



## **MASTERPIECE CAKESHOP: FREQUENTLY ASKED QUESTIONS**

### **What is this case about?**

This [case](#) involves a business that is open to the public refusing to sell a wedding cake to a couple because they are gay. In 2012, David Mullins and Charlie Craig, together with Charlie's mother [Deborah Munn](#), visited Masterpiece Cakeshop, a Denver-area bakery, to purchase a cake for their wedding reception. Before even discussing the design of the cake, the bakery's owner told the couple he wouldn't sell them a wedding cake because they are a same-sex couple.

Colorado, like many other states, prohibits all businesses open to the public, including Masterpiece Cakeshop, from refusing service to people based on their religion, race, sex, sexual orientation or gender identity, among other characteristics. This law ensures that people are free to go about their day-to-day lives without worrying they will be turned away from stores, banks, hotels and other public places simply because of who they are.

Masterpiece Cakeshop admitted that it had a policy of refusing service to gay couples seeking wedding cakes but argued that it had a constitutional right to discriminate in violation of Colorado law, based on religious and free speech grounds. The Colorado state courts rejected this argument, finding that discrimination has no place in our Constitution. Masterpiece Cakeshop asked the U.S. Supreme Court to review the Colorado decision. Oral argument was heard on December 5, 2017.

### **What did the Supreme Court say?**

The Supreme Court [reversed](#) the decision based on concerns that the Colorado Civil Rights Commission had not acted impartially when considering the bakery's religion-based defense. While it is disappointing that the Court let the bakery's discrimination here go unchecked, it did so only because of concerns unique to this case. Most importantly, the Court did not give businesses the broad right to discriminate that the bakery and the Trump administration sought here. Our nation [decided more than 50 years ago](#) that when a business decides to open its doors to the public, that business should be open to all. The Supreme Court today protected that core principle, expressly recognizing that states can seek to prevent the [harms of discrimination](#) in the marketplace, including against LGBT people.

### **What can we do in response to the decision?**

It's important to realize that, in many parts of the country, state or local laws do not explicitly protect LGBT Americans from discrimination in stores and restaurants, in the workplace, or in housing. In fact, 60% of our states still lack those protections. This means that LGBT people remain vulnerable to discrimination daily and too often have little recourse.

Businesses, religious leaders, civil rights advocates, health organizations, labor groups, LGBT people and our friends, families, and allies are joining together to call on Congress to pass the Equality Act and create one set of rules for everyone. It's time for our nation's laws to catch up to our nation's values and protect all of us from discrimination, so that no one can be fired from their job, denied a place to live, or turned away from a business simply because of who they are.

### **Are there other cases like this in the pipeline? What happens next in those cases?**

While most businesses open to the public serve all customers equally, several businesses across the country have asked courts for exemptions similar to the one that bakery sought here. We can expect those businesses to now renew their arguments that the Constitution gives them the right to



discriminate in commercial transactions. But the Court today recognized that courts considering such claims must not subject LGBT people to indignity when they seek goods and services in the open market.