



Jennifer Beahan's Public Comment to Ottawa County Board of Commissioners

Tuesday, March 25, 2015

- Good Afternoon Commissioners,
- My name is Jennifer Beahan, I am the Program Director for Center for Inquiry–Michigan.
- The mission of Center for Inquiry is to foster a secular society based on science, reason, freedom of inquiry and humanist values. CFI works to protect the rights of secular individuals and to provide a community for our members.
- Today I am here to protest the Board's decision to replace the biblical sign in Hagar Park.
- I represent myself, a resident of Grand Rapids, a former resident of Jenison, and an avid outdoors-person who frequently uses the public parks throughout Ottawa County.
- I am a Secular Humanist and an Atheist.
- I am also here today to represent the 585 Center for Inquiry constituents who live in Ottawa County, in addition to more than 2000 constituents who live in Kent County and the surrounding areas. Our constituents are also not religious, and many of them have written to me expressing their concern about this situation, but are not able to attend today.
- Parks and Recreation Director, John Scholtz, made the appropriate constitutional decision to remove the Biblical sign from Hagar Park in December, but his actions were quickly criticized by a vocal religious majority who think it is acceptable to promote Christianity in public spaces.
- Frankly, it doesn't matter how many people want the sign replaced, it is still unconstitutional.
- Elected officials are obligated to represent ALL Citizens, not just the majority viewpoint.
- Even more so, it is the duty of elected officials to protect the MINORITY population of citizens, since the minority is more likely to be marginalized.
- Commissioners, Would you support placing a sign that read "All praises and thanks be to Allah, Who created the heavens and the earth, and originated the darkness and the light" From the Qur'an, chapter 6, verse 1. No?
- If you are not willing to display a sign bearing a verse from the Qur'an or any other religion or philosophy, then it is clear your motivation is a religious one, and any other claims are simply a smokescreen for your true motivations.
- The legal opinion provided to you by your own counsel clearly indicated that there was no justification in replacing this sign as it is a violation of the constitutional prohibition on religious establishment. Nor did the legal opinion justify the re-placement of the sign as a "historical" element.

- Supreme Court precedent in *Epperson v. Arkansas*(1968) [393 U.S. 97, 104] has made clear that signs and displays on public property, such as the sign at issue here, are unconstitutional if they are seen as sending a message of endorsement of a religious belief.
- It is not the government’s INTENT in placing the sign or display which determines its constitutionality, it is the effect upon a ‘reasonable observer.’ according to *County of Allegheny v. ACLU* (1989) [492 U.S. 573, 597, 620].
- Adding a disclaimer on a separate sign saying it is not an endorsement of the views expressed does NOT eliminate this constitutional violation, nor change the impact of the Biblical sign.
- This sign is the sole expression of religious devotion present, and it is not balanced by other non-religious messages.
- Ottawa County has not indicated a willingness to allow other groups, religious or secular, to place their own signs in the park. As such, a reasonable observer cannot fail but to see this sign as governmental endorsement of a particular religious view.
- The Board’s hope that such a conclusion can be avoided by the placement of a small sign, relying on passersby to read the small print, is a vain hope.
- Hager Park is a public park, for the benefit of all people. This sign, prominently placed in the park is seen as Public Speech, and sends a clear message to all who view it – Ottawa County is endorsing a Judeo-Christian worldview.
- This sign sends a message to secular Michiganders, as well as those who adhere to a religion other than a Judeo-Christian one, that they are lesser citizens in the eyes of the Ottawa County government.
- This message is not only an inappropriate one to send, but it is also a violation of the First Amendment’s Establishment Clause, which “mandates government neutrality between government and religion, and between religion and non-religion.”
- Even if it were the wishes of the donor that this sign be displayed 50 years ago, such wishes cannot be used to justify Ottawa County violating the First Amendment in 2015.
- Such a violation would surely leave Ottawa County open to an expensive and protracted legal battle.
- I hope that Hager Park remains a beautiful, serene place for people of all faiths and no faith to visit and enjoy nature, not a place of state sponsored religious proselytizing.
- The Center for Inquiry, on behalf of our members, therefore respectfully requests that the Board reverses its decision to restore the sign. If it does not, and the sign is replaced in Hager Park in contradiction of the constitution, we will be forced to further explore our legal options on behalf of our local members whose rights are being violated.