

## The *Chelsey Nelson Photography Case*

**Case Name:** *Chelsey Nelson Photography LLC v. Louisville/Jefferson County Metro Government*

**Case Status:** On Appeal to the 6<sup>th</sup> Circuit Court of Appeals

**Significance:** Whether the government can force Americans to speak contrary to their core beliefs.



**Background:** Chelsey Nelson is a wedding photographer, editor, and blogger who runs Chelsey Nelson Photography, a photography studio in Louisville, Kentucky. Through her photographs and blogs, Chelsey creates visual narratives celebrating the lifelong commitment of marriage between one man and one woman based on her religious beliefs about God’s vision for marriage. But a Louisville law forced Chelsey to create photographs and blogs promoting same-sex weddings and restricted her from explaining the religious reasons why she can only celebrate weddings between one man and one woman. Chelsey serves all people. But like most photographers, she cannot use her artistic talents to promote all messages. Chelsey challenged Louisville’s law to protect her freedom to create consistent with her beliefs.

On August 30, 2022, the United States District Court for the Western District of Kentucky permanently barred Louisville from forcing Chelsey to create photographs and blogs that promoted messages about marriage contrary to her faith. The court explained that when laws like Louisville’s compel speech, they “coerc[e]” Americans “into betraying their convictions” and “cheapen[] the message’s value to the listener.” The court went on to say that the First Amendment’s free speech guarantee is “a core premise of our democratic republic” and exists “to keep the artist’s expression truly free.”

### Key Points:

- The government shouldn’t be able to force Americans to say things they don’t believe.
- All Americans should be free to express ideas even if the government disagrees with those ideas.
- Artists don’t surrender their freedom of speech when they choose to create art for a living.
- Chelsey happily works with all people. She always considers *what* a requested photograph communicates, not *who* is making the request.
- ADF’s case *303 Creative v. Elenis* presents a similar issue now pending before the U.S. Supreme Court.

### Analogies: Should the government have the power to force...

- ...an LGBT filmmaker to create a film promoting Catholic beliefs about marriage?
- ...a pro-abortion photographer to photograph promotional materials for a pro-life rally?
- ...a Muslim print shop owner to design a synagogue’s flyer criticizing Islam.

**The Bottom Line:** A win for Chelsey is a win for everybody. Every American should be free to express ideas without fear of government punishment—even if the government disagrees with those ideas.