

FREEDOM FROM RELIGION *foundation*

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Board of Supervisors
Ventura County
800 S. Victoria Ave.
Ventura, CA 93009

Re: Removal of Junipero Serra from County Seal

Dear Ventura County Board of Supervisors:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to encourage you to remove the image of Junipero Serra from the Ventura County seal. FFRF is a national nonprofit organization with more than 32,000 members across the country, including more than 4,400 members in California. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

A concerned Ventura County resident has reported that the Ventura County Board of Supervisors is considering redesigning the Ventura County seal, and that the redesign may include the removal of an image of Junipero Serra which currently takes up nearly half of the seal.

We understand that the primary motivation for removing Serra from the seal is his establishment of the California mission system during the era of Spanish colonization, which was designed to convert and acculturate the Native California population to Catholicism and European culture. Native Californians who tried to escape were captured and those who disobeyed were beaten. Indigenous beliefs and customs were also banned.

The inclusion of a religious figure on the official Ventura County seal violates the Establishment Clause of the First Amendment. The Establishment Clause, “at the very least, prohibits government from appearing to take a position on questions of religious belief or from ‘making adherence to a religion relevant in any way to a person's standing in the political community.’” *Cnty. of Allegheny v. Am. Civil Liberties Union*, 492 U.S. 573, 594 (1989) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 687 (1984)). The seal signals an endorsement of Christianity. This “sends a message to nonadherents that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community.” *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984).

Federal courts have ruled that religious symbols on official city logos or representations violate the Establishment Clause. The Ventura County seal design is akin to numerous other unconstitutional municipal representations:

- *Robinson v. City of Edmond*, 68 F.3d 1226 (10th Cir. 1995) (City seal containing Latin cross in one quadrant violated Establishment Clause);
- *Ellis v. City of La Mesa*, 990 F.2d 1518 (9th Cir. 1993) (City insignia depicting “well-known local feature” containing a Latin Cross violated the No Preference Clause of the California Constitution);

- *Harris v. City of Zion*, 927 F.2d 1401 (7th Cir. 1991) (Cities’ seals that included a Latin cross violated Establishment Clause);
- *Davies v. L.A. Cty. Bd. of Supervisors*, 2016 U.S. Dist. LEXIS 71693 (County placing a Latin Cross on the apex of the roof of the depiction of the San Gabriel Mission on the County seal violated Establishment Clause);
- *Friedman v. Board of County Com’rs of Bernalillo County*, 781 F.2d 777 (10th Cir. 1985) (Latin cross with Spanish motto meaning “With This We Conquer” on county seal violated Establishment Clause);
- *Webb v. City of Republic, Mo.*, 55 F. Supp. 2d 994 (W.D. Mo. 1999) (City seal with religious fish symbol in one quadrant violated Establishment Clause);
- *American Civil Liberties Union of Ohio, Inc. v. City of Stow*, 29 F.Supp.2d 845 (N.D. Ohio 1998)(Finding city seal containing Latin cross in one quadrant violated Establishment Clause).

Though many of these cases focused on Latin crosses on official city seals, a prominent religious figure on an official County seal would be found unconstitutional under the same reasoning.

In *Friedman* and *Robinson*, the Tenth Circuit Court of Appeals considered not just the particular message conveyed by the actual elements of the seal, but also its pervasiveness, “the seal ... pervades the daily lives of county residents. It is not displayed once a year for a brief period ... [but r]ather it appears on all county paperwork, on all county vehicles, even on county sheriff’s uniforms.’ We therefore concluded that the seal violated the Establishment Clause.” *Robinson*, 68 F.3d at 1231(internal citations omitted). Similarly, the County’s seal is an official representation of the County used for important County business.

Regardless of the unconstitutionality of the seal, as a matter of policy, the County should remove exclusionary religious images from its official representations. Changing the seal would show the citizens of Ventura County that their County and its leadership do not favor any one religion or belief system. Today, nearly 30% of adults in the U.S. are non-Christian and 24% practice no religion at all.¹ By remaining neutral on matters of religion, the County would embrace the diversity of its citizens, including non-Christian religious citizens and citizens who are nonreligious.

We urge the County to adopt a new representation of the County that is inclusive of all citizens.

Sincerely,



Christopher Line
Staff Attorney
Freedom From Religion Foundation

¹ Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, Public Religion Research Institute (Sept. 6, 2017), available at www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.