



Written by [Raven Clabough](#) on October 17, 2018

## Christian Fire Chief Awarded Big Payout After Court Rules City of Atlanta Violated His Rights

The City of Atlanta has agreed to pay out \$1.2 million to former Atlanta Fire Chief Kelvin Cochran (shown) after the city was found to have violated his First Amendment-protected rights three years ago, the [Daily Wire reports](#).



Cochran is a Christian who wrote a 162-page devotional book entitled *Who Told You That You Are Naked?* in his spare time, in which he addressed Biblical views on sex and marriage. The book featured advice to for men on how to be better fathers and husbands.

The City of Atlanta evidently found his views to be offensive and suspended him for 30 days without pay and forced him to attend “sensitivity training.” He was also subjected to an investigation into his conduct, which revealed that in his 30 years as a firefighter, he had never discriminated against anyone. In fact, Cochran had an impeccable record, and was even named “Fire Chief of the Year” in 2012 by *Fire Chief Magazine*.

Despite having already punished Cochran and finding nothing incriminating in the investigation, Atlanta Mayor Kasim Reed fired him.

Cochran enlisted the services of the Alliance Defending Freedom and pursued a wrongful termination lawsuit against the City.

In December 2017, a federal district court ruled that while the city acted lawfully in terminating Cochran’s employment, its policies restricting non-work speech are too broad and enable city officials to discriminate against any employees with whom they disagree.

The court struck down the city’s policy that requires government employees to get permission before engaging in free speech efforts outside of work — the very policy the city used to terminate Cochran’s employment.

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In its December [decision](#), the U.S. District Court for the Northern District of Georgia wrote, “This policy would prevent an employee from writing and selling a book on golf or badminton on his own time and, without prior approval, would subject him to firing. It is unclear to the Court how such an outside employment would ever affect the City’s ability to function, and the City provides no evidence to justify it.... The potential for stifled speech far outweighs any unsupported assertion of harm.”

The court added that provisions within the rules “do not set out objective standards for the supervisor to employ.”

“This does not pass constitutional muster,” the court concluded.



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On Monday, the City Council approved a resolution to settle the lawsuit with an 11-3 vote, and agreed to pay \$1.2 million to Cochran for damages and attorney fees. According to the city's new mayor, Keisha Lance Bottoms, it was more cost-effective to agree to a settlement than to pursue an appeal.

"The comments of Kelvin Cochran were not reflective of who Atlanta is as a tolerant and inclusive city," a spokesperson for the mayor said in a statement. "While the start of this litigation preceded our Administration, based upon findings of the Court that could have resulted in tax payers paying millions of dollars in damages and litigation fees, a negotiated settlement was recommended by legal counsel."

Naturally, Cochran and his legal team celebrated the conclusion of the lengthy legal battle.

"We believe that the settlement sends a strong message throughout Atlanta and the rest of the country that the government cannot require its permission in advance for someone to speak about their faith on their own time," said Alliance Defending Freedom Senior Counsel David Cortman in statement Tuesday. "The First Amendment provides the only permission necessary."

ADF Senior Counsel Kevin Theriot added that he hopes the settlement "will serve as a deterrent to any government that would trample upon the constitutionally protected freedoms of its public servants."

Still, former mayor Reed contends that the city made the right choice in terminating Cochran's employment, the *Atlanta Journal-Constitution* reports.

"I believed, and continue to believe, that his actions, decisions, and lack of judgment undermined his ability to effectively manage a large, diverse workforce," Reed said. "At a time when civil rights, human rights and inclusion are under attack both locally and nationally, this decision sends the wrong message to individuals in the LGBTQ community and to all Atlantans."

Cochran takes issue with accusations of discrimination, noting that he has experienced discrimination first-hand when he began his career in the firehouse. As one of the first African-American firefighters in Shreveport, Louisiana, he recalls having to use a separate bed and kitchen facilities at the fire station, the Heritage Foundation [writes](#). He asserts he has never subjected anyone to that type of discrimination.

*Photo: AP Images*



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