



February 19, 2020

**Sent Via Fax (850-891-4242) and U.S. Mail**

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

Re: Religion at Swearing-in Ceremony

Dear Chief Revell:

I have the honor of serving as the Executive Director of the Congressional Prayer Caucus Foundation. The Foundation serves nearly 100 members of Congress who are part of the Congressional Prayer Caucus (the names of those members of Congress who serve on the Congressional Prayer Advisory Team are listed on the left). In addition, the Foundation serves a network of Legislative Prayer Caucuses in 41 states, including Florida, which has over 1,000 state senators and state representatives as members. These leaders are working together to preserve the integrity of our founding principles and to protect First Amendment rights for all.

We recently learned that an attorney for the Freedom from Religion Foundation ("FFRF") sent you a letter dated February 7 objecting to the free exercise of religion displayed at your swearing-in ceremony on January 6. FFRF in its letter complained that the ceremony began and ended in prayer, and that several clergy members were invited to "lay hands" and pray over you at the ceremony. FFRF claimed that "including religious rituals in official government ceremonies and calling upon citizens to pray is coercive and beyond the authority of any government," and that this action was a misuse of "your governmental power to promote your personal religious beliefs and impose religious ritual on citizens in attendance, regardless of their beliefs."

We reviewed the cases cited by the FFRF lawyer, and none of them concern religious activities at a swearing-in ceremony or an inauguration. The Milwaukee Deputy Sheriffs' Assn v. Clarke case is noteworthy, but only because

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the sheriff held Bible readings and distributed Christian literature at mandatory employee meetings. We assume that you did not require anyone to attend your swearing-in ceremony.

FFRF's position is laughable when one considers the history and tradition of inaugural services. Scripture was read and prayers said at every presidential inauguration in memory, and every President has invoked the name of God. Congress has placed the name of God on our public money, urges us to pray to God on behalf of our nation every year, and the President was at the recent Prayer Breakfast in Washington. *Laus Deo*, meaning "Praise be to God", is engraved upon the aluminum capstone of The Washington Monument, and inside the monument, there are a number of memorial stones with scriptural engravings from the Old and New Testaments. Similarly, the walls of the Library of Congress have inscribed upon them Psalm 19:1 ("The heavens declare the glory of God, and the firmament showest His handiwork"); John 1:5 ("The light shineth in the darkness, and the darkness comprehendeth it not"); and Micah 6:8 ("What does the Lord require of thee, but to do justly and love mercy and walk humbly with thy God?").

America's religious heritage is literally etched into our collective memory as a nation, from the federal level to our counties, cities, and towns. Though atheists may desire to remove every cross from every military cemetery and every religious reference upon our monuments and buildings, such hostility to religion is contrary to our nation's Founders, our Constitution, and the will of our people. As the U.S. Supreme Court stated well in *Zorach v. Clauson*, 343 U.S. 306, 314 (1952): "[W]e find no constitutional requirement which makes it necessary for government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influence."

We realize that it can be somewhat intimidating to receive a letter citing many Supreme Court and other federal court cases. A case perhaps "inadvertently" omitted by FFRF was the 2005 case of *Van Orden v. Perry*, 545 U.S. 677, in which Chief Justice Rehnquist for the Court wrote the following about the religious heritage of our country on display on public grounds:

Such acknowledgments of the role played by the Ten Commandments in our Nation's heritage are common throughout America. We need only look within our own Courtroom. Since 1935, Moses has stood, holding two tablets that reveal portions of the Ten Commandments written in Hebrew, among other lawgivers in the south frieze. Representations of the Ten Commandments adorn the metal gates lining the north and south sides of the Courtroom as well as the doors leading into the Courtroom. Moses also sits on the exterior east facade of the building holding the Ten Commandments tablets.

