

ACLU Defense of Religious Practice and Expression

The ACLU vigorously defends the rights of all Americans to practice their religion. But because the ACLU is often better known for its work preventing the government from promoting and funding selected religious activities, it is sometimes wrongly assumed that the ACLU does not zealously defend the rights of all religious believers to practice their faith. The actions described below – over half of which were brought on behalf of self-identified Christians, with the remaining cases defending the rights of a wide range of minority faiths – reveal just how mistaken such assumptions are. (The list below includes examples from the past decade only.)

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The ACLU of New Mexico (2012) filed a lawsuit on behalf of two Christian street preachers who were arrested multiple times for exercising their First Amendment rights by preaching in public.

<http://aclu-nm.org/aclu-sues-roswell-for-violating-christian-preachers%E2%80%99-right-to-free-speech/2012/04/#.T4wzkIVURLM.email>

The ACLU and the ACLU of Texas (2012) filed a brief in support of an observant Jewish prisoner's right to receive kosher meals.

<http://www.aclu.org/religion-belief/moussazadeh-v-tdcj-amicus-brief>

The ACLU of Texas (2011) opposed a public high school's policy prohibiting students from wearing visible rosaries and crosses in the Brownsville Independent School District.

<http://www.aclutx.org/2011/11/18/aclu-of-texas-demands-brownsville-isd-disclose-policies-banning-rosaries-and-crosses-at-school/>

The ACLU of Nebraska (2011) opposed a policy at Fremont Public School that would prevent students from wearing Catholic rosaries to school.

<http://www.aclunebraska.org/index.php/religious-liberty/127-that-gang-of-nuns-looks-pretty-dangerous>

The ACLU of Virginia (2011) defended the free religious expression of a group of Christian athletes in Floyd County High School who had copies of the Ten Commandments removed from their personal lockers.

<http://www2.wsls.com/news/2011/feb/25/aclu-virginia-defends-floyd-co-high-school-christi-ar-867856/>

The ACLU and the ACLU of Southern California (2011) filed a lawsuit on behalf of a Sikh inmate who has faced multiple disciplinary sanctions for refusing to trim his beard on religious grounds. Keeping unshorn hair is one of the central tenets of the Sikh faith.

<http://www.aclu.org/prisoners-rights-religion-belief/aclu-files-lawsuit-behalf-california-inmate-subjected-baseless-reli>

The ACLU of Connecticut (2011) filed a lawsuit on behalf of a Naval officer who sought recognition as a conscientious objector because of his Christian convictions against war. After a period of intense religious study, reflection, and prayer, he had come to realize that his religious beliefs were in conflict with his military service. The officer's request was subsequently granted and he received an honorable discharge.

<http://www.acluct.org/legal/religiousliberty/navalofficerwinscodischarg.htm>

http://www.nytimes.com/2011/02/23/nyregion/23objector.html?_r=1&scp=2&sq=ACLU&st=cse

The ACLU of Southern California (2011) filed a lawsuit against the FBI alleging that an agent had infiltrated a California mosque and violated the constitutional rights of hundreds of Muslims by targeting them for surveillance because of their religion.

<http://www.aclu-sc.org/releases/view/103067>

<http://www.washingtonpost.com/wp-dyn/content/article/2011/02/22/AR2011022206975.html>

The ACLU of Colorado (2010) supported the rights of students in Colorado Springs School District 11 to wear crosses, rosaries, and other religious symbols. A middle school had announced a policy forbidding students from wearing certain Christian symbols unless they were worn underneath their clothing.

<http://aclu-co.org/news/aclu-supports-students-right-of-religious-freedom>

The ACLU and the ACLU of Kentucky (2010) appealed the denial of a zoning permit for a Muslim prayer space in Mayfield. After ACLU involvement, the permit was granted.

<http://www.aclu.org/religion-belief/muslim-prayer-space-granted-permit-kentucky>

The ACLU of San Diego and Imperial Counties (2010) wrote a letter in support of a church in El Centro, California, that was prohibited from relocating to a building in the downtown district.

http://www.aclusandiego.org/news_item.php?article_id=001086

The ACLU of Washington (2010) sued the Pierce County Jail in Tacoma, Washington, for religious discrimination against two Muslims who were forbidden from participating in group prayer, denied dietary accommodations, and refused religious clothing.

<http://blog.thenewtribune.com/crime/2010/09/22/two-men-sue-pierce-county-claiming-jail-discriminates-against-muslims/>

The ACLU and the ACLU of Georgia (2010) sued the City of Douglasville on behalf of a devout Muslim woman who was restrained, arrested, and jailed for several hours after refusing to remove her religious head covering.

<http://www.aclu.org/religion-belief-womens-rights/aclu-files-lawsuit-behalf-muslim-woman-forced-remove-head-covering-geo>

The ACLU of Florida (2010) filed a lawsuit on behalf of a local homeless ministry, the First Vagabonds Church of God, challenging an Orlando ordinance that prohibits service

of food to groups in the same public park more than twice per year. The U.S. Court of Appeals for the Eleventh Circuit eventually enjoined the city from enforcing the ordinance, allowing the church to resume providing food to the homeless.

http://www.aclufll.org/news_events/?action=viewRelease&emailAlertID=3668

<http://www.orlandosentinel.com/news/local/breakingnews/os-homeless-feeding-ruling-20100831,0,6714611.story>

The ACLU and the ACLU of Texas (2010) filed a brief in the U.S. Supreme Court in support of a Texas state prisoner seeking damages after prison officials denied him the opportunity to participate in Christian worship services.

<http://www.aclu.org/prisoners-rights-religion-belief/christian-prisoner-entitled-seek-monetary-damages-violation-his-rel>

The ACLU of Alaska (2010) advised the Alaska Department of Education to respect the religious freedom of Russian Old Believer families by arranging alternate testing dates for the High School Graduation Qualifying Exam, which conflicts with Holy Week for Russian Old Believer students. Students may now take the test on different testing dates.

<http://www.akclu.org/NewsEvents/High-School-Qualifying-Exam-Testing-10-02-17.pdf>

The ACLU and the ACLU of Maryland (2010) filed an amicus brief in the U.S. Court of Appeals for the Fourth Circuit on behalf of Steven Kanai, a conscientious objector who self-identified as a Christian but also found meaning in the non-violent and compassionate teachings of Buddhism.

