <http://www.adfmedia.org/News/PRDetail/7601>.
- ¹⁶⁵ *Burwell v. Hobby Lobby Stores*, SCOTUSblog, accessed June 13, 2017, <http://www.scotusblog.com/case-files/cases/sebelius-v-hobby-lobby-stores-inc/>; *Burwell v. Hobby Lobby*, Becket, accessed June 13, 2017, <http://www.becketlaw.org/case/burwell-v-hobby-lobby/>.
- ¹⁶⁶ Alliance Defending Freedom, “Illinois bed and breakfast responds to baseless charges of civil rights violations,” press release, December 6, 2011, <http://www.adfmedia.org/News/PRDetail/5228>.
- ¹⁶⁷ Vikki Ortiz Healy, “Ruling Sides with Same-sex Couple Turned Away by Bed-and-Breakfast,” *Chicago Tribune*, September 17, 2015, accessed June 8, 2017, <http://www.chicagotribune.com/news/local/politics/ct-lgbt-business-services-decision-met-20150917-story.html>.
- ¹⁶⁸ Will Brumleve, “B&B’s Attorney Asks for Reversal of Ruling in Discrimination Case,” *Ford County Record*, May 9, 2016, accessed June 8, 2017, <http://www.paxtonrecord.net/news/politics-and-government/2016-05-09/bbs-attorney-asks-reversal-ruling-discrimination-case.html>.
- ¹⁶⁹ Michael Grybowski, “Illinois Commission Panel Says Christian-Owned Bed & Breakfast Must Host Gay Weddings,” *The Christian Post*, December 5, 2016, accessed June 8, 2017, <http://www.christianpost.com/news/illinois-commission-panel-says-christian-owned-bed-breakfast-must-host-gay-weddings-171931/>.
- ¹⁷⁰ *Ibid.*
- ¹⁷¹ Alliance Defending Freedom, “ADF: Ky. T-shirt company not required to promote message it disagrees with,” press release, April 20, 2012, <http://www.adfmedia.org/News/PRDetail/5454>.
- ¹⁷² Alliance Defending Freedom, “Lexington-Fayette Urban County Human Rights Commission v. Hands On Originals,” press release, June 12, 2017, <http://www.adfmedia.org/News/PRDetail/9254>.
- ¹⁷³ Alliance Defending Freedom, “Ky. Court Upholds Freedom to Printers not to Print,” press release, April 27, 2015, <http://www.adfmedia.org/News/PRDetail/9618>.
- ¹⁷⁴ Alliance Defending Freedom, press release, June 12, 2017.
- ¹⁷⁵ Alliance Defending Freedom, “Masterpiece Cakeshop v. Colorado Civil Rights Commission,” press release, July 22, 2016, <http://www.adfmedia.org/News/PRDetail/8700>.
- ¹⁷⁶ “Masterpiece Appeals Decision,” Alliance Defending Freedom, accessed June 8, 2017, <http://www.adfmedia.org/files/MasterpieceAppealsDecision.pdf>.
- ¹⁷⁷ “Masterpiece Cert. Denial,” Alliance Defending Freedom, accessed June 8, 2017, <http://www.adfmedia.org/files/MasterpieceCertDenial.pdf>.
- ¹⁷⁸ Alliance Defending Freedom, “Colorado cake artist asks US Supreme Court to protect his freedom of expression,” press release, July 22, 2016, <http://www.adfmedia.org/News/PRDetail/8700>.
- ¹⁷⁹ Alliance Defending Freedom, “US Supreme Court agrees to weigh in on Colorado cake artist’s freedom,” press release, June 26, 2017, <https://www.adflegal.org/detailspages/press-release-details/us-supreme-court-agrees-to-weigh-in-on-colorado-cake-artist-s-freedom>.
- ¹⁸⁰ Billy Hallowell, “Christian Farm Owners Fought Back Against \$13,000 Fine for Refusing to Host a Gay Wedding – but Here’s What Just Happened in Court,” *The Blaze*, January 14, 2016, accessed June 8, 2017,

<http://www.theblaze.com/news/2016/01/14/christian-farm-owners-fought-back-against-13000-fine-for-refusing-to-host-a-gay-wedding-but-heres-what-just-happened-in-court/>; Alliance Defending Freedom, "Gifford v. Erwin," press release, February 23, 2016, <http://www.adfmedia.org/News/PRDetail/9681>.

