

FREEDOM FROM RELIGION *foundation*

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SENT VIA U.S. MAIL & EMAIL:

oknezovich@spokanesherriff.org

Ozzie Knezovich
Spokane County Sheriff
Spokane County Sheriff's Office
1100 W. Mallon Avenue
Spokane, WA 99260

Re: Mandatory Bulletproof Warrior-style training seminar is unconstitutional

Dear Sheriff Knezovich:

I am writing on behalf of the Freedom From Religion Foundation to object, on constitutional grounds, to the Spokane County Sheriff's Office hosting and requiring deputies to attend an upcoming Bulletproof Warrior training seminar. FFRF is a national nonprofit organization with more than 32,000 members across the country, including more than 1,300 members in Washington and a local chapter, the Inland Northwest Freethought Society, with more than 300 members. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

It is our understanding that SCSO is requiring employees to attend a two-day training Bulletproof Warrior (sometimes called Bulletproof Mindset) in October.¹ There are many problems with this program and the "killology" it teaches. For instance, this training has little, if any, scientific basis and seems more interested in fear-mongering. Scholars and true experts have pointed out that, while this style of training may be acceptable in the military, it is not acceptable for a domestic police force engaging with communities, not enemy soldiers.² These problems are substantial and should cause any law enforcement agency to avoid such training programs and ask its officers to do the same. However, **we write to explain why it is unconstitutional from a**

¹ Samantha Wohlfeil, "Why thousands are calling on the Spokane County Sheriff to cancel "warrior-style" training for law enforcement officers," *Inlander* (June 18, 2020) at <https://bit.ly/337vErE>.

² See Bryan Schatz, "Are You Prepared to Kill Somebody?" *A Day With One of America's Most Popular Police Trainers*, Mother Jones, (Mar./Apr. 2017), motherjones.com/politics/2017/02/dave-grossman-training-police-militarization/.

First Amendment standpoint to require officers to attend a training that takes stances on religious and biblical truth, stances that cannot be endorsed by the government.

The Sheriff's Office will be violating the First Amendment of the U.S. Constitution if it requires deputies to attend a training program that makes claims about biblical truth and theology. The First Amendment's Establishment Clause does not allow the government, including Sheriff's Offices, to endorse or mandate a program that preaches a religion or indoctrinates attendees. This training program does just that.

As the enclosed image of the Bulletproof training manual shows, the program claims to know the correct interpretation of the bible, arguing that the bible says "Thou shalt not murder" rather than "Thou shalt not kill." Obviously, "Thou shalt not kill" is a broader prohibition that prohibits all killing and means Bulletproof and its "killology" would no longer be in business. So the Bulletproof program instead interprets this as a prohibition on murder, which implies that some forms of killing are justified and therefore acceptable under this brand of Christian ideology.

Killing versus murder is debated among different translations of the Christian Bible. For instance, the King James Version and Douay-Rheims translation (the Catholic translation) both render the Exodus 20:13 command as a prohibition on *killing*: "Thou shalt not kill." Bulletproof is taking a theological stance that contradicts these bibles, choosing a specific biblical translation more amenable to its ends, and teaching it as a religious truth to make a point that is disputed among religions and religious scholars.

This is precisely what the First Amendment was designed to avoid. The government is not permitted to determine what is biblical or religious truth. Our government cannot take positions on such questions. The Supreme Court has declared time and time again that the First Amendment "mandates governmental 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) (quoting *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968)); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15–16 (1947); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985). Furthermore, the Supreme Court has stated "the preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere." *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 310 (2000) (quoting *Lee v. Weisman*, 505 U.S. 577, 589 (1992) (O'Connor, J., concurring)).

