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9 Attorney for Plaintiffs
Freedom From Religion Foundation, Inc.,
10 Michael Anderson, Larry Maldonado, and
Does 1 through 20, inclusive
11

12 UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
13 EASTERN DIVISION
14

15	FREEDOM FROM RELIGION FOUNDATION, INC., et al.,)	Case No.: 5:14-CV-2336 JGB (DTBx)
16	Plaintiffs,)	DECLARATIONS IN SUPPORT OF
17	vs.)	MOTION TO PROCEED UNDER
18	CHINO VALLEY UNIFIED)	PSEUDONYMS AND FOR
19	SCHOOL DISTRICT BOARD OF)	PROTECTIVE ORDER
20	EDUCATION, etc. et al,)	Hearing Date: April 27, 2015
	Defendants.)	Hearing Time: 9:00 a.m.
)	Courtroom: 1
)	Hon. Jesus G. Bernal

21
22 Plaintiffs Freedom From Religion Foundation, Inc., Michael Anderson, Larry
23 Maldonado and DOES 1 through 20 inclusive, hereby submit the accompanying
24

25 DECLARATIONS IN SUPPORT OF MOTION TO PROCEED UNDER
PSEUDONYMS

1 declarations in support of their Motion to Proceed under Pseudonyms and for a
2 Protective Order.

3 The declarations are:

- 4 1. Dr. Phil Zuckerman, Ph.D., Exhibit 1;
- 5 2. Plaintiff Larry Maldonado, Exhibit 2;
- 6 3. Catalina Olvera, Exhibit 3.

7 Respectfully submitted,

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10 Date: March 30, 2015


11 David J. Kaloyanides

12 Andrew Seidel
13 Rebecca Markert
14 Freedom from Religion Foundation, Inc.

15 Attorneys for Plaintiffs
16 Freedom From Religion Foundation, Inc.,
17 Michael Anderson, Larry Maldonado,
18 and DOES 1-20 inclusive.

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EXHIBIT 1

DECLARATION OF COUNSEL IN SUPPORT OF MOTION TO PROCEED
UNDER PSEUDONYMS

DECLARATION OF PHIL ZUCKERMAN

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2 I, Phil Zuckerman, hereby state and declare as follows:

3 1. I am a Professor of Sociology and Secular Studies at Pitzer College. I
4 earned my B.A. in Sociology from the University of Oregon in 1992, my M.A in
5 Sociology from the University of Oregon in 1995, and my Ph.D. in Sociology from
6 the University of Oregon in 1998. The title of my dissertation is “Opposite Sides of
7 the Street: Religious Schism and One Jewish Community’s Struggle.” I have been
8 teaching in academic institutions for the last 19 years.

9 2. I have held my position as Professor since 2010 where I teach courses on
10 Classical Sociological Theory; Sociology of Secularity; Secularism: Global/Local;
11 Sociology of Religion; Scandinavian Culture and Society; Introduction to Sociology;
12 Secularism, Skepticism, and Irreligion; Sociology Through Film; and a Senior
13 Seminar.

14 3. From 2005 through 2010 I was an Associate Professor at Pitzer College.
15 In 2005 and 2006, and again in 2010, I was a Guest Professor at the University of
16 Aarhus, Denmark where I was researching secularization in Scandinavia and taught
17 courses on Religion in the United States, Secularization in Scandinavia, and Atheism
18 and Agnosticism. Since 2002 I have been an Affiliated Professor at that Claremont
19 Graduate University where I teach a graduate seminars on the Sociology of Religion
20 and Atheism and Secularity.

21 4. From 1999 through 2005 I was an Assistant Professor at Pitzer College. I
22 was a Visiting Assistant Professor at Pitzer College from 1998-1999. And I was an
23 instructor at the University of Oregon from 1996-1998.
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1 Americans having cold/negative feelings about them. (“How American Feel About
2 Religious Groups,” Pew Research Center, July 16, 2014,
3 <http://www.pewforum.org/2014/07/16/how-americans-feel-about-religious-groups/>)

4 10. In the study published in “The Social Cost of Atheism: How Perceived
5 Religiosity Influences Moral Appraisal,” (Jennifer Cole Wright, Ryan Nichols, 2014,
6 *Journal of Cognition and Culture*, 14 (1): 93-115), self-identified Christians reported
7 a perception of atheists as having less concern and motivation for behaving morally
8 than Christians. In addition, participants viewed immoral behavior as being more
9 consistent for atheists while moral behavior was considered more consistent for
10 Christians. In fact, participants suspected that an atheist who performs a moral act
11 might actually believe in God while a Christian who performs an immoral act might
12 actually not believe in God.

