

[News](#)

Jacob Comello

[View Author Profile](#)



Catholic News Service

[View Author Profile](#)

[Join the Conversation](#)

Washington — March 15, 2019

[Share on Facebook](#)[Share on Twitter](#)[Email to a friend](#)[Print](#)

One of the commissioners of the Colorado Civil Rights Commission called Jack Phillips' religious freedom a sham, a "despicable piece of rhetoric" simply meant to conceal prejudices.

But his attorneys said the commission probably has far stronger biases of their own against religious people.

Phillips, the Christian cake baker whose religious refusal to craft a same-sex wedding cake and subsequent win at the Supreme Court echoed around the country in 2018, scored another legal victory March 5 with the help of the religious liberty group Alliance Defending Freedom.

The Colorado Civil Rights Commission this time dismissed its complaint against him for refusing to produce an order celebrating a gender transition.

Phillips operates Masterpiece Cakeshop, a bakery in Lakewood, Colorado, that specializes in custom cakes.

In a news release, Kristen Waggoner, senior vice president of the alliance's U.S. legal division, called the development "great news for everyone."

"Tolerance and respect for good-faith differences of opinion are essential in a diverse society like ours. ... But the state's demonstrated and ongoing hostility toward Jack because of his beliefs is undeniable," she said.

Phillips' attorneys called it a victory, while Colorado Attorney General Phil Weiser said both sides "agreed it was not in anyone's best interest to move forward with these cases."

The new complaint emerged on the same day in 2017 that the U.S. Supreme Court decided to hear Phillips' first case. An attorney requested a cake from Phillips with pink frosting over a blue interior. The colors were meant to symbolize the lawyer's alleged gender transition from male to female. Phillips declined the order.

Advertisement

The Supreme Court ruled 7-2 in Phillips' favor on his refusal to make a same-sex wedding cake last June. Then-Justice Anthony Kennedy, writing for the majority, said the Colorado Civil Rights Commission, had shown "some elements of a clear and impermissible hostility toward (Jack's) sincere religious beliefs."

But the state of Colorado kept its legal crosshairs fixed on him and the new complaint was filed against Phillips, this time concerning his denial of the gender transition cake order.

The cake maker teamed up with the Alliance Defending Freedom, and ostensibly, the commission is no longer willing to defend the civil rights complaint. At the same time Phillips also agreed to drop a federal lawsuit he filed accusing the state of waging a "crusade to crush" him.

Phillips' journey through the two disputes seemed long and laden with hostility from multiple state actors. For years while the first case was under litigation, he was forbidden by the state from selling wedding cakes, and his establishment suffered as a result.

Additionally, evidence began to surface that the Colorado Civil Rights Commission had contempt for religion. Colorado state Rep. Dave Williams made a sworn statement in February that a commissioner informed him of the "anti-religious bias" among his colleagues, and his or her fear to speak out about it for "fear of what might happen if they did."

In a phone interview with Catholic News Service, Jake Warner, legal counsel with the alliance, attributed the malice Phillips faced to different cultural perceptions of how the country should be run.

"There's a lot of people who think that people that have traditional beliefs have no place in the market nowadays," Warner related. "We don't think the Constitution is quite so restrictive."