

FREEDOM FROM RELIGION *foundation*

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

May 3, 2024

SENT VIA EMAIL & U.S. MAIL: Scott.Thurmond@birminghamal.gov

Chief Scott Thurmond
Birmingham Police Department
1710 1st Avenue North
Birmingham, AL 35203

Re: Unconstitutional Religious Promotion in Workplace

Dear Chief Thurmond:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation taking place in the Chesapeake Police Department. FFRF is a national nonprofit organization with more than 40,000 members across the country, including members in Alabama. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

Multiple concerned Birmingham residents, including a Department employee, have reported that the Department regularly invites a pastor from the local Baptist church to proselytize, read bible passages, and lead devotionals and prayers during mandatory staff roll calls. Our complainant reports that when the pastor is not there another officer leads a Christian prayer for all employees in attendance. Our complainant reports that they feel uncomfortable being required to participate in religious worship as part of their job.

The Department has bragged about this department-sponsored religious coercion on its official social media pages:

We're starting Wednesday with Roll Call at West Precinct. Each day our officers come together to receive their assignments for duty and to pray for a safe shift before they go out and serve Birmingham. Our officers enjoy this time with one another.

Please see the enclosed screenshots.

We write to request that the Department immediately cease including bible readings, devotionals, and prayer from its mandatory staff meetings in order to respect the rights of its employees to be free from religious coercion in their workplace.

Our Constitution's Establishment Clause—which protects Americans' religious freedom by ensuring the continued separation of religion and government—dictates that the government

cannot in any way show favoritism toward religion or coerce belief or participation in religion. As the Supreme Court has put it, the First Amendment requires “governmental neutrality between religion and religion, and between religion and nonreligion.” *McCreary Cty. v. ACLU*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15–16 (1947). Moreover, government-sponsored prayer “has the improper effect of coercing those present to participate in an act of religious worship.” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 312 (2000).

Department employees are of course free to pray privately or to worship on their own time, in their own way. However, religious worship cannot be imposed on all employees. This coercive practice excludes and alienates those employees who are among the nearly 30 percent of adult Americans who are religiously unaffiliated, as well as the additional six percent of Americans adhering to non-Christian faiths.¹

We ask that the Birmingham Police Department refrain from including religious worship, bible readings, devotionals or prayer at future staff meetings in order to respect the First Amendment rights of all Department employees. Please inform us in writing of the steps the Department is taking to address this violation so that we may inform our complainants. Thank you for your time and attention to this matter.

Sincerely,



Christopher Line
Staff Attorney
Freedom From Religion Foundation

Enclosures

¹ Gregory A. Smith, *About Three-in-Ten U.S. Adults Are Now Religiously Unaffiliated*, Pew Research Center (Dec. 14, 2021), www.pewforum.org/2021/12/14/about-three-in-ten-u-s-adults-are-now-religiously-unaffiliated/.



Birmingham Police Department, Alabama

April 17 at 7:55 AM

We're starting Wednesday with Roll Call at West Precinct.

Each day our officers come together to receive their assignments for duty and to pray for a safe shift before they go out and serve Birmingham.

Our officers enjoy this time with one another.

#BPD #BirminghamPolice #PoliceOfficer #RollCall #Commitment #Excellence #Integrity #BirminghamAlabama

📷: Official BPD Photo (Jarrell V. Jordan Company)





BhamPolice ✓
@BhamPolice

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