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**COMMONWEALTH OF MASSACHUSETTS  
SUPREME JUDICIAL COURT**

SJC-13877

CLAIRE FITZMAURICE & OTHERS,

*Plaintiffs-Appellees,*

v.

CITY OF QUINCY & ANOTHER,

*Defendants-Appellants.*

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On Appeal from a Decision of the  
Superior Court in Norfolk County

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**DEFENDANTS-APPELLANTS' APPENDIX VOLUME II OF II**

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February 11, 2026

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*Claire Fitzmaurice & Others v. City of Quincy & Another*

SJC-13877

**Appendix Table of Contents**

<b>Volume II</b>		
<b>Document #</b>	<b>Document</b>	<b>Page</b>
14.4	Memorandum in Opposition to Motion for Preliminary Injunction and in Support of Motion to Dismiss	5
14.5	Affidavit of James S. Timmins	25
-	Exhibit 1 (public displays of religious figures in Massachusetts)	29
-	Exhibit 2 (public displays of religious figures across the United States)	52
-	Exhibit 3 (crosses in fire department imagery within Massachusetts and major U.S. cities)	122
-	Exhibit 4 (“About IFFD,” <i>International Firefighters’ Day</i> )	128
-	Exhibit 5 (excerpt from <i>Fundamentals of Fire Fighter Skills</i> , 5th ed.)	135
-	Exhibit 6 (“Officer’s Tattoos Share Personal Meaning, Help Them Connect,” <i>Associated Press</i> , July 13, 2019)	137
-	Exhibit 7 (“First Responders National Society of Saint Michael and Saint Florian,” First Responders Foundation)	143
-	Exhibit 8 (fallen firefighter poem from “WFD Fallen Firefighters Memorial,” City of Wilmington, North Carolina)	151
-	Exhibit 9 (“Faith Helps Overcome Challenges,” <i>Toronto Police Service</i> )	157
-	Exhibit 10 (“St. Michael’s House,” AMITA Health)	163

-	Exhibit 11 (commemorations of fallen firefighters in <i>The Newsletter of the New Jersey Division of Fire Safety</i> , vol. 11, issue 4)	169
-	Exhibit 12 (“Story Behind St. Michael Statue That Brought Comfort to Grieving Bristol Police Department,” <i>NBC Connecticut</i> )	194
-	Exhibit 13 (“St. Florian,” The Metropolitan Museum of Art)	196
-	Exhibit 14 (“St. Michael – by Raphael,” <a href="http://raphaelpaintings.org">raphaelpaintings.org</a> )	202
-	Exhibit 15 (“Patron Saint of Firefighters,” <i>Volunteer Guide</i> )	208
-	Exhibit 16 (Quincy Public Art Program ordinance)	217
-	Exhibit 17 (Letter from Massachusetts Inspector General to Quincy Purchasing Officer, Jan. 4, 2021)	222
14.6	Affidavit of Thomas P. Koch	225
14.8	Second Declaration of Attorney Rachel E. Davidson in Support of Plaintiffs’ Motion for Preliminary Injunction	228
-	Exhibit 39 (Declaration of Julie Byrne)	230
-	Exhibit 40 (“Anne Hutchinson,” <i>Encyclopedia Britannica</i> , Feb. 19, 2025)	246
-	Exhibit 41 (“Mary Dyer,” <i>Encyclopedia Britannica</i> , May 28, 2024)	249
-	Exhibit 42 (“Procedure and Guidelines for Replacement of Statues,” Architect of the Capitol, Jan. 2014)	252
-	Exhibit 43 (“History of the John Adams Courthouse,” Massachusetts Supreme Judicial Court)	259
-	Exhibit 44 (“Edward Everett Hale (sculpture),” Smithsonian American Art Museum)	266
-	Exhibit 45 (“National Statutory Hall Collection By Location,” Architect of the Capitol)	269

17	Emergency Motion of Quincy's Fire and Police Unions for Permissive Intervention as Defendants	284
-	Exhibit 1 (emails between proposed intervenors' counsel and plaintiffs' counsel, Aug. 2025)	293
27	Memorandum of Decision & Order on Emergency Motion of Quincy's Fire and Police Unions for Permissive Intervention as Defendants	296
29	Supplemental Facts and Argument of the Quincy Fire and Police	299
-	Exhibit 1 (Affidavit of Thomas Bowes)	305
-	Exhibit 2 (Affidavit of Gregg Hartnett)	309
34	Memorandum & Order on Plaintiffs' Motion for Preliminary Injunction and Defendants' Motion to Dismiss	312
37	Notice of Appeal	338
-	Transcript of Sep. 19, 2025 Hearing	342
-	Status Report of Plaintiff Cody Hooks	420

Docketed 8/4/2025

**COMMONWEALTH OF MASSACHUSETTS**

NORFOLK, SS

SUPERIOR COURT  
C.A. NO 25CV00576

CLAIRE FITZMAURICE, et al.

*Plaintiffs,*

v.

CITY OF QUINCY and THOMAS P.  
KOCH, *in his official capacity as Mayor of  
Quincy,*

*Defendants.*

**MEMORANDUM IN OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION  
AND IN SUPPORT OF MOTION TO DISMISS**

Defendants oppose Plaintiffs' Motion for a Preliminary Injunction. The same reasons that form the basis for Defendants' opposition also serve as the basis to dismiss the Complaint in its entirety. Defendants therefore submit this memorandum in support of both their opposition and their motion to dismiss.

**BACKGROUND**

This action, filed by fifteen residents of Quincy "who practice various faiths,"<sup>1</sup> seeks a declaratory judgment "to protect their rights under the Massachusetts Constitution and to ensure that their government respects their community's rich religious pluralism."<sup>2</sup> The claim is prompted by a decision to install statues of the Archangel Michael—a figure important to many police officers—and the Roman Soldier Florian—a figure important to many firefighters—on the

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<sup>1</sup> Complaint, second introductory paragraph at Page Two.

<sup>2</sup> Id.

face of the newly-constructed Public Safety Building in Quincy. The project, nearing the end of an eight-year public process, has been the subject of at least five public hearings before the City Council, the city's legislative body charged with oversight of the project's funding<sup>3</sup>. Following the most recent public hearing, at which the finishing stages of the project were discussed—including reference to the statues, Plaintiffs filed suit.

The claimed prompt: Plaintiffs' characterization of the statues as depicting "Catholic saints." This, despite the fact that nothing "Catholic" is being displayed as part of either statue.<sup>4</sup> While Plaintiffs are correct that both Michael and Florian have been venerated as saints in the Catholic Church, their status as such is incidental to their being internationally recognized symbols of first responders—the reason for the installation of monuments in their honor on Quincy's public safety building.

Plaintiffs' choice to classify the two monuments outside Quincy's public safety building as "Catholic statues" is the sole foundation for their claim. The classification ignores the secular function of the statues: to serve as symbols of the values "truth," "justice," "bravery," and the triumph of "good over evil." Quincy has a powerful interest in promoting these values on the part of those who conduct the public safety services within. The statues are not being installed for any religious purpose whatsoever, and nothing "Catholic" is being displayed as part of either monument. Plaintiffs do not have to do anything that implicates their own religious beliefs when entering the building. They simply will walk in and conduct whatever secular business they wish to conduct and will remain free to exercise their own religious beliefs in whatever manner they

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<sup>3</sup> Complaint at ¶¶ 20, 21(Sixth Sentence), 23.

<sup>4</sup> See Complaint at ¶ 31, Images 2 and 3.

wish to when departing. Plaintiffs' sole claim fails for these reasons, all as more fully discussed, below.

## **MATERIAL FACTS**

### **A. Plaintiffs and their claim**

Plaintiffs are three married couples and nine individuals, all living in Quincy. Complaint at ¶¶ 3-17. As there is no general jurisdiction in equity to entertain a suit by individual taxpayers to prevent a city from exercising its corporate powers,<sup>5</sup> a statutory foundation for standing must be shown. *Fuller et al. v. Trustees of Deerfield Academy and Dickinson High School, et al.*, 252 Mass. 258 (1925) (citations omitted). The fact that Plaintiffs are seeking declaratory relief does not confer standing on them to pursue this matter. See *Pratt v. Boston*, 396 Mass. 37, 43 (1985) (“[T]he requirement of ‘standing’ is not avoided by a prayer for declaratory relief.” [citation omitted]).

As Plaintiffs refer in their complaint to the status of some as being “taxpayers,” (e.g., ¶¶ 3 and 4 et al.), and to the expenditure of public funds (¶¶ 54-56), it appears the apparent basis on which they rely to press their claim is G.L. c. 40, § 53—the so-called ten taxpayer statute. However, Plaintiffs do not claim to be acting as private attorneys general through their ten taxpayer status. See *LeClair v. Town of Norwell*, 430 Mass. 328, 332 (1999) (“In cases brought under this statute, the taxpayers are acting as private attorneys general.”). Instead, their sole claim is that they seek “to protect their rights under the Massachusetts Constitution and to ensure that their government respects their community’s rich religious pluralism.”<sup>6</sup> Thus, the taxpayers

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<sup>5</sup> *Amory v. Assessors of Boston*, 310 Mass. 199 (1941).

<sup>6</sup> Complaint, second introductory paragraph at Page Two.

must show a likelihood of success on the merits and that the requested relief would be in the public interest. *Edwards v. Boston*, 408 Mass. 643, 646-647 (1990) (emphasis added).

Finally, beyond explaining that they invoke Article 3 “to protect their rights”<sup>7</sup> they make no allegation as to how their rights are being interfered with—nor could they. This is not a case where Defendants’ actions are alleged to be interfering with one’s free exercise of religion, nor is there any allegation that Defendants are providing funding to a church or religious society—both of which are proscribed under art. 3, as amended. Plaintiffs are simply offended by the planned statues, and, unwilling to confine themselves to the ordinary means for airing ideological disagreements with the government—the political process—have sought to make a lawsuit of it.

**B. There is no allegation of discriminatory intent in the decision to append the statues to the new public safety building.**

Mayor Koch selected statues of Michael and Florian for installation on the Public Safety Building due to their status as prominent figures in the police and fire communities worldwide. The selection had nothing to do with Catholic sainthood. Were each not recognized as symbolic figures of the police and fire service and had each not borne significance to the police, fire and public safety officials who will occupy the building, he would not have selected their visages for the façade of the building. They were selected by Mayor Koch while working with a local architect on the final design features without any religious input whatsoever. Affidavit of Thomas P. Koch, at ¶¶3, 4, filed herewith.

At the time, the Mayor recalled his work—in 2017/2018—on the construction of the Hancock Adams Common project in the heart of Quincy Center. That project included a plan for

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<sup>7</sup> *Id.*

statues of John Adams and John Hancock to be built and installed at either end on the newly constructed common. His goal then was to honor two of the founders of our country who were Quincy natives and nationally-known historic leaders. The Hancock and Adams statues were very positively received at the time and continue to serve as a popular feature on the town common. Affidavit of Thomas P. Koch, at ¶¶ 5.

This experience was another factor prompting the Mayor to install monuments on the Public Safety Building. As with Adams and Hancock, he regarded it to be similarly appropriate to erect statues—this time acknowledged symbols of the police and fire service that might inspire the men and women who work in the building, boosting morale, and ensuring their lifesaving work would remain maximally effective. There was nothing religious about the decision. The fact that Michael and Florian happen to be venerated in the Catholic Church is only ancillary to their status as prominent figures in the police and fire services and was not a consideration in the decision. Affidavit of Thomas P. Koch at ¶ 6.

## **ARGUMENT**

“[T]he ‘hermetic separation’ of church and State is an impossibility which the Constitution has never required.” *Arno v. Alcoholic Beverages Control Comm’n*, 377 Mass. 83, 91 (1979). Shortly after its decision in *Arno*, the S.J.C. further observed: “The complete obliteration of all vestiges of religious tradition from our public life is unnecessary to carry out the goals of nonestablishment and religious freedom set forth in our State and Federal Constitutions.” *Colo v. Treasurer and Receiver General*, 378 Mass. 550, 561 (1979). Likely for these reasons, Plaintiffs do not cite a single Massachusetts case enjoining a merely passive government symbol under the Constitution because it happens to have religious significance for

some—yet they nonetheless seek the extraordinary relief of a preliminary injunction. For the reasons below, that request should be denied, and the complaint should be dismissed.

**A. THE PLANNED STATUES OF MICHAEL AND FLORIAN DO NOT VIOLATE ARTICLE 3.**

Plaintiffs rely on the final sentence of Part 1, art. 3 of the Massachusetts Declaration of Rights as a basis for preliminary relief—claiming that, as amended, it removed “religious favoritism” from the Massachusetts Constitution. Memorandum in Support of Plaintiffs’ Motion for Preliminary Injunction at p. 10. But Article 3 has always been primarily about public financial support for religious institutions.

In its original iteration, Article 3 provided for the establishment, support and maintenance of the Congregational Church. *Caplan v. Town of Acton*, 479 Mass. 69, 76 (2018). At its inception in 1780, it was understood that the “happiness of a people, and the good order and preservation of a civil government” depended upon such an investment. Mass. Const. Part 1, art. 3. Following “decades of ‘lawsuits, bad feeling, and petty persecution’” the Commonwealth abolished government support for the Congregational Church in 1833. *Caplan*, 479 Mass. at 76-77. This amendment “guarantee[d] the equal protection of ‘all religious sects and denominations’” and “effectively ended religious assessments.” *Id.*

This case, however, doesn’t involve government funding of religious institutions. Rather, relying heavily on *Colo*—a case that *upheld* prayer to open legislative sessions in the face of a similar constitutional challenge—Plaintiffs say the statues are unconstitutional because they violate a test derived from the U.S. Supreme Court’s decision in *Lemon v. Kurtzman*, 403 U.S. 602 (1971). Plaintiffs’ Memo. at 11-17. But the U.S. Supreme Court has expressly “abrogated” *Lemon*, *Groff v. DeJoy*, 600 U.S. 447, 460 (2023), and that test can no longer govern in

Massachusetts, either. In any event, the statues pass muster even under the abrogated *Lemon* test.

**1. The *Lemon* test is no longer the law.**

Plaintiffs' entire memorandum revolves around the four-part test articulated in *Colo*, which asks whether the practice (1) has "a 'secular legislative purpose,'" (2) has a "primary effect" that "neither advance[s] nor inhibit[s] religion"; (3) results in "excessive government entanglement" with religion; and (4) "has a 'divisive political potential.'" 378 Mass. at 558.

But the S.J.C. adopted that test because those were "the criteria which ha[d] been established by the United States Supreme Court" in *Lemon v. Kurtzman* for evaluating claims under the federal Establishment Clause, which the S.J.C. found "equally appropriate to claims under the cognate provisions of the Massachusetts Constitution." *Id.* *Colo* was decided in 1979, when *Lemon* was still good law. But the U.S. Supreme Court has now "abandoned *Lemon*" under the federal Establishment Clause. *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 534 (2022). So on *Colo*'s reasoning, these "criteria" can no longer be "appropriate" under the Massachusetts Constitution, either. *Colo*, 378 Mass. at 558.

Plaintiffs cite no case from Massachusetts applying the four-part test from *Colo* after *Lemon*'s abrogation. And indeed, for Massachusetts courts to now resurrect *Lemon* would violate the U.S. Constitution's Supremacy Clause. That Clause states that "the Judges in every State shall be bound" by the Federal Constitution, "any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." U.S. Const. Art. VI, cl. 2. As such, the Clause "creates a rule of decision" directing state courts that they "must not give effect to state laws that conflict with federal law," including, of course, the federal Free Exercise Clause. *Espinoza v. Montana Dep't of Revenue*, 591 U.S. 464, 488 (2020) (quoting *Armstrong v. Exceptional Child Ctr. Inc.*,

575 U.S. 320, 324 (2015)). Thus, no interpretation of a state constitutional provision can stand if it necessarily infringes the federal Free Exercise Clause. *Id.* at 484-85 (state’s “interest in separating church and State ‘more fiercely’ than the Federal Constitution” cannot stand “in the face of the infringement of free exercise here.”)

The Supreme Court abandoned *Lemon* precisely because it needlessly “generate[d] conflict” with rights protected under the federal Free Exercise Clause, by inviting parties like Plaintiffs to attempt “‘to purge from the public sphere’ anything an objective observer could reasonably infer endorses or ‘partakes of the religious.’” *Kennedy*, 597 U.S. at 534-35, 542-43. And the federal Constitution does not permit “state experimentation in the suppression of ... the free exercise of religion.” *Espinoza*, 591 U.S. at 485. Accordingly, just as *Lemon* needed to be jettisoned on the federal level to avoid trampling on Free Exercise rights, it can no longer be good law in Massachusetts.

**2. Under the text of Article 3 and current Establishment Clause law alike, the statues are perfectly lawful.**

Looking to the plain text of Article 3 shorn of *Lemon*, the statues plainly do not violate it. They do not deny the equal “protection of the law” to any “sect[ or] denomination[],” and they do not cause the “subordination of any one sect or denomination to another” to be “established by law.” Indeed, they do not impose obligations on, allocate benefits to, or regulate any “sect or denomination” in any way. They are simply passive statues of figures with secular significance.

Current law under the federal Establishment Clause reaches the same result. In place of the now-abandoned *Lemon* test, the U.S. Supreme Court has instructed “that the Establishment Clause must be interpreted by reference to historical practices and understandings.” *Kennedy*, 597 U.S. at 510. To the extent *Colo* incorporates federal analogues, then, that is the same test

that now must govern under the “cognate provisions of the Massachusetts Constitution.” *Colo*, 378 Mass. at 558.

Moreover, the Supreme Court has explained what the relevant historical practices and understandings *are*—namely, “the hallmarks of religious establishments the framers sought to prohibit when they adopted the First Amendment.” *Kennedy*, 597 U.S. at 537 & n. 5. Under this approach, recent federal decisions have explained, if the government action at issue “does not resemble a traditional hallmark of religious establishment,” then it does not violate the Establishment Clause. *Hilsenrath on behalf of C.H. v. Sch. Dist. of Chatham*s, 136 F.4th 484, 486, 491 (3d Cir. 2025). And the “plaintiff has the burden of proving a set of facts that would have historically been understood as an establishment of religion.” *Firewalker-Fields v. Lee*, 58 F.4th 104, 122 n.7 (4th Cir. 2023).

Plaintiffs have not even attempted to allege such facts here. Nor could they. The hallmarks of a founding-era establishment include, for example, “mandated attendance in the established church,” government control over the established church, and “punish[ing] dissenting churches and individuals for their religious exercise.” *Shurtleff v. City of Boston*, 596 U.S. 243, 286 (2022) (Gorsuch, J., concurring). They do not include mere symbolic depictions of figures that some people view as religious and others do not. Indeed, “[n]o one at the time of the founding is recorded as arguing that the use of religious symbols in public contexts was a form of religious establishment.” *Id.* at 287. Nor do Plaintiffs point to any such evidence in Massachusetts at the time Article 3 was adopted. That straightforward proposition ends this dispute.

In fact, for “the founding generation, as well as the generation that ratified the Fourteenth Amendment,” “displaying a religious symbol on government property” was “commonplace.” *Am. Legion v. Am. Humanist Ass’n* 588 U.S. 29, 76 (2019) (Gorsuch, J., concurring in judgment). As

the Supreme Court has recognized, “[t]here is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life from at least 1789.” *Lynch v. Donnelly*, 465 U.S. 668, 674-75 (1984). That history stretches from Presidential Thanksgiving and prayer proclamations, to the motto “In God We Trust” on our currency, to “graphic manifestations of” our religious heritage in paintings and sculptures. *Id.* at 674-77. The planned statues here—to the extent they have religious content at all—are just another example.

Indeed, statues analogous to the Michael and Florian statues appear on public property and buildings throughout the Commonwealth and nation. The John Adams Courthouse in Boston—where the Massachusetts S.J.C. itself sits—features statues of Moses and of “Religion,” a woman holding “a large Bible and ... large cross” and wearing “the coif of a nun.” Affidavit of James S. Timmins Ex. 1 at 5. Above the “central door” of the Boston Public Library looms the “head of Minerva, the Goddess of Wisdom.” *Id.* at 7. In Plymouth, what is “[t]hought to be the largest solid granite monument in the United States” is a statue “built to honor the passengers of the Mayflower,” which features “the heroic figure of ‘Faith’ with her left hand clutching the Bible.” *Id.* at 15. Other statues on public land in Massachusetts depict Puritans, a Catholic archbishop, the Biblical parable of the Good Samaritan, and the Unitarian clergyman “[k]nown as the ‘apostle of Unitarianism.’” *Id.* at 10, 11, 18, 22. If Plaintiffs are right that any “permanent statues” with “obvious religious significance” are unconstitutional, Plaintiffs’ Memo. at 12, 14, then all these statues—many of which have stood for a century or more—would have to come down next.

Nor is Massachusetts alone in having such statues. Rather, like the S.J.C.’s courthouse, the courthouse of the U.S. Supreme Court features numerous statues of religious figures—including the Muslim prophet Muhammad, the Biblical king Solomon, the Roman goddess Juno, and Moses (the last of these in three separate statues). Affidavit of James S. Timmins Ex. 2 at 1-

6. Inside the U.S. Capitol are full-size statues of the Native American “religious leader” Po’Pay, the 19th-century “president of the [Church of Jesus Christ of Latter-Day Saints]” Brigham Young; and the Protestant “evangelical preacher[.]” Billy Graham, holding a Bible and with quotes from the Bible on its base. *Id.* at 11-12, 16. And while Plaintiffs here are especially exercised about statues of figures who are also Catholic saints, the U.S. Capitol features those in abundance, too—including statues of Father Junipero Serra, Father Damien of Molokai, and “King Louis IX of France,” *i.e.*, “Saint Louis.” *Id.* at 9-10, 21.

Moving outside of the Nation’s capital, there are prominent statues of figures who are also Catholic saints across the country. A “bronze statue of St. Clare, the city’s namesake,” looks over Santa Clara, California. *Id.* at 30. Statues of Joan of Arc stand on public land in New Orleans, Philadelphia, and Washington, D.C. *Id.* at 27, 39, 57. A Cleveland courthouse features a statue of “Pope Gregory the Great.” *Id.* at 56. And the “Mother Cabrini Memorial,” erected just five years ago, sits in Battery Park in New York City. *Id.* at 51. Indeed, the Statue of Liberty is itself a “figure of Libertas, a robed Roman liberty goddess.” *Id.* at 54.

Moreover, this commonplace practice extends specifically to depictions of the figures at issue here—Michael and Florian. A mural of Florian covers the side of the Venice Beach Fire Station in California. *Id.* at 29. A police department building in Texas features “a statue of Saint Michael the Archangel with a fallen officer.” *Id.* at 64. The Pennsylvania Railroad War Memorial is a statue of “the Archangel Michael, angel of the Resurrection, lifting a lifeless soldier in his arms.” *Id.* at 58. And the crest of the *USS Michael Monsoor*—a Navy destroyer—is a “winged arm” holding a sword, which the Navy describes as “a heraldic representation of St. Michael the Archangel.” *Id.* at 25.

The examples could be multiplied. *See generally* Affidavit of James S. Timmins Exs. 1-2. In the face of all this, it beggars belief to suggest that purely passive statues of Michael and Florian—which do not require or control any religious practice but instead merely depict figures important to Quincy first responders—violate a historically informed understanding of the Establishment Clause. The same is true of the cognate provisions of the Massachusetts Constitution—ending this case.

**3. Even under the *Lemon* test, the statues are perfectly lawful.**

Even if this Court were to ignore *Lemon*'s abrogation and continue to apply the *Lemon* test as articulated in *Colo*, however, the statues would still be constitutional.

**Purpose.** First, the statues unambiguously have “secular purposes.” *Colo*, 378 Mass. at 559. As Mayor Koch affirms, the purpose of the statues is to serve as symbols of the values “truth,” “justice,” “bravery,” and the triumph of “good over evil,” and to inspire and honor the first responders who put their lives on the line to protect the lives and property of Quincy’s citizens every day. Affidavit of Thomas P. Koch at ¶ 2. That purpose is not religious and has nothing to do with “religious favoritism.” *Cf.* Plaintiffs’ Memo. at 10-11.

Plaintiffs’ contrary argument boils down to the notion that Mayor Koch cannot have a secular purpose because Michael and Florian are viewed by some people as saints. *Id.* at 11-12. But this argument contradicts how the *Lemon* test works: “a permissible secular purpose” is not “transformed into an impermissible religious one” merely because the government makes its “point with an artifact whose historical significance derives, in whole or in part, from its religious symbolism.” *See, e.g., Am. Atheists, Inc. v. Port Auth. of N.Y. & N.J.*, 760 F.3d 227, 239 (2d Cir. 2014). In *Colo* itself, for example, the S.J.C. found “secular purposes” even for the overtly religious practice of opening legislative sessions with prayer—namely, “the maintenance of a long

tradition and the continuation of a ritual which prompts legislators to reflect on the gravity and solemnity of their responsibilities and of the acts they are about to perform.” 378 Mass. at 559.

And Mayor Koch’s secular purposes here are easily ascertainable, since the relationship between first responders and the figures of Michael and Florian indeed exists and transcends any of those figures’ religious associations. *See Am. Legion*, 588 U.S. at 53 (“[A]s time goes by, the purposes associated with an established monument, symbol, or practice often multiply.”). Contrary to Plaintiffs’ suggestions, Michael is not just a Catholic figure, but appears in ancient literature—scripture for Muslim,<sup>8</sup> Jewish,<sup>9</sup> and Christian<sup>10</sup> believers—as a saving defense against the power of evil represented by the devil. And Florian is remembered as a Roman soldier reputed to have “saved a whole town from a devastating fire with just a single pitcher of water.”<sup>11</sup>

It is therefore unsurprising that these figures would serve as an inspiration to police officers and firefighters the world over. Firefighters around the world celebrate International Firefighters Day on May 4—the same day some Christian traditions commemorate the feast day of St. Florian. Affidavit of James S. Timmins Ex. 4. Municipalities across Massachusetts and nationwide use the “Florian cross” to signify their fire departments. Affidavit of James S. Timmins Exs. 3, 5. Many police officers have a “portrait of St. Michael” tattooed on their skin. Affidavit of James S. Timmins Ex. 6. A national organization existing to “serve and honor all our First Responders, Veterans, and their families” is the National Society of St. Michael and St. Florian. Affidavit of James S. Timmins Exs. 7, 8. And when first responders are asked to pay the ultimate sacrifice,

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<sup>8</sup> *Qur'an* 2:98.

<sup>9</sup> *Daniel* 12:1.

<sup>10</sup> *Revelation* 12:7-9.

<sup>11</sup> *See* Affidavit of James S. Timmins Ex. 15.

the figures of Florian and Michael commemorate their passing through poetry<sup>12</sup> and monuments.<sup>13</sup> See also, e.g., Affidavit of James S. Timmins Ex. 9 (Toronto Police Service award for exemplary officers: “the St. Michael Award”); Affidavit of James S. Timmins Ex. 10 (Chicago substance-abuse treatment center for police officers: “Saint Michael’s House”).

Under the *Lemon* test, courts “generally defer” to a lawmaker’s “plausible secular purpose.” *Wallace v. Jaffree*, 472 U.S. 38, 74-75 (1985). That rule resolves the inquiry here.

**Effect.** Second, the statues’ primary effect will “neither advance nor inhibit religion.” *Colo*, 378 Mass. at 558. Instead, their primary effect will be to encourage and inspire the Quincy firefighters and police officers who routinely put their lives at risk for their fellow citizens, reminding them of the lofty values at stake when they show up to work. See *Colo*, 378 Mass. at 559 (primary effect of opening legislative sessions with prayer was to “prompt[] legislators to reflect on the gravity and solemnity of their responsibilities and of the acts they are about to perform”).

As just explained, Michael and Florian have long served precisely these purposes for police officers and firefighters around the world—and *Lemon*’s “effect” prong is measured from the perspective of an “objective observer fully aware of the relevant circumstances.” *Freedom From Religion Found. v. Hanover Sch. Dist.*, 626 F.3d 1, 11 (1st Cir. 2010) (primary effect of requiring recitation of pledge containing “under God” was “not the advancement of religion, but the advancement of patriotism”); see also *Doe v. Acton-Boxborough Reg’l Sch. Dist.*, 8 N.E.3d 737, 748-749 (Mass. 2014) (adopting reasoning of *Freedom From Religion Foundation* under

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<sup>12</sup> “Fallen,” a poem often used to commemorate firefighters who die in the line of duty, invites the deceased to “rest with St. Florian.” Affidavit of James S. Timmins Ex. 11.

<sup>13</sup> One prominent statue of St. Michael travels the country and is temporarily installed to honor the lives of fallen police officers. Affidavit of James S. Timmins Ex. 12.

Massachusetts law). Indeed, the objective observer would take note of a conspicuous way that the planned Michael and Florian statues depart from the typical representation of these figures in Catholic iconography: the planned statues do not have halos.<sup>14</sup> This detail would for the objective observer drive a conspicuous wedge between the planned statues and the way these figures would be depicted in a religious setting. And even if the statues “clearly resulted in an indirect benefit to a religion”—they do not—that still would not be enough, as the “benefit” would be merely “incidental to a secular purpose.” *Taunton E. Little League v. City of Taunton*, 389 Mass. 719, 725 (1983).

Plaintiffs’ argument to the contrary depends largely on a strained analogy to *Colo*, which they say “likely” would have come out the other way “[h]ad the chaplain positions in *Colo* excluded clergy of all religions but Catholicism.” Plaintiffs’ Memo. at 13-14. But the need to invoke a counterfactual version of *Colo* only underscores Plaintiffs’ lack of actual support in the caselaw. More importantly, *Colo* cuts directly against Plaintiffs. Plaintiffs there emphasized that the two legislative chaplains had for decades exclusively been Catholic priests, which they said demonstrated an equal protection violation. 378 Mass. at 557. But the S.J.C. rejected this theory, explaining that “[t]he mere fact that two persons of a particular faith have been appointed to these positions for over the past twenty years does not demonstrate ... that such decisions were based on religious discrimination.” *Id.* Just so here: The mere fact that the two figures given positions on the Public Safety Building’s façade are Catholic saints does not demonstrate that the Mayor’s decision to erect their statues constitutes “religious discrimination”; they were chosen not for religious reasons but for their significance to first responders. *Id.*

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<sup>14</sup> Compare Compl. p.16 with Affidavit of James S. Timmins Ex. 13; Affidavit of James S. Timmins Ex. 14.

Plaintiffs also invoke comments from individual Councilors and the opposition of individual members of “the Quincy Interfaith Network.” Plaintiffs’ Memo. at 13. But at most, the cherrypicked Councilor comments show only *incidental* effects anticipated by two individuals (who did not choose the statues). And the fact that some citizens oppose the statues does not show that they have a primarily religious effect; if it did, then virtually every public symbol with religious meaning would run afoul of the Constitution. See *Freedom From Religion Foundation*, 626 F.3d at 11 (“the constitutionality of a state statue does not turn on the *subjective* feelings of plaintiffs as to whether a religious endorsement has occurred”).

**Entanglement.** Third, the statues will not result in ““excessive government entanglement’ with religion.” *Colo*, 378 Mass. at 558. “Where unconstitutional entanglement has been found, it has been in the government’s continuing monitoring or potential for regulating the religious activity under scrutiny.” *Attorney General v. Bailey*, 386 Mass. 367, 379 (1982). Meanwhile, the government action at issue here—erecting statues—does not require “monitoring” or “regulating” anything at all.

Plaintiffs’ only citations are to cases holding that there was a risk of government entanglement “where the State exercises control over the design features of a church,” with ongoing power to approve or disapprove the church’s decisions. *Caplan*, 479 Mass. at 91-92 (citing *The Society of Jesus of New England v. Boston Landmarks Comm’n*, 409 Mass. 38, 42 (1990)). That is exactly the sort of governmental monitoring of private institutions’ religious activity that, as just stated, can give rise to entanglement concerns—and it has nothing to do with this case, where the statues will be erected and maintained on government property, with no private religious activity implicated whatsoever.

Plaintiffs also suggest entanglement arises when “government officials choose certain religious figures to venerate,” “approve the design of image of those religious icons,” and “place[] a permanent and prominent imprimatur on specific conceptions of both the saints and the demon.” Plaintiffs’ Memo. at 15. But this is wordplay, not argument. Mayor Koch has not chosen to “venerate” or given an “imprimatur” to anything, and the planned statues are not “religious icons.” Plaintiffs cannot bootstrap their way into a constitutional violation by way of inflammatory language.

Moreover, Plaintiffs’ “imprimatur” theory is broad enough to foreclose virtually any representation of a figure with religious significance on a public building, all of which by necessity have to make some choice about how to represent the figure, which in the nature of things may not be universally agreed on by every member of the public. If Plaintiffs were correct, the S.J.C. and the Supreme Court have themselves violated the Constitution multiple times over. Plaintiffs’ novel argument is meritless.

***Divisiveness.*** Finally, Plaintiffs say the Court should take into account their claim that the “statues are politically divisive.” Plaintiffs’ Memo. at 16-17. But Plaintiffs overlook that while this inquiry originated in *Lemon*-era caselaw from the U.S. Supreme Court, that Court long ago expressly “confined” the “language ... respecting political divisiveness” to “cases where direct financial subsidies are paid to parochial schools or to teachers in parochial schools.” *Mueller v. Allen*, 463 U.S. 388, 403 n.11 (1983).

Plaintiffs cite a case invoking a similar consideration in the related context of direct financial grants paid to religious organizations. Plaintiffs’ Memo. at 16 (citing *Caplan*, 479 Mass. at 93-94 (“*government support of churches* has always and inevitably been a politically divisive issue in Massachusetts”) (emphasis added)). But they cite no case ever applying this inquiry to

evaluate passive government symbolism based on factors like the existence of “an online petition against” it, Plaintiffs’ Memo. at 16—and to do so would turn what is supposed to be a legal inquiry into a nakedly political one. In a diverse polity like the commonwealth, the remedy for disagreeable government expression can only be to look away or engage the political process—not to sue. And indulging Plaintiffs’ innovation would be especially inappropriate given the remarkably meager evidence of “divisiveness” Plaintiffs muster here. *See* Plaintiffs’ Memo. at 16 (citing, *inter alia*, the opposition of “at least one Councilor”).

**B. FOR QUINCY TO REFUSE TO PUT UP THE STATUES BECAUSE OF PLAINTIFFS’ OBJECTIONS WOULD FORCE QUINCY TO VIOLATE FEDERAL LAW.**

In fact, not only is Quincy not *required* to give into Plaintiffs’ demands to not put up the statues—federal law *forbids* it. That is because Plaintiffs’ requested relief runs afoul of the Equal Protection Clause of the United States Constitution.

The principal motivation behind Plaintiffs’ argument is the contention that merely being invited to voluntarily gaze upon images of figures that—in addition to having secular significance, are also Catholic saints—is so offensive to them that it cannot be tolerated. But the Supreme Court has repeatedly admonished that the government violates the Equal Protection Clause when it “single[s] out a certain class of citizens for disfavored legal status or general hardships” based on “animus toward the class it affects.” *Romer v. Evans*, 517 U.S. 620, 633 (1996); *see also City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 448 (1985) (“mere negative attitudes, or fear ... are not permissible bases for” discriminating against the intellectually disabled).

But “negative attitudes” toward Catholicism are at the heart of Plaintiffs’ argument. Plaintiffs’ chief complaint is that they will be “confronted” with “behemoth” images of Catholic saints when they drive by the public safety building. *See, e.g.*, Fitzmaurice decl. ¶ 11; Tarantino Decl. ¶ 10; Rosenthol Decl. ¶ 8; M. Valencius Decl. ¶ 10; Mot.14, Reich Decl. ¶ 11; Roche-Cotter

Decl. ¶ 11; Leclair Decl. ¶ 11. This violates Plaintiffs' "rejection of Catholicism," Tarantino Decl. ¶ 5, as a religion that "divide[s] the world into 'good' and 'bad,'" M. Valencius Decl. ¶ 6. Plaintiffs even go so far as to derisively equate the millennia-old veneration of Archangel Michael as "evil," "deeply offensive," and an "icon[] to violence," Fitzmaurice Decl. ¶ 8, Rosenthol Decl. ¶ 7, Leclair decl. ¶ 5; Balsamo decl. ¶ 7, tantamount to condoning "how George Floyd was killed," Balsamo decl. ¶ 7, and tending to "exacerbate the trend in rising antisemitism," Leclair ¶ 8. But such "private [and erroneous] biases" cannot serve as the basis of Quincy's decision whether or not to erect the proposed statues. *Cleburne*, 473 U.S. at 448. The Federal Equal Protection Clause binds Quincy along with every other governmental actor, "and the City may not avoid the strictures of that Clause by deferring to the [discriminatory] wishes or objections of some fraction of the body politic." *Id.*

### **C. THE OTHER PRELIMINARY-INJUNCTION FACTORS FAVOR DEFENDANTS.**

For the reasons already given, Plaintiffs have failed to state a claim on the merits—so not only should their preliminary injunction be denied, but their case should be dismissed. *See, e.g., Garcia v. Dep't of Housing & Community Dev.*, 480 Mass. 736, 754 (2018).

To the extent the Court reaches the other preliminary-injunction factors, however, they favor Defendants. Plaintiffs will not suffer irreparable harm from the erection of statues that they are not forced to observe. Moreover, should they prevail on the merits, the statues can readily be removed. And the balance-of-harms and public-interest factors favor Defendants, since the public has an interest in Mayor Koch achieving his goal in erecting the statues: honoring Quincy's first responders and inspiring them to carry out their lifesaving work with maximum effectiveness. *See LeClair v. Town of Norvell*, 430 Mass. 328, 337 (1999).

## CONCLUSION

For the foregoing reasons, and those raised at oral argument, the motion to dismiss should be granted. At minimum, Plaintiffs' motion for preliminary injunction should be denied.

Respectfully submitted,

*James S. Timmins*

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Docketed 8/4/2025

**COMMONWEALTH OF MASSACHUSETTS**

NORFOLK, SS

SUPERIOR COURT  
C.A. NO 25CV00576

CLAIRE FITZMAURICE, et al.

*Plaintiffs,*

v.

CITY OF QUINCY and THOMAS P.  
KOCH, *in his official capacity as Mayor of  
Quincy,*

*Defendants.*

**AFFIDAVIT OF JAMES S. TIMMINS**

I, James S. Timmins, being first duly sworn, do hereby depose and state as follows:

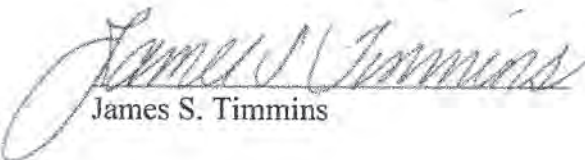
1. I make each of the following statements of my own personal knowledge.
2. Attached as Exhibit 1 is a table containing examples of statues and depictions of religious figures on public property in the state of Massachusetts. The table summarizes the contents of the cited government websites and publications, historical society websites, news articles, and other sources, links to which appear in the table.
3. Attached as Exhibit 2 is a table containing examples of statues and depictions of religious figures on public property in the United States. The table summarizes the contents of the cited government websites and publications, historical society websites, news articles, and other sources, links to which appear in the table

4. Attached as Exhibit 3 is a table containing examples of crosses in fire department imagery within Massachusetts and major U.S. cities. The table summarizes the contents of the cited Massachusetts fire department websites, official Facebook accounts, organizations, and publications documenting the activity of aforementioned departments and organizations, links to which appear in the table.
5. Attached as Exhibit 4 is a true and correct copy of the International Firefighter's Day webpage entitled *About IFFD* and can be accessed at <https://perma.cc/98GY-8FBZ>.
6. Attached as Exhibit 5 is a true and correct copy of chapter 1, page 6 of the April 30, 2024 book *Fundamental Firefighter Skills, Fifth Edition*. The chapter is entitled *The Fire Service* and the relevant section is titled *The Firefighter's Cross*. The book can be accessed at [https://www.google.com/books/edition/Fundamentals\\_of\\_Firefighter\\_Skills\\_Fifth/PV\\_5EAAAQBAJ?hl=en&gbpv=1&dq=florian+cross&pg=PA6&printsec=frontcover](https://www.google.com/books/edition/Fundamentals_of_Firefighter_Skills_Fifth/PV_5EAAAQBAJ?hl=en&gbpv=1&dq=florian+cross&pg=PA6&printsec=frontcover).
7. Attached as Exhibit 6 is a true and correct copy of a July 13, 2019 Associated Press article by Brandie Kessler and York Daily Record entitled *Officer's Tattoos Share Personal Meaning, Help Them Connect*. The article can be accessed at <https://perma.cc/RP3U-D8LF>.
8. Attached as Exhibit 7 is a true and correct copy of a webpage from First Responders Foundation. The webpage is entitled *First Responders National Society of Saint Michael and Saint Florian* and can be accessed at <https://perma.cc/TJ8Z-ASGG>.
9. Attached at Exhibit 8 is a true and correct copy of a webpage from the City of Wilmington North Carolina. The webpage is entitled *WFD Fallen Firefighters Memorial* and can be accessed at <https://perma.cc/AM3P-QHYM>.