<http://www.blhny.com/docs/Kanai%20AmicusBrief%20for%20ACLU%20ACLU%20MD.pdf>

The ACLU of Maryland (2010) came to the defense of a practicing Muslim woman who was denied a foster care license simply because she does not allow pork products in her home. The woman was fully qualified and made clear that she allows foster children to worship as they please.

<http://www.aclu.org/blog/religion-belief/pork-or-parents>

The ACLU, its national chapter in Puerto Rico, and its affiliates in New Hampshire, Maine, Massachusetts, and Rhode Island (2010) filed a friend-of-the-court brief opposing restrictive laws that effectively ban Jehovah's Witnesses from freely expressing their faith on the streets of Puerto Rico. The brief supports a challenge by the Witnesses to Puerto Rico statutes authorizing local neighborhoods to deny citizens access to public residential streets.

<http://www.aclu.org/religion-belief/aclu-brief-affirms-right-jehovahs-witnesses-carry-out-public-ministry>

The ACLU of Arizona (2010) successfully challenged a Maricopa County policy restricting religious head coverings worn by detainees and inmates in county custody. The ACLU of Arizona brought the case on behalf of a Muslim woman who was denied

the right to wear a head scarf while detained by the Maricopa County Sherriff's Office. MCSO now allows Muslim women to wear head scarves during the intake and booking process after a brief initial search.

http://www.acluaz.org/press_releases/2_4_10.html

The Maine Civil Liberties Union (2009) filed suit against the City of Portland on behalf of the Portland Masjid and Islamic Center, a group of Muslims seeking to use a former television repair shop they had purchased for prayer services and religious study. In response, Portland amended its land-use ordinance, and the Portland Planning Board granted approval to the project. The new mosque will primarily serve as a religious and cultural center for Muslim families who came to this country from Afghanistan fleeing religious persecution following invasion of their country by the Soviet Union.

<http://www.aclu.org/blog/content/mosque-maine>

The ACLU of Maryland (2009) successfully settled a lawsuit on behalf of a Christian ministry for the homeless in the town of Elkton, Maryland, which had purchased a site for a religious day center to help the local community through job training, food, showers, and religious services. Though the site is legally zoned for the use of churches and centers that provide those services, the zoning board had refused to recognize the religious nature of the center, placing unreasonable limitations on the ministry. The ACLU of Maryland reached a favorable settlement with the town, affirming the church's right to operate its day center for the homeless.

<http://aclu-md.org/aPress/Press2009/themeetinggroundsettlement.html>

<http://www.aclu-md.org/legal/Legal.html#Anchor-RELIGION-48213>

The ACLU and the ACLU of the National Capital Area (2009) filed suit on behalf of a young Quaker whose religious beliefs prevent him from registering for the draft without some official way to record his claim of conscientious objection in the registration process. He is a birthright Quaker and does not believe that he can offer himself as a candidate for the military.

[http://www.washingtonpost.com/wp-](http://www.washingtonpost.com/wp-dyn/content/article/2009/07/29/AR2009072902625.html)

[dyn/content/article/2009/07/29/AR2009072902625.html](http://www.washingtonpost.com/wp-dyn/content/article/2009/07/29/AR2009072902625.html)

The ACLU and the ACLU of New Jersey (2009) filed a successful lawsuit on behalf of a New Jersey prisoner – an ordained Pentecostal minister – to restore his fundamental right to preach to other inmates. The minister had preached at weekly Christian worship services at the New Jersey State Prison in Trenton, New Jersey for more than a decade when prison officials suddenly banned that activity without any justification. As a result of the ACLU lawsuit, state officials agreed to allow the minister to resume preaching and teaching Bible study classes under the supervision of prison staff.

<http://www.aclu.org/religion-belief/ordained-pentecostal-minister-can-preach-prison-after-aclu-lawsuit>

The ACLU of Florida (2009) filed a lawsuit on behalf of two families from the Dove World Outreach Center, defending their constitutional right to express themselves in

public school with t-shirts stating, “Islam is of the devil.” The suit claims that the school has been inconsistent in enforcing restrictions on free speech.

<http://www.gainesville.com/article/20091124/ARTICLES/911241001/1118?Title=ACLU-files-suit-over-Devil-shirts&tc=autorefresh>

The ACLU of Michigan (2009) filed a friend-of-the-court brief on behalf of the First Baptist Church of Ferndale after local residents cited a zoning ordinance to prevent the church from providing social services to the poor and homeless on church property. The ACLU argued that zoning boards may not burden the free exercise of religion simply because neighbors object. The Oakland County Circuit Court denied the request of the residents, allowing the church to continue providing services.

<http://www.dailytribune.com/articles/2009/09/25/news/srv0000006478506.txt>

The ACLU of Tennessee (2009) came to the defense of a group of student teachers who conduct church services with the homeless in a public park. The ACLU successfully negotiated with the Metro Board of Parks and Recreation to revise a policy that had unfairly blocked religious groups’ regular use of park space.

<http://www.aclu.org/religion-belief/aclu-tn-successfully-advocates-behalf-student-preachers>

The ACLU and the ACLU of Virginia (2009) argued against the censorship of religious materials being sent to detainees in the Rappahannock Regional Jail. The ACLU wrote a letter to the superintendent of the jail, asking that the jail stop removing Christian-themed materials and biblical passages from letters written to detainees. As a result of ACLU involvement, the prison agreed to change its policies and allow religious mail.

<http://www.aclu.org/prison/restrict/40258prs20090709.html>

The ACLU of Louisiana (2009) argued for the right of Christian preachers to distribute pamphlets at the Breaux Bridge Crawfish Festival. The ACLU wrote a letter to the mayor in support of the preachers, who had been ordered to stop handing out religious material.

