

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG

July 7, 2020

SENT VIA EMAIL ONLY:

Mayor@findlayohio.com

The Honorable Christina Muryn
Mayor
City of Findlay
318 Dorney Plaza
Room 310
Findlay, OH 45840

Re: Unconstitutional Promotion of a Prayer Event

Dear Mayor Muryn:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding unconstitutional sponsorship of a prayer breakfast. FFRF is a national nonprofit organization with over 32,000 members across the country, including more than 800 members and a local chapter in Ohio. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters related to nontheism.

A concerned local resident contacted FFRF to report that you organized and participated in a prayer event outside of the Hancock County Courthouse. We understand that while speaking in your official capacity at the event, you said “I think that religion, and faith and Christ are an important part of every issue that we face, as individuals and as a community.”¹ We also understand that the event featured speakers from exclusively Christian churches like Bible Methodist Church, St. Andrew’s United Methodist Church, First Lutheran Church, Trinity Episcopal Church, and the Church of the Living God.

We ask that you refrain from hosting, organizing, participating in, or otherwise promoting a patently religious event like this in your official capacity.

This event has the effect of government endorsement of religion. Holding a prayer event sends the message that the City prefers religion over non-religion. It alienates non-theists in Findlay by turning them into political outsiders in their own community, including the 26% of Americans, and 40% of young Americans, who are nonreligious.² This violates the Establishment Clause of the First Amendment to the United States Constitution, which the Supreme Court has said time and again “mandates government neutrality between religion and religion, and between religion

¹ <https://thecourier.com/news/262798/community-rallies-for-equality/>.

² *In U.S., Decline of Christianity Continues at Rapid Pace*, PEW RESEARCH CENTER (Oct. 17, 2019), available at <https://www.pewforum.org/2019/10/17/in-u-s-decline-of-christianity-continues-at-rapid-pace/>.

and nonreligion.” *McCreary Cty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Ark.*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947).

The First Amendment prohibits even the *appearance* of religious endorsement by government officials. *See, e.g., Capitol Square Review and Advisory Bd. v. Pinette*, 515 U.S. 753, 787 (1995) (Souter, J., concurring) (“Effects matter to the Establishment Clause, and one, principal way that we assess them is by asking whether the practice in question creates the appearance of endorsement to the reasonable observer.”); *Cty. of Allegheny v. ACLU Greater Pittsburgh Chapter*, 492 U.S. 573, 593–94 (1989) (“The Establishment Clause, at the very least, prohibits government from appearing to take a position on questions of religious belief . . .”). Participating in a prayer event in your official capacity violates your obligation under the Constitution as a public official.

Government officials may worship, pray, and participate in religious events in their personal capacities. But they may not provide credibility or prestige to their religion by lending a government office and government title to religion. Their office and title belong to “We the people,” not the office’s temporary occupant. As mayor, you have taken an oath of office to uphold the secular U.S. Constitution and must scrupulously avoid using your public office to promote or advance your personal religious beliefs.

Your support of peace, unity, and equality and your commitment to end racism is laudable. However, it would be entirely possible for you to support these causes without ostracizing a significant portion of those you represent. Secular messages are inclusive of everyone and honor our Constitution, the document you swore to uphold when you took your oath of office.

We ask that you refrain from organizing and participating in religious events in your official capacity. Please inform us in writing of the steps you are taking to ensure this constitutional violation does not recur.

Sincerely,



Dante CH Harootunian
Patrick O’Reiley Legal Fellow
Freedom From Religion Foundation

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