¹⁸¹ "Administrative Law Judge's Determination," Alliance Defending Freedom, accessed June 8, 2017, <http://www.adfmedia.org/files/GiffordALJdetermination.pdf>.

¹⁸² Alliance Defending Freedom, "NY Court: Farmers can't Obey their Faith in their Own Backyard," press release, October 2, 2014, <http://www.adfmedia.org/News/PRDetail/9332>.

¹⁸³ Maxine Bernstein, "Lesbian couple refused wedding cake files state discrimination complaint," *The Oregonian*, August 14, 2013, accessed June 5, 2014, http://www.oregonlive.com/gresham/index.ssf/2013/08/lesbian_couple_refused_wedding.html; Billy Hallowell, "'We Still Stand by What We Believe': Bakers Who Refused to Make a Gay Wedding Cake Double Down Despite Ruling They Violated Couple's Civil Rights." *The Blaze*, January 20, 2014, accessed June 8, 2017, <http://www.theblaze.com/stories/2014/01/20/state-rules-oregon-bakery-that-refused-to-make-a-gay-wedding-cake-violated-lesbian-couples-civil-rights/>.

¹⁸⁴ "Oregon Bakers Pay \$135K Fine," *U.S. News & World Report*, December 30, 2015, accessed June 8, 2017, <http://www.usnews.com/news/articles/2015-12-30/sweet-cakes-bakery-owners-in-Oregon-pay-fine>.

¹⁸⁵ Casey Parks, "Sweet Cakes by Melissa, bakery that turned away lesbians, closes," *The Oregonian*, October 6, 2016, accessed June 8, 2017, http://www.oregonlive.com/portland/index.ssf/2016/10/sweet_cakes_by_melissa_bakery.html.

¹⁸⁶ "Kleins: State of Oregon Makes Baker Pay \$135,000 for Operating Bakery According to their Faith," First Liberty Institute, accessed June 8, 2017, <https://firstliberty.org/cases/kleins/>.

¹⁸⁷ Alliance Defending Freedom, "State of Washington v. Arlene's Flowers | Ingersoll v. Arlene's Flowers," press release, February 27, 2017, <http://www.adfmedia.org/News/PRDetail/8608>.

¹⁸⁸ "State of Washington v. Arlene's Flowers | Ingersoll v. Arlene's Flowers," Alliance Defending Freedom, accessed June 8, 2017, <http://www.adflegal.org/detailspages/case-details/state-of-washington-v.-arlene-s-flowers-inc.-and-barronelle-stutzman>.

¹⁸⁹ Alliance Defending Freedom, "Floral Artist Responds to Wash. Attorney General's Settlement Offer," press release, February 20, 2015, <http://www.adflegal.org/detailspages/press-release-details/floral-artist-responds-to-wash--attorney-general-s-settlement-offer>.

¹⁹⁰ Alliance Defending Freedom, "ADF Asks Washington Supreme Court to Review Floral Artist's Case," press release, April 28, 2015, <http://www.adflegal.org/detailspages/press-release-details/adf-asks-washington-supreme-court-to-review-floral-artist-s-case>.

¹⁹¹ "State of Washington v. Arlene's Flowers | Ingersoll v. Arlene's Flowers," Alliance Defending Freedom.

¹⁹² Alliance Defending Freedom, "Washington floral artist to ask US Supreme Court to protect her freedom," press release, February 16, 2017, <https://www.adflegal.org/detailspages/press-release-details/washington-floral-artist-to-ask-us-supreme-court-to-protect-her-freedom>.

¹⁹³ Kevin Hardy, "After Gay Marriage Controversy, Gort Haus Now a Church," *The Des Moines Register*, October 27, 2015, accessed June 8, 2017, <http://www.desmoinesregister.com/story/money/business/2015/10/27/gortz-haus-church-grimes-harvest-bible-church/74682272/>.

¹⁹⁴ Jake Thomas, "Hitching Post lawsuit settled by city of Coeur d'Alene," *Inlander*, May 3, 2016, accessed May 20, 2016, <http://www.inlander.com/Bloglander/archives/2016/05/03/hitching-post-lawsuit-settled-by-city-of-coeur-dalene>.

¹⁹⁵ "Knapp v. City of Coeur d'Alene," Alliance Defending Freedom, accessed June 8, 2017, <https://www.adflegal.org/detailspages/case-details/knapp-v.-city-of-coeur-d-alene>.

