

FREEDOM FROM RELIGION *foundation*

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June 25, 2024

SENT VIA EMAIL & U.S. MAIL: jcox@bartlettpolice.org

Chief Jeff Cox
Bartlett Police Department
3730 Appling Road Justice Center
Bartlett, TN 38133

Re: Unconstitutional religious display

Dear Chief Cox:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding an ongoing constitutional violation at the Bartlett Police Department. FFRF is a national nonprofit organization with more than 40,000 members across the country, including 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.

We have been informed that the Department has painted religious quotes on its building's walls. A famous New Testament verse is painted below an American flag: "Blessed are the peacemakers; for they shall be called the children of God. Matthew 5:9." Please see the enclosed screenshot.

Paintings that quote chapter and verse from the New Testament on BPD property are a clear promotion of Christianity. This is beyond secular art merely biblical *references*—this is sectarian art itself. Taxpayer money should not be streamlined to the government promoting sectarian worship or messages. We ask that BPD remove the biblical quotes.

The Supreme Court has long recognized that the First Amendment "mandates governmental neutrality between religion and religion, and between religion and nonreligion." *McCreary Cty. v. Am. Civil Liberties Union of Ky.*, 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). Painting a biblical quote in government buildings fails to respect either constitutional mandate of neutrality. This is explicitly a Christian quote, and only a Christian quote. This painting endorses religion over nonreligion and Christianity over all other faiths.

Referencing the bible on government buildings sends the message to minority religious and nonreligious citizens "that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community." *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309–10 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O'Connor, J., concurring)). This is unnecessarily divisive.

Citizens interact with and rely on law enforcement officers during some of the most urgent and vulnerable times of their lives. These citizens should not be made to feel alienated, like political outsiders, because their local government they support with their taxes oversteps its power by placing a religious statement on government property. Nor should the police department privilege religious citizens. Such a show of religious preference undermines the credibility of the police department and causes religious minorities—including the nonreligious—to question the impartiality of their law enforcement officials.

We hope you agree that law enforcement must be even-handed and avoid any appearance of bias toward some citizens, and hostility toward others. Citizens of Bartlett trust their law enforcement officials to attend to their secular duties. Spending taxpayer time and money placing religious messages on police department property is beyond the scope of secular government.

Other police departments have removed this same bible citation from department property after receiving letters like this one from FFRF. Failing to respect this constitutional right can be costly: FFRF settled a lawsuit against the Brewster County, Texas Sheriff's Office after that office put crosses on police vehicles and ignored our letters of complaint. Brewster County ended up removing the crosses and paying about **\$20,000** in fees and costs to FFRF.¹ BPD's painting is equally unconstitutional.

The "Matthew 5:9" painting must be removed from BPD property immediately. Please inform us in writing of the steps the police department takes to address this constitutional violation and respect the right of conscience of all Bartlett citizens. Thank you for your time and attention to this matter.

Sincerely,



Hirsh M. Joshi
Patrick O'Reiley Legal Fellow
Freedom From Religion Foundation

¹ See ffrf.org/news/news-releases/item/26774-ffrf-hails-speedy-victory-for-constitution-in-texas.



BARTLETT POLICE DEPARTMENT



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