

Media Contacts:

Jennifer Grisham 202.297.1290
media@libertylegal.org Cell: 254.640.1583
Roe Ann Estevez 972.423.3131 x115
raestevez@libertylegal.org Cell: 214.235.6713

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VETERANS FIGHT TO BE REMEMBERED

Launch Public Campaign to Save Monuments on Memorial Weekend

WASHINGTON, DC – Today – days before Memorial Day – Liberty Legal Institute joins five veterans groups, representing over four million veterans, to ask the U.S. Supreme Court to save the Mojave Desert Veterans Memorial from being torn down by the ACLU, the subject of *Salazar v. Buono* to be heard in The High Court's 2009-2010 term. The coalition is launching a major campaign to draw attention to the case: www.DontTearMeDown.com.

"Our nation is only as secure as we remember those who have given their lives for the freedom that we now have," said Kelly Shackelford, chief counsel of Liberty Legal Institute and attorney for the veterans groups. "The issue of saving this veterans memorial is something nearly every American will be interested in."

The seven-foot-tall memorial cross, erected in 1934 by World War I veterans as a war memorial to honor all fallen soldiers, stands in the midst of the 1.6 million-acre Mojave Preserve. The legal case arose when a former National Park Service (NPS) employee living in Oregon sued for the memorial's removal. Following attempts by Congress to designate the memorial as a national memorial and to transfer the land to the VFW, the District Court and Ninth Circuit Court both ruled that the memorial is unconstitutional and must be removed. The court also ordered the memorial covered with a plywood box until the U.S. Supreme Court ruling.

"A story untold is a story forgotten," said Joe Davis, public affairs director for the VFW. "We must tell the story of our veterans and fallen heroes, and we must keep this veterans memorial."

Henry and Wanda Sandoz, current and longtime caretakers of the memorial agree: "If they were to tear down the memorial which has been there for 75 years, I would lose faith in our government," said Wanda Sandoz. Henry agreed, "It would be sad. It would be so sad." The Sandoz's have been caring for the memorial since 1984 when they promised their friend Rily Bembrey, a WWI veteran, on his death bed, that they would look after the monument. Bembrey was one of many veterans who erected the memorial after relocating to the desert after the war to find physical and emotional healing.

"If the plaintiff is so offended by the possibility of seeing this memorial cross in the desert, will he be offended when he drives by Arlington National Cemetery" asked Jim Sims, National Senior Vice Commander of the Military Order of the Purple Heart. "It's our opinion that this case is not about a single memorial cross, it is a larger issue of honoring veterans who served and sacrificed for our country"

The American Legion is also concerned about the fate of the memorial. "If you don't think this is not the first domino in a series, you're not paying attention," said Mark Seavey, Assistant National Legislative Director for The Legion. "The cross is emblematic of sacrifice, not religion."

This case is part of a larger trend of assaults on war memorials with religious imagery and all displays with religious symbolism on public property. In addition to the lawsuit against the Mojave Desert War Memorial, the ACLU is suing for the removal of the Mount Soledad Memorial (*Paulson v. Abdelnour, et al.*). A related case in which the veterans were involved, *Pleasant Grove City v. Summum*, which dealt with donated monuments on public property, was resolved in the Supreme Court earlier this year.

Liberty Legal Institute is a legal organization committed to the defense of religious freedoms and First Amendment rights and is often before the U.S. Supreme Court.

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Interviews and B-roll of memorial are available. Visit www.DontTearMeDown.com for photos, detailed trends, and background information.

