

FREEDOM FROM RELIGION *foundation*

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June 10, 2020

**SENT VIA EMAIL ONLY:
4220@morganfieldpolice.com**

Geoffrey Deibler
Chief of Police
Morganfield Police Department
100 S. Spring St.
Morganfield, KY 42437

Re: Police prayer

Dear Chief Deibler:

I am writing on behalf of the Freedom From Religion Foundation (FFRF). FFRF is a national nonprofit organization with more than 33,000 members nationwide, including hundreds of members and a local chapter in Kentucky. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

A concerned Morganfield community member contacted FFRF to report that on May 7, 2020, during a protest against the government's response to the COVID-19 pandemic, you led a group of citizens in prayer while on duty. Please see attached enclosure.

The Establishment Clause in the First Amendment to the U.S. Constitution prohibits government sponsorship of religious messages. The Supreme Court has said time and again that the "First Amendment mandates government neutrality between religion and religion, and between religion 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).

Leading citizens in prayer while in uniform and on the taxpayer's time violates the Constitution's requirement of government neutrality regarding religion. "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 or force citizens to confess

by word or act their faith therein.” *W. Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943).

As you are aware, citizens interact with and rely on law enforcement officers during some of the most urgent and vulnerable times of their lives. These citizens should not be made to feel excluded and like political outsiders because the local government they support with their taxes oversteps its power. Nor should an officer turn religious citizens into insiders by leading them in prayer. We think you’ll agree that law enforcement must be even-handed and avoid any appearance of bias toward some citizens, and hostility toward others.

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.

We ask that you refrain from leading citizens in prayer while acting in your official capacity as Morganfield’s police chief in the future. Please inform us in writing of the steps you are taking to address this matter.

Sincerely,



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

Enclosure

