



February 21, 2018

Kern County Judge OKs Discrimination Against Lesbian Couple

Like many of you, we were shocked and disappointed a few weeks ago to find out that Kern County Judge David Lampe has refused to enforce California's civil rights law in defense of a lesbian couple in Kern County. In August of 2017, Eileen and Mireya Rodriguez-Del Rio entered Tastries bakery seeking to purchase a cake for their wedding. After the couple selected their cake, the proprietor of the establishment, Cathy Miller, refused service to the couple because she did not "condone" their marriage. The couple exercised their rights under California's civil rights law, and brought suit.

Judge Lampe rallied to the defense of Ms. Miller, insisting that she was being subject to "the greater harm" and decrying the idea that her expression might be "co-opted to promote the message desired by same-sex marital partners." According to Judge Lampe, protecting the rights of this lesbian couple would be "the stuff of tyranny." Noticeably absent from this tone-deaf and inflammatory Free Speech analysis was any recognition of Eileen and Mirya's own speech, their own rights vindicated not three years ago by the U.S. Supreme Court in the landmark decision of *Obergefell v. Hodges*, or their basic humanity and dignity as American citizens.

Instead, the loving marriage between two women was boiled down to nothing more than a "message," while the base bigotry of Ms. Miller was anointed with the lofty ideals of our nation's storied Free Speech legacy. It was as dismissive as it was absurd. It should go without saying that a baker who denies the basic rights of her customers bears no resemblance to the young children who bravely donned black armbands in protest of an unjust war or the civil rights marchers who braved stones, police dogs, and water hoses to exercise their right to protest. We are not fooled, and we condemn both Ms. Miller's discrimination and Judge Lampe's blatant attempt to disguise that discrimination as "speech."

This case reminds us that we still have much work to do in our own backyards. We cannot rely on the courts alone to vindicate our rights or our dignity. We must continue to support our LGBTQ+ neighbors, our local LGBTQ+ owned businesses, and our local LGBTQ+ and ally community. We must continue to stand up for each other, even when our own government won't. The Rainbow Chamber of Commerce is committed to building a stronger, more inclusive LGBTQ+ and ally business community in Silicon Valley that is free from discrimination. We are proud to represent LGBTQ+ friendly companies that are open to all, so if you need a recommendation for LGBTQ+ friendly baker to bake your wedding cake, all you have to do is ask.

We stand with you!

The Rainbow Chamber of Commerce, Silicon Valley

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Know an LGBT-friendly local baker? Recommend them by sending their business name, business address and contact information to social@rainbowchamber.org. We will reach out to them and verify the business, then offer to feature them, at no charge, in our upcoming list of "LGBTQ" friendly bakers!