

# FREEDOM FROM RELIGION *foundation*

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April 16, 2021

**SENT VIA EMAIL & U.S. MAIL: [michelle@provo.org](mailto:michelle@provo.org)**

The Honorable Michelle Kaufusi  
Mayor  
Provo City Mayor's Office  
351 W. Center Street  
Provo, UT 84601

Re: Sponsorship of National Day of Prayer event

Dear Mayor Kaufusi:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional concern with the City of Provo's official participation in and sponsorship of several National Day of Prayer events. FFRF is a national nonprofit organization with more than 35,000 members across the country, including members in Utah. 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 Provo resident has reported that the City of Provo is participating in, sponsoring, and endorsing several National Day of Prayer events. Our complainant reports that the City intends to participate in "Lights of Hope" by shining its emergency spotlights up into the sky on May 6, 2021. It is our understanding that the "Lights of Hope" event is part of a larger event, America's Freedom Festival, which is an event that is sponsored by the City of Provo. We understand that America's Freedom Festival includes several religious events celebrating the National Day of Prayer, including the "Lights of Hope" event, a "Utah Valley National Day of Prayer" event, and a "Mayor's Prayer Breakfast."

As you may be aware, the National Day of Prayer is a sectarian event. It originated with the Reverend Billy Graham during his evangelical crusade in Washington, D.C. in 1952. He expressed an openly Christian purpose, seeking an annual prayer proclamation by the President because he wanted "the Lord Jesus Christ" to be recognized across the land. Subsequently, the National Day of Prayer Task Force was created to "communicate with every individual the need for personal repentance and prayer, mobilizing the Christian community to intercede for America and its leadership." The task force issues annual National Day of Prayer proclamations and submits them to the President, choosing a theme with supporting scripture from the bible. This year's theme is "Lord Pour Out Your Love, Life, and Liberty" based upon the New Testament verse 2 Corinthians 3:17.

In its announcement of the theme for 2021, the task force reveals that its idea of “love, life, and liberty” amounts to religious assimilation through proselytization. It writes<sup>1</sup>:

Everyone needs to know that they were created by God and that He loved them so much He put His image in them and authored their value and purpose that no person can take away from them. As followers of Jesus we must come together in obedient unity and love that spreads God’s glory across the earth. We must share this message of love and life, so that our neighbors, co-workers, classmates – so that all the world would come to repentance, that NONE may perish and know the LIBERTY, the freedom from the stain and shame of sin. Everyone can have freedom ring in their hearts, liberty that pronounces you, “NOT GUILTY” from the One true Judge. God alone knows your heart, knows everything about you; everything you have thought, done and had done against you. God alone is our judge and in Christ alone, we experience authentic, eternal LIBERTY.

The task force has a Statement of Faith that is exclusive to Christians, including that “The Holy Bible is the inspired, only, infallible, authoritative Word of The Living God” and a belief in “the spiritual unity of believers in our Lord Jesus Christ.”<sup>2</sup>

We ask that Provo drop its support for this divisive, evangelistic vision for America and cease participating in or sponsoring National Day of Prayer events.

The City of Provo’s planning and participation in several National Day of Prayer events poses constitutional concerns. The Establishment Clause of the First Amendment prohibits the government from organizing or endorsing a religious event. As the Supreme Court has put it, the Establishment Clause “mandates government neutrality between religion and religion, and between religion and nonreligion.” *McCreary Cty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Ark.*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947). The City’s official sponsorship and participation in this National Day of Prayer event, which is advertised by the City and uses City resources, creates the appearance of favoritism toward Christians.

In 2002, a federal court enjoined a city and mayor from organizing, advertising, promoting or endorsing a prayer breakfast. *Newman v. City of East Point*, 181 F. Supp. 2d 1374 (N.D. Ga. 2002). In that case, the court restricted the use of city funds, employees, resources and supplies in facilitating the Mayor’s Prayer Breakfast. *See id.* As a result of the city’s activities (making and sending invitations, issuing press releases, advertising the event, etc.), the court stated, “an objective observer would most certainly conclude that the City of East Point has endorsed religion, specifically Christianity, by its actions.” *Id.* at 1381.

Legal arguments aside, participating in and promoting these events is unnecessarily divisive. The events send the message that the City not only prefers religion over non-religion, but also

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<sup>1</sup> [https://www.nationaldayofprayer.org/introducing\\_the\\_national\\_day\\_of\\_prayer\\_2021\\_theme](https://www.nationaldayofprayer.org/introducing_the_national_day_of_prayer_2021_theme).

<sup>2</sup> *Statement of Faith*, NATIONAL DAY OF PRAYER TASK FORCE (last visited Apr. 16, 2021), [www.nationaldayofprayer.org/statement\\_of\\_faith](http://www.nationaldayofprayer.org/statement_of_faith).

Christianity over all other faiths. It alienates non-Christians in Provo by turning them into political outsiders in their own community. The National Day of Prayer is explicitly designed to exclude the 24% of Americans who are nonreligious and, more broadly, the 30% of Americans who are non-Christian.<sup>3</sup>

We hope you'll agree that the City of Provo should strive to appear equally welcoming of all residents, regardless of whether they are Christian, practice a minority religion, or are nonreligious. The City must refrain from further organization, participation in, and promotion of religious events. Please inform us in writing of the steps taken to respect the right of conscience of all Provo residents and to send a message that is inclusive of the minority religious and nonreligious among you.

Sincerely,



Christopher Line  
Staff Attorney  
Freedom From Religion Foundation

Cc: Provo City Council via **Council@provo.org**

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<sup>3</sup> Robert P. Jones & Daniel Cox, *America's Changing Religious Identity*, PUBLIC RELIGION RESEARCH INSTITUTE (Sept. 6, 2017), available at [www.prri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf](http://www.prri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf).