

FREEDOM FROM RELIGION *foundation*

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

February 7, 2020

SENT VIA U.S. MAIL & FAX: (850) 891-4242

Chief Lawrence Revell
Tallahassee Police Department
234 E 7th Avenue
Tallahassee, FL 32303

Re: Religious Swearing-in Ceremony

Dear Chief Revell:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding unconstitutional religious endorsement that occurred during your swearing-in ceremony as Tallahassee Police Chief. FFRF is a national nonprofit organization with more than 30,000 members across the country, including more than 1,500 members and a local chapter in Florida. 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 Tallahassee resident has reported that your swearing-in ceremony on January 6, 2020, was rife with religion. Specifically, it is our understanding that you thanked "my Lord and Savior Jesus Christ," and invited several clergy members to "lay hands" and pray over you.¹ This religious ritual was promoted on the Tallahassee Police Department's Official Facebook page. Please see the enclosed screenshot. We also understand that the ceremony began and ended with prayer led by clergy members.²

Including religious rituals in official government ceremonies and calling upon citizens to pray is coercive and beyond the authority of any government, let alone a law enforcement arm of the government. Citizens should not be made to feel offended, excluded, or like political outsiders because the police department they support with their taxes endorses religion and imposes religious ritual on them. Put simply, you, as chief of the Tallahassee Police Department, misused your governmental power to promote your personal religious beliefs and impose religious ritual on citizens in attendance, regardless of their beliefs.

The Supreme Court has said time and again that "[t]he touchstone for our analysis is the principle that the 'First Amendment mandates governmental neutrality between religion and religion, and between religion and nonreligion.'" *McCreary County, Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005) (quoting *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968)); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985). Moreover, "the preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere." *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 310 (2000) (quoting *Lee*, 505 U.S. at 589). By promoting your personal religious beliefs and imposing prayer on members of the public, you, as police chief, have violated these constitutional limits on government religious endorsement.

Scheduling these religious segments of the ceremony sent the "message to members of the audience who are nonadherents that they are outsiders, not full members of the political community and an

¹ <https://www.wctv.tv/content/news/Lawrence-Revell-officially-sworn-in-as-TPD-Chief-566748401.html>

² <https://www.wxtl.com/news/local-news/lawrence-revell-to-be-sworn-in-as-tpd-police-chief>

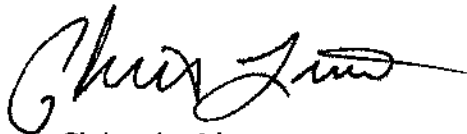
accompanying message to adherents that they are insiders, favored members of the political community.” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309-10 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. at 668) (O'Connor, J., concurring). “This presents a problem . . . because the Establishment Clause prohibits the government from ‘promot[ing] or affiliat[ing] itself with any religious doctrine or organization.’” *Milwaukee Deputy Sheriffs’ Ass’n v. Clarke*, 588 F.3d 523, 528 (7th Cir. 2009) (holding religious speech by a sheriff, bible readings, and distribution of Christian literature during mandatory employee meetings unconstitutional under the Establishment Clause).

Government employees can worship or pray 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. As police chief, you are charged with great responsibility and have been given significant trust by citizens in your community, including those citizens who do not share your religious beliefs.

Furthermore, it is important to note that the U.S. Supreme Court’s decision in *Town of Greece v. Galloway*, permitting sectarian government prayers in certain circumstances, does not apply to law enforcement ceremonies, because police departments are not deliberative legislative bodies. In addition, *Galloway* does not apply to police activities because there is no longstanding “historical precedent” or an “unambiguous and unbroken history” since the First Amendment was ratified of prayers at police department events, unlike prayers at government meetings in other contexts. *See Galloway*, 134 S.Ct. 1811, 1819 (2014).

You must ensure that future Department events are devoid of religious overtones, and that you are not using your position as police chief to promote your personal religious beliefs. Ceremonies and all other police events must remain secular and cannot include prayer or religious endorsements, scheduled or otherwise. The Department must also refrain from promoting religion on social media. Please inform us, in writing, of the steps you are taking to ensure this serious constitutional violation does not recur.

Sincerely,



Christopher Line
Staff Attorney
Freedom From Religion Foundation

Enclosure



City of Tallahassee Police Department

January 6 at 10:45 AM · 🌐

...

Local ministers, faith leaders and department chaplains pray for the community & Chief Revell as he leads our police department forward.

