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June 23, 2010

Mayor John Peyton
117 W. Duval St., Suite 400
Jacksonville, FL 32202

Richard A. Clark
President, Jacksonville City Council
117 West Duval St., Suite 425
Jacksonville, FL 32202

Re: Jacksonville City Council Prayer

Dear Mayor Peyton and Councilman Clark:

As you know, the Jacksonville City Council opens each of its sessions with a sectarian prayer given by Councilman Don Redman, who is the chaplain for the Council during the current fiscal year. All of his prayers at these bi-weekly meetings are Christian-specific. For example, each prayer ends with "In Jesus' name, I pray." The two Council Chaplains prior to Councilman Redman also opened each Council meeting with Christian-specific prayers.

This practice violates the Establishment Clause of the U.S. Constitution and we ask that you discontinue it immediately. "The clearest command of the Establishment Clause is that one religious denomination cannot be officially preferred over another." *Larson v. Valente*, 456 U.S. 228, 244 (1982).

By having a government official who has been designated a chaplain give prayers for the city's legislative body and limiting those prayers to one religious denomination, the City Council sends an unmistakable message that it prefers one faith tradition (Christianity) over other faiths. The Supreme Court has made clear that "legislative prayers that have the effect of affiliating the government with any one specific faith or belief" violate the Establishment Clause. *County of Allegheny v. ACLU Greater Pittsburgh Chapter*, 492 U.S. 573, 603 (1989) (citing *Marsh v. Chambers*, 463 U.S. 783 (1983)).


Apart from its unlawfulness, we ask that you consider the divisive and intolerant effect of the Council's current practice, by which government officials recognize only one faith. In a religiously diverse democracy, citizens of all faiths (or no faith at all) should not be subjected to officially-sponsored religious practices before participating in the affairs of local government.

Accordingly, we ask you to give serious consideration to how the practices of the Jacksonville City Council can, and should, be revised to reflect the diversity of the community. The council's current practice is contrary to law, divisive within the

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community it is supposed to be serving, and subjects the city to liability for violation of the law and attorneys' fees if it is challenged. Please let me know within 30 days whether the City Council will be continuing its current practice described above. If it does implement a change in policy, please consider this a public records request under Florida Statute § 119, et seq. for a copy of the new policy. Thank you for your consideration of this matter.

Sincerely yours,



Glenn M. Katon
Director, Religious Freedom Project