

What does 303 Creative LLC v. Elenis mean for LGBTQ+ Equality?

On June 30, 2023, the Supreme Court ruled that Colorado web designer Lorie Smith can refuse to serve LGBTQ+ couples seeking wedding websites. Previously, such a denial of services was viewed as discrimination against a protected class. Now, businesses offering "expressive" services can decline clients based on conscience.

WHAT DOES THIS MEAN FOR OUR COMMUNITY?

As Justice Sonia Sotomayor said in her dissent, **"Today, the Court, for the first time in its history, grants a business open to the public a constitutional right to refuse to serve members of a protected class."**

While this decision does not universally allow LGBTQ+ discrimination, it creates an avenue for businesses, particularly artists, to decline work that conflicts with their beliefs. The ruling disrupts settled civil rights statutes, potentially allowing businesses to deem their services as "expressive" to justify discrimination.

Plus, this could impact not just the LGBTQ+ community, but also other protected classes,* including Jews. We cannot allow for more avenues of discrimination and hatred to grow.

Amid rising anti-LGBTQ+ sentiments, the Jewish community is called to action. Jewish values of radical inclusion, love, and justice offer a blueprint for response:

- **Urge your Members of Congress to Co-Sponsor the Equality Act.** Every one of us should be able to live free from discrimination. If passed, the Equality Act would expand the Civil Rights Act to prohibit discrimination on the basis of sexual orientation and gender identity in employment, housing, public accommodations, public education, federal funding, credit, and the jury system. [Tell your Members of Congress to co-sponsor the Equality Act.](#) Together, we can make our vision of an inclusive democracy a reality.
- Learn about anti-LGBTQ+ extremism and where it shows up. Some good websites to start your learning journey include:
 - [Southern Poverty Law Center](#)
 - [GLAAD](#)

**Protected classes include race, color, religion, national origin, plus sexual identity and gender identity, and others depending on the state.*

- [Anti-Defamation League](#)
- **Tikkun Olam: strike down any and all anti-LGBTQ+ legislation.** Under the guise of religious freedom, the Religious Right and their elected allies are pushing legislation targeting LGBTQ+ children, parents, and educators in dozens of states. [Take action by calling your legislators here!](#)
 - Plus, Jewish organizations are encouraged to join [Thrive: The Jewish Coalition to Defend Trans and LGBQ+ Youth](#). Thrive offers monthly meetings (live or recorded) and ways to stay up to date on coalition resources and take action on state and federal levels as appropriate and desired.
- **Form a LGBTQ+ solidarity working group in your synagogue, JCC, and broader Jewish community.** LGBTQ+ advocacy is not limited to Pride month, but an ongoing movement that builds power over time, by working together.
 - For ideas on how you can get engaged, explore our [Community Mobilization page](#).