¹⁹⁶ Sarah Kramer, "What's the Beef? Family Meatpacking Business Threatened with Closure for Religious Beliefs," Alliance Defending Freedom, February 21, 2017, accessed May 24, 2017; Alliance Defending Freedom, "ADF to President Trump: Religious intolerance at USDA latest example of need for religious freedom order," press release, February 16, 2017, <https://www.adflegal.org/detailspages/press-release-details/adf-to-president-trump-religious-intolerance-at-usda-latest-example-of-need-for-religious-freedom-order>.

¹⁹⁷ "Brush & Nib v. City of Phoenix," Alliance Defending Freedom, accessed May 31, 2017, <http://www.adflegal.org/detailspages/case-details/brush-nib-studio-v.-city-of-phoenix>.

¹⁹⁸ Alliance Defending Freedom, "Court won't temporarily suspend Phoenix ordinance, artists may appeal," press release, September 19, 2016, <https://www.adflegal.org/detailspages/press-release-details/court-won-t-temporarily-suspend-phoenix-ordinance-artists-may-appeal>.

¹⁹⁹ "Carl and Angel Larsen," Alliance Defending Freedom, accessed June 8, 2017, <https://www.adflegal.org/detailspages/case-details/telescope-media-group-v.-lindsey>.

²⁰⁰ Alliance Defending Freedom, "Wisconsin photographer, blogger tied up by law that would also force writer to work for Trump," press release, March 7, 2017, <http://www.adfmedia.org/News/PRDetail/10189>.

²⁰¹ Beth LeBlanc, "Lawsuit: East Lansing violated farmer's religious freedom," *Lansing State Journal*, May 31, 2017, accessed June 1, 2017, <http://www.lansingstatejournal.com/story/news/local/2017/05/31/farmer-sues-east-lansing-alleged-violation-religious-freedoms/358030001/>.

²⁰² Mark Kellner, "About Face: Salvation Army Reverses Domestic Partners Policy," *Christianity Today*, January 7, 2002, accessed June 6, 2017, <http://www.christianitytoday.com/ct/2002/january7/11.18.html>; Robin Fretwell Wilson, "Same-Sex Marriage: Protecting Religious Liberty," *The New York Times*, February 13, 2012, accessed June 6, 2017, <https://www.nytimes.com/roomfordebate/2011/06/29/are-religion-and-marriage-indivisible/same-sex-marriage-protecting-religious-liberty>.

²⁰³ Rob Spahr, "Lesbian couple discriminated against by Ocean Grove association, state says," *NJ.com*, October 24, 2012, accessed June 8, 2017, http://www.nj.com/monmouth/index.ssf/2012/10/lesbian_couple_discriminated_against_by_ocean_grove_association_state_says.html.

²⁰⁴ Alliance Defending Freedom, "Bernstein v. Ocean Grove Camp Meeting Association resource page," press release, October 23, 2012, <http://www.adfmedia.org/News/PRDetail/7717>.

²⁰⁵ Jill P. Capuzzo, "Group Loses Tax Break Over Gay Union Issue," *The New York Times*, September 18, 2007, accessed June 8, 2017, <http://www.nytimes.com/2007/09/18/nyregion/18grove.html>.

²⁰⁶ Peter Baklinski, "Major blow dealt to Catholic Charities in Illinois over homosexual adoption," *LifeSiteNews*, August 22, 2011, accessed June 6, 2017, <https://www.lifesitenews.com/news/major-blow-dealt-to-catholic-charities-in-illinois-over-homosexual-adoption>; "Catholic Charities and Gay Adoption," PBS, September 30, 2011, accessed June 6, 2017, <http://www.pbs.org/wnet/religionandethics/2011/09/30/september-30-2011-catholic-charities-and-gay-adoption/9621/>.

²⁰⁷ "Catholic Charities pulls out of adoptions," *The Washington Times*, March 14, 2006, accessed June 6, 2017, <http://www.washingtontimes.com/news/2006/mar/14/20060314-010603-3657r/>.

²⁰⁸ Zack Ford, "New Bill Would Create 'License To Discriminate' For Religious Adoption Agencies," *Think Progress*, July 31, 2014, accessed June 6, 2017, <https://thinkprogress.org/new-bill-would-create-license-to-discriminate-for-religious-adoption-agencies-df0f13783609>.

