

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
GREENBELT DIVISION**

**EDREES BRIDGES,**

Plaintiff,

v.

**PRINCE GEORGE'S COUNTY,  
MARYLAND, a municipality; and,  
PRISON MINISTRY OF AMERICA,**

Defendants.

**Case No. 8:21-cv-01319**

**PLAINTIFF'S MEMORANDUM IN SUPPORT OF HIS MOTION FOR  
SUMMARY JUDGMENT**

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## INTRODUCTION

Edrees Bridges wanted to be a chaplaincy supervisor at Prince George's County's jail. He is a US Capitol Police Special Agent, holding a Master of Divinity with a focus on Chaplaincy. He is working on his Doctorate of Ministry on chaplaincy. And he was already volunteering at the jail when the position became available.

But when he went to apply, he found out he couldn't. Attached to the application was a Statement of Applicant's Christian Faith. And that Statement, which the applicant was to attest to, stated that employees "are committed to a lifestyle of Christianity and agree with our statement of faith." But Bridges—whose divinity education was focused on chaplaincy services in general, and not any particular religion—happens to be Muslim. So he could not complete the application.

Restricting a government job to members of one particular religion is about as clear cut a violation of the Constitution as it gets. The Establishment Clause prohibits an official government religion. And the Free Exercise Clause prohibits discrimination against people of faith or particular faiths, including in government employment. Nor was there a need for a specifically Christian chaplain, as the chaplaincy supervisor would supervise religious programming at the jail for all religions.

Prison Ministries of America, the contractor who advertised the position, claims the Statement of Applicant's Christian Faith is optional. But on the face of the Statement, where it states that employees "are committed to a lifestyle of Christianity," not "might be committed," that's not true. And PMA has never—not once—hired someone who declined to sign the Statement (or, for that matter, a non-Christian).

So PMA, acting as a government contractor, is liable for this First Amendment violation. And Prince George's County, both because it delegated its policymaking authority to PMA and

because it actively supervised PMA's use of the Statement of Christian Faith, is liable for the violation under *Monell*.

### STATEMENT OF FACTS (Local Civil Rule 56(B))

#### Edrees Bridges

1. Edrees Bridges is a Muslim. As such, he follows the tenets of Islam. Bridges Dep. at 53:8. Mr. Bridges, along with millions of other Muslims around the world, prays to Allah alone.
2. Mr. Bridges is a United States Capitol Police Special Agent with federal security clearances. RFP003-006. He earned a Bachelor of Science degree in criminal justice. RFP004.
3. Mr. Bridges also holds a Master of Divinity with a focus in Chaplaincy from the Claremont School of Theology and is working toward a Doctor of Ministry degree that centers around all religions, chaplaincy, and spirituality in general, not exclusively Islam. Bridges Dep. at 51:1-52:19.
4. Mr. Bridges completed two clinical pastoral internships in 2019-20 in which he provided spiritual counseling in institutional settings, and for which he earned certification in clinical chaplaincy. *Id.* at 15:19-16:5.
5. In these internships, Mr. Bridges provided spiritual care to people outside of his own faith tradition. *Id.* at 36:10-37:5. He also coordinated activities with other volunteers and ministers. *Id.* at 38:5-9.
6. Mr. Bridges served as a volunteer chaplain at both Prince George's County department of Corrections and Charles County Department of Corrections from November 2018 through February 2020. *Id.* at 16:15-18, 54:17-55:1. Mr. Bridges provided spiritual care and religious education to incarcerated. *Id.* at 16:15-17:2, 60:6-11.

7. Mr. Bridges serves as an assistant imam with the Islamic Society of the Capitol Region, a position he has held since 2012. Bridges Dep. at 53:11-54:3. He also holds an ecclesiastical endorsement from the Islamic Society of North America, bestowed in 2019. *Id.* at 40:13-17. As an assistant imam, Mr. Bridges leads prayers and teaches classes at his house of worship. *Id.* at 54:7-11.
8. In August 2021, after the filing of this case, Mr. Bridges became a paid chaplain for the Army by way of the National Guard. *Id.* at 12:6-9, 56:13-14.
9. Mr. Bridges is involved with an interfaith group in Prince George's County and has developed contacts across the religious spectrum which he had planned to use to recruit volunteers to the County jail if he had gotten the chaplain's position. *Id.* at 38:10-19.

