

# FREEDOM FROM RELIGION *foundation*

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November 11, 2024

**SENT VIA EMAIL & U.S. MAIL: [sandra.ashcraft@shelbycoky.com](mailto:sandra.ashcraft@shelbycoky.com)**

Sandra Ashcraft  
Shelby County Jailer  
Shelby County Detention Center  
1000 Bobby Waits Lane  
Shelbyville, KY 40065

Re: Unconstitutional government-sponsored baptism

Dear Ms. Ashcraft:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding an ongoing constitutional violation at the Shelby County Detention Center. FFRF is a national nonprofit organization with about 40,000 members across the country, including members and a local chapter in Kentucky. 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 concerned community member reported that the Shelby County Detention Center (the Center) has been baptizing inmates for some time now. It's our understanding that the Center has also developed a close relationship with a church, Awake Ministry, and that the Center allows Awake Ministry's representatives to minister and present to the Center's inmates on a regular basis. Per an October 12, 2024 post from the Center's official Facebook account, almost forty inmates have been baptized at the Center. Please see the enclosed screenshot of the post. Reportedly, the Center has facilitated Awake Ministry developing a significant presence in the Center's programming.

In order to comply with the First Amendment, we ask that the Center cease its promotion of, and official affiliation with, Christianity and Awake Ministry through its pattern and practice of baptizing inmates and permitting Awake Ministry to have an outsized presence at the Center. While the Center may accommodate the free exercise rights of its inmates by providing opportunities for religious worship, the Center and its staff may not organize, promote, or participate in religious events and programs, or promote religion on its social media.

The First Amendment's Establishment Clause prohibits the government from taking action that promotes, favors, or coerces individuals to participate in religion. See, e.g., *Zelman v. Simmons-Harris*, 536 U.S. 639, 648–49 (2002); *Van Orden v. Perry*, 545 U.S. 677, 683 (2005). Further, the Establishment Clause prohibits government sponsorship of religious messages, including via official social media channels. The Supreme Court has said time and time again that the Establishment Clause “mandates government neutrality between religion and religion, and between religion and nonreligion.” *McCreary Cty., Ky. v. ACLU of Ky.*, 545 U.S. 844, 860 (2005).

It is commendable for the Center to facilitate inmates freely exercising their chosen religious or nonreligious beliefs, but it is inappropriate for the Center to organize, participate in, or promote religion

and religious exercises, such as baptisms, in ways that make it appear the government sponsors the religious exercise. By promoting baptisms, allowing Awake Ministry to influence the Center's programming, and celebrating inmates' conversions to Christianity on its official social media, the Center is unconstitutionally favoring religion over nonreligion, and Christianity over all other faiths.

The Center's apparent motive in encouraging inmates to convert to Christianity and promoting inmate baptisms on social media is not to accommodate inmates, but to favor Christianity and coerce inmates to subscribe to a particular religion. The detention center environment is inherently coercive given that inmates are literally a captive audience. Additionally, the Center's religious programming and baptisms are coercive, because inmates who are aware of the Center's promotion of Christianity and entanglement with Awake Ministry will not genuinely feel free to refuse to participate in the Center's religious activities. This is constitutionally impermissible. The government cannot use a county detention center to convert inmates to Christianity.

Government employees can practice their personal religion any way they wish when acting in their personal capacities. However, they are not permitted to use the machinery of the government to promote their personal religion. The Center's actions needlessly marginalize inmates and community members 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.<sup>1</sup>

In order to comply with the First Amendment and to protect the rights of inmates held in the Shelby County Detention Center, we ask that the Center cease promoting religion within the Center and over its official social media channels, and that the Center cease permitting Awake Ministry's representatives to have unique access to the Center and its inmates. The Center cannot constitutionally encourage or promote inmates converting to Christianity or participating in religious exercise. Please inform us in writing of the steps the Center is taking to address this matter so that we may inform our complainant. Thank you for your time and attention.

Sincerely,

A handwritten signature in black ink that reads "Samantha F. Lawrence". The signature is written in a cursive, flowing style.

Samantha F. Lawrence  
*Staff Attorney*  
*Freedom From Religion Foundation*

Enclosure

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<sup>1</sup> Gregory A. Smith, *Religious 'Nones' in America: Who They Are and What They Believe*, Pew Research Center, Jan. 24, 2024, <https://www.pewresearch.org/religion/2024/01/24/religious-nones-in-america-who-they-are-and-what-they-believe/>.



**Shelby County Detention Center** updated their cover photo.



October 12 at 12:10 PM · 🌐

Thank you to all the volunteers who put in countless hours each week to touch the lives of the ones incarcerated at our facility. Each of them spend time teaching and conducting Bible studies for the different religious denominations we have. Almost 40 inmates were baptized.

Disclaimer: Any person pictured herein has signed a media consent form consenting to being photographed.

