

# FREEDOM FROM RELIGION *foundation*

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

January 19, 2017

**SENT VIA EMAIL AND U.S. MAIL:**  
**[jtrotnic@cityofonalaska.com](mailto:jtrotnic@cityofonalaska.com)**

Jeffrey S. Trotnic  
Chief of Police  
Onalaska Police Department  
415 Main Street  
Onalaska, WI 54650

Re: Religious display in police station

Dear Chief Trotnic:

I am writing on behalf the Freedom From Religion Foundation (FFRF) to alert you to state/church concerns over a religious display in the Onalaska Police Department (OPD). FFRF is a Madison-based nationwide nonprofit organization with more than 26,000 members across the country, including more than 1,400 members in Wisconsin. FFRF's purpose is to protect the constitutional principle of separation between state and church.

A concerned area resident contacted us to report that the OPD has a large religious display on the wall of a public room in the police station. The display has the following text:

A Police Officer's Prayer

Lord, I ask You to be with me in a very special way  
As I face the challenges that I must face each day

Please give to me compassion for the innocent I see  
Help me to protect & serve those who depend on me

And when duty calls to danger walk closely by my side  
Instill in me great courage and be my strength, my guide

And whatever I am called to do always thankful I will be  
That You have been the unseen guest walking next to me

An image of this display is enclosed. While it is laudable for the OPD to recognize the challenges officers face and to promote compassion and courage in law enforcement, these sentiments may not be couched in the religious message that a god should be officers' "guide" in their work and is responsible for officers' success and safety. It is unconstitutional for the OPD to endorse this religious viewpoint. Anyone viewing this display would understand the OPD to be endorsing religion and belief in a god. We request that this display be removed immediately.

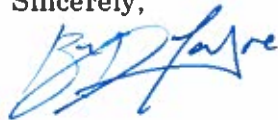
The Supreme Court has explained that “the prohibition against governmental endorsement of religion ‘preclude[s] government from conveying or attempting to convey a message that religion or a particular religious belief is favored or preferred.’” *Cnty. of Allegheny v. ACLU Greater Pittsburgh Ch.*, 492 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.

Displaying “A Police Officer’s Prayer” in the police station demonstrates a preference for religion over nonreligion on behalf of the OPD. By endorsing belief in a god, the OPD sponsors a religious message, which is “impermissible because it 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)). In *Milwaukee Deputy Sheriffs’ Ass’n v. Clarke*, the court held that the Sheriff violated the Establishment Clause by distributing religious messages to officers during a mandatory meeting. 588 F.3d 523, 528 (7th Cir. 2009). The court noted that “this presents a problem for the Sheriff because the Establishment Clause prohibits the government from ‘promot[ing] or affiliat[ing] itself with any religious doctrine or organization.’” *Id.* at 528 (quoting *Allegheny*, 492 U.S. 573, 590 (1989)).

As you are aware, citizens interact with and rely on law enforcement officers during some of the most urgent and vulnerable times of their lives. The OPD’s religious display conveys a message to nonreligious citizens that they are not favored members of the political community. These citizens should not be made to feel excluded, like outsiders in their own community, because the local law enforcement they support with their taxes prominently places religious messages in the police station. We hope you will agree that law enforcement must be even-handed and avoid any appearance of bias toward some citizens, or hostility toward others. More than 23% of American adults are nonreligious, including about 35% of millennials.<sup>1</sup>

To avoid further Establishment Clause concerns, the OPD must remove this religious display. We request that we be informed in writing of the steps that are taken to remedy this constitutional violation so that we may notify our complainant.

Sincerely,



Ryan D. Jayne, Esq.  
*Elaine & Eric Stone Legal Fellow*  
*Freedom From Religion Foundation*

Enclosure

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<sup>1</sup> *America’s Changing Religious Landscape*, PEW RESEARCH CENTER (May 12, 2015), available at [www.pewforum.org/2015/05/12/americas-changing-religious-landscape/](http://www.pewforum.org/2015/05/12/americas-changing-religious-landscape/).

## A Police Officer's Prayer

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