

Housing Commission Leaves Church Out in the Cold

An Alliance Defending Freedom allied attorney representing a Lansing, Mich., church has filed a federal lawsuit after the city left the congregation out in the cold.

Even though the Lansing Housing Commission allows other groups, including other churches, to use community rooms at its public housing developments, it told His Healing Hands Church that it cannot meet in any of the rooms because the meetings are of a religious nature. As a result, the church, which primarily serves housing residents, has been forced to hold its meetings at outdoor locations nearby. With cold weather fast approaching, outdoor meetings may not be possible much longer, and the inability to transport residents—many of whom are children—to another location makes meeting at another location practically impossible.

“The government should not single out a faith-based community group for this kind of illegal and unconstitutional discrimination,” said Rickard, Denney, Garno & Associates partner Timothy W. Denney, one of more than 1,600 private attorneys allied with ADF. “The church is simply seeking access to the community rooms on the same basis as other community groups. When a government opens up its facilities to community group use, the U.S. Supreme Court has repeatedly held that the government cannot exclude groups based solely on the religious content of their meetings.”

Although the commission allows a wide variety of both religious and non-religious community groups to use the rooms, including the Boy Scouts, Girl Scouts, Youth Haven Ranch, and other churches, the commission’s attorney explained in a Sept. 21 letter that the commission is relying on its “long-established policy” that “no religious services may be held in

its community buildings.” The letter firmly states that “the Housing Commission is not going to allow His Healing Hands Church to use its community center for religious purposes.”

Neither the commission nor its attorney has explained why it has singled out His Healing Hands Church for discrimination when other churches have been allowed to use the rooms in the past.

The lawsuit, filed Oct. 14, claims that the commission’s policy violates their constitutionally protected freedom of speech, free exercise of religion, and equal protection of the law. The U.S. Supreme Court has held that the First Amendment fully protects religious speech—including religious worship—and that the government cannot treat it as second-class speech.

After the commission refused to alter its ban, the church filed *His Healing Hands Church v. Lansing Housing Commission* in the U.S. District Court for the Western District of Michigan. A motion accompanying the lawsuit asks the court to halt the commission’s policy while the suit moves forward in court.