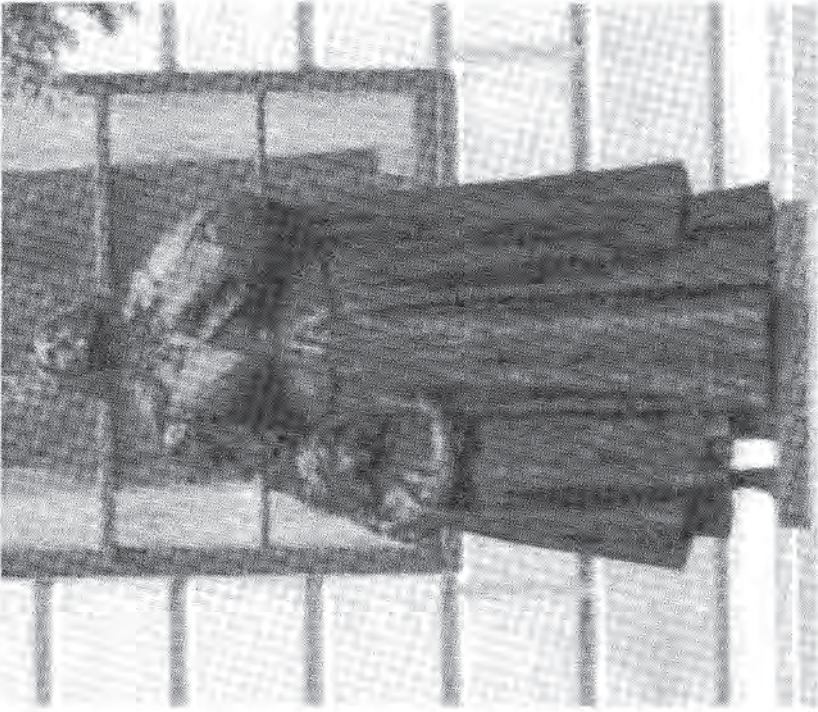
10. Attached at Exhibit 9 is a true and correct copy of the Toronto Police Service webpage memorializing the November 18, 2024 article by Ron Fanfair. The article is entitled *Faith Helps Overcome Challenges* and can be accessed at <https://perma.cc/4F5M-5WYF>.
11. Attached at Exhibit 10 is a true and correct copy of a brochure from Saint Michael's House, a publicly endorsed treatment center for law enforcement officers, detailing its services and amenities. The brochure can be accessed at <https://perma.cc/Q3PP-N8LF>.
12. Attached as Exhibit 11 is a true and correct copy of a newsletter of *Fire Focus* memorializing the winter 2015 Newsletter of the New Jersey Division of Fire Safety. The newsletter can be accessed at <https://perma.cc/8AVL-G9NE>.
13. Attached at Exhibit 12 is a true and correct copy of a November 11, 2022 news clip from NBC Connecticut entitled *Story Behind St. Michael Statue That Brought Comfort to Grieving Bristol Police Department* and can be accessed at <https://www.nbcconnecticut.com/news/local/story-behind-st-michael-statue-that-brought-comfort-to-grieving-bristol-police-department/2913761/>.
14. Attached at Exhibit 13 is a true and correct copy of a webpage from the Metropolitan Museum of Art entitled *St. Florian*. The webpage and contains an image and account of a piece within the Museum's collection and can be accessed at <https://perma.cc/JY4T-PL3D>.
15. Attached at Exhibit 14 is a true and correct copy of a webpage from [raphaelpaintings.org](http://raphaelpaintings.org). The webpage is entitled *St. Michael - by Raphael* and can be accessed at <https://perma.cc/L4K4-KN7E>.
16. Attached as Exhibit 15 is a true and correct copy of a webpage from Volunteer Guide. The webpage is entitled *Patron Saint of Firefighters* and can be accessed at <https://perma.cc/6MAS-Q58E>.

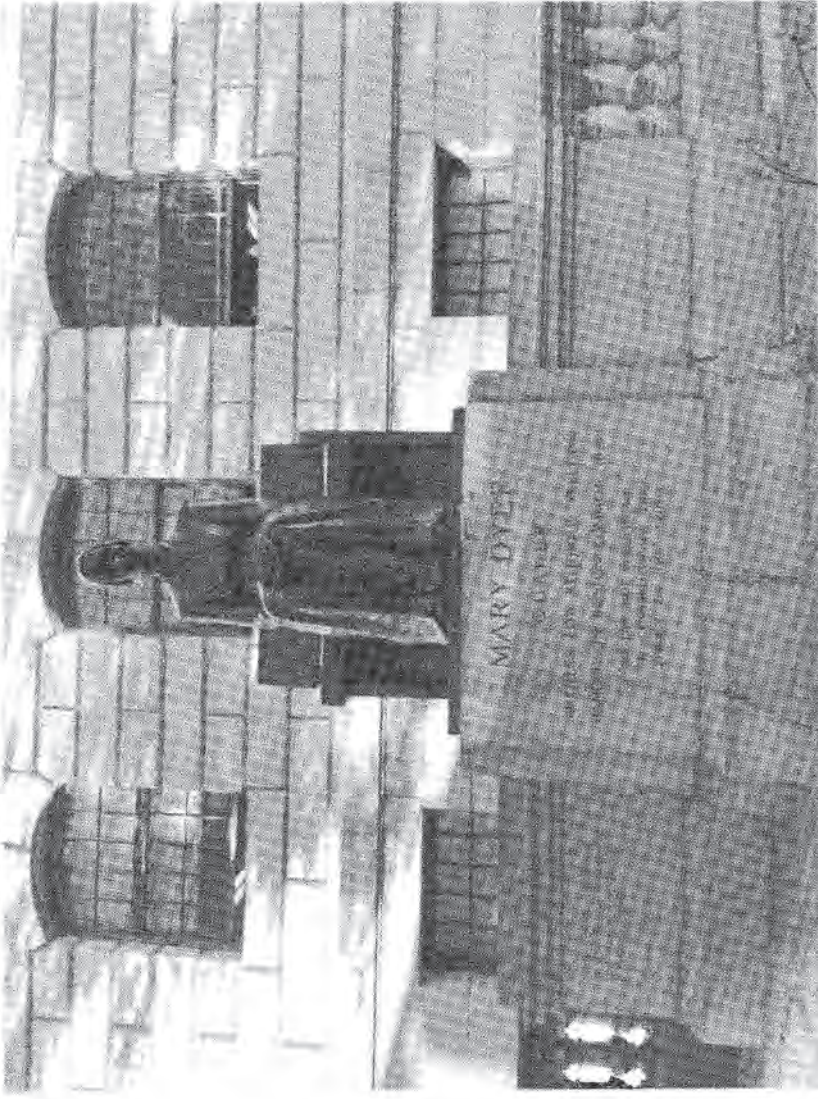
17. I accessed the websites and sources from which the images and information in the above 15 exhibits was compiled.
18. Attached as Exhibit 16 is a true copy of Quincy Municipal Ordinance 2009-112, "Public Art Program."
19. Attached as Exhibit 17 is a true copy of a letter dated January 4, 2021 authorizing the city of Quincy to use the CM-at-risk alternative delivery method for the Quincy Public Safety Headquarters project.

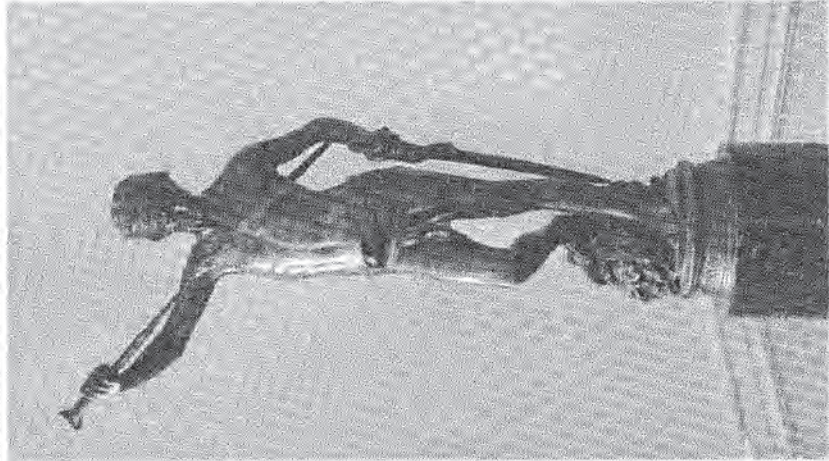
I SIGN THIS UNDER THE PENALTY OF PERJURY THIS 9<sup>TH</sup> DAY OF JULY, 2025.


  
James S. Timmins

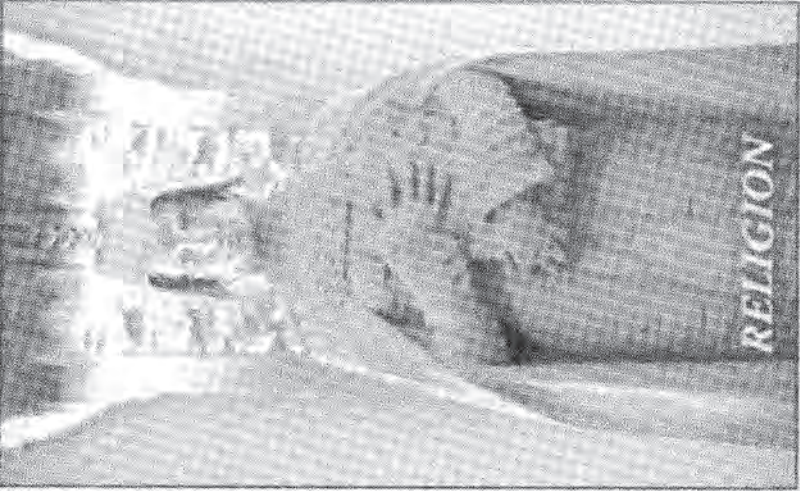
# Exhibit 1

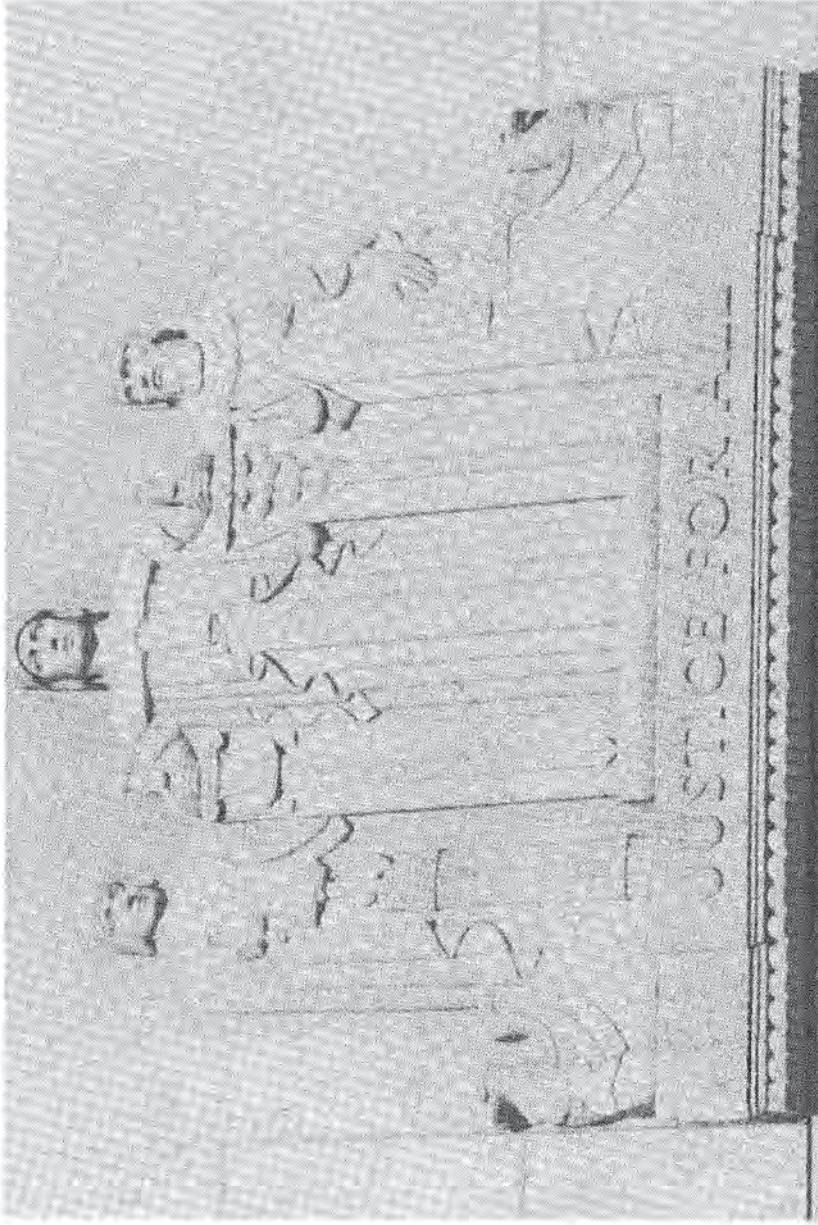
 A black and white photograph of a statue of Ann Hutchinson. She is depicted from the waist up, wearing a long, dark, flowing dress with a high collar and a large, dark, textured shawl or capelet draped over her shoulders. She is standing in front of a stone wall with a window that has a grid pattern. The statue is mounted on a dark, rectangular base.	<p>Statue of Ann Hutchinson (1922)</p>	<p>Massachusetts State House Boston, MA</p>	<p>“[A]n early Boston colonist who was expelled from the colony because of her different religious views.”  Secretary of the Commonwealth of Massachusetts, <i>An Online Tour of the Massachusetts State House</i>, <a href="https://www.sec.state.ma.us/divisions/state-house-tours/trsbok/trstour.htm">https://www.sec.state.ma.us/divisions/state-house-tours/trsbok/trstour.htm</a>.</p>
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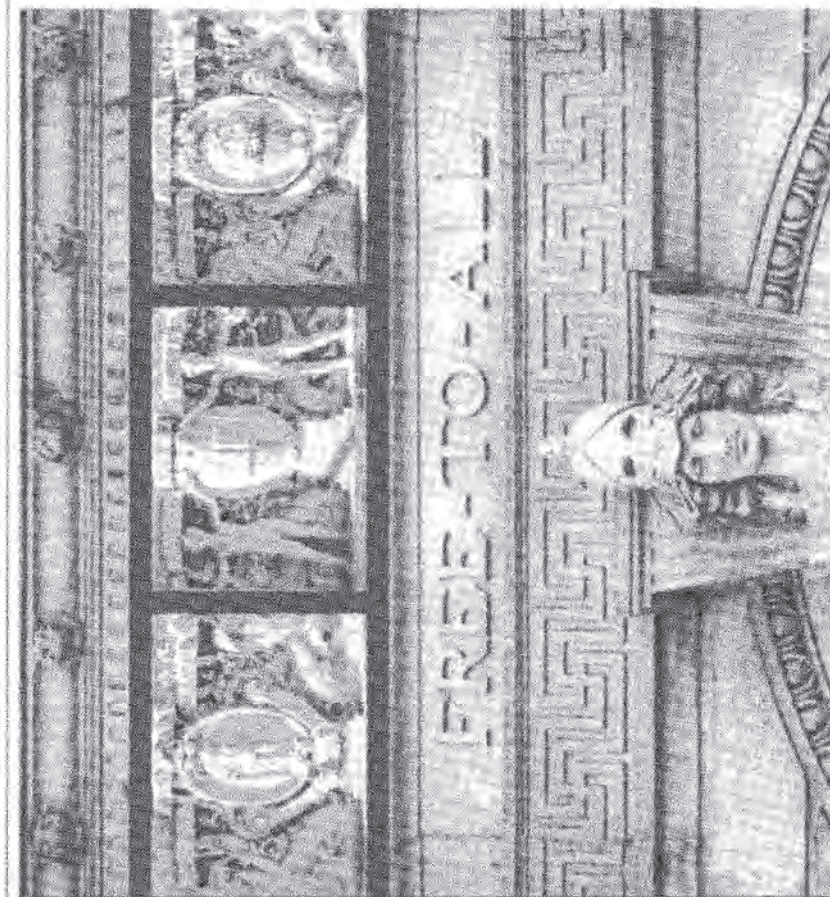
 A black and white photograph of the Statue of Mary Dyer, a woman in a long dress and bonnet, standing on a stone pedestal. The pedestal is inscribed with her name and the date 1660. The statue is set against the stone facade of the Massachusetts State House, which features several arched windows.	<p>Statue of Mary Dyer (1959)</p> <p>Massachusetts State House Boston, MA</p>	<p>“[A]n early Boston Quaker who was hanged on Boston Common in 1660,” “charged only with being a Quaker.”</p> <p>Atlas Obscura, <i>Statue of Mary Dyer</i>, <a href="https://perma.cc/GFP9-BAG9">https://perma.cc/GFP9-BAG9</a>; Secretary of the Commonwealth of Massachusetts, <i>An Online Tour of the Massachusetts State House</i>, <a href="https://www.sec.state.ma.us/divisions/state-house-tours/trsbok/trstour.htm">https://www.sec.state.ma.us/divisions/state-house-tours/trsbok/trstour.htm</a>.</p>
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	<p>“David and Goliath, depicts the biblical story of the young King David slaying Goliath, a Philistine giant.”</p>	<p>David Smitherman, <i>Massachusetts State House Part 2 of 4: The State House Interior by Bulfinch</i>, <a href="https://david-vs-smitherman.medium.com/massachusetts-state-house-065c884bfc2e">https://david-vs-smitherman.medium.com/massachusetts-state-house-065c884bfc2e</a>; <a href="https://www.mass.gov/doc/sculpture-1/download">Mass.gov, Massachusetts State House Art and Artifacts Collections, https://www.mass.gov/doc/sculpture-1/download</a></p>
<p>Massachusetts State House Boston, MA</p>		
<p><i>David and Goliath</i> (19th century)</p>		

	<p>Statue of Moses as "Legislation" (ca. 1894)</p> <p>John Adams Courthouse Boston, MA</p>	<p>"Moses transmitted from God an early codification of legislation included in the Hebrew Bible ... [H]is garment ... has the Roman numerals I through X on it, representing the Ten Commandments."  Jewish Boston, <i>Moses Sighted All Over Boston</i>, <a href="https://www.jewishboston.com/read/moses-sighted-all-over-boston/">https://www.jewishboston.com/read/moses-sighted-all-over-boston/</a>; Kenneth Bresler, <i>Virtues in the Great Hall: Understanding the Allegorical Statues in the John Adams Courthouse</i>, 102 Mass. L. Rev. 71, 81 (2021)</p>
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	<p>John Adams Courthouse Boston, MA</p>	<p>“Religion, a woman, holds a large Bible and, behind and almost hidden by the Bible, a large cross. She wears the coif of a nun ...” Kenneth Bresler, <i>Virtues in the Great Hall: Understanding the Allegorical Statues in the John Adams Courthouse</i>, 102 Mass. L. Rev. 71, 79-80 (2021)</p>
<p>“Religion” (ca. 1894)</p>		

	<p>Sculpture of Moses (1937)</p>	<p>Suffolk County Courthouse Boston, MA</p>	<p>Jewish Boston, Moses Sighted All Over Boston, <a href="https://www.jewishboston.com/read/moses-sighted-all-over-boston/">https://www.jewishboston.com/read/moses-sighted-all-over-boston/</a></p>
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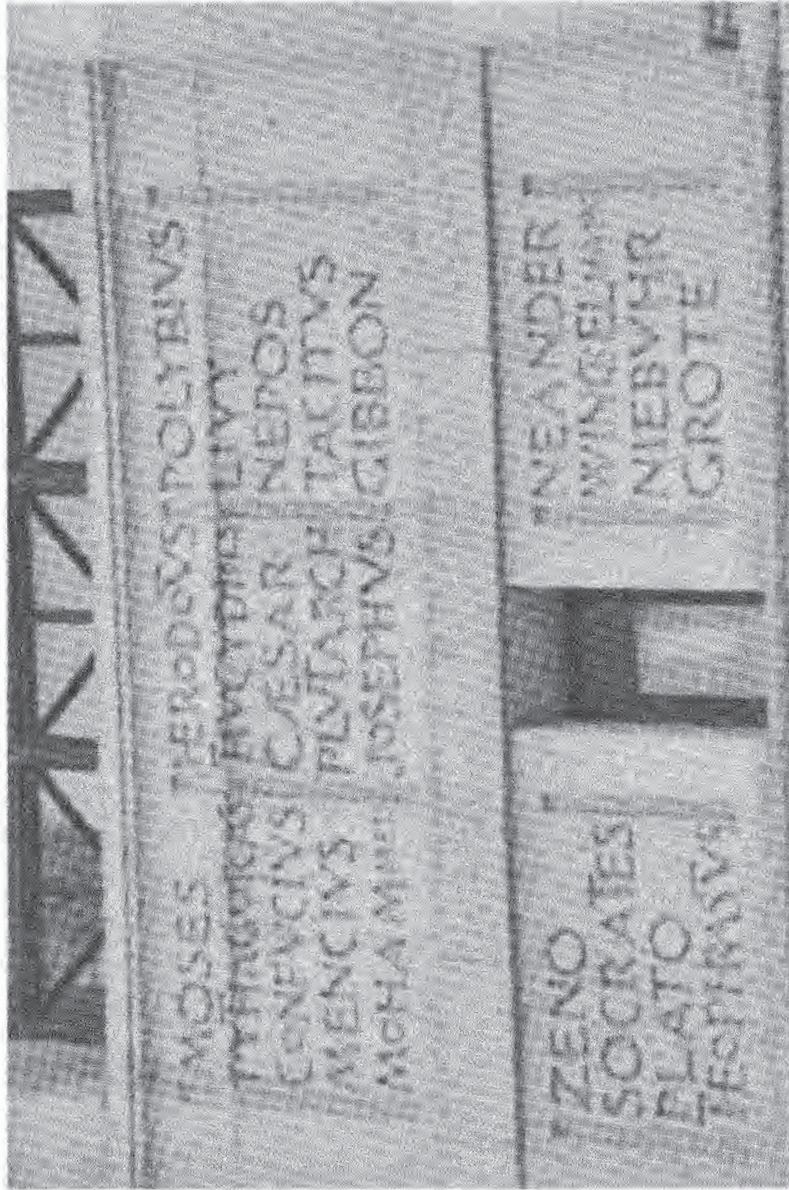


Head of Minerva  
(ca. 1895)

Boston Public Library  
Boston, MA

“... head of Minerva, the Goddess of Wisdom, above the central door.”

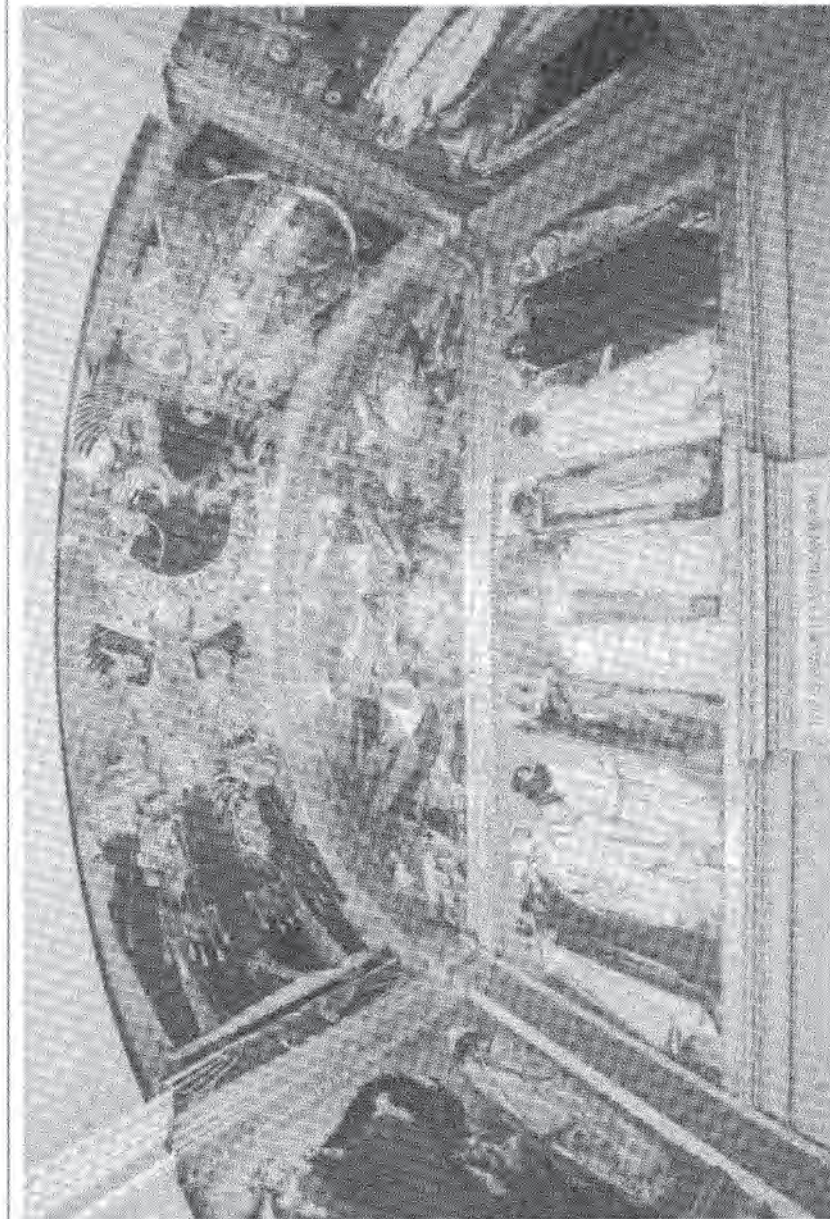
Boston Public Library, *Art & Architecture of the Central Library in Copley Square at 12-13*, <https://perma.cc/KN5S-QQUP>



Inscriptions of "Moses" and  
"Mohammed"  
(ca. 1895)

Boston Public Library  
Boston, MA

Jewish Boston, Moses Sighted All Over Boston,  
<https://www.jewishboston.com/read/moses-sighted-all-over-boston/>

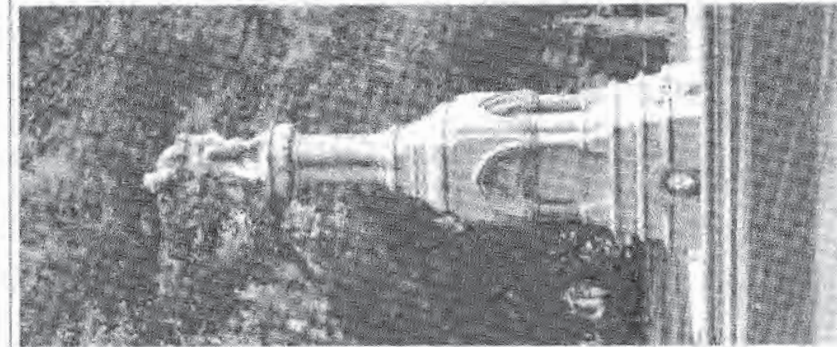


"A broad range of moments and iconography from early Egyptian and Assyrian belief systems, Judaism, and Christianity ..."

Boston Public Library, McKim Building 125th Anniversary: Fact Sheet, <https://perma.cc/J9LN-ZD2U>; Boston Public Library, Central Library Points of Interest, <https://perma.cc/PRN5-Q6RW>

Boston Public Library  
Boston, MA

*Triumph of Religion*  
(1895-1919)




"[F]orty-foot-tall monument ... . Atop the Ether monument, two figures ... enact a famous Biblical story about the relief of suffering: the Good Samaritan caring for an injured stranger he met on the road."

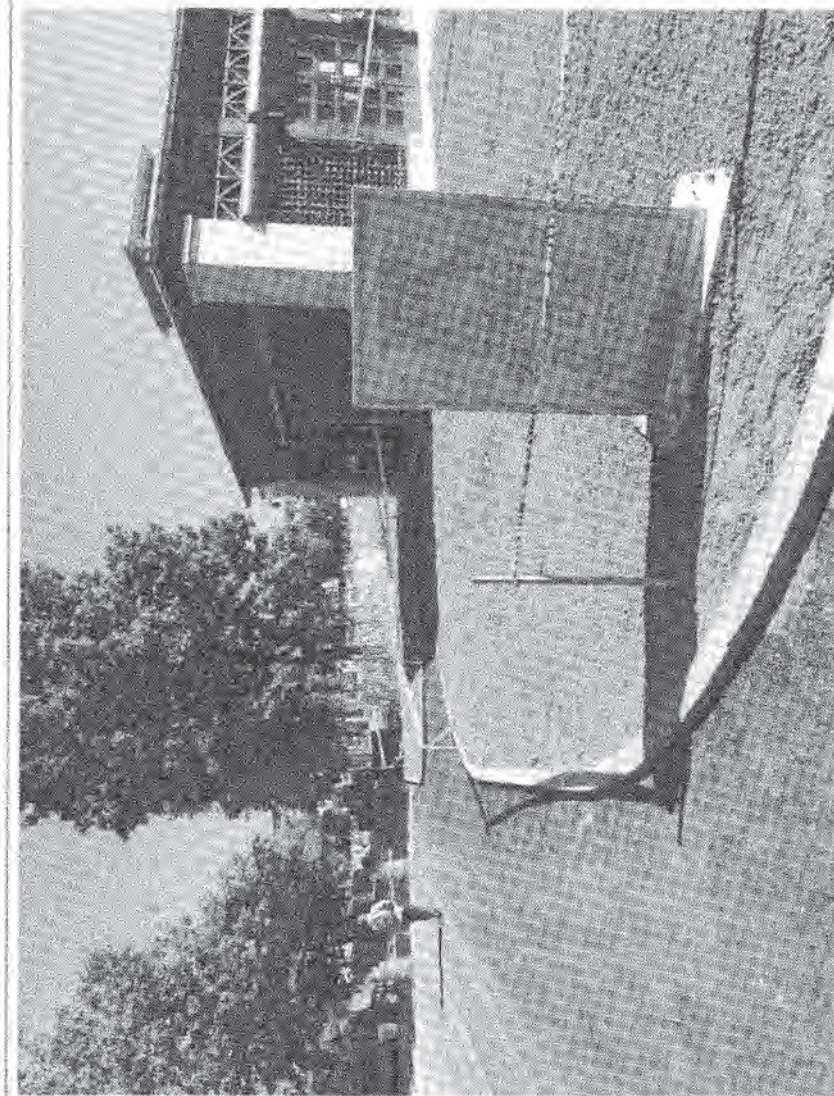
Friends of the Public Garden, *Ether Monument*,  
<https://perma.cc/HF8W-LN2J>

Ether Monument  
(1868)

Boston Public Garden  
Boston, MA

	<p>Boston Public Garden Boston, MA</p>	<p>“Unitarian clergyman,” “[k]nown as the ‘apostle of Unitarianism’ ...” Historical Marker Database, <i>William Ellery Channing</i>, <a href="https://perma.cc/SVMMV-NQXE">https://perma.cc/SVMMV-NQXE</a>; Britannica, <i>William Ellery Channing</i>, <a href="https://perma.cc/59S8-JJLL">https://perma.cc/59S8-JJLL</a></p>
	<p>Statue of William Ellery Channing (1903)</p>	

	<p>Statue of Edward Everett Hale (1913)</p> <p>Boston Public Garden Boston, MA</p>	<p>Unitarian clergyman; described in inscription on base of statue as "Preacher of the Gospel"</p> <p>Historical Marker Database, <i>Edward Everett Hale</i>, <a href="https://perma.cc/JJQ5-RFCC">https://perma.cc/JJQ5-RFCC</a>; Britannica, <i>Edward Everett Hale</i>, <a href="https://perma.cc/6NTD-4HP9">https://perma.cc/6NTD-4HP9</a></p>
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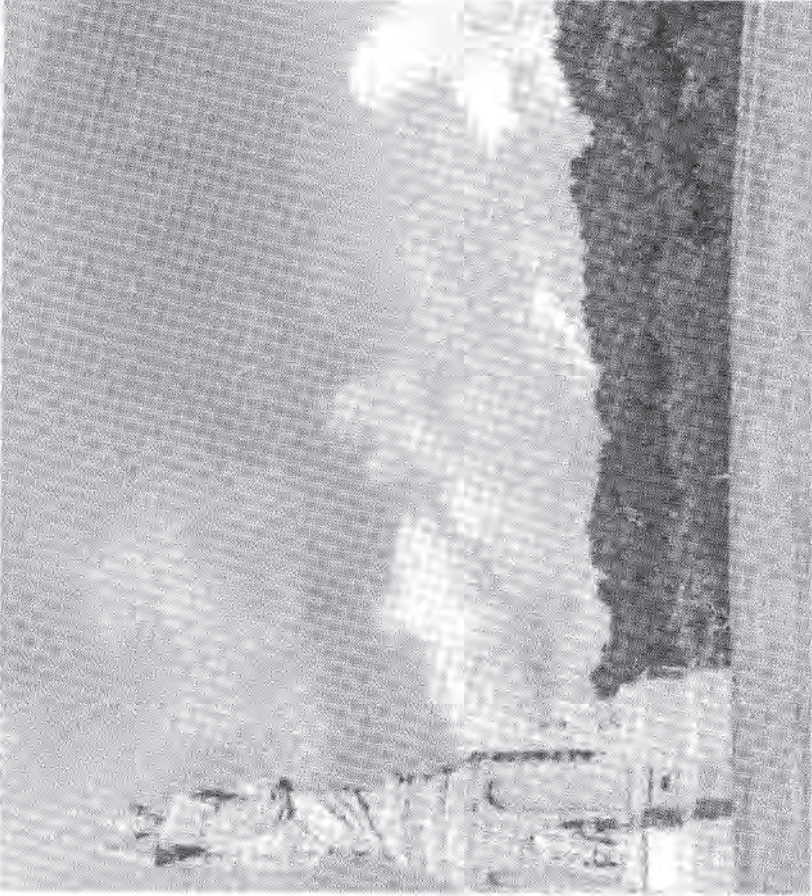
Pope John Paul II Memorial  
(1981)

Boston Common  
Boston, MA

Monument depicting St. John Paul II and commemorating  
“the first Mass offered in the United States by His Holiness  
on his first pastoral visit to this country ...”

Historical Marker Database, *Pope John Paul II's Visit to  
Boston*, <https://perma.cc/FSS2-PG64>

	<p>Statue of John Bridge (1882)</p>	<p>Cambridge Common Cambridge, MA</p>
<p>Inscription: "This Puritan helped to establish here church school and representative government and thus to plant a Christian commonwealth." Also features Bible quote: "They that wait upon the Lord shall renew their strength."</p>		<p>History Cambridge, Self-Guided Tour: Monuments and Memorials in Cambridge, <a href="https://perma.cc/ZF9K-24XF">https://perma.cc/ZF9K-24XF</a></p>

	<p>National Monument to the Forefathers (1889)</p> <p>Plymouth, MA</p>	<p>“Thought to be the largest solid granite monument in the United States, this 81-foot-tall granite statue was built to honor the passengers of the Mayflower. ... On the main pedestal stands the heroic figure of ‘Faith’ with her ... left hand clutching the Bible.”</p> <p>Mass.gov, <i>National Monument to the Forefathers</i>, <a href="https://www.mass.gov/locations/national-monument-to-the-forefathers">https://www.mass.gov/locations/national-monument-to-the-forefathers</a>; See Plymouth, <i>National Monument to the Forefathers</i>, <a href="https://perma.cc/TA3L-EMAZ">https://perma.cc/TA3L-EMAZ</a>.</p>
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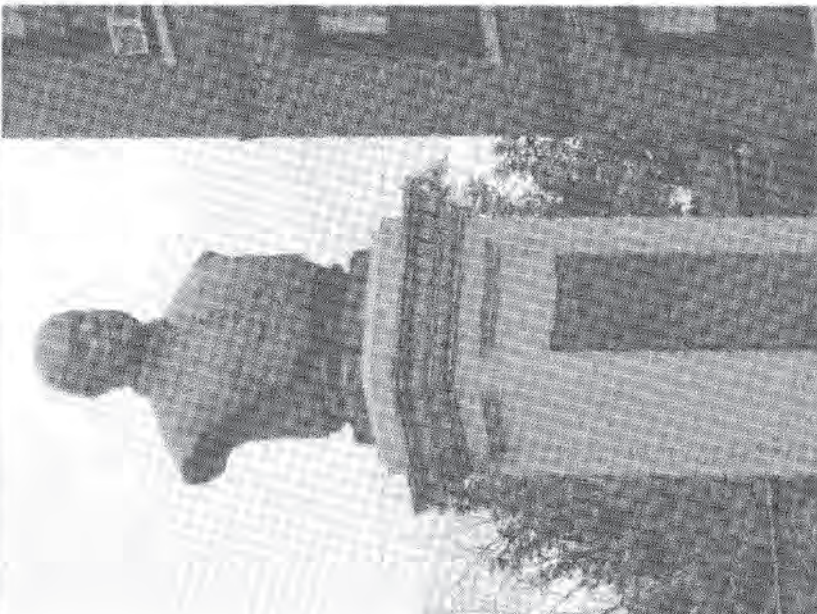
Pilgrim Mother Fountain  
(1920)

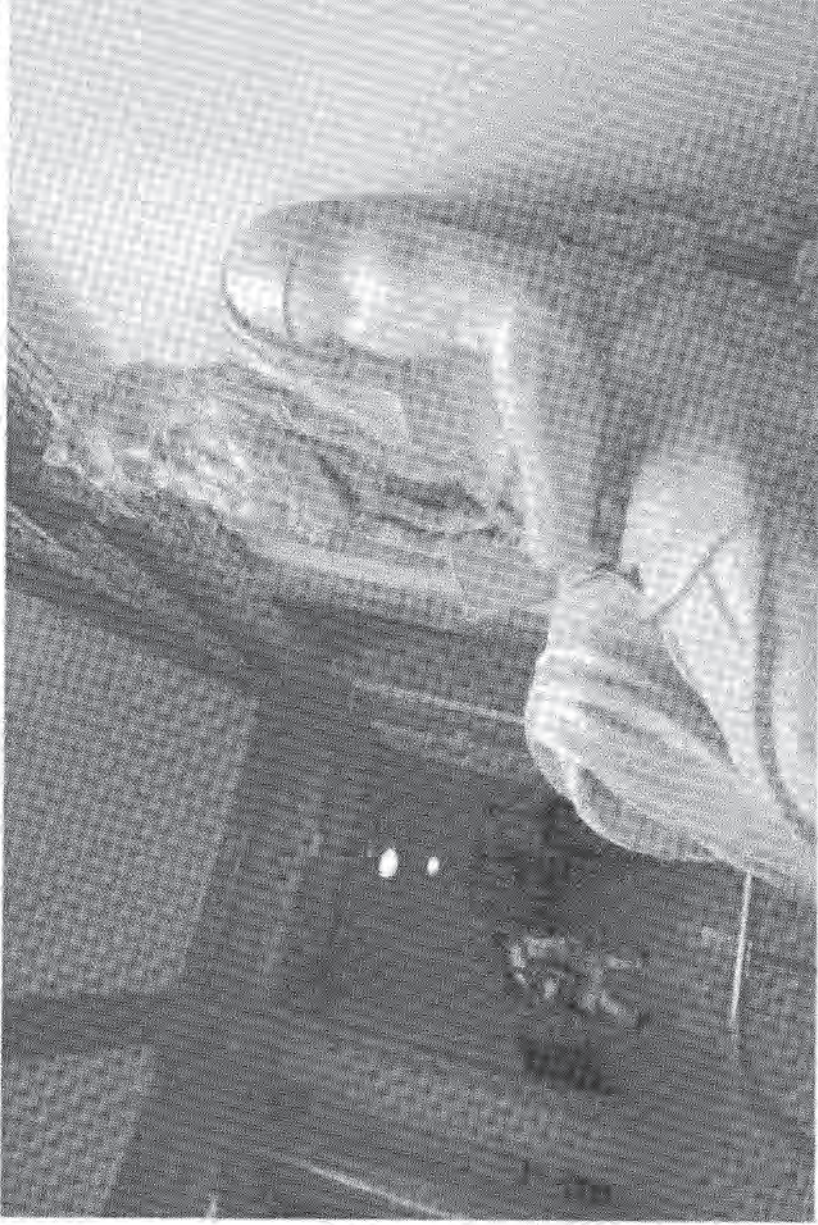
Plymouth, MA

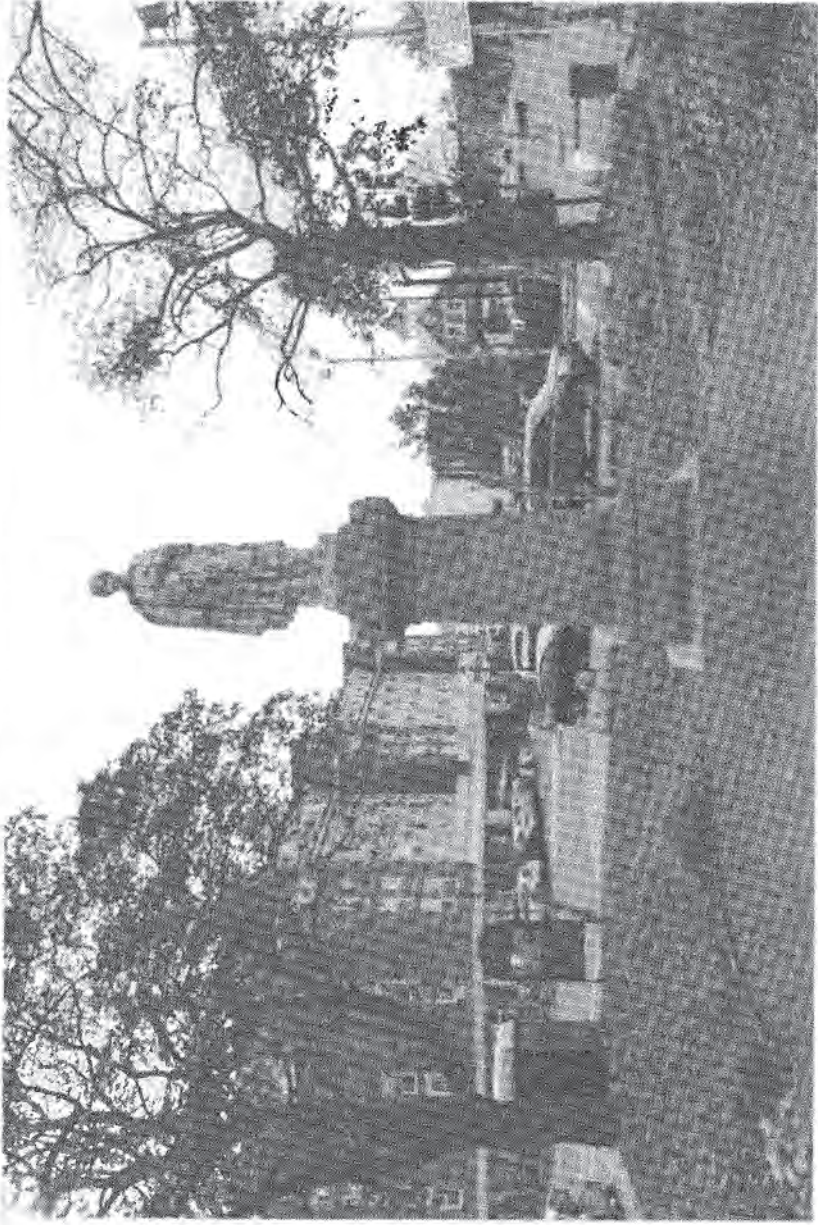
Depiction of “a Pilgrim woman” with “a spiritual quality such as the heroic women of the Mayflower must have had,” “express[ing] faith, devotion and strength of endurance ...”