²⁰⁹ "Zubik v. Burwell," SCOTUSblog, accessed June 13, 2017, <http://www.scotusblog.com/case-files/cases/zubik-v-burwell/>; "Little Sisters of the Poor v. Price," Becket, accessed June 13, 2017, <http://www.becketlaw.org/case/littlesisters/>.

²¹⁰ Sandra Jones, "Man says he was fired for being gay; files federal claim against Catholic Diocese of Richmond," *CBS 6 News*, October 14, 2015, accessed June 2, 2017, <http://wtvr.com/2015/10/14/john-murphy-fired-for-being-gay-saint-francis-home-catholic-diocese-of-richmond/>; Louis Llovio, "Judge grants dismissal of gay man's discrimination lawsuit against Catholic Diocese; issues 'fully and finally resolved,'" *Richmond Times Dispatch*, September 28, 2016, accessed June 2, 2017, http://www.richmond.com/news/local/city-of-richmond/judge-grants-dismissal-of-gay-man-s-discrimination-lawsuit-against/article_e31978f5-2bd0-5ec3-8bd9-ec755dac32e5.html.

²¹¹ Lisa Bourne, "LGBT laws help push Omaha archdiocese out of counseling ministry," *LifeSiteNews*, August 31, 2016, accessed June 2, 2017, <https://www.lifesitenews.com/news/gvmt-funding-restrictions-force-omaha-catholic-charities-to-discontinue-beh>; Martha Stoddard, "Facing almost \$1 million in losses this year, Catholic Charities looks for providers to take over some services," *Omaha World-Herald*, August 31, 2016, accessed June 9, 2017, http://www.omaha.com/news/metro/facing-almost-million-in-losses-this-year-catholic-charities-looks/article_21b6d64b-e37c-5c49-a4ea-d3cc95984e85.html.

²¹² Alexandra DeSanctis, "In Michigan, a Small but Meaningful Victory for Conscience Rights," *National Review*, September 14, 2016, accessed June 2, 2017, <http://www.nationalreview.com/corner/440038/aclu-lawsuit-michigan-dismissed-religious-conscience-rights-win>.

²¹³ Sandhya Somashekhar, "Acts of Faith: Catholic groups sue over Obama administration transgender requirement," *The Washington Post*, December 29, 2016, accessed June 13, 2017, https://www.washingtonpost.com/news/acts-of-faith/wp/2016/12/29/catholic-groups-sue-over-obama-administration-transgender-requirement/?utm_term=.7f59c7b058ba; Becket, "State, hospitals, and nuns challenge new transgender requirement," press release, November 7, 2016, <http://www.becketlaw.org/media/state-hospitals-nuns-challenge-new-transgender-regulation/>.

²¹⁴ "Transgender man says surgery denied at Catholic hospital," *FoxNews.com*, January 6, 2017, accessed June 9, 2017, <http://www.foxnews.com/health/2017/01/06/transgender-man-says-surgery-denied-at-catholic-hospital.html>; "Transgender man sues Catholic hospital for refusing surgery," *The Washington Post*, January 6, 2017, accessed June 9, 2017, <https://www.washingtonpost.com/news/post-nation/wp/2017/01/06/transgender-man-sues-catholic-hospital-for-refusing-surgery/>; "Lambda Legal Files Federal Lawsuit Against NJ Catholic Hospital that Denied Care to Transgender Man," *Lambda Legal*, January 5, 2017, accessed June 21, 2017, http://www.lambdalegal.org/blog/20170104_lambda_legal_sues_nj_catholic_hospital-for-trans-man.

