

FREEDOM FROM RELIGION *foundation*

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February 1, 2018

SENT VIA EMAIL & U.S. MAIL
courtcontact@findlayohio.com

Dave Spridgeon
Clerk of Courts
Findlay Municipal Court
P.O. Box 826
Findlay, OH 45839

Re: Unconstitutional Religious Display

Dear Mr. Spridgeon:

I am writing on behalf of the Freedom From Religion Foundation concerning the display of a religious mural in the courthouse. FFRF is a nationwide nonprofit organization that represents more than 30,000 members across the country, including more than 750 members and a chapter in Ohio and a state chapter. FFRF's purposes are to protect the constitutional separation between church and state, and to educate the public on matters relating to nontheism.

A concerned citizen contacted us about a religious mural in the courthouse. This mural features a large eagle accompanied by a biblical verse. The verse from Psalms 91 reads:

“Under His Wings Shall You Find Refuge”

Please see enclosed a picture of this mural.

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. American 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).

It is inappropriate for the county to display this religious message on the wall of the Findlay Municipal Court because it conveys government support for religion. The Supreme Court has ruled, “The Establishment Clause, at the very least, prohibits government from appearing to take a position on questions of religious belief.” *Cty. of Allegheny v. American Civil Liberties Union Greater Pittsburgh Chapter*, 492 U.S. 573, 593-594 (1989). Like the Ten Commandments posting in county buildings in *McCreary* and the crèche display on county land in *Allegheny*, this display is unconstitutional under the precedent of *Lemon v. Kurtzman*, 403 U.S. 602 (1971). A

reasonable observer would view the text as an endorsement of religion by Findlay. The mural calls for viewers to seek refuge in the Christian god.

The municipal court serves all citizens regardless of belief or nonbelief, and with this display, Findlay appears to be preaching to citizens required to come to the courthouse. The message alienates the 24% of adult Americans who are non-religious.¹ It excludes non-Christian residents of Findlay and expresses a preference for the Christian faith in a government building responsible for administering and upholding our laws. By endorsing a particular religion, the city sends the 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.” *McCreary*, 545 U.S. at 860 (citations omitted).

Please remove the religious mural from the courthouse as soon as possible and inform us in writing of the actions taken to remedy this violation so we may notify our complainant.

Sincerely,



Rebecca S. Markert
Legal Director

Enclosure

¹Robert P. Jones & Daniel Cox, *America's Changing Religious Identity*, PUBLIC RELIGION RESEARCH INSTITUTE (Sept. 6, 2017), available at www.ppri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

UNDER HIS WINGS SHALL YOU FIND REFUGE

PSALMS 91

