

FREEDOM FROM RELIGION *foundation*

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

December 19, 2018

SENT BY MAIL AND EMAIL TO:

opp.pd@oppolice.com

Mr. Michael McDonald
Chief of Police
Opp Police Department
106 North Main Street
Opp, AL 36467

Mr. Kevin Chance
Assistant Chief
Opp Police Department
106 North Main Street
Opp, AL 36467

Re: Religious promotion on social media

Dear Chief McDonald and Assistant Chief Chance:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert the Opp Police Department to citizen concerns over religious promotion on the department's Facebook page. FFRF is a nationwide nonprofit organization with 32,000 members throughout the country, including many members in Alabama. Our purposes are to protect the constitutional separation between state and church, and to educate the public on matters related to nontheism.

FFRF has received multiple citizen complaints about a December 18 post on the Opp Police Department Facebook page that begins by announcing the tragic deaths of a young man in Kingston and a mother in Northern Covington County. This announcement, and the majority of the post, are appropriate and important communications for a police department to make. However, the post also includes a religious message that promotes one specific religious belief and derides another: "[These murders are] HAPPENING BECAUSE WE HAVE TURNED AWAY FROM GOD AND EMBRACED SATAN. WE MAY HAVE NOT MEANT TO DO SO BUT, WE HAVE. IT IS TIME TO ASK FOR GOD'S HELP TO STOP THIS." A copy of the post is enclosed.

We write to ensure that the department take down its promotion of religion (and contempt for one specific religion—Satanism) and cease including religious remarks in social media posts.

The department's promotion and rejection of specific religious beliefs—turning toward "GOD" and away from "SATAN"—is illegal. Our Constitution's Establishment Clause, which protects all Americans' religious freedom by ensuring the continued separation of religion and government, dictates that the government cannot in any way endorse religion. Encouraging readers to "ASK FOR GOD'S HELP" on the official department Facebook page violates the department's obligation under the Constitution as a government entity. We ask that the department edit the post to remove that message and refrain from posting religious messages in the future.

By including religious messages in this otherwise important post, the department conveys a message to those who do not believe in "GOD" that they are not "favored members of the

political community.” *Cty. of Allegheny v. Am. Civil Liberties Union Greater Pittsburgh Ch.*, 492 U.S. 573, 595 (1989). The First Amendment prohibits even the *appearance* of religious endorsement by government officials. *See, e.g., Capitol Square Review and Advisory Bd. v. Pinette*, 515 U.S. 753, 787 (1995) (Souter, J., concurring) (“Effects matter to the Establishment Clause, and one, principal way that we assess them is by asking whether the practice in question creates the appearance of endorsement to the reasonable observer.”); *Allegheny*, 492 U.S. at 593–94 (“The Establishment Clause, at the very least, prohibits government from appearing to take a position on questions of religious belief . . .”). In this instance, the department has very directly endorsed one religious ideology to the exclusion of minority religions and atheism, and decried Satanism. Neither message is permissible.

As you are aware, citizens rely on law enforcement during some of the most urgent and vulnerable times of their lives. The Opp Police Department serves a diverse population that consists of not only mainstream believers, but also minority religious and nonreligious citizens. We hope you will agree that your department must be even-handed and avoid any appearance of bias toward some citizens, or against others. Religious endorsements made by the department send a message that excludes the 24 percent of American adults who identify as nonreligious, including 38 percent of millennials and younger Americans.¹ Such religious promotion needlessly alienates the minority religious and nonreligious citizens of Opp, turning them into outsiders in their own community.

It is entirely possible, of course, for the department to express concern over violent crime in an evenhanded and objective manner. By blaming a rise in violent crime on those who do not worship a particular god, the department ostracizes a significant portion of the community and turns attention away from the actual problem. It is negligent for the department to spread a message of prejudice against those who choose not to believe in or worship a god. The department certainly has no data to support its theory that a rise in violent crime is caused by those choosing to turn away from god belief. Numerous scientific studies prove otherwise.² Morality does not require religion. As Dr. Benjamin Beit-Hallahmi, a Ph.D. in clinical psychology, wrote, “The claim that atheists are somehow more likely to be immoral has long been disproven by systematic studies.”³

A variation of the department’s assertion has actually been evaluated and rejected by social psychologists. “If religion, prayer, or God-belief hindered criminal behavior, and secularity or atheism fostered lawlessness, we would expect to find the most religious nations having the lowest murder rates and the least religious nations having the highest.”⁴ But “[w]e find just the opposite. 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.”⁵

¹ Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, PUBLIC RELIGION RESEARCH INSTITUTE (Sept. 6, 2017), available at www.ppri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

² See Phil Zuckerman, *Atheism, Secularity, and Well-Being: How the Findings of Social Science Counter Negative Stereotypes and Assumptions*, 3 *SOCIOLOGY COMPASS* 949–71 (2009).

