

FREEDOM FROM RELIGION *foundation*

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March 24, 2025

SENT VIA FAX & U.S. MAIL: 605-773-4711

The Honorable Larry Rhoden
South Dakota Office of the Governor
500 East Capitol Ave.
Pierre, SD 57501

Re: Good Friday/Easter administrative leave

Dear Governor Rhoden:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to object to your recent announcement that state employees will be granted administrative leave on Good Friday and Easter Monday to “celebrate the resurrection of our good Lord.” FFRF is a national nonprofit organization with more than 42,000 members across the country, including members in South Dakota. 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 South Dakota state employee recently informed us that on March 21, 2025, you sent an email to all state employees announcing administrative leave for Good Friday and Easter Monday, stating that you hope they will “spend time with those [they] love as [they] celebrate the resurrection of our good Lord.”

The employee who reached out to us is not religious and felt deeply alienated by your suggestion that they should “celebrate the resurrection of [a] good Lord” in whom they do not believe. Such a statement from a government official not only presumes religious belief but also excludes and marginalizes employees who do not share that faith.

We urge you to immediately refrain from including religious messaging in official communications as Governor and to ensure that the state does not grant administrative leave in observance of a specific religion’s holy days. Government neutrality on matters of religion is essential to upholding the constitutional principles of church-state separation and ensuring that all South Dakota employees are equally respected.

While we recognize that some government offices close on widely observed holidays, explicitly tying official leave to a religious event—especially in a way that urges state employees to participate in a specific faith practice—crosses a constitutional line.

It is a basic constitutional principle that the government cannot show favoritism towards religion. The First Amendment’s Establishment Clause requires that the government remain neutral between religions, and between religion and nonreligion. *See McCreary Cnty., Ky. v. ACLU 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 Ed. of Ewing*, 330 U.S. 1, 15–16 (1947).

As Governor, you are tasked with upholding the Constitution of the United States, including the First Amendment’s Establishment Clause. By promoting Christianity through official state actions and communications, you do the opposite. You lead a religiously diverse workforce who consist not only of Christians but also Jewish citizens, Muslims, atheists and other non-Christians. When you promote Christianity through your office, you needlessly marginalize state employees who are part of the thirty-seven percent of Americans who are non-Christian, including the nearly one in three Americans who are religiously unaffiliated.¹ You send the message that the state of South Dakota not only prefers those citizens who are religious, but that you prefer those who subscribe to Christianity over all other religions.

We respectfully urge you to immediately refrain from including sectarian messaging in official communications and to ensure that the state does not grant administrative leave in observance of a particular religion’s holy days or instruct its employees to “celebrate the resurrection.” Upholding a clear separation between religion and government is essential to preserving the religious liberty of all South Dakotans, including those who are nonreligious or adhere to faiths other than Christianity.

We would appreciate your prompt attention to this matter and request a response outlining how your office intends to address this concern. Thank you for your time and consideration.

Sincerely,



Christopher Line
Legal Counsel
Freedom From Religion Foundation

¹ Gregory A. Smith, *Religious ‘Nones’ in America: Who They Are and What They Believe*, Pew Research Center, Jan. 24, 2024.