<http://content.usatoday.net/dist/custom/gci/InsidePage.aspx?cId=thetowntalk&sParam=30796437.story>

The ACLU of Louisiana (2009) filed a federal lawsuit on behalf of Donald Leger, a devout Catholic and prisoner on death row at Angola State Prison. The lawsuit challenged a prison policy mandating that all televisions on death row be tuned to predominately Baptist programming on Sunday mornings. Under the terms of a settlement in the case, Mr. Leger was able to view Catholic Mass regularly and was permitted private confessional visits with a priest. <http://www.laclu.org/newsArchive.php?id=342#n342>

The ACLU of Texas (2009) filed a friend-of-the-court brief in support of a Christian pastor and his faith-based rehabilitation facility in Sinton, Texas. The ACLU urged the court to reverse a decision that had prohibited the pastor from operating his rehabilitation program near his church and also had sharply limited the reach of the Texas Religious Freedom

Restoration Act. In June 2009, the Texas Supreme Court agreed and ruled in favor of the pastor. <http://aclutx.org/article.php?aid=726>

The ACLU of Maryland (2009) filed discrimination charges with the E.E.O.C. on behalf of three Orthodox medics who were told that they could not ride on calls with the Pikesville Volunteer Fire Company (PVFC) unless they shaved their religiously required beards. The PVFC claimed that the beards might prevent the medics from wearing specialized safety masks that the PVFC hopes to purchase in the future. http://www.aclu-md.org/aPress/Press2009/111009_PVFD.html

The ACLU of Georgia (2009) drafted a policy that was adopted by the Georgia Judicial Council, the policy-making body for Georgia courts, which clarified that religious head coverings can be worn in Georgia courthouses. The ACLU of Georgia advocated for the adoption of this policy after learning about troubling reports of incidents at the Douglasville Municipal Court, where Muslim women were faced with the choice of removing their headscarves or being barred from the courtroom. <http://www.acluga.org/news/2009/07/the-aclu-of-georgia-applauds-adoption-by-the-georgia-judicial-council-of-policy-allowing-for-religious-head-coverings-in-courthouses/>

The ACLU of Delaware (2009) represented the Episcopal Diocese of Delaware in a threatened eviction action against a congregation that was meeting in an elementary school on Sunday mornings. Because the school district permitted a wide variety of other groups to use its facilities, the ACLU wrote to the school district explaining that, as a general rule, public buildings must be made available to religious groups on the same terms that they are made available to the general public. In January 2009, the parties reached an amicable resolution permitting the church to continue using the facilities.

The ACLU of Pennsylvania (2009) filed a lawsuit on behalf of the Shenkel United Church of Christ, objecting to North Coventry Township's refusal to allow the church to house homeless people for one month out of the year. The case is similar to several earlier actions brought by the ACLU on behalf of churches in the Pennsylvania towns of Brookville and Munhall.

<http://www.aclupa.org/pressroom/aclundefendschurchprevented.htm>
<http://www.aclupa.org/pressroom/courtshowdownavertedastown.htm>

The ACLU of Arizona (2009) filed a case on behalf of a Muslim woman who was forced to remove her hijab during booking and overnight detention at the Maricopa County intake jail.

The ACLU of Kentucky (2009) represented several members of the Swartzentruber Amish, an Old Order Amish sect, in an attempt to overturn their criminal convictions for failing to display slow-moving vehicle emblems on their horse-drawn buggies. The Swartzentruber Amish object to displaying the emblems because they perceive them as worldly symbols that are to be avoided.

The ACLU of the National Capital Area (2009) brought suit on behalf of Christian, Muslim, and Jewish firefighters and paramedics who wear beards as a matter of religious observance. The district court agreed with the ACLU that the District of Columbia's policy prohibiting these individuals from wearing beards violated their religious freedom rights, and the Court of Appeals affirmed in 2009.

<http://pacer.cadc.uscourts.gov/common/opinions/200903/07-7163-1168865.pdf>

The ACLU of Arizona (2009) filed a lawsuit on behalf of a Maricopa County Sheriff's Office detention officer who was demoted and eventually forced to leave for failing to abandon his practice of wearing a beard in accordance with his Muslim faith.

http://www.acluaz.org/press_releases/5_29_09.html

The ACLU of Michigan (2008) filed a successful lawsuit on behalf of a Benton Harbor minister who was sentenced to 3 to 10 years in prison for writing an article both criticizing the judge and predicting what God might do to the judge who presided over his case – actions protected by the constitutional guarantees of freedom of speech and religious expression. <http://aclumich.org/issues/free-speech/2009-07/1383>

The ACLU of Southern California (2008) filed suit on behalf of members of a faith-based charity organization after park rangers threatened to arrest the members for serving hot meals and distributing Bibles to the homeless on Doheny State Beach.

<http://www.aclu-sc.org/releases/view/102880>

The ACLU of Louisiana (2008) filed a brief in the U.S. Court of Appeals for the Fifth Circuit supporting an individual's right to quote Bible verses on public streets in Zachary, Louisiana. <http://www.laaclu.org/News/2008/NetherlandAmicus060408.html>

The ACLU of Pennsylvania (2008) filed several declaratory judgment actions to confirm the validity of marriages performed by clergy who do not regularly preach in a church or to a congregation.

The ACLU of North Carolina (2008) assisted an individual who had been banned from riding the bus in Raleigh for reading his Bible aloud. As a result of the ACLU's intervention, he was permitted back on the bus system.

The ACLU and the ACLU of Texas (2008) filed a friend-of-the-court brief in the Texas Supreme Court in support of mothers who had been separated from their children by the Texas Department of Family and Protective Services (DFPS). The DFPS seized more than 450 children from their homes in Eldorado, Texas, following vague allegations about child abuse by some members of the Fundamentalist Church of Jesus Christ of Latter-day Saints. While fully supporting the state's commitment to protecting children from abuse, the ACLU argued that Texas law and the U.S. Constitution required that the children be returned unless the state could provide the requisite evidence of abuse. In May 2008, the Texas Supreme Court unanimously ruled, consistent with the ACLU position, that the state

must return the children to their homes pending further investigation of allegations of abuse.

<http://www.aclu.org/religion/gen/35468prs20080529.html>

<http://www.aclu.org/religion/gen/35500prs20080602.html>

The ACLU and the ACLU of Wyoming (2008) represented a Wyoming prisoner who was prevented from possessing bald eagle feathers, the single most sacred religious symbol of his Native American tribe.