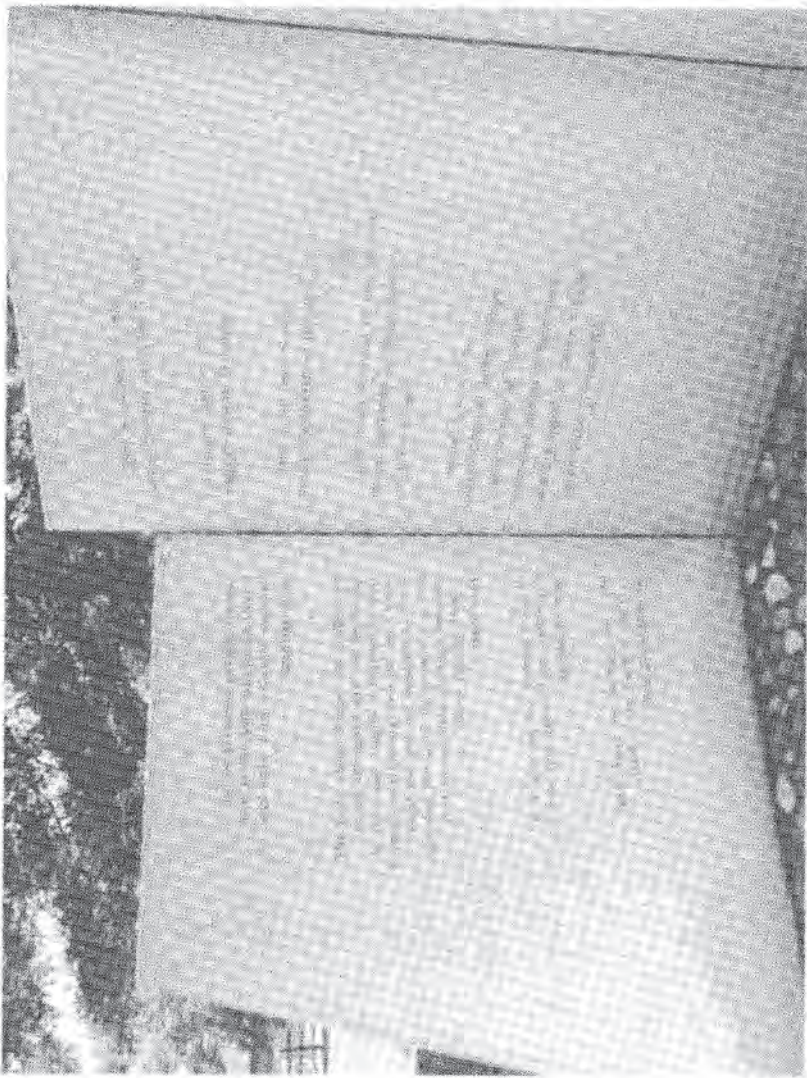
See Plymouth, *Pilgrim Mother Statue*,  
<https://palma.cc/D9EX-R4Y8>

	<p>Plymouth, MA</p>	<p>Pilgrim Maiden Statue (1924)</p> <p>Historical Marker Database, <i>Pilgrim Maiden</i>, <a href="https://perma.cc/7F6C-EU2E">https://perma.cc/7F6C-EU2E</a>; See Plymouth, <i>Pilgrim Maiden Statue</i>, <a href="https://perma.cc/T99M-9V67">https://perma.cc/T99M-9V67</a></p>
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	<p>City Hall Lowell, MA</p>	<p>Bust of William Cardinal O'Connell, Archbishop of Boston RichardHowe.com, City Hall Monuments, <a href="https://perma.cc/GC79-GTVX">https://perma.cc/GC79-GTVX</a>; Irish Boston, Cardinal O'Connell Parkway Dedicated in Lowell on November 17, 1918, <a href="https://perma.cc/H53I-6FCY">https://perma.cc/H53I-6FCY</a></p>
<p>Cardinal O'Connell Monument (1920)</p>		

	<p>Statue of Moses (1910)</p>	<p>Worcester Trial Court Worcester, MA</p>	<p>“8 foot 4 inch statue” of Moses that “occupies a place of distinction outside the jury pool on the third floor”</p> <p>Gary V. Murray, <i>Moses to move after 97 years</i>, Worcester Telegram &amp; Gazette (Aug. 13, 2007), <a href="https://perma.cc/WB6D-VGCL">https://perma.cc/WB6D-VGCL</a>; Gary V. Murray, <i>Statue of history</i>, Worcester Telegram &amp; Gazette (Mar. 11, 2010), <a href="https://perma.cc/EM3X-6J58">https://perma.cc/EM3X-6J58</a></p>
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	<p>Father Mathew Monument (1887)</p>	<p>Salem, MA</p>	<p>Catholic priest and “apostle of temperance” Salem Public Art, <i>Father Mathew Monument</i>, <a href="https://perma.cc/EIE5-V4MK">https://perma.cc/EIE5-V4MK</a>; Salem Public Library, <i>Father Mathew</i>, Salem Links and Lore, <a href="https://perma.cc/Y3B9-R3FK">https://perma.cc/Y3B9-R3FK</a></p>
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	<p>Danvers, MA</p>	<p>Monument "in memory of those innocents who died during the Salem Village witchcraft hysteria of 1692"; quotes include "I am a Gosple woman"; "The Lord above knows my Innocence"; "I will stand in the truth of Christ"</p> <p>Atlas Obscura, Salem Village Witchcraft Victims Memorial, <a href="https://www.atlasobscura.com/places/salem-village-witchcraft-victims-memorial">https://www.atlasobscura.com/places/salem-village-witchcraft-victims-memorial</a>; History of Massachusetts Blog, Witchcraft Victims' Memorial, <a href="https://perma.cc/4X4K-L2YE">https://perma.cc/4X4K-L2YE</a></p>
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Salem Village Witchcraft  
Victims Memorial  
(1992)



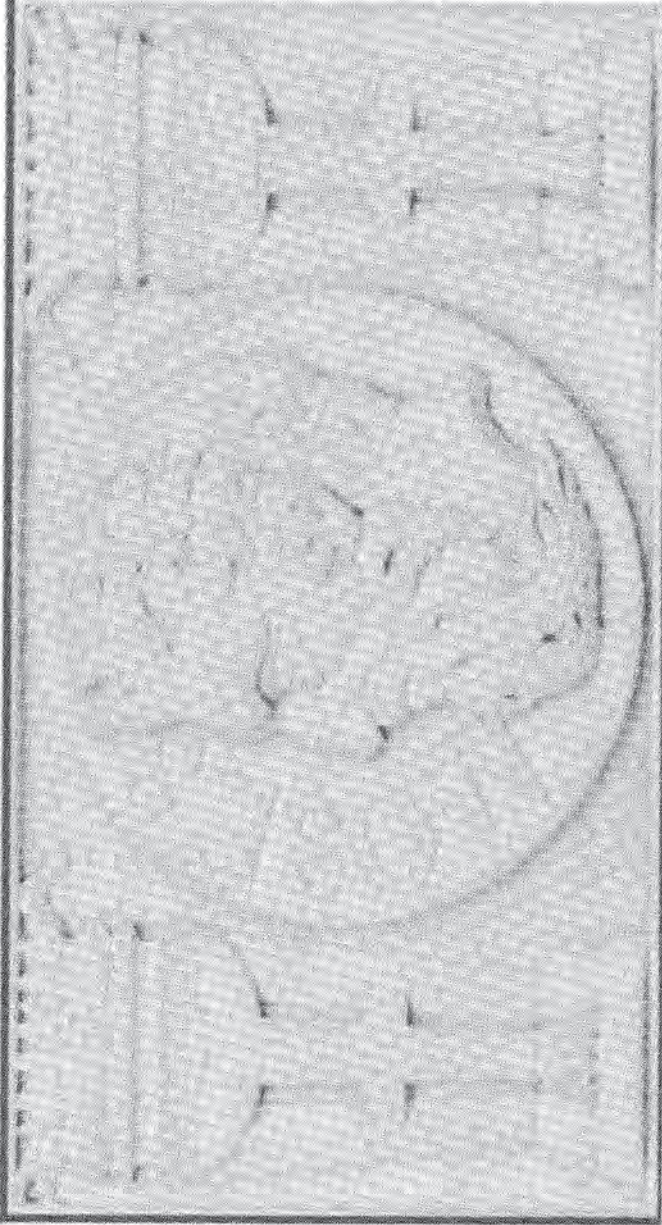
*The Puritan*  
(1887)

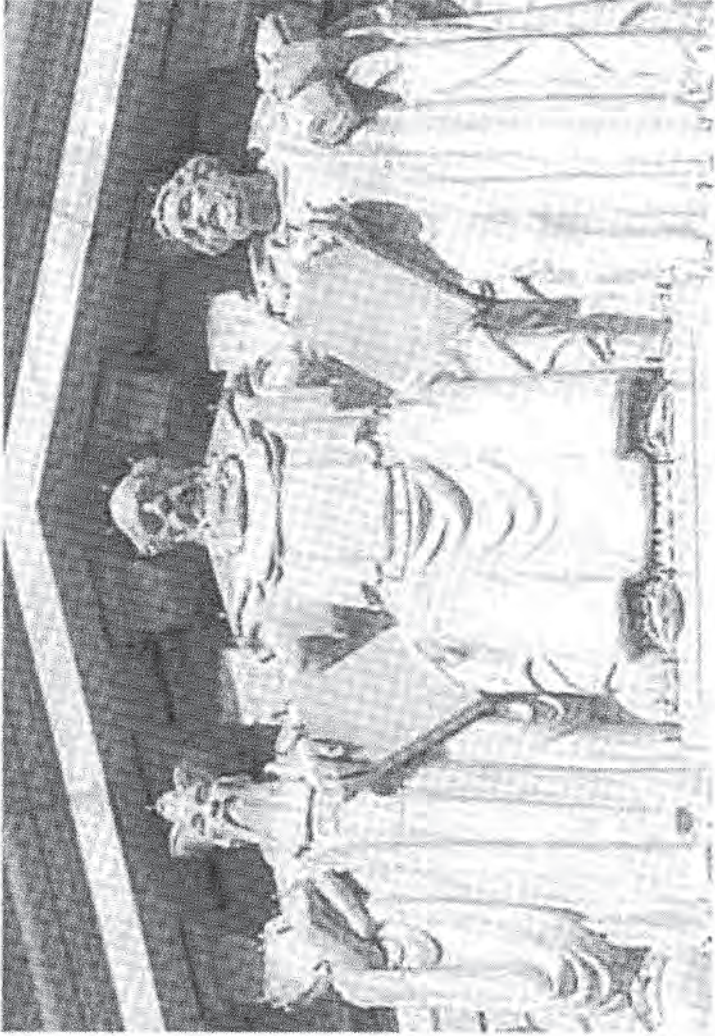
Springfield, MA

“Monument to Deacon Samuel Chapin,” portrays “an idealized settler who conveys the fortitude and upright morals associated with the White, Protestant founders of the Massachusetts Bay Colony.”

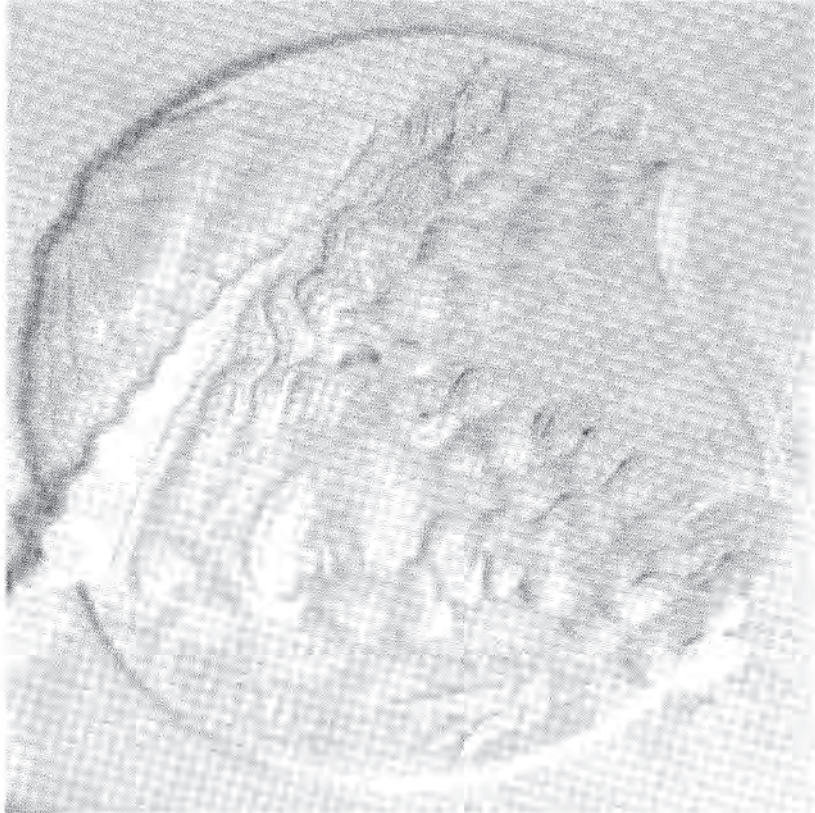
Library of Congress, *The Puritan*, <https://perma.cc/N159U-JEJU>; Metropolitan Museum of Art, *The Puritan*, <https://perma.cc/83RH-3M2d>


# **Exhibit 2**

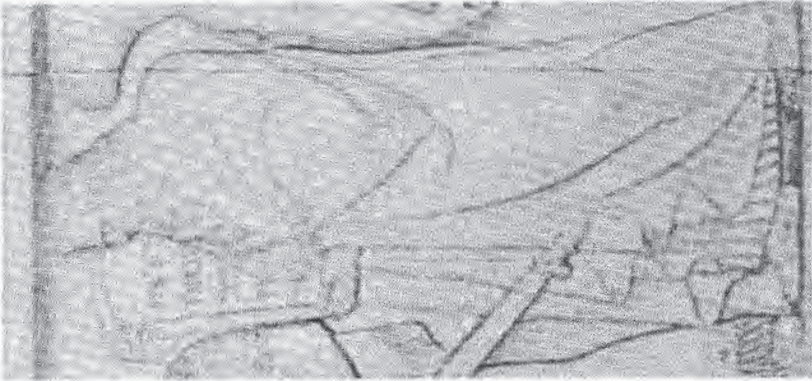
	<p>Medallion of Moses (1935)</p> <p>U.S. Supreme Court First Street Façade Washington, D.C.</p> <p>“Hebrew lawgiver, 14-13<sup>th</sup> century B.C.” Supreme Court of the United States, <i>Self-Guide to the Building’s Exterior Architecture</i> at 14, <a href="https://perma.cc/DP64-BQY9">https://perma.cc/DP64-BQY9</a></p>
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	<p>U.S. Supreme Court Rear East Pediment Washington, D.C.</p>	<p>“Prophet, law giver, and judge of the Israelites” <i>Supreme Court of the United States, Self-Guide to the Building's Exterior Architecture at 14,</i> <a href="https://perma.cc/DP64-BQY9">https://perma.cc/DP64-BQY9</a></p>
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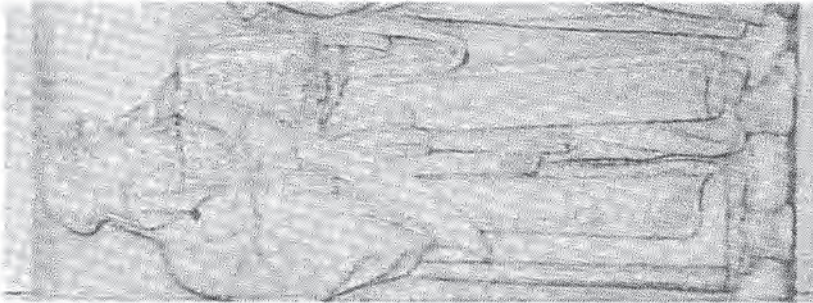
Moses  
(1935)

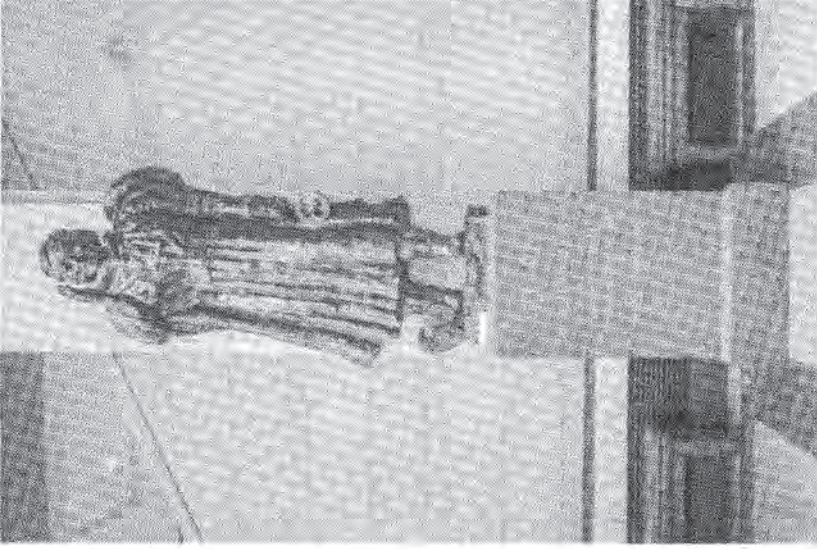
		<p>Metope of Solomon (1935)</p>	<p>U.S. Supreme Court Great Hall Frieze Washington, D.C.</p>	<p>“... Israelite king who built the first temple of Jerusalem ... revered in Judaism and Christianity for his wisdom.”</p> <p>U.S. Supreme Court, <i>Self-Guide to the Building's Interior Architecture</i> at 10, <a href="https://perma.cc/2PXK-7EGZ">https://perma.cc/2PXK-7EGZ</a>; see Britannica, <i>Solomon</i>, <a href="https://perma.cc/T47B-WQ97">https://perma.cc/T47B-WQ97</a></p>
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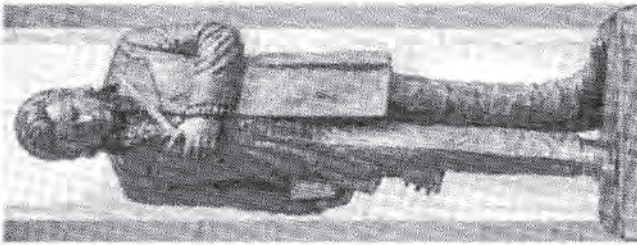
	<p>U.S. Supreme Court Great Hall Frieze Washington, D.C.</p>	<p>“goddess[],” representing “Genius of Womanhood,” “Guardian of the Female Sex” U.S. Supreme Court, <i>Self-Guide to the Building’s Interior Architecture</i> at 10, <a href="https://perma.cc/2PXX-7EG7">https://perma.cc/2PXX-7EG7</a></p>
<p>Metope of Juno (1935)</p>		

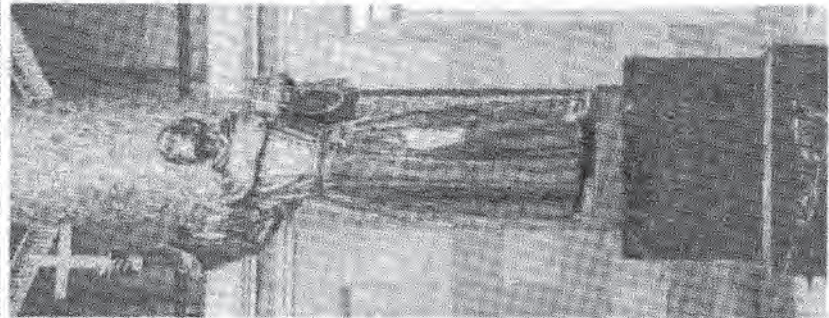
	<p>U.S. Supreme Court Interior Courtroom South Frieze Washington, D.C.</p>	<p>“Prophet, lawgiver, and judge of the Israelites depicted with two overlapping tablets, written in Hebrew, representing the Ten Commandments.”  U.S. Supreme Court, <i>Self-Guide to the Building's Interior Architecture</i> at 15, <a href="https://perma.cc/2PXX-7EG7">https://perma.cc/2PXX-7EG7</a></p>
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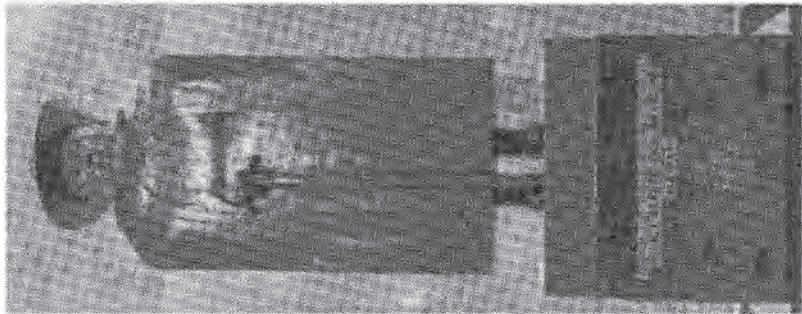
Moses  
(1935)

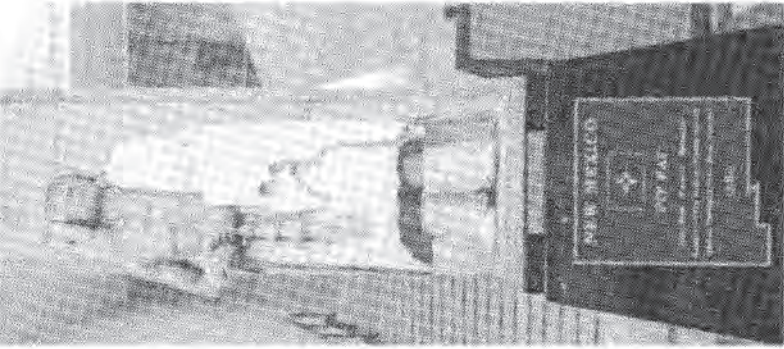
	<p>U.S. Supreme Court, Self-Guide to the Building's Interior <i>Architecture at 17</i>, <a href="https://perma.cc/2PXK-7EG7">https://perma.cc/2PXK-7EG7</a></p>
	<p>U.S. Supreme Court Interior Courtroom North Frieze Washington, D.C.</p>
<p>Muhammad (1935)</p>	

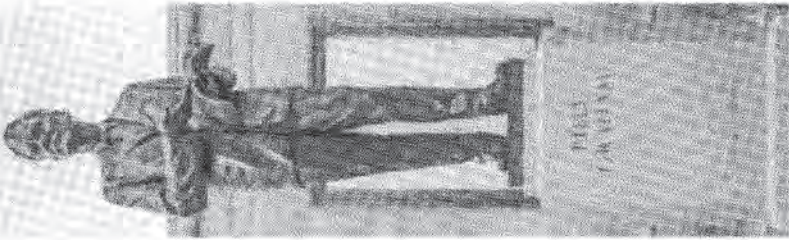
	<p>U.S. Capitol, Statuary Hall Washington, D.C.</p>	<p>Jesuit priest who was "one of the first scientific explorers, cartographers, astronomers, builders, and ranchmen of the Pimera Alta"; identified on inscription as "Apostle to the Indians"  Architect of the Capitol, <i>Eusebio Kino Statue</i>, <a href="https://perma.cc/T8SZ-PL9J">https://perma.cc/T8SZ-PL9J</a></p>
<p>Statue of Eusebio Kino (1965)</p>		


 <p>ARKANSAS Johnny Cash 1942-2003</p> <p>©2003 by the Arkansas State Capitol</p>			<p>Statue of Johnny Cash (2024)</p>	
			<p>U.S. Capitol, Statuary Hall Washington D.C.</p>	
			<p>“The Bible Cash carries references his Christian faith.” Architect of the Capitol, <i>Johnny Cash Statue</i>, <a href="https://perma.cc/B3NE-X26B">https://perma.cc/B3NE-X26B</a></p>	

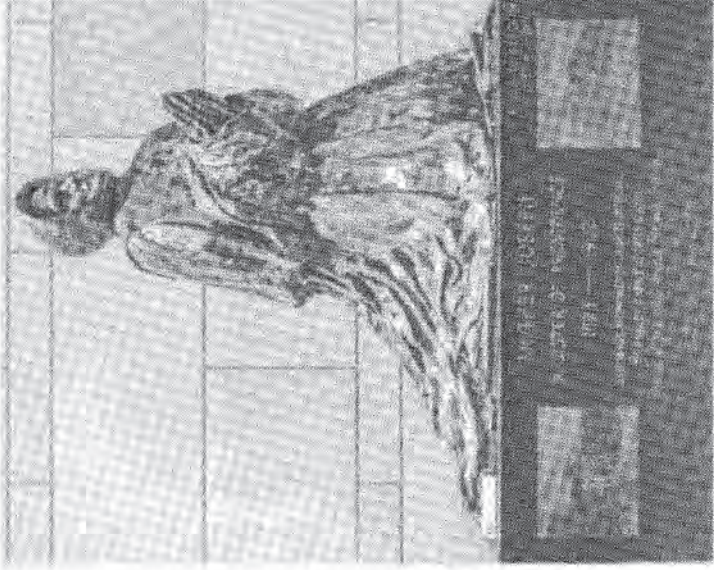
	<p>U.S. Capitol, Statuary Hall Washington D.C.</p>	<p>Catholic priest, saint, and "missionary to America" Architect of the Capitol, <i>Father Junipero Serra Statue</i>, <a href="https://perma.cc/112Q-5Q2E">https://perma.cc/112Q-5Q2E</a></p>
<p>Statue of Father Junipero Serra (1935)</p>		


	<p>Statue of Father Damien (1969)</p> <p>U.S. Capitol, Statuary Hall Washington D.C.</p> <p>Catholic priest, saint, and missionary to Hawaii, wearing the “broad-brimmed hat ... traditionally worn by missionaries.” Architect of the Capitol, <i>Father Damien Statue</i>, <a href="https://perma.cc/M3X5-UJ22E">https://perma.cc/M3X5-UJ22E</a>; see National Park Service, <i>Father Damien</i>, <a href="https://perma.cc/N7XR-MDI2">https://perma.cc/N7XR-MDI2</a></p>
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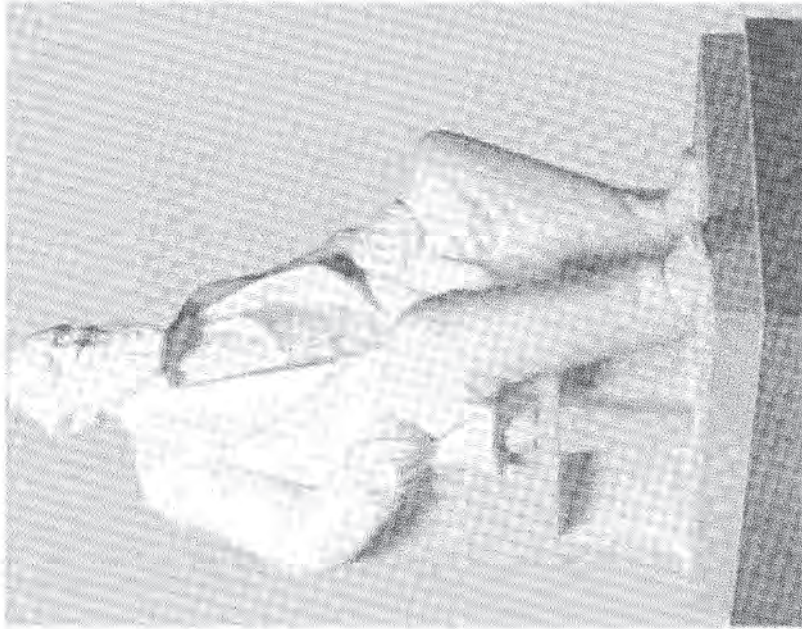
	<p>A Pueblo "religious leader [who] was responsible for healing as well as for his people's spiritual life ..."</p> <p>Architect of the Capitol, <i>Po'Pay Statue</i>, <a href="https://perma.cc/W5DA-SXE2">https://perma.cc/W5DA-SXE2</a></p>	<p>U.S. Capitol, Statuary Hall Washington D.C.</p>	<p>Statue of Po'Pay (2005)</p>
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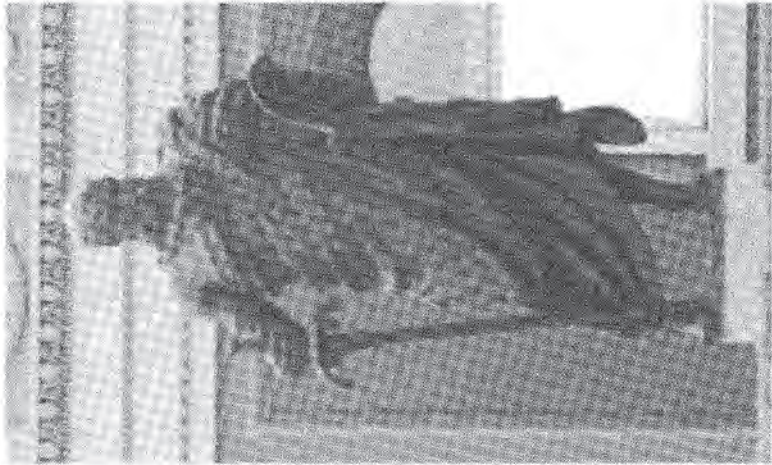
	<p>Statue of Billy Graham (2024)</p>	<p>U.S. Capitol, Statuary Hall Washington D.C.</p>
<p>“[One of the most famous evangelical preachers of the twentieth century ...] Depicted “hold[ing] a soft-covered Bible” with inscriptions from the Bible on the base.</p> <p>Architect of the Capitol, <i>Billy Graham Statue</i>, <a href="https://perma.cc/XS52-HTMS">https://perma.cc/XS52-HTMS</a></p>		

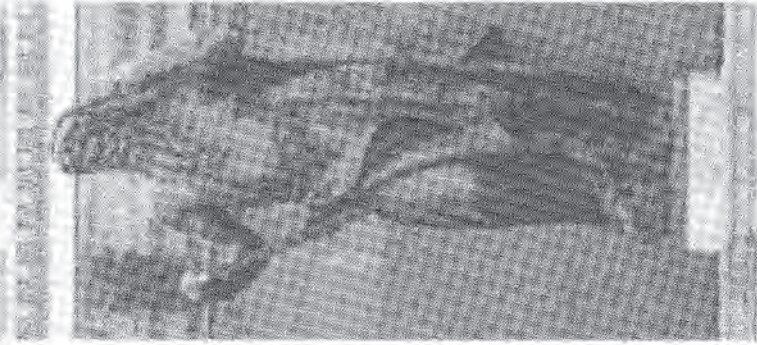
	 A black and white photograph of the Statue of Roger Williams, a standing male figure in 17th-century attire, positioned on a pedestal.	<p>Statue of Roger Williams (1872)</p> <p>U.S. Capitol, Statuary Hall Washington D.C.</p>	<p>“[Roger Williams’] greatest gift to the colonies was his authorship of the declaration of the principle of religious liberty. ... It reminds Rhode Islanders of their illustrious founder and champion of religious freedom.”</p> <p>Architect of the Capitol, <i>Roger Williams Statue</i>, <a href="https://perma.cc/28R5-ZNRZ">https://perma.cc/28R5-ZNRZ</a></p>
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 A black and white photograph of a statue of Mother Joseph. The statue depicts a woman in traditional religious attire, including a long, flowing dress and a head covering. She is standing and looking slightly to the right. The statue is set against a background of vertical wooden panels.	<p>Statue of Mother Joseph (1980)</p>	<p>U.S. Capitol, Statuary Hall Washington D.C.</p>	<p>Catholic religious sister who “was chosen to lead a group of five missionaries to the Pacific Northwest Territories of the United States.” Architect of the Capitol, <i>Mother Joseph Statue</i>, <a href="https://perma.cc/X677-BR7E">https://perma.cc/X677-BR7E</a></p>
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 <p>A black and white photograph of a statue of Jacques Marquette. The statue is a full-length standing figure of a man in 17th-century attire, including a long coat and a hat. He is holding a book in his left hand and a staff in his right. The statue is set on a pedestal. Below the statue, there is a small plaque with text, which is partially legible and appears to be a dedication or inscription.</p>	<p>Statue of Jacques Marquette (1896)</p>	<p>U.S. Capitol, Statuary Hall Washington D.C.</p>	<p>“French Jesuit missionary and explorer...” Architect of the Capitol, <i>Jacque Marquette Statue</i>, <a href="https://perma.cc/G9QP-2LMG">https://perma.cc/G9QP-2LMG</a></p>
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	<p>Statue of Brigham Young (1950)</p> <p>U.S. Capitol, Statuary Hall Washington D.C.</p> <p>“... president of the [Church of Jesus Christ of Latter-Day Saints],” who “led” “the ‘Saints’” “to the Salt Lake Valley ...” “[S]ometimes called a ‘modern Moses’ ...”</p> <p>Architect of the Capitol, <i>Brigham Young Statue</i>, <a href="https://perma.cc/HM8L-WNKB">https://perma.cc/HM8L-WNKB</a></p>
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	<p>Library of Congress, Main Reading Room Washington, D.C.</p>	<p>“Saint Paul, the Apostle, original name Saul of Tarsus ... one of the leaders of the first generation of Christians.” Library of Congress, <i>Portrait Statue of Saint Paul</i>, <a href="https://perma.cc/WR47-LK5S">https://perma.cc/WR47-LK5S</a>; Library of Congress, <i>Main Reading Room</i>, <a href="https://perma.cc/KP6X-M3EZ">https://perma.cc/KP6X-M3EZ</a></p>
<p>Statue of St. Paul (ca. 1897)</p>		


	
<p>Statue of Moses (ca. 1897)</p>	<p>Library of Congress, Main Reading Room Washington, D.C.</p>
	<p>“Hebrew prophet, teacher, and leader.” Library of Congress, <i>Portrait Statue of Moses</i>, <a href="https://perma.cc/6AWV-9Q5G">https://perma.cc/6AWV-9Q5G</a>; Library of Congress, <i>Main Reading Room</i>, <a href="https://perma.cc/KP6X-M3FZ">https://perma.cc/KP6X-M3FZ</a></p>

	<p>Library of Congress Washington D.C.</p>	<p>“Passersby enjoy the play of the jets of water on the majestic, bearded and muscular king of the sea.” Architect of the Capitol, <i>Court of Neptune</i>, <a href="https://perma.cc/W5GP-TYPR">https://perma.cc/W5GP-TYPR</a></p>
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Court of Neptune  
(1898)

	<p>U.S. Capitol, House Chamber Washington D.C.</p>	<p>“Hebrew prophet and lawgiver. Transformed a wandering people into a nation; received the Ten Commandments.” Architect of the Capitol, Moses, <i>Relief Portrait</i>, <a href="https://perma.cc/EP87-3AZX">https://perma.cc/EP87-3AZX</a></p>
<p>Relief Portrait of Moses (1950)</p>		

	<p>U.S. Capitol, House Chamber Washington D.C.</p>	<p>“Saint Louis (1214-1270) King Louis IX of France.” Architect of the Capitol, <i>Saint Louis, Relief Portrait</i>, <a href="https://perma.cc/TELB-19M6">https://perma.cc/TELB-19M6</a></p>
<p>Relief Portrait of Saint Louis (1950)</p>		

 <p>A circular relief portrait of Gregory IX, a medieval pope, surrounded by a laurel wreath. The name "GREGORY IX" is inscribed vertically to the right of the portrait.</p>	<p>"Gregory IX (c. 1147-1241) Medieval pope." Architect of the Capitol, Gregory IX, Relief Portrait, <a href="https://berma.cc/WN7B-7XCG">https://berma.cc/WN7B-7XCG</a></p>	<p>U.S. Capitol, House Chamber Washington D.C.</p>	<p>Relief Portrait of Gregory IX (1950)</p>
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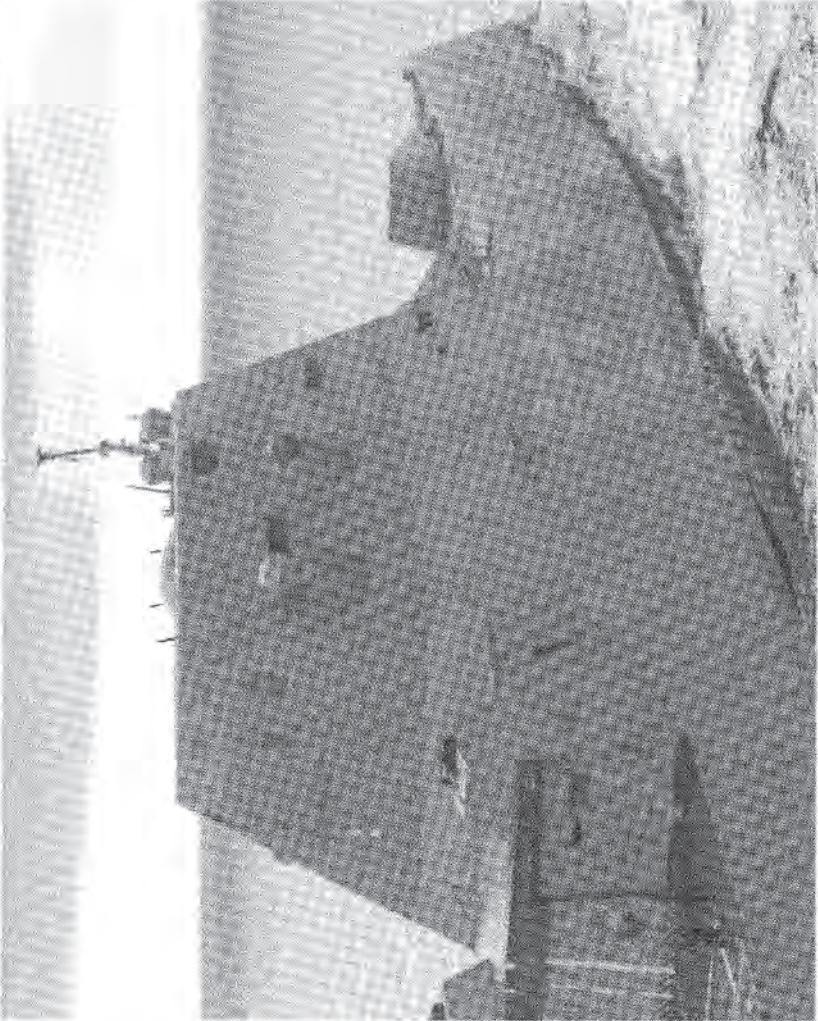
Relief Portrait of Innocent III  
(1950)

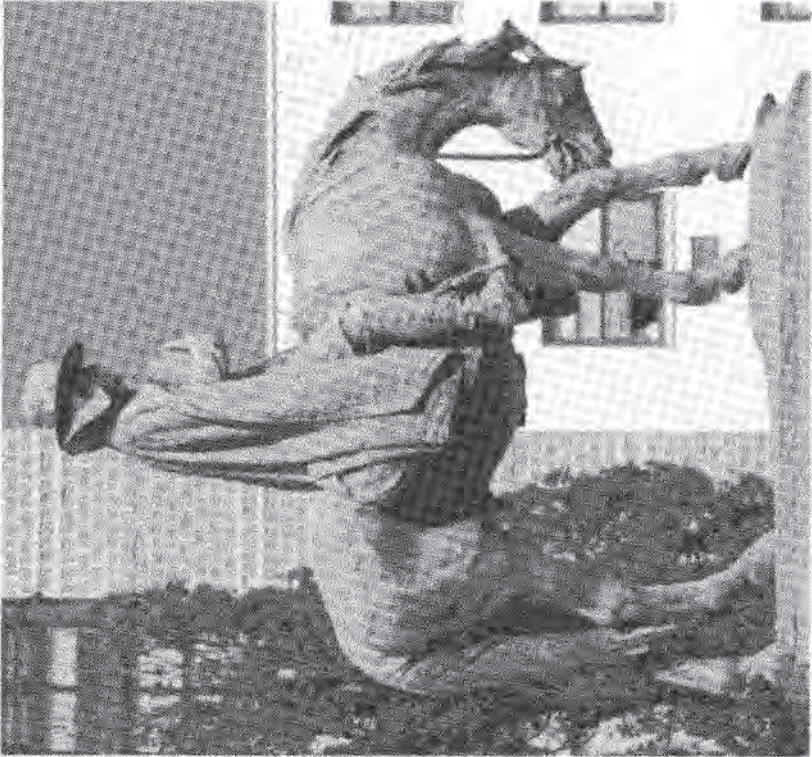
U.S. Capitol, House  
Chamber  
Washington D.C.

"Innocent III (1161-1216) Medieval pope. Student of canon and civil law, who, like Gregory IX, preserved the remnants of Roman law during the dark ages."

