

FREEDOM FROM RELIGION *foundation*

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May 27, 2021

SENT VIA EMAIL & U.S. MAIL: jwarren@ci.king.nc.us

The Honorable Jack Warren
Mayor
City of King
P.O. Box 1132
King, NC 27021

Re: Sponsorship of National Day of Prayer events

Dear Mayor Warren:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding another constitutional violation that occurred in the City of King. We are still awaiting a response to our May 18, 2021 letter regarding prayer at King City Council meetings.

A concerned King resident has reported that the City of King promotes and endorses the National Day of Prayer by holding an event to celebrate it each year. This year because of the pandemic, the City of King posted a video with a National Day of Prayer proclamation on the City's official Facebook page.¹ The video included not only a proclamation, but also recitation of bible verses and a prayer:

I invite you who are watching to join with us as we pray to our Lord and Savior Jesus Christ, if you'll join me. Heavenly Father, we praise You for your strength and Your sovereign might but we also praise You for your gentleness, your mercy, and your grace. The bible says that for freedom Christ has set us free. Therefore, do not submit again to the yoke of slavery. So we praise and honor You for setting us free from condemnation, free from shame, free from guilt, and free from the due penalty of our sin. Christ has paid that debt and we're now free to love You with our whole heart, our whole body, our spirit, our whole selves. So we thank You, Lord for loving us first, and for setting us free to love You. And for pouring out Your Holy Spirit on a world that absolutely doesn't deserve such blessing, but absolutely is in desperate need of it. Thank You for blessing us and our country with values and with ideals that we follow, and we cherish them and we defend those freedoms to worship. We thank You for the power of the Holy Spirit for freedom to love our neighbor as we do ourselves, freedom to live a life filled with joy, and liberty to be at peace with one another even if we disagree. Lord, we ask Your blessings on our national leaders. Give them wisdom, give them the strength of their convictions even in the face of opposition. As the strength of our country is in Your blessings. We ask you to bless our state and local governments, our governor, our mayor, our councilmen. We ask you to bless and give the power of the Holy Spirit to our men and women who serve us so well in the police department, the fire department, and in our services department as well. We know and ask that you give Your blessings to all these for Your glory. It's You who

¹ <https://www.facebook.com/CityofKingNC/videos/293569125567194>

set us free. By the precious blood of Jesus Christ, Your son. It is You, Father, who have released us into blessing and give us the power to bless others. May You be glorified and honored through our love, our worship, and our prayers, which we offer in the matchless name of our Lord and Savior, Jesus Christ. Amen.

As you may be aware, the National Day of Prayer is a sectarian event. It originated with the Reverend Billy Graham during his evangelical crusade in Washington, D.C. in 1952. He expressed an openly Christian purpose, seeking an annual prayer proclamation by the President because he wanted “the Lord Jesus Christ” to be recognized across the land. Subsequently, the National Day of Prayer Task Force was created to “communicate with every individual the need for personal repentance and prayer, mobilizing the Christian community to intercede for America and its leadership.” The task force issues annual National Day of Prayer proclamations and submits them to the President, choosing a theme with supporting scripture from the bible. This year’s theme is “Lord Pour Out Your Love, Life, and Liberty” based upon the New Testament verse 2 Corinthians 3:17.

In its announcement of the theme for 2021, the task force reveals that its idea of “love, life, and liberty” amounts to religious assimilation through proselytization. It writes²:

Everyone needs to know that they were created by God and that He loved them so much He put His image in them and authored their value and purpose that no person can take away from them. As followers of Jesus we must come together in obedient unity and love that spreads God’s glory across the earth. We must share this message of love and life, so that our neighbors, co-workers, classmates – so that all the world would come to repentance, that NONE may perish and know the LIBERTY, the freedom from the stain and shame of sin. Everyone can have freedom ring in their hearts, liberty that pronounces you, “NOT GUILTY” from the One true Judge. God alone knows your heart, knows everything about you; everything you have thought, done and had done against you. God alone is our judge and in Christ alone, we experience authentic, eternal LIBERTY.

The task force has a Statement of Faith that is exclusive to Christians, including that “The Holy Bible is the inspired, only, infallible, authoritative Word of The Living God” and a belief in “the spiritual unity of believers in our Lord Jesus Christ.”³

We ask that the City of King drop its support for this divisive, evangelistic vision for America and cease hosting, participating in, or promoting National Day of Prayer events.

The City of King’s sponsorship of, and your participation in, National Day of Prayer events poses constitutional concerns. The Establishment Clause of the First Amendment prohibits the government from organizing or endorsing religious events. As the Supreme Court has put it, the Establishment Clause “mandates government neutrality between religion and religion, and between religion and nonreligion.” *McCreary Cty., 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. Ark.*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947). The City’s official endorsement of, and your participation in, National Day of Prayer

² https://www.nationaldayofprayer.org/introducing_the_national_day_of_prayer_2021_theme.

³ *Statement of Faith*, NATIONAL DAY OF PRAYER TASK FORCE (last visited Apr. 16, 2021), www.nationaldayofprayer.org/statement_of_faith.

events, which are advertised by the City and use City resources, creates the appearance of favoritism toward Christians.

In 2002, a federal court enjoined a city and mayor from organizing, advertising, promoting or endorsing a prayer breakfast. *Newman v. City of East Point*, 181 F. Supp. 2d 1374 (N.D. Ga. 2002). In that case, the court restricted the use of city funds, employees, resources and supplies in facilitating the Mayor's Prayer Breakfast. *See id.* As a result of the city's activities (making and sending invitations, issuing press releases, advertising the event, etc.), the court stated, "an objective observer would most certainly conclude that the City of East Point has endorsed religion, specifically Christianity, by its actions." *Id.* at 1381.

You appear to be sponsoring the event in your official capacity as Mayor. The United States Supreme Court has held that public officials may not seek to advance or promote religion, specifically stating, "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein. If there are any circumstances which permit an exception, they do not now occur to us." *W. Va. Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943).

Legal arguments aside, organizing, participating in, and promoting these events is unnecessarily divisive. The events send the message that the City not only prefers religion over non-religion, but also Christianity over all other faiths. It alienates non-Christians in King by turning them into political outsiders in their own community. The National Day of Prayer is explicitly designed to exclude the 24% of Americans who are nonreligious and, more broadly, the 30% of Americans who are non-Christian.⁴

Government officials can worship, pray, and participate in religious events in their personal capacities. But they are not permitted to provide credibility or prestige to their religion by lending a government office and government title to religious events. Their office and title belong to "We the people," not the office's temporary occupant.

We hope you'll agree that the City of King should strive to appear equally welcoming of all residents, regardless of whether they are Christian, practice a minority religion, or are nonreligious. The City must refrain from further organization, participation in, and promotion of religious events. You must also refrain from participating in religious events in your official capacity as Mayor. Please inform us in writing of the steps taken to respect the right of conscience of all King residents and to send a message that is inclusive of the minority religious and nonreligious among you.

Sincerely,



Christopher Line
Staff Attorney
Freedom From Religion Foundation

⁴ 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.