13 11. In a study on prejudice and voting practices, an analysis of participants’
14 willingness to vote for a hypothetical House of Representatives candidate concluded
15 that atheists, when compared to gays and Blacks, experience the most significant
16 expressed prejudice in candidate choice by Christians. (“A Sociofunctional Approach
17 to Prejudice at the Polls: Are Atheists More Politically Disadvantaged than Gays and
18 Blacks?” 2014. Andrew S. Franks, Kyle C. Scherr. *Journal of Applied Social
19 Psychology*, 44: 681-691.) This particular study provides evidence that this anti-
20 atheist bias results from a combination of distrust, disgust and fear, which potentially
21 challenges other research that labels distrust as the main source of such prejudice.

22 12. In 2012, a similar national study found that 43% of Americans said that
23 they would not vote for an atheist for president, placing atheists as the least desirable
24 candidate among Muslims (40% of Americans said they wouldn’t vote for a Muslim
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1 for president), homosexuals (30% would not vote for a homosexual candidate),
2 Mormons (18% would not vote for a Mormon), Latinos (7% would not vote for a
3 Latino), Jews (6% would not vote for a Jewish candidate), Catholics (5% would not
4 vote for a Catholic candidate), women (5% would not vote for a female candidate)
5 and African Americans (4% would not vote for an African American). (“Atheists,
6 Muslims See Most Bias as Presidential Candidates: Two-Thirds Would Vote for Gay
7 or lesbian.” 2012, Jeffrey M. Jones from Gallup, available at:
8 [http://www.gallup.com/poll/155285/atheists-muslims-bias-presidential-](http://www.gallup.com/poll/155285/atheists-muslims-bias-presidential-candidates.aspx)
9 [candidates.aspx](http://www.gallup.com/poll/155285/atheists-muslims-bias-presidential-candidates.aspx))

10 13. Social disdain and hostility toward atheists and other secular people is
11 principally based on the classification of the person, not based on actual conduct. In
12 recent years, throughout the United States charitable donations were either rejected or
13 returned when it was discovered that the donations were made by atheist or secularist
14 groups. (“In Season of Giving, Atheist Groups’ Charity Rebuffed,” by Kimberly
15 Winston, Religion News Service, Dec. 19, 2013.)

16 14. Discrimination is also a significant part of how American society
17 responds to atheists and other secular people. In 2012, a nationally representative
18 sample of Americans found that 41% of self-identified atheists reported experiencing
19 discrimination in the last five years as a result of their lack of religious identification.
20 Discrimination took various forms, including: slander, coercion, social ostracism,
21 denial of opportunities, goods, and services. This survey also demonstrated that
22 atheists were the victims of hate crimes because of their lack of religious
23 identification. (“Forms, Frequency, and Correlates of Perceived Anti-Atheist
24 Discrimination.” 2012, Joseph Hammer et. al. *Secularism and Nonreligion* 1, 43-76.)

1 In the report “On the Receiving End: Discrimination Toward the Non-Religious.”
2 (2012, Cragun, Ryan et.al. *Journal of Contemporary Religion* 27 (1), 102-127), the
3 study found that 25% of people who generally did not believe in God, and 41% of
4 self-identified atheists, had personally experienced some form of discrimination in the
5 previous year.

6 15. Atheists and secular people who have taken public positions against
7 religion in public life and government have been particularly targeted for
8 mistreatment. The recent court case of *Ahlquist v. City of Cranston, etc., et al.*, 840
9 F.Supp.2d 507 (D.R.I. 2012) demonstrates the hostility against non-religious people,
10 and atheists in particular, who publicly support separation of church and state. In that
11 case, then eleventh grader Jessica Ahlquist (now a college student) publicly expressed
12 opposition to a school prayer banner. She was the recipient of public scorn and
13 personal threats to her safety. When she spoke publicly at the school board meetings
14 regarding the prayer banner, she was subject to public hostility from adults at the
15 meetings. School officials were so concerned by the belligerent atmosphere of the
16 meeting, Ms. Ahlquist and her friend were escorted by police for their protection.

17 16. Expression of hostility concerning issues of religion in public life is often
18 one-sided. As in the *Ahlquist* case, speakers in favor of the prayer banner were often
19 recipients of loud shouts of support and applause. Whereas, anyone who spoke
20 against retaining the prayer banner in the school were interrupted and booed.
21 Members of the audience even called for charging the students opposed to the prayer
22 banner with hate crimes.

23 17. Such hostility will even come from public officials. Support by public
24 and elected officials significantly adds to the ostracism and often fuels the bigotry
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1 against secular people especially atheists. In the *Ahlquist* case, Rhode Island State
2 Senator Peter G. Palumbo publicly called Jessica Ahlquist “an evil little thing” on a
3 popular talk radio show. (“Student Faces Town’s Wrath in Protest Against a Prayer”,
4 *New York Times*, January 26, 2012.)