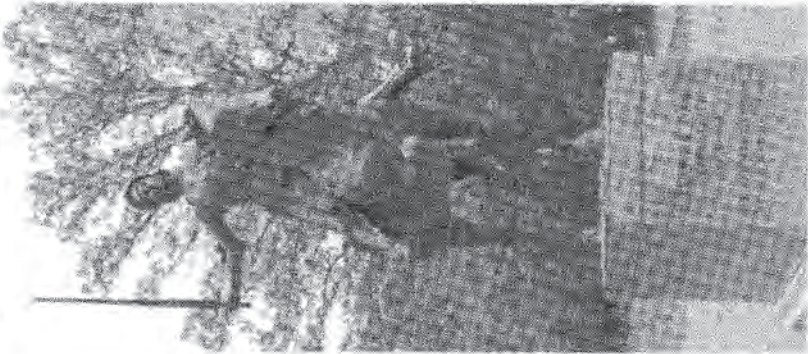
Architect of the Capitol, *Innocent III, Relief Portrait*,  
<https://perma.cc/9F62-L8XB>

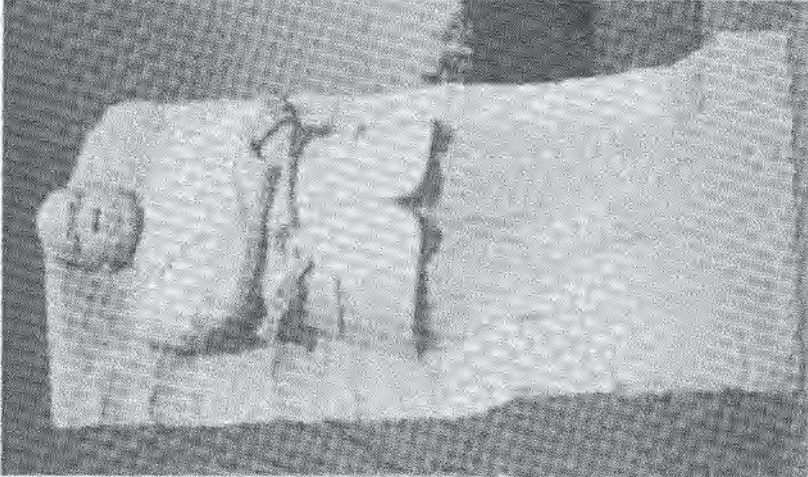
	<p>General Services Administration, Moses, <a href="https://perma.cc/WX2J-AP5S">https://perma.cc/WX2J-AP5S</a></p>
	<p>Elijah Barrett Prettyman U.S. Courthouse Washington D.C.</p>
<p>Moses (1951)</p>	


	<p>U.S. Navy</p>	<p>Crest of USS Michael Monsoor (1951)</p> <p>“The winged arm is a heraldic representation of St. Michael, the Archangel, who is often depicted with a sword and a shield ...”</p> <p>U.S. Navy, <i>USS Michael Monsoor</i>, <a href="https://www.surfbec.navy.mil/Ships/USN-Michael-Monsoor-DDG-1001/About/">https://www.surfbec.navy.mil/Ships/USN-Michael-Monsoor-DDG-1001/About/</a>; <i>Seaforges.org, DDG 1001 – USS Michael Monsoor</i>, <a href="https://perma.cc/LL79-2MLB">https://perma.cc/LL79-2MLB</a></p>
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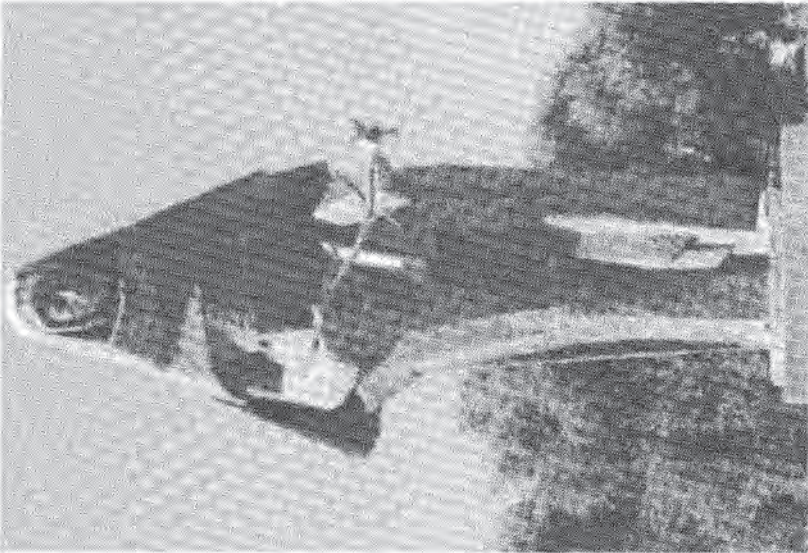
	<p>Washington, D.C.</p>	<p>“...the Francis Asbury Memorial honors the life and legacy of someone whom many consider the ‘father of the American Methodist Church.’” DC Historic Sites, <i>Francis Asbury Memorial</i>, <a href="https://parks.pa.gov/12HV-4Q45">https://parks.pa.gov/12HV-4Q45</a></p>
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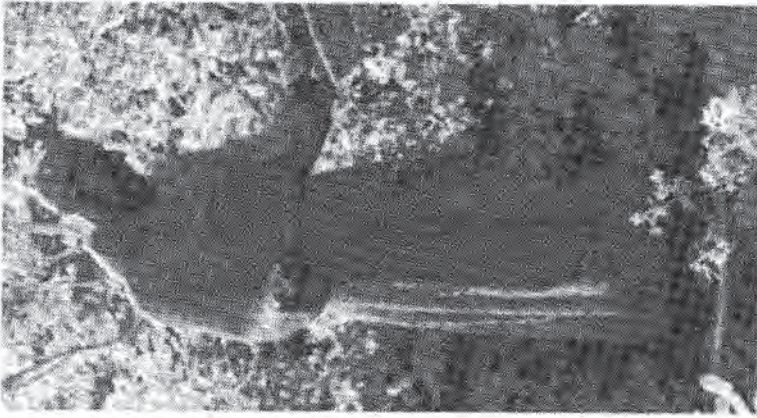
Francis Ashby Monument  
(1924)

	<p>Joan of Arc (1922)</p> <p>Rock Creek Park Washington, D.C.</p>	<p>“Upon her capture and trial at the hands of the English, she was burned at the stake, leading the Catholic church to recognize her as a martyr in 1456. She was beatified in 1909 and canonized in 1920.”</p> <p>National Park Service, <i>Joan of Arc Statue</i>, <a href="https://park.nps.gov/parma/cc/3UMI-28GN">https://park.nps.gov/parma/cc/3UMI-28GN</a></p>
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	<p>Martin Luther King, Jr. Memorial Washington, D.C.</p>	<p>“Dr. Martin Luther King, Jr. was a Baptist minister and social activist...” Memorial features quotes from his sermons. National Park Service, <i>Martin Luther King Jr. Memorial</i>, <a href="https://perma.cc/57GQ-B8CB">https://perma.cc/57GQ-B8CB</a></p>
<p>Rev. Martin Luther King Jr. Memorial (2011)</p>		

	<p>Saint Florian Mural (2020)</p>	<p>Venice Beach Fire Station Venice, CA</p>	<p>“Florian was a Roman gladiator that in addition to his military duties, organized and trained units to fight fires as their sole occupation, becoming the best and the most knowledgeable. After refusing to worship the Emperor’s Gods, he was sentenced to death on May 4th. To this day, May 4th has become the International Firefighters Day and Fire Service Day.”</p> <p>Historic Marker Database, <i>Saint Florian</i>, <a href="https://perma.cc/Y5L9-86SW">https://perma.cc/Y5L9-86SW</a></p>
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	<p>Santa Clara, CA</p>	<p>“a bronze statue of St. Clare, the city’s namesake” and “the mission fathers’ matriarch in heaven, inspiring them to endure the dangers and hardships of mission life”</p> <p>City of Santa Clara, St. Clare Statue/Civic Center Park, St. Clare Statue/Civic Center Park   Art &amp; Statues   City of Santa Clara</p>
<p>Saint Clare (1965)</p>		

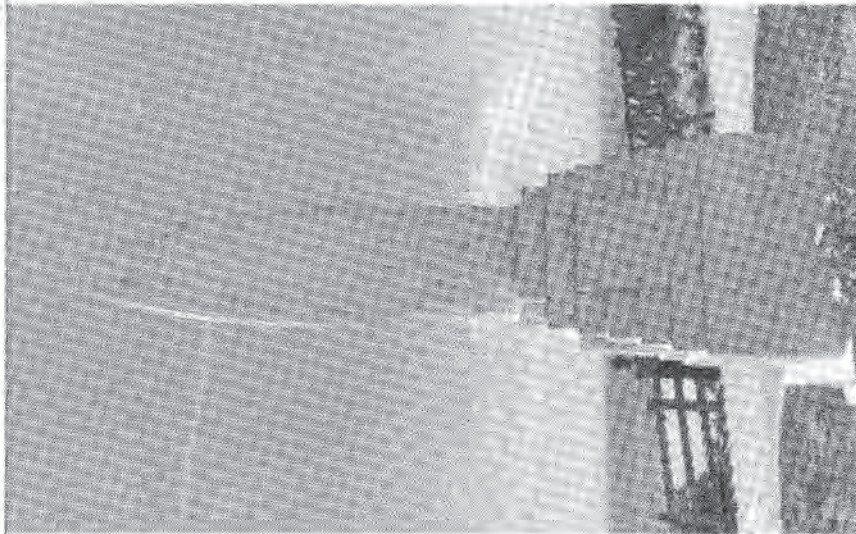


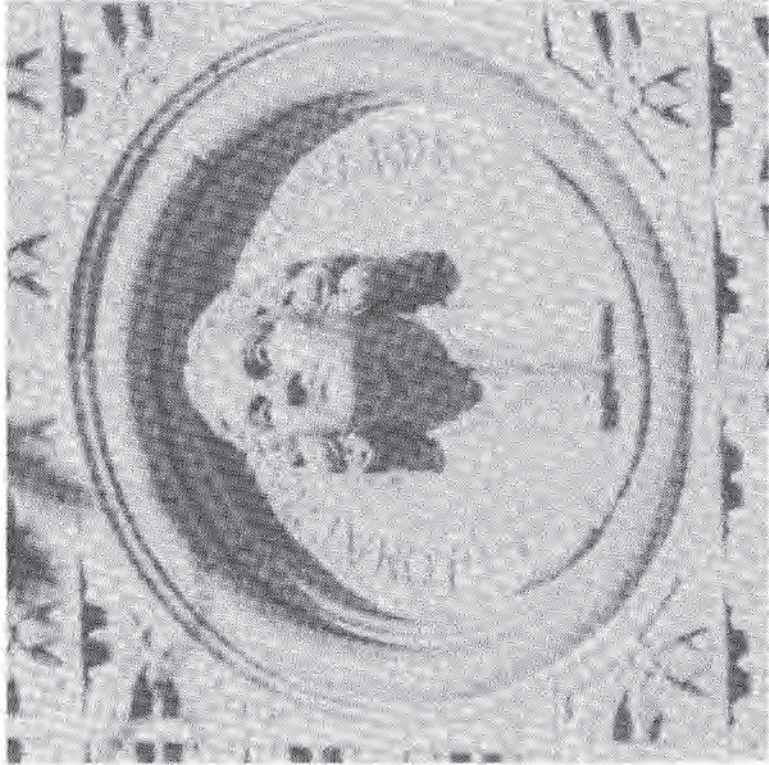
The 6 foot, 6 inch bronze statue depicts St. Francis of Assisi, the namesake of San Francisco.


Richmond Review, 'Looking Back': St. Francis of Assisi, <https://perma.cc/41G6-L1AJ>

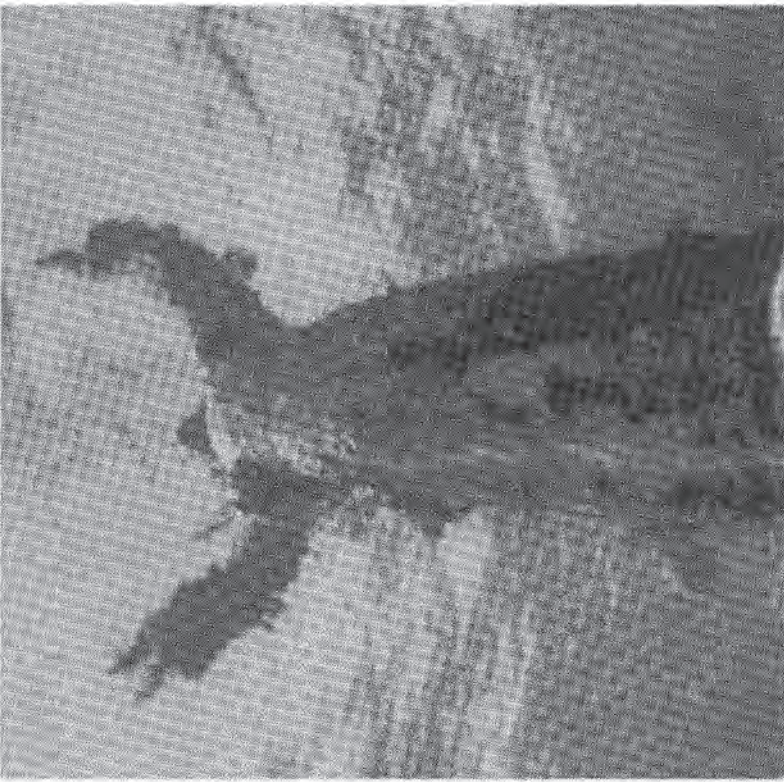
Golden Gate Park  
San Francisco, CA

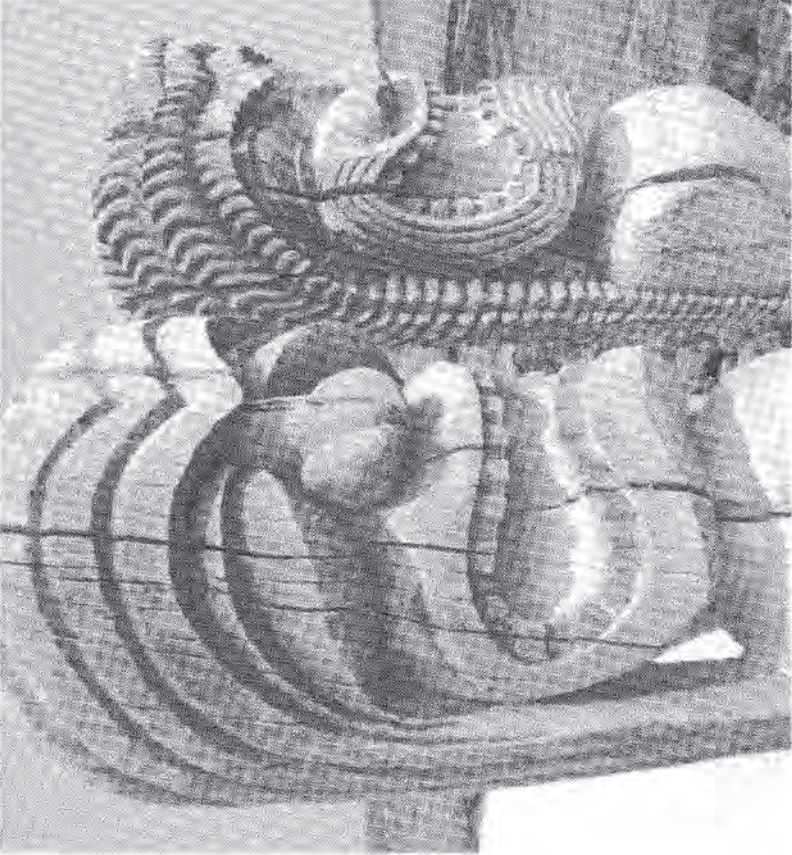
Saint Francis of Assisi  
(1965)

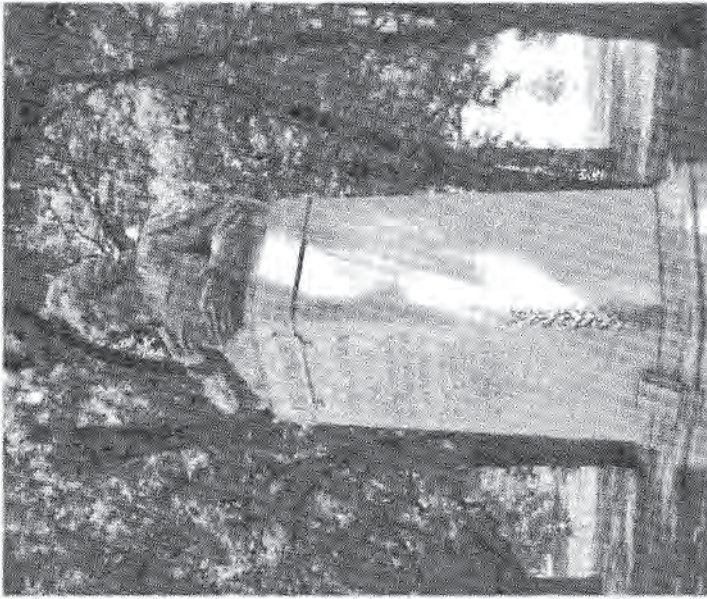
	<p>Saint Monica (1934)</p>	<p>Palisades Park Santa Monica, CA</p>	<p>18-foot statue of “the patron saint of mothers,” the mother of “Saint Augustine”  Living New Deal, <i>Palisades Park Sculpture</i>, <a href="https://perma.cc/J2E9-9ZZJ">https://perma.cc/J2E9-9ZZJ</a>; see Basilica of the National Shrine, <i>St. Monica: The Patron Saint of Mothers</i>, <a href="https://perma.cc/RN4Z-3EV4">https://perma.cc/RN4Z-3EV4</a></p>
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	<p>Portrait Roundel of Jonathan Edwards (1895)</p> <p>Connecticut State House Hartford, CT</p> <p>“He was a Puritan theologian and a leader among the Congregationalists. He is known for his much-published sermon ‘Sinners in the Hands of an Angry God,’ 1741.”</p> <p>Public Art CT, Capitol Sculpture, East Facade: Portrait Roundel of Reverend Jonathan Edwards, <a href="https://perma.cc/8R7H-73YB">https://perma.cc/8R7H-73YB</a></p>
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	<p>Reverend Thomas Hooker Leading the First White Settlers to Hartford (1895)</p>	<p>Connecticut State House Hartford, CT</p> <p>“Thomas Hooker (Marfield, Leicestershire, England, 1586-1647) was a reforming Puritan minister and the founder of Hartford, Connecticut.”</p> <p>Public Art CT, <i>Capitol Sculpture, East Facade: The Reverend Thomas Hooker Leading the First White Settlers to Hartford</i>, <a href="https://perma.cc/CB98-YEKM">https://perma.cc/CB98-YEKM</a></p>
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	<p>Christ of the Abyss (1965)</p>	<p>John Pennekamp State Park Key Largo, FL</p>	<p>“nine-foot-tall bronze statue of Christ,” “one of the most famous underwater attractions in Key Largo” <i>Atlas Obscura, Christ of the Abyss, Christ of the Abyss - Atlas Obscura</i></p>
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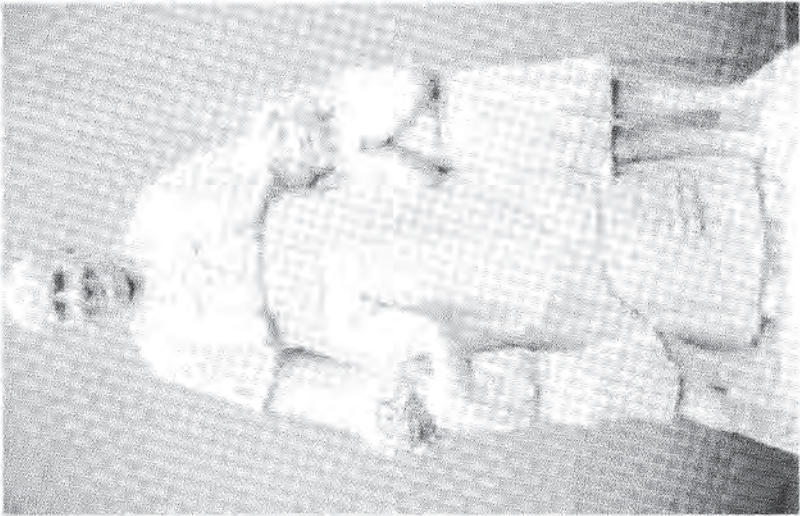
	<p>“As defined by Puku ‘i’s Hawaiian Dictionary, a <i>ki‘i</i> is an image, statue, or likeness that serves as symbolic representations of the <i>akua</i>, or the multitude of Hawaiian gods, deities, and venerated ancestors.” National Park Service, <i>Ki‘i</i>, <a href="https://perma.cc/Z8UP-EW6R">https://perma.cc/Z8UP-EW6R</a></p>
<p><i>Ki‘i</i> (1960s)</p>	<p>Pu‘uhonua o Honaunau National Historical Park Honaunau, HI</p>

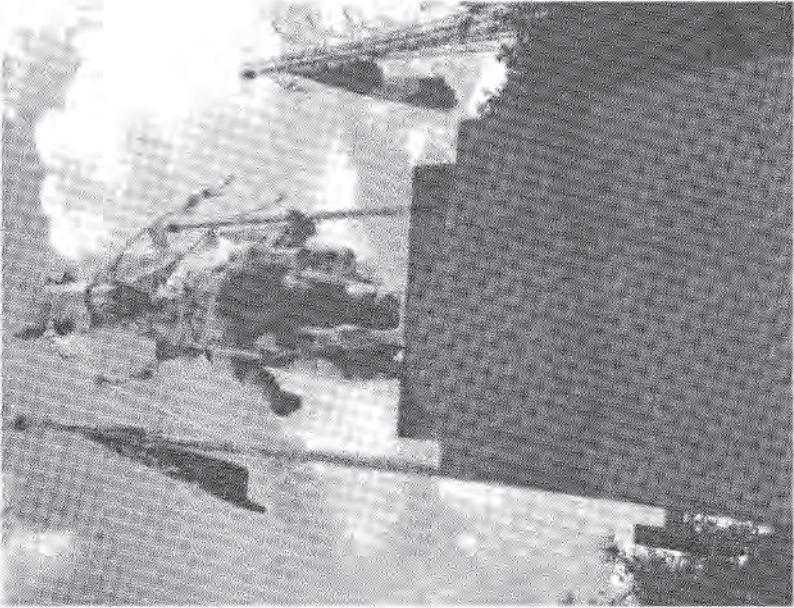


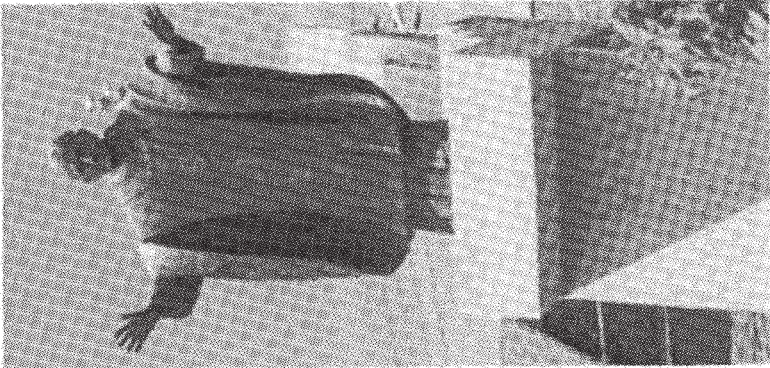
Emanuel Swedenborg  
Monument  
(1924)

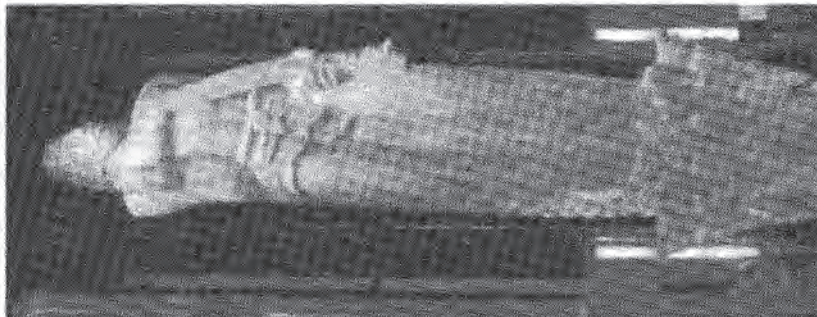
Chicago, IL

“[T]heologian,” inscription with quotation from “President Franklin D. Roosevelt praising his “spiritual leadership.””  
Glencairn Museum, *Adolf Jonsson Bust of Emanuel Swedenborg*, <https://perma.cc/2AFQ-5FGX>

	<p>Pope and Catholic saint</p>	<p>NOLA.com, Marble Statue of Pope John Paul II Unveiled at Jackson Square More Than 30 Years After New Orleans Visit, <a href="https://perma.cc/FC2K-YPRE">https://perma.cc/FC2K-YPRE</a></p>
<p>Pope John Paul II Statue (2018)</p>	<p>Jackson Square New Orleans, LA</p>	

	<p>Joan of Arc, Maid of Orleans (1999)</p>	<p>New Orleans, LA</p>
<p>“On July 7, 1456, the church and government absolved Joan of her crimes, and centuries later in 1909, Pope Leo XIII beatified Joan. Shortly after, in 1920, he canonized the warrior for her outstanding virtues.”</p> <p>New Orleans Historical, <i>Joanie on the Pony: Home at Last</i>, <a href="https://perma.cc/64S8-L4KH">https://perma.cc/64S8-L4KH</a></p>		

	<p>Pope John Paul II Statue</p>	<p>Pope Park Hamtramck, MI</p>
		<p>“Pope Park features ... a statue commemorating the visit of Pope John Paul II to Hamtramck ... .” Hamtramck City, <i>Parks</i>, <a href="https://perma.cc/VW54-LZM3">https://perma.cc/VW54-LZM3</a></p>




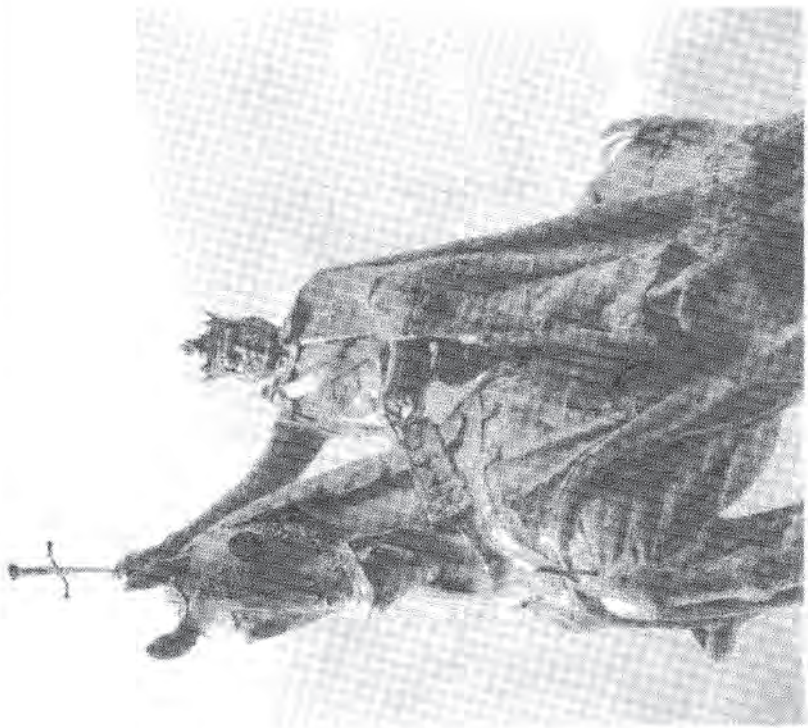
“largest carved onyx figure in the world,” “depicts five Native Americans sitting around a fire smoking their peace pipes ...”

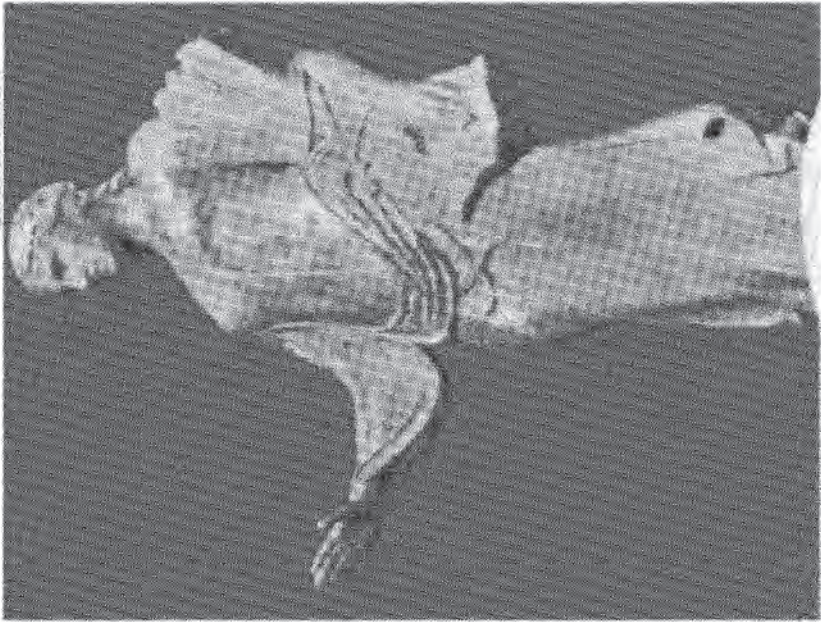
Atlas Obscura, *Vision of Peace*, *Vision of Peace*, *Vision of Peace*, *Indian God of Peace* - Atlas Obscura

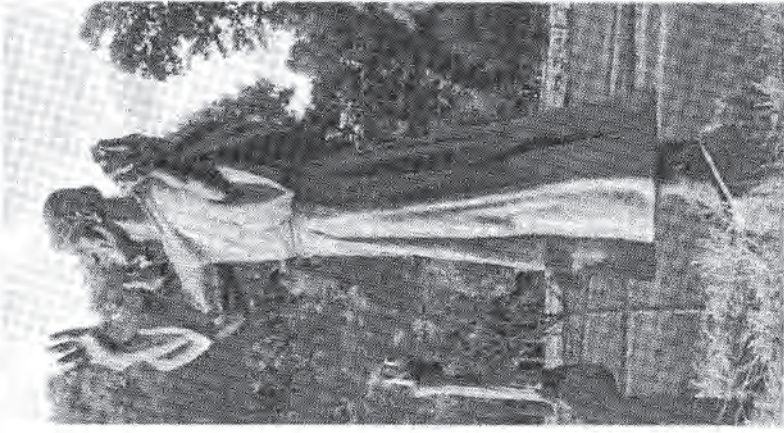
Vision of Peace (originally Indian God of Peace) (1936)

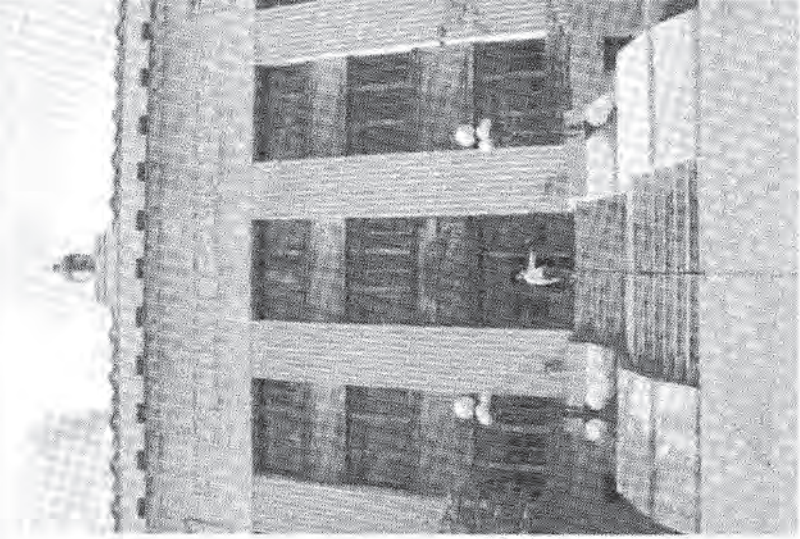
Ramsey County Courthouse  
St. Paul, MN

	<p>St. Paul, MN</p>	<p>“Roman Catholics consider Saint Francis the patron saint of birds and aid to the poor. ... He also founded the Order of Friars Minor, known as the Franciscans.  Saint Paul Minnesota, St. Francis of Assisi, <a href="https://berma.cc/NPLU3-IOX5">https://berma.cc/NPLU3-IOX5</a></p>
<p>St. Francis of Assisi (1936)</p>		

	<p data-bbox="1133 1579 1209 1904"><i>Apotheosis of St. Louis</i> (1906)</p> <p data-bbox="1156 1285 1188 1474">St. Louis, MO</p> <p data-bbox="1042 214 1149 1033">"Representing Louis IX of France (1214-70), the namesake of our city," a Catholic saint and "the model for a Christian king (at that time)"</p> <p data-bbox="1198 214 1269 1033">Forest Park Statues and Monument, <i>Apotheosis of St. Louis</i>, <a href="https://perma.cc/7PGP-L8QD">https://perma.cc/7PGP-L8QD</a></p>
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	<p>Missouri State Capitol Jefferson City, MO</p>	<p>“Standing atop the Missouri State Capitol is the historic bronze statue of Ceres, the Roman goddess of agriculture.” Missouri State Capitol Commission, <i>About Ceres</i>, <a href="https://perma.cc/6XK4-HAV6">https://perma.cc/6XK4-HAV6</a></p>
<p>Ceres (1924)</p>		

	<p>St. Francis of Assisi (1962)</p> <p>St. Louis, MO</p> <p>“Born into a prosperous Italian family in 1181, St. Francis of Assisi renounced his wealth to live a life of poverty and prayer.” Forest Park Statues and Monuments, <i>St. Francis of Assisi</i>, <a href="https://perma.cc/3PQU-9PFA">https://perma.cc/3PQU-9PFA</a></p>
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	<p>Moses with Ten Commandments (ca. 1930)</p>	<p>Hinds County Courthouse Jackson, MS</p>	<p>Mississippi Department of Archives and History, <i>Historic Resources Inventory, Hinds County Courthouse</i>, <a href="https://perma.cc/8B2F-CH7P">https://perma.cc/8B2F-CH7P</a></p>
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12-foot-tall statue of Jesus Christ

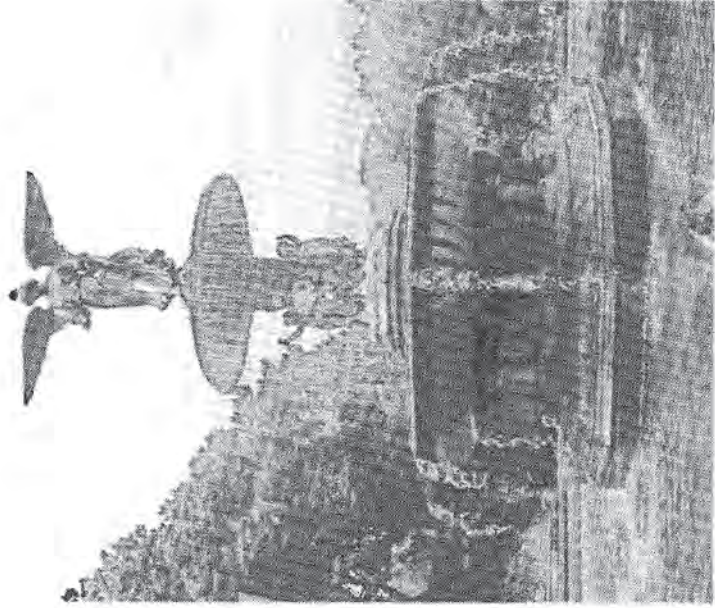
*Freedom From Religion Foundation v. Weber*, 628 F. App'x  
952 (9th Cir. 2015)

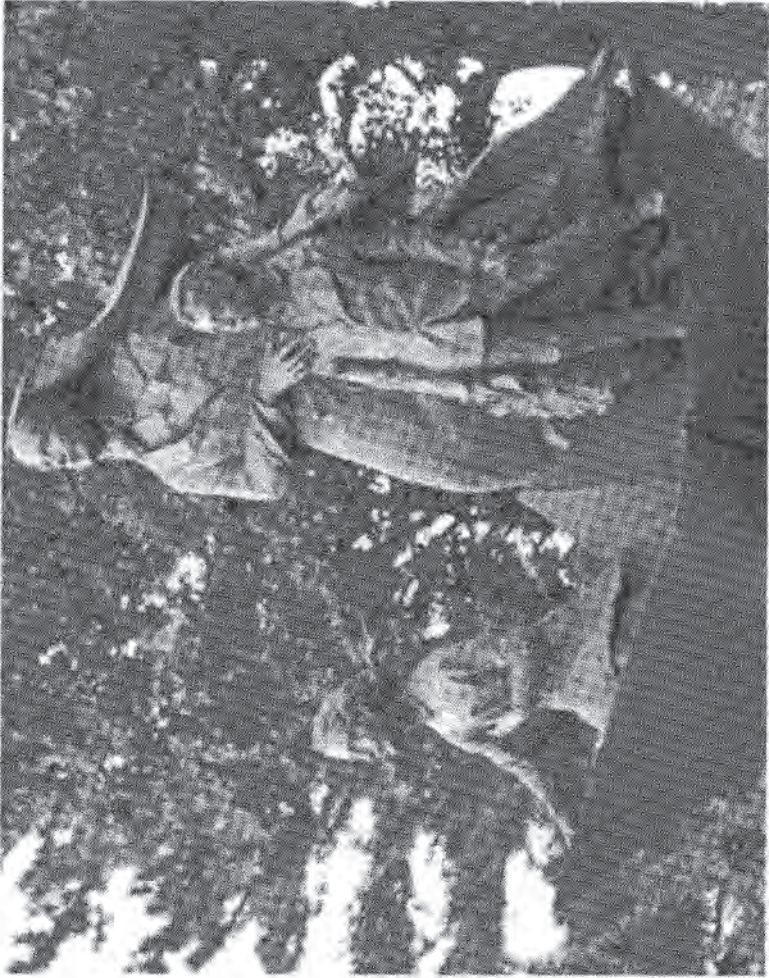
Whitefish, MT

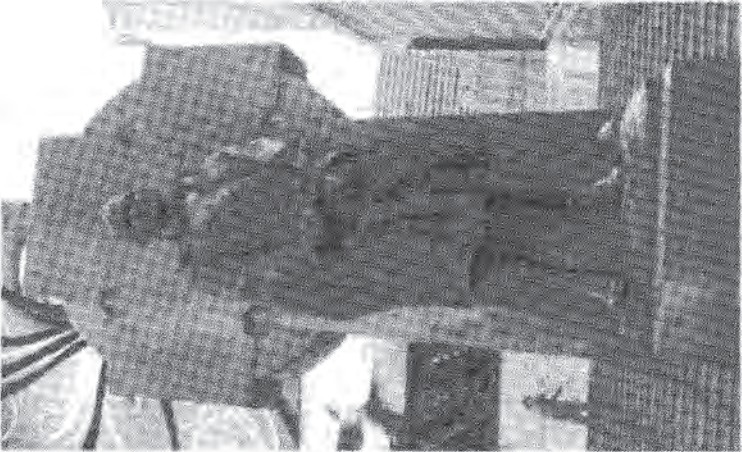
Big Mountain Jesus  
(1954)

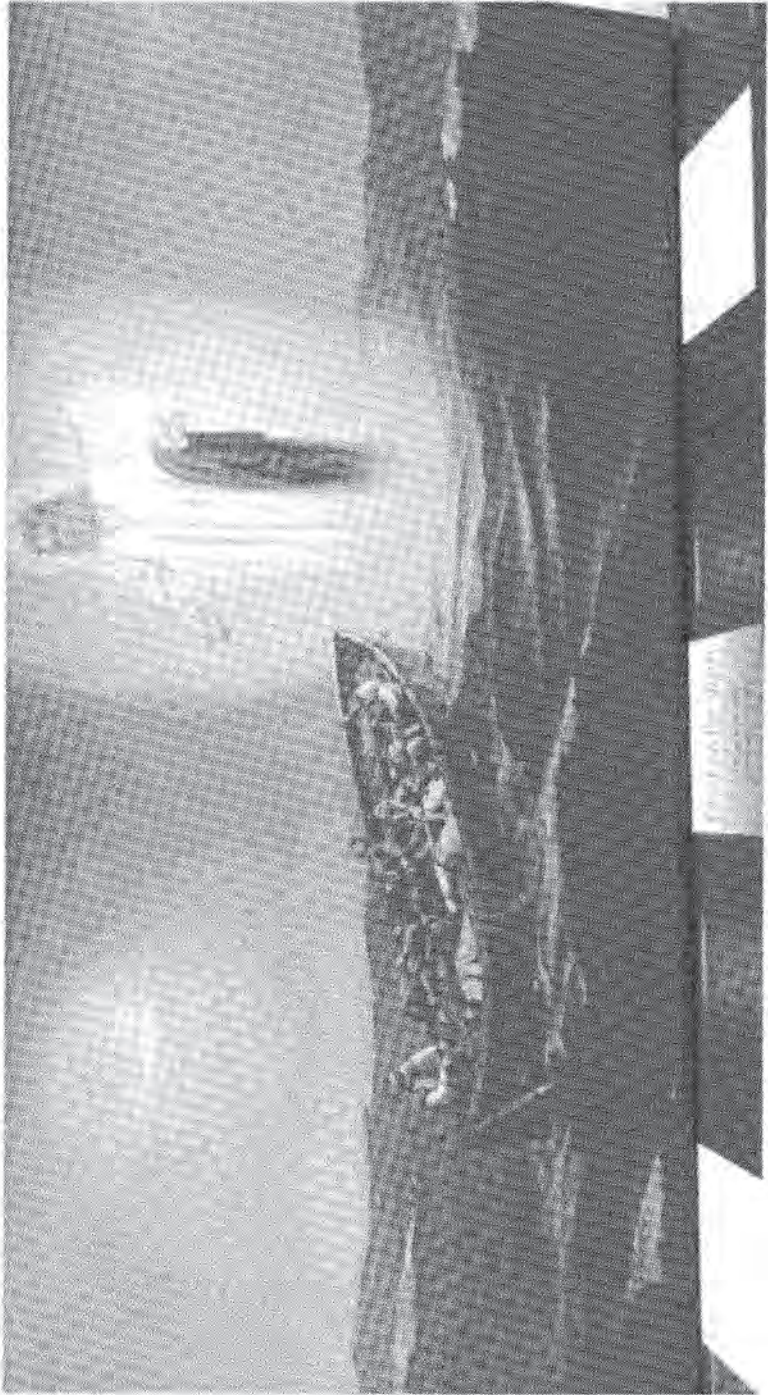
	<p>Mother Teresa Park Garfield, NJ</p>	<p>“Catholic missionary” and saint</p>
<p>Mother Teresa (2019)</p>	<p>KOHA, <i>The “Mother Teresa” Park and Statue of the Saint in New Jersey Are Inaugurated</i>, The “Mother Teresa” park and the statue of the saint are inaugurated in New Jersey - KOHA.net</p>	

