

FREEDOM FROM RELIGION *foundation*

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

January 11, 2022

SENT VIA U.S. MAIL AND EMAIL: pkorth@crmchealth.org

Paul Korth CEO
Cookeville Regional Medical Center
1 Medical Center Boulevard
Cookeville, TN 38501

Re: Unconstitutional Religious Endorsement on Social Media

Dear Mr. Korth:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to citizen concerns over the unconstitutional endorsement of religion by the Cookeville Regional Medical Center (CRMC). FFRF is a national nonprofit organization with more than 35,000 members, including more than 440 members and a chapter in Tennessee. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

A local citizen contacted us regarding the endorsement of religion, specifically, Christianity on CRMC's official Facebook page.¹ A prayer for front line workers was posted that included "Heavenly and Almighty God, who has all power and might to heal and protect . . . Lord, there are many heroes in this battle, although none greater than you. For we have no power to face this virus and its impacts on our own." Another post advised that "Jesus and germs are everywhere - when in Cookeville Regional, say your prayers and wear your mask!" Screenshots are enclosed. CRMC is a city-owned hospital.²

The Supreme Court has long held that 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). CRMC's Facebook posts convey a message to non-Christians that they are not "favored members of the community." *Cty. of Allegheny v. Am. Civil Liberties Union Greater Pittsburgh Ch.*, 492 U.S. 573, 595 (1989). A hospital suggesting that its interventions have no power without the Lord's contributions is especially concerning given that your healthcare facility is obligated to remain secular.

As a hospital, and especially during a global pandemic, CRMC sees and treats patients during some of the most urgent and vulnerable times of their lives. You serve a diverse population that

¹ <https://www.facebook.com/cookevilleregionalmedicalcenter/>.

² <https://www.crmchealth.org/about-crmc>.

consists of not only Christians, but also minority religious and nonreligious citizens. Religious endorsements made by CRMC send a message that excludes the thirty-five percent of Americans who are non-Christian, including more than one in four Americans who identify as religiously unaffiliated.³ Religious endorsements alienate the non-Christian and nonreligious citizens in the Upper Cumberland region in Tennessee, suggesting that they will not be treated equally, or as successfully, at your facility. Your website explains a non-discrimination policy based on federal civil rights laws but excludes religion as a protected class. As a governmental entity, CRMC is bound by the requirements of the Establishment Clause.

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 endorse religion. The First Amendment prohibits even the *appearance* of religious endorsement by the government. *See, e.g., 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 . . .”). Promoting one specific set of religious beliefs on its official Facebook page violates CRMC's obligation under the Constitution as a governmental entity.

The Supreme Court has described the power of social media sites as “the principal sources for knowing current events, checking ads for employment, speaking and listening in the modern public square, and otherwise exploring the vast realms of human thought and knowledge.” *Packingham v. North Carolina*, 137 S. Ct. 1730, 1737 (2017) (internal citations omitted). Governmental entities must be particularly diligent not to entangle religious messages with official government pronouncements made in this “modern public square.”

To avoid further Establishment Clause concerns, CRMC must refrain from endorsing religion. It cannot suggest that it cannot treat patients without God's help or that patients must say prayers while in its facility. Please inform us in writing of the steps you are taking to respect the rights of conscience of all patients, regardless of their personal religious or nonreligious beliefs, so that we may inform our complainant.

Sincerely,



Karen M. Heineman
Patrick O'Reiley Legal Fellow
Freedom From Religion Foundation

Enclosures

³ *In U.S., Decline of Christianity Continues at Rapid Pace*, PEW RESEARCH CENTER (Oct. 17, 2019), available at <https://www.pewforum.org/2019/10/17/in-u-s-decline-of-christianity-continues-at-rapid-pace/>.



Cookeville Regional Medical Center

September 13 · 🌐



Prayer for front line workers

Heavenly and Almighty God, who has all power and might to heal and protect, I pray today for the health and safety of all those on the frontlines of our fight against COVID-19. In particular, I pray for the doctors, nurses and medical staff caring for the sick. Lord, protect them from exposure to this virus and keep them safe. Give them the strength to carry on each day, comforting their tired and weary hearts. Lord, I pray also for the first responders – police, firefighters and paramedics – who keep us safe and continue to work in our communities. Keep them safe from the virus so they can continue to serve and protect our cities. Lord, I also pray for the essential workers who didn't expect to be on the front lines. Protect our grocery store workers, store clerks, truck drivers, those who produce our essential goods and all others serving our communities. Lord, support and encourage them, keep them protected from this virus. Lord, there are many heroes in this battle, although none greater than you. For we have no power to face this virus and its impacts on our own, Lord, so we fix our eyes on you. We will not be afraid. We will not be discouraged. For you, Lord, are with us every step of the way. In Jesus name, I pray, amen.

[#covid](#) [#coronavirus](#) [#corona](#) [#stayhome](#) [#CRMC](#)

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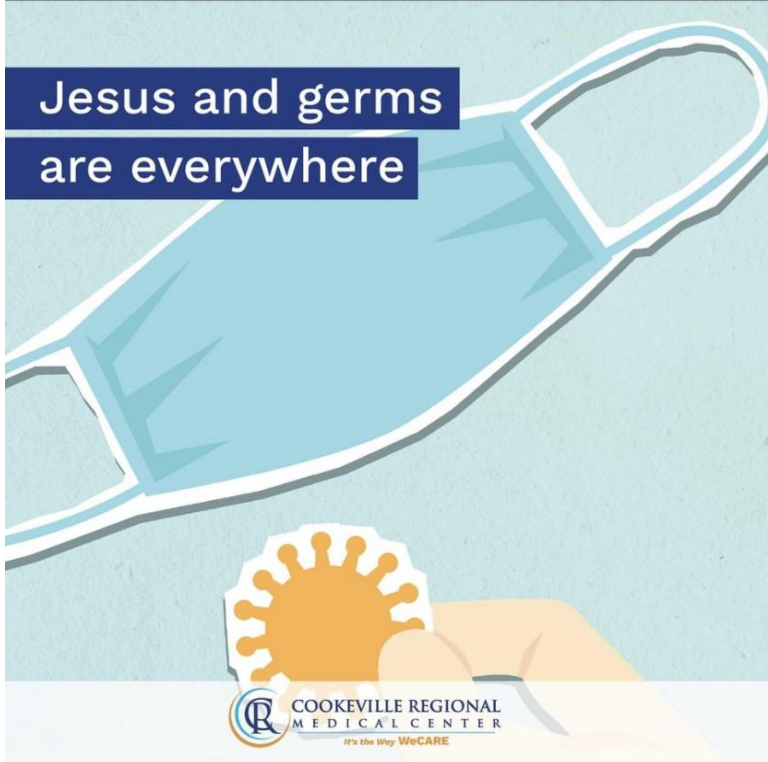
Cookeville Regional Medical Center

July 25 · 🌐



Jesus and germs are everywhere – When in Cookeville Regional, say your prayers and wear your mask! 🙏🧐

[#jesusandgerms](#) [#praisejesus](#) [#stopthespread](#)



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