<http://www.aclu.org/religion-belief/aclu-fight-religious-freedom-american-indian-incarcerated-wyoming>

The ACLU of Eastern Missouri (2008) sued the City of Poplar Bluff after the City's public library disciplined a part-time employee who objected to participating in the promotion of a Harry Potter book. The employee, a devout Southern Baptist, had religious objections to the promotion, which she believed encouraged children to worship the occult. The lawsuit argued that the city violated federal law by refusing to accommodate her sincerely held religious beliefs.

<http://www.aclu-em.org/legal/legaldocket/currentcases/smithvthomasetal.htm>

The ACLU of Delaware (2008) came to the defense of a Muslim nurse who was told she could not wear her religious head covering to work at the New Castle County Detention Center. After the ACLU's intervention in the matter, the nurse received her requested religious accommodation.

The ACLU and the ACLU of Texas (2008) came to the defense of a five-year-old Native American boy who was forced into in-school suspension for wearing long braids as an expression of his religious beliefs and cultural heritage. A federal judge ruled that this policy violated the U.S. Constitution and state law, and the school district was required to provide the child an exemption from its restrictive dress code. The case is now on appeal.

<http://www.aclutx.org/article.php?aid=672>

The ACLU of Florida (2007) argued in favor of the right of Christians to protest against a gay pride event held in the City of St. Petersburg. The city had proposed limiting opposition speech, including speech motivated by religious beliefs, to restricted "free speech zones." After receiving the ACLU's letter, the city revised its proposed ordinance.

<http://www.aclufl.org/pdfs/StPeteLetter.pdf>

The ACLU of Oregon (2007) defended the right of students at a private religious school not to be pressured to violate their Sabbath day by playing in a state basketball tournament. The Oregon School Activities Association scheduled state tournament games on Saturdays, the recognized Sabbath of students and faculty of the Portland Adventist Academy. The ACLU argued that the school's team, having successfully made it to the tournament, should not be required to violate their religious beliefs in order to participate.

<http://www.aclu-or.org/content/nakashima-v-board-education>

The ACLU of Colorado (2007) came to the defense of a Jewish law student who needed to reschedule the first day of her bar exam because of a conflict with a day of religious observance. After a letter from the ACLU, she was granted the requested religious accommodation.

<http://www.aclu-co.org/docket/Advocacy/2007/07.00153.sisk.may.htm>

The ACLU of Texas (2007) represented a Texas man who was ordered out of the courtroom by a Justice of the Peace and threatened with arrest when he refused to remove his turban – worn in accordance with his Sikh faith – while defending himself against a traffic citation.

<http://www.aclutx.org/chapters/article.php?aid=506&cid=6>

The ACLU of Michigan (2007) filed a lawsuit in Wayne County Circuit Court against Old Redford Academy, a public charter school in Detroit, for violating a ninth grade student's right to wear his hair long in accordance with a verse in Leviticus. Despite the religious basis for his long hair, the school suspended him and referred him for expulsion for violating its "closely cropped" hair policy. The judge issued an injunction ordering the Academy to let the student return to school.

<http://www.aclumich.org/issues/religious-liberty/2007-10/1232>

The ACLU of West Virginia (2007) sued on behalf of a Church of Jesus Christ of Latter-day Saints (Mormon) university student who won a prestigious scholarship to West Virginia University. Although the state scholarship board provided leaves of absence for military, medical, and family reasons, it denied the ACLU's client a leave of absence to serve on a two-year mission for his church.

http://www.acluwb.org/Newsroom/PressReleases/07_19_07.html

The ACLU of North Carolina (2007) challenged a North Carolina Department of Corrections policy making all religious services in prison English-only, thereby denying access to many inmates. The North Carolina Division of Prisons agreed to review the policy and the need for religious services in languages other than English in the state correctional system.

The ACLU of Colorado (2007) defended the rights of prisoners in the Teller County Jail to receive a proper diet consistent with their religion. After jail officials determined that prisoners would not have "certain religious articles or diets," the ACLU wrote a letter of inquiry which resulted in a revision of the jail's policy to allow for religious accommodation.

<http://www.aclu-co.org/docket/Advocacy/2006/06.0119.snare.htm>

The ACLU of Pennsylvania (2007) came to the defense of a second-grade student who, in response to a class assignment to write a story, submitted a story about Easter and redemption. After the teacher rejected the submission because of its religious content, the ACLU wrote a letter to the school on the student's behalf. The principal and teacher subsequently apologized, and the principal agreed to instruct his teachers on the law.

The ACLU of New Jersey (2007) defended the right of an elementary school student who was prohibited from singing “Awesome God” in a voluntary after-school talent show for which students selected their own material. The ACLU submitted a friend-of-the-court brief. After a favorable settlement was reached for the student, the federal lawsuit was dismissed. <http://www.aclu.org/religion/schools/25799prs20060605.html>

The ACLU and the ACLU of Pennsylvania (2007) prevailed in their case on behalf of an Egyptian Coptic Christian who had been detained and who claimed he had been tortured by the Egyptian government because he refused to convert to Islam. After permitting Sameh Khouzam to stay in the United States for nine years based on evidence that he would probably be tortured if he returned to Egypt, the U.S. government changed its position in 2007 and sought to deport Mr. Khouzam based on diplomatic assurances from the Egyptian government that Mr. Khouzam would not be tortured upon return. As a result of the ACLU’s advocacy, a federal court granted Mr. Khouzam an indefinite stay of deportation to Egypt.

<http://www.aclupa.org/legal/legaldocket/egyptiantorture/courtrejectsdeportationofe.htm>

The ACLU of North Carolina (2007) wrote a letter to the Dismas Charities Community Correction Center on behalf of a former resident who was told he could not drink wine during communion services while confined at the Center. After the ACLU advised the Center of its obligations under the Religious Land Use and Institutionalized Persons Act of 2000, the Center revised its communion policy to comply with federal law.

The ACLU of Colorado (2007) came to the defense of a Seventh-Day Adventist who was being refused a religious diet in prison. After the ACLU communicated with prison authorities on the prisoner’s behalf, the diet was provided.

