

**Prominent Religious Liberty Law Firm and Think Tank File Friend-of-the-Court Brief Supporting Archdiocese of Washington Against WMATA's Religious Discrimination**

*Brief argues that banning ads from a religious viewpoint violates the Constitution*

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**WASHINGTON, DC**—First Liberty Institute and the Ethics and Public Policy Center (EPPC), represented by Steptoe & Johnson, LLP, filed a friend-of-the-court [brief](#) today in federal court supporting the Archdiocese of Washington's complaint against the Washington Metropolitan Area Transit Authority (WMATA). When WMATA refused to allow advertisements depicting images of shepherds and the URL "FindThePerfectGift.org" on its metro trains and buses, the brief argues, WMATA violated the U.S. Constitution.

"WMATA prohibited the Archdiocese's advertisement not because it referred to Christmas—as an advertisement that displayed presents under a Christmas tree would be permitted if placed by Macy's—but because it sought to convey a religious viewpoint message emphasizing that Christ is the reason for the season," said Mike Berry, Deputy General Counsel at First Liberty. "That is a violation of the First Amendment."

WMATA changed its advertising [guidelines](#) in 2015 to prohibit ads promoting religious or political beliefs. The guidelines state: "Advertisements that promote or oppose any religion, religious practice or belief are prohibited." The brief submitted by First Liberty and EPPC argues:

WMATA has decreed that the mere whisper of religiosity on a proposed advertisement by the Archdiocese— the depiction of three shepherds under a bright star with the inviting message "Find the Perfect Gift"— so threatens the public order that commuters caught in the snarl of everyday traffic must be protected from its message of hope and Christian charity . . . WMATA's application of its advertising guidelines to the Archdiocese's "Find the Perfect Gift" advertisement constitutes, among other things, invidious viewpoint discrimination in violation of the Free Speech Clause and an unlawful imposition on the Archdiocese's religious liberties under the First Amendment's Free Exercise Clause. WMATA's decision cannot stand.

Read the entire brief [here](#).

EPPC is a nonprofit research institution dedicated to defending American ideals and to applying the Judeo-Christian moral tradition to critical issues of public policy. First Liberty is a nonprofit legal organization dedicated to defending religious liberty for all Americans.

## **About First Liberty Institute**

[First Liberty Institute](#) is a non-profit public interest law firm and the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

To arrange an interview, contact Lacey McNeil at [media@firstliberty.org](mailto:media@firstliberty.org) or by calling 972-941-4453.