#### **Prison Ministries of America**

10. Prison Ministries of America ("PMA") is a Christian organization dedicated to spreading Christian religious teachings. Maciel Dep. at 14:18-15:11.
11. PMA's core values, including the seven tenets of Christian faith all PMA employees are required to sign onto, were adapted from Calvary Chapel, a Christian church in Downey, California where PMA's founder Mark Maciel served as pastor. *Id.* at 38:14-40:5. The seven tenets are:
  - a. We believe in one God, Creator and Lord of the Universe, the co-eternal Trinity; Father, Son, and Holy Spirit.
  - b. We believe that Jesus Christ, God's Son, was conceived by the Holy Spirit, born of the Virgin Mary, lived a sinless life, died a substitutionary atoning death on the cross, rose bodily from the dead and ascended to heaven where, as truly God and truly man, He is the only mediator between God and man.

- c. We believe that the Bible is God's authoritative and inspired Word. It is without error in all its teachings, including creation, history, its own origins, and salvation. Christians must submit to its divine authority, both individually and corporately, in all matters of belief and conduct, which is demonstrated by true righteous living.
- d. We believe that all people are lost sinners and cannot see the Kingdom of God except through the new birth. Justification is by grace through faith in Christ alone. Those who reject Jesus Christ as their Lord and Savior in the present life shall be raised from the dead for eternal suffering and separation from God. Those who accept Jesus Christ as their Lord and Savior will be present with him for eternity in heaven.
- e. We believe in one holy, universal, and apostolic Church. Its calling is to worship and witness concerning its Head, Jesus Christ, preaching the Gospel among all people groups and demonstrating its commitment by compassionate service to the needs of human beings and promoting righteousness and justice.
- f. We believe in the necessity of the work of the Holy Spirit for the individual's new birth and growth to maturity; and also for the Church's constant renewal in truth, wisdom, faith, holiness, love, power, and mission.
- g. We believe that Jesus Christ will personally and visibly return in glory to raise the dead and bring salvation and judgment to completion. God will fully manifest His kingdom when He establishes a new heaven and new earth, in which He will be glorified forever and exclude all evil, suffering, and death.

PMA004.

12. A Statement of Faith is displayed in all of PMA's public-facing literature and in its employee handbook. PMA Dep. at 23:10-15.
13. A signed declaration of PMA's Statement of Faith, called the Statement of Applicant's Christian Faith," is required of all potential PMA employees and has been since 2015 or 2016. Maciel Dep. at 36:5-10; PMA Dep. at 9:8-13.
14. From approximately 2015 to 2021, PMA required all job applicants to sign the Statement of Christian Faith because PMA is a "Christian organization." PMA Dep. at 9:8-13, 14:4-19. "I have a preference to having—as a Christian and as a Christian organization, I would like to hire Christians," Mr. Maciel said. *Id.* at 21:3-6.
15. During the interview process, Mr. Maciel looks for every applicant's church affiliations and questions their ability to work in a Christian environment, regardless of the position. *Id.* at 21:1-6.
16. PMA has never hired anyone who did would not sign the Statement of Applicant's Christian Faith. Maciel Dep. at 46:18-47:11. Indeed, only one person has ever declined to sign the Statement of Applicant's Christian Faith, and that person was not hired. *Id.*
17. PMA has also never hired anyone who was not a Christian. *Id.* at 25:16-18.
18. As the Statement of Applicant's Christian Faith indicates, PMA expects all its employees to represent and honor the organization's Christian beliefs by "liv[ing] a life that's pleasing to ... Jesus Christ." *Id.* 1t 32:2-9. PMA has fired individuals for not living a Christian "lifestyle," *Id.* at 40:8-17.

### **PG County and PMA Relationship**

19. At all relevant times, Prince George's County contracted with Prison Ministry of America to "provide religious services to the inmates housed in the [County's]



Department of Corrections.” County Dep. at 21:11-22; see also PMA Resp. to Pl.’s Interrogs. 1 at 5.