<http://www.aclu-co.org/docket/Advocacy/2006/06.1021.wise.htm>

The ACLU of Georgia (2007) filed a federal lawsuit to help obtain a zoning permit for a house of worship on behalf of the Tabernacle Community Baptist Church after the city of East Point denied the request. The city has since repealed the ordinance and churches are now allowed to occupy buildings that were previously used for commercial purposes.

<http://www.aclu.org/religion/discrim/25518prs20060419.html>

<http://www.acluga.org/press.releases/0707/church.east.point.html>

The ACLU of Delaware (2007) prevailed in a lawsuit brought on behalf of Christians, pagans, and Wiccans, alleging that a department store violated a Delaware public accommodations law by canceling community courses after individuals complained about the religious beliefs that were being taught in the centers.

The ACLU of Eastern Missouri (2007) represented Shirley L. Phelps-Roper, a member of the Westboro Baptist Church, whose religious beliefs led her to condemn homosexuality as a sin and insist that God is punishing the United States. The protests in which she has been involved have been confrontational and have involved funerals of soldiers killed in

Iraq. While the ACLU does not endorse her message, it does believe that she has both religious and free-speech rights to express her viewpoint criticizing homosexuality. The Supreme Court recently refused to overturn a court of appeals decision in Phelps-Roper's favor. <http://www.aclu.org/freespeech/protest/26265prs20060721.html>

The ACLU of North Carolina (2007) assisted with the naturalization of a Jehovah's Witness who was originally denied citizenship based on his conscientious refusal to swear an oath that he would be willing to bear arms on behalf of the country.

The ACLU of Rhode Island (2007) prevailed in its arguments on behalf of a Christian inmate, Wesley Spratt, who had been preaching in prison for over seven years before administrators told him to stop based on vague and unsubstantiated security concerns. After the ACLU prevailed in the Court of Appeals, the parties reached a settlement under which Mr. Spratt is free to preach again.

http://www.projo.com/news/content/Preacher_07-31-07_T76IHBQ.34294dd.html

The ACLU and the ACLU of Southern California (2007) filed suit on behalf of Jameelah Medina, a Muslim woman who was forced by local deputies to remove her religious head covering while she was in custody in San Bernardino County's West Valley Detention Center. Despite her repeated requests to keep her head covered during her day-long incarceration, Medina was forced to remove her hijab in the presence of men she did not know and to remain uncovered for much of the day. In October 2008, the county agreed to adopt a policy accommodating the right of Muslim women to wear headscarves in accordance with their religious beliefs.

<http://www.aclu.org/womensrights/gen/35300res20071206.html>

The ACLU of North Carolina (2007) won its lawsuit against the state of North Carolina to permit witnesses at trial to take oaths on the religious scriptures of their own religious beliefs (in this case, Islam) rather than on those approved by the state.

<http://www.aclu.org/religion/govtfunding/29872prs20070524.html>

The ACLU of Southern California (2007) represents Calvin Chee Keong Lee, a Buddhist-Taoist conscientious objector who enlisted in the U.S. Army shortly after arriving in the United States from Malaysia. Currently stationed in Ft. Irwin, California and scheduled for imminent deployment to Iraq, Lee sought discharge from the Army based on his religious beliefs, which compel him not to kill or cause injury to others. When he enlisted, Lee believed that he would be able to remain in his civilian construction job.

<http://www.aclu-sc.org/releases/view/102655>

The ACLU (2007) argued that veterans and their families should be able to decide for themselves which religious symbol is placed on a deceased veteran's headstone at federal cemeteries. The ACLU challenged the constitutionality of a U.S. Department of Veterans Affairs policy that had restricted religious symbols only to those that had been approved by government officials. The Department of Veterans Affairs settled the case by agreeing

to allow a Wiccan symbol to be included on the plaintiffs' loved ones' military headstones. <http://www.aclu.org/religion/discrim/26970prs20060929.html>

The ACLU of West Virginia and the ACLU of the National Capital Area (2007) represented a Muslim Iranian-American couple, both of whom were terminated from the National Institute for Occupational Safety and Health (NIOSH) because of their religion and without due process. The ACLU negotiated an agreement with NIOSH under which the husband and wife were reinstated to their previous positions with back pay, benefits, and damages. http://www.acluwv.org/Newsroom/PressReleases/12_18_06.htm
<http://www.acluwv.org/Slideshow/AfshariSlideshow.htm>

The New York Civil Liberties Union (2007) successfully brought suit on behalf of a Muslim prison guard who was told that he had to remove his head covering (known as a kufi) while working, even though he had worn it while on duty for many years. A federal judge ordered the New York Department of Corrections to allow the guard to resume wearing his head covering on the job. <http://www.nyclu.org/node/1062>

The ACLU of Alabama (2007) represented Native American inmates in their successful lawsuit requiring the state of Alabama to permit sacred sweat lodge ceremonies at designated correctional facilities on holy days. After winning that case, the ACLU of Alabama represented some of the inmates again when the State attempted to transfer them to a correctional facility in Louisiana that does not allow such religious ceremonies.

The ACLU and the ACLU of Georgia (2007) wrote a letter to the Centers for Disease Control and Prevention on behalf of a Sikh physician. The doctor had been instructed that he must, contrary to his religious beliefs, shave his beard and remove his turban in order to work at the Public Health Commissioned Corporation of CDC. After receiving the ACLU's letter, the CDC implemented a new, individualized process for requests for religious exemptions that creates a general presumption in favor of religious accommodation.

The ACLU of West Virginia (2007) brought suit challenging a company's refusal to permit one of its employees to wear a skirt to work. The employee's religious beliefs prohibited her from wearing trousers. The employer refused to accommodate these beliefs despite the employee's offer to pay for a uniform skirt with her own funds.

The ACLU of Missouri (2007) sent a letter to the Kansas City Water Department demanding that a Muslim employee be permitted to attend Friday prayers. The Department responded by extending the employee's Friday lunch to accommodate her religious observance.

