

# Wash. Florist Will Not Wilt, Sues to Reclaim Religious Freedom

Alliance Defending Freedom attorneys representing a Washington florist sued by state Attorney General Bob Ferguson filed a countersuit against him Thursday. Ferguson sued her last month for declining to act contrary to her faith and use her creative talents to beautify the same-sex ceremony of a long-time customer. Ferguson received no complaint about the florist but acted based upon information he saw on Facebook.

Sixty-eight-year-old Barronelle Stutzman, the sole owner of Arlene's Flowers in Richland, has for her entire career served and employed people who identify as homosexual. Despite this, Ferguson alleges that she is guilty of unlawful discrimination. The countersuit argues that Ferguson's suit on behalf of the state is attempting to force Stutzman to act contrary to her religious convictions in violation of her constitutional freedoms.

"Everyone knows that plenty of florists are willing to assist in same-sex ceremonies, so the state has no reason to force Barronelle to violate her deeply held beliefs," says Dale Schowengerdt, senior legal counsel. "In America, the government is supposed to protect freedom, not use its intolerance for certain viewpoints to intimidate citizens into acting contrary to their faith convictions. Family business owners are constitutionally guaranteed the freedom to live and work according to their beliefs. It is this very freedom that gives America its cherished diversity and protects citizens from state-mandated conformity."

The Washington State Constitution uniquely protects the rights of conscience and religion. Article 1, Section 11 protects

“freedom of conscience in all matters of religious sentiment, belief, and worship” and guarantees that “no one shall be molested or disturbed in person or property on account of religion.”

The countersuit argues that Ferguson is “constitutionally precluded from compelling Stutzman to use her artistic skill to personally craft expressive floral arrangements” for a same-sex ceremony when it violates her religious beliefs and her conscience to do so, “particularly when there are many other florists willing, ready, and able to create floral arrangements” for such ceremonies.

The suit, *Arlene’s Flowers v. Ferguson*, filed in Benton County Superior Court, explains that the problem for Stutzman was promoting the same-sex ceremony, not serving customers who identify as homosexual. She has served such customers, including the one suing her in a separate lawsuit, for many years and even offered him a list of referrals to florists that would prepare flowers for his ceremony.

“Barronelle has been creating floral arrangements for Robert Ingersoll for nearly nine years,” the countersuit states. “Barronelle enjoys the warm and cordial relationship that she has developed with Mr. Ingersoll. ... Barronelle has known that Robert Ingersoll identifies himself as gay throughout most of their nine-year relationship. That fact never made any difference in the way Mr. Ingersoll was treated as a customer. Arlene’s Flowers routinely designs floral arrangements for other gay and lesbian clientele. Arlene’s Flowers has also had openly gay employees.”