20. The detainee ministry services contract with the county required PMA to hire a nondenominational chaplaincy supervisor to oversee and provide, with the help of volunteers, detainee religious services at the County jail. PMA069.
21. The paid chaplaincy supervisor was to be employed by PMA, but they would work in the County jail and work hours set by the County. PMA005.
22. Both PMA and the County participated in the hiring decision for the paid chaplaincy position. PMA Resp. to Pl.’s Interrogs. 2 at 2; Maciel Dep. at 54:5-16. Both the president of PMA, Mark Maciel, and County employees were present for candidate interviews, and PMA sought the County’s approval of a candidate before extending an offer of employment. Maciel dep. At 70:4-72:15; PMA170. PMA also provided the job application paperwork to County employees during the hiring process. Maciel Dep. At 70:15-73:14.
23. The County acknowledges it had a duty to accommodate and respect detainees’ religious exercise, and it had policies and procedures in place to ensure that its contractors and agents discharged those duties faithfully. Labbe Dep. at 21:15-22. In fact, although PMA was responsible for hiring the chaplaincy supervisor that would make day-to-day decisions about detainees’ religious needs, a county employee oversaw PMA’s work. *Id.* at 21:22-22:8.
24. PMA also agreed to obey federal law as well as the County’s public policy against illegal discrimination, including discrimination on the basis of religion, and to incorporate the County’s nondiscrimination policy in PMA’s own employment contracts. PGC084.

25. Prior to contracting with PMA, the County relied on Good News Jail and Prison Ministry, another Christian organization, to provide chaplain services at the County Jail. Labbe Dep. at 10:16-14:19. The County had been using Good News since the “2000s,” first as a volunteer organization, and then paying a \$30,000 a year stipend. *Id.*
26. While Good News Jail and Prison Ministry was providing chaplaincy services to the County, both Good News and the County were sued multiple times for discriminating against Muslims. *See Snowden v. PG County*, 8:18-cv-160, Dkt. 1 (Complaint) (D. Md. Jan. 18, 2018).

### **Application and Hiring Process**

27. PMA was responsible for hiring the paid chaplaincy supervisor who would work in the County jail. PGC021; PMA005.
28. The chaplaincy supervisor position was for “interdenominational” services, meeting the “spiritual needs” of the inmates” regardless of religion, rather than specifically being for a specific religion. PMA005-PMA006; *compare with* PMA007-PMA0012 (specific religion chaplains in Alameda County); PMA0013-PMA0014 (interdenominational supervisor in Alameda County).
29. After drafting and getting the County’s approval for the job description and application form, PMA shared those documents with people interested in the paid chaplaincy position, including Mr. Bridges. Maciel Dep. At 70:15-73:14; PMA001-006; PMA152-53
30. Mr. Bridges wanted the position as it was in line with his education, experience, and desire to tend to the spiritual needs of incarcerated people. RFP005; Bridges Dep. At 70:7-71:5. But despite meeting the formal qualifications, he could not submit the

application because he could not sign the included Statement of Applicant's Christian Faith due to his sincere religious beliefs. Bridges Dep. at 82:5-19, 93:6-95:2.

31. PMA's paid chaplaincy supervisor job application, which had been approved by the County before sending to Mr. Bridges and other candidates, included the Statement of Applicant's Christian Faith. PMA004. The introduction of the document read: "Christian Chaplain Services and Prison Ministry of America are non-profit, ecumenical Christian organizations whose purpose is to serve God under the leadership of Jesus Christ. Employees of Christian Chaplain Services and/or Prison Ministry of America are committed to a lifestyle of Christianity and agree with our statement of faith." PMA004.
32. The "Statement of Faith" included the seven detailed statements of Christian theological teachings outlined in Paragraph 11, above. PMA004.
33. To submit his application, Mr. Bridges was instructed to sign and attest that, "Without mental reservation, I hereby subscribe to the above statements." PMA004.
34. Mr. Bridges could not, consistent with his sincere religious beliefs as a Muslim, affirm his acceptance of PMA's Christian beliefs as a condition of his employment as a chaplain in the County's jail. *See* Bridges Dep. at 93:11-95:2 (stating reason he could not sign Statement of Applicant's Christian Faith).
35. Mr. Bridges found out about the opening when Mr. Maciel mentioned it in passing during a conversation Bridges and Maciel had about Bridges volunteer work. Bridges Dep. at 27:4-20. Maciel did not suggest Mr. Bridges apply, or even appear to consider Mr. Bridges for the position during this conversation. *Id.* Rather, Mr. Bridges took it upon himself to express interest. *Id.*; *id.* at 29:5-15. After the conversation, Mr. Bridges emailed Mr. Maciel affirming his interest and requesting to apply. *Id.*; PMA152-153.