The ACLU of Nevada (2007) appeared before the Nevada Equal Rights Commission and the EEOC on behalf of a Jewish Orthodox employee of the Las Vegas Metropolitan Police Department whose request to wear a trim beard and yarmulke while at his non-uniform desk job was denied. When the Department still refused to grant the employee a religious

accommodation, the ACLU brought a successful suit in federal court. <http://aclunv.org/aclu-wins-victory-orthodox-jewish-police-officer-seeking-wear-beard>

The ACLU of Virginia (2007) filed a complaint under the Religious Land Use and Institutionalized Persons Act challenging a Virginia Department of Corrections policy requiring inmates to be clean-shaven and to keep their hair short. The policy infringed on the beliefs of Muslim and Rastafarian inmates who have religious objections to cutting their hair. <http://www.acluva.org/newsreleases2007/Jan6.html>
<http://www.acluva.org/newsreleases2006/May19.html>

The ACLU of New Jersey (2007) filed a religious discrimination case on behalf of a Muslim student who had to choose between following his religious beliefs that forbid him from entering buildings with foreign religious symbols and attending his public high school graduation that was scheduled to be held in a church. The ACLU argued that the school's decision unlawfully forced the student to choose between attending his graduation and violating his faith. <http://www.aclu-nj.org/news/schoolviolatesreligiousfre.htm>

The ACLU of Louisiana (2007) filed a Religious Land Use and Institutionalized Persons Act lawsuit in federal court after the David Wade Correctional Facility refused to permit a Muslim inmate to receive a religious newspaper. http://www.laclu.org/News/2007/LeonardPR_050907.html

The ACLU of Southern California (2007) filed claims under the Religious Land Use and Institutionalized Persons Act, the First Amendment, and several state law provisions on behalf of Souhair Khatib, a practicing Muslim woman who was forced to remove her hijab, a religious headscarf, when taken into custody at an Orange County courthouse holding facility. In accordance with her religious beliefs, Mrs. Khatib wears her headscarf whenever she is in public or in the presence of men who are not part of her immediate family, and she does not permit any physical contact with men who are not her immediate relatives. <http://articles.latimes.com/2007/sep/05/local/me-hijab5>

The ACLU of Louisiana (2006) reached a favorable settlement after filing a federal lawsuit against the Department of Corrections on behalf of an inmate who was a member of the Church of Jesus Christ of Latter-day Saints (Mormon). The inmate, Norman Sanders, was denied access to religious services and religious texts, including *The Book of Mormon*. <http://www.laclu.org/News/2005/Aug26SandersvCain.htm>

The ACLU of Louisiana (2006) prevailed in its lawsuit defending the right of a Christian man to exercise his religious and speech rights by protesting against homosexuality in front of a Wal-Mart store with a sign that read: “Christians: Wal-Mart Supports Gay Marriage and Gay Lifestyles. Don’t Shop There.”

http://www.laclu.org/News/2006/Crayton_111306.htm

<http://www.aclu.org/freespeech/protest/27266prs20061027.html>

The ACLU of Nevada (2006) defended the free-exercise and free-speech rights of evangelical Christians to preach on the sidewalks of Las Vegas. When the county government refused to change its unconstitutional policy, the ACLU filed suit in federal court. <http://www.kvbc.com/Global/story.asp?S=3379553&nav=15MVaB2T>

The ACLU of Southern California (2006) filed suit on behalf of a Vietnamese Buddhist Temple (Quan Am Temple) against the City of Garden Grove and its officials for violating the congregation’s First Amendment rights to free religious exercise and the Religious Land Use and Institutionalized Persons Act. The lawsuit challenges the constitutionality of the city’s zoning codes, as well as the city’s application of the zoning codes to Quan Am Temple. A federal judge issued a preliminary ruling requiring the city to allow “the Temple, the Abbot, and his congregation [to] peaceably practice their Buddhist faith at the Chapwood Property immediately.”

http://www.aclu-sc.org/news_stories/view/102046/

The ACLU of Massachusetts (2006) helped a Rastafarian baggage screener wear his hair in accordance with his religion. The screener had been employed for three years by the Logan Airport for the Transportation Security Administration. The ACLU filed a complaint before the Equal Opportunity Employment Commission defending his religious rights.

The New York Civil Liberties Union (2006) filed a federal lawsuit in Manhattan defending the right of people wearing religious head coverings not to have them removed for identity photos. The case was brought against a Coast Guard regulation denying merchant marine licenses to those who would not remove the coverings for photographs.

<http://www.aclu.org/religion/discrim/24780prs20060328.html>

The ACLU of Virginia (2006) filed a friend-of-the-court brief supporting an inmate’s allegation that the Virginia Department of Corrections violated the Religious Land Use and Institutionalized Persons Act (RLUIPA) by refusing to provide him with meals consistent with his religious beliefs. <http://www.acluva.org/newsreleases2006/Jun12.html>

The ACLU of Nebraska (2006) brought a free-exercise claim on behalf of followers of the Church of Scientology, who alleged that Nebraska’s mandatory testing of newborn infants for metabolic diseases violated their religious liberty by preventing them, as new parents, from exercising their belief that a newborn should be kept quiet and serene during the first days of life.

The Iowa Civil Liberties Union (2005) defended the rights of two teenage girls who were threatened with punishment by school officials after seeking to wear, for religious reasons, anti-abortion t-shirts to school.

<http://www.aclu.org/studentsrights/expression/12852prs20050429.html>

The ACLU of New Mexico (2005) helped release a street preacher who had been incarcerated in Roosevelt County jail for 109 days. The case was brought to the ACLU by the preacher's wife and was supported by the American Family Association.

<http://www.aclu.org/religion/gen/19918prs20050804.html>

The ACLU of Michigan (2005) filed a federal lawsuit on behalf of Joseph Hanas, a Roman Catholic who was punished for not completing a drug rehabilitation program run by a Pentecostal group whose religious beliefs he did not share. Part of the program required reading the Bible for seven hours a day, proclaiming one's salvation at the altar, and being tested on Pentecostal principles. The staff confiscated Mr. Hanas's rosary beads and told him Catholicism was witchcraft.

<http://www.aclu.org/religion/govtfunding/22354prs20051206.html>

The ACLU of Southern California (2005) defended an evangelical scholar who monitored the fundraising practices of several ministries and their leaders after a defamation suit was brought against him in order to silence him.

