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***THE SUPREME COURT REJECTS GOVERNMENT’S TREATMENT OF RELIGIOUS
AMERICANS AS SECOND-CLASS CITIZENS***

“The United States Supreme Court today rightly decided that the Government’s denial of safety benefits to children because of their religious status is a particularly serious form of discrimination, treating religious persons as less than equal citizens,” said Center for Law and Religious Freedom Director Kim Colby. “This is exactly what was happening in Missouri when it refused to let church preschools participate in a playground safety program. But the Supreme Court rejected governmental discrimination against religious schools.”

Today, the [U.S. Supreme Court adopted the position](#) urged by [Christian Legal Society in its friend-of-the-Court brief filed in *Trinity Lutheran Church of Columbia v. Comer*](#), a critical case challenging Missouri’s discrimination against its religious citizens. The Court’s 7-2 decision is a strong reminder that religious citizens and their organizations must be free from government discrimination in the public square.

Missouri excluded a preschool from participating in the Missouri Scrap Tire Program solely because it was a church preschool. The program provided grants for nonprofits to purchase materials made from recycled tires to re-surface playgrounds to make the playgrounds safer for children. CLS’s brief argued that Missouri’s exclusion of churches from such a child safety program violated the Free Exercise Clause of the First Amendment to the U.S. Constitution and, today, the Court agreed.

Under Missouri’s reasoning, churches in Flint, Michigan, could have been excluded from government programs to protect children from lead in water, and churches and synagogues in New Jersey and New York could have been excluded from government programs to repair buildings damaged by Hurricane Sandy. By excluding houses of worship from such safety programs, the government would penalize religious congregations, who often selflessly serve those in need in their communities. Such discrimination would setback religious freedom by allowing state and local governments to discriminate against religious Americans, relegating them to second-class citizenship.

CLS’s brief was authored by Professor Thomas Berg of the University of St. Thomas School of Law (Minnesota) and Lucas Kane, a student at St. Thomas’ Religious Liberty Appellate Clinic. The brief was joined by the Anglican Church in North America, the Queens Federation of Churches (Queens, New York), the Family Research Council, the National Religious Broadcasters, and the Christian Medical Association. These groups represent hundreds of religious congregations, broadcasters, physicians, attorneys, and other religious citizens.

About Christian Legal Society:

Christian Legal Society (CLS) works to defend religious liberty through its Center for Law and Religious Freedom. Since 1981, CLS has filed briefs in most Religion Clause cases heard by the Supreme Court. Twice CLS has represented religious organizations before the Supreme Court when they have been excluded from a broadly-available governmental program.