

FREEDOM FROM RELIGION *foundation*

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

October 30, 2018

**SENT VIA EMAIL AND U.S. MAIL:
pbryant@philbryant.com**

The Honorable Phil Bryant
Governor of Mississippi
P.O. Box 139
Jackson, MS 39205

Re: Promotion of state-wide faith event and Request for Public Records

Dear Governor Bryant:

I am writing on behalf of the Freedom From Religion Foundation to object to your use of your government office to promote two religious events and to request public records relating to those events. FFRF is a national nonprofit organization with more than 32,000 members nationwide, including members in Mississippi. FFRF's purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

A concerned FFRF member contacted us to report that while acting in your official capacity as governor, you recorded a promotional video for a sectarian religious event on April 27, 2019, and a "pastors and leadership summit" on October 4.¹ In the video, you said:

Hello, I'm Governor Phil Bryant with an invitation. I want you to join all of us on the 27th of April as PULSE, the student-led evangelical movement, the largest evangelical student-led movement in the world, comes here to Jackson, Mississippi.

Our state-wide faith event is on the 27th of April. So come, we want all of the churches, we pray that all of the churches and all of the denominations will come together for that one very special evening, the encouraging messages. And we will be there doing God's work here in Jackson, Mississippi.

Before we have the event, where we hope all the churches and denominations will come together, we must plan for it. So we need your

¹ Video available at <https://www.facebook.com/PulseMovement/videos/237017350326152/>.

pastors and your leadership to come to Mississippi College on the 4th of October, 2018, a statewide pastors and leadership summit on October the 4th at Mississippi College.

To find out more details about that meeting, and about the Pulse state-wide event itself, you can go to pulsemovement.com. Go to pulsemovement.com to find out the details of how you can be a part of this very special event. So put it on your calendar and join us on the 27th of April, 2019, for the Pulse movement here in Jackson, Mississippi, and also all the pastors and leadership in the churches on the 4th of October, 2018, at Mississippi College. This is going to be a very special night for Jackson, Mississippi, for all of the youth of this entire state and region, and I believe for this nation.

Let's start a movement here that will go not only across Mississippi, but across the nation, to make again this One Nation, Under God, beginning here in Jackson, Mississippi.

The Pulse event is not only religious, it is also sectarian. It is specifically Christian, with the event's website declaring, "We want to see Stadiums filled for Jesus. Let's put Jesus at the pulse of this generation. Across the country and around the world, we're telling this generation about Jesus."² The group's Statement of Faith includes beliefs that even many Christians reject, such as "We believe that the Bible is the verbally inspired Word of God, without error in the original writing, and the supreme and final authority in doctrine and practice," and "We believe that for the salvation of lost and sinful man, faith in the Lord Jesus Christ and regeneration by the Spirit are essential."³

Your official endorsement and promotion of these religious events is a flagrant betrayal of your oath to uphold the U.S. Constitution. Mississippians have a right to a government that does not give special treatment to the governor's personal religion. We request that you will withdraw all government support for the April 27, 2019, religious event. We also request that the video transcribed above be removed immediately. Finally, please process the request for public records so that we may learn more about your office's involvement in these religious events.

It is a fundamental constitutional principle that our government may not in any way promote, advance, or otherwise endorse religion. The Supreme Court has said, "The touchstone for our analysis is the principle that the 'First Amendment mandates governmental neutrality between religion and religion, and between religion and nonreligion.'" *McCreary Cty. v. ACLU*, 545

² Pulsemovement.com.

³ Pulsemovement.com/statement-of-faith/.

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)).

State-sponsored and state-endorsed events must be entirely secular in nature. See *Milwaukee Deputy Sheriff's Ass'n v. Clarke*, 588 F.3d 523 (7th Cir. 2009) (ruling sheriff meetings with presentations by religious group unconstitutional). Since the April 27, 2019, evangelical Pulse event is openly religious in nature, it may not be sponsored, co-sponsored, or otherwise endorsed by the government. The state, including your office, may not organize, support, promote, or participate in this event in any way. Your video promoting the event plainly violates this principle, as did your promotion of a “pastor and leadership summit” on October 4, 2018, to plan for next April’s event.

Finally, your call for Mississippians to “start a movement . . . to make again this One Nation, Under God,” by attending a sectarian religious event is very revealing. Courts have upheld the belated insertion of “Under God” into the Pledge of Allegiance based on a legal fantasy that the Pledge’s patriotic message removes any state endorsement of a religious message. See, e.g., *Croft v. Perry*, 624 F.3d 157, 169 (5th Cir. 2010) (“The pledge is a patriotic exercise, and it is made no less so by the acknowledgement of Texas’s religious heritage via the inclusion of the phrase ‘Under God.’”). By contrast, your statement unabashedly uses the phrase to promote religion without even a feint toward secular patriotism. This is unconstitutional.

The freedom of conscience enshrined in the First Amendment means that the government has no business telling citizens which god—if any—to believe in, or which holy book to read and propagate. Citizens in every state of this nation are free to believe, or disbelieve, whatever they like when it comes to matters of religion, and our founders wisely ensured that the government would not take sides on matters of religious belief. We ask that you follow this fundamental command and refrain from using your public office to advance your personal religious beliefs.

Please withdraw your endorsement for the April 27, 2019, religious event, including the video discussed above. Also please process the Request for Public Records below regarding the religious events your office promoted.

Request for Public Records

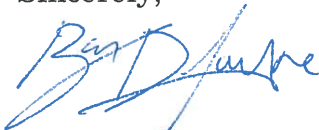
Pursuant to the Mississippi Public Records Act of 1983 (Miss. Code Ann. § 25-61-1, et. seq.), I request a copy of the following records:

1. All contracts or other agreements between PULSE, Nick Hall, or any other PULSE representative, and either the State of Mississippi or the Governor's Office;
2. All correspondence, including but not limited to email, between Governor Phil Bryant, or any representative of the Governor's office, and Nick Hall or any other representative of PULSE; and
3. All other records related to the April 27, 2019 "state-wide faith event" that you promoted in the video that you recorded for pulsemovement.com.

Please respond within 7 days. If any of these records are available through electronic media (preferred), they may be e-mailed to ryan@ffrf.org. If I can provide any clarification that will help expedite your attention to my request, please contact me at 608-256-8900.

If you choose to deny the request, please respond in writing and state the statutory exception authorizing the withholding of all or part of the public record and the name and title or position of the person responsible for the denial.

Sincerely,



Ryan D. Jayne
Staff Attorney