The ACLU of Pennsylvania (2004-2005) won two cases on behalf of predominantly African-American churches that were denied permits to worship in churches previously occupied by white congregations. In 2005, the ACLU of Pennsylvania settled a case against Turtle Creek Borough brought on behalf of the Ekklesia Church. After the ACLU's advocacy, the Borough of West Mifflin granted Second Baptist Church of Homestead an occupancy permit in 2002 and, in 2004, agreed to pay it damages and compensate it for its losses.

<http://www.aclu.org/RacialEquality/RacialEquality.cfm?ID=11083&c=28>

<http://www.post-gazette.com/pg/04111/303298.stm>

The New York Civil Liberties Union (2005) filed a federal lawsuit to stop the Department of Homeland Security from enforcing a policy of detaining, interrogating, fingerprinting, and photographing American citizens at the border solely because they attended Islamic conferences. <http://www.nyclu.org/node/1097>

The ACLU of Washington (2005) represented The Islamic Education Center of Seattle, a small Muslim nonprofit organization that holds prayer services, education programs, and cultural activities, after the city of Mountlake Terrace denied the Center a conditional land use permit. The City denied the Center permission to operate even though it granted an allowance to a Christian church next door to the Center. With the aid of the ACLU, the Center eventually received its permit from the City.

<http://www.aclu-wa.org/detail.cfm?id=294>

The ACLU of New Jersey (2005) settled a lawsuit with the New Jersey Department of Corrections on behalf of Patrick Pantusco, an inmate who was denied religious books and other items while in prison. Although it permitted persons of other religions to obtain materials for their religious practices, it denied Mr. Pantusco's requests because it did not recognize Wicca as a legitimate religion. In the settlement, the state agreed to permit Mr. Pantusco access to all requested items and pay damages.

<http://www.aclu-nj.org/legal/closedcasearchive/pantuscovmoore.htm>

The ACLU of Northern California (2005) filed a lawsuit in federal court challenging restrictions on an asylum seeker's right to wear a religious head covering. The plaintiff, Harpal Singh Cheema, a devout Sikh, had been imprisoned since 1997, while awaiting a decision on his asylum application. The Sikh faith requires men to cover their heads at all times, but Yuba County jail authorities would not allow Mr. Cheema to leave his bed with his head covered.

<http://www.aclu.org/immigrants/asylum/11736prs20050518.html>

The ACLU of Wisconsin (2005) filed suit on behalf of a Muslim woman who had been required to remove her headscarf in front of male prison guards in order to visit her husband at the Columbia Correctional Institution. Ms. Rhouni offered to be searched by a female guard, but the prison would not accommodate her request and respect her religious belief that her head should not be uncovered in the presence of unrelated males.

<http://www.aclu.org/religion-belief/muslim-woman-sues-prison-forcing-her-remove-headscarf-front-male-guards-and-prisoner>

The ACLU of Pennsylvania (2005) sued on behalf of a devout Muslim firefighter, Curtis DeVeaux, who was suspended for refusing, for religious reasons, to shave his beard as required by city regulations.

<http://www.aclu.org/religion/gen/16268prs20050601.html>

In response to a lawsuit filed by the ACLU of Colorado (2005), the Department of Corrections agreed to resume providing kosher meals to Timothy Sheline, an Orthodox Jewish inmate, whose kosher diet was revoked for one year as punishment for allegedly violating a dining hall rule.

<http://www.aclu.org/prison/restrict/21226prs20051013.html>

The ACLU of Nebraska (2005) settled a lawsuit against the city of Omaha on behalf of Lubna Hussein, a practicing Muslim woman who wore a headscarf and long sleeves for religious reasons. Hussein was twice denied entry to Deer Ridge pool property to watch her children swim because she refused to wear a swimsuit. The city changed its policy to allow for medical and religious exceptions.

<http://www.aclu.org/religion/discrim/16248prs20050218.html>

<http://www.wowt.com/news/headlines/822012.html>

The ACLU of Southern California (2005) represented a Native American inmate who refused, for religious reasons, to cut his hair. Prison officials punished the inmate by revoking his visitation rights and extending his time in prison. The U.S. Court of Appeals for the Ninth Circuit held that the prison ban on long hair violated the prisoner's religious freedom and ordered the prisoner released immediately.

<http://www.aclu.org/religion/frb/16223prs20040526.html>

<http://www.aclu.org/religion/gen/16235prs20040331.html>

The ACLU (2005) filed an amicus brief in the U.S. Supreme Court supporting a group of Ohio prisoners who were denied religious items and literature, as well as time to worship, in violation of federal law. The Supreme Court decided in favor of the prisoners, upholding the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA).

<http://www.aclu.org/content/aclu-applauds-supreme-court-ruling-protecting-religious-liberty-prisons>

The ACLU of Southern California (2005) supported Jewish residents of Orange County after a special election was scheduled on the first day of the Jewish holiday Rosh Hashanah. The ACLU called on the county to make accommodations for Jewish residents who wished to vote early in the election.

The ACLU of Virginia (2005) filed suit on behalf of Cynthia Simpson, a Wiccan woman whom county leaders refused to include in a list of religious leaders invited to give invocations at meetings of the Chesterfield County Board of Supervisors. The Board's reason for refusing to add her to the list was that "Chesterfield's non-sectarian invocations are traditionally made to a divinity that is consistent with the Judeo-Christian tradition."

<http://www.acluva.org/docket/simpson.html>

The ACLU of Louisiana (2005) successfully represented a Rastafarian mother and her fourth grade son before the Lafayette Parish School Board. The Board seized the child's books and suspended him for having dreadlocks. The nine-year-old child was allowed to return to school.

<http://www.laclu.org/News/2005/Dec0705DreadlocksRapides.htm>

The ACLU of New Jersey (2004) appeared as a friend of the court to argue that a prosecutor violated the New Jersey Constitution by striking individuals from a jury pool after deciding that they were "demonstrative about their religion." One potential juror was a missionary; the other was wearing Muslim religious garb, including a skull cap. The ACLU-NJ also argued that permitting strikes based on jurors' display of their religion would often amount to discrimination against identifiable religious minorities.

