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ACLU of Georgia Asks Court to End Religious Favoritism at Cobb County Public Meetings

FOR IMMEDIATE RELEASE
August 10, 2005

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ATLANTA – Today, the American Civil Liberties Union of Georgia filed a federal lawsuit on behalf of five Cobb County residents who are seeking to keep legislative prayers made at county meetings free of references to specific religious denominations.

“Cobb County is a diverse county and citizens of all religions and non-religion should be welcome at government meetings,” said Maggie Garrett, a staff attorney with the ACLU and counsel in this case. “If the County chooses to begin its meetings with a legislative prayer, it should not show a bias for one particular faith over another.”

The Cobb County Commission and Planning Commission regularly invite members of the clergy to begin their sessions and hearings with a prayer. Although the courts have repeatedly ruled that legislative prayers must be nonsectarian, the ACLU states in the lawsuit that the overwhelming majority of prayers at the meetings are given by Christian clergy and are made in the name of Jesus Christ. For example, the Pastor at the June 7, 2005 Planning Commission meeting stated: “We pray that the spirit of Jesus Christ, our Lord and Savior will direct everything that is said and done in this place today.” And, he ended the invocation stating that “these things we ask together in the name of Jesus Christ our Lord and Savior, we pray, amen.”

One of the residents represented in the lawsuit, Gary Pelphrey, has lived in Cobb County for 28 years. As a Christian and a taxpayer, Pelphrey said he believes that the government should not be invoking Jesus Christ during commission meetings.

“The sectarian references send the message that I, as a Christian, am somehow more American, or more Cobb Countian than Cobb citizens who hold different religious beliefs,” said Pelphrey. “The government should not be making those judgments.”

Another resident represented in the lawsuit, Ed Buckner, has lived in Cobb County for 30 years and has to attend county meetings because he is an officer of a local political party. Buckner objects to the exclusively Christian prayers because they make him feel unwelcome at his own government meetings.

“Each time I go to a government meeting, it is clear that I, as a non-Christian, am not a full part of the political process,” Buckner said.

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The ACLU said that it is filing the lawsuit after spending more than a year trying to work with the county to resolve the issue. Recently, in a similar case brought in South Carolina, the Fourth Circuit Court of Appeals held in *Wynne v. Great Falls* that sectarian references in legislative prayers violated the First Amendment of the United States Constitution. In that case, the court ruled that the town council had “improperly exploited a prayer opportunity to advance one religion over others.”

Today’s case was filed in United States District Court for the Northern District of Georgia, Atlanta Division.

A copy of the complaint is online at: www.acluga.org

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