

FREEDOM FROM RELIGION *foundation*

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June 12, 2017

SENT VIA EMAIL & U.S. MAIL

jardis@peoriagov.org

The Honorable Jim Ardis
Mayor of Peoria
Office of the Mayor
419 Fulton St., Suite 207L
Peoria, IL 61602

Re: Peoria City Council Prayer Practices

Dear Mayor Ardis:

I am writing on behalf of the Freedom From Religion Foundation regarding the prayer practices of the Peoria City Council. FFRF is a national nonprofit organization with more than 29,000 members across the country, including more than 900 in Illinois and a local chapter, FFRF Metropolitan Chicago. FFRF's purpose is to protect the constitutional principle of separation between state and church.

A concerned Peoria resident informed us of the Council's history of including exclusively Christian speakers during its meetings. For example, during the Council's May 5, 2015 meeting, Pastor Jim Powell of the Richwoods Christian Church gave the invocation. During the Council's meeting on July 12, 2016, Pastor Martin Johnson of the New Beginnings Ministries of Peoria gave the invocation. Richwoods' mission is "Helping People Find and Follow Christ," and New Beginnings' is to "reach lives for the Kingdom of God, promoting a positive life and salvation in Jesus Christ." On May 2, 2017, Monsignor Stanley Deptula of the Catholic Diocese of Peoria and Pastor Martin Johnson gave the invocation and the benediction, respectively, at a Council meeting to install newly elected officials. Monsignor Deptula opened his address stating it was a "variation of a prayer written by Bishop John Carroll in 1791, the first Catholic bishop of the United States," indicating the sectarian nature of the invocation. He also made reference to a "holy spirit." Similarly, Pastor Johnson's address concluded "we ask this in the matchless name of Jesus," also indicating the sectarian nature of the benediction. There is no record of an invocation given by any non-Christian speakers.

Prayer at government meetings is unnecessary, inappropriate, and divisive. The best solution is to discontinue invocations altogether. Council members are free to pray privately or to worship on their own time in their own way. They do not need to worship on taxpayers' time. The body ought not to lend its power and prestige to religion by inviting religious leaders to give prayers. As a local government,

citizens—including Peoria’s nonreligious citizens—are compelled to come before you on important civic matters, to seek licenses, permits, to participate in important decisions affecting their livelihoods, property, children, and quality of life. The prayers exclude the 23% of Americans who are not religious.¹ It is coercive and intimidating for these nonreligious citizens to come to a public meeting and be required to either make a public showing of their nonbelief or show deference to a religious sentiment they do not believe in, but which their Council members clearly do.

However, if the Council insists on continuing to host prayers at public meetings, it should establish a clear policy that does not discriminate against any person wishing to give a prayer. The nonreligious and members of minority religions must be permitted to deliver invocations as well.

The Supreme Court addressed the issue of legislative prayer in *Greece v. Galloway*, 134 S. Ct. 1811 (2014). The Court identified several important elements to the town’s invocation practice that, taken together, ensured that the practice did not impermissibly advance one religion over another or promote religion over nonreligion. Over time, the town of Greece “compiled a list of willing ‘board chaplains’ who had accepted invitations and agreed to return in the future.” *Id.* at 1816. Additionally, the town of Greece “at no point excluded or denied an opportunity to a would-be prayer giver.” *Id.* If the Council chooses to continue its prayer practice, it must similarly open its prayers to all comers, including atheists, agnostics, Wiccans, and, potentially, Satanists.

Although Greece created its initial list of invocation givers by having a “town employee . . . call the congregations listed in a local directory until she found a minister available for that month’s meeting,” the town demonstrated a willingness to go beyond its list and allow others to give invocations. *Id.* At one point the town invited a Jewish layperson (not a member of the clergy) to give an invocation, and when a Wiccan priestess requested to give an opening prayer, the town granted her the opportunity. *Id.* at 1817. The town “maintained that a minister or layperson of any persuasion, *including an atheist*, could give the invocation.” *Id.* at 1816 (emphasis added). In fact, on July 15, 2014, an atheist citizen delivered the opening invocation at Greece’s town board meeting.²

The fact that Greece “represented that it would welcome a prayer by any minister or layman who wished to give one” was a critical factor in the Court’s conclusion that the practice in *Galloway* did not violate the Constitution. *Id.* at 1824. The Court clearly stated that the purpose of these invocations must be inclusive: “These ceremonial prayers strive for the idea that people of many faiths may be united in a

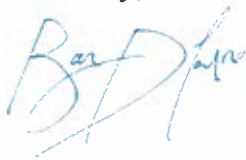
¹ *America’s Changing Religious Landscape*, PEW RESEARCH CENTER (May 12, 2015), available at www.pewforum.org/2015/05/12/americas-changing-religious-landscape/.

² See http://www.centerforinquiry.net/newsroom/atheist_to_deliver_invocation_at_greece_ny_town_meeting_july_15/.

community of tolerance and devotion.” *Id.* at 1823. The Supreme Court’s decision would have been different had the town used the prayer opportunity to discriminate against minority religions. There can be no “policy or practice of discriminating against minority faiths.” *Id.* at 1817. A nonbeliever who requests to give the opening invocation should therefore be allowed to do so. This is not only the most inclusive practice, but after *Galloway*, it is the most constitutionally sound option.

In order to demonstrate the Council’s respect for the diverse range of religious and nonreligious citizens living in Peoria, we urge you to concentrate on civil matters and leave religion to the private conscience of each individual by ending the practice of hosting prayers at your meetings. At the very least, the Council must establish a clear invocation policy that does not discriminate against atheists, freethinkers, and non-Christians. Please inform us in writing of the steps you take to resolve this matter.

Sincerely,



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Freedom From Religion Foundation

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