

FREEDOM FROM RELIGION *foundation*

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

June 17, 2020

**SENT VIA FAX ONLY:
(414) 761-5323**

Jay Johnson
Chief of Police
Greenfield Police Department
5300 W Layton Avenue
Greenfield, WI 53220

RE: Religious promotion on social media

Dear Chief Johnson:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to unconstitutional religious promotion on the official Greenfield Police Department Facebook page. FFRF is a Wisconsin based national nonprofit organization with more than 33,000 members across the country. FFRF's purposes are to protect the separation between church and state and to educate the public on matters of nontheism.

A concerned Greenfield resident contacted FFRF to report that the official Greenfield Police Department Facebook page has on multiple occasions promoted Christianity by posting images and videos containing Bible quotations. See enclosure

We write to ask that the former cover photo depicting a Bible quote on a "thin blue line" flag be deleted and that the Department refrain from including Bible passages or other religious content in future posts.

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). The promotion of Bible passages on official Greenfield Police Department social media conveys 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).

Sticking to secular messages is inclusive of everyone and honors our Constitution. It should be a matter of pride that the United States was first among nations to adopt an entirely secular constitution, in which the only references to religion are exclusionary, such as barring religious tests for public office and separating religion from government.

Our Constitution’s Establishment Clause prohibits even the *appearance* of religious endorsement by government officials. *See, e.g., Capitol Square Review and Advisory Bd. v. Pinette*, 515 U.S. 753, 787 (1995) (Souter, J., concurring) (“Effects matter to the Establishment Clause, and one, principal way that we assess them is by asking whether the practice in question creates the appearance of endorsement to the reasonable observer.”); *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 . . .”).

The Supreme Court recently 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). Government entities must be particularly diligent not to entangle religious messages with official government pronouncements made in this “modern public square.”

Of course, government employees can worship, pray, or quote any religious text they wish when acting in their personal capacities. But they are not permitted to provide prestige to their personal religion through the machinery of a government office. The Greenfield Police Department belongs to “We the people.” As a government entity, the Greenfield Police Department is charged with great responsibility and has been given significant trust by citizens in your community, including those citizens who do not share your religious viewpoint.

To avoid further Establishment Clause concerns, the Greenfield Police Department must remove social media photos promoting religion and refrain from uploading any religious posts in the future. Please inform us in writing of the steps taken to respect the rights of conscience of all Greenfield residents, regardless of their personal religious or nonreligious beliefs. Thank you for your time and attention to this matter.

Sincerely,



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

Enclosure



Greenfield Police Department



May 14 · 🌐

This week in honor of National Police Week, we wanted to take this time to honor the brave men and women from Wisconsin law enforcement who have given the ultimate sacrifice.

Gone but never forgotten. 💙💙

Vilas County Sheriff's Department



*Deputy Sheriff
Kory Dahlvig*



Blessed are the peacemakers for they shall be called the children of God.

Matthew 5:9

