



March 14, 2018

ATTORNEY GENERAL MADIGAN DEFENDS CONSTITUTIONALITY OF ANTI-DISCRIMINATION LAWS***Madigan & 18 Other Attorneys General File Amicus Brief in Case of Minnesota Business Refusing to Offer Videography Services for Same-Sex Weddings***

Chicago — Attorney General Lisa Madigan, along with 18 other attorneys general, filed an amicus brief defending the constitutionality of Minnesota’s anti-discrimination law.

The brief was filed with the U.S. Court of Appeals for the Eighth Circuit in the case of *Telescope Media Group v. Lindsey*. The case was brought by the owners of a videography business that do not want to offer their services at weddings for same-sex couples as required under the Minnesota public accommodations law. The company is challenging the law, claiming it violates the freedom of speech and free exercise of religion of the First Amendment.

“American laws recognize that people, whoever they love, have the right to live free from discrimination,” Madigan said. “Businesses that offer services to the public cannot discriminate against members of the LGBTQ community by cloaking themselves in the First Amendment.”

In the brief, the attorneys general write that states across the country have enacted laws to prohibit discrimination against LGBTQ people in the commercial marketplace, and that *“these laws ensure equal enjoyment of goods and services and combat the severe personal, economic, and social harms caused by discrimination.”*

The attorneys general argue that, under a long line of Supreme Court precedent, requiring businesses to comply with such laws does not violate the Constitution. Madigan and the other attorneys general further argue that the First Amendment exemption to public accommodations laws sought by the business would dramatically undermine anti-discrimination laws.

In part, the brief states:

“Allowing commercial businesses to use the First Amendment as a shield for discriminatory conduct would undermine state civil rights laws and the vital benefits they provide to residents and visitors, leaving behind a society separate and unequal by law. Many Americans would face exclusion from a host of everyday businesses or, at the very least, the ever-present threat that any business owner could refuse to serve them when they walk in the door—simply because of their sexual orientation, or their race, religion, or gender.”

Joining Madigan in filing the brief were the attorneys general of California, Connecticut, Delaware, District of Columbia, Hawaii, Iowa, Maine, Maryland, Massachusetts, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Virginia and Washington.

A copy of the brief can be found [here](#).

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