

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG

April 8, 2014

SENT VIA U.S. MAIL AND FAX TO: 740-282-5328

Mr. Frank J. Bruzzese, Esq.
Bruzzese & Calabria
P.O. Box 1506
Steubenville, OH 43952

Re: Display of Crosses on Government Building

Dear Mr. Bruzzese:

I am writing you again on behalf of the Freedom From Religion Foundation regarding the crosses on the municipal building in Stratton, Ohio. As you may recall, FFRF first contacted Mayor John Abdalla regarding two crosses displayed on the Village of Stratton municipal building on October 16, 2012 and sent a subsequent letter of complaint on November 30. After receiving a response from you on December 11, 2012 informing us that the crosses had since been removed, we considered the matter settled.

Unfortunately, we have recently learned that the crosses are once again being displayed on the municipal building. A picture of the current display is enclosed. A local news outlet reports that when asked for comment, Mayor Abdalla stated that “the village put up the crosses for the Easter season” and that “[the Village is] allowed to put the crosses back up during (holidays).”¹ We write now to once again request that these crosses be removed permanently from display on Village property.

As was explained to the Village in 2012, the display of Latin crosses on government property is unconstitutional. The religious significance of the Latin cross is unambiguous and indisputable. “The Latin cross . . . is the principal symbol of Christianity around the world, and display of the cross alone could not reasonably be taken to have any secular point.” *Capitol Square Review & Advisory Bd. v. Pinette*, 515 U.S. 753, 792 (1995) (Souter, J., concurring). An overwhelming majority of federal courts agree that the Latin cross universally represents the Christian religion, and only the Christian religion. *See, e.g., Separation of Church and State Comm. v. City of Eugene*, 93 F.3d 617, 620 (9th Cir. 1996) (“There is no question that the Latin cross is a symbol of Christianity, and that its placement on public land . . . violates the Establishment Clause.”); *Harris v. City of Zion*, 927 F.2d 1401, 1412 (7th Cir. 1991) *cert. denied*, 505 U.S. 1218 (1992) (“[A] Latin cross . . . endorses or promotes a particular religious faith. It expresses an unambiguous choice in favor of Christianity.”).

While the permanent display of these crosses by the Village is indisputably unconstitutional, the seasonal display of the crosses in recognition of Easter, the Christian celebration of Jesus’s

¹ Mark J. Miller, *Crosses back at Stratton building*, The Herald-Star (Apr. 8, 2014) available at <http://goo.gl/76xJZz>.

resurrection, is no less illegal. *Cf. ACLU of Ill. v. City of St. Charles*, 794 F.2d 265, 271 (7th Cir. 1986) *cert. denied*, 479 U.S. 961 (1986) (finding unconstitutional the display of a lighted Latin cross in celebration of Christmas). The display of these crosses is illegal because it represents government endorsement of the Christian religion. Mayor Abdalla must be advised that Village-endorsed celebration of a Christian holiday through the display of overtly Christian symbols violates the Establishment Clause.

We ask that the crosses be removed immediately from display on the municipal building and that officials of the Village of Stratton be reminded of their constitutional obligation to remain neutral toward religion. Please inform us in writing of the steps you are taking so that we may notify our complainant.

Sincerely,

A handwritten signature in blue ink, appearing to read 'RSM', is written over the typed name.

Rebecca S. Markert
Staff Attorney

Enclosure

RSM:stg

cc:

The Honorable John Abdalla
Mayor
Village of Stratton
136 2nd Ave.
Stratton, OH 43961

