

Florida City Won't Back Down in Feud With Atheists

An attorney with First Liberty Institute, a conservative legal firm, addressed the Supreme Court's recent decision to decline to hear a case brought by the city of Ocala, Florida, predicting atheists will ultimately lose in the ongoing legal feud.

The city was sued by atheists who believe officials' participation in a 2014 prayer vigil violated the Constitution. The city of Ocala appealed to the Supreme Court, arguing atheists' complaints should be rejected, specifically the claim the vigil inflicted injury.

The first judgment in the case came in 2018, when a judge ruled the plaintiffs were correct Ocala violated the First Amendment and were thus entitled to \$1 each.

But in July 2022, the U.S. Court of Appeals for the 11th Circuit, which upheld atheists' legal standing to challenge the vigil, also sent the ruling back to a district court to have a judge reconsider.

The review was sparked by last year's Supreme Court ruling in favor of a high school football coach who lost his job for praying on the 50-yard line after games.

Justin Butterfield, deputy general counsel at First Liberty Institute, dismissed the latest claims by saying the Supreme Court's denial was a victory of sorts for the atheist plaintiffs and the American Humanist Association, explaining the justices felt it wasn't "at the position" in which they could take up the case.

"The Supreme Court's just saying, 'We're looking at it, we have our eyes on it. We're not gonna jump in yet,'"

Butterfield told CBN's Faithwire. "It's not time for that yet, but it's certainly not a victory for the atheists."

He explained the basis of the initial complaint, noting religious leaders went to the police chief to seek out a community prayer vigil after a series of shootings.

The chief reportedly agreed and shared the event on the department's Facebook page; some police chaplains also participated with religious leaders during the event, which created clamor among atheists.

"There were a few who heard about this [and attended] ... then filed a lawsuit, saying that the police department should not have been able to be involved in having this prayer vigil for the victims of this unfortunate shooting," Butterfield said.

✖ Atheists filed suit under the offended observers standing, a concept Butterfield said the Supreme Court has never officially recognized.

The attorney also dove into the First Amendment's Establishment Clause, noting it was "designed to prevent the state from creating a state religion." Butterfield added, "Quite frankly, this country has a long and varied history of government participating with religious communities in this country."

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