36. Mr. Bridges was one of three applicants to express interest in the chaplaincy supervisor position. Maciel Dep. at 79:10-18. The other two applicants, including Keith Lynch, the person PMA hired for the position, signed the Statement of Applicant's Christian Faith. *Id.* at 53:15-54:16; PMA Dep. at 12:5-13:4.

37. Around October 2021, in response to this lawsuit, PMA removed the Statement of Applicant's Christian Faith from its job applications at the urging of PG County attorneys. PMA Dep. at 10:20-11:19; Maciel Dep. at 60:3-18; Nicholson Dep. at 19:30-21:21.

## ARGUMENT

### I. Summary judgment standard.

A party seeking summary judgment must show “that there is no genuine dispute as to any material fact” and that it is “entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a). The burden is on the moving party to demonstrate the absence of any genuine dispute of material fact. *Adickes v. S.H. Kress & Co.*, 398 U.S. 144, 157 (1970). The burden then shifts to the opposing party to identify specific facts, beyond the allegations or denials in the pleadings, that show a genuine issue for trial. Fed. R. Civ. P. 56(e). For evidence to be sufficient, it must allow a reasonable jury to render a verdict in favor of the party opposing the motion. *See Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). The “mere existence of a scintilla of evidence in support of the [opposing party's] position” is insufficient to defeat a motion for summary judgment. *Id.* at 252.

### II. Defendants unconstitutionally restricted the hiring of a chaplain to Christians.

The First Amendment religion clauses, if they mean anything, mean that the Government cannot punish someone of one religion for not belonging to another. As a

corollary, the Government cannot also condition a public office on an oath to a particular religion. *Torcaso v. Watkins*, 367 U.S. 488, 496 (1961); *see also Larson v. Valente*, 456 U. S. 228, 244 (1982) (“The clearest command of the Establishment Clause,” the Supreme Court has held, “is that one religious denomination cannot be officially preferred over another.”).

And that is precisely what happened here. PMA crafted the application for the open chaplaincy supervisor position at Prince George’s County jail. SOF ¶¶ 27-33. The position was for supervising all religious services of the jail, regardless of faith. SOF ¶¶ 20, 28. As part of the materials that must be filled out for the job was the “Statement of Applicant’s Christian Faith.” SOF ¶¶ 31-33. The statement explained that the “Christian Chaplain Services and Prison Ministry of America” are “Christian organizations” and that “Employees of Christian Chaplain Services and/or Prison Ministry of America are committed to a lifestyle of Christianity and agree with our statement of faith.” SOF ¶ 31. Applicants were told to “subscribe” to the assertions in the Statement “without mental reservation,” by signing their name at the bottom of the Statement. SOF ¶ 33.

No reasonable person would believe that signing the certification at the bottom of the Statement was optional. The statement on its face requires employees to be Christian. SOF ¶ 31; *cf. United States v. Hunter*, 459 F.2d 205, 213 (4th Cir. 1972) (“a publisher can readily determine from the face of an advertisement whether it is intended to express a discriminatory preference”). It requires the applicant to “subscribe” to the statement by affixing their signature. SOF ¶ 33. The Statement’s own language and placement among the application materials conclusively establishes both that PMA’s chaplaincy positions were not open to those who do not subscribe to PMA’s Christian faith through a “lifestyle of Christianity” and that PMA subjectively discriminated against Christians in the hiring process for those chaplaincy positions. *See* SOF ¶ 31.

Indeed, if the Statement was optional, what was doing as part of the application? PMA is not entitled to discriminate against prospective employees in consideration for jobs when it is doing hiring on behalf of the government. Nor was this simply the collection of demographic information, replete with an express warning that it will not be used in selection, for EEOC purposes. The only reason for asking the information in an application is to use it in the selection or rejection of candidates for hiring.

Any doubts about either the objective reading of the Statement or the subjective intent of PMA are quickly dissipated by a review of PMA's past hiring practices. *See* SOF ¶¶ 14-17. Only once during the six years (through the time of PMA's advertising of the open Prince George's County chaplaincy supervisor position) has an applicant not signed the Statement of Applicant's Christian Faith. SOF ¶ 16. And that applicant was not hired. SOF ¶ 16. Indeed, statement of faith or not, PMA has no recollection of ever hiring a non-Christian to any position. SOF ¶ 17. And those who did not live a sufficiently Christian lifestyle in accordance with PMA's Statement of Faith were fired. SOF ¶ 18.

