

# FREEDOM FROM RELIGION *foundation*

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June 14, 2018

**SENT VIA U.S. MAIL AND EMAIL TO: [bonnie.hommrich@tn.gov](mailto:bonnie.hommrich@tn.gov)**

Ms. Bonnie Hommrich  
Commissioner  
Tennessee Department of Children's Services  
315 Deaderick Street  
USB Tower, 10<sup>th</sup> Floor  
Nashville, TN 37243

Re: Religious Endorsement in Required DCS Training Video

Dear Commissioner Hommrich:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding constitutional concerns over the Department of Children's Services (DCS) endorsing religion to those wishing to become foster parents. FFRF is a national nonprofit organization with 33,000 members across the country, including members in Tennessee and a local chapter, FFRF East Tennessee. 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 Tennessee resident who went through training to become a foster parent reported that the Department of Children's Services requires aspiring foster parents to watch a video called "Characteristics of Resource Parents" that includes a segment called, "Spirituality." The segment opens by explaining that "the challenges of adding additional children to your family can seem overwhelming at times and not only will you need to have resources in place but also a belief in something greater than you that you can go to for peace and comfort..." This introduction is followed by clips of foster parents discussing the importance of religion in foster care:

Oh, my spirituality is my everything because being a single parent I have to rely on God.

Prayer is the most important thing. Praying not only for our situation, praying for those biological families, praying for the system that kind of helps govern what goes on on the journey of fostering...

I think it's been good for us to rely on our faith, as well, because there are days that you think I can't get through this, but you know with god that you can. It doesn't matter what your religion is. We know that we can make it through the day because we have somebody that is watching over us.

By requiring potential foster parents to watch a video advocating for religious belief, DCS is impermissibly endorsing religion and violating the Establishment Clause of the First Amendment.

As a government agency, DCS is prohibited from endorsing religion over nonreligion or Christianity over all other faiths. The Supreme Court has said time and again that the "First

Amendment mandates government 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); *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). The “government may not favor religious belief over disbelief.” *Texas Monthly, Inc. v. Bullock*, 489 U.S. 1, 27-28 (1997) (Blackmun, J., concurring).

“[T]he prohibition against governmental endorsement of religion ‘preclude[s] government from conveying or attempting to convey a message that religion or a particular religious belief is favored or preferred.’” *Cnty. of Allegheny v. ACLU Greater Pittsburgh Chapter*, 492 U.S. 573, 593 (1989) (quoting *Wallace v. Jaffree*, 472 U.S., at 70, (O’Connor, J., concurring)). This required video conveys a preference by DCS for foster parents to have religious beliefs by implying that a belief in a higher power is necessary to be a foster parent. This alienates the 24% of Americans who are not religious.<sup>1</sup>

We ask that DCS discontinue using the portion of its training video that endorses religion. Please respond in writing with the steps DCS will take to abide by its constitutional obligation to remain neutral toward religion while carrying out its secular mission. Thank you for your time and attention to this matter.

Sincerely,



Christopher Line  
*Patrick O’Reiley Legal Fellow*  
*Freedom From Religion Foundation*

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<sup>1</sup> Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, PUBLIC RELIGION RESEARCH INSTITUTE (Sept. 6, 2017), available at [www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf](http://www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf).