

# FREEDOM FROM RELIGION *foundation*

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*Sent via U.S. Mail and Email*  
[governor@ky.gov](mailto:governor@ky.gov)

The Honorable Matt Bevin  
Governor  
700 Capitol Avenue Suite 100  
Frankfort, KY 40601

Re: Prayer patrol proposal

Dear Governor Bevin:

We are writing to you on behalf of the largest freethought association in North America. FFRF has more than 29,000 members, including members in Kentucky and a Kentucky chapter. FFRF works to uphold the constitutional principle of the separation of between state and church, and educates the public on matters relating to nontheism.

We understand that you have proposed to combat rising violence in Louisville via “prayer walks.” In announcing this ineffectual plan, you said:

The lieutenant governor and myself laid forth very simple request to people and I’ll share with you what that is: It is harnessing people of faith to pray for the community, engage with the community by physically walking blocks in that community, praying for the community, for the people in those communities, and engaging with them. . . . We need young and old people alike who genuinely believe in the power of prayer, who want to restore dignity and hope into these communities, and want to do that by physically being in those communities and walking around. . . .We ask people to spend no more than 30 minutes moving around the block. Go around the block, pause on each corner, pray for the people there, move to the next corner.

You’ve said that this plan “costs nothing,” but substituting prayer for action could cost lives. Instead of a concrete solution, you’ve asked people to engage in useless wishful thinking. Using your secular public office to promote prayer is an abuse of power. But compounding the insult to our Constitution is the injury to citizens who deserve a rational government that will actually take action to solve problems, or at least not stand in their way.

## **1. Misusing governmental power**

It is a fundamental principle of Establishment Clause jurisprudence that the government cannot 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*

*County v. ACLU*, 545 U.S. 844, 860 (2005), (quoting *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Board of Ed. of Ewing*, 330 U.S. 1, 15-16 (1947); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985)).

Additionally, the Kentucky State Constitution (Section 5) guarantees: “No preference shall ever be given by law to any religious sect, society or denomination; nor to any particular creed, mode of worship or system of ecclesiastical polity; nor shall any person be compelled to attend any place or worship, to contribute to the erection or maintenance of any such place, . . .”

It is inappropriate and unconstitutional for government officials to use their government office to advance, promote or endorse one religion over another, or religion over nonreligion. You must keep your religion to yourself when acting in your official capacity as police chief.

The Supreme Court has explained that “the prohibition against governmental endorsement of religion ‘preclude[s] government from conveying or attempting to convey a message that religion or a particular religious belief is favored or preferred.’” *Cnty. of Allegheny v. ACLU Greater Pittsburgh Chapter*, 492 U.S. 573, 593 (1989). The goal of this endorsement test is to ensure that the government does not “appear to take a position on questions of religious belief.” *Id.* at 594.

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.” 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:

“[the event] 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.*

Government officials can worship, pray, and participate in religious events in their *personal* capacities. But they are not permitted to use their government office to organize or promote “prayer walks.” Their office and title belong to “We the people,” not the office’s temporary occupant.

## **2. Prayers and converting people to Christianity will not lower crime**

Apparently, you believe that prayer will lower crime. But this is simply not true. The walks themselves may lower crime at the time simply by having crowds on the streets, but that is not because of the power of prayer — it is the power of people. Prayer cannot stop violence.

Second, scientific studies<sup>1</sup> show that societies with less prayer have less violence:

“Murder rates are actually lower in more secular nations and higher in more religious nations where belief in God is deep and widespread. And within America, the states with the highest murder rates tend to be highly religious, such as Louisiana and Alabama, but the states with the lowest murder rates tend to be among the least religious in the country, such as Vermont and Oregon. Furthermore, although there are some notable exceptions, rates of most violent crimes tend to be lower in the less religious states and higher in the most religious states. Finally, of the top 50 safest cities in the world, nearly all are in relatively non-religious countries, and of the eight cities within the United States that make the safest-city list, nearly all are located in the least religious regions of the country.”<sup>2</sup>

Furthermore, “studies of heroic altruism during the Holocaust, found that the more secular people were, the more likely they were to rescue and help persecuted Jews.”<sup>3</sup> In fact, when any given factor of societal health or well-being is measured, invariably the *less* religious countries score better. The *least religious countries* of this world:

- Have the lowest rates of violent crime and homicide
- Are the best place to raise children and be a mother
- Have the lowest rates of corruption
- Have the lowest levels of intolerance against racial and ethnic minorities
- Score highest when it comes to women’s rights and gender equality
- Have the greatest protection and enjoyment of political and civil liberties
- Are better at educating their youth in reading, math, and science
- Are the most peaceful and the most prosperous
- Have the highest quality of life.<sup>4</sup>

The pattern of lower religiosity to higher societal well being also exists within United States. Those states that are the most religious also have a high occurrence of societal ills. States that tend to be among the *most religious* in the nation:

- Have the highest rates of poverty
- Have the highest rates of obesity
- Have the highest rates of infant mortality
- Have the highest rates of STDs
- Have the highest rates of teen pregnancy
- Have the lowest percentage of college-educated adults
- Have the highest rates of violent crime and murder.<sup>5</sup>

These studies do not prove that religion causes all of society’s ills, but it seems that your suggestions may actually be counterproductive. This makes a certain amount of logical sense

too. As Thomas Paine said, “Accustom a people to believe that priests or any other class of men can forgive sins, and you will have sins in abundance.”<sup>6</sup>

**Our office has a saying: “Nothing fails like prayer.” The unanswered prayers could fill the universe. Our cemeteries are full of people who prayed to live. Wishful thinking cannot alter natural laws. A deity is not going to swoop in and solve humanity’s problems for us — we must work to make the world a better place ourselves.**

To avoid the constitutional concerns and the divisiveness this program will cause within the community *the solution is simple: discontinue using your official office to promote your personal religion.* Do something practical to prevent crime.

**We have another saying in our office: “Pious politicians should get off their knees and get to work.” A politician who beseeches a supernatural force to do his job for him is in the wrong profession.**

Very truly,

Dan Barker and Annie Laurie Gaylor  
DB/ALG:als

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<sup>1</sup> In a synthesis of the latest social scientific research concerning some of these issues *see* Zuckerman, Phil. 2009. ‘Atheism, Secularity, and Well-Being: How the Findings of Social Science Counter Negative Stereotypes and Assumptions.’ *Sociology Compass*, Vol. 3 Issue 6, 949-971.

<sup>2</sup> Zuckerman at 955 (internal citations omitted).

<sup>3</sup> *Id.*

<sup>4</sup> Zuckerman at 960-61 (internal citations omitted).

<sup>5</sup> Zuckerman at 955, 961 (internal citations omitted).

<sup>6</sup> Thomas Paine, A Letter to Camille Jordan (1797), in *The Writings of Thomas Paine*, (GP Putnam’s Sons, 1896) IV:252. Available at <https://books.google.com/books?id=srpGH65Zl9kC&pg=PA252>