<http://www.aclu-nj.org/legal/closedcasearchive/statevlloydfuller.htm>

The ACLU of Nebraska (2004) defended the Church of the Awesome God, a Presbyterian church, from forced eviction under the City of Lincoln's zoning laws. The ACLU of Nebraska also challenged city ordinances requiring religious organizations to meet safety standards not imposed on non-religious groups.

<http://www.aclu.org/religion/frb/16347prs20040811.html>

The ACLU of Pennsylvania (2004) prevailed in its arguments that the government had to allow Amish drivers to use highly reflective gray tape on their buggies instead of orange triangles, to which the drivers objected for religious reasons.

<http://www.post-gazette.com/localnews/20021020amish1020p6.asp>

The ACLU of Virginia (2004) threatened to file suit against the Fredericksburg-Stafford Park Authority after the Park Authority enacted an unconstitutional policy prohibiting religious activity in the park and the Park Manager stopped a Cornerstone Baptist Church minister from conducting baptisms in the park. Under pressure from the ACLU, the Park Authority revoked the prohibition and allowed baptisms in the park.

<http://www.aclu.org/religion/discrim/16230prs20040603.html>

<http://www.washingtonpost.com/ac2/wp-dyn/A16839-2004Jun4?language=printer>

The ACLU of Washington (2004) reached a favorable settlement on behalf of Donald Ausderau, a Christian minister, who wanted to preach to the public and distribute leaflets on the sidewalks around a downtown bus station in Spokane, Washington.

<http://www.aclu-wa.org/detail.cfm?id=57>

With the help of the ACLU of Pennsylvania, Greater Pittsburgh Chapter (2004), an Episcopal social services group was able to keep its program of feeding the homeless running. The County Health Department reversed its decision that meals served to homeless people in a church must be cooked on the premises, as opposed to in individual homes. Had the decision not been reversed, the ministry would have been forced to cease the program.

The ACLU of Nevada (2004) represented a Mormon high school student, Kim Jacobs, whom school authorities suspended and then attempted to expel for wearing t-shirts with religious messages.

The ACLU of Michigan (2004) represented Abby Moler, a student at Sterling Stevenson High School, whose yearbook entry, a Bible verse, was deleted because of its religious content. A settlement was reached under which the school placed a sticker with Moler's original entry in the yearbooks and agreed not to censor students' yearbook entries based on their religious or political viewpoints in the future.

<http://www.aclu.org/studentsrights/expression/12845prs20040511.html>

The Indiana Civil Liberties Union (2004) filed suit on behalf of the Old Paths Baptist Church against the City of Scottsburg after the city repeatedly threatened to cite or arrest members who held demonstrations regarding various subjects dealing with their religious beliefs. <http://www.aclu.org/freespeech/protest/11484prs20040716.html>

The ACLU of Massachusetts (2003) intervened on behalf of a group of students at Westfield High School who were suspended for distributing candy canes and a religious message in school. The ACLU succeeded in having the suspensions revoked and filed a friend-of-the-court brief in a lawsuit brought on behalf of the students against the school district. <http://www.aclu.org/studentsrights/expression/12828prs20030221.html>

The ACLU of Rhode Island (2003) interceded on behalf of an interdenominational group of carolers who were told they could not sing Christmas carols on Christmas Eve to inmates at the women's prison in Cranston, Rhode Island.

The ACLU of Florida (2003) represented a Muslim homemaker whose driver's license was revoked after she declined on religious grounds to remove her veil for a driver's license photo. Noting that the state allowed others to obtain driver's permits without photographs, the ACLU argued that the photograph requirement imposed a needless burden on the woman's exercise of her religion with no benefit to public safety. <http://www.aclu.org/religion/gen/16218prs20030527.html>

The ACLU of Virginia (2002) and the late Rev. Jerry Falwell prevailed in a lawsuit arguing that a Virginia constitutional provision banning religious organizations from incorporating was unconstitutional. <http://www.aclu.org/religion/frb/16040prs20020417.html>

The ACLU of Ohio (2002) filed a brief in support of a preacher who wanted to protest abortion at a parade, but was prohibited from doing so in an Akron suburb. <http://www.freedomforum.org/templates/document.asp?documentID=16471>

The Iowa Civil Liberties Union (2002) filed a friend-of-the court brief supporting a group of Christian students who sued Davenport Schools asserting their right to distribute religious literature during non-instructional time. <http://www.aclu.org/studentsrights/religion/12811prs20020711.html>

The ACLU of Nebraska (2002) filed a friend-of-the-court brief challenging a Nebraska Liquor Control Commission regulation that defined "church" in a manner that excluded all religious organizations that do not own property. The ACLU argued that the "definition of a church established by the Liquor Control Commission violated the rights of members of the House of Faith to the free exercise of their religion." <http://www.freedomforum.org/templates/document.asp?documentID=16114>

The ACLU of Massachusetts (2002) filed a brief supporting the right of the Church of the Good News to run ads criticizing the secularization of Christmas and promoting

Christianity as the “one true religion.” The Massachusetts Bay Transportation Authority had refused to allow the paid advertisements to be posted and refused to sell additional advertising space to the church.

The ACLU of Pennsylvania (2002) supported the members of Congregation Kol Ami in their fight to use a former Catholic convent as a synagogue. The ACLU of Pennsylvania argued that the Abington Township Board of Commissioners’ opposition to the proposed use of the convent violated the Religious Land Use and Institutionalized Persons Act.

<http://www.aclu.org/religion/discrim/16057prs20020107.html>

<http://www.aclu.org/freespeech/gen/10925prs20020108.html>

The ACLU and its affiliates (2000-2011) have been instrumental supporters of the Religious Land Use and Institutionalized Persons Act (RLUIPA), which gives religious organizations added protection in erecting religious buildings and enhances the religious freedom rights of prisoners and other institutionalized persons. The ACLU worked with a broad coalition of organizations to secure the law’s passage in 2000. After the law was enacted, the ACLU (2005) defended its constitutionality in a friend-of-the-court brief before the United States Supreme Court and the ACLU of Virginia (2006) opposed a challenge to the law before the Fourth Circuit Court of Appeals.

<http://www.aclu.org/scotus/2004/20956res20041230039877/20956res20041230.html>

<http://www.aclu.org/religion/frb/26018prs20060612.html>