	<p>Moses and the Ten Commandments Mural (1935)</p>	<p>New York Public Library New York, NY</p>	<p>"The first panel reveals the prophet Moses descending Mount Sinai, carrying one of the stone tablets etched with the Ten Commandments, while the other lies broken at his feet. Below, the Children of Israel dance before the Golden Calf."  <i>Art-Solido, The Timeless Murals of Edward Laning: Prometheus, Moses, Gutenberg, and the Written Word,</i> <a href="https://perma.cc/2SEL-D2FX">https://perma.cc/2SEL-D2FX</a></p>
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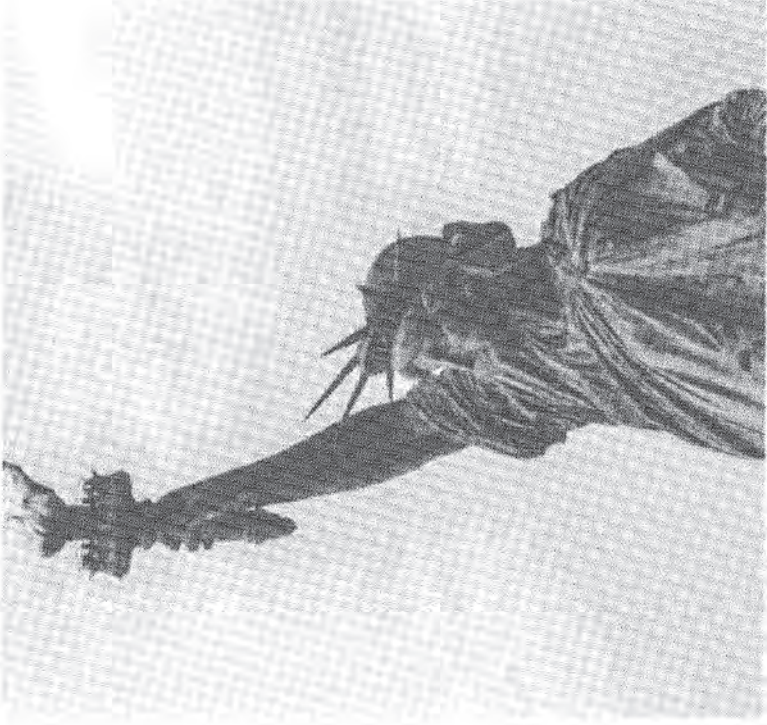
	<p><i>Angel of the Waters</i> (1873)</p>	<p>Central Park New York, NY</p> <p>Sculpture of angel whose designer “linked the new, pure city water flowing from the fountain to the healing powers of the biblical pool, and quoted John 5:2-4 at the statue’s dedication.”</p> <p>Central Park, Bethesda Fountain, <a href="https://perma.cc/4JQE-C4PL">https://perma.cc/4JQE-C4PL</a></p>
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	<p>Mother Cabrini Memorial (2020)</p>	<p>Battery Park New York, NY</p>	<p>“ ... the first naturalized U.S. citizen to be canonized. She is recognized as the patron saint of immigrants.” Battery Park City Authority, <i>Mother Cabrini Memorial</i>, <a href="https://perma.cc/TAPW-X9RK">https://perma.cc/TAPW-X9RK</a></p>
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	<p>Father Francis Duffy (1937)</p>	<p>Times Square New York, NY</p>	<p>“Duffy was a military chaplain and priest in the Times Square area.” NYC Parks, <i>Father Francis Duffy</i>, <a href="https://parks.nyc.gov/VAC8-GEIV">https://parks.nyc.gov/VAC8-GEIV</a></p>
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	<p>U.S. Merchant Marine Academy Kings Point, NY</p>	<p>“Also known as ‘Jesus and Lifeboat,’ this painting by noted marine artist LT Hunter Wood, USMS, portrays merchant seamen adrift in a lifeboat, presumably after being torpedoed.”</p> <p>U.S. Merchant Marine Academy, “<i>Christ on the Water</i>” Painting, “<i>Christ on the Water</i>” Painting   U.S. Merchant Marine Academy</p>
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*Christ on the Water*  
(1944)

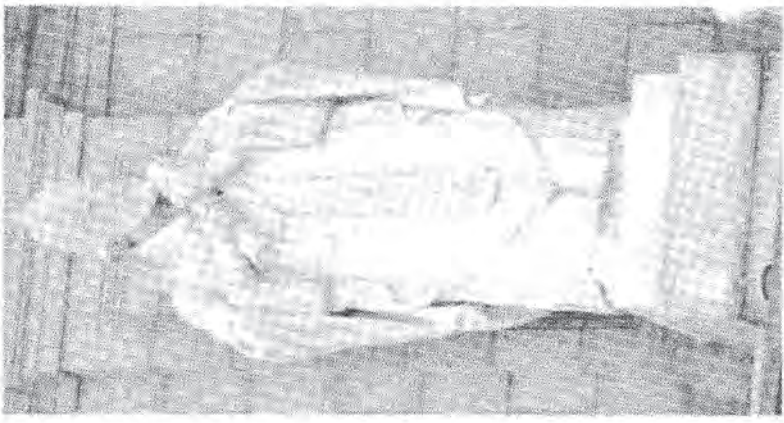
	<p>Statue of Liberty (1885)</p>	<p>Liberty Island New York, NY</p>	<p>"The Statue of Liberty is a figure of Libertas, a robed Roman liberty goddess." Ellis Island Foundation, <i>Statue of Liberty</i>, <a href="https://perma.cc/8DUU-PSAY">https://perma.cc/8DUU-PSAY</a>; Rare Historical Photos, <i>The Statue of Liberty: The Story in Pictures of the Mother of Exiles</i>, <a href="https://perma.cc/7YXV-MXMW">https://perma.cc/7YXV-MXMW</a></p>
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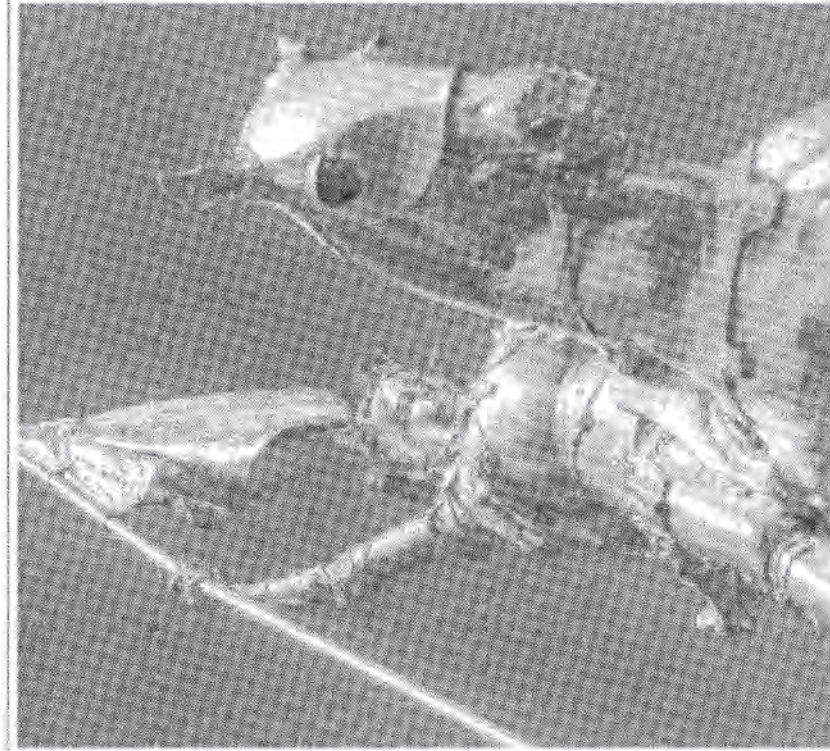


Bishop Frederic Baraga  
(1932)

Slovenian Cultural Garden  
Cleveland, OH

"Bishop Frederic Baraga (1797-1868) was  
the first Slovenian Bishop in the US."  
Cleveland People, *Slovenia Cultural Garden*,  
<https://perma.cc/XER6-P5JH>

	<p>Catholic saint "Pope Gregory was fluent in imperial law as well as canon law, even as a young man, which came in very handy once he ascended to the Seat of the Papacy in the sixth century."</p> <p>Ohio Outdoor Sculpture, <i>Pope Gregory the Great</i>, <a href="https://perma.cc/728V-F5CK">https://perma.cc/728V-F5CK</a></p>
<p>Cuyahoga County Courthouse Cleveland, OH</p>	<p>Pope Gregory the Great (1911)</p>

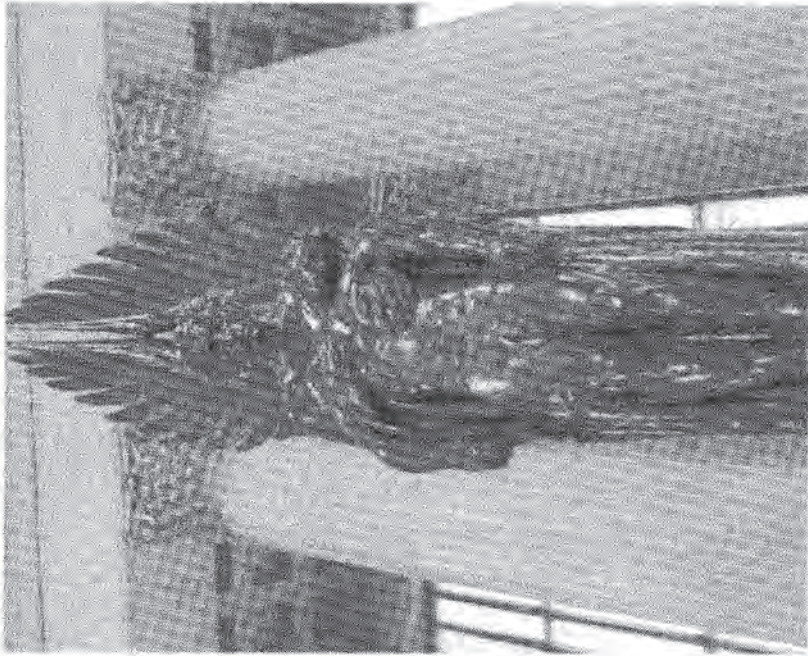


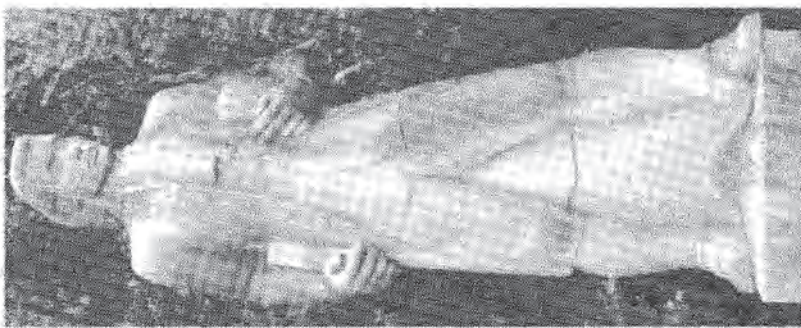
Joan of Arc  
(1948)

Philadelphia, PA

"Joan of Arc was a Catholic saint and the French heroine of the Hundred Years War."

Association for Public Art, *Joan of Arc*,  
<https://delima.cc/VZXX6-R9E6>

	<p>"Commissioned to honor the Pennsylvania Railroad employees who died in World War II, Walker Hancock's heroic bronze presents the Archangel Michael, angel of the Resurrection, lifting a lifeless soldier in his arms."</p>	<p>Association for Public Art, <i>Pennsylvania Railroad War Memorial</i>, <a href="https://perma.cc/PF98-E5ZT">https://perma.cc/PF98-E5ZT</a></p>
<p>Pennsylvania Railroad War Memorial (1952)</p>	<p>Philadelphia, PA</p>	

	<p>Philadelphia, PA</p>	<p>"This standing figure, along with <i>The Puritan</i>, by artist Harry Rosin was intended to represent major spiritual forces in the settling of the seaboard of the United States." Association for Public Art, <i>The Quaker</i>, <a href="https://psma.org/PA4W-2YZ6">https://psma.org/PA4W-2YZ6</a></p>
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The Quaker  
(1942)




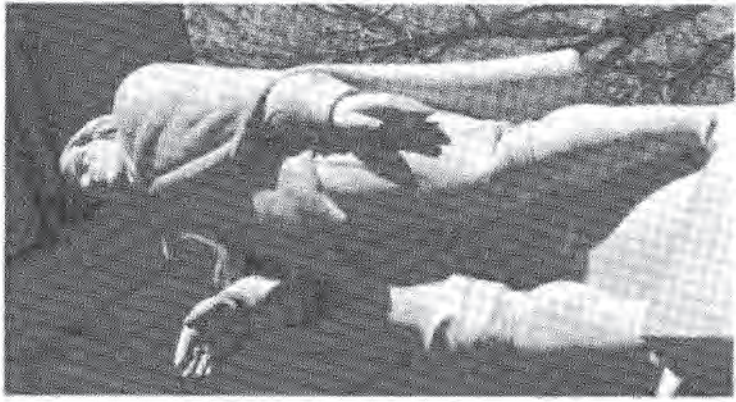
"This standing figure, along with *The Quaker*, by artist Harry Rosin was intended to represent major spiritual forces in the settling of the seaboard of the United States.

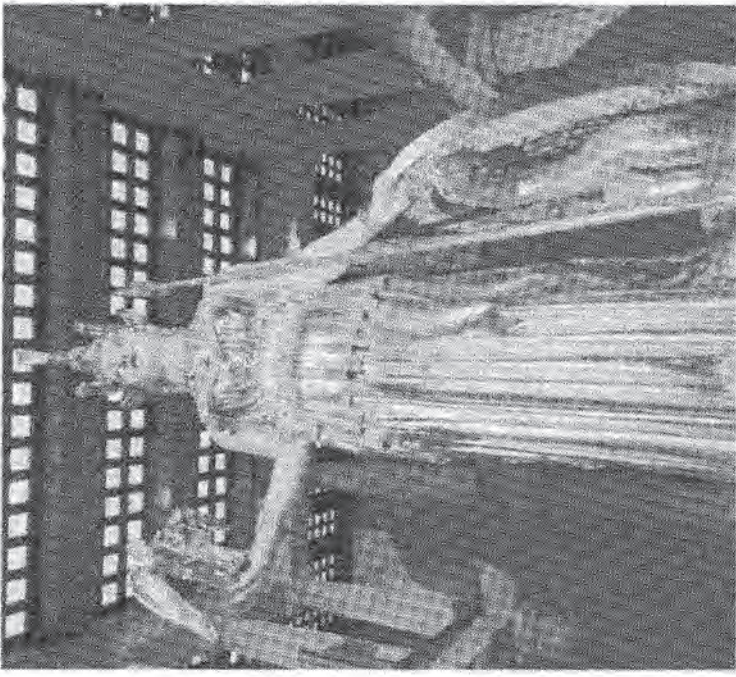
Association for Public Art, *The Puritan*,  
<https://psaripa.org/PA44W-2YZ6>

The Puritan  
(1942)

Philadelphia, PA

	<p>Spirit of Religious Liberty (1907)</p>	<p>Pennsylvania State Capitol Harrisburg, PA</p>
<p>"Van Ingen chose to represent the religious history of the Commonwealth within the south hyphen corridor . He selected groups that depicted Pennsylvania's religious diversity, including the Quakers, Mennonites, Rosicrucian monks, Moravians, Dunkards, Scots-Irish, Germans, and Swedes."  Pennsylvania Capitol, <i>The Capitol's Fine Decorative Arts at 213</i>, <a href="https://perma.cc/LRL3-JPQH">https://perma.cc/LRL3-JPQH</a></p>		

 A black and white photograph of the Statue of Roger Williams in Providence, Rhode Island. The statue depicts a man in 17th-century attire, standing with his right hand on his chest and his left hand holding a book. He is positioned on a pedestal.	<p data-bbox="1144 1554 1226 1900">Statue of Roger Williams (1939)</p> <p data-bbox="1144 1228 1226 1470">Prospect Terrace Providence, RI</p> <p data-bbox="1031 252 1226 1039">Dedication Statement: "Constructed as it is, not for our generation alone, but for all generations that will follow, it stands in its majesty, solidity and permanence, an everlasting tribute to the Founder of our State, and to his statesmanlike ability, tolerance and justice."</p> <p data-bbox="1258 283 1339 1039">Commemorative Works of Providence, <i>Statue of Roger Williams</i>, <a href="https://perma.cc/S3NR-R4WG">https://perma.cc/S3NR-R4WG</a></p>
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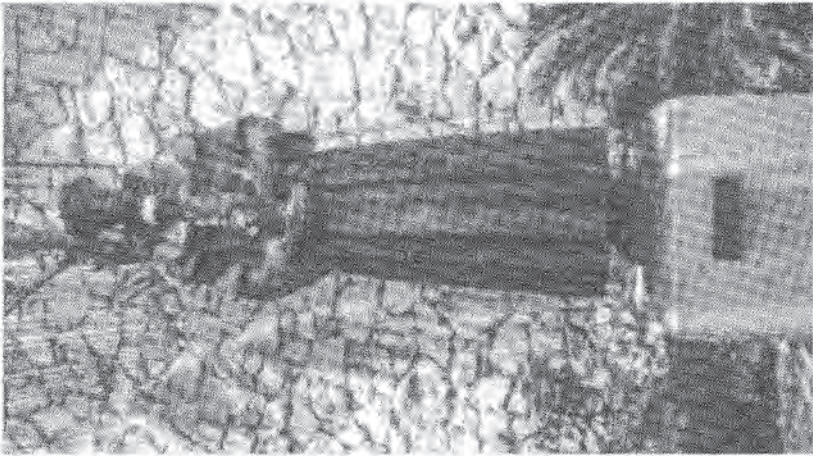
	<p data-bbox="1136 1785 1218 1890">Athena (1990)</p> <p data-bbox="1136 1281 1218 1470">Pantheon Nashville, TN</p> <p data-bbox="1071 210 1299 1050">"The museum's upper level is graced by a colossal 42-foot statue of the goddess Athena and features casts of the original Parthenon's pedimental fragments..." National Park Recreation and Park Association, Athena: The Goddess of Nashville?, <a href="https://perma.cc/R3DZ-KBUM">https://perma.cc/R3DZ-KBUM</a></p>
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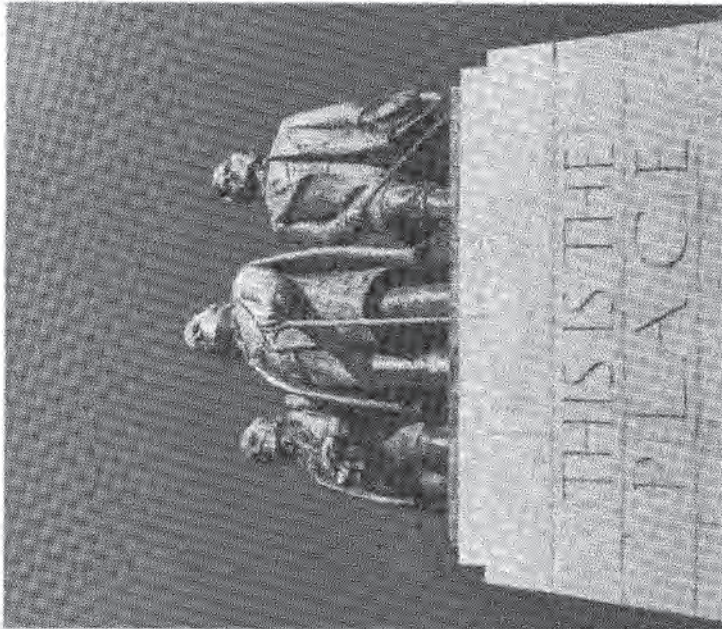


“The monument, a statue of Saint Michael the Archangel with a fallen officer, was dedicated on September 3, 2010, and sits on the front lawn of the Odessa Police Department.”  
Odessa, Texas, *Fallen Heroes*, <https://perma.cc/7RFL-VGUE>;  
Federal Bureau of Investigation, *Odessa Peace Officers Memorial, Odessa, Texas*, *Bulletin Honors: Odessa Peace Officers Memorial, Odessa, Texas* — LEB

Odessa Police Department  
Odessa, TX

Odessa Peace Officers  
Memorial  
(2010)

	<p>Saint Anthony (1950)</p>	<p>San Antonio, TX</p>	<p>"Saint Anthony, holding the Child Jesus, located along the subterranean public walk known as River Walk bordering the San Antonio River in San Antonio, Texas  Library of Congress, <i>Statue of Anthony of Padua</i>, <a href="https://purlma.org/5389-WGKZ">https://purlma.org/5389-WGKZ</a></p>
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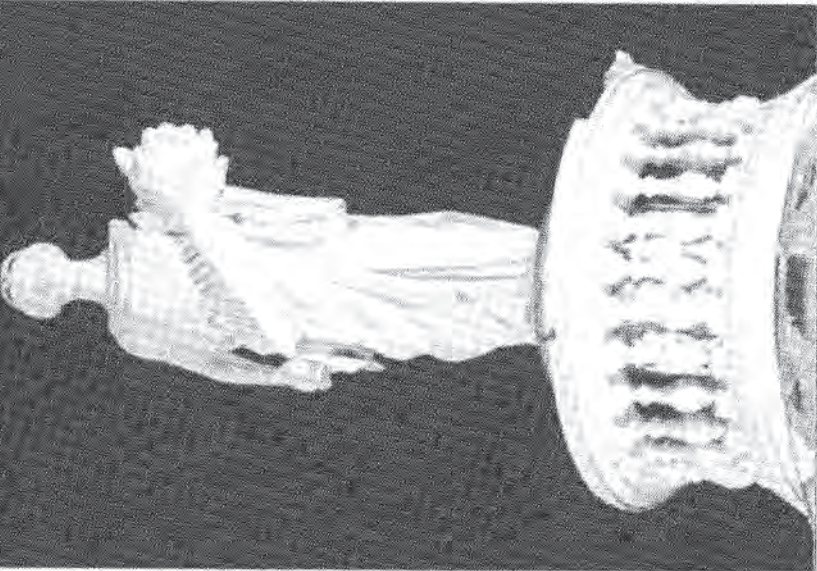


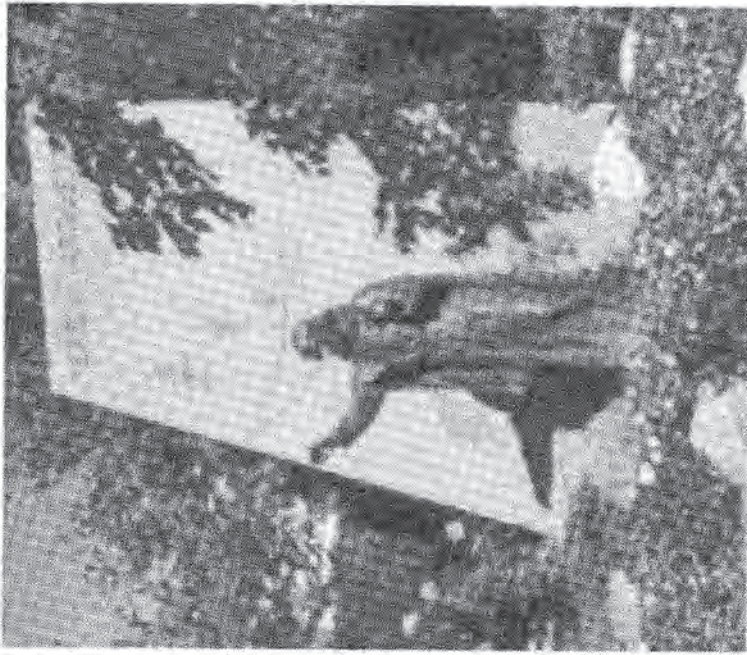
"The figures atop the center pedestal are Brigham Young in the center, Heber C. Kimball to the north, and Wilford Woodruff to the south. The three were prominent leaders during the early days of the Mormon Church."

Utah History To Go, *This Is the Place Monument*,  
<https://perma.cc/6Z7B-WBUB>

This Is the Place Heritage  
Park  
Salt Lake City, UT

This Is the Place Monument  
(1947)

		<p>Ceres (1958)</p> <p>Vermont State Capitol Montpelier, VT</p>	<p>"A statue of Ceres, the Roman goddess of agriculture and fertility, has stood on the uppermost point of the Statehouse since 1858, when Brattleboro sculptor Larkin Mead carved the first version out of pine."</p> <p>Vermont Public, <i>Ceres Statue Once Again Adorns The Vermont Statehouse's Golden Dome</i>, <a href="https://perma.cc/P5XH-TGBN">https://perma.cc/P5XH-TGBN</a>; Pocket Sights, <i>Ceres the Beloved – State House Promenade</i>, <a href="https://perma.cc/KW9T-RS7J">https://perma.cc/KW9T-RS7J</a></p>
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"The Père Marquette Statue in Milwaukee's Pere Marquette Park honors 17th-century French Jesuit missionary and explorer Jacques Marquette, one of the first Europeans to explore the Great Lakes and the Mississippi River region."

GPS My City, Pere Marquette Statue Milwaukee, <https://perma.cc/2RQ7-9HCZ>




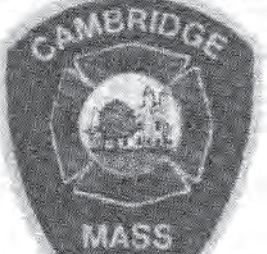

Pere Marquette Park  
Milwaukee, WI



Pere Marquette  
(1987)



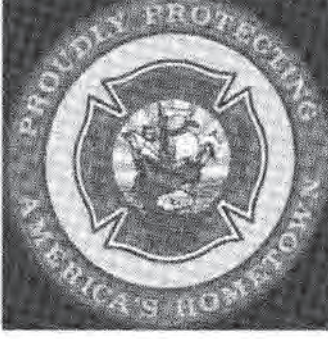



	<p>Mormon Pioneer National Historic Trail</p> <p>Utah, Illinois, Wyoming, Nebraska, and Iowa</p>	<p>Depiction of "the 1846 and 1847 treks of the Mormon Pioneers from Illinois to Utah." National Park Service, <i>Mormon Pioneer National Historic Trail</i>, <a href="https://peirma.cc/79JP-Q4EV">https://peirma.cc/79JP-Q4EV</a></p>
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(SCANNED PURPOSES ONLY - Attached to p#14.6)

## **Exhibit 3**

Name	Image	Permalink
WITHIN MASSACHUSETTS		
Boston		<a href="https://perma.cc/2J23-QCTT">https://perma.cc/2J23-QCTT</a>
Worcester		<a href="https://perma.cc/MB6F-5TM7">https://perma.cc/MB6F-5TM7</a>
Springfield		<a href="https://perma.cc/3X6V-K9H5">https://perma.cc/3X6V-K9H5</a>
Cambridge		<a href="https://perma.cc/668Z-P9RL">https://perma.cc/668Z-P9RL</a>
Lowell		<a href="https://perma.cc/E2CM-JPNK">https://perma.cc/E2CM-JPNK</a>

Brockton	 The logo is a shield-shaped emblem for the Brockton Fire Department. At the top, the word "BROCKTON" is written in an arch. In the center is a Maltese cross with a fire helmet resting on it. Below the cross, the words "FIRE DEPT." are written in a blocky font.	<a href="https://perma.cc/S546-AUBS">https://perma.cc/S546-AUBS</a>
Quincy	 The logo is a shield-shaped emblem for the Quincy Fire Department. The top of the shield contains the word "QUINCY" in an arch. The center features a circular seal with a landscape scene. Below the seal, the year "1889" is printed, followed by the text "CITY OF PRESIDENTS".	<a href="https://perma.cc/B368-SYMH">https://perma.cc/B368-SYMH</a>
New Bedford	 The logo is a Maltese cross emblem for the New Bedford Fire Department. The center of the cross contains a circular seal with a landscape scene. Below the seal, the year "1854" is printed. The text "FIRE DEPT." is written along the bottom arm of the cross.	<a href="https://perma.cc/T86F-F5NX">https://perma.cc/T86F-F5NX</a>
Fall River	 The logo is a shield-shaped emblem for the Fall River Fire Department. The top of the shield contains the words "Fall River" in a stylized font. Below this, there is a central illustration of a fire engine or similar vehicle.	<a href="https://perma.cc/9VGJ-WFPJ">https://perma.cc/9VGJ-WFPJ</a>

Somerville		<a href="https://perma.cc/V5ER-YWCU">https://perma.cc/V5ER-YWCU</a>
Haverhill		<a href="https://perma.cc/3H8J-6338">https://perma.cc/3H8J-6338</a>
Plymouth		<a href="https://perma.cc/A48P-6PEE">https://perma.cc/A48P-6PEE</a>
Malden	 	<a href="https://perma.cc/5AWD-XXH8">https://perma.cc/5AWD-XXH8</a>
Waltham		<a href="https://perma.cc/YJ3U-57JN">https://perma.cc/YJ3U-57JN</a>
<b>OTHER INSTANCES</b>		
Los Angeles		<a href="https://perma.cc/F92W-P7A5">https://perma.cc/F92W-P7A5</a>

		
Dallas		<a href="https://perma.cc/8SMT-HLVG">https://perma.cc/8SMT-HLVG</a>
Washington DC		<a href="https://perma.cc/LJ2S-BSUU">https://perma.cc/LJ2S-BSUU</a>
Philadelphia		<a href="https://perma.cc/RT5M-LEHK">https://perma.cc/RT5M-LEHK</a>
Chicago Fire MLS Team Modern		<a href="https://perma.cc/8LQP-TQC9">https://perma.cc/8LQP-TQC9</a>

<p>Chicago Fire MLS Team Classic</p>		<p><a href="https://perma.cc/Y6UW-73DR">https://perma.cc/Y6UW-73DR</a></p>
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# Exhibit 4

7/9/25, 9:39 AM

About IFFD - International Firefighters Day - 4th May



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## ABOUT IFFD

ABOUT IFFD

## The Incident

Each year firefighters face times of tragedy and triumph, arguments and lessons, reflection and celebrations. These vary in their impact and influence on each individual are now a part of our lives and in many cases cannot be easily dismissed. Linton was one such tragedy.

On December 2 1998, a tragic event shook the Linton community, Australia and the world: Firefighters in Linton, approximately 150km west of the city of Melbourne in Victoria, Australia, were fighting a large wildfire and called for assistance. This urgent call brought firefighters from a wide area including volunteers from the Geelong West Fire Brigade to the scene not knowing the despair and tragedy that was in store. Garry Vredevelde, Chris Evans, Stuart Davidson, Jason Thomas, and Matthew Armstrong were the crew on the Geelong West tanker that fateful day, they were part of a strike team and were being sent to help extinguish the flames. As the five headed out from the fire to refill their tanker with water, there was a sudden violent wind change as the cold change hit the area, engulfing the truck in flames and killing all five members.

## The Beginning

JJ Edmondson, a volunteer Lieutenant and firefighter in Victoria, Australia had had the safety and training drills ingrained into her over the years and had always been aware that her friendship with other firefighters could lead her to joy and the sense of being part of a greater family as well as to potential loss.

When Matt, Stuart, Jason, Garry and Chris of Geelong West lost their lives all of this struck home hard. It didn't matter that these five were from a different brigade or in another region, they could have been from another state or country for all that mattered. What was important was that they were firefighters, who lost their lives doing something that they have all been trained and are proud to do – they died trying to save life and property.

This, and the letters of support and fellowship that flowed from the tragedy spurred JJ to set a New Year's resolution for 1999: to organise an internationally recognised symbol of support and respect for ALL firefighters and a date for which this could be co-ordinated world wide.

For weeks JJ coordinated email discussions with the national and international community for their comments and suggestions as to an appropriate date and symbol to use, and the response was overwhelmingly positive with great support for the chosen date and ribbons.

IFFD could only have come about with the input from numerous people worldwide helping to ensure that this was truly an international decision. Without their comments, suggestions and



7/9/25, 9:39 AM

About IFFD - International Firefighters Day - 4th May

endorsements it may have just remained a dream rather than the internationally recognised event it now is. To all who contributed, our sincere and complete thanks.

## The Date – May 4th

The date chosen for International Firefighters' Day was linked to the feast day of *St Florian* (the patron saint of all firefighters). St Florian was the first known commander of one firefighting squad in the Roman Empire. He lost his life, as well as those of his colleagues, for protecting the same humane ideas which firefighters all over the world share even today.

Firefighters in most of the European countries celebrate their day on 4th of May as a 'Day of Fire Service' as well as St. Florian's Day. This date is also known as St Florian's Day worldwide and has been tradition for more than 150 years in Europe.



St Florian commemorated in the Roman Martyrology on May 4th, was an officer of the Roman army, who occupied a high administrative post in Noricum (now part of Austria) and who suffered death for the Faith in the days of Diocletian.

His legendary "Acts" state that he gave himself up at Lorch to the soldiers of Aquilinus and the governor when they were rounding up the Christians. After making a bold confession he was twice scourged, half-flayed alive, set on fire and finally thrown into the river Enns with a stone around his neck.

His body, recovered and buried by a pious woman, was eventually moved to the Augustinian Abbey of St Florian, near Linz. It is said to have been, at a later date, transferred to Rome. Pope Lucius III, in 1138, gave some of the Saint's relics to King Casimir of Poland and to the Bishop of Cracow. Since that time, St Florian has been regarded as a patron of Poland as well as of Linz, Upper Austria and of firefighters.

There has been popular devotion to St Florian in many parts of central Europe, and the tradition as to his martyrdom, not far from the spot where the Enns flows into the Danube, is ancient and reliable. Many miracles of healing are attributed to his intercession and he is invoked as a powerful protector in danger from fire or water. His feast day is May 4th.

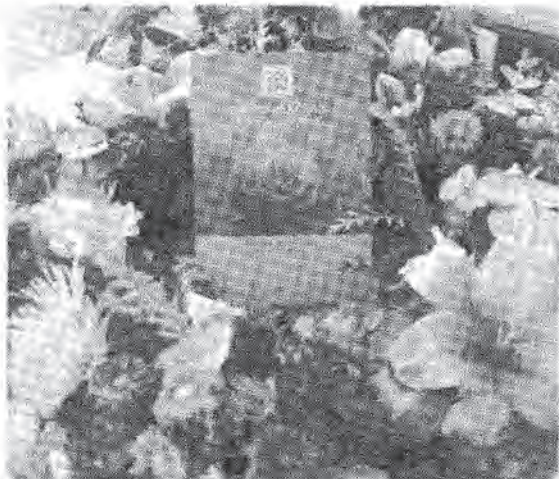
## The IFFD Ribbons

The IFFD ribbons are linked to colours symbolic of the main elements firefighters work with – red for fire and blue for water. These colours also are internationally recognised as representing emergency service.

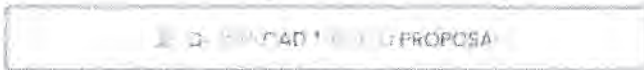
Blue Ribbon over Red; Water over Fire.



## The IFFD Proposal



The original IFFD Proposal was first emailed out on January 4, 1999 and people were asked to copy and forward it on to anyone who might be able to assist in promoting IFFD; fire organisations, brigades, magazines, internet links and sites, all media, educational institutions, industries associated with fire, etc.



## Sound Off

Often communities remember human sacrifice through observing a minute's silence. For International Firefighters' Day in 2002 the inaugural "Sound Off" was conducted to reflect on the commitment and sacrifices of firefighters' worldwide in a truly poignant manner for emergency service workers. Due to the amazing support of the Sound Off in 2002, there is now an annual Sound Off on the first Sunday of every May.

Read more about the [Sound Off](#).

## Online Promotion

International Firefighters' Day has been promoted through a variety of forums, including letters, newspaper articles, emails, web forums and list serves – however the most successful has been the website. Over the years our website has undergone a number of changes of appearance however the latest layout was launched in November 2021 thanks to the hard work of webmaster [Lindy Barker](#), web hosting by [DISKMAN](#) and fantastic new logos by [Matthew J. Ruel](#).

## Founder

JJ Edmondson is an operational volunteer firefighter in the Ruby Fire Brigade and a past Lieutenant of both the Clyde Fire Brigade and the District 8 Headquarters Fire Brigade in the Country Fire Authority (CFA) in Victoria, Australia. She was the first female firefighter, and then Lieutenant, in her original brigade at Clyde.

Over her 36 years of service, like so many other firefighters worldwide, she has committed thousands of hours to training, meetings, and responding to a variety of fire calls and incidents (as either an active member or administration / management support).

Additionally, she has held a variety of roles ranging from a state-accredited Training Instructor and Assessor, Lieutenant, Training Coordinator, Secretary, Junior Coordinator and Level 3 Resources Officer in Incident Control Centres.



7/19/25, 9:39 AM

About IFFD - International Firefighters Day - 4th May

A trained secondary teacher, JJ was headhunted to work in the emergency services industry for over 6 years developing and co-ordinating training material and programs for youth at both state and national levels. She also was able to share her expertise in teaching wildfire behaviour and suppression at the tertiary level.

Currently JJ spends her days teaching at both an Australian Wildlife Sanctuary and in a Secondary School. Evenings and weekends are often taken up with her voluntary commitments for CFA and the Red Cross Emergency Services, for whom she holds the senior position of Divisional Operations Officer.

Webmaster

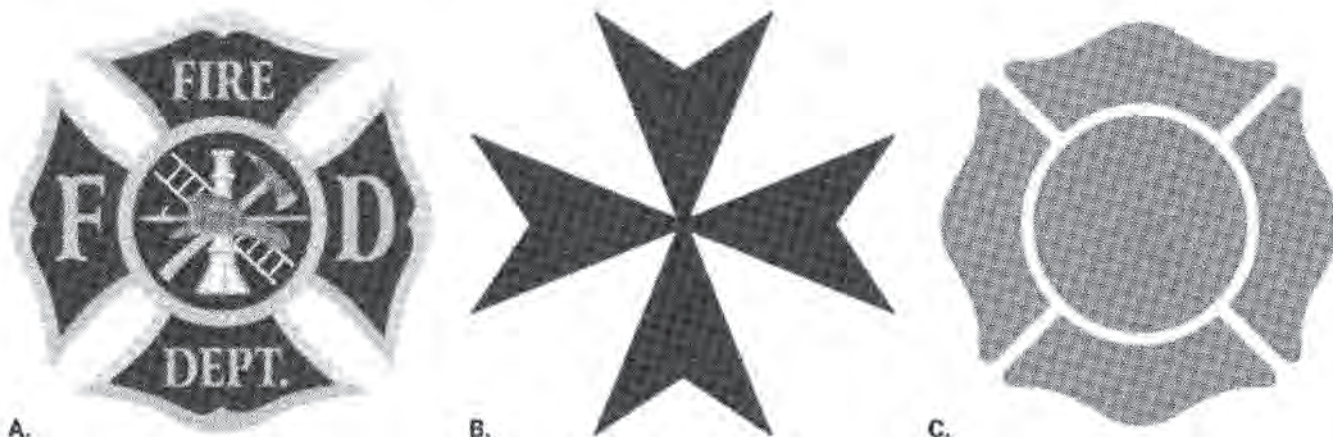
Web Hosting

Logo Design

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# Exhibit 5

## 6 Fundamentals of Firefighter Skills



**FIGURE 1-2** **A.** The Firefighter's Cross is widely recognized as a symbol of the fire service and is displayed on most fire vehicles, on firefighter uniforms, and on firefighter badges. **B.** The Maltese cross has been a symbol of the fire service since about the 12th century. **C.** The Florian cross has represented the fire service since the 4th century and is named after a man charged with organizing firefighting brigades in Rome.

**A.** Firefighter's Cross **B.** Maltese Cross **C.** Florian Cross

### The Firefighter's Cross

The Firefighter's Cross is a symbol of the fire service used across the United States (**FIGURE 1-2A**). You will see this symbol on most fire vehicles, on firefighter uniforms, and on firefighter badges. The origins of the Firefighter's Cross are not clear. It is often referred to as the Maltese cross, which was originally a symbol of the knights of Malta (**FIGURE 1-2B**). The Maltese Cross dates back to the 16th century and may have been used to represent the fire service as early as the 12th and 13th century. It is an international symbol of the fire service. Each of the eight points on the Maltese cross serves as a reminder of eight key attributes of a good first responder: observant, tactful, resourceful, persevering, dexterous, clear, sympathetic, and always using good judgment. Another cross symbol known as the Florian cross (**FIGURE 1-2C**) has also been used to represent the fire service. It is named after a Roman officer in the 4th century who was assigned to organize firefighting brigades in Rome (Martinez-Granata 2017).

The important thing to remember is that the Firefighter's Cross continues to represent the firefighter's life of service, dedication, and sacrifice. After you become a firefighter and you wear this cross on your uniform, you must wear it proudly and strive to uphold the best traditions of the fire service.

### Fire Protection in England

As early as 1066, William the Conqueror decreed that all home fires in England were to be extinguished and covered every evening with a metal lid called a "couvre

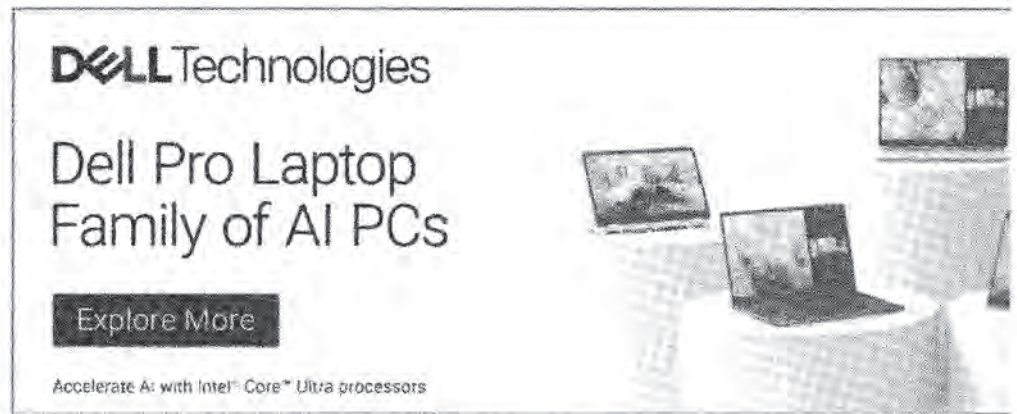
feu," likely the source of the modern concept of a curfew. In 1500, English cities passed ordinances regulating hazardous trades such as baking and kettle making as well as governing fire hazards such as wooden chimneys and thatched roofs. Despite early successes in fire prevention, the Great Fire of London struck in 1666, destroying more than 13,000 homes. This disaster led to improvements in fire protection in England for more than 100 years (Coleman 1988, 133).

### Early America

The first documented structure fire in North America occurred in Jamestown, Virginia, in 1608. This fire quickly spread in the fort in which the settlers had built their houses and almost burned down the entire settlement. At that time, most structures were built entirely of combustible materials such as straw and wood. In 1630, the city of Boston, Massachusetts, established the first fire regulations in North America when it banned wood chimneys and thatched roofs. In 1648, in the Dutch colony of New Amsterdam (which became New York), Governor Peter Stuyvesant enacted the same ban and required that chimneys be swept out regularly. Stuyvesant also appointed fire wardens to impose fines on homeowners who did not obey these regulations. The money collected was used to pay for firefighting equipment (Merrimack Fire and Rescue n.d.).

The first fire department with paid firefighters in the United States was established in 1678 in Boston. Boston also had the first fire stations and fire engines (Boston Fire Historical Society n.d.). The first volunteer

# Exhibit 6



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BY BRANDIE KESSLER AND YORK DAILY RECORD  
Published 3:05 AM EDT, July 13, 2019

YORK, Pa. (AP) — Amid the silhouetted flames, an angry spark plug, realistic deep burgundy roses, a four-leaf clover and other ink on Cpl. Scott Musselman's arms, The Little Engine That Could and Jasmine and Rajah from "Aladdin" might seem out of place.

The Little Engine that could? It's his most sentimental tattoo. "My daughter was born 10 weeks early," he said. "I would read 'The Little Engine That Could,' to her" while she was in the neonatal intensive care unit.

Jasmine and Rajah? Jasmine is his daughter's favorite Disney princess. Plus, he said, she's unique, and he doesn't want anything typical on his skin. "Nobody (else) is running around with Jasmine" tattooed on them.

Sometimes Musselman, who is a K-9 officer with West York Borough Police, has a concept in mind that he works over and over. Other times it's more spontaneous, like when his tattoo artist, at Vivid Skin Tattoo in West Manchester Township, calls him up and tells him he has an open spot on his calendar.