It is no defense to claim that this is a minor part of the program, for two reasons. First, Bulletproof is clearly trying to address deep moral aversions officers would have toward killing a fellow human and is using religion to do so. This is an integral part of Bulletproof's "killology." Second, even if this were not central to the Bulletproof program, courts have ruled that nearly

identical programs in sheriff's offices are unconstitutional, even if they seem relatively small. In *Milwaukee Deputy Sheriffs' Ass'n v. Clarke*, the federal court took issue with the sheriff's statement in part that "Whether or not we acknowledge it, each of us here today has a high calling and corresponding responsibility," and subsequent citation of a bible verse. The court explained that this "presents a problem . . . because the Establishment Clause prohibits the government from 'promot[ing] or affiliat[ing] itself with any religious doctrine or organization.'" *Milwaukee Deputy Sheriffs' Ass'n v. Clarke*, 588 F.3d 523, 528 (7th Cir. 2009). The Bulletproof program likewise points to the bible to make a point about policing and is similarly unconstitutional.

The Spokane County Sheriff's Office must maintain government neutrality between religion and nonreligion, but also between different religions. SCSO may not mandate that deputies attend a training program that endorses a specific religious interpretation and biblical truth. Private entities may do so but our government is categorically prohibited from endorsing the Bulletproof message and program because doing so would advocate for one particular religious interpretation over another.

As a lawyer who has dedicated my career to upholding the Constitution, I am also shocked at the unspoken principle underlying all the religious assumptions promulgated by this training: that anyone law enforcement interacts with is guilty of a crime worthy of capital punishment. Without trial. Without a jury. Without justice. This is not the law your officers are sworn to protect.

We ask that the Spokane County Sheriff's Office cancel its upcoming Bulletproof Mind training seminar and refrain from requiring deputies to attend Bulletproof training programs or other "warrior-style" training in the future. SCSO should cut all ties with this organization.

Sincerely,



Andrew L. Seidel
Constitutional Attorney
Director of Strategic Response
Freedom From Religion Foundation

Thou Shalt Not Kill?

- ❖ Exod. 20:13 "Thou Shalt not murder." *Only kill ver...*
- ❖ Matt. 19:18 Jesus Said: "Thou Shalt do no murder."
- ❖ II Chron. 18:6 "The Lord gave victory to David..."
- ❖ I Sam. 18:7 "David killed his tens of thousands..."
- ❖ 11 Sam. 11 ...Trouble started when David murdered Uriah.
- ❖ Prov. 6:17 "These six things God hates ... Shedders of innocent blood."
- ❖ Matt. 19:21 The Rich Young Man comes to Jesus ... "Sell everything you have."
- ❖ Matt. 8:10 The Centurion comes to Jesus ... "No greater faith have I found."
- ❖ Luke 22:36 Jesus Said: "Buy a sword ..."

Texas Traffic Stop Case Study:

Leaked Pre-Attack Indicators

- Target glance
- Lack of eye-contact
- Minimal movement
- Hands
- Drawing to the middle
- SCANNING
- BARRIERS: Distance/Space
- Stress/Felony Stretch
- Stall Utterance: hesitation when asked an easy question
 - Huh?
 - Verification, hesitation
 - Repeats the question
 - Silence



THE BULLETPROOF WARRIOR

DECEIT:

- Unnaturally rigid or overly dramatic movement
- Slouching, Uninterested
- Blink rate altered significantly
- Barriers: crossed arms or legs
- Fake yawn, Felony / Stress Stretch
- Grooming
- Closed / Hidden Palms
- Lock-Down or Drama Queen
- Gestures after verbal
- Failure to answer question asked
- Persecution
- Stall Utterances: Verifiers, Clarifiers, Hesitators
- Conversational Cadence Changes



Vocal Clues & Cues

Religious & Family Affirmations:

- "I swear to God!"
- "As God is my witness."
- "I am a religious man."
- "May God strike me (mother, brother, etc) dead."

Other Flags:

- "OK?", "Right?" (at the end of a sentence)
- "To be totally honest."
- "Everyone knows that.."
- "Why would I lie?"
- "I wouldn't lie to you."

