



NEWS RELEASE

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AG Joins Great Falls Prayer Appeal

COLUMBIA, S.C. – Attorney General Henry McMaster announced today that the State of South Carolina has once again joined the town of Great Falls’ efforts to appeal a federal court’s order preventing the town from mentioning the name of Jesus Christ in prayers at town meetings.

McMaster filed an Amicus brief to the full U.S. Fourth Circuit Court of Appeals in support of the town of Great Falls on Thursday, August 5, 2004. The town of Great Falls filed a petition for rehearing and rehearing *en banc*, which would have their appeal heard by the entire court. A three-judge panel denied their appeal on July 22, 2004.

“If the panel’s [*per se*] rule stands, courts will inevitably plunge headlong into the thorny thicket of prayer content review,” McMaster argues in the motion. “Such content-based review raises serious Free Speech and Free Exercise problems under the First Amendment.”

“It is illogical and unhistorical to conclude that while a prayer for Divine guidance is constitutionally acceptable, prayer to a Divine Being is not,” McMaster continued.

In August 2001, Great Falls resident Darla Kaye Wynne, a Wiccan high priestess, filed a federal lawsuit seeking to stop references to Jesus Christ in town council’s prayers, claiming the prayers violated the First Amendment to the U.S. Constitution.

On August 21, 2003, U.S. District Judge Cameron Currie agreed, issuing an order prohibiting council from using the “name of a specific deity associated with any one specific faith or belief in prayers given at town council meetings.”

McMaster, on behalf of the State, filed a motion on October 15, 2003, indicating the State would file an amicus brief with the Fourth Circuit U.S. Court of Appeals in Richmond, Va., in support of the Town of Great Falls’ appeal.

If the town of Great Falls’ appeal to the full U.S. Fourth Circuit Court of Appeals fails, the next possible step would be a petition to the United States Supreme Court.

Copies of the Attorney General’s amicus brief are available upon request.

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