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But for Musselman, having meaningful and uncommon tattoos is always important.

His roses are a nod to the women in his life; the angry spark plug and flames were inspired by his life before law enforcement, when he worked as a custom automotive painter.

"I always think that tattoos should have some personal meaning," Musselman said. "It should have some meaning to you. I don't believe in walking into a tattoo parlor and saying, 'Give me number 17.'"

Even though all his ink is unique, there is a commonality between Musselman and some other tattooed York County law enforcement officers. They each have tattoos related to their work.

Musselman has a tattoo on his arm inspired by his K-9 partner, Detective Prince.

Policies for police officers who have tattoos vary by department. Some have no restrictions, as long as the tattoo isn't of something offensive or inappropriate, while others have restrictions, including that tattoos cannot be visible while the officer is in uniform.

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Some officers say their tattoos bridge a gap with the people they serve. "I have found that in law enforcement, (having tattoos) helps you to relate to people," Musselman said.

'It humanizes the badge'

For about as long back as he can remember, Sgt. Mike Bennage wanted to be a police officer.

"Well, first I wanted to be Batman," he clarified.

But given that job was taken, Bennage knew he wanted to work in law enforcement. The Fairview Township officer worked construction in his teens and 20s, but always wanted to help people.

"I wanted to catch bad guys," Bennage said.

He was working a construction job that he didn't like very much, and he saw an ad for a police officer position at Fairview Township in the newspaper. He decided to give it a shot.

Starting out the process to become an officer, he said, "it's like you're at the bottom of Mount Everest looking up." But he made it through, got hired and began working.

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Now in his 13th year with the department, Bennage said his recent tattoo work is a direct result of his career path.

He found his current tattoo artist, from Red Beard Ink in Harrisburg, one night while he was working. Bennage stopped a car that had a tail light out.

Bennage usually tries to ask people about themselves, like what they do. The driver handed him a business card for his tattoo shop. That business card had sat in Bennage's drawer for about a year, when he fished it out and decided it was time to get some new ink.

He had gotten his first tattoo, related to martial arts, when he was 18.

Bennage said his ink has come in handy when he's been interrogating someone.

"You have an experience you can both relate to," he said. "It humanizes the badge."

Bennage said he always asks people who their tattoo artist is, and if they have the same one, that's something they have in common. Even if they have different artists, Bennage can see what a person's interests are based on their tattoos. Those things build bridges, he said.

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His tattoos are mostly related to American history, which he has a strong interest in, and law enforcement.

He recently had a thin blue line flag done on his right arm, symbolizing the order the police officers bring to society. In general, the thin blue line is representative of the police brotherhood. It's a piece he really likes.

And, he said, he'll probably start thinking up what he wants next in a few months.

Tattoos 'transcend race, gender, politics'

When Sgt. Jason Jay is out on the street investigating an incident, he notices that possible witnesses are sometimes more likely to talk with him than others.

"It's actually an ice breaker when you're at a crime scene," Jay said of his tattoos. "They transcend race, gender, politics . . . People can appreciate body art."

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And oftentimes, he said, people with tattoos see his as a bridge, something that they can relate to.

Jay has been with the York City Police Department for 19 years, the first 15 as a patrolman. He got his first tattoo, the Superman symbol, when he was in college at Shippensburg University.

Now, he has several tattoos, two of them law enforcement related. A portrait of St. Michael on his forearm is one that is common with police officers who have ink. "It's part of the policeman's prayer," Jay said. St. Michael "is triumphing over evil. He's a protector, and that's what we do. We protect and we try to help out."

Some older people might think tattoos don't look professional, Jay said. But many in the younger generations have tattoos or are used to seeing them. Those are the people Jay thinks he might be able to develop a rapport with, and where he can use his ink to his advantage at work.

"They see past the uniform," Jay said. "They see maybe this guy isn't just a badge and a blue uniform."

'What girl doesn't like roses?'

Officer Kayla Miske didn't always know she wanted to work in law enforcement.

But when that option landed in front of her, she saw all the good she could do.

She graduated from Penn State Harrisburg with a degree in criminal justice in 2013. She said she became intrigued seeing the way law enforcement was portrayed by the media, and the way that police officers' community relations could be improved.

To this day, Miske gets frustrated when she hears parents tell their children, "Don't be bad, that police officer will take you away," she said. She wants children to grow up knowing that police officers are there to help. "There are definitely more good cops than bad cops."

In her job with Fairview Township Police Department, Miske works with children.

She tries to be a positive influence on them and impress upon them the ways that police officers help their communities, not just hold bad guys accountable.

Before she was an officer, Miske says she was like many other teenagers. That's what led her to get her first tattoo. "It was stars," she said. "I think every 18-year-old who says 'I'm gonna get a tattoo,' doesn't think about it."

Since then, her tattoos have become more meaningful, not just something she does on a whim. She has blue and black roses on her ribs. She got those in 2016, around the time a man opened fire on Dallas police officers, killing five of them.

Miske's roses are a memorial tribute to the five and all fallen officers. They're a reminder that serving as a police officer means she could have to make such a sacrifice.

And they're beautiful, she said, noting "What girl doesn't like roses?"

She has "CLXVII," on her back, which is 167 in Roman numerals. That number is the badge number of a friend of hers, a fellow female officer in another department whom she met while doing a fitness challenge.

Although Miske considers herself part of the law enforcement brotherhood, having a fellow female officer she can talk to about things that male officers might not experience the same way is comforting and helpful, she said.

Miske has an incredible tattoo in progress on her right arm, a nature scene that her tattoo artist, Jake Kirk who works at a shop in Duncannon, drew on her arm free-hand with a sharpie before he laid down the permanent ink.

But it's a phrase on her left bicep that serves as a constant reminder of what she's made of. "She needed a hero so that's what she became."

She said some people didn't think she should be in law enforcement, but she knew that it was what she wanted to do.

Going through the police academy and starting her career in law enforcement showed those people and also herself that she could be her own hero and blaze her own trail.

"I was proving everybody wrong, showing I can do what I set my mind to," she said.

Once she finishes the nature scene on her right arm, Miske's not quite sure that she wants any more ink. "I know, everyone who has tattoos says that," she said smiling

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# Exhibit 7



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## Saint Michael

### Patron Saint of Police Officers

As you turn the coin over you will see a heroic depiction of Saint Michael, the patron saint of police officers. Saint Michael is an archangel, a spiritual warrior in the battle of good versus evil. He is considered a champion of justice, a healer of the sick, and a guardian. Saint Michael is depicted in artwork with a sword or scales and is often shown vanquishing evil in the form of a dragon. Praying to Saint Michael will ask for protection against the threat of evil.

DOMINATE RESPONSE FILE

## First Responders National Society of Saint Michael and Saint Florian

The Ancient Order of Saint Florian and Saint Michael is comprised of individuals that promote awareness and offer support of issues facing emergency and first responders. These exemplary individuals have gone above and beyond in their roles to promote the meaning of a "first responder". The Ancient Order of Saint Florian and Saint Michael honors the firefighters, police officers, EMTs, and all those who are first on the scene in stressful situations, as well as an individual who promotes the public awareness of the daily strength and struggles facing emergency and first responders.

The Honorable Order of Saint Florian and Saint Michael is comprised of individuals who have demonstrated the highest standards of integrity, bravery, honor and moral character, displaying an outstanding degree of professional competence, and leadership; serving selflessly and contributing to the promotion of public safety and the betterment of their communities.

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Ronald Jones, City of Perry Fire Department

Cole Phillips, Texas Public Safety and Investigations

Robert D. Dittman, Texas Public Safety and Investigations

Kirstiana D. Dittman, Texas Public Safety and Investigations

Lt. Robert Jones, Douglas County Sheriff's Office, NE

Jen Wolsleben, Cedar Bluffs, NE Fire and Rescue

David Sobotka, Fire Investigator, Omaha, NE Fire & Police Departments

Ken Kanger, Deputy Chief, Omaha Police Department

Ryan Crusse, Baltimore County Fire Department

[Read more about these inductees here.](#)

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# Exhibit 8



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Public Safety (<https://www.wilmingtonnc.gov/Public-Safety>) / Fire Department  
(<https://www.wilmingtonnc.gov/Public-Safety/Fire-Department>) / **WFD Fallen Firefighters Memorial**

# WFD Fallen Firefighters Memorial

The Fallen Firefighters Memorial was constructed to honor 8 of Wilmington's bravest who lost their lives in the line of duty and the 343 NYC firefighters who perished during the tragic events of September 11, 2001. This memorial serves as a place of reflection and respect to all firefighters that have made the ultimate sacrifice.

The centerpiece of the memorial is a steel artifact recovered from the rubble of the World Trade Center in New York City. Surrounding this somber piece of American History are individual monuments honoring Wilmington's fallen firefighters including garden spots, restful benches, and shade trees.

The memorial is open to the public and visitors are welcome to and honor those that have fallen serving our community and n  
The Wilmington Fallen Firefighters Memorial is located at WFC Station 2 at Empie Park. (<https://www.wilmingtonnc.gov/Parks-Recreation/Parks-Trails/Empie-Park>).

For more information on the Wilmington Fire Department Fall Firefighter's Memorial, check out the Wilmington Firefighter's Foundation web page (<https://wilmingtonfirefightersfoundatio>

WFD Fallen Firefighters Memorial - #TimeToRemember



*"Rest now my fallen brother  
Lay soft your suffering back  
Rest well and forever  
Your memory shall not lack  
Rest your tired hands  
Wipe clean your weary brow  
Rest with St. Florian  
Your spirit now endowed  
Rest here your breaking heart*

*We know you gave your all  
Rest easy, you've done your part  
You've answered your last call  
Rest knowing that in God we sought  
Oh Lord, watch over another who just fell  
Rest assured your troubled thought  
As we ring the final bell."  
- Unknown*

## **Location**

**3403 Park Avenue  
Wilmington, NC 28403**

## Sponsorship



Interested in sponsoring a paver at the memorial?

Reserve your place in the Wilmington Fallen Firefighters Memorial by filling out this [form\(PDF, 2MB\)](#).

[. \(https://www.wilmingtonnc.gov/files/assets/city/v/1/public-safety/documents/wfd-memorial-paver-sponsor.pdf\).](https://www.wilmingtonnc.gov/files/assets/city/v/1/public-safety/documents/wfd-memorial-paver-sponsor.pdf)

## The Artist

A lot of time and thought went into making the WFD Falle Firefighters Memorial. The sculptures were created by local artist Ed Walker. Check out [this video](https://youtu.be/KKTOoXt-U0U) (<https://youtu.be/KKTOoXt-U0U>) that shows the creation process.

# Exhibit 9



## Stories

### TORONTO POLICE SERVICE

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Chief Myron Demkiw speaks at Communion Breakfast

Photo: Ron Fanfair

## Faith Helps Overcome Challenges

By Ron Fanfair Published: 4:31 PM November 18, 2024

Office of the Chief 

Policing is a challenging job and it is vital that officers rely on their faith to find moments of peace and recharge, said Chief Myron Demkiw at the Service's 58th annual Communion Breakfast on October 27.

"Faith has played a central role in my life," Demkiw said. "I have relied on it during some of my most challenging times."

In October, Demkiw rang the bell at the Princess Margaret Cancer Centre after his five-year checkup confirmed that he is cancer-free.

"My faith gave me strength, resilience and hope during some of the most difficult times and helped me overcome this incredibly difficult challenge," he said. "For me, faith is about optimism for the future, it is about values and principles and it is about camaraderie and support."

"We saw this sense of community this week at our Prayer Walk – our second city-wide Prayer Walk held in every Toronto Police Service division simultaneously. Our theme was 'Unity in Community' and people from all faiths and backgrounds gathered to pray and march against gun violence, and all kinds of violence and hate. Faith can help us overcome personal challenges. It can create moments of reflection in a world experiencing global challenges. And it also brings us together as communities."

Nick Migliore, a member of the Toronto Police Service Board, said the annual event speaks to the importance of all faiths, the powerful bonding experience of fellowship and the incredible role spirituality plays in people's lives.

"We all come together to experience friendship and mutual support," he said. "We are both strengthened and inspired. The Toronto Police Service Board recognizes that members bring their faith backgrounds from all corners of the world. We know Service members draw spiritual strength from many sources, including religion... Today, we honour every faith and all the values and principles that guide us."

"In these changing and challenging times of policing, it is more important that we come together and share our experiences to learn from one another and inspire one another. We believe that partnership with the public is essential for safe communities to be sustained and flourish. The role of our faith leaders in meeting the challenges that we face is undeniably significant."



*New York Police Department Deputy Inspector Kenneth Gorman was the keynote speaker.*

*Photo: Ron FanFair*

New York Police Department (NYPD) Deputy Inspector Kenneth Gorman was the keynote speaker at the event.

He is an Executive Member of the NYPD Holy Name Society, which was established in 1914.

"Each of us makes a conscious decision to take on public service," said Gorman, who is the Commanding Officer of Transit Borough Brooklyn. "But I think before that, God made a decision for us to serve. I think he knew before we did that we were taking on this challenge and I think he appreciates that in all of us. We must appreciate him and how he gets us through this very challenging career.

"We see, sometimes, the worst of humanity. But we have the faith to know that it is just a fraction of humanity and the majority of people are God's children that he has put here and given us the honour to protect. We also see that we need faith in each other. Every day that we go out there and take on the challenges of policing, we need to have faith in our fellow officers, our fellow public servants and first responders to make sure that we come home safe and that they go home safe."

In the winter of 1964, a small group of Toronto Police officers took their sons to mass at St. Michael's Cathedral and then to breakfast at a local restaurant.

Ever since, officers have attended mass and then gathered for breakfast at a downtown hotel.

Saint Michael is the patron saint of police officers.

Since 2014, the St. Michael Award is presented to a Service member making significant societal contributions through humanitarian acts of kindness on and off the job.

This year's recipient was Detective Sergeant Brian Maslowski who is the president of the board of New Visions Toronto (NVT), a non-profit organization that assists over 57 people with complex physical and developmental disabilities.



*Detective Sergeant Brian Maslowski with a New Visions Toronto client at the Communion Breakfast.*

Maslowski first began supporting the organization through fundraising before organizing special events for staff and residents and visiting support home. In 2020, he became a volunteer board member, for the agency with a \$10 million budget and 200 staff members and recruited finance, human resources, wellness, legal and marketing experts for board appointments.

"Brian has a heart of gold and the determination to make things happen," said NVT Executive Director Andy Rotsma. "There is not one other volunteer in the history NVT who has done as much for the agency as he has."

Court Services Manager Sandra Craig nominated Maslowski for the honour.

"Brian's passion for helping people with disabilities and his dedicated support for NVT have significantly impacted the organization's growth and his fundraising efforts have made a monumental positive impact," she said.

"Every time I see the smile from the people we support it makes it worth it," Maslowski said. "I just want more people to see the amazing work done by our staff to make a difference."



*Noemi Welch Martinez, third from left, was presented with the Fred Mazzearella Memorial Scholarship.*

*Photo: Ron Fanfair*

In 2022 the Fred Mazzearella Memorial Scholarship was created to honour a James Cardinal McGuigan Catholic High School graduate.

Mazzearella, who in 1990 began working as a part-time Chaplain with TPS, died on Good Friday 2020 at age 87.

Noemi Welch Martinez, who aspires to be veterinarian, was this year's recipient.

The teenager is a first-year University of Guelph student pursuing Animal Biology studies.

"I am so proud of my daughter," said Tomasa Welch. "She is hard-working and a very good girl."

Ryan De Sa, the founder and President of De Sa Associates, which is a personal injury law firm based in 31 Division, made the donation to start the scholarship.

# Exhibit 10

# Saint Michael's House

Protecting Those Who Protect Us.



**AMITA** HEALTH®

In sickness and in health

Welcome to AMITA Health's Saint Michael's House, an inpatient and outpatient substance abuse treatment center dedicated exclusively to the care of law enforcement officers. Saint Michael's House is a highly confidential destination program focused on the treatment of those who serve and protect our community locally and statewide.



Understanding the stigma associated with seeking addiction treatment, Saint Michael's House provides confidential addiction treatment services in a discreet location. We've partnered with local law enforcement leaders to understand and address officers experiencing addiction issues.

Our team of addiction medicine physicians, registered nurses and licensed social workers and counselors are here to help. Saint Michael's House is a place of comfort and healing, providing a path to recovery and overall health promoting officer wellness.

### Levels of Care

At Saint Michael's House, we value the importance of a well-rounded treatment program for law enforcement officers. We utilize various treatment approaches to foster healing of mind, body and spirit. Officers are guided through their journey of recovery on a path that's right for them. There are several steps to treatment that may be followed, depending on the individual officer's condition.

**Medical Detox**—An inpatient program that includes 24-hour monitoring and treatment of withdrawal from alcohol and drugs.

**Residential**—An intensive and structured regimen of care provided in a 24-hour residential setting, where residents will spend up to 28 days in treatment. This is a comprehensive program that includes individual, group and family therapy.

**Partial Hospitalization**—Medically supervised program offering comprehensive, therapeutically intensive, coordinated and structured clinical services at least five days a week; also includes boarded outpatient.

**Intensive Outpatient**—A half-day program ideal for someone who is actively working, has completed a previous program or is looking for first time program.

**Aftercare**—An exclusive, once-a-week group for graduates of the program.

### Our Therapies

While in our care, we may use a number of services in your treatment, tailored to your individual needs.

**Medication-assisted Therapy**—Medications are prescribed in combination with counseling and behavioral therapies.

**Cognitive Behavioral Therapy**—This technique is used to help you find new ways to cope by altering your thought patterns.

**Group Therapy**—Interaction with a therapist and a group of your peers experiencing similar difficulties.

**Trauma Counseling**—One-on-one therapy for those who have experienced emotional shock or pain due to a traumatic event.



**A Day in the Life:**

Below is a sample itinerary for a day at Saint Michael's House.

# A DAY IN THE LIFE

## SAINT MICHAEL'S HOUSE

**Morning**

- 8:00 am Wake up
- 8:30 am Breakfast
- 9:00 am Daily Chats
- 9:30 am Morning Prayer
- 10:00 am Morning Prayer
- 10:30 am Morning Prayer
- 11:00 am Morning Prayer
- 11:30 am Morning Prayer
- 12:00 pm Lunch

- 12:30 pm Prayer
- 1:00 pm Prayer
- 1:30 pm Prayer
- 2:00 pm Prayer
- 2:30 pm Prayer
- 3:00 pm Prayer
- 3:30 pm Prayer
- 4:00 pm Prayer
- 4:30 pm Prayer
- 5:00 pm Prayer
- 5:30 pm Prayer
- 6:00 pm Prayer
- 6:30 pm Prayer
- 7:00 pm Prayer
- 7:30 pm Prayer
- 8:00 pm Prayer
- 8:30 pm Prayer
- 9:00 pm Prayer
- 9:30 pm Prayer
- 10:00 pm Prayer
- 10:30 pm Prayer
- 11:00 pm Prayer
- 11:30 pm Prayer
- 12:00 am Prayer

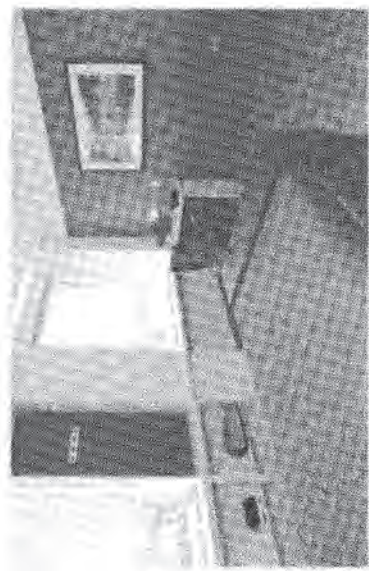


**ALPHITA HEALTH**

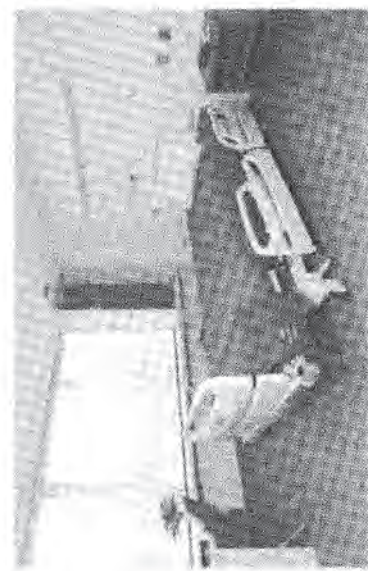
**Our Facility**



Intensive Out-Patient  
Group Room



Residential  
In-Patient Room



Medical Detox  
In-Patient Room

Our Facility

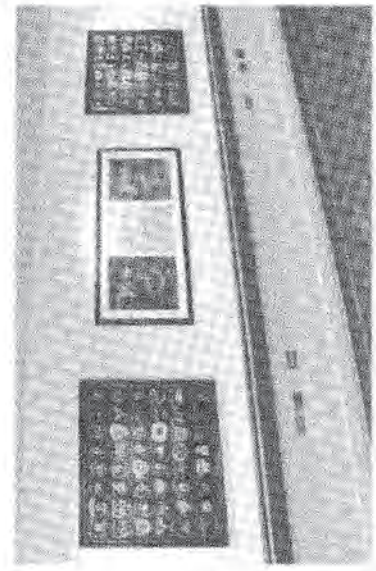
Exercise Room



Dining Room and Lounge

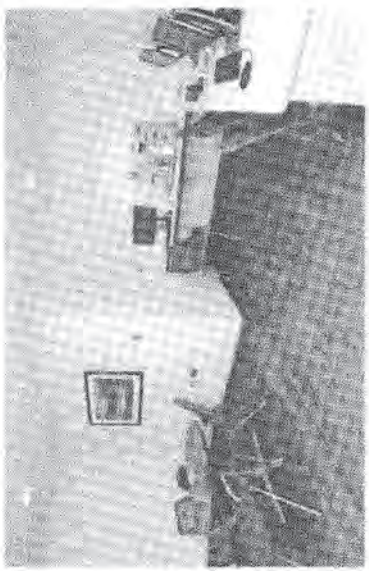


Hall of Honor

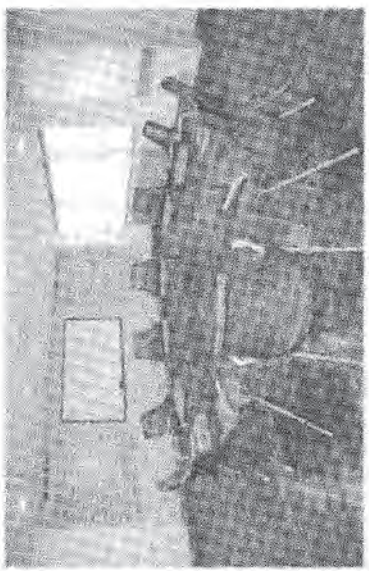


Our Facility

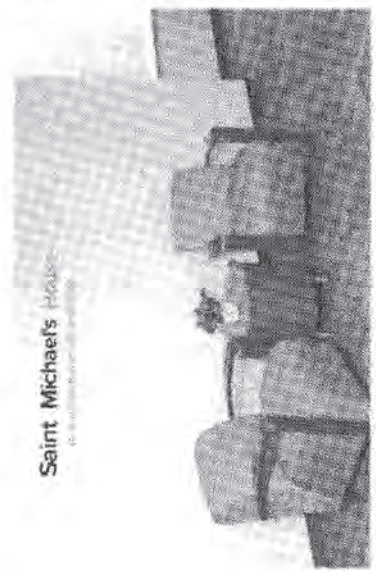
In-Patient Resource Room



In-Patient Group Room



Admitting and Outpatient Reception





## Prayer to Saint Michael

*Saint Michael the Archangel,  
defend us in battle.*

*Be our protection against the wickedness  
and snares of the devil.*

*May God rebuke him, we humbly pray;*

*And do thou, O Prince of the Heavenly Host,*

*by the power of God, thrust into hell*

*Satan and all the evil spirits*

*who wander through the world for the ruin of souls.*

*Amen.*

Saint Michael's House is endorsed by the Illinois Association of Chiefs of Police, Chicago Police Department and Police Chaplains Ministry and more than 100 local police departments from across Illinois. Special acknowledgment to the Des Plaines Police Department for sharing in this vision.

**For inquiries, please call 847.813.3300**

# Exhibit 11

The Newsletter of the New Jersey Division of Fire Safety

# FIRE FOCUS

Excellence in Public Safety

Charles A. Richman, Commissioner  
William Kramer Jr., Acting Director  
Winter 2015

New Jersey Department of Community Affairs  
New Jersey Division of Fire Safety  
Volume 11, Issue 4

Picture courtesy of Chris Tamprins.  
Little Falls, New Jersey, April 17, 2014

## FIRE IN NEW JERSEY 2014

The New Jersey Department of Community Affairs' (DCA) Division of Fire Safety has posted *Fire in New Jersey 2014* the Division's annual statistical analysis, which provides fire and emergency incident information for the previous calendar year. According to the report, New Jersey fire departments responded 413,926 times to fire-related incidents in 2014.

"The Division of Fire Safety has done a tremendous job providing information for households to better understand fire safety. Residents and fire officials can collectively implement prevention strategies that reduce fire-related deaths, injuries and property damage," said DCA Commissioner Charles A. Richman.

"This year, we received data from 87 percent of the state's 724 fire departments and we strongly encourage any departments that have not participated to do so next year. The more data we have, the more effective our fire departments can be in preventing and fighting fires."



### IN THIS POSTING...

- 13th Annual Youth Firesetter Conference
- How to Get to Sesame Street
- Fire Officer Requirements
- School Security vs. School Fire Safety
- Legislative Update
- 4th USFA "Survey of Needs"
- "In Memoriam"



NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
**TOOLKIT**

A Comprehensive Resource for Fire Safety Education

# FIRE IN NEW JERSEY 2014

The 2014 statistical analysis of fire and emergency data reported eight firefighter and 81 civilian fatalities as a result of fire. Fire department personnel also revived 523 civilians using an automatic external defibrillator (AED), according to data.

"While the numbers reported today pale in comparison to previous statistics, our goal remains firm, to reduce the toll fire takes each year in our state. We are increasing efforts to heighten public awareness on fire prevention to avoid the deadly consequences of fire," said William Kramer, Jr. Acting Director and New Jersey State Fire Marshal.

*Fire in New Jersey 2014* contains not only the facts about fire incidents in 2014, but vivid color photos of actual fire events and the firefighters who risk their lives to protect New Jersey's citizens and property. The data collected and used in the formulation of this report comes from departments throughout New Jersey that participate in the National Fire Incident Reporting System (NFIRS).

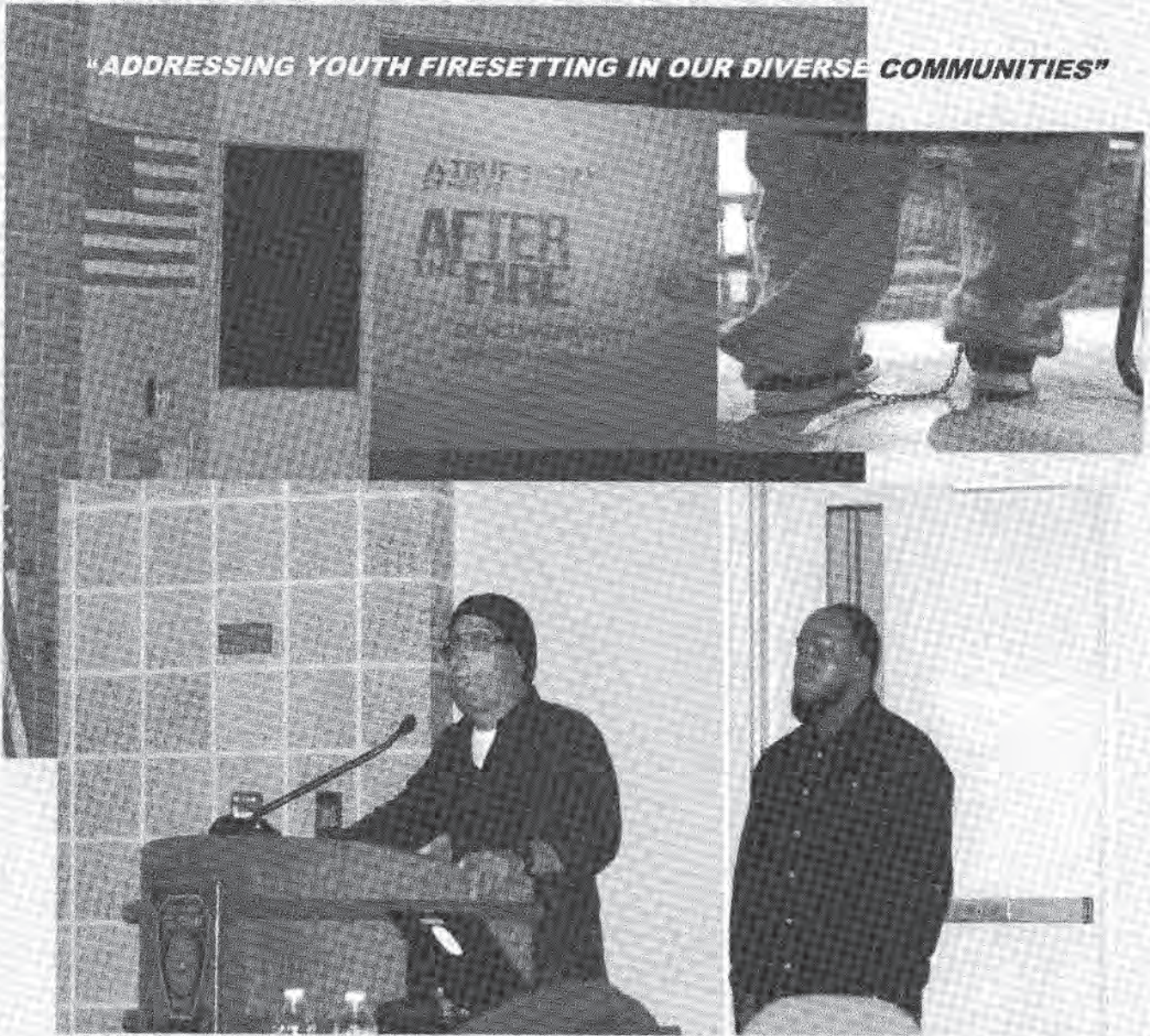
## FULL REPORT



**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY**

# 13TH ANNUAL YOUTH FIRESETTER CONFERENCE

**"ADDRESSING YOUTH FIRESETTING IN OUR DIVERSE COMMUNITIES"**



***Alvaro Llanos victim of the Seton Hall University dorm fire stands with fellow victim, Shawn Simons giving their first hand eyewitness testimony to one of the state's most infamous fires and its most famous call to action. As a result of the fire which killed three of their fellow students New Jersey has the most comprehensive dormitory sprinkler regulation in the nation.***

# 13TH ANNUAL YOUTH FIRESETTER CONFERENCE



*The Conference casts a wide net for experts in the field. Keynote Don Porth, retired Portland, Oregon Fire and Rescue and SOS Fires President joins William Kramer, Jr., Acting Director and State Fire Marshal after their opening remarks.*

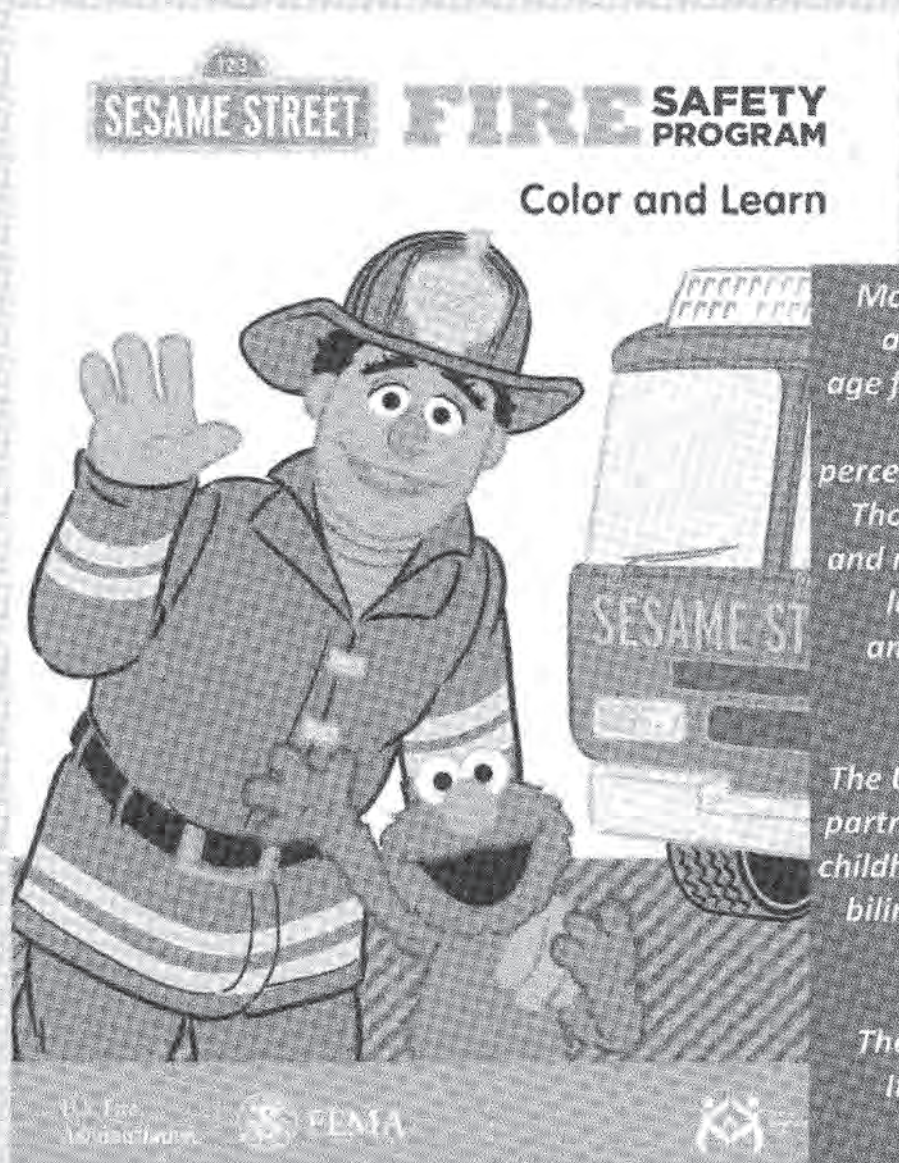
*Conference coordinator Charles Lavin formally welcomes conference attendees by encouraging them to embrace the shift in terminology from "juvenile" to youth and "public education" to Community Risk Reduction as a way of addressing the shift in focus for these two professional disciplines within our increasingly diverse communities.*

*"Addressing Youth Firesetting in Our Diverse Communities"*



**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY**

# **USFA TEAMS WITH SESAME STREET FOR FIRE SAFETY MATERIALS FOR YOUNGER SET**



*More than half of fire deaths among children sadly show age four or younger to account for a significant percentage of these casualties. Though all fire death is tragic and many times avoidable, the loss of the most vulnerable among us since it creates an terrible sense of loss within the community. The US Fire Administration has partnered with an icon of early childhood education to develop bilingual fire safety messages and instruction.*

*The most important feature? It's downloadable and free to post on your social media page.*

*Reserve your materials today!*



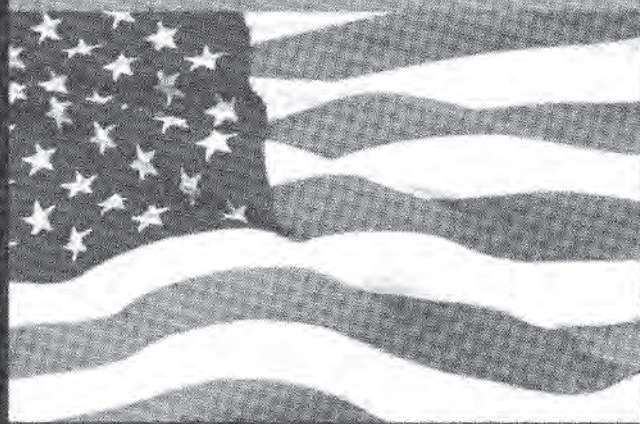
*Click graphic*

**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY**

U.S. Fire Administration

# Firefighter Fatalities in the United States in 2014

August 2015



*Click graphic for link to study*

*A recently released report on firefighter fatalities includes those members of the New Jersey Fire Service memorialized in the Division of Fire Safety report for 2014. The US Fire Administration study explains in detail each of the 91 fatalities as a cautionary tale to prevent others.*

**59 FIREFIGHTER DEATHS ATTRIBUTED TO HEART FAILURE**  
**42 DEATHS ASSOCIATED WITH EMERGENCY INCIDENTS**  
**25 DIED ON THE FIREGROUND**  
**13 DIED RESPONDING TO AND FROM**  
**MOTOR VEHICLE ACCIDENTS CAUSED NINE DEATHS**

**DEDICATION**

*We honor the firefighters who selflessly gave their lives to protect the citizens of their communities.*

**Cosmo Paris**  
Cliffside Park Fire Department

**Gregory D. Barnas**  
Wallington Fire Department

**Joseph E. Bove**  
Spotswood Fire Department

**Robert Meyer**  
Union Beach Fire Department

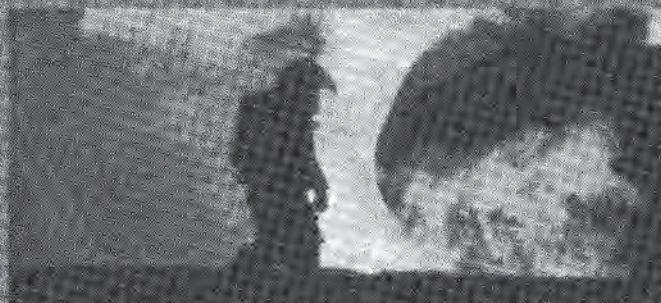
**Richard Choate**  
Byram Township Fire Department

**Christopher Hunter**  
Cinnaminson Fire Department

**Arthur "Art" Treon**  
Deputy OEM/Fire Coordinator  
Cape May County  
Town Bank Volunteer Fire Company

**James Woods**  
Jersey City Fire Department

*\*Source: NIDFS "Fire in New Jersey 2014"*



## THE FIREFIGHTER AS EMT EQUATION NEEDS A "SELF AWARENESS OF STROKE" COMPONENT

*(Editor's note: The New Jersey Division of Fire Safety Fire in New Jersey 2014 report shows 523 civilians revived by AEDs that year. The figure represents both the shifting mission of firefighters and the need for them to recognize the health risks associated with both tasks.)*

**Despite its being the second leading cause of death worldwide**, 93 percent of Americans still do not recognize the global threat stroke poses and the warning signs associated with it, according to a new public opinion study sponsored by Covidien and the World Stroke Organization (WSO).

The survey measured awareness of strokes and stroke prevention both among adults aged 18 and older in the United States and New York City specifically. Its findings indicate that at least half of the respondents (56 percent in the U.S. and 50 percent in New York City) have had, or have a family member or friend, who has had a stroke. And while two-thirds of respondents say they are knowledgeable about stroke, only a small percentage (12 percent in New York City and 17 percent nationally) realize women are more likely than men to experience a stroke.

"Stroke claims a life every six seconds across the globe, so it is critical we underscore the risk and the steps people can take to prevent a stroke," said Dr. Mark Turco, chief medical officer, Vascular Therapies, Covidien.

"Stroke is the second leading cause of death worldwide and the fourth leading cause of death in the United States. Everyone can be powerful in saving a life if they know what to do. These survey results identify a significant – but addressable – gap in knowledge when it comes to stroke awareness."

Additional findings of the survey include:

- ◆ Knowledge about risk factors is generally low: While nationally, about 1 in 3 people know smoking and high blood pressure are risk factors for stroke, fewer than 1 in 10 know diabetes and poor circulation are risk factors.
- ◆ Knowledge of warning signs and symptoms of a stroke are similarly low: About 1 in 3 adults in the U.S. recognize slurred speech and 1 in 4 can identify facial numbness or drooping as warning signs and symptoms, but fewer than 1 in 10 are aware that vision issues (8 percent), confusion (6 percent) or balance/coordination issues (4 percent) may also signal a stroke.
- ◆ Preventative care is limited: Almost half (48 percent) of New Yorkers haven't had their blood pressure checked in the last month, compared with 46 percent nationally.

Covidien is collaborating with the WSO as a Platinum Sponsor of this year's World Stroke Campaign. In addition to the survey, the company is highlighting its commitment to stroke patients and raising consumer awareness through a new global campaign. The company's "Take 2 ... Tell 2" campaign focuses on what can be achieved in just 2 minutes – having every person take 2 minutes to raise their awareness about stroke and then telling two people about those signs.

"More than 17 million people experience a stroke each year and 6 million of them do not survive," added Dr. Turco. "Despite its impact, stroke is still not well understood, highlighting the need to give this condition a greater voice. Through our 'Take 2 ... Tell 2' initiative, we're focused on helping people understand the impact of stroke, which can potentially save lives," he added.

# FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY

## THE FIREFIGHTER AS EMT EQUATION NEEDS A "SELF AWARENESS OF STROKE" COMPONENT

Participants across the globe are encouraged to visit [www.take2forstroke.com](http://www.take2forstroke.com) to learn more about stroke and inspire others to do the same.

Using the hashtag #take2forstroke, people can share their stroke-related story via video and photographs on their favorite social media sites.

"Stroke claims a life every six seconds, but it is still not well understood, highlighting the need to give this condition a greater voice," said Dr. Stephan A. Mayer, founding director, Institute for Critical Care Medicine, Icahn School of Medicine at Mount Sinai.

"The 'Take 2 ... Tell 2' initiative is focused on helping people understand how many of their family and friends may be affected by stroke and educating them to prevent future strokes, which can potentially save lives."

As the World Stroke Campaign lead sponsor, Covidien is supporting a range of global WSO initiatives to share educational materials and other awareness-focused information about stroke prevention and treatment. The campaign includes websites and a variety of supporting materials designed to drive greater awareness of stroke.



### WWW.TAKE2FORSTROKE.COM

**TAKE 2**  
...to know the facts about stroke

EVERY OTHER SECOND A PERSON SUFFERS A STROKE, REGARDLESS OF AGE, RACE OR GENDER.

People of all ages, including children and newborns, suffer from stroke. Especially:

- Women (even more than men)
- People over the age of 50
- Family members of stroke victims
- Those with high blood pressure

Stroke affects **17 million** people each year... **6 million** of those won't survive.