5 18. Studies and research surveys demonstrate that secular people, and
6 particularly self-identified atheists, are subject to significant hostility and social
7 ostracism and discrimination. In communities with a significant percentage of
8 population identifying as religious (and particularly communities with a significant
9 Christian population), such conduct is not only directed at adults. Children of secular
10 parents or children who self-identify as not religious are also found to be the subject
11 of mistreatment. Secular and atheist parents have reported in surveys that their
12 children have been the target of mistreatment by adults, including teachers, and other
13 children (ostracism, bullying, etc.) because of the lack of religious affiliation of the
14 children and their parents.

15 19. Because of the prevalence of such attitudes and treatment of secular
16 people and particularly atheists by self-identifying religious members of society,
17 participation in society and seeking redress on issues relating to church-state
18 separation is comparatively low for secular people. Both the perceived societal
19 attitudes toward and actual mistreatment secular people and atheists experience has a
20 distinct chilling effect on public participation of these citizens.

21 I declare under penalty of perjury that the forgoing is true and correct.

22 Executed this 26 day of March, at CLAREMONT, California.

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Phil Zuckerman

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EXHIBIT 2

DECLARATION OF COUNSEL IN SUPPORT OF MOTION TO PROCEED
UNDER PSEUDONYMS

DECLARATION OF LARRY MALDONADO

I, Larry Maldonado, hereby state and declare as follows:

1. I am a plaintiff in this action, and I make this declaration in support of plaintiffs' motion to proceed under pseudonyms. I have personal knowledge of these matters and would so testify if called as a witness.

2. I have attended several meetings of the Chino Valley Unified School District Board of Education. I have attended meetings prior to the filing of this lawsuit and after this lawsuit was filed. I have addressed the Board several times regarding various issues concerning matters specifically relating to school issues that affect my child who attends school in the district. I have also spoken to a local news reporter to express my disagreement with the religious conduct of the Board members and prayer during the Board meetings. After this interview, an article along with my photograph was printed in the local newspaper identifying me as a plaintiff in the lawsuit and describing my views about the Board's conduct.

3. Before I became a plaintiff in this lawsuit, I had a friendly relationship with at least one member of the Board and her family. Before I became a plaintiff in this lawsuit, I was always treated politely by members of the Board and the Superintendent even though I raised issues concerning school issues.

4. After I became a plaintiff in this lawsuit and my views about the Board's religious conduct and prayers at the Board meetings were published in the local newspaper, I have noticed a distinct difference in the atmosphere of the Board meetings and the way Board members treat me personally.

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EXHIBIT 3

DECLARATION OF COUNSEL IN SUPPORT OF MOTION TO PROCEED
UNDER PSEUDONYMS

DECLARATION OF CATALINA OLVERA

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3 I, Catalina Olvera, hereby state and declare as follows:

4 1. I make this declaration in support of plaintiffs’ motion to proceed under
5 pseudonyms. I have personal knowledge of these matters and would so testify if
6 called as a witness.

7 2. I have attended several meetings of the Chino Valley Unified School
8 District Board of Education as I live in the district and am concerned by the overtly
9 religious conduct of the members of the Board.

10 3. I attended the meeting in December, which took place on or about
11 December 11, 2014.

12 4. At the meeting, I spoke on the issue of the purpose of the Board of
13 Education and that the elected members are supposed to represent the community,
14 which is a very diverse community, and not simply promote their own personal
15 viewpoint.

16 5. Also present at the meeting were Linda and David Tennes. Mr. Tennes
17 also spoke at the meeting and addressed the importance of the separation of church
18 and state. He addressed how members of the community were portraying anyone with
19 an opposing view as immoral and that this was not appropriate.

20 6. The meeting was very tense especially when we few spoke against the
21 religious conduct of the board members.

22 7. When we left the meeting, late in the evening, we proceeded to the outer-
23 room where the meeting is held. The overflow of the public was in this outer-room.
24 As the Tennes and I left, there were many men and women through whom we had to

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pass. As we left, the room was very tense and hostile. As we proceeded, many of the people, particularly the men made hissing sounds at us.

8. There were about six of us walking together. We became very nervous by the openly hostile behavior of these people. Even though security personnel were present, we were very scared even after getting to our cars and leaving the meeting.

9. I have not been back to a meeting since that incident. I would like to attend future meetings of the board, but I am concerned about the behavior of the public that seems encouraged by the inappropriate religious conduct by the board members.

I declare under penalty of perjury that the forgoing is true and correct.

Executed this 23 day of March, at La Puente, California.


Catalina Olvera