Similar acknowledgments can be seen throughout a visitor's tour of our Nation's Capital. For example, a large statue of Moses holding the Ten Commandments, alongside a statue of the Apostle Paul, has overlooked the rotunda of the Library of Congress' Jefferson

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Building since 1897. And the Jefferson Building's Great Reading Room contains a sculpture of a woman beside the Ten Commandments with a quote above her from the Old Testament (Micah 6:8). A medallion with two tablets depicting the Ten Commandments decorates the floor of the National Archives. Inside the Department of Justice, a statue entitled "The Spirit of Law" has two tablets representing the Ten Commandments lying at its feet. In front of the Ronald Reagan Building is another sculpture that includes a depiction of the Ten Commandments. So too a 24-foot-tall sculpture, depicting, among other things, the Ten Commandments and a cross, stands outside the federal courthouse that houses both the Court of Appeals and the District Court for the District of Columbia. Moses is also prominently featured in the Chamber of the United States House of Representatives. . . .

These displays and recognitions of the Ten Commandments bespeak the rich American tradition of religious acknowledgments. Of course, the Ten Commandments are religious—they were so viewed at their inception and so remain. The monument, therefore, has religious significance. According to Judeo-Christian belief, the Ten Commandments were given to Moses by God on Mt. Sinai. But Moses was a lawgiver as well as a religious leader. And the Ten Commandments have an undeniable historical meaning, as the foregoing examples demonstrate. Simply having religious content or promoting a message consistent with a religious doctrine does not run afoul of the Establishment Clause. 545 U.S. at 688-89.

In pursuing a "heckler's veto" for the religious aspects of your swearing-in ceremony, FFRF is attempting to convince you and others that your rights guaranteed under the First Amendment and the Florida Constitution are only private rights that must be hid under a bushel.

Public celebration of religion by public officials is, however, very consistent with our nation's history and tradition. On the National Day of Prayer, many official government proclamations, prepared by paid government staff, cascade out of government offices (perhaps including yours in the future) -- from the White House all the way down to local city halls. They frequently are placed on public web sites. From the earliest beginnings of this nation, we have honored the role of prayer and depended upon it in good times and bad.

On national holidays, inauguration days, and on other momentous occasions, presidents and governors have often presented the nation with a message from Scripture or have called upon the nation to seek God's favor, protection, and mercy. Nationally, it began with President George Washington, but such religious messages from public officials had long been part of American history since colonial times.

President Washington, as an example, proclaimed a day of Thanksgiving and urged all Americans to honor God. Acting officially as the President, he issued a presidential proclamation asking all Americans to devote themselves “to the service of that great and glorious Being who is the beneficent author of all the good that was, that is, or that will be,” to “unite in rendering unto Him our sincere and humble thanks for His kind care and protection of the people of this country previous to their becoming a nation,” and “to pardon our national and other transgressions . . . .” This proclamation was printed by government printing presses and distributed by government employees, as were similar proclamations of other presidents to our present day.

During the depths of the greatest crisis our nation experienced, President Lincoln implored American citizens to confess their sins and seek God’s mercy through prayer:

[I]t is the duty of nations as well as of men to own their dependence upon the overruling power of God, to confess their sins and transgressions in humble sorrow, yet with assured hope that genuine repentance will lead to mercy and pardon, and to recognize the sublime truth, announced in the Holy Scriptures and proven by all history, that those nations only are blessed whose God is the Lord.

[Presidential Proclamations for Thanksgiving and Prayer can be found at <http://www.whatsoproudlywehail.org/curriculum/the-american-calendar/thanksgiving-day-proclamations-1789-present>]

If we can be of any service to you on this issue, feel free to contact us. We have First Amendment lawyers on staff who will work with you, without charge, if you need their services. To protect our freedom, we must exercise that freedom, and it is encouraging to see your leadership in our First Amendment freedoms.

May God bless you and the great citizens of Tallahassee.

Sincerely,

A handwritten signature in cursive script that reads "Lea Carawan".

Lea Carawan

Executive Director

Congressional Prayer Caucus Foundation

National Strategic Center