**TAKE 2**  
to know the facts

DROOPING FACE | ARM WEAKNESS OR NUMBNESS | DIFFICULTY SPEAKING | TIME TO PHONE

**TAKE 2**  
TELL 2

Tell 2 people what you know about stroke

Share your story online using #Take2forStroke

**1 OUT OF 6 PEOPLE WILL SUFFER A STROKE IN THEIR LIFETIME... TAKE 2 TO HELP SAVE A LIFE.**

[www.take2forstroke.com](http://www.take2forstroke.com)

COVIDIEN | World Stroke Campaign

**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY**

*Sponsors*



**CITY FIRE  
EQUIPMENT CO., INC.**

**FIRE OFFICIALS, INSPECTORS, SUB-  
CODE OFFICIALS & OFFICERS**

**Seton Hall University: Friday, January 8, 2016**

**Princeton University: Thursday, January 7, 2016**

**(9:00am – 4:00pm) Registration & Continental Breakfast 8:00 to 9:00 am  
Lunch will be offered from 12:00 to 1:00pm**



**S.O.F.D.**

South Orange Fire Dept.

**FIRE FACTS SEMINAR # 23  
FIRE SUBCODE UPDATE:  
2015 NJ UNIFORM CONSTRUCTION CODE**

**Instructors: John Drucker, CET**

**Fire Protection Subcode Official, Red Bank, NJ**



New Jersey Fire Officials, Fire Sub Code Officials, Fire Inspectors and Fire Officers are invited to attend this **FREE** seminar sponsored by **City Fire Equipment Company, Seton Hall University, Princeton University and The South Orange Fire Department.** Attendees will be eligible for **0.5 Technical CEU's** from the New Jersey Division of Fire Safety and **0.5 Technical CEU's** from the New Jersey Division of Codes and Standards.

**LOCATIONS:**

**Seton Hall University**

Jubilee Hall  
400 South Orange Avenue  
South Orange, NJ 07079

**Princeton University**

James S. McDonnell Hall of Physics  
Washington Road  
Princeton, NJ 08544

Simply fill out the requested information below and email to [Melissa@cityfire.com](mailto:Melissa@cityfire.com) or fax it to Attn: Melissa, City Fire Equipment Company at 973-781-1099. Registration is only open to Fire Officials, Fire Subcode Officials, Fire Inspectors & Fire Officers until December 11th. After December 11th registration is open to all, subject to available space.

Please check only one location:

\_\_\_ Seton Hall University: Friday, January 8, 2016 \_\_\_ Princeton University: Thursday, January 7, 2016

Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone#: \_\_\_\_\_ Cell Phone#: \_\_\_\_\_

Fax #: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Certification #: \_\_\_\_\_

You will receive confirmation by email or fax, if registration is received by December 31st. For information, contact Melissa at City Fire Equipment Company. Telephone 973-560-1600 ext. 224 or E-mail [melissa@cityfire.com](mailto:melissa@cityfire.com)

**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY**



**NATIONAL FIRE PROTECTION ASSOCIATION  
 Fourth Survey of the Needs of the U.S. Fire Service**

**MAKE IT EASY**  
 Complete the Survey Online  
[www.nfpa.org/2015needsassessment](http://www.nfpa.org/2015needsassessment)  
 \*\*NFPA ID# required\*\*  
 \*\*PASSWORD required\*\*

**PART I. Basic Information**

Name of person completing form: \_\_\_\_\_ NFPA ID#: \_\_\_\_\_  
 Rank/Title: \_\_\_\_\_  
 Email address: \_\_\_\_\_ Phone: \_\_\_\_\_

1. Jurisdiction (permanent residence) your department has primary responsibility to protect:

Is municipal address? \_\_\_\_\_  
 Funding: \_\_\_\_\_ %  
 % of full time equivalents (FTE) \_\_\_\_\_ %  
 Any fire incident? \_\_\_\_\_  
 emergencies? \_\_\_\_\_  
 (may be the same as the jurisdiction)  
 (may be the same as the jurisdiction)

Question 14:  
 (for example in a classroom)  
 3-50%  51-100%  
 other levels (NFPA ID#)?  
 3-50%  51-100%  
 single only?  
 3-50%  51-100%

and to the following levels?  
 \_\_\_\_\_ %  
 for local equivalent: \_\_\_\_\_ %  
 (non-NAE)  
 NA  No  
 to Question 15:  
 being level?  
 \_\_\_\_\_ % of Technician: \_\_\_\_\_ %

Question 17:  
 (for example in a classroom or  
 3-50%  51-100%  
 making?  Yes  No  
 protective clothing?  
 3-50%  51-100%

Question 18:  
 (for example in a classroom or  
 3-50%  51-100%  
 3-50%  51-100%

11. Total number of active part-time (including call or volunteer) firefighters: \_\_\_\_\_ How many are female? \_\_\_\_\_  
 Average number of call/volunteer personnel available who respond to emergencies:  
 During weekdays: Days \_\_\_\_\_ nights \_\_\_\_\_ During weekends: Days \_\_\_\_\_ nights \_\_\_\_\_

12. If the prevention procedures & mitigations:  
 A. Is this a role your fire department performs? (Check one)  Yes  No  
 B. If yes, what percentage of the personnel who perform this duty have received formal training (for example in a classroom or online) at the local, regional or state level that just on-the-job training?  
 None (0%)  Few (1-25%)  Some (26-50%)  Many (51-75%)  Most (76-95%)  All (100%)

**"HELP US HELP YOU! Please ask the fire chief(s) or designees within your jurisdiction to complete the U.S. Fire Service Needs Assessment survey as soon as possible, and ensure that the U.S. Congress and USFA know where to allocate AFG funding among U.S. fire departments. If the survey is not completed, policymakers won't understand the needs of your jurisdiction, and your needs won't be met."**  
**William Kramer, Jr., Acting Director and State Fire Marshal, New Jersey Division of Fire Safety.**

**In an attempt to assist the National Fire Protection Association and the United States Fire Service the National Association of State Fire Marshals has requested that I remind all fire chiefs of the importance of the needs assessment survey that was recently sent to each fire department in the country. This survey can easily be completed on-line by following the instructions that came with the request. You can either fill it out online or download and email it to: [nasurey@nfpa.org](mailto:nasurey@nfpa.org) or mail it to NFPA, Fire Analysis & Research Division, 1 Batterymarch Park, Quincy, MA 02169. As stated above, if we do not let our needs be heard they will not be met. Please take the time to respond today.**

**Click the link below.**

**4th Survey of Needs**

## FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY



# ANNUAL FIRE OFFICER QUALIFICATIONS NOTICE



As in year's past, the New Jersey Division of Fire Safety is notifying all fire departments of the minimum, mandatory incident management requirements for fire officers. Please print and post.

**N.J.A.C. 5:73-1.6** states, that no person shall be promoted, assume or assigned (including elected) any fire service position, the duties of which include the management of emergency operations. Unless, that person has obtained, at a minimum, Incident Management Level 1 Certification issued by the Division. In order to qualify for Incident Management Level 1.

Certification, a person must meet the following requirements:

- ◆ **Obtained Firefighter 1 Certification issued by the Division of Fire Safety.**
- ◆ **Have three years of documented experience in the fire service. (This means three years as a firefighter and does not include time spent in an Explorer or Junior Firefighter Program)**
- ◆ **Attended a 12 hour classroom based Basic Incident Management Course (ISO 200) Offered or approved by the Division.**

A certification application must be submitted to receive the Incident Management Certification. This means that every fire officer, career and volunteer MUST have, at a minimum, Incident Management Level 1 Certification issued by the Division of Fire Safety. *We have heard a number of times that some volunteer fire departments believe that these requirements do not apply to them. This is incorrect. Failure to comply may result in violations to the fire company, municipality and the individual holding the office.*

In order to ensure compliance with NIMS, which may be required to receive Federal and/or State Homeland Security Grants, the Division of Fire Safety recommends the following Fire Officer Requirements:

- ◆ **Entry Level First Responders, including but not limited to, firefighters, engineers, driver operators, fire police and support personnel; I-100 and IS-700.**
- ◆ **First Line Supervisors, including but not limited to, Lieutenants and Captains, Acting Lieutenants and Captains, Lead Dispatchers; 1-200 and IS-700.**
- ◆ **Middle Managers, including but not limited to, Battalion Chiefs, Acting Battalion Chiefs; I-300 and IS-700. It is also recommended that IS-800, Introduction to the National Response Plan be completed. Completion of these courses and holding the prerequisite of Incident Management Level 1 Certification will qualify the individual for Incident Management Level 2 Certification issued by the Division of Fire Safety.**
- ◆ **Command and General Staff, including but not limited to, the Chief of Department or Acting Chief, the second in command such as Deputy Chiefs, Acting Deputy Chiefs or Assistant Chiefs and Acting Assistant Chiefs; I-400. It is also recommended that both the IS-800 and IS-701, Introduction to Multi-Agency Coordination Systems be completed. Completion of these courses and holding the prerequisite of Incident Management Level 2 Certification will qualify the individual for Incident Management Level 3 Certification issued by the Division of Fire Safety.**



## FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY



# ANNUAL FIRE OFFICER QUALIFICATIONS NOTICE



Combination and volunteer departments need to determine how to comply with ICS when their certified officers are not available. This can be accomplished by determining what other members of your department may be asked to assume a command position, and ensure that they have the proper level of training. Another that address utilizing certified officers from other departments or county/regional Incident Management Teams.

However, simply attending the above listed courses does not qualify someone for all ICS positions. There are many position specific training programs that are available through the Division of Fire Safety or the Emergency Management Institute including, "Staging Area Manager," "Strike Team Leader," "Resource Unit Leader" and "Division/Group Supervisor" that provide detailed training in these areas leading to a better understanding of how ICS is designed to work.

In addition, the New Jersey Public Employees Occupational Safety and Health (PEOSH) program has a number of safety and health standards that employers, (municipalities and fire districts) must comply with regardless of whether they are volunteers or career.

These are contained in the Safety and Health Standards for Public Employers in **N.J.A.C 12:100** and include the Standards for Firefighters at **N.J.A.C 12:100 Subchapter 10**.

Examples include the adoption of a respiratory protection program that stipulates how the employer will ensure compliance with an individual's ability to be medically cleared to wear a respirator; an annual respirator face piece fit test and a policy regarding facial hair when wearing a

respirator.

Another example includes the requirement that anyone who will be supervising an incident involving a hazardous substance above the awareness level needs to meet the requirements of On-Scene Incident Commander; and annual refresher training for blood borne pathogens, confined space and hazardous materials; as well as bi-annual Right-to-Know (RTK) training. It is imperative that fire chiefs and municipal officials realize the responsibility they have to ensure compliance. If you have any questions or need assistance, please contact your regional fire coordinator directly or through the office at 609-292-4109.

The Coordinator will assist you in understanding how to ensure compliance. You may contact Justin Baker, Assistant Chief of the PEOSH On-Site Consultation Unit at 609-292-2832 or at [justin.baker@dol.nj.gov](mailto:justin.baker@dol.nj.gov). Lastly, the Division of Fire Safety offers various levels of Fire Officer Certification that not only meet current NFPA standards but have also been accredited by IFSAC and Proboard. Fire Departments, Fire Districts and Municipalities should consider requiring these comprehensive certifications based on the specific officer levels within their department.

If you need assistance or have questions, please contact the Office of Fire Department Preparedness at 609-292-4109.

All PEOSH Standards including the PEOSH Act can be found at: <http://lwd.dol.state.nj.us/labor/isse/laws/peoshalaw.html>.

**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFE-**

## **CAMPUS FIRE SAFETY REPORT CONCLUDES STUDENTS ARE STILL DYING IN COLLEGE FIRES**



*The goal of the Campus Fire Safety Report is to reveal the factors that are leading to the unnecessary fire deaths of college students.*

*The study provides comprehensive information about campus fire fatalities to college and university fire and safety officials along with the local fire and emergency service organizations that serve these institutions so they can better plan to reduce and prevent injuries and deaths on college campuses in the future.*

*This report examines data from fatal campus fires and the fatalities that resulted from these fires, beginning with the horrific fire that took place in January 2000 at a Seton Hall University dormitory, where three students and 67 others were injured, through May 2015. During the last 16 academic years from 2000 through 2015, there have been 85 fatal fires in dormitories, fraternities, sororities and off-campus housing, resulting in 118 fatalities.*

**94 PERCENT OCCUR IN OFF-CAMPUS HOUSING  
NO SPRINKLERS IN ALL 85 FATAL FIRES  
ALCOHOL INVOLVED 75 PERCENT  
SMOKING THE LEADING CAUSE**

*New Jersey Fire Safety Commission Public Education Advisory Council member and Jefferson Township Fire Marshal Vinny Corsaro conducts a comprehensive campus fire safety education program for graduating seniors at Jefferson Township High School each and every year for many years. School principal Karl Mundi gives the annual session high marks.*

*Fire Marshal Corsaro's stake is as a veteran firefighter with a college age daughter.*

*Corsaro receives media attention whenever he puts on the presentation, thus only adding to the number of college bound students the message reaches.*

*Contact Vinny for more info: [vcorsaro@jeffersontownhip.net](mailto:vcorsaro@jeffersontownhip.net)*

**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY**

## **NVFC-IAFC JOINTLY ISSUE SPECIFIC BEST PRACTICE GUIDELINES FOR POV RESPONSES**

***Since 2003, 52 volunteer/paid-on-call firefighters have been killed responding to or returning from calls in POVs. (Privately Owned Vehicles).***

***Of the activity types defined, the highest percentage (13.4 percent) of volunteer fatalities are related to POV responses. (32.1 percent ) of those killed were 21 years old or younger.***

***Those sort of statistics have caused the International Association of Fire Chiefs Volunteer and Combination Officers Section (VCOS) and Health and Survival Section (SHSS) along with the National Volunteer Fire Council (NVFC) to issue guidelines designed to define best practices for POV response for departments in New Jersey and elsewhere.***

***Click the link below to see what your department can do to speak to this critical issue.***

**[POV REPORT](#)**

# **Let's Make a Difference**

**Best practices to minimize injuries and deaths while using POV for ESO responses**



A Joint project between the International Association of Fire Chiefs - Volunteer & Combination Officers Section, Safety, Health & Survival Section, and the National Volunteer Fire Council

**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY**

# **SCHOOL SECURITY VERSUS FIRE SAFETY: -WHEN WORLDS COLLIDE-**



*Atlantic City High School*

*The conflict of interests between law enforcement and the fire service continues to be exacerbated by the collision of those interests over rising instances of school emergencies involving security versus swift evacuation, especially in an emergency.*

*Local first responders, fire departments, code officials, law enforcement and school administrators must come together to develop sensible approaches that set the preservation of human life as the primary goal.*

*The problem continues to be what is the optimum solution so that all interests are satisfied. For that reason the National Fire Protection Association (NFPA) has gathered those interests in one place and produced a report worthy of incorporating into any ongoing local dialogue with those interests in this the most densely populated state in the nation.*

*Issues such as fire alarm systems, "lockdowns," locking hardware in the code, and notification procedures and new technologies all come into play.*

*Click the adjacent graphic for the final NFPA report.*



**RESEARCH  
& REPORTS**

## **Workshop on School Safety, Codes and Security**

*Final Report*

December 3-4, 2014  
University of Maryland, College Park, Maryland

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**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY**

# **ASSAULTING THOSE WHO CAME TO HELP NOW A FACT OF LIFE FOR FIRST RESPONDERS WHO DO**

*(Editor's note: NFFF Initiative 12 seeks to advance these national standards for response.)*

From the beginning of America's fire service, firefighters have been responding to incidents that were the result of, or caused by, an act of violence. Fire departments respond to a wide range of events from the simple Saturday night altercation at the corner bar, to the events like: Watts, Columbine, Oklahoma City, 9/11, Webster, NY, or Gwinnett County, GA. On most occasions, the fire department responds, renders service, and returns to quarters. Unfortunately, over our history, not every member has been able to return home due to factors associated with violence.

In March 2006, former Peoria (AZ) Fire Department Fire Inspector Howard M. Munding produced a thesis titled: *"Violence Against Firefighter: Angels of Mercy Under Attack."* In the thesis, he quotes the stunning statistic that an estimated 700,000 assaults occur on paramedics and emergency medical technicians (EMTs) annually.

Additionally, according to a 2008 National Fire Protection Association (NFPA) Firefighter Fatality Report, 32 firefighters died from assaults while on duty in the report's 32-year history. At the end of 2010, that number grew to 34, or one firefighter per year. In order to ensure that we meet our mission, to make sure everyone goes home, we offer the following strategies against violence associated with response.



***Improved understanding and application of Dynamic Risk Management***

***Initiate or improve communication with the local law enforcement component.***

***Define and expand role of dispatchers in reducing risk.***

***Prohibit single (person) resource response to violent incidents.***

***Require use of an Incident Management System and communicate directly with Law Enforcement component prior to operating at an incident of violence.***

***De-commit personnel and equipment and leave if violence commences or reoccurs during fire department operations.***

***Obtain stakeholder understanding and buy-in of response and deployment policies including non-response and non-engagement at incidents of violence.***

Implementing these strategies will help reduce the likelihood of fire service members being injured or killed during a response to a violent incident. The 12th Initiative expands our understanding of how and where firefighters can be injured and demonstrates the need for the development of national protocols regarding violent incidents. For more information click link.

***National Fallen Firefighters Foundation***

**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY**



# AT ISSUE



## **PENDING BILLS FROM CFSI AND NVFC**

On Tuesday, September 22nd, Congressmen Tom Reed (NY-23) and James Langevin (RI-2) introduced **H.R. 3591**, the Fire Sprinkler Incentive Act. Senators Susan Collins (ME) and Thomas Carper (DE) introduced identical legislation, **S. 2068**, in the Senate on the same day.

First introduced following the deadly Station Nightclub fire in West Warwick, RI in 2003, the legislation creates a tax incentive for property owners to retrofit existing buildings with automatic sprinkler systems.

Under IRS rules, this would allow small and medium-sized businesses to deduct up to \$125,000 of the cost of retrofitting a building with an automatic sprinkler systems. Additionally, the bill would classify automated fire sprinkler system retrofits in high-rise buildings as a 15-year property for purposes of depreciation. Currently, the depreciation schedule for a fire sprinkler retrofit is 39-years in a commercial building and 27 ½- years in a residential building.

*According to the National Fire Protection Association (NFPA), in 2014, there were 1,298,000 fires reported in the United States, leading to 3,275 civilian fire deaths, 15,775 civilian injuries, and \$11.6 billion in property damage. When you include the indirect cost of fire, such as lost economic activity, the cost is closer to \$108 billion annually.*

Studies by NFPA have concluded that buildings outfitted with sprinklers reduce the death rate per fire by at least 57% and decrease the property damage by up to 68%. **S. 2068** was referred to the Senate Finance Committee.

The Thin Blue Line Act (**H.R. 814/S. 2034**) would make killing or targeting a police officer, firefighter, or other first responder an "aggravating factor" in federal death penalty cases. The law would apply in cases where the public safety officer was killed or targeted while engaged in the performance of official duties, because of the performance of official duties, or because of their status as a public safety officer.

The Children of Fallen Heroes Scholarships Act (**H.R. 2350/S. 1352**) would allow a Pell Grant-eligible student whose parent or guardian dies in the line of duty as a public safety officer to receive an automatic zero expected family contribution (EFC) and qualify for the maximum Pell Grant award. Under current law, education assistance received through the Public Safety Officers' Benefits Program, which provides financial assistance to the families of public safety officers who die or become permanently disabled as a result of an injury suffered in the line of duty, actually counts against students in calculating the amount of the Pell Grant award that they are eligible for.

**FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY**



# AT ISSUE



## ACTIVE FIRE SERVICE BILLS

### ASSEMBLY

#### A373

Caputo (D28); Diegnan (D18);  
Spencer (D29)

Requires school buildings to be equipped with emergency light and panic alarm linked to local law enforcement.

#### A1250

Prieto (D32); Jimenez (D32)  
Provides certified municipal fire inspectors and fire officials having more than four consecutive years service with tenure in office.

#### A1275

Dancer (R12); Conaway (D7);  
Caride (D36)

Authorizes prescribed burning in certain circumstances.

#### A1338

Quijano (D20); Cryan (D20);  
Caputo (D28)

Establishes pilot program within Office of Emergency Management to provide zero-interest loans to certain gas stations that install appropriate wiring for generators.

#### A1340

Quijano (D20); Dancer (R12)  
Requires removal of equipment and markings on certain used emergency vehicles; requires that Attorney General issue guidelines or directives.

#### A1698

Wisniewski (D19); Green (D22);  
Jasey (D27)

Requires fire suppression systems in new single and two family homes.

#### A2689

DeAngelo (D14); Lagana (D38);  
Pinkin (D18)

Requires State to offer surplus State Police vehicles to certain volunteer fire and emergency service organizations.

#### A4073/52687

Schaer (D36); Preto (D32);  
Caride (D36)

CO alarm requirement,  
P.L. 2015 Chapter 146

#### A4265

Rumana (R40); Simon (R16);  
Ciattarelli (R16)

Permits 5 year local residency requirement for firefighters.

ABSOLUTE VETO

### SENATE

#### S264

Greenstein (D14);  
Cunningham (D31)

"Thomas P. Canzanella Twenty First Century First Responders Protection Act"; concerns workers' compensation for public safety workers.

#### S564

Smith, B (D17); Bateman (R16)  
Establishes "Solar Roof Installation Warranty Program" in EDA and transfers \$2 million from societal benefits charge to initially fund program.

#### S1593

Turner (D15); Ruiz (D29)  
Establishes "Police Officer, Firefighter, Public School Teacher and Sanitation Worker Homebuyer Assistance Act."

#### S1813

Whelan (D2); Oroho (R24)  
Requires each State agency to review permits issued by the them.

**ALL PENDING FIRE SERVICE RELATED LEGISLATION**  
**KEYWORD "FIRE"**

GERALD "BEAR" CALECKI  
SOUTH AMBOY FIRE DEPARTMENT  
SOUTH AMBOY, NEW JERSEY

REST NOW MY FALLEN BROTHER  
LAY SOFT YOUR SUFFERING BACK  
REST WELL AND FOREVER  
YOUR MEMORY SHALL NOT LACK  
REST YOUR TIRED HANDS  
WIPE CLEAN YOUR WEARY BROW  
REST WITH ST. FLORIAN  
YOUR SPIRIT NOW ENDOWED  
REST HERE YOUR BREAKING HEART  
WE KNOW YOU GAVE YOUR ALL  
REST EASY, YOU'VE DONE YOUR PART  
YOU'VE ANSWERED YOUR LAST CALL  
REST KNOWING THAT IN GOD WE SOUGHT  
OH LORD, WATCH OVER ANOTHER WHO JUST FELL  
REST ASSURED YOUR TROUBLED THOUGHT  
AS WE RING THE FINAL BELL.

THOMAS KOLARICK  
PROTECTION FIRE COMPANY #1  
KEASBY, NEW JERSEY

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IN MEMORY OF CHIEF AL BEERS  
WILDWOOD CREST  
VOLUNTEER FIRE COMPANY # 1  
WILDWOOD CREST, NEW JERSEY

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*Excellence in Public Safety*

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**YOUTH FIRESETTER HOTLINE**  
 1-800-357-5230

**NEED VOLUNTEERS?**  **NATIONAL VOLUNTEER FIRE COUNCIL**  
 CLICK HERE FOR FREE RECRUITMENT TOOLS! 

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## FIRE FOCUS: THE NEWSLETTER OF THE NEW JERSEY DIVISION OF FIRE SAFETY



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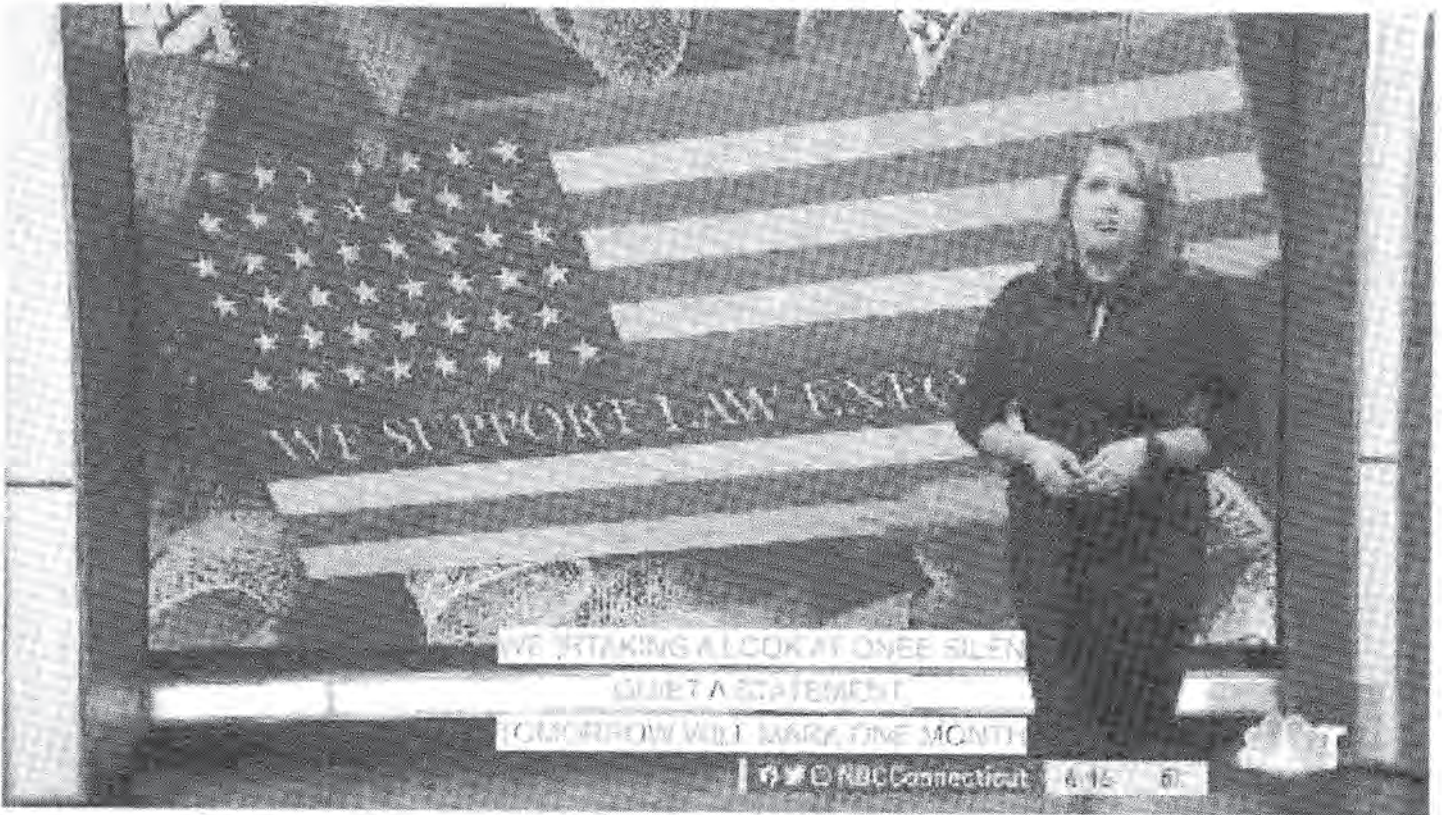
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# Exhibit 12



LOCAL



BRISTOL - MEMORIAL STATUE BUILT BY POLICE

St. Michael statue brought comfort to the grieving Bristol police department after the deaths of two police officers in...

A St. Michael statue brought comfort to the grieving Bristol police department after the deaths of two police officers in...

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# **Exhibit 13**



Drawings and Prints



## Saint Florian

Casper German

ca. 1460

This sheet, pasted into the inside of a book cover, is one of nine associated with Casper, a publisher and woodcutter working in Regensburg and Ulm during the latter half of the fifteenth century. His printed signature appears at the lower left. Saint Florian served in the Roman army in Austria in the third century and was martyred by drowning during Diocletian's reign. The city of Regensburg venerated Saint Florian as a protector against fire. He is shown here larger than life extinguishing a blaze with a single bucket of water.

## Artwork Details

### Overview

---

### Signatures, Inscriptions, and Markings

### Provenance

### Exhibition History

**Title:** Saint Florian

**Artist:** Casper (Upper German, Regensburg, ca. 1460)

**Date:** ca. 1460

**Medium:** Hand-colored woodcut

**Dimensions:** 10 x 6-9/16 in.; 11-1/4 x 7-9/16 in.

**Classification:** Prints

**Credit Line:** Bequest of James Clark McGuire, 1930

**Object Number:** 31.54.111

**Learn more about this artwork**

### How Woodcuts are Made

## How Woodcuts are Made

An illustrated explainer.



## Drawings and Prints at The Met

The Met's collection of drawings and prints—one of the most comprehensive and distinguished of its kind in the world—began with a gift of 670 works from Cornelius Vanderbilt, a Museum trustee, in 1880.

## Timeline of Art History



CHRONOLOGY

Central Europe (including Germany), 1400-1600 A.D.

## Museum Publications



The Metropolitan Museum of Art. Vol. 5, The Renaissance in the North

## Related Artworks

Related Artworks

By Casper

Drawings and Prints

Prints

Relief prints

Woodcuts

From Europe

From Germany

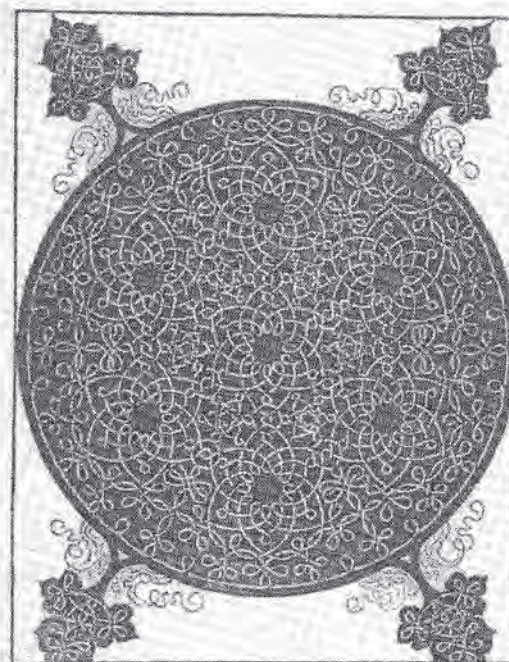
From A.D. 1400-1600



### Saint Wolfgang

Casper (Upper German,  
Regensburg, ca. 1460)

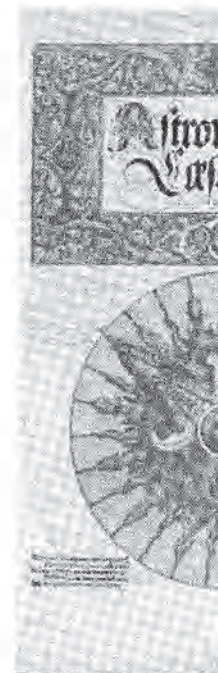
15th century



### Embroidery Pattern with Seven Six- pointed Stars and Four Corner Pieces

Albrecht Dürer (German, Nuremberg  
1471–1528 Nuremberg)

before 1521



### Astronomicum

Michael Ostend  
ca. 1490–1549 R

May 1540

## Resources for Research

The [Met's Libraries and Research Centers](#) provide unparalleled resources for research and welcome an international community of students and scholars.

The [Met Collection API](#) is where all makers, creators, researchers, and dreamers can connect to the most up-to-date data and public domain images for The Met collection. [Open Access](#) data and public domain images are available for unrestricted commercial and noncommercial use without permission or fee.

## Feedback

We continue to research and examine historical and cultural context for objects in The Met collection. If you have comments or questions about this object record, please [complete and](#)

submit this form. The Museum looks forward to receiving your comments.

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# Exhibit 14



## St. Michael - by Raphael



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St. Michael - by Raphael

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representation with ancillary scenes inspired by the Inferno in the Divine Comedy, in which Dante recounts the punishment of hypocrites and thieves.

With the grace of a ballet dancer, the youthful Saint Michael pirouettes with raised sword as he tramples the horrific beast underfoot in a bleak landscape with the silhouette of a burning city in the distance. The influence of Leonardo da Vinci - whose fighting warriors from the Battle of Anghiari provided an extraordinary example of martial art (the painting deteriorated very rapidly because of shortcomings in Leonardo's experimental technique and so is no longer visible) - predominates in these works. But references to Flemish painting suggest the environment of Urbino, where Northern influences were still quite vivid.

**[View Manual \(Free\)](#)**

**[View Manual \(Free\)](#)**



Disputation of the Holy  
Sacrament



The Deposition



Portrait of Bindo Altoviti



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# Exhibit 15



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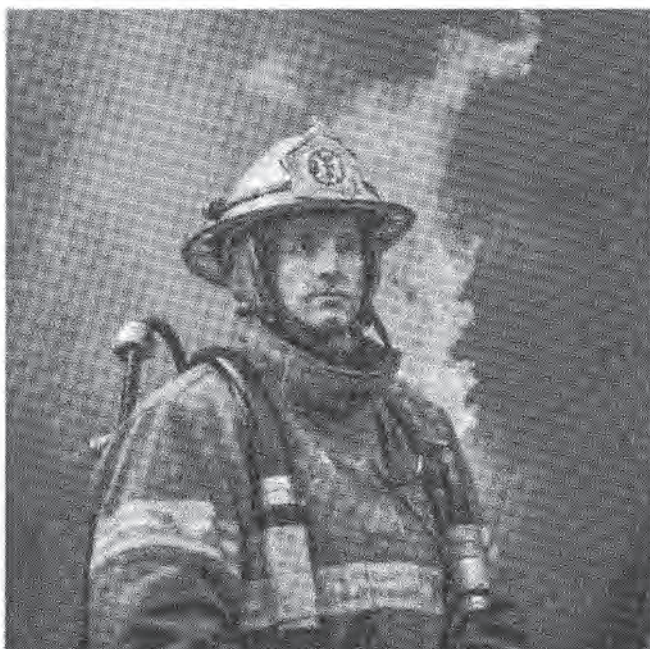
# PATRON SAINT OF FIREFIGHTERS

ADMIN 0

Thousands of firefighters put their lives on the line each day to protect others. This noble profession traces its roots back to the third century and embodies a tradition of selfless service. St. Florian, the patron saint of firefighters, stands at the core of this heritage and continues to inspire emergency responders everywhere.

St. Florian became the patron saint of firefighters because of his extraordinary courage during his time in the Roman army. His legendary feats included saving burning buildings with just one bucket of water. His steadfast dedication to protecting others has made him a powerful symbol that brings hope to firefighting communities worldwide.

St. Florian's impact reaches way beyond the reach and influence of religious boundaries. His spirit lives on through the sacrifices of firefighters, EMTs, and first responders who serve their communities. The medals, symbols, and traditions that honor his memory continue to unite and inspire firefighting forces around the world.



## Table of Contents [hide]

- 1 The Life and Legacy of St. Florian
  - 1.1 Early Life as a Roman Commander
  - 1.2 Leadership in Firefighting Brigades
  - 1.3 Standing Firm in Faith
- 2 Miraculous Acts of Protection
  - 2.1 The Famous Single Bucket Miracle
  - 2.2 Protection of Towns and Villages
  - 2.3 Modern Day Miracles
- 3 Symbol of Courage and Service
  - 3.1 The Florian Cross Meaning
  - 3.2 Traditions Among Firefighters
  - 3.3 Global Recognition
- 4 Impact on Modern Firefighting
  - 4.1 Volunteer Firefighting Spirit
  - 4.2 Training and Leadership Principles
  - 4.3 Community Service Values
- 5 Living St. Florian's Values Today
  - 5.1 Selfless Service Examples

AS FEATURED IN:



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5.2 Faith in Action

5.3 Building Stronger Communities

6 Here are some FAQs about the patron saint of firefighters:

6.1 Why is Saint Florian the patron saint of firefighters?

6.2 Who is the archangel for firefighters?

6.3 What does "St. Florian protect us" mean?

6.4 Who is the god of firefighters?

6.5 Does Saint Michael protect firefighters?

6.6 What are some interesting facts about St. Florian?

6.7 Who is the female god of fire?

6.8 What is the prayer to St. Florian?

6.9 Who is the guardian of fire?

## The Life and Legacy of St. Florian

St. Florian was born in the Roman city of Aelium Cetium (modern-day Sankt Pölten, Austria) around **250 AD**. His trip from a Roman military officer to becoming the patron saint of firefighters shows his exceptional leadership and steadfast dedication.

### Early Life as a Roman Commander

St. Florian started his military career by joining the Roman army as a young man. He quickly stood out through his dedication and leadership abilities. His superiors recognized his exceptional qualities: strong people skills, problem-solving abilities, and remarkable work ethic. These qualities helped him advance rapidly through the ranks. He ended up becoming the commander of the Imperial army in the Roman province of Noricum.

### Leadership in Firefighting Brigades

St. Florian transformed firefighting operations within the Roman army during his time as military commander. He hosted training for an elite group of soldiers who focused only on fighting fires. His leadership brought several notable achievements to the Roman firefighting force:

- The force was **304 AD** old with specialized medical staff for firefighting units
- Teams used hand-operated piston water pumps
- More than 7,000 highly trained firefighters served under his command

### Standing Firm in Faith

Christianity faced severe persecution throughout the Roman Empire during Emperor Diocletian's reign. St. Florian refused to enforce anti-Christian edicts in his territory despite his high rank. He boldly declared when confronted about his disobedience, "Tell the emperor that I am a Christian and will suffer the same fate as the Christians".

His steadfast dedication to faith led to his martyrdom in **304 AD**. St. Florian showed remarkable courage at the time of his death sentence by fire. He challenged his executioners with the words, "If you wish to know that I am not afraid of your torture, light the fire and I will climb to heaven on the flames". The soldiers chose not to burn him. Instead, they tied a millstone around his neck and drowned him in the Enns River.

A Christian woman named Valeria recovered his body and gave him a proper burial at a nearby monastery. His remains were later moved to the Augustinian Abbey in modern-day Linz, Austria. The remains became a symbol of steadfast dedication to service.

## Miraculous Acts of Protection

St. Florian's miraculous acts of protection throughout history have made him a powerful protector against fire and water dangers. His extraordinary interventions have cemented his role as the patron saint of firefighters. Fire service communities worldwide draw inspiration from his legacy.

### The Famous Single Bucket Miracle

The most famous miracle linked to St. Florian tells how he saved a whole town from a devastating fire with just a single pitcher of water. This extraordinary feat showed his supernatural power to shield communities from fire's destruction. Artists have immortalized the miracle of the single bucket in countless works, showing St. Florian with his signature water pitcher.

## Protection of Towns and Villages

St. Florian's protective influence reached way beyond his lifetime. A remarkable example happened in 1528 when a devastating fire swept through Krakow but spared St. Florian's Church. This event sparked intense devotion to St. Florian, especially in Poland and across Europe. Many communities have asked for his help during urban fires and credit their survival to his divine intervention.

## Modern Day Miracles

St. Florian's protection lives on in modern times. His statue stood strong in front of Vienna's main firehouse despite heavy bombing during World War II. Firefighters around the world still report cases where they believe St. Florian protected them. His influence shows up clearly in these documented modern miracles:

- Protection against fires, floods, and lightning strikes
- Miraculous survivals reported by firefighters in dangerous situations
- Preservation of churches and communities during natural disasters

People worldwide recognize St. Florian's protective power. International Firefighters' Day falls on May 4th, St. Florian's feast day. This global celebration reflects the lasting belief in his miraculous intervention and protection of firefighters. People still ask for his help through special litanies and prayers, especially during crisis or danger.

## Symbol of Courage and Service

The symbolic **Florian Cross** stands as a powerful emblem that represents courage and dedication in firefighting services worldwide. This unique symbol shows four triangular arms of equal length that taper toward a central circle. It reminds us of St. Florian's values.

### The Florian Cross Meaning

People often mistake the Florian Cross for the Maltese Cross. The symbol has several distinct features:

- Rounded edges at the center
- Eight-point structure
- Arched outer edges
- Equal-length triangular arms

This symbol emerged in the 4th century and now appears on fire department emblems throughout North America and Europe. The cross symbolizes protection from fire and represents the firefighting profession's core values of integrity, bravery, and honor.

### Traditions Among Firefighters

St. Florian's impact reaches beyond mere symbols. Fire departments worldwide celebrate his legacy through various customs. Firefighters wear St. Florian medals with the inscription "St. Florian Protect Us". Many departments create specialized medals that feature their department initials and firefighter badge numbers while incorporating the traditional cross design.

Austrian and German fire stations use "Florian" as their official radio call sign for fire stations and engines. This practice shows how deeply St. Florian's legacy remains rooted in modern firefighting culture.

### Global Recognition

Since 1999, the international firefighting community has celebrated St. Florian's feast day on May 4th as International Firefighters' Day. This worldwide celebration includes unique traditions. Firefighters wear blue

International Firefighters Day, this worldwide celebration includes unique traditions. Firefighters wear blue and red ribbons that represent the water and fire elements they work with daily.

Austria and southern Germany show strong connections to the saint. Local fire stations display his image through paintings, statues, or niches above their entrances. The **National Society of St. Florian** honors this heritage by recognizing people who show exceptional professional skills and selfless service in emergency response.

St. Florian's enduring symbols and traditions continue to inspire firefighters everywhere. His cross remains a powerful symbol of the courage and dedication needed in firefighting. These values surpass international, political, and linguistic boundaries.

## Impact on Modern Firefighting

St. Florian, the patron saint of firefighters, shapes modern firefighting through innovative training, volunteer work, and community programs. His influence goes way beyond religious symbolism and shows up in practical ways that define today's fire service.

### Volunteer Firefighting Spirit

St. Florian's legacy of selfless service lives on in volunteer firefighting programs worldwide. Today's volunteer firefighters show their dedication through innovative programs like the "Bunker Program." Volunteers live at fire stations and stay ready to respond to emergencies instantly. These programs now include complete training initiatives. Volunteers complete hundreds of hours of specialized instruction to serve their communities well.

### Training and Leadership Principles

Modern firefighting training draws from St. Florian's military background and leadership philosophy. Today's training programs focus on:

- Advanced fire suppression techniques and specialized certifications
- Rapid intervention training to rescue fellow firefighters
- Leadership development and administrative skills
- Vehicle rescue and emergency response protocols

The **National Society of St. Florian** honors people who show exceptional professional skills and leadership. Members must uphold the highest standards of integrity and moral character in emergency response. This organization promotes awareness and support for emergency responders' challenges, living up to the saint's principles of service and sacrifice.

