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Full Court Rehearing Requested before Sixth Circuit in Case of Christian Woman Fired by University for Speaking Out against Homosexuality

Cincinnati, Ohio (January 2, 2013) — On Monday, Robert J. Muise, Co-Founder and Senior Counsel of the American Freedom Law Center (AFLC), a national nonprofit Judeo-Christian law firm, filed a petition for an *en banc* – or full court – rehearing in the U.S. Court of Appeals for the Sixth Circuit on behalf of Crystal Dixon, a former human resources administrator at the University of Toledo who was fired in 2008 for expressing her personal, Christian viewpoint on homosexuality in an op-ed published in the local newspaper. On December 17, a three-judge panel of the Sixth Circuit dismissed Dixon’s case and sided with the lower court, which ruled that the University’s “diversity” interests trumped Dixon’s First Amendment rights.

On April 3, 2008, Dixon read an opinion piece published in the *Toledo Free Press* that equated the “gay rights” movement with the civil rights struggles of African-Americans. Dixon, an African-American and practicing Christian, disagreed with this comparison and subsequently submitted her own opinion piece to express her personal viewpoint. Dixon’s opinion piece, published on April 18, 2008 in the newspaper’s online edition, stated, in relevant part, “I respectfully submit a different perspective for [the author of the original op-ed] and *Toledo Free Press* readers to consider I take great umbrage at the notion that those choosing the homosexual lifestyle are civil rights victims.” Dixon signed her opinion piece as “Crystal Dixon.”

On May 12, 2008, Dixon received a letter from University President Dr. Lloyd Jacobs, which stated that effective immediately her employment at the University was terminated because of “the public position you have taken in the *Toledo Free Press*.” As a result, Dixon filed a federal lawsuit, alleging violations of her First and Fourteenth Amendment rights.

As Muise wrote in AFLC’s petition filed Monday with the Sixth Circuit:

Crystal Dixon was fired from her employment as Associate Vice President for Human Resources with the University of Toledo because she expressed her personal, Christian views as a private citizen in an opinion piece published in the *Toledo Free Press*. Plaintiff did not occupy a political position nor did she publicly criticize *any identified policy* of her employer in her writing. Rather, Plaintiff was fired for expressing her *personal religious beliefs* in a local newspaper on a very controversial issue: gay rights.

As the U.S. Supreme Court has long stated, “If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion.” *West Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943) (emphasis added). In this case, that “fixed star” in our constitutional constellation has been obscured and an official orthodoxy prescribed in violation of the First Amendment.

The ***American Freedom Law Center*** is a Judeo-Christian law firm that fights for faith and freedom. It accomplishes its mission through litigation, public policy initiatives, and related activities. It does not charge for its services. The Law Center is supported by contributions from individuals, corporations, and foundations, and is recognized by the IRS as a section 501(c)(3) organization. Visit us at www.americanfreedomlawcenter.org.

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