-
- ²¹⁵ Dawn Ennis, "Catholic hospital that refused transgender man hysterectomy is hit with lawsuit," *LGBTQ Nation*, April 28, 2017, accessed June 9, 2017, <https://www.lgbtqnation.com/2017/04/catholic-hospital-refused-transgender-man-hysterectomy-hit-lawsuit/>.
- ²¹⁶ "Court Hands School A Victory On Issue Of Student Sexuality," Fisher Phillips, October 1, 2009, accessed June 6, 2017, <https://www.fisherphillips.com/resources-newsletters-article-court-hands-school-a-victory-on-issue-of-student-sexuality>.
- ²¹⁷ Sam Roberts, "Marla Krolikowski, Transgender Teacher Fired for Insubordination, Dies at 62," *The New York Times*, September 27, 2015, accessed June 6, 2017, <https://www.nytimes.com/2015/09/28/nyregion/marla-krolikowski-transgender-teacher-fired-for-insubordination-dies-at-62.html>.
- ²¹⁸ Dave Bohon, "Homosexual Couple Sues Christian Preschool for Rejecting Son as Student," *The New American*, December 24, 2012, accessed June 6, 2017, <https://www.thenewamerican.com/culture/faith-and-morals/item/14013-homosexual-couple-sues-christian-preschool-for-rejecting-son-as-student>.
- ²¹⁹ Kathianne Boniello, "Catholic school expelled me for being gay: Teen," *New York Post*, November 3, 2013, accessed June 6, 2017, <http://nypost.com/2013/11/03/bronx-teen-claims-catholic-high-school-expelled-her-for-being-gay/>.
- ²²⁰ Chris Burrell, "Gay Man Accuses Fontbonne Academy of Bias," *The Patriot Ledger*, January 31, 2014, accessed June 8, 2017, <http://www.patriotledger.com/article/20140130/News/140139323>.
- ²²¹ David Zimmerman, "Fontbonne Academy in Milton Sued for Anti-Gay Hiring Practices," *Boston.com*, January 30, 2014, accessed May 23, 2017, http://www.boston.com/lifestyle/blogs/bostonspirit/2014/01/fontbonne_academy_sued_in_milt.html; Milton J. Valencia, "Gay married man says Catholic school rescinded job offer," *The Boston Globe*, January 30, 2014, accessed May 23, 2017, <http://www.bostonglobe.com/metro/2014/01/29/dorchester-man-files-discrimination-against-catholic-school-says-lost-job-because-was-gay-married/0KswVITMsOrruEbhsOsOeN/story.html>.
- ²²² Astead W. Herndon, "Catholic School, Gay Man Settle Discrimination Lawsuit," *The Boston Globe*, May 10, 2016, accessed May 23, 2017, <https://www.bostonglobe.com/metro/2016/05/09/dorchester-man-settles-with-catholic-school-discrimination-lawsuit/tCU2x8z18VlhcVQXk3H1TP/story.html>.
- ²²³ Scott Jaschik, "Two Legal Cases Illustrate Growing Tensions over Rights of Transgender Students at Christian Colleges," *Inside Higher Ed*, July 14, 2014, accessed June 8, 2017, <https://www.insidehighered.com/news/2014/07/14/two-legal-cases-illustrate-growing-tensions-over-rights-transgender-students>.
- ²²⁴ Ibid.
- ²²⁵ Andy Birkey, "Dozens of Christian Schools Win Title IX Waivers to Ban LGBT Students," *The Column*, December 1, 2015, accessed June 8, 2017, <http://thecolu.mn/21270/dozens-christian-schools-win-title-ix-waivers-ban-lgbt-students>.
- ²²⁶ Drew Belsky, "Obama administration: Catholic school upholding marriage is 'sex discrimination,'" *LifeSiteNews*, April 13, 2015, accessed May 30, 2017, <https://www.lifesitenews.com/opinion/obama-administration-catholic-school-upholding-marriage-is-sex-discriminati>; Adam Ragusea, "Gay Teacher Files Sex Discrimination Claim Against Georgia School," NPR.org, July 9, 2014, accessed June 8, 2017, <http://www.npr.org/2014/07/09/329235789/gay-teacher-files-sex-discrimination-claim-against-georgia-school>.
- ²²⁷ Daniel James Devine, "Catholic School Settles with Band Director Fired over Gay Marriage," *WORLD Magazine*, August 12, 2015, accessed May 25, 2016, http://www.worldmag.com/2015/08/catholic_school_settles_with_band_director_fired_over_gay_marriage.
- ²²⁸ Amanda Hoover, "Gordon College Professor Sues School, Claims Retaliation after Speaking out on LGBT Issue," *Boston.com*, April 28, 2016, accessed May 24, 2017, <https://www.boston.com/news/local-news/2016/04/28/gordon-college-professor-files-suit-lgbt-issues>.
- ²²⁹ Jamie Arthur, "Lawsuit of Fired Catholic School Employee Attacks Religious Freedom," Cardinal Newman Society, September 13, 2016, accessed June 2, 2017, <https://cardinalnewmansociety.org/lawsuit-fired-catholic-school-employee-attacks-religious-freedom/>.
- ²³⁰ Allison Pries, "Court denies Paramus Catholic bid to dismiss bias suit," *NorthJersey.com*, December 14, 2016, accessed June 2, 2017, <http://www.northjersey.com/story/news/crime/2016/12/14/appeals-court-denies-paramus-catholic-motion-dismiss-discrimination-lawsuit/95449950/>.
- ²³¹ Emma Margolin, "Gay Student Sues School After He Couldn't Bring Boy to Homecoming," NBCNews.com, September 21, 2016, accessed June 6, 2017, <http://www.nbcnews.com/feature/nbc-out/gay-student-sues-school-after-he-couldn-t-bring-boy-n652151>; Pete Baklinski, "U.S. Catholic school hit with \$1 million suit for not allowing same-sex date at dance," *LifeSiteNews*, September 29, 2016, accessed June 6, 2017, <https://www.lifesitenews.com/news/u.s.-catholic-school-hit-with-1-million-suit-for-not-allowing-same-sex-date>.
- ²³² Michael Gordon, "Gay teacher who lost job at Charlotte Catholic High sues, alleging discrimination," *The Charlotte Observer*, January 11, 2017, accessed June 6, 2017, <http://www.charlotteobserver.com/news/local/education/article125835989.html>.

