

# FREEDOM FROM RELIGION *foundation*

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

April 12, 2016

SENT BY MAIL AND FAX TO: 936-829-1179

Mr. Jimmy Cassels  
City Attorney  
City of Diboll  
400 Kenley St.  
Diboll, TX 75941

Re: Unconstitutional religious endorsement on Diboll patches

Dear Mr. Cassels:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) concerning the inclusion of a biblical quote on the City of Diboll Police Department's new uniform patches. FFRF is a nationwide nonprofit organization that represents over 23,500 members across the country, including over 900 members in Texas. Our purpose is to protect the constitutional separation between church and state.

Multiple concerned Texans recently contacted us to report that the Diboll PD has a new uniform patch design featuring a reference to Matthew 5:9, which reads: "blessed are the peacemakers, for they shall be called the children of God." In an official statement, Police Chief Steve Baker explains that the inclusion of the bible quote "represents our faith in God that he will always be by our side to carry us through our darkest moments." A picture of the patch as it appeared on the police department's Facebook page before the post was removed is enclosed for your review.

We are writing to inform you that displaying a biblical quote on City of Diboll property, including police uniforms, violates the Establishment Clause. The bible reference must be removed from the patches.

The Supreme Court has long recognized that the First Amendment "mandates governmental neutrality between religion and religion, and between religion and nonreligion." *McCreary County v. ACLU*, 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). Including a biblical reference on law enforcement uniforms fails to respect either constitutional mandate of neutrality. It endorses religion over nonreligion and Christianity over all other faiths.

Placing patches that literally reference chapter and verse from the New Testament on City of Diboll property is a clear endorsement of Christianity. Chief Baker's written statement that the patches "represent our faith in God" exacerbates the violation by emphasizing the religious purpose behind the choice of quotation. Quoting the bible on government uniforms "sends the

ancillary message to . . . nonadherents ‘that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community.’” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309-10 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)). This is a divisive message.

When the police chief mandates the display of a quote from his preferred religious book on city property, using as justification the belief that it represents the faith of the entire department, not only does the city unconstitutionally endorse religion, but also the police department risks alienating the nearly 30% of Americans who are non-Christian.<sup>1</sup>

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 alienated, like political outsiders because the local government they support with their taxes oversteps its power by prominently placing a religious statement on government uniforms. Nor should the police department privilege religious citizens. Such a show of religious preference undermines the credibility of the police department and causes religious minorities and the nonreligious to question the impartiality of their law enforcement officials.

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. Citizens of Diboll trust their law enforcement officials to attend to their secular duties. Spending taxpayer time and money placing religious messages on police department property is beyond the scope of secular government.

The “Matt 5:9” patches must be removed from Diboll Police Department uniforms and any other government property immediately. Please inform us in writing of the steps the city and the police department intend to take to address this constitutional violation. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sam Grover', followed by a horizontal line extending to the right.

Sam Grover  
Staff Attorney

Enclosure

---

<sup>1</sup> *America’s Changing Religious Landscape*, PEW RESEARCH CENTER (May 12, 2015), available at [www.pewforum.org/2015/05/12/americas-changing-religious-landscape/](http://www.pewforum.org/2015/05/12/americas-changing-religious-landscape/).

Chief Steve Baker



“Our officers will soon be sporting a new patch on their uniforms. Lt. Williams and I have been working to come up with a design that gives a true meaning to the patch.

The black background represents the evil our officers face and the chaos they deal with on a daily basis.

The blue border that has no start and no end represents our never ending pursuit for justice.

The large silver star represents our goal to be a shining example of professionalism.

The white shape of Texas represents the great state in which we live, work, and swore an oath to protect all citizens.

The small white star represents the fine community that has put its trust in us to serve and protect.

The ‘Thin Blue Line’ represents the small amount of brave men and women that are willing to sacrifice themselves to hold that ever thinning line between good and evil.

The scripture Matthew 5:9 – ‘Blessed are the peacemakers, for they shall be called the children of God’. This represents our faith in God that he will always be by our side to carry us through our darkest moments.

Please keep the brave men and women of Law Enforcement in your prayers. Thank each and every one of you for your continued support and God Bless.....”

-Diboll Police Chief Steve Baker’s statement