³ Benjamin Beit-Hallahmi, *Atheists: A Psychological Profile* in *THE CAMBRIDGE COMPANION TO ATHEISM* 300–17 (Michael Martin, ed., Cambridge Univ. Press) (2007).

⁴ Zuckerman at 955 (internal citations omitted).

⁵ *Id.*

In fact, when any given factor of societal health or well-being is measured it is invariably the *less* religious countries that score better. The *least religious* countries of this world:

- Have the lowest rates of violent crime, homicide, and corruption
- Are the best place to raise children and be a mother
- 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, the most prosperous, and have the highest quality of life.⁶

The pattern of lower religiosity to higher societal well-being is not limited to an international analysis. This trend also exists within the United States. Those states that are the most religious also have a high occurrence of societal ills. **The most religious states in the nation tend to have the highest rates of: poverty, obesity, infant mortality, sexually transmitted diseases, teen pregnancy, murder, and violent crime.**⁷ The Opp Police Department's claim that increased religiosity would lower crime is simply nonsense.

The department's promotion of one religion over another and religion generally over nonreligion needlessly jeopardizes taxpayer dollars by exposing the city and department to legal liability. Not long ago the sheriff in Bradley County, Tennessee agreed to pay more than \$40,000 in damages and attorneys' fees after promoting religion on social media and ignoring objections to the practice. *Am. Atheists v. Watson*, No. 1:2016cv00118 (E.D. Tenn. filed May 6, 2016). There is no need to expose the department and the City of Opp to similar liability by creating the appearance of religious favoritism by the department.

It is the height of hypocrisy to call for a reduction in crime through an act that itself breaks the law. To avoid further Establishment Clause violations, the department must refrain from promoting religion on social media and should retract its statement encouraging readers to "ASK FOR GOD'S HELP." Instead of seeking divine intervention to lower crime rates, the department should engage *all* Opp citizens in taking secular steps to make it so. Please inform us in writing of the steps taken to respect the rights of conscience of all Opp residents, regardless of their personal religious or nonreligious beliefs. Thank you for your time and attention to this matter.

Sincerely,



Sam Grover
Associate Counsel

Enclosure

⁶ *Id.* at 960–61 (internal citations omitted).

⁷ *Id.* at 955, 961 (internal citations omitted).



Opp Police Department

Yesterday at 8:29 AM · 🌐



THIS PAST SUNDAY, A YOUNG MAN WAS SHOT AND KILLED IN KINSTON. MONDAY NIGHT, A MOTHER WAS SHOT AND KILLED IN NORTHERN COVINGTON COUNTY. THERE HAVE BEEN FIVE MURDERS IN COVINGTON COUNTY IN 2018. THESE MURDERS HAVE BEEN DONE BY OUR YOUNG PEOPLE. THIS IS HAPPENING BECAUSE WE HAVE TURNED AWAY FROM GOD AND EMBRACED SATAN. WE MAY HAVE NOT MEANT TO DO SO BUT, WE HAVE. IT IS TIME TO ASK FOR GOD'S HELP TO STOP THIS. IT IS TIME TO BE PARENTS AND RAISE OUR CHILDREN, NOT HAVE THEM RAISE US. IT IS TIME TO FULLY SUPPORT LAW ENFORCEMENT AND STAND BY THE OFFICERS AND DEPUTIES THAT ARE FAR TOO OFTEN HAVING TO WALK INTO THESE DANGEROUS SITUATIONS AND CLEAN UP THE MESS. FRIENDS, IT IS TIME TO STAND UP AND BE RESPONSIBLE, GROWN UP LEADERS IN OUR COMMUNITY. BOTTOM LINE, THERE ARE SHEEP; THERE ARE WOLVES AND THERE ARE SHEEP DOGS. WHICH GROUP DO YOU BELONG TO ?

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210 Comments 699 Shares