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August 24, 2016

Mayor Carl Hokanson  
The Borough of Roselle Park  
110 East Westfield Avenue  
Roselle Park, NJ 07204

Dear Mayor Hokanson,

On behalf of the Anti-Defamation League ("ADL"), we write to express our concerns about a recently erected veterans memorial in front of the Roselle Park Veterans Memorial Library displaying a soldier kneeling before a grave marked by a Latin Cross.

ADL is a strongly pro-religion, national human relations and civil rights organization. For over a century, we have been ardent advocates for religious freedom for all Americans, whether in the majority or minority.

According to news reports, the City of Roselle Park placed the memorial on the Library property. Use of the Latin Cross in a government-sponsored veterans memorial display conveys the divisive and exclusionary message that the town prefers one branch of Christianity over all the other diverse faiths or religious beliefs of Americans who valiantly serve our nation and the residents of Roselle Park.<sup>1</sup> This message is contrary to the City's legal and moral responsibility to treat all people equally regardless of their religious affiliation.

Furthermore, the memorial is likely unconstitutional. Numerous courts have held that the display of a cross on government property constitutes an unconstitutional advancement or endorsement of religion. See *Jewish War Veterans v. City of San Diego*, 629 F.3d 1099 (9<sup>th</sup> Cir. 2011); *American Atheists, Inc. v. Duncan*, 637 F.3d 1095 (10<sup>th</sup> Cir. 2010), see also *McCreary v. ACLU*, 545, U.S. 844 (2005). Indeed, in *Trunk v. City of San Diego*, 629 F.3d 1099 (9<sup>th</sup> Cir. 2011), cert. denied, 132 S. Ct. 2535 (U.S. 2012), for example, the Ninth Circuit found that a publicly-owned war memorial "dominated" by a Latin cross violated the Establishment Clause.

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<sup>1</sup> The U.S. Department of Veterans Affairs list of recognized faiths for the purpose of emblems on government headstones and markers are available here: <http://www.cem.va.gov/hmm/emblems.asp>.

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In light of these serious policy and legal issues, we urge the City to reconsider its vote on the memorial by either removing it or taking measures to ensure that the memorial does not convey an unconstitutional message of religious advancement or endorsement of religion.

Please know that we provide this letter based on our century-old perspective of religious freedom for all Americans. ADL believes that religion has flourished in America because of the separation of church and state mandated by both the Establishment and Free Exercises Clauses of the First Amendment. As such, government should neither promote nor be hostile to religion. Although this belief may be distasteful to some, this position is not one of hostility towards religion. Rather, it reflects a profound respect for religious freedom and recognition of the extraordinary diversity of faiths and religious beliefs represented in our nation.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Cohen', with a large, stylized initial 'J'.

Joshua Cohen  
Regional Director  
New Jersey Region