

# FREEDOM FROM RELIGION *foundation*

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

December 5, 2014

SENT VIA U.S. MAIL & EMAIL TO: [jthomas@cityofhinesville.org](mailto:jthomas@cityofhinesville.org)

The Honorable James Thomas  
Mayor, City of Hinesville  
115 East M.L. King, Jr. Drive  
Hinesville, GA 31313

Re: Mayor's Thanksgiving Service

Dear Mayor Thomas:

On behalf of the more than 21,500 nonreligious members we represent nationwide — including more than 400 members in Georgia and a state chapter based in Atlanta — our organization respectfully asks that in the future you disassociate the Mayor's office and Hinesville government from the annual Mayor's Thanksgiving Service.

It is our information and understanding that the Mayor's Thanksgiving Service is held each year by the city. The Liberty County website lists the event "organizer" as "City of Hinesville." On the event flier the website listed for more information is <http://www.cityofhinesville.org/> and the phone number is (912) 876-3564, the City of Hinesville's main number. The flier calls the event "2014 Mayor's Thanksgiving Service: Songs, Prayer & Thanksgiving, *presented by the City of Hinesville.*" See enclosed. The event is listed on the City of Hinesville's official Facebook page. The media reported on the event as "the city of Hinesville's 12th Annual Mayor's Service of Songs, Prayer, and Thanksgiving."<sup>1</sup> The church service took place in Marne Chapel. This is inarguably a city-sponsored religious event, specifically, a city-sponsored church service.

As mayor you represent a diverse population that consists of not only Christians but atheists and agnostics, who do not believe in prayer. Lending your title and city resources to a Thanksgiving Service unabashedly promotes a religious event, sending an official message of endorsement of religion over non-religion to the exclusion of many of your constituents.

You may, as a private citizen, attend any religious functions you like: Thanksgiving services, the church of your choice, etc. But the federal and state constitutions dictate that you as mayor may not bless such events or allow your title as mayor to be used in any purely religious event such as a prayer event. It is an inappropriate usurpation of the Mayor's Office for the organizers of this event to name it "the mayors' Thanksgiving Service."

As mayor you took 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.

It is a fundamental principle of Establishment Clause jurisprudence that the government cannot in any way promote, advance, or otherwise endorse religion. It can neither promote one religion

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<sup>1</sup> <http://www.stewartfrontline.com/section/56/article/1774/>

over another, nor religion over nonreligion. The Federal Constitution also prohibits using taxpayer dollars or publicly funded employees and resources to organize, coordinate, and promote religious events. Courts have upheld restrictions on such activity.

In 2002, a federal court in Georgia enjoined the city and mayor from organizing, advertising, promoting or endorsing a prayer breakfast. *See Newman v. City of East Point*, 181 F.Supp.2d 1374 (N.D. Ga. 2002). In that case, the court restricted the use of city funds, employees, resources and supplies in facilitating a prayer event. *See id.* As a result of the City's activities (making and sending invitations, issuing press releases, advertising the event, etc.), the court stated "an objective observer would most certainly conclude that the [city] has endorsed religion, specifically Christianity..." *Id.* at 1381. It further stated "... as long as the event takes place at a non-City facility, does not use City funds, does not use City employees to publicize or organize it and is not presented as being endorsed by the City, then the Mayor and any City Officials can participate in the event." *Id.* at 1382.

In 1993, FFRF also won an injunction against the mayor of Denver, Colorado, over his promotion, endorsement, and sponsorship of a "Day of Prayer." *See FFRF, v. Denver*, No. 93 CV 6056 (District Court, City and County of Denver, Colorado 1993). In that case, Mayor Webb designated a "city wide day of prayer..." His office held a press conference announcing the event, issued a press release on official government stationery, and formed an interfaith committee to work on the day of prayer. The court enjoined Mayor Webb and other city officials "acting in an official capacity, from promoting, endorsing, or supporting the Day of Prayer..." *Id.* at 5. It reasoned:

Since prayer is exclusively a religious act, the endorsement of a Day of Prayer would logically be interpreted by a reasonable person as an endorsement of religion. Because from all appearances Mayor Webb was acting in his official capacity in issuing the press release and conducting the press conference endorsing the Day of Prayer, the Court concludes that a reasonable person would interpret his conduct as governmental endorsement of religion. As such, it violates the Establishment Clause." *Id.*

Neither of these cases prevented government officials from participating in prayer events in their *personal* capacities. But it is absolutely unlawful and inappropriate under the First Amendment for a city government to fund, sponsor, or host such an event.

In the future, the Mayor's Office and City of Hinesville cannot allow a secular, public title to be used as part of this event, nor can it organize or promote the event. Please inform us in writing that this will be the case for all future church services in Hinesville.

Sincerely,



Andrew L. Seidel  
Staff Attorney

Proceeds benefit the Liberty County Homeless Coalition and Manna House

# One Community. ONE VOICE.

2014

Mayor's Thanksgiving Service  
**SONGS, PRAYER & THANKSGIVING**  
presented by the City of Hinesville

**Main Post Chapel**

**NOV. 23 at 6 PM**

Fort Stewart, GA

**CANNED GOODS  
ACCEPTED**

[www.cityofhinesville.org](http://www.cityofhinesville.org) || 912.876.3564