### Community Service Values

St. Florian's values run deep in modern firefighting's community service approach. Fire departments worldwide follow his principles of prevention and protection through complete community safety programs. The St. Florian Fire and Burn Foundation, 30 years old, shows these values through:

- Educational outreach programs to prevent fires
- Support services for burn survivors
- Community safety initiatives
- Youth engagement programs

Fire departments merge St. Florian's teachings with their daily operations. They focus on both emergency response and community education. European fire services use "Florian" in their radio communications to coordinate emergency responses. This ground application of his legacy shows how historical values shape modern firefighting protocols.

Fire departments do more than fight fires. They build communities and run prevention programs. Many organizations now offer specialized training that combines technical skills with community involvement. This complete approach to public safety would have made St. Florian proud.



## Living St. Florian's Values Today

St. Florian's timeless values shape the character and conduct of modern firefighters worldwide. The **National Society of St. Florian** upholds these enduring principles and recognizes individuals who show exceptional professional competence and selfless service in emergency response.

### Selfless Service Examples

Modern firefighters carry St. Florian's spirit of sacrifice through daily acts of service that go way beyond the reach and influence of emergency response. The **First Responders Foundation** celebrates firefighters, police officers, and EMTs who uphold the highest standards of integrity, bravery, and moral character. These dedicated professionals channel their wealth and influence to help those in need, much like St. Florian's example of charitable works.

### Faith in Action

Faith and service remain the life-blood of many fire departments where chaplains provide spiritual and emotional support to firefighters and emergency victims alike. Their presence brings comfort during crisis situations and reflects St. Florian's legacy of steadfast dedication in adversity. Fire department chaplains help people of all faiths and project calmness during chaotic emergency operations.

### Building Stronger Communities

Modern fire services build stronger communities through initiatives that embody St. Florian's values:

- Community education and prevention programs
- Youth engagement and mentorship opportunities
- Mutually beneficial alliances with local organizations
- Support services for vulnerable populations

These programs create lasting positive change in communities beyond immediate emergency response. Fire departments mobilize residents to take collective action and promote civic responsibility and democratic values. Their efforts prove that St. Florian's principles of service and protection stay relevant in modern society.

Fire departments nationwide take an all-encompassing approach to community building. They blend emergency response with broader social initiatives and support activities that match each neighborhood's unique characteristics. Local individuals, associations, businesses, and faith-based entities work together. This shared approach creates stronger, more resilient communities that embody their patron saint's selfless spirit.

Service dedication shows in training programs that emphasize both technical skills and community participation. Departments now offer specialized courses that combine traditional firefighting techniques with modern community-building strategies. St. Florian's legacy of protection and service continues to evolve with today's needs.

St. Florian's remarkable legacy has shaped firefighting services around the world for seventeen centuries. His story goes beyond religious boundaries and reminds us that courage, sacrifice, and steadfast dedication are vital qualities every modern emergency responder needs.

Fire departments worldwide make St. Florian's principles come alive through community programs, volunteer work, and complete training methods. They show us daily that his core values of protection, service, and faith help them tackle today's challenges and create stronger communities.

Countless firefighters keep St. Florian's spirit alive as they risk their lives to protect others. These brave men and women mirror the saint's selfless service and create lasting positive change through their community work. Modern emergency responders prove that St. Florian's legacy isn't just a historical inspiration – it's a practical blueprint for public service today.

## **Here are some FAQs about the patron saint of firefighters:**

### **Why is Saint Florian the patron saint of firefighters?**

Saint Florian is the patron saint of firefighters due to his legendary acts of extinguishing fires and protecting people during the Roman Empire. He was a commander who trained a special unit for fighting fires and is remembered for his bravery and sacrifice. His association with fire protection makes him a spiritual guide for firefighters.

### **Who is the archangel for firefighters?**

Saint Michael the Archangel is often regarded as the protector of firefighters. Known as a warrior and guardian, he symbolizes strength and courage in the face of danger, making him a natural figure for those in fire and rescue professions.

### **What does "St. Florian protect us" mean?**

"St. Florian protect us" is a plea for safety and guidance, particularly for firefighters and those in fire-prone areas. As the patron saint of firefighters, St. Florian is believed to offer spiritual protection and intercession in emergencies involving fire.

### **Who is the god of firefighters?**

While there is no specific "god" of firefighters in most traditions, Saint Florian is the Catholic patron saint of firefighters. In mythology, the Greek god Hephaestus and the Roman god Vulcan are associated with fire, but they are not specifically linked to firefighting.

### **Does Saint Michael protect firefighters?**

Yes, Saint Michael is considered a protector of firefighters and first responders. His role as a leader of the heavenly army and defender against evil makes him an important spiritual figure for those who face life-threatening challenges.

### **What are some interesting facts about St. Florian?**

St. Florian was a Roman officer who led a fire brigade and protected cities from destruction. He was martyred for his faith by being drowned with a millstone around his neck. His feast day is celebrated on May 4, which is also International Firefighters' Day.

### **Who is the female god of fire?**

In mythology, Pele is the Hawaiian goddess of fire, volcanoes, and creation. While she is not directly associated with firefighting, she embodies the powerful and transformative nature of fire.

### What is the prayer to St. Florian?

The prayer to St. Florian asks for protection and strength for firefighters. It often includes a request for courage in facing danger and guidance in serving others, reflecting his role as the patron saint of firefighters.

### Who is the guardian of fire?

Saint Florian is considered the guardian of fire in Christian tradition due to his role as the patron saint of firefighters. In mythology, deities like Hephaestus or Pele symbolize fire, but St. Florian is uniquely associated with protecting against its destructive aspects.

← 1 2 3 4 5 6 7 8 9 10 11 12 ...  
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# Exhibit 16

INTRODUCED BY: Councilor Leo J. Kelly

CITY OF QUINCY  
IN COUNCIL

ORDER NO: 2009-112

May 4, 2009

ORDERED:

Be it ordained by the Quincy City Council, that the Revised Ordinances of the City of Quincy, 1993, as amended, be further amended as follows:

In Title 17 Zoning Chapter 17.12 Zoning Districts

Section 17.12.035 Quincy Center Districts - Requirements - add the following new sub-Section I entitled, "Public Art Program" as follows:

**I. Public Art & Place-Making Program:**

It is the purpose of this sub-section to lessen the visual impact of development and to create a Public Art & Place-Making Program for new development and redevelopment in the Quincy Urban Redevelopment District and the Quincy Center Zoning Districts on plots greater than one-quarter acre. The Public Art & Place-Making Program, through the requirements of this sub-section, shall further the commitment of the City of Quincy to the aesthetic enrichment of the community through the creation, preservation and protection of works of art

**1.) Definitions -** For the purposes of this section, the following words and phrases shall have the following meanings:

(a) *Artist or Professional Artist* means a practitioner in the visual arts, and shall include visual artists, landscape artists and architects, as well as graphic artists, generally recognized by critics and peers as a professional of serious intent and ability. Indications of a person's status as a professional artist or place-maker include, but are not limited to, income realized through the sole commission of artwork, frequent or consistent art exhibitions, placement of artwork in public institutions or museums, receipt of honors and awards, and training in the arts.

(b) *Art, Artwork or Works of Art or Place-Making* means tangible creations by artists exhibiting the highest quality of skill and aesthetic principles and includes all forms of the visual arts conceived in any medium, material, or combination thereof, including, but not limited to, paintings, sculptures, engravings, carvings, frescos, stained glass, mosaics, mobiles, tapestries, murals, photographs, video projections, digital images, bas-relief, high relief, fountains, kinetics, collages, drawings, monuments erected to commemorate a person or an event, functional furnishings, such as artist designed seating and pavers, architectural elements designed by an artist, and artist designed landforms or landscape elements. The following shall not be considered artwork or works of art for purposes of this chapter:

- (i) Reproductions or unlimited copies of original artwork.
- (ii) Art objects which are mass produced.
- (iii) Works that are decorative, ornamental, or functional elements of the architecture or landscape design, except when commissioned from an artist as an integral aspect of a structure or site.

**YEAS** Coughlin, Davis, Finn, Gutro, Keenan, Kelly, McFarland, McNamee, Raymond

**NAYS** Coughlin, Davis, Finn, Gutro, Keenan, Kelly, McFarland, McNamee, Raymond

INTRODUCED BY: Councillor Leo J. Kelly

**CITY OF QUINCY  
IN COUNCIL**

ORDER NO: 2009-112

May 4, 2009

ORDERED:

(c) *Development* means any construction, or redevelopment of any private or public building within the Quincy Center Urban Redevelopment District or the Quincy Center Zoning Districts.

(d) *Public Art Commission* means the entity appointed by the Mayor to administer the Public Art & Place-Making Program and administer the Public Art Fund.

(e) *Public Art Fund* means a separate, interest bearing account set up by the City to receive monies for the Public Art & Place-Making Program.

(f) *Remodeling or converting* means changes to the façade of a building, changes to the interior of a building, increases or decreases in the floor area of a building and changes to exterior improvements.

**2.) Public Art Commission.**

(a) There is hereby established a commission to be known as the **Public Art Commission**.

(b) The Public Art Commission shall consist of five (5) members plus an additional two (2) alternates and one (1) non-voting high school student, all of whom shall be appointed by the Mayor.

(c) The Public Art Commission members shall be nominated as follows:

- One (1) nomination by the president of the City Council
- Two (2) nominations by the Mayor
- One (1) nomination by the Planning Board
- One (1) nomination by the Director of the Urban Redevelopment District Agency

- One (1) alternate nominated by the Mayor
- One (1) alternate nominated by the Planning Director
- One (1) non-voting student nominated by the Mayor

(d) A quorum shall consist of three (3) voting members.

**3.) Powers and Duties of Commission.**

The Public Art Commission powers and duties shall include but not be limited to:

(a) Adoption of Public Art & Place-Making Program Guidelines and amendments thereto.

(b) Authorizing expenditures of \$20,000.00 or less in furtherance from Public Art Program.

**YEAS** Coughlin, Davis, Finn, Gutro, Keenan, Kelly, McFarland, McNamee, Raymond

**NAYS** Coughlin, Davis, Finn, Gutro, Keenan, Kelly, McFarland, McNamee, Raymond

INTRODUCED BY: Councilor Leo J. Kelly

**CITY OF QUINCY  
IN COUNCIL**

ORDER NO: 2009-112

May 4, 2009

ORDERED:

(c) Recommending to the Mayor other expenditures of the Public Art Fund in excess of \$20,000.00;

(d) Establishing an annual administrative budget for the Commission

(e) Establish an annual calendar which shall include not less than six open public meetings of the Commission

**4.) On-site and Off-site Contributions.**

(a) All development, redevelopment, remodeling or converting greater than 20,000 square feet in gross floor area which are in non-residential districts, or within mixed use or multi-family districts on plots greater than one-quarter acre within the **Quincy Urban Redevelopment District or the Quincy Center Zoning Districts**, shall participate in the Public Art & Place-Making Program. When construction is phased, the aggregate gross square footage of the entire project or development shall be added together to determine whether the 20,000 square foot threshold is reached.

(b) Owners have the three choices for participating in the Public Art & Place-Making Program as follows:

(i) **Off-site option:** The owner of a development or re-development may pay as mitigation 1% of the development hard costs, exclusive of land acquisition expenses, to the Commission's Public Art Fund prior to the issuance of a building permit; or

(ii) **On-site option:** The owner of a development or re-development project may provide artwork located at the development site equal to or greater than 1% of the development hard costs, exclusive of land acquisition expenses, for the project; or

(iii) The owner of the development and the Public Art Commission may agree to allocate part of the funding to pay for "on-site" art and place the remainder of the contribution into the "off-site" Public Art Fund

**5.) Public Art Fund.**

(a) There is hereby created a Public Art Fund administered by the Public Art Commission which shall consist of all contributions received from projects as defined under Part V of this section. The Public Art Fund shall also include cash grants and donations to the City for public art and Place-Making projects from governmental or private resources, and all other funds allocated by the City through DIF funding or any budgetary process for the provision of public art.

**YEAS** Coughlin, Davis, Finn, Gutro, Keenan, Kelly, McFarland, McNamee, Raymond

**NAYS** Coughlin, Davis, Finn, Gutro, Keenan, Kelly, McFarland, McNamee, Raymond

INTRODUCED BY Councillor Leo J. Kelly

**CITY OF QUINCY  
IN COUNCIL**

ORDER NO: 2009-112

May 4, 2009

ORDERED:

(h) The Public Art Fund shall be used solely for the Commission's administrative budget and expenses associated with the selection, commissioning, acquisition, transportation, maintenance, public education, promotion, administration, removal and insurance of the works of art or in relation thereto.

**6.) Public Art & Place-Making Program Guidelines.**

The Public Art Commission shall prepare, and from time to time revise, Public Art and Place-Making Program Guidelines, as part of the Quincy Center District Design Guidelines which shall provide guidance for program organization; organizational governance and staffing responsibilities; procedures for project planning; artist selection; art selection criteria; art placement criteria; donations; loans and memorials; collection management; and, administration of the Public Art Fund. Such Guidelines shall be made available to the public.

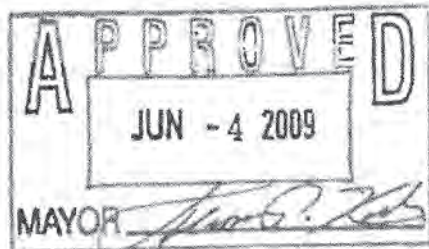
**7.) Severability.**

If any part, sentence, clause, or phrase of this amendment is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this amendment.

**PASSED TO BE ORDAINED JUNE 1, 2009**

**ATTEST:**

**CLERK OF COUNCIL**



A true copy  
Attest:

  
**City Clerk**

**YEAS** Coughlin, Davis, Finn, Gutro, Keenan, Kelly, McFarland, McNamee, Raymond

**NAYS** Coughlin, Davis, Finn, Gutro, Keenan, Kelly, McFarland, McNamee, Raymond

# Exhibit 17



GLENN A. GUINHA  
INSPECTOR GENERAL

The Commonwealth of Massachusetts  
Office of the Inspector General

JOHN W. McCORMACK  
STATE OFFICE BUILDING  
ONE ASHBURTON PLACE  
ROOM 1311  
BOSTON, MA 02108  
TEL: (617) 727-9140  
FAX: (617) 727-2334

January 4, 2021

Kathryn Logan, Purchasing Officer  
City of Quincy  
1305 Hancock Street, Third Floor  
Quincy, MA 02169

**Re: Application to Use the Construction Management At-Risk Alternative  
Delivery Method for the Quincy Public Safety Headquarters Project**

Dear Ms. Logan:

On October 20, 2020, pursuant to M.G.L. c. 149A and 945 CMR 2.00, the city of Quincy ("Quincy") submitted an application to use the construction management at-risk ("CM at-risk") alternative delivery method for the Quincy Public Safety Headquarters project.

Based on all the information provided, Quincy has met the statutory requirements for using the CM at-risk delivery method. Accordingly, the Office of the Inspector General ("Office") is issuing this notice to proceed to use the CM at-risk delivery method as specified in M.G.L. c. 149A, §§ 1-13, and to use the plan and procedures submitted.

This approval is conditioned on Quincy using a CM at-risk firm that the Division of Capital Asset Management and Maintenance ("DCAMM") has certified, as well as DCAMM-certified trade contractors. Therefore, Quincy must require each CM at-risk firm to supply both a certificate of eligibility and an update statement during both the prequalification phase and the technical proposal phase of the selection process. In addition, Quincy must require each trade contractor to supply a certificate of eligibility and an update statement during the prequalification phase and again at the bidding phase of the selection process. Quincy must reject as invalid all contractors' statements of qualifications, proposals and bids that do not provide such certificates of eligibility or update statements.

If, during the course of the project, Quincy changes its owner's project manager or designer, please submit information about the new project manager or designer to the Office. Also, if Quincy decides not to proceed with the CM at-risk delivery method, please notify the Office.

Kathryn Logan, Purchasing Officer  
City of Quincy  
January 4, 2021  
Page 2 of 2

Please feel free to contact me or Mary Kolesar, Senior Policy Analyst, if you have any questions or concerns.

Sincerely,



Glenn A. Cunha  
Inspector General

cc: Joseph Shea, Owner's Project Manager, Woodard & Curran  
Holli Roche, Owner's Project Manager, Woodard & Curran  
Stephen Chrusciel, Clerk of the Works, The Chrusciel Group

Docketed 8/4/2025

**COMMONWEALTH OF MASSACHUSETTS**

NORFOLK, SS

SUPERIOR COURT  
C.A. NO 25CV00576

CLAIRE FITZMAURICE, et al.

*Plaintiffs,*

v.

CITY OF QUINCY and THOMAS P.  
KOCH, *in his official capacity as Mayor of  
Quincy,*

*Defendants.*

**AFFIDAVIT OF THOMAS P. KOCH**

I, Thomas P. Koch, being first duly sworn, do hereby depose and state as follows:

1. I make each of the following statements of my own personal knowledge.
2. I selected statues of Michael and Florian for installation on the Public Safety Building due to their status as symbols in police and fire communities worldwide. The selection had nothing to do with Catholic sainthood, but rather was an effort to boost morale and to symbolize the values of truth, justice, and the prevalence of good over evil. If Michael and Florian did not have significance in the police and fire service, respectively, I would not have selected them for installation.
3. At the time I made this decision, I did so because I have learned while serving as Mayor how much these symbols mean to Police, Fire and public safety officials, including who will occupy the building. I believed the statues' presence would honor, inspire, and

encourage our First Responders and ensure their lifesaving work would remain maximally effective.

4. The Public Safety Building is being constructed using the Construction Manager at Risk method for public construction. While I have served as Mayor, we have done prior projects using this method. It allows for a municipality to work with a particular contractor from start to finish on major projects, such as this one, providing flexibility in the design and bidding process that allows for a better product. In this instance, I made the decision on these statues while working with a local architect on the final design features of the front façade for the building.
5. I had prior similar experience on a project that included a plan for statues: the construction of the Hancock Adams Common project in the heart of Quincy Center, where statues of John Adams and John Hancock were created and installed at either end on the newly constructed common. My goal then was to honor two of the founders of our country who were Quincy natives and nationally-known historic leaders. The Hancock and Adams statues were very positively received at the time and continue to serve as a popular feature on the town common.
6. This experience was another factor prompting my decision to install monuments on the Public Safety Building. As with Adams and Hancock, I regarded it to be similarly appropriate to erect statues of two internationally recognized symbols of the police and fire service, an act which would also serve to inspire the men and women who work in the building. There was nothing religious about this decision. The fact that Michael and Florian each happen to be saints venerated in the Catholic Church is ancillary to their significance in the Police and Fire services, respectively.

I SIGN THIS UNDER THE PENALTY OF PERJURY THIS 9<sup>TH</sup> DAY OF JULY, 2025



THOMAS P. KOCH, MAYOR

Docketed 8/4/2025

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT

CLAIRE FITZMAURICE et al.,

Plaintiffs,

v.

CITY OF QUINCY and THOMAS P. KOCH,  
*in his official capacity as Mayor of Quincy,*

Defendants.

C.A. No. 2582CV00576

**SECOND DECLARATION OF ATTORNEY RACHEL E. DAVIDSON  
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Rachel E. Davidson, hereby depose and state:

1. I am a staff attorney at the American Civil Liberties Union Foundation of Massachusetts and I represent Plaintiffs in this matter.
2. I have personal knowledge of the facts contained herein.
3. I submit this Second Declaration in support of Plaintiffs' motion for preliminary injunction.
4. Attached as Exhibit 39 is a true and correct copy of the Declaration of Julie Byrne.
5. Attached as Exhibit 40 is a true and correct copy of ENCYCLOPEDIA BRITANNICA, *Anne Hutchinson* (Feb. 19, 2025), <https://www.britannica.com/biography/Anne-Hutchinson>.
6. Attached as Exhibit 41 is a true and correct copy of ENCYCLOPEDIA BRITANNICA, *Mary Dyer* (2024), <https://www.britannica.com/biography/Mary-Barrett-Dyer>.

7. Attached as Exhibit 42 is a true and correct copy of Architect of the Capitol, *Procedure and Guidelines for Replacement of Statues* (Jan. 2014), <https://www.aoc.gov/explore-capitol-campus/art/procedure-guidelines-replacement-statues>.

8. Attached as Exhibit 43 is a true and correct copy of Massachusetts Supreme Judicial Court, *History of the John Adams Courthouse*, <https://www.mass.gov/info-details/history-of-the-john-adams-courthouse>.

9. Attached as Exhibit 44 is a true and correct copy of Smithsonian American Art Museum, *Edward Everett Hale (sculpture)*, <https://siris-artinventories.si.edu/ipac20/ipac.jsp?&profile=ariall&source=~!siartinventories&uri=full=3100001~!18322~!0>.

10. Attached as Exhibit 45 is a true and correct copy of Architect of the Capitol, *National Statuary Hall Collection By Location*, <https://www.aoc.gov/explore-capitol-campus/art/statuary-hall-collection-by-location>.

Signed this 30th day of July 2025, under the penalties of perjury.

  
Rachel E. Davidson

# **EXHIBIT**

**39**

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT

CLAIRE FITZMAURICE, JAY  
TARANTINO, GILANA ROSENTHOL,  
CONEVERY BOLTON VALENCIUS,  
MATTHEW VALENCIUS, LUCILLE  
DIGRAVIO, DAVID REICH, CYNTHIA  
ROCHE-COTTER, MICHAEL COTTER,  
SHERYL LECLAIR, CODY HOOKS,  
SALVATORE BALSAMO, MARIANNE  
BALSAMO, MARTHA PLOTKIN, and  
KATHLEEN GERAGHTY,

*Plaintiffs,*

v.

C.A. No. 2582CV00576

CITY OF QUINCY and THOMAS P.  
KOCH, *in his official capacity as Mayor of  
Quincy,*

*Defendants.*

**DECLARATION OF JULIE BYRNE IN SUPPORT OF PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

I, Julie Byrne, declare the following:

1. I have personal knowledge of the facts set forth herein and, if called upon, could and would competently testify thereto.
2. I am the Monsignor Thomas J. Hartman Chair in Catholic Studies at Hofstra University. I am a Professor of Religion and the Chair of the Department of Religion at Hofstra. I have a Ph.D. in Religion from Duke University as well as a M.A. in Religion from Duke. I have taught various university courses on religion since 2000, including courses at

Texas Christian University, Duke University and Hofstra University. A copy of my curriculum vitae (“CV”) is attached as Exhibit A to this Declaration.

3. I am not receiving any compensation for my expert work related to this case, although I will receive reimbursements for any travel related costs if travel becomes necessary for my participation.
4. I was asked to give my expert opinions relating to religious beliefs, traditions, and culture relevant to this matter, including those related to Saint Michael the Archangel and Saint Florian.
5. My opinions are based on my knowledge, research, and study of religion, which span more than 30 years.
6. In preparing this declaration, I relied on my graduate and doctoral training in religion, as well as years of robust participation in the academic fields of U.S. religious studies and Catholic Studies. Accordingly, I applied standard and well-accepted methodologies used by scholars who study religion.
7. This methodology involves research and observation in the ways that religion is practiced by ordinary people through their everyday lives. This methodology also involves research into the official policies and practices of churches and religious institutions.
8. This methodology involves analyzing both primary and secondary sources; gathering ethnographic, historical, and oral-historical evidence; examining the relevant content and contextualizing it; and providing a description of the holistic context of the practice. The methodology I have described above is consistent with the methodology ordinarily expected in the scholarly study of religion.

9. I have reviewed the Complaint in this matter, including paragraphs 31 and 32 which include images of proposed statues of Saint Michael the Archangel and Saint Florian.
10. Saints in general, and patron saints specifically, are phenomena specific to certain types of Christianity, especially Catholicism.
11. In Catholic doctrine, “[s]aints are persons in heaven (officially canonized or not), who lived heroically virtuous lives, offered their life for others, or were martyred for the faith, and who are worthy of imitation,” and “[p]atron saints are chosen as special protectors or guardians over areas of life.”<sup>1</sup>
12. Patron saints are often recognized by the Catholic Church as “patronizing” a specific cause or situation so that the faithful can seek their intercession through prayer when that situation arises.
13. Some other denominations of Christianity and other religions reject the creation and/or veneration of saints. For example, saints are not created or venerated in Judaism or in a number of Protestant churches, including Baptist traditions, Seventh Day Adventist, and Pentecostal churches.
14. Some other religions have holy figures who have died and are venerated. An example would be the holy figure of Ali in Shi’a Islam. Ali is not called St. Ali in English and is not the patron of any particular thing. Such examples underscore that patron saints are particular to Catholicism.
15. Saint Michael the Archangel is known as the patron saint of police.
16. Catholic tradition considers Saint Michael the Archangel to be the patron saint of police not because of any secular symbolism but because of his powerful role in Christian

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<sup>1</sup> United States Conference of Catholic Bishops (USCCB), *Saints*, <https://www.usccb.org/offices/public-affairs/saints>; *Patron Saints*, Catholic Online, <https://www.catholic.org/saints/patron.php?letter=A>

tradition as a “defender of faith, protector of souls, and a symbol of divine justice.” St. Michael was not formally canonized because he is understood as an angel, not a human being. But he appears in the Christian Old Testament and New Testament and has long been recognized as a saint of the Church.

17. Catholic tradition considers Saint Florian to be the patron saint of firefighters. He was a human being, but was also never officially canonized because his veneration among Catholics began in the 10<sup>th</sup> century, before the modern canonization process began.
18. The connection of Saint Florian to firefighting stems from the saint’s hagiography—the religious biography of his deeds and holiness attributed to him in Catholic tradition. Specifically, St. Florian is said to have saved a town from fire by praying for divine intervention.
19. Catholic tradition considers Saint Florian a saint because he was martyred for his faith and because he saved a town from fire by praying for divine intervention.
20. Saints Michael and Florian are significant as holy figures and considered patrons of police officers and firefighters because of their origins and meaning in Catholic tradition. Their import as symbols of protection is unintelligible without reference to Catholic tradition.
21. Invoking a Catholic saint’s power of protection and intercession for a particular cause is connected to this particular faith tradition and is inherently religious in nature.
22. In Catholicism, physical representations of saints, such as statues, paintings, holy cards, and medals, are not just symbolic, but are considered holy in and of themselves. This idea is known as sacramentalism, defined by the Church as “a visible sign of invisible

grace.” The physical representation is understood to convey the attributed powers of the saint, such as protection or patronage of a particular cause.

23. The idea that the symbols of Saints Florian and Michael provide protection through their physical presence—on prayer cards, medals, or in this case, statues—is rooted in the Catholic tradition of sacramentalism and is not a secular concept.

24. Catholic saints are traditionally represented with a standard iconography, or set of symbols and motifs, to identify them.

25. For Saint Michael, the iconography includes wings, showing that he is an angel, namely a supernatural being of celestial origin. It includes a sword, which represents St. Michael’s role as a warrior for God against Satan. The depiction of Saint Michael standing on a demon symbolizes God’s victory over Satan, as described in the Christian New Testament account of Satan’s rebellion and St. Michael’s role in casting Satan out of heaven. The image of St. Michael vanquishing the demon also encapsulates his association with Catholic eschatology, the Final Judgment. In official Catholic theology, the end of the world will involve a final victory of God over Satan and the final judgment of all remaining living human beings according to principles taught by the Catholic Church.

26. The iconography of St. Michael does not derive from secular or civil concepts of good and evil, but rather from religious and specifically Catholic definitions of good and evil.

27. Saint Florian’s iconography typically portrays him standing above a burning house with a bucket of water in his right hand, which represents his miraculous act of extinguishing a fire with a single bucket.

28. I am aware of the poem “Fallen,” which is sometimes used to commemorate firefighters who die in the line of duty. This poem hopes that the deceased “rest with St. Florian.” The concept of “rest[ing] with St. Florian” entails a religious conception of the afterlife that is specific to Catholicism, namely that heaven is partly populated by saints whom deserving deceased people will meet there.
29. The depictions of Saint Michael and Saint Florian in paragraph 31 of the Complaint are consistent with iconography of each religious figure within Catholic tradition.
30. For example, Saint Michael is depicted with wings and a sword, vanquishing a demonic foe, and Saint Florian is portrayed pouring a bucket of water on a building. These symbols and objects are all central to the iconographies of each saint, which are not intelligible without reference to Catholic tradition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 29<sup>th</sup> day of July, 2025.



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Julie Byrne, Ph.D.

**JULIE BYRNE**

**Exhibit A**

**The Monsignor Thomas J. Hartman Chair in Catholic Studies  
Professor of Religion  
Chair of the Department of Religion  
Hofstra University**

Department of Religion  
Hofstra University  
104 Heger Hall  
Hempstead, NY 11549  
[julie.byrne@hofstra.edu](mailto:julie.byrne@hofstra.edu)

239 Vermont Street  
Brooklyn, NY 11207  
cell: (919) 824-4329

**EDUCATION**

2001 Ph.D., Graduate Program in Religion, Duke University, 2001  
1996 M.A., Graduate Program in Religion, Duke University, 1996  
1990 B.A., Trinity College of Arts and Sciences, Duke University, 1990  
1989 New College, Oxford University, Oxford, England, Summer Study Abroad

**EMPLOYMENT**

2020-25 Chair, Department of Religion, Hofstra University  
2017-25 Professor of Religion and Hartman Chair of Catholic Studies, Hofstra University  
2017-18 Hofstra University, Department of Religion, Acting Chair  
2006-17 Hofstra University, Department of Religion, Associate Professor and Hartman Chair  
of Catholic Studies  
2004-06 Duke University, Department of Religion, Assistant Professor  
2000-04 Texas Christian University, Department of Religion, Assistant Professor  
1996-97 Duke University, Department of Religion, Instructor  
1994-2000 Duke University, Divinity School, Teaching Assistant

**GRANTS AND AWARDS**

2024	2K	Rabinowitz Honors College Research Assistant Program, with Dr. Ann Burlein (one RA funded)
2023-24	10K	Center on Study of Lived Religion (COLR), St. Louis University, with Dr. Ann Burlein
2023-24		Teacher of the Year, Hofstra University Kalikow School
2023	2K	National Suburban Studies Center and Office of the HCLAS Dean, with Dr. Ann Burlein (one RA funded)
2022-23	4K	Rabinowitz Honors College Research Assistant Program, with Dr. Ann Burlein (two RAs funded)
2022	5K	Interfaith America, <u>Building Interfaith America Campus Grant</u> , with Dr. Ann Burlein

## JULIE BYRNE

2018-19	60K	<u>National Endowment for the Humanities Public Scholar Program</u>
2018-19		Hofstra University College of Liberal Arts & Sciences Special Leave
2017		Religion News Association Book Award for Excellence in Religion Reporting, Finalist
2016		Columbia University Seminars Schoff Fund Award, 2016
2016		Hofstra University College of Liberal Arts & Sciences Faculty Research and Development Grant
2011		Hofstra University College of Liberal Arts & Sciences Special Leave
2008-09		Hofstra University College of Liberal Arts & Sciences Special Leave
2008		Hofstra University College of Liberal Arts & Sciences Faculty Research and Development Grant
2007		Hofstra University College of Liberal Arts & Sciences Faculty Research and Development Grant
2005-06		Duke University Arts and Sciences Faculty Research Grant
2003-04		Lilly Young Scholars in American Religion Seminar Participant, Center for the Study of Religion and American Culture at Indiana University-Purdue University, Indianapolis
2001		Texas Christian University Research and Creative Activities Fund
1999-2000		Charlotte Newcombe Dissertation Fellowship
2000		Society for the Scientific Study of Religion Research Award
1999		Pew/Yale Program in American Religious History Summer Fellowship
1998		Duke University Anne Firor Scott Research Award, Women's Studies Program
1992-97		Duke University Graduate Fellowship, Graduate Program in Religion
1986-90		Duke University A. B. Duke Memorial Scholarship

### BOOKS

2025 "Just Regular Guys: Cantor Fitzgerald, 9/11, and Suburban Catholicism." Book manuscript in progress. Publication interest from Little, Brown and Company, Oxford University Press, Columbia University Press, and New York University Press.

2016 *The Other Catholics: Remaking America's Largest Religion.* New York: Columbia University Press, 2016.

Reviewed in: *American Catholic Studies*, *American Catholic Studies Newsletter* (Cushwa Center, Notre Dame), *Church History*, *Journal of Religion*, *Nova Religio*, *Journal of Religious History*, *Journal of American Culture*, *Reviews in Religion and Theology*, *Religion Watch*, *National Catholic Reporter*, *America Magazine*, *The Christian Century*, *Times Higher Education (London)*, *Catholic Library World*, *Publishers Weekly*

Scholarly citations according to Google Scholar: 37 (2016-24)

2003 *O God of Players: The Story of the Immaculata Mighty Mucs.* New York: Columbia University Press, 2003.

## JULIE BYRNE

Reviewed in: *American Catholic Studies Newsletter* (Cushwa Center, Notre Dame), *Catholic Historical Review*, *Church History*, *Religious Studies Review*, *Journal of Religion and Popular Culture*, *Labor*, *American Historical Review*, *Journal of American History*, *Pennsylvania History*

Scholarly citations according to [Google Scholar](#): 56 (2003-24)

Source for *The Mighty Macs*, dir. Tim Chambers (Quaker Media, 2009)

### OTHER RESEARCH

2022-24 Hofstra Religious Mapping Project (HRMP). Funded by The Center on Lived Religion (COLR, St. Louis University), Interfaith America, the Office of the President, the Rabinowitz Honors College, the Office of the Dean of HCLAS, the National Suburban Studies Center, the Firestone Fellowship, the Peer Teacher Program, and the Department of Religion, 2022-present, with Dr. Ann Burlein and undergraduate research assistants Abigail Anderson, Lex Besecker, Dylan Budhu, Elizabeth Hennessy, Andrew Sine, and Grace Varnum.

For a description of the HRMP, see Ann Burlein and Julie Byrne, "[Hofstra Religious Mapping Project Connects Kalikow Student Researchers with Nassau County Religious Communities.](#)" *Hofstra Horizons*, Spring 2024.

### ACADEMIC PUBLICATIONS

"The Distortions of Exceptionalism, Again." *American Catholic Studies* 130:3 (Summer 2019), pp. 21-25. **Invited, peer reviewed.**

"Catholicism Doesn't Always Mean What You Think It Means." *Exchange: Journal of Contemporary Christianities in Context* 48:3 (Summer 2019), pp. 214-24. **Invited, peer reviewed.**

"Author's Response." *American Catholic Studies* 128:1 (Spring 2017), pp. 74-6. Invited response to review symposium on *The Other Catholics*, pp. 67-74. **Invited, peer reviewed.**

"O God of Players: Prayer and Women's Basketball at a Catholic College." In ed. Rebecca T. Alpert, *Religion and Sports: An Introduction and Case Studies*. New York: Columbia University Press, 2015. pp. 70-4.

"Catholic But Not Roman." *American Catholic Studies* 125:3 (Fall 2014), pp. 16-9. Invited contribution to "The Future of Catholic Studies" scholarly forum.

"The Future of Us." *Proceedings: Second Biennial Conference on Religion and American Culture, June 2-5, 2011*. Edited by Philip Goff and Rebecca Vasko. Indianapolis: IUPUI, 2011. pp. 62-4.

"Roman Catholics and Immigration in Nineteenth-Century America" and "Roman Catholics and the American 'Mainstream' in the Twentieth Century." Invited articles for the National Humanities Center's online TeacherServe installment on American religious history, *Divining America: Religion and the National Culture*. October 1, 1997.

"Identity Goes Up in Flames: Gay Ethics, Deleuze and Guattari, and *Paris is Burning*." In *Embodying*

## JULIE BYRNE

*Diversity: Identity, (Bio)Diversity, and Sexuality*, ed. J. Michael Clark and Michael L. Stemmeler.  
Las Colinas: Monument Press, 1995.

### PAPERS, PRESENTATIONS, AND RESPONSES

- 2024 “Rethinking Religious Studies Programs.” Panelist. American Academy of Religion Annual Meeting, San Diego, California. November 23, 2024.
- 2023 “Career-Readiness in the Liberal Arts Classroom.” Hofstra University Teaching and Learning Conference, January 25.
- 2023 “Career-Readiness in the Liberal Arts Classroom.” Metropolitan New York College Career Planning Officers Association 2023 Winter Conference, February 3.
- 2022 “Introduction to Christianity and Christian Communities.” Religious Worlds of New York, National Endowment for the Humanities Summer Institute, Interfaith Center of New York, July 14.
- 2022 “Critical Responses to *The Other Catholics, 2016-22*.” Inclusive Catholicism Virtual Summer School, August 8, online.
- 2021 “The ‘Regular Guys’ of ‘Work-Hard Play-Hard’ Culture: White Ethnic Catholic Masculinity and Global Finance in the Late Twentieth Century Suburban Northeast.” American Academy of Religion Annual Meeting, November 20, online.
- Panelist, “Catholics and the Court.” Institute for Religion, Culture and Public Life, Columbia University, January 28, 2021, online.
- “Just Regular Guys: Cantor Fitzgerald, 9/11, and Suburban Catholics.” Presidential Roundtable in Honor of Jim Fisher, “Port of Spiritual Authority – NYC and North Jersey as the Catholic Metropolis.” American Catholic Historical Association, New York, NY, January 5, 2020.
- Panelist, “Writing for General Readership: The NEH Public Scholar Grant.” American Academy of Religion Annual Meeting, San Diego, November 24, 2019.
- “Communion Stand.” American Academy of Religion Annual Meeting, Denver, CO, November 19, 2018.
- “Context and Comparison in the Study of Sex Abuse in Catholicism and Other Religions.” American Academy of Religion Annual Meeting, Denver, CO, November 19, 2018.
- “Jewish Studies Gets Religion: A Response.” American Academy of Religion Annual Meeting, Denver, CO, November 20, 2018.
- “Workshopping *Just Regular Guys*.” Yale Seminar in Religious Studies, Yale University, New Haven, CT. April 9, 2018.
- Panelist, “Anthropological Approaches to Catholic Studies.” American Academy of Religion Annual Meeting, Boston, MA, November 19, 2017.

## JULIE BYRNE

- Panelist, "Social Justice and Sacramental Justice: Radical Activism for Catholic Women's Ordination," Berkshire Conference on the History of Women, Gender, and Sexuality, Hofstra University, Hempstead, NY, July 2017.
- "On *Emptiness*, by John Corrigan: A Response." American Academy of Religion Annual Meeting, San Antonio, TX, November 20, 2016.
- "On *History and Presence*, by Robert Orsi: A Response." American Academy of Religion Annual Meeting, San Antonio, TX, November 21, 2016.
- "'Sweetheart and Archbishop': The Conjugal Episcopacy of Herman and Meri Spruit and the Study of U.S. Catholicism." American Academy of Religion Annual Meeting, San Diego, November 24, 2014.
- "Roman Catholics and Other Catholics in the U.S.: Surprising Splitting and Splicing in the Only THE Church'." Conference, "Religion in America," The Smithsonian Institute, December 5, 2013.
- "Who is the Catholic in Catholic Studies? Notes on the Historiography of American Catholicism." Conference: "Late Antiquity Made New," Duke University, Durham, NC, April 13, 2013.
- Panelist, "Critical Catholic Studies: Scholars Confront the Field." American Academy of Religion Annual Meeting, Baltimore, November 23, 2013.
- "O *God of Players* Ten Years Later." Invited lectures, Cabrini University, October 8, 2012; American Catholic Historical Society, October 9, 2012; St. Thomas of Villanova Parish (Villanova, Pa.), June 21, 2012; Missouri State University, February 16, 2012.
- Panelist, "Get On the Spirituality Bus." Frequencies/Social Sciences Research Council, American Academy of Religion Annual Meeting, San Francisco, November 20, 2011.
- "O *God of Players* Ten Years Later." Invited Rita Cassella Jones Lecture, Curran Center for American Catholic Studies, Fordham University, November 8, 2011.
- Panelist, "The Future of Us." Second Biennial Conference on Religion and American Culture, Center for Religion & American Culture, Indiana University and Purdue University, June 4, 2011.
- "'Catholic Means Universal': An Essay on Other Catholics." American Religions University Seminar, Columbia University, March 22, 2010.
- "'Catholic Means Universal': An Essay on Other Catholics." American Religious History Workshop, Princeton University, October 22, 2009.
- "'Catholic Means Universal': Defining Catholicism in the Non-Catholic University Classroom." Curran Center for Catholic Studies, Fordham University, March 29, 2008.
- "'Catholic Means Universal': Conflict and Continuity in Definitions of Catholicism." American Society for Church History/American Historical Association Meetings, Washington, DC, January 4, 2008.
- Panelist, "The Future of American Catholic History." American Academy of Religion Annual Meeting, San Diego, November 2007.
- "Will Gender Start the Game or Come Off the Bench? Immaculata College Basketball and U.S. Religious History." Distinguished Faculty Lecture, Hofstra University, October 2007.
- "Immaculata Basketball, the Sociology of Religion, and Women's Studies." Nassau Community College, February 2007.
- "The New American Catholicism: Independent Catholics and Internet Evangelism." American Academy of Religion Annual Meeting, Philadelphia, November 2005.
- "How Do Minority Religions Speak to Protestant Empire? A Response." Southeastern Commission

## JULIE BYRNE

- for the Study of Religion, Winston-Salem, NC, March 2005.
- “American Jesus Meets American Religious History: A Response.” American Society of Church History Winter Meeting, Seattle, WA, January 2005.
- “Catholic Women, Immaculata Basketball, and Women’s History.” Invited lecture, Lemoyne College, Ithaca, NY, March 2004.
- “‘People Who Love to Play Basketball’: Writing Women’s Religious History As If Women Were People.” Conference on Women and American Religion, University of Chicago Divinity School, October 2003.
- “Race, Insanity, and Erotics: Why Someone Would Join, Leave, or Study the Imani Temple.” Invited lecture, Duke University, September 2003.
- “Displaying Gender: Immaculata College Basketball in the Era of Women’s Liberation.” American Academy of Religion Annual Meeting, Orlando, November 1998.
- “Catholicism and the Commodity in Don DeLillo’s *White Noise*.” Modern Language Association Convention, San Diego, December 1994.
- “The Transcendent Existent and the Chthonian Monster: Simone de Beauvoir and Camille Paglia Get Dirty and Come Clean with American Feminism.” Modern Language Association Convention, Toronto, December 1993.

### POPULAR PUBLICATIONS

2022 “The Most Sinful States,” Wallethub, February 22.

Interview of Sarah Feinbloom, “Time Lapse: Sarah Feinbloom Discusses Her Latest Film, ‘What Do You Believe Now?’” *The Commons/CrossCurrents*, February 1, 2021.

“The Distortions of Exceptionalism, Again.” *The Revealer*, March 4, 2020 (reprint of *American Catholic Studies* article).

“Indie Catholicism is Real: Married Clergy, LGBT Ordination, and Sacramental Justice for All.” *Religