

FREEDOM FROM RELIGION *foundation*

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

January 14, 2019

**SENT VIA EMAIL AND U.S. MAIL:
transition@billlee.com**

The Honorable Bill Lee
Governor-Elect
State Capitol, 1st Floor
600 Charlotte Ave.
Nashville, TN 37243

Re: Government-sponsored worship service and **Public Records Request**

Dear Governor-Elect Lee:

I am writing on behalf of the Freedom From Religion Foundation to object to the inclusion of a sectarian religious worship service in your inauguration celebration later this week, and to request public records related to this event. FFRF is a national nonprofit organization with 31,000 members across the country, including more than 350 members and a state chapter in Tennessee. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public about matters relating to nontheism.

A concerned member contacted us to report that your Inaugural Swearing-In Ceremony includes a religious worship service. Local media reported the event as a “star-studded prayer service at the Rhyman Auditorium.”¹ The event reportedly will include performances by five musicians, all of whom perform specifically Christian religious music.² Your own website sold tickets to the event,³ offering those who pay \$7,500 “reserved section seating for two at the Inaugural Swearing-In Ceremony and the Worship Service.”⁴

As governor-elect, you represent a diverse population that consists of not only Christians but atheists and agnostics, who do not believe in prayer or religious worship. Lending your title and state resources to a government-sponsored Christian worship service unabashedly sends an official message of endorsement of religion over non-religion, and Christianity over all minority religions, to the exclusion of many of your constituents.

¹ Mary Hance, *Bill Lee inauguration events: free party on Broadway, prayer service and tours*, NASHVILLE TENNESSEAN (Jan. 8, 2019), available at www.tennessean.com/story/news/2019/01/08/tennessee-governor-bill-lee-inauguration-events/2456772002/.

² *Id.*

³ www.believeintn.com/sponsorships/.

⁴ www.believeintn.com/lib/file/manager/Bill_Lee_Inaugural__7500_Level_WEB.pdf.

As a private citizen you may, of course, attend any religious functions you like. But the federal and state constitutions dictate that you as governor may not insert religious rituals into government-sponsored events, including your inauguration. It is an inappropriate usurpation of the Governor's Office for the organizers of this event to include a worship service.

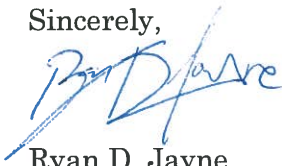
As governor you must take an oath of office to uphold the U.S. Constitution, which is a godless and secular document in which the only references to religion in government are exclusionary, such as the prohibition on religious tests for public office. Using your official position to promote your personal religion directly contravenes this oath.

It is a fundamental principle of Establishment Clause jurisprudence that the government may not promote, advance, or otherwise endorse religion. It may neither promote one religion over another, nor religion over nonreligion. A government-sponsored Christian worship service violates this principle. It is unlawful and inappropriate under the First Amendment for an official state-sponsored event, such as the inauguration of the newly elected governor, to include a worship service or any other activity that promotes religion over nonreligion or any religion in particular.

The non-religious is the fastest-growing segment of the U.S. population by religious identification, now making up 24% of Americans, and 38% of younger Americans.⁵ Turning an event which should be secular into an event replete with religion "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 defiance of the U.S. Constitution is a disappointing way to start your time as governor of Tennessee. As you take your oath to uphold the U.S. Constitution, FFRF urges you to reflect on the Constitution's guarantee that each of your constituents are entitled to a secular government that does not take a position on matters of religion. Please inform us in writing that future state-sponsored events under your tenure will be entirely secular in nature. Also **please see the enclosed request for public records** and ensure that it is processed as soon as possible.

Sincerely,



Ryan D. Jayne
Staff Attorney

⁵ Robert P. Jones & Daniel Cox, *America's Changing Religious Identity*, Public Religion Research Institute (Sept. 6, 2017), available at www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

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**SENT VIA U.S. MAIL:
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Governor-Elect Bill Lee
State Capitol, 1st Floor
600 Charlotte Ave.
Nashville, TN 37243

Re: Request for Public Records

Dear Name:

I am writing you on behalf of the Freedom From Religion Foundation (FFRF) regarding the worship service at your inauguration celebration, which we understand will take place at 8:30 a.m. on January 19.

Pursuant to Tennessee's Public Records Act (Tenn. Code § 10-7-503), I request copies of the following records:

- 1) Any written program or other record indicating the activities at the worship service;
- 2) Any receipts or other records indicating payment for speakers, food, rent, or any other expenses at the worship service; and
- 3) Any emails to or from **transition@billlee.com**, or any other email address associated with the transition team, related to the worship service.

I request a response within seven business days. Any records available in electronic format (preferred) may be emailed to **ryan@ffrf.org**. In the event that you prefer to send the records to a Tennessee resident, please forward them to FFRF's chapter head, Aleta Ledendecker. Her mailing address is:

2123 Stonybrook Road
Louisville, TN 37777

If you choose to deny this request, please respond with a written explanation of the denial including any references to statutory exemptions or other case law upon which you rely. If your office does not maintain these public records, please let me know the names and addresses of the proper custodians.

Sincerely,



Ryan D. Jayne
Staff Attorney