In light of the plain, unambiguous text of the Statement, as well as PMA's long history of hiring only Christians, PMA's evidence-free assertion that signing the Statement was optional is insufficient to defeat summary judgment. *See Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 256 (1986) ("a party opposing a properly supported motion for summary judgment may not rest upon mere allegation or denials of his pleading, but must set forth specific facts showing that there is a genuine issue for trial"). Because no reasonable jury could find that PMA was not limiting the chaplaincy supervisor position to Christians, there is simply "no issue for trial." *Id.* at 249.

And because PMA was hiring for a government position, this violates the Constitution's religious clauses. *Torcaso*, 367 U.S. at 496; *Larson*, 456 U.S. at 244; *see also Bd. of Educ. of Kiryas*

*Joel Vill. Sch. Dist. v. Grumet*, 512 U.S. 687, 715 (1994) (O'Connor, J., concurring) (“the Religion Clauses—the Free Exercise Clause, the Establishment Clause, the Religious Test Clause, Art. VI, cl. 3, and the Equal Protection Clause as applied to religion—all speak with one voice on this point: Absent the most unusual circumstances, one's religion ought not affect one's legal rights or duties or benefits”). The only potential exception for chaplaincy positions is when “required by the exigencies of prison administration.” *Johnson-Bey v. Lane*, 863 F.2d 1308, 1312 (7th Cir. 1988). And here, Defendants have no evidence that there is any exigency requiring that the chaplaincy supervisor be Christian. After all, the position at issue was not for a Christian chaplain but an interdenominational chaplaincy supervisor. SOF ¶¶ 20, 28.

### **III. PMA is a state actor subject to the First Amendment.**

PMA may claim that it is not covered by Section 1983 or required to follow the Constitution. That may be true when hiring internally for its own private affairs. But when hiring for a government position such as the chaplaincy supervisor of a county jail, the calculation is different. “[I]f the state delegates its obligations to a private actor, the acts conducted in pursuit of those delegated obligations are under color of law.” *Goldstein v. Chestnut Ridge Volunteer Fire Co.*, 218 F.3d 337, 342 (4th Cir. 2000) (stringcite omitted). Likewise, when the government “confer[s] ... sovereign power” on a private party, so that “the function performed is traditionally the exclusively prerogative of the State,” the private party is again governed by the Constitution and Section 1983. *Id.* (citations omitted).

It therefore follows that “prison contractors are considered state actors.” *Ortega v. Hall*, 2020 WL 4196009, at \*2 n.3 (S.D. Ga. July 2, 2020), *report and recommendation adopted*, 2020 WL 4060555 (July 20, 2020). This is equally true for private entities and agents such as chaplains and chaplain supervisors that provide supervision of religious rights as required by prison policies. *Phelps v. Dunn*, 965 F.2d 93, 102 (6th Cir. 1992). So PMA is covered by the First

Amendment, and has therefore violated it in using its Statement of Applicant's Christian Faith to exclude Bridges from consideration.

**IV. The County is liable under *Monell* for PMA's conduct.**

Although it was PMA who came up with the Statement, SOF ¶ 13, it was PG County who has been delegating religious services policies at its jail to Christian evangelical organizations insufficient oversight. *See* SOF ¶¶ 19-26 This makes PG County liable for PMA's Constitutional violations under *Monell*.

A municipal defendant can be liable under *Monell* in four ways: "(1) through an express policy, such as a written ordinance or regulation; (2) through the decisions of a person with final policymaking authority; (3) through an omission, such as a failure to properly train officers, that 'manifest[s] deliberate indifference to the rights of citizens'; or (4) through a practice that is so 'persistent and widespread' as to constitute a 'custom or usage with the force of law.'" *Lytle v. Doyle*, 326 F.3d 463, 471 (4th Cir. 2003) (quoting *Carter v. Morris*, 164 F.3d 215, 218 (4th Cir. 1999)).

When a municipality delegates core government power—which would presumably include the power to hire individuals for government positions—to a third party, and fails to exercise any oversight over that third party, it effectively makes the third party the entity with final policymaking authority, and is subject to *Monell* liability for that entity's constitutional violations. *Spell v. McDaniel*, 824 F.2d 1380, 1390-91, 1397 (1987). Similarly, when the municipality has "actual or constructive knowledge," of a policy, evidenced by either "widespread or flagrant" use of that policy by another wielding its power, the failure to supervise that individual also gives rise to *Monell* liability. *Id.* at 1387.

