

Alliance Defending Freedom, AZ, USA

News Release

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US Supreme Court allows Mississippi to protect its citizens against govt coercion

ADF attorneys are co-counsel in defense of state's Protecting Freedom of Conscience from Government Discrimination Act

Related Case: [Barber v. Bryant | Campaign for Southern Equality v. Bryant](#)

WASHINGTON – The U.S. Supreme Court declined Monday to disturb a state law protecting Mississippians against government discrimination, leaving in place a U.S. Court of Appeals for the 5th Circuit ruling which concluded in June of last year that the law's opponents didn't demonstrate they have been or will be harmed by the law. The 5th Circuit therefore [lifted an injunction](#) that had been blocking the Protecting Freedom of Conscience from Government Discrimination Act (HB 1523) from going into effect.

Alliance Defending Freedom attorneys are part of the legal team representing Gov. Phil Bryant in the lawsuits, *Barber v. Bryant* and *Campaign for Southern Equality v. Bryant*.

“Good laws like Mississippi’s protect freedom and harm no one,” said ADF Senior Counsel Kevin Theriot. “The 5th Circuit was right to find that those opposing this law haven’t been harmed and, therefore, can’t try to take it down. Because of that, we are pleased that the Supreme Court declined to take up these baseless challenges, which misrepresented the law’s sole purpose of ensuring that Mississippians don’t live in fear of losing their careers or their businesses simply for affirming marriage as a husband-wife union.”

“Those who haven’t been and won’t be harmed by this law shouldn’t be allowed to restrict freedom for others by ensuring dissenters are left open to the government discrimination that has already occurred in states without protective laws like this one,” Theriot explained.

HB 1523 protects citizens, public servants, businesses, and religious institutions from government reprisal for operating publicly according to their belief that marriage is reserved for one man and one woman. Bryant signed the overwhelmingly popular bill into law in April 2016, but a federal district court stopped its enforcement shortly thereafter.

The 5th Circuit, however, concluded in its [opinion](#) that since “the plaintiffs do not have standing, we reverse the injunction and render a judgment of dismissal.... Because the challengers have failed to provide sufficient evidence of an injury-in-fact from HB 1523..., they have not made a clear showing of standing.”

Co-counsel Jonathan F. Mitchell of Stanford Law School argued before the 5th Circuit on behalf of Bryant and was counsel of record at the Supreme Court.

Alliance Defending Freedom is an alliance-building, non-profit legal organization that advocates for the right of people to freely live out their faith.

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