- ²³³ *Walden v. Centers for Disease Control & Prevention*, 669 F.3d 1277 (11th Cir. 2012); Alliance Defending Freedom, “ADF to appeal decision against wrongly fired Ga. Counselor,” press release, March 26, 2010, <http://www.adfmedia.org/News/PRDetail/3922>.
- ²³⁴ *Dixon v. University of Toledo*, 702 F.3d 269 (6th Cir. 2012), <http://www.ca6.uscourts.gov/opinions.pdf/12a0408p-06.pdf>; Alliance Defending Freedom, “No free speech for university employees?,” press release, July 1, 2013, <http://www.adfmedia.org/News/PRDetail/8293>; “Crystal Dixon v. University of Toledo,” American Freedom Law Center, accessed June 8, 2017, <http://www.americanfreedomlawcenter.org/case/crystal-dixon-v-university-of-toledo/>; Carrie Ghose, “University of Toledo official’s firing over anti-gay opinion piece upheld by appeals court,” *Columbus Business News*, December 19, 2012, accessed June 8, 2017, <http://www.bizjournals.com/columbus/news/2012/12/19/university-of-toledo-officials-firing.html>.
- ²³⁵ *Ward v. Polite*, Nos. 10-2100/2145 (6th Cir. Jan. 27, 2012), <http://www.ca6.uscourts.gov/opinions.pdf/12a0024p-06.pdf>; Alliance Defending Freedom, “EMU student achieves final victory after court rules ‘tolerance is a two-way street,’” press release, December 10, 2012, <http://www.adfmedia.org/News/PRDetail/141>.
- ²³⁶ Diane Macedo, “University of Illinois Reinstates Instructor Fired Over Catholic Beliefs,” FoxNews.com, July 9, 2010, accessed June 8, 2017, <http://www.foxnews.com/us/2010/07/09/university-illinois-reinstates-instructor-fired-catholic-beliefs/>.
- ²³⁷ *Keeton v. Anderson-Wiley et al.*, 664 F.3d 865 (11th Cir. 2011), <http://caselaw.findlaw.com/us-11th-circuit/1588822.html>; Alliance Defending Freedom, “Augusta State Univ. to counseling student: change your beliefs or get out,” press release, July 22, 2010, <http://www.adfmedia.org/news/prdetail/4140>.
- ²³⁸ *Keeton v. Anderson-Wiley et al.*, CV 110-099 (S.D.Ga. June 22, 2012), http://s3.amazonaws.com/cdn.getsnworks.com/spl/pdf/keeton_district.pdf.
- ²³⁹ Dave Bohon, “Another Christian Teacher Investigated for Facebook Comments Against ‘Gay’ Lifestyle,” *The New American*, October 17, 2011, accessed June 8, 2017, <http://www.thenewamerican.com/culture/faith-and-morals/item/1025-another-christian-teacher-investigated-for-facebook-comments-against-gay-lifestyle>; Thomas Zambito, “N.J. teacher who made anti-gay remarks on Facebook scores legal victory in bid to get job back,” *NJ.com*, February 24, 2015, accessed June 5, 2017, http://www.nj.com/news/index.ssf/2015/02/nj_teacher_who_made_anti-gay_remarks_on_facebook_s.html.
- ²⁴⁰ “Notary Officials Barred From Saying No To Same-Sex Weddings,” *Notary Bulletin*, National Notary Association, December 20, 2012, accessed June 8, 2017, <https://www.nationalnotary.org/notary-bulletin/blog/2012/12/notary-officiants-same-sex-weddings>.
