



FACT SHEET

Cooper v. United States Postal Service

ABOUT Cooper v. United States Postal Service

Bertrand Cooper sued the United States Postal Service and the postmaster of the Manchester, Connecticut, post office after feeling “uncomfortable” about religious displays inside one of its 5,200 privately owned and operated contract postal units, alleging such displays violate the First Amendment’s Establishment Clause. In 2001, the USPS awarded the Full Gospel Interdenominational Church a contract to provide postal services as a private entity to the local community of Manchester. The USPS commonly awards such contracts to spare the government the expense and responsibility of maintaining a facility and staff of its own and to allow a greater geographic distribution of locations from which postal services may be purchased. The next year, FGIC opened Sincerely Yours, Inc., on its own property as a privately contracted postal unit. The store has various religious displays, including ministry signs, missions literature, a prayer box and cards, and a video monitor presenting its ministries. The store has signs posted in several locations informing telling patrons that it is a contract postal unit operated by a church. Also, on the counter is a sign, bearing the USPS official logo, which reads, “The United States Postal Service does not endorse the religious viewpoint expressed in the material posted at this Contract Postal Unit.” ADF attorneys are appealing federal court judgments entered in 2007, which awarded Cooper summary judgment and issued a permanent injunction forbidding the presentation of the church’s speech on its own property.

CURRENT STATUS OF Cooper v. United States Postal Service AS OF 3/19/09

In February, ADF attorneys filed a brief with the U.S. Court of Appeals for the 2nd Circuit on behalf of the USPS and Manchester Postmaster Ronald Boyne against judgments entered by the U.S. District Court for the District of Connecticut in April, May, August, and September 2007. The lower court ruled in Cooper’s favor that the USPS and local postmaster were in violation of the Establishment Clause for allowing religious displays in its privately operated contract postal unit. Summary judgment was granted to Cooper, and the court also issued a permanent injunction prohibiting religious displays on the church’s private property, but the court granted a motion filed by ADF attorneys to stay the implementation of this order while the appeal is litigated. ADF Senior Legal Counsel Jeff Shafer is arguing in a hearing on March 20 that the federal court erred in its judgments and that the First Amendment protects FGIC’s religious speech on its own property.

FOCUS OF HEARING – WHAT IS AT STAKE?

The outcome of the March 20 hearing will influence whether the numerous private businesses across the country under contract with the U.S. Postal Service may be prohibited from presenting religious speech on their own property when acting as a separate entity.

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ABOUT ADF

ADF is a legal alliance of Christian attorneys and like-minded organizations defending the right of people to freely live out their faith. Launched in 1994, ADF employs a unique combination of [strategy, training, funding, and litigation](#) to protect and preserve religious liberty, the sanctity of life, marriage, and the family.

ABOUT Jeffrey Shafer

Jeffrey A. Shafer serves as senior legal counsel for the Alliance Defense Fund at its Washington, D.C., Regional Service Center. He has litigated religious liberty and free speech cases in federal and state trial and appellate courts throughout the United States. Shafer has been practicing law since 1997 and is admitted to the bar in the states of Ohio and Illinois. He graduated with honors from the Regent University School of Law. Shafer joined ADF in 2005.