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Christian photographers fined for refusing same-sex ceremony

State hits couple with \$6,600 penalty for violating anti-discrimination law

Posted: April 11, 2008
11:30 pm Eastern

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The state of New [Mexico](#) has ordered a family owned photography company to pay more than \$6,600 for declining a demand to take pictures at a same-sex ceremony, and a [lawyer](#) who is working on an appeal says it is an example of how "non-discrimination" or "hate" laws can be weapons in the hands of homosexual activists.

"The Constitution prohibits the state from forcing unwilling people to promote a message they disagree with and thereby violate their conscience," said Jordan Lorence, senior counsel with the [Alliance Defense Fund](#), which is working on an appeal.

"The commission's decision shows stunning disregard for our client's First Amendment rights, and we will appeal..." he said.

The case before the New Mexico Human Rights Commission was brought by Vanessa Willock against Elane Photography LLC, which is run by owners Jon and Elaine Huguenin.

(Story continues below)

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The couple that included Willock approached Elaine Huguenin and wanted the Huguenins to photograph a "commitment ceremony" the women wanted to hold.

"Huguenin declined because her Christian beliefs are in conflict with the message communicated by the ceremony," according to the law firm.

Willock then alleged she was a victim of "discrimination" because of her sexual orientation, and brought the complaint before the state agency.

In its ruling this week, the commission found: "Complainant, Vanessa Willock, proved her discrimination claim based on sexual orientation. The Complainant proved by a preponderance of the evidence that the Respondent, Elane Photography, LLC, discriminated against her because of sexual orientation, in violation of ... the New Mexico Human Rights Act."

The Christian couple was ordered to pay Willock \$6,637.94.

The ADF, however, said the case will be appealed because of the significance of the constitutional issue at stake.

"The constitutional right of Americans to refrain from participating in a ceremony or other event because their sincerely held religious beliefs conflict with its message is at stake," the organization said. "Christians could be forced to advocate for viewpoints with which they disagree or to participate in events that violate their conscience."

Lorence told OneNewsNow that New Mexico's state law is similar to laws in 19 other states, as well as the proposed federal [Employment Non-Discrimination Act](#), and if such precedents aren't overturned, they could be used to silence biblical Christianity.

"There is a great threat to our religious liberties and our ability to speak out in favor of traditional marriage when these non-discrimination laws are interpreted in such a harsh way to censor Christians and others," he said.

The AFD noted that the "commitment ceremony" was proposed to be held in [Taos, N.M.](#), despite the fact neither marriage nor civil unions are legal for members of the same sex in New Mexico.

"The [government](#) cannot make people choose between their faith and their livelihood," said Lorence. "Could the government force a vegetarian

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WND reported earlier on a plan that would impose such "non-discrimination" requirements on the nation.

The congressional proposal, H.R. 3685, failed. But the Employment Non-Discrimination Act plan would have given special privileges to "gay" and "transgendered" individuals.

"If passed, the bill would grant special employment rights and protected minority status to individuals who define themselves based upon chosen sexual behaviors," said Matt Barber, a policy analyst with Concerned Women for America, the nation's largest public policy women's group.

"It would force [employers](#) to abandon their First Amendment civil rights at the workplace door," he said.

President Bush, before the bill's support fell short in Congress, had suggested it likely would be vetoed because it would have raised "concerns on constitutional and policy grounds."

The White [House](#) "policy statement" on the issue said H.R. 3685 would extend employment-discrimination provisions to set up "a comprehensive federal prohibition of employment discrimination on the basis of sexual orientation."

But the White House said the plan was "inconsistent with the right to the free [exercise](#) of religion as codified by Congress in the Religious Freedom Restoration Act (RFRA). The Act prohibits the federal government from substantially burdening the free exercise of religion except for compelling reasons, and then only in the least restrictive manner possible.

The White House said the issue involves such "imprecise and subjective terms that would make interpretation, compliance, and enforcement extremely difficult. For instance, the bill establishes liability for acting on 'perceived' sexual orientation, or 'association' with individuals of a particular sexual orientation."

However, various local governments already have approved such [regulations](#), ADF said.

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