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January 10, 2019

Mr. Greg Hasty
Presiding Commissioner
Camden County
1 Ct Cir., NW
Camdenton, MO 65020

Re: September 11, 2001 Painting

Dear Mr. Hasty:

I have the honor of serving as the Executive Director of the Congressional Prayer Caucus Foundation (CPCF). The Foundation serves nearly 100 members of Congress who are part of the Congressional Prayer Caucus (the names of those members of Congress who serve on the Congressional Prayer Advisory Team are listed on the left).

In addition, CPCF serves Legislative Prayer Caucuses in over 32 states, including Missouri, which have over 1,000 state senators and representatives as members. These leaders are working together to preserve the integrity of our Founding Principles and to protect First Amendment rights for all.

We read that the Freedom From Religion Foundation ("FFRF") recently filed a complaint against the county concerning a painting that appears in a Camden County Courthouse hallway. This painting features a New York Firefighter and a young girl looking at two steel beams from the World Trade Center, which form a cross. Above the cross are painted the words "September 11, 2001."

We assume that FFRF contends that the painting somehow violates the First Amendment's Establishment Clause. We understand that you disagree with FFRF's contention, and that you refuse to remove the painting. We applaud you for your stand, which we think is absolutely correct.

We note that the Constitution does not require that all references to religion and symbolism with religious roots must be removed from public buildings and grounds. This would mean that our national motto, "In God We Trust," could not be displayed and that symbols like doves and olive branches would have to be scrubbed from public places and state seals.

Many symbols that have religious significance have also taken on a broader symbolism in the public at large, including the cross. The Romans used the cross as a form of punishment both before and after Jesus' crucifixion, and therefore the cross has come to symbolize suffering. No one visiting Arlington Cemetery or the grounds at Normandy and walking among the crosses would reasonably believe that our government was advocating or endorsing the Christian religion. Rather, the reasonable observer is awestruck by the suffering and sacrifices of so many soldiers for their country.

In the 2010 case of *Salazar v. Buono*, which involved a Latin cross in the Mojave Desert that a person demanded that the government take down, three members of the Supreme Court wrote words that are fully applicable here (559 U.S. 700, 718-19):

The goal of avoiding governmental endorsement does not require eradication of all religious symbols in the public realm. A cross by the side of a public highway marking, for instance, the place where a state trooper perished need not be taken as a statement of governmental support for sectarian beliefs. The Constitution does not oblige government to avoid any public acknowledgment of religion's role in society. . . .

[The] Latin cross [in this case] is not merely a reaffirmation of Christian beliefs. It is a symbol often used to honor and respect those whose heroic acts, noble contributions, and patient striving help secure an honored place in history for this Nation and its people. Here, one Latin cross in the desert evokes far more than religion. It evokes thousands of small crosses in foreign fields marking the graves of Americans who fell in battles, battles whose tragedies are compounded if the fallen are forgotten.

Thank you, Commissioner Hasty, for your strong stance on this issue. You are absolutely correct that the painting in the Courthouse hallway is meant to commemorate the losses sustained in New York by the act of terrorism that occurred on September 11, 2001. Like other crosses that appear on public property, there is no governmental endorsement of religion, but a commemoration of those who suffered on behalf of our nations. We stand shoulder to shoulder with you in this effort.

If we can be of any service to you on this issue, feel free to contact us. We have First Amendment lawyers on staff who will work with you, without charge, if you need their services in creating or reviewing school policies regarding free speech and free exercise of religion.

For Faith and Freedom,



Lea Carawan

Executive Director

Congressional Prayer Caucus Foundation