- ²⁴¹ “State admonishes Thurston Judge Gary Tabor over wedding remarks,” *The Olympian*, October 5, 2013, accessed June 1, 2017, <http://www.theolympian.com/news/politics-government/article25321330.html>.
- ²⁴² Lauren Gold, “Pasadena Public Health Director Dr. Eric Walsh placed on administrative leave after homophobic sermon furor,” *Pasadena Star-News*, May 1, 2014, accessed June 8, 2017, <http://www.pasadenastarnews.com/health/20140501/pasadena-public-health-director-dr-eric-walsh-placed-on-administrative-leave-after-homophobic-sermon-furor>; Mark A. Kellner, “Pasadena’s medical director on leave after his Protestant sermons surface,” *Deseret News*, May 8, 2014, accessed June 8, 2017, <http://www.deseretnews.com/article/865602703/Pasadenas-medical-director-on-leave-after-his-Protestant-sermons-surface.html>; Lauren Gold, “Embattled Pasadena Public Health Director Dr. Eric Walsh resigns,” *Pasadena Star-News*, May 14, 2014, accessed June 8, 2017, <http://www.pasadenastarnews.com/health/20140514/embattled-pasadena-public-health-director-dr-eric-walsh-resigns>; Lauren Gold, “Georgia Public Health rescinds offer to former Pasadena Health Director Eric Walsh,” *Pasadena Star-News*, May 16, 2014, accessed June 8, 2017, <http://www.pasadenastarnews.com/health/20140516/georgia-public-health-rescinds-offer-to-former-pasadena-health-director-eric-walsh>.
- ²⁴³ Todd Starnes, “State of Georgia demands pastor turn over sermons,” FoxNews.com, October 26, 2016, accessed June 22, 2017, <http://www.foxnews.com/opinion/2016/10/26/state-georgia-demands-pastor-turn-over-sermons.html>.
- ²⁴⁴ “Dr. Eric Walsh,” First Liberty Institute, accessed June 9, 2017, <https://firstliberty.org/cases/walsh/>.
- ²⁴⁵ Alliance Defending Freedom, “Court allows lawsuit of unjustly fired fire chief to go forward against city of Atlanta,” press release, December 16, 2015, <http://www.adfmedia.org/News/PRDetail/9520>.
- ²⁴⁶ Beth Walton, “Judge resigns so he won’t have to marry gay couples,” *USA Today*, October 21, 2014, accessed May 24, 2017, <http://www.usatoday.com/story/news/nation/2014/10/21/magistrate-resigns-gay-marriage/17679495/>.
- ²⁴⁷ Danielle Battaglia, “Rockingham magistrate resigns over same-sex marriage,” *Rockingham Now*, October 16, 2014, accessed June 21, 2017, http://www.greensboro.com/rockingham_now/rockingham-magistrate-resigns-over-same-sex-marriage/article_6d2170ac-556e-11e4-9d70-001a4bcf6878.html.
- ²⁴⁸ Zack Ford, “To Avoid Marrying Same-Sex Couples, 14 Florida Counties Stop All Courthouse Weddings,” *Think Progress*, January 5, 2015, accessed May 24, 2017, <https://thinkprogress.org/to-avoid-marrying-same-sex-couples-14-florida-counties-stop-all-courthouse-weddings-1f710d840fd5>; Anna M. Phillips, “As gay marriage approaches, several counties’ clerks opt out of wedding ceremonies,” *Tampa Bay Times*, January 2, 2015, accessed May 24, 2017,

