

# FREEDOM FROM RELIGION *foundation*

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February 13, 2018

**SENT VIA EMAIL & U.S. MAIL:**

[delkcox@house.virginia.gov](mailto:delkcox@house.virginia.gov)

The Honorable Kirk Cox  
Speaker of the House of Delegates  
Pocahontas Building, Room E605  
900 E. Main St.  
Richmond, Virginia 23219

Re: Bible Study Invitations

Dear Speaker Cox:

I am writing on behalf of the Freedom From Religion Foundation (“FFRF”) to express our concerns over the use of your office to promote your religion. FFRF is a nationwide nonprofit organization with more than 30,000 members, including over 700 in Virginia. FFRF’s purposes are to protect the constitutional separation between state and church, and to educate the public on matters relating to nontheism.

It is our understanding that you conduct a weekly bible study in the Speaker’s Conference Room at the Pocahontas Building. Meetings of this bible study group are listed on the Virginia House of Delegates meeting schedule as the “Speaker’s Bible Study Caucus.”<sup>1</sup> We understand that your Chief of Staff, at your apparent direction, emailed every person within the General Assembly’s email system to invite them to the bible study. An email from January 11, 2018 reads: “All members, staff, lobbyists and friends of the General Assembly are invited to attend Speaker Cox’s weekly Bible Study Wednesdays at 7AM in the 6th Floor Speaker’s Conference Room beginning January 17.”

We write to ask that you not use the Office of the Speaker to promote your personal faith to your colleagues, subordinates, and the wider public.

As Speaker of the House of Delegates, you are uniquely positioned among Virginia’s legislators, wielding significant authority over your colleagues, legislative staff, and the General Assembly as a whole. Every person who works in the General Assembly, whether elected or employed, is certainly cognizant of the power and prestige imbued in the Office of the Speaker. It is inappropriate for any elected official to promote a bible study to all employees of the legislature using their official government email. The email invite is particularly problematic and coercive given your unique leadership position.

Government sponsorship of a religious message is impermissible “because it sends the ancillary message to members of the audience who are nonadherents ‘that they are

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<sup>1</sup> <https://viriniageneralassembly.gov/house/schedule/meetingSchedule.php>

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 Independent School District v. Doe*, 530 U.S. 290, 309-10 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)). The religiously unaffiliated account for the largest single religious identity in the Commonwealth—a full 23% of all Virginians.<sup>2</sup> Combined with sizable percentages of other minority religions, it is doubtless that many “members, staff, lobbyists and friends of the General Assembly” belong to variety of faiths or no faiths at all. These minority religious and nonreligious persons should not feel pressured to attend a religious event in their place of business to remain “insiders.”

Any elected official is, of course, free to practice their faith on their own time, in their own way. But while acting in their official capacity, elected representatives act not as individuals, but on behalf of all citizens of the Commonwealth. Every member, subordinate, lobbyist, and constituent having business with the Speaker of the House should be assured that the Speaker will act only in the public interest, and not based on any person’s religious belief, or lack thereof. Holding this bible study “caucus” and promoting it using the means of communication provided to your office undermines the appearance of impartiality.

Once the government enters into the religion business, conferring endorsement and preference for certain religions over others, it strikes a blow at religious liberty, forcing taxpayers of all religions and of no religion to support particular expressions of worship. Given your role as an employer and a government official, it is only appropriate that you stop using legislative email and calendar systems to recruit bible study participants. Any religious groups should be clearly separate from official government business.

Thank you for your time and attention to this important matter.

Sincerely,



Patrick C. Elliott  
Senior Counsel

PCE:cm

CC: The Honorable David Toscano  
House Minority Leader  
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Richmond, VA 23219  
[deldtoscano@house.virginia.gov](mailto:deldtoscano@house.virginia.gov)

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<sup>2</sup> Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, Public Religion Research Institute (2017), available at: <https://www.prri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf>