

COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION II
CIVIL ACTION NO. 08-CI-1950

AMERICAN ATHEISTS INC, *ET AT*

PLAINTIFFS

V. AFFIDAVIT OF ALEX GRIGG IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS
AND IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

COMMONWEALTH OF KENTUCKY, *ET AL*

DEFENDANTS

* * * * *

Comes the Affiant, Alex Grigg and, after being duly sworn, deposes and says:

I am one of the Plaintiffs in the lawsuit against Homeland Security that challenges the constitutionality of reference to a "god."

I believe the laws attacked in the lawsuit are unconstitutional for the following reasons:

1. These state laws are legislating recognition of a single Christian God and are thereby proving hostile to Atheists who believe in no God, Hindus who believe in many Gods, Buddhists who do not believe in a specific God figure, and many other religions. The phrase "Almighty God" that is used in these laws is almost never used by anyone outside of a Christian faith. Even Jews, who have that phrase in the passages of the Old Testament they share with Christians, seldom use that wording outside of their synagogues. Using God in the singular and the phrase "Almighty God" serves to effectively tell

all who read this law exactly whose God is being referred to and which God our security is dependent upon.

2. It may be true that there have been instances wherein courts have allowed religious rituals and practices to be part of government ceremonies and displays. None of those precedents required individuals or departments within our government to participate in those rituals or to agree with what was said there. In fact, the opposite precedent was set by the Supreme Court in the 1961 *Tarcaso v. Watkins* case. If the laws under discussion here do not completely compel the Homeland Security Office of Kentucky and the Governor to believe in a God, they certainly compel them to act as though they do. It is hard to "Publicize the findings of the General Assembly stressing the Dependence on Almighty God" without giving the appearance of believing in that God. Any individual working within the Homeland Security Department is therefore being compelled to promote a religious viewpoint that they may or may not agree with or believe in.
3. There is no useful purpose for the inclusion of God in these laws unless you see promoting a few specific Judeo-Christian religions as the useful and relevant work of government. The defendants attempt to give the references to God purpose by claiming that they promote hope, just as some other religious references within government are purported to do. Does this sound like a hopeful statement to you: "No government by itself can guarantee perfect security from acts of war or terrorism?" No, this is a statement that is designed to provoke fear in those who do not believe in "Almighty God." It is designed to say that if God does not exist then there is NO HOPE that we can keep our state and nation safe. These laws are framed in such a way as to call into question the very ability of our state and national governments to do their job of keeping us safe.

Alex Grigg

Alex Grigg

Notary Public

J

State of Kentucky

County of Fayette

Subscribed and sworn to before me, a Notary Public, this 6th day of Feb., 2009.

Name: Daniel L McLean

Signature: 

My commission expires: Dec 18, 2012