

FREEDOM FROM RELIGION *foundation*

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July 14, 2017

SENT VIA EMAIL & U.S. MAIL:
lseemeyer@co.walworth.wi.us

Secretary Linda Seemeyer
Wisconsin Department of Health Services
P.O. Box 7850
Madison, WI 53703

Re: Dementia Workshop for Faith Community Leaders

Dear Secretary Seemeyer:

I am writing on behalf of the Freedom From Religion Foundation regarding constitutional violations involving a recent dementia workshop co-sponsored by the Aging and Disability Resource Center of Southwest Wisconsin (ADRC). FFRF is a Madison-based national nonprofit organization with more than 29,000 members across the country, including more than 1,200 in Wisconsin. FFRF's purpose is to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

A concerned local taxpayer contacted us to report that the ADRC sponsored a dementia workshop that was exclusively for faith community leaders. We understand that the workshop began with fifteen minutes of worship. A flyer for the June 15 workshop indicates that Pastor Carolyn Kennedy led the worship, and also that it took place in the Barneveld United Church of Christ.¹

We write to request assurances that future ADRC events will not include religious rituals. We also request that all future ADRC-sponsored events be open to secular community leaders in addition to church leaders.

The Establishment Clause in the First Amendment to the U.S. Constitution prohibits government sponsorship of religious messages, as does Art. I. § 18 of the Wisconsin State Constitution, which states "nor shall any control of, or interference with, the rights of conscience be permitted, or any preference be given by law to any religious establishments or modes of worship." The Supreme Court has said time and again that the "First Amendment

¹ co.grant.wi.gov/docview.asp?docid=12324&locid=147.

mandates government neutrality between religion and religion, and between religion and nonreligion.” *McCreary Cnty., 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. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15–16 (1947). Scheduling a clergy-led Christian worship service in a Christian church during a government-sponsored workshop sends the message that the ADRC, and by extension the Wisconsin Department of Health Services, prefers and endorses religion over nonreligion, and Christianity over minority faiths.

Government officials can worship, pray, and participate in religious events in their personal capacities. But, “Our Government is prohibited from prescribing prayers to be recited in our public institutions.” *Town of Greece v. Galloway*, 134 S. Ct. 1811, 1822 (2014) (citing *Engel v. Vitale*, 370 U.S. 421, 430 (1962)). Officials may not provide credibility or prestige to religion by including prayer in government-sponsored events. It follows that they may not include scheduled worship services as part of official events either.

The United States Supreme Court has held that the government may not seek to advance or promote religion, specifically stating, “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. Va. Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943). Holding government-sponsored events that are open only to “faith community leaders,” held in a Christian church and featuring a Christian worship service, excludes non-Christian citizens, including the 23% of American adults who are nonreligious.²

We request assurances that future ADRC events will not include scheduled worship or prayer, and will be open to all community leaders, not just clergy. Please inform us in writing of the steps taken to ensure that these constitutional violations do not recur.

Sincerely,



Ryan D. Jayne, Esq.
Elaine and Eric Stone Legal Fellow
Freedom From Religion Foundation

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² *America's Changing Religious Landscape*, Pew Research Center (May 12, 2015), available at www.pewforum.org/2015/05/12/americas-changing-religious-landscape/.