Here, while the County delegated the authority to hire the chaplaincy supervisor position to PMA, SOF ¶¶ 19-20, it remained involved in the hiring process to the extent that it either



knew or should have been aware of PMA's usage of a statement of Christian faith, SOF ¶ 22. PMA provided the job application paperwork to the County during the hiring process, giving the County actual knowledge of PMA's discrimination. *Id.* County officials were present for candidate interviews, and the County had the final say in extending an offer. *Id.* For the County to be that involved in the process, including seeing the required Statement of Applicant's Christian Faith in the application paperwork and the signed Statements of both applicants, *id.*, the County clearly had actual or constructive knowledge of PMA's unconstitutional violations. By then signing off on the hiring, the County is equally liable.

Even if the County did not have actual or constructive knowledge, then its failure to exercise any oversight authority at all over the hiring process constitutes delegation of final policymaking authority to PMA. And because PG County was well aware from its history of using Christian evangelical third parties that these Christian evangelical organizations often discriminate in favor of Christianity, *see* SOF ¶¶ 25-26, the failure to adequately supervise would be all the more egregious. Either way, the County is liable under *Monell*.

**V. Bridges was harmed by his inability to apply for the chaplaincy position.**

So what PMA and PG County did was unconstitutional. But was Bridges, who wanted to but could not apply for the chaplaincy supervisor position, injured by this constitutional violation? Of course.

Bridges sincerely wanted the chaplaincy supervisory position. SOF ¶ 30. He had both a background in criminal justice and substantial education in nondenominational chaplaincy services and criminal justice. SOF ¶¶ 2-4. Indeed, he was already volunteering at the jail. SOF ¶ 6.

Defendants do not contend otherwise. Instead, the Defendants claim that despite the attestation requirement of the Statement of Applicant's Christian Faith, SOF ¶33, Bridges

should have applied without signing the certification and see what happened.

But the argument that a member of a minority group must look at a sign that says that members of that group need not apply and apply anyway to establish their rights are violated has been routinely rejected by courts. *See Ragin v. Harry Macklowe Real Estate Co.*, 6 F.3d 898, 904 (2nd Cir. 1993); *Saunders v. General Services Corp.*, 659 F. Supp. 1042 (E.D. Va. 1987). Indeed, Bridges could not apply—signing the certification on the statement of Christian faith would be inconsistent with his own religious beliefs. SOF ¶¶ 30, 34. Nor did Bridges need to apply for the position without signing the statement of Christian faith, since applying would be futile. *Image Carrier Corp. v. Beame*, 567 F.2d 1197, 1201 (2d Cir. 1977) (no requirement to bid for standing if bidding would be futile); *LeClerc v. Webb*, 419 F.3d 405, 413 (5th Cir. 2005) (“strict adherence to the standing doctrine may be excused when a policy’s flat prohibition would render submission futile”). So Bridges—who took the overt act of inquiring about the position with PMA and requesting the application, SOF ¶ 35—did not need to take the additional step of submitting an incomplete action for a job that on its face was limited to Christians.

To the extent that Defendants rely on *Ali v. Hogan*, 26 F.4th 587 (4th Cir. 2022), for the proposition that Bridges was obligated to first apply (without signing the certification of the Statement of Applicant’s Christian Faith), Defendants are mistaken. In *Ali*, the Fourth Circuit held that Ali had misinterpreted the certification, and that signing the certification was not actually inconsistent with Ali’s religious or political beliefs: “Given the plain meaning of the Executive Order and the allegations of the Amended Complaint, we are unable to accept the proposition that Ali is prohibited from signing the Section C certification and submitting a bid on a Maryland procurement contract.” *Id.* at 597. Here, in contrast, Defendants have no argument that, in actuality, Bridges really could have signed the certification of the Statement of Christian Faith consistent with his beliefs. And Defendants argument that the statement was

optional is contrary to the established record on summary judgment. *See* II, above; *see also* SOF ¶¶ 31-33 and 14-17.

### **CONCLUSION**

The Court should grant Bridges summary judgment on liability only. The Court should then allow the parties the opportunity to see if they can agree as to the scope of damages. If no settlement is reached, the Court should set a trial on the issue of damages only.

Dated: June 26, 2023

Respectfully submitted,

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