

FREEDOM FROM RELIGION *foundation*

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April 9, 2021

The Honorable Kim Reynolds
Governor of Iowa
1007 East Grand Avenue
Des Moines, IA 50319

Re: Raising Funds for Christian School Using Government Office

Dear Governor Reynolds:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding serious constitutional concerns with an upcoming auction taking place tomorrow. FFRF is a national nonprofit organization with more than 35,000 members across the country, including members in Iowa. 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 Iowa resident has reported that on April 10, 2021, you are helping a faith-based school raise money by allowing it to auction off a dinner with you at the governor's mansion.¹ It is our understanding that, as part of the fundraising effort, Des Moines Christian School is soliciting online bids on a dinner-for-eight package with you and your husband at your official residence, Terrace Hill.² We understand that Des Moines Christian School's mission is to nurture graduates who are "servant-hearted leaders" and "passionate apprentices of Christ," and that donors to the gala are told their contributions represent an investment in the school's effort to "impact the world for Christ!"³

While your charitable goals are commendable, the evangelical mission of Des Moines Christian School makes it a poor choice for endorsement by a government official. You may not use your position as governor or the governor's mansion in order to fundraise for a private religious school. Our Constitution's Establishment Clause—which protects Americans' religious freedom by ensuring the continued separation of religion and government—dictates that the government cannot in any way endorse religion. As the Supreme Court has put it, "the First Amendment mandates governmental neutrality between religion and religion, and between religion and nonreligion." *McCreary Cty. v. ACLU*, 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 Educ. of Ewing*, 330 U.S. 1, 15-16 (1947). We request assurances that you will not use your position as governor, or any government resources to financially support or endorse organizations with religious missions again in the future.

The Establishment Clause of the First Amendment prohibits the government from funding religious worship and proselytization. *See, e.g., Comm. For Pub. Educ. & Religious Liberty v. Nyquist*, 413 U.S.

¹<https://iowacapitaldispatch.com/2021/04/08/governor-auctions-off-dinner-at-terrace-hill-to-benefit-christian-school/>

² *Id.*

³ *Id.*

756, 778–79 (1973) (striking down government-subsidized maintenance and repair of nonpublic schools); *Tilton v. Richardson*, 403 U.S. 672, 689 (1971) (holding that a 20-year ban on religious use of a taxpayer-funded building did not go far enough to ensure the grant would not advance religion); *Lemon v. Kurtzman*, 403 U.S. 602, 625 (1971) (holding that government aid to nonpublic education impermissibly entangled the government with religion, even when limited to secular subjects); *Wirtz v. City of S. Bend*, 813 F.Supp.2d 1051, 1068 (N.D. Ind., 2011) (holding that a grant to a private religious school was unconstitutional). You may not use your public position and publicly-funded residence in order to raise funds for a Christian school that will use the funds to “impact the world for Christ!”

Non-religious Americans make up the fastest growing segment of the U.S. population by religious identification – 35 percent of Americans are non-Christians,⁴ and this includes the more than one in four Americans who now identify as religiously unaffiliated.⁵ Using your public office to raise funds to advance Christianity “sends the ancillary message to . . . nonadherents ‘that they are outsiders, not full members of the political community, and an 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, 309-310 (2000) (quoting *Lynch v. Donnelly*).

The separation between state and church is one of the most fundamental principles of our system of government. The Supreme Court has specifically stated, “If there is any fixed star in our constitutional constellation, it is that **no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.**” *West Virginia Board of Education v. Barnette*, 319 U.S. 624, 642 (1943) (emphasis added). When a governor auctions off a dinner with her in the governor’s mansion in order to raise money for a private Christian school, reasonable citizens will interpret this as government endorsement of religion.

We request assurances that you will not use your position as governor, or any government resources to financially support or endorse organizations with religious missions again in the future.

Sincerely,



Christopher Line
Staff Attorney
Freedom From Religion Foundation

⁴ *In U.S., Decline of Christianity Continues at Rapid Pace*, PEW RESEARCH CENTER (Oct. 17, 2019), available at <https://www.pewforum.org/2019/10/17/in-u-s-decline-of-christianity-continues-at-rapid-pace/>.

⁵ *Id.*