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**ANTI-LGBT EXTREMISM TOO MUCH FOR CONSERVATIVE COURT,
JUSTICE GORSUCH WRITES FOR THE MAJORITY
*ALLIANCE DEFENDING FREEDOM, RYAN T. ANDERSON, LIBERTY COUNSEL, AND
SAMARITANS PURSE'S CASE TO DISCRIMINATE AGAINST LGBT WORKERS "TURNS
OUT TO ONLY REPACKAGE ERRORS."***

WASHINGTON, D.C. — Today's [stunning Supreme Court decision](#) protecting LGBT workers from discrimination is further evidence that anti-LGBT extremism is not a mainstream conservative value, with Justice Neil Gorsuch writing for the majority and joined by Chief Justice John Roberts. After a review of the decision and the deluge of amicus filings opposing equal protections for LGBT people, today the court found that national anti-equality voices are jarringly out of touch with mainstream legal thought. The majority opinion determined that Title VII of the Civil Rights Act of 1964 protects gay and transgender workers from workplace discrimination. Only 21 states have their own laws prohibiting job discrimination against LGBT people; this ruling means federal law protects gay and transgender workers all across the country.

In [the majority opinion](#), Justice Gorsuch wrote that, "An individual's homosexuality or transgender status is not relevant to employment decisions. That's because it is impossible to discriminate against a person for being homosexual or transgender without discriminating against that individual based on sex."

Alliance Defending Freedom (ADF) served as counsel for R.G. & G.R. Harris Funeral Homes in one of the cases consolidated with today's ruling. ADF Counsel included staff attorney's Kristen K. Waggoner, John J. Bursch, David A. Cortman, J. Matthew Sharp, and Rory T. Gray.

In amicus briefs to the Court, the usual suspects of anti-LGBT organizations and individuals argued that LGBT people should not be protected against workplace discrimination. These include [Ryan T. Anderson](#) the William E. Simon senior research fellow at Heritage Foundation, [Billy Graham Evangelistic Association](#), [Samaritan's Purse](#), [Concerned Women for America](#), [Liberty Counsel](#), among others.

While Ryan T. Anderson is exhorting bigotry, talking in circles about Kim Jong Un and Kim Kardashian, and using hyperbolic and slippery slopes, some of the most conservative members of the court firmly stated today that they do not back that bigotry. In the brief submitted by Anderson, he stated the following:

- "Employers would be prevented from protecting their employees' privacy and would be exposed to ruinous liability. They would have to cover objectionable medical treatments. Physicians would have to perform them against conscience."
- "Consider: Kim just came out as trans. Or, Kim just came out as gay. So far, all we know is that Kim is trans or gay. We have no idea if Kim is a man or a woman. We do not know the sex of Kim at all. It could be Kim Kardashian or Kim Jong Un. But because we

know the sexual orientation and gender identity, we could act based on that without being motivated by—let alone even knowing—Kim’s sex.”

In the amicus submitted by Billy Graham Evangelistic Association, and signed by Samaritan's Purse, Concerned Women for America, and others, they argue that acting rationally does not include protecting classes of people, even going so far to attempt to negate the known mental health crisis the transgender community faces due to high rates of institutionalized discrimination. Their statement includes:

- “Legislators act rationally when they exercise their discretion and refuse to include gender identity and sexual orientation as protected classes.”
- “There is limited evidence that social stressors such as discrimination and stigma contribute to the elevated risk of poor mental health outcomes for transgender populations. More high-quality longitudinal studies are necessary for the “social stress model” to be a useful tool for understanding public health concerns.”

“Polling has shown for years that Americans rejected this type of extreme discrimination and today the court caught up when even conservatives members of the bench rejected this hateful ideology. These people and organizations have long been at the forefront of marginalizing the LGBT population. They want hate to thrive. Today, it’s clear that bigotry and hatred against LGBT Americans is too much for conservative Justice Gorsuch and Chief Justice Roberts to stomach,” **said Chris Fleming, spokesperson for AFE.**

“In the [amicus brief submitted by Founder and Chairman of Liberty Counsel, Mat Staver](#) notes that ‘a word is known by the company it keeps.’ Accountable For Equality believes that same doctrine applies to people. Considering that [just last week, Mat Staver was on record opposing LGBT protections with regard to anti-lynching bills](#) and Samaritan’s had an [anti-LGBT litmus test to treat COVID-19 patients](#), Former Kentucky Governor Matt Bevin, and all the others who joined the amicus brief opposing equality might want to consider the company they keep. We know these individuals and organizations, like ADF and Heritage Foundation, will continue to seek to [undermine LGBT protections](#) and we will be staunch in our efforts to call them out for it,” **Fleming continued.**

“Hate is not who we are as a country and that is not what our institutions are designed to endorse. We are proud to be represented by the good company of those who stood for equality and the employees in their amicus briefs. Today, LGBT employment equality is the law of the land following an affirmation crossing ideology and political party,” **Fleming concluded.**

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