

The *Arlene's Flowers* Case

Case Name: *State of Washington v. Arlene's Flowers* | *Ingersoll v. Arlene's Flowers*

Case Status: On June 6, 2019, the Washington State Supreme Court ruled against Barronelle Stutzman for a second time, repeating verbatim much of what it said in the decision that the U.S. Supreme Court vacated when instructing Washington courts to re-examine the case in light of the *Masterpiece* decision.

Significance: Whether the state can punish a floral artist (including in her personal capacity) for declining to create floral arrangements to celebrate a same-sex wedding.



Background: Barronelle Stutzman, the owner of Arlene's Flowers in Richland, Washington, serves all customers; she simply declines to create custom floral art that celebrates events or expresses messages in conflict with her deeply held beliefs. Barronelle had served Rob Ingersoll for nearly 10 years before telling him in 2013 that although she cares about him deeply, she could not in good conscience create floral arrangements celebrating his same-sex wedding. Barronelle referred Rob to three local floral artists that she knew would do a good job. Then they discussed the ceremony, they hugged, and Ingersoll left. Acting without a complaint from Ingersoll, Washington Attorney General Bob Ferguson began targeting Barronelle for prosecution. Using unprecedented measures, he not only went after her business, but also sued her in her personal capacity as well. The ACLU filed a suit against Barronelle as well, further threatening to drive her into bankruptcy. Rather than respecting her right to peacefully live out her faith, the government has targeted her because of her beliefs. Worse, the state has applied its laws unevenly, choosing not to similarly punish a coffee shop owner who profanely berated and expelled customers because of their Christian beliefs. If Barronelle loses the case, she is at risk of losing everything—her business and every penny she's saved.

Key Points

- Barronelle serves all customers but doesn't celebrate all events or express all messages through her floral art.
- Tolerance and respect for good-faith differences of opinion about important issues like marriage are essential in a diverse society like ours. They enable us to peacefully coexist with each other.
- In *Masterpiece*, the Supreme Court made it clear that government hostility toward people of faith has no place in our society. The state of Washington was openly antagonistic toward Barronelle's religious beliefs about marriage—it not only went after her business, but sued her in her personal capacity as well. Rather than respecting her right to peacefully live out her faith, the government has targeted her because of her beliefs.

Key Facts

- Barronelle Stutzman served Rob Ingersoll for nearly a decade. She knew he identified as gay, but that never mattered to her. She loved working with him. If Rob returned to Barronelle's shop today, she would gladly serve him once again.
- Barronelle has been sued in her personal capacity. As a result, this case could cost her everything she owns.
- The Washington Attorney General chose not to prosecute a business that berated and discriminated against Christian customers. Instead, he has invested his time pursuing unprecedented measures to punish Barronelle and her business.
- In *Masterpiece*, the U.S. Supreme Court made clear that the government cannot act with religious hostility—but the Washington Supreme Court wrongly concluded that *Masterpiece* applies only to its courts, and not its Attorney General.
- Alliance Defending Freedom plans to appeal Barronelle's case back to the U.S. Supreme Court.

The Bottom Line: Views about important issues like marriage change. But the First Amendment's enduring promise is that people of good will are free to live out their beliefs without government hostility or punishment. That is why you can support Barronelle's freedom no matter what you believe about marriage.