<http://www.tampabay.com/news/courts/in-north-florida-a-views-collide-over-gay-weddings-as-many-clerks-opt-out/2212297>.

²⁴⁹ Tia Mitchell, "Duval, Clay, Baker counties to end courthouse weddings to avoid marrying gays," *The Florida Times-Union*, December 31, 2014, accessed May 24, 2017, <http://jacksonville.com/news/florida/2014-12-31/story/duval-clay-baker-counties-end-courthouse-weddings-avoid-marrying-gays>.

²⁵⁰ Emily Bazelon, "In Sort-of-Defense of Roy Moore," *The New York Times Magazine*, February 11, 2015, accessed May 31, 2017, <https://www.nytimes.com/2015/02/11/magazine/in-sort-of-defense-of-roy-moore.html>.

²⁵¹ "An inquiry concerning the Honorable Ruth Neely," Alliance Defending Freedom, accessed May 23, 2017, <https://www.adflegal.org/detailspages/case-details/an-inquiry-concerning-the-honorable-ruth-neely>.

²⁵² "Ruth Neely, Wyoming judge against same-sex marriage, censured," CBSNews.com, March 8, 2017, accessed May 23, 2017, <http://www.cbsnews.com/news/ruth-neely-wyoming-judge-against-same-sex-marriage-censured/>.

²⁵³ Kim Palmer, "Northwest Ohio Judge Refuses To Perform Gay Marriage," *Huffington Post*, July 8, 2015, accessed May 23, 2017, http://www.huffingtonpost.com/2015/07/08/allen-mcconnell-gay-marriage_n_7753738.html; Jim Nelson, "Toledo Judge will abide by Supreme Court decision," NBC24.com, August 10, 2015, accessed May 23, 2017, <http://nbc24.com/news/local/toledo-judge-will-abide-by-supreme-court-decision>.

²⁵⁴ "Kentucky clerk sued for not issuing same-sex marriage licenses," FoxNews.com, July 3, 2015, accessed May 24, 2017, <http://www.foxnews.com/us/2015/07/03/kentucky-clerk-sued-for-not-issuing-same-sex-marriage-licenses.html>; Sheryl Gay Stolberg, "Kentucky Clerk Defies Court on Marriage Licenses for Gay Couples," *The New York Times*, August 13, 2015, accessed May 24, 2017, <https://www.nytimes.com/2015/08/14/us/kentucky-rowan-county-same-sex-marriage-licenses-kim-davis.html>; Adam Liptak, "Supreme Court Says Kentucky Clerk Must Let Gay Couples Marry," *The New York Times*, August 31, 2015, accessed May 24, 2017, <https://www.nytimes.com/2015/09/01/us/supreme-court-says-kentucky-clerk-must-let-gay-couples-marry.html>; David Weigel, Abby Phillip and Sarah Larimer, "Kim Davis released from jail, ordered not to interfere with same-sex marriage licenses," *Washington Post*, September 8, 2015, accessed June 24, 2017, https://www.washingtonpost.com/news/post-nation/wp/2015/09/08/judge-orders-kentucky-clerk-kim-davis-released-from-jail/?utm_term=.bbf99dd224d5.

²⁵⁵ Mary Hasson, "Illinois Purges Social Workers And Foster Families Who Don't 'Facilitate' Transgenderism," *The Federalist*, May 30, 2017, accessed June 1, 2017, <https://thefederalist.com/2017/05/30/illinois-purges-social-workers-foster-families-dont-facilitate-transgenderism/>.

²⁵⁶ Duaa Eldeib, "Court rules against gay man who sued Catholic church over firing: 'We are creating a church of fear,'" *Chicago Tribune*, June 8, 2017, accessed June 8, 2017, <http://www.chicagotribune.com/news/local/breaking/ct-catholic-church-gay-employee-lawsuit-met-20170607-story.html>; "Collette v. Archdiocese Of Chi. & Holy Family Catholic Parish," Casetext, accessed June 8, 2017, <https://casetext.com/case/collette-v-archdiocese-of-chi-holy-family-catholic-parish>.

²⁵⁷ Alliance Defending Freedom, "Massachusetts churches free to serve their communities without being forced to abandon beliefs," press release, December 12, 2016, <http://www.adfmedia.org/News/PRDetail/10091>.

²⁵⁸ Alliance Defending Freedom, "Sermons on Biblical Sexuality Illegal in Iowa?" press release, July 5, 2016, <http://www.adfmedia.org/News/PRDetail/10015>.

²⁵⁹ Alliance Defending Freedom, "Iowa Commission's Revised Brochure Doesn't Change Bad Law, ADF Lawsuit to Continue," press release, July 8, 2016, <http://www.adfmedia.org/News/PRDetail/10019>.

²⁶⁰ "State of Iowa Claims It Can Tell Churches What They Can Teach on Matters of Sexuality," First Liberty Institute, accessed June 8, 2017, <https://firstliberty.org/cases/cornerstonechurch/>.



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