

FREEDOM FROM RELIGION *foundation*

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

August 6, 2015

SENT BY U.S. MAIL AND EMAIL
emilycwooten@live.com

The Honorable Emily Wooten
22957 Sylvania Avenue South
P.O. Box 150
Sylvania, AL 35988

Re: Unconstitutional Religious Displays on Government Property

Dear Mayor Wooten:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to object to unconstitutional religious displays on government property in the Town of Sylvania. We were contacted by a concerned local resident. FFRF is a national nonprofit organization with over 22,500 members nationwide, including members in Alabama and a local chapter, the Alabama Freethought Association. Our purpose is to protect the constitutional principle of separation between state and church.

It is our understanding that signs proclaiming "Sylvania Welcomes You: One Lord, One Faith, One Baptism" are displayed by state highway 75 on either side of the Town. The signs also bear your name as mayor. A picture of one sign is enclosed.

We write to ask you to remove the signs and redesign them with a secular message of welcome to your town.

The Establishment Clause of the First Amendment prohibits government sponsorship of religious messages. The Supreme Court has said time and again that the "First Amendment mandates government neutrality between religion and religion, and between religion and nonreligion." *McCreary County, Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947).

It is inappropriate and unconstitutional for the Town of Sylvania to display the signs described above because they convey both a government preference for religion over nonreligion, and Christianity over other religions. The display of religious messages on public property violates the Establishment Clause of the First Amendment, which prohibits the government from advancing, supporting, or promoting religion.


The "One Lord, One Faith, One Baptism" signs send a message to the Town's citizens that the Sylvania government is endorsing and compelling belief in a particular god. By

endorsing such a belief, the sign sends the 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 ...” *McCreary*, 545 U.S. at 860 (citation omitted).

Like the Ten Commandments posting in county buildings in *McCreary* and the crèche display on county land in *County of Allegheny v. American Civil Liberties Union Greater Pittsburgh Chapter*, 492 U.S. 573, 593-594 (1989), these displays are unconstitutional under the precedent of *Lemon v. Kurtzman*, 403 U.S. 602 (1971). A reasonable observer would view the signs as an endorsement of the Christian religion by the Town of Sylvania. It is also inappropriate for you to use your official title as mayor to endorse this religious message.

We ask that the Town immediately remove the “One Lord, One Faith, One Baptism” signs and refrain from displaying any messages that endorse religion or nonreligion in the future. Please inform us in writing of the actions you are taking to remedy this concern. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sam Grover', with a long horizontal flourish extending to the right.

Sam Grover
Staff Attorney

Enclosure

STG:lkd

SYLVANIA



**WELCOMES
YOU**

One Lord, One Faith, One Baptism

Mayor Emily C. Wooten