



Transgender Legal Defense & Education Fund

Working for Transgender Equal Rights

TLDEF Statement in Response to U.S. Supreme Court Decision in 303 Creative v. Elenis

FOR IMMEDIATE RELEASE

WASHINGTON, D.C. -- Today, the U.S. Supreme Court issued a disturbing 6-3 ruling in *303 Creative v. Elenis*, finding that the First Amendment allows certain businesses that involve “creativity” or “expression” to deny services to LGBTQ customers.

Below is a statement by the Transgender Legal Defense and Education Fund’s Legal Director David Brown in response to the ruling:

“Today’s disturbing ruling creates a new license to discriminate, allowing some businesses to use their disapproval of LGBTQ people to justify refusing to sell us services. However, it is important to note the limits of the decision as well. This license to discriminate only applies to those who sell their original and tailored, expressive service while carefully vetting each project for alignment with their own views.

“For more than 50 years, it has been a core American principle that any business that serves some must serve anyone without discrimination. This has been the foundation of how we treat one another in our society. Today, six justices decided to ignore these crucial norms in a case that was designed to create a new license to discriminate.

“This ruling is out of step with the vast majority of Americans – 80% of whom support nondiscrimination protections for LGBTQ people, and 65% of whom reject allowing businesses to use religion as a basis for denying services. These are people who believe in fundamental fairness, and today’s decision does nothing to change that.

“Do not be fooled; this case was about far more than wedding websites for LGBTQ couples, it’s about chipping away at our rights one small piece at a time. Across the country, hundreds of bills have been introduced targeting transgender, nonbinary, and queer people for mistreatment and discrimination and we will continue to fight for the ability of trans and nonbinary people to participate fully and fairly in every aspect of public life.”

“Taken together with the affirmative action decision yesterday, the Supreme Court has taken sobering steps away from civil rights and equity.”

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The Transgender Legal Defense & Education Fund (TLDEF) is committed to ending discrimination based upon gender identity and expression and to achieving equality for transgender people through public education, test-case litigation, direct legal services, and public policy efforts. To learn more about TLDEF’s work, visit transgenderlegal.org.

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