



HALFTIME: U.S. Supreme Court Declines First Opportunity to Review Decision Preventing Coach from Taking a Knee

Justices explain that the Court needs more information in order to resolve the dispute over a coach's silent 15-second, post-game prayer

WASHINGTON, D.C.—Today, the U.S. Supreme Court announced that, at this time, it is not going to review the appeal in the case *Kennedy v. Bremerton School District*, in which attorneys for First Liberty Institute and Kirkland & Ellis LLP represent Coach Joe Kennedy. Although the Court declined to reverse the decision at this time, in a separate statement filed by Justice Alito and joined by Justices Thomas, Gorsuch, and Kavanaugh, the justices explained that the Court needs more information in order to resolve the matter. As the four justices wrote, “the Ninth Circuit’s understanding of the free speech rights of public school teachers is troubling and may justify review in the future.” The case continues, returning to the district court for further development.

“The Supreme Court seems to understand that banning all coaches from praying just because they can be seen is wrong and contradicts the Constitution,” said Kelly Shackelford, President and CEO of First Liberty. “We are eager to return to the District Court, answer the questions the justices raised today, and give the Court another opportunity to protect the right of every American to engage in private religious expression, including praying in public, without fear of getting fired.”

Kennedy, a former high school football coach, asked the Court to reverse a lower court [decision](#) that allowed a school district to fire him because fans and students could see him take a knee in silent prayer after football games. Last year, a three-judge panel of the U.S. Court of Appeals for the Ninth Circuit held that a school district in Washington state could fire Coach Kennedy because he silently prayed alone for 15 to 30 seconds following football games. Coach

Kennedy's case has received national attention and support from political and religious leaders including President Trump and Franklin Graham, hall of fame football coach [Bobby Bowden](#), and former NFL players Steve Largent, and Chad Hennings.

To learn more about the case, visit [CoachKennedyFacts.com](#).

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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.

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