

FREEDOM FROM RELIGION *foundation*

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June 3, 2020

SENT VIA EMAIL:

governor@ky.gov

The Honorable Andy Beshear
Governor
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601

Re: Unconstitutional government endorsement of religion

Dear Governor Beshear:

I am writing one again on behalf of the Freedom From Religion Foundation. We previously wrote to your office on April 2, 2020. Unfortunately FFRF has since received another report about your office promoting Christianity during an official press briefing.

A concerned Kentucky resident contacted FFRF to report that during the May 28, 2020, daily coronavirus update, you invited Reverend C.B. Akins to lead the state in prayer. The reverend proceeded to lead a five minute prayer in which he called on people to “humble themselves and pray [and] turn from their wicked ways and see [God’s] face” and asked God to “guide, guard, and govern us... do it through Christ, Jesus.”

As governor, you represent a diverse population that consists in part of atheists, agnostics, and other nonbelievers who do not believe in a deity, much less the power of prayer. The decision to deliver a prayer at an official state news conference sends an unfortunate official message of endorsement of religion over non-religion by the highest executive office in the state—a message that inevitably excludes many of your constituents, and has a proselytizing intent. Asking a Christian reverend to lead a prayer that specifically calls on the power of Jesus Christ also signals an official message of endorsement of Christianity over other religions, thereby excluding followers of minority religions. A message to encourage safety and show governmental concern in a time of hardship could have been effectively conveyed without prayer and the unnecessary entanglement of government and religion. Therefore, we urge you in the future to refrain from promoting religion in your official capacity as governor of Kentucky.

The Establishment Clause in the First Amendment to the U.S. Constitution wisely 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 Cty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *see also Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Ark.*, 393 U.S. 97, 104 (1968); *Everson v. Board of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947). By featuring a Christian prayer as part of an official press conference that citizens of Kentucky rely on to receive updates about the current pandemic, you send the message that you, as governor, and the State of Kentucky, prefer and endorse religion. This violates the Establishment Clause of the First Amendment.

In conclusion, we again ask that you, as governor of Kentucky, remain cognizant that you have taken an oath to uphold and defend the U.S. Constitution, an entirely godless and secular document, and are charged with great responsibility over citizens, including those citizens who may not share your personal religious viewpoints. Leaving religion as a private matter for private citizens is the wisest public policy. Observing a strict separation of church and state offends no one and honors the First Amendment to the U.S. Constitution.

We appreciate the courtesy of your attention to this matter and encourage you to stand up for the precious constitutional principle of the Establishment Clause, which unites and protects all citizens, believers and non-believers alike.

Sincerely,



Dante CH Harootunian
Patrick O'Reiley Legal Fellow
Freedom From Religion Foundation