

Be on the Lookout in 2016 for These Stories

Liberty Institute achieved numerous significant legal victories in 2015—but several other important battles are still ongoing, including cases in each of Liberty Institute's main areas of litigation: the military, churches and religious organizations, the public, and schools.

The first step to making a difference in the fight to protect religious liberty is to stay current on what is going on. Here's a preview of what victories are still pending—and what to look for in 2016.

Ongoing Cases to Keep an Eye on:

In the Military:

Lance Corporal Monifa Sterling

Liberty Institute continues to defend Lance Corporal Monifa Sterling, a U.S. Marine court-martialed in 2013 for refusing to remove a Bible verse she posted in her personal workspace. In October 2015, the Court of Appeals for the Armed Forces (CAAF)—the highest court in the military—announced that it will hear LCpl Sterling's case.

Attorneys with Liberty Institute and volunteer attorney **Paul Clement** are representing Sterling in the case before the CAAF. Mr. Clement is a former U.S. Solicitor General and current partner at Bancroft PLLC. He has argued over 75 cases in the U.S. Supreme Court, including the Hobby Lobby case.

"Our Marines give up many freedoms when serving, but religious freedom is never one of them," said Mike Berry, Liberty Institute Director of Military Affairs. "Their right to free religious expression should be protected. We are grateful the

Court took the case and we are hopeful for a favorable ruling for our client.”

The CAAF will hear oral arguments in LCpl Sterling’s case in 2016.

In Schools:

Coach Joe Kennedy

Liberty Institute is actively representing Joe Kennedy, a high school football coach of Bremerton, Washington, who was suspended in October for saying a silent, personal prayer at the 50 yard line after the conclusion of the game. Liberty Institute filed an employment discrimination complaint with the U.S. Equal Employment Opportunity Commission (EEOC) in December on Kennedy’s behalf.

“This is the first step toward holding the school district responsible for its needless and shocking religious discrimination against one of its own coaches,” said Hiram Sasser, Deputy Chief Counsel for Liberty Institute.

“The EEOC’s role is to investigate cases of employment discrimination,” added Mike Berry, senior counsel for Liberty Institute. “We hope the EEOC will investigate Bremerton School District, and **we look forward to seeing Coach’s rights vindicated.**”

Kountze Cheerleaders

Liberty Institute continues to defend students from Kountze, Texas, who are **fighting for their freedom to write Bible verses on run-through banners at school sporting events.** In 2012, a group of high school cheerleaders from Kountze, Texas, painted Bible verses on their run-through banners for school football games. The Freedom From Religion Foundation found about the banners and filed a complaint with Kountze ISD (KISD). In response, the school district banned the

cheerleaders' signs. KISD claims the banners are government speech, which they can censor at will, while the cheerleaders' attorneys contend that the banners are the cheerleaders' private speech, which is protected under Texas law.

In 2015, both Texas Attorney General Ken Paxton and U.S. Senators John Cornyn and Ted Cruz submitted amicus briefs in support of the cheerleaders and free religious expression in public schools.

Liberty Institute expects to hear any day whether the Texas Supreme Court will decide to hear the cheerleaders' case.

In Churches and Religious Organizations:

Vintage Church

Liberty Institute filed a lawsuit against Jefferson Parish in December after city officials monitored church services and issued criminal sanctions against the church.

Officials in Jefferson Parish, Louisiana, **issued criminal sanctions to a small church in a New Orleans suburb** because their church services exceeded 60 dB: the noise level of a typical conversation. Much louder noises from lawn mowers and jackhammers, however, are permitted. Attorneys at Liberty Institute claim that such hostility endangers the freedom of all Americans to worship in peace, and filed a lawsuit on behalf of the church.

One of Vintage Church's buildings is currently undergoing expansion in order to accommodate the growing congregation. In the meantime, members are meeting in an outdoor tent at 9 a.m. and 11 a.m. every Sunday.

When a neighbor complained about the noise level, **multiple law enforcement vehicles were sent to investigate the church.** Although the church members attempted to follow new guidelines to minimize the noise level, Jefferson Parish officials

changed the rules again—making it impossible for church members to accommodate their demands.

The case is proceeding in Louisiana state court.

Amicus Briefs to Be Submitted to the United States Supreme Court

There are dozens more nonprofit faith-based ministries that are currently waiting on the Supreme Court to decide the legality of the HHS Mandate's so-called "religious accommodation" and to determine if they will be permitted to freely exercise their sincere religious beliefs—beliefs that say it is morally and ethically wrong to participate in the termination of unborn human life. Should the federal government prevail in this battle, religious nonprofit ministries all around America will be affected, and their vital work compromised by having to pay exorbitant fees.

By limiting exemptions to the HHS mandate to churches, church denominations, and church auxiliaries, the federal government is attempting to limit the exercise of religious beliefs to the four walls of the church. Liberty Institute is advocating to make sure that churches are not the only places allowed to operate according to religious principles. True religious liberty requires that individuals and organizations that are run by individuals be permitted to exercise their faith in all areas of life.

Liberty Institute will be submitting *amicus* briefs to the U.S. Supreme Court in January on behalf of these nonprofit ministries and is also representing Insight for Living Ministries, the Bible-teaching ministry of renowned pastor Chuck Swindoll, and Christian Missionary Alliance colleges and retirement communities.

In the Public Arena:

Rowan County Commissioners

Liberty Institute, along with nationally recognized Liberty Institute volunteer attorney Allyson Ho, filed a brief in July 2015 at the U.S. Court of Appeals in the case of *Lund v. Rowan County*, defending the right of Rowan County Commissioners to open their meetings in prayer.

For many years, the Rowan County Commissioners opened their meetings with an invocation. They allowed each commissioner, on a rotating basis, an opportunity to offer an invocation or lead a moment of silence. In March 2013, three Rowan County residents, represented by the American Civil Liberties Union (ACLU) filed a lawsuit, objecting to the invocations.

While the lawsuit was pending, the Supreme Court ruled in *Greece v. Galloway* that governmental bodies may open their meetings in prayer without violating the Establishment Clause—including prayers with specific religious references.

“We are honored that someone of Allyson Ho’s reputation and accomplishment is leading this appeal for our client,” said Hiram Sasser, Deputy Chief Counsel for Liberty Institute. “Her extensive experience before the United States Supreme Court is impressive and extremely helpful on this issue.”

The U.S. Court of Appeals will hear oral arguments in this case on Jan. 27.

Guard Yourself by Staying Educated

One way to prevent and defeat attacks on religious freedom is to stay educated on what Americans’ religious liberty rights are.

Click [here](#) to download Liberty Institute’s free Religious Liberty Protection Kits for churches and ministries, students and teachers, Christian schools, the U.S. Military, and employers and employees. {eo}

Liberty Institute is a nonprofit legal group dedicated to

defending and restoring religious liberty across America—in our schools, for our churches, in the military and throughout the public arena. Liberty's vision is to reestablish religious liberty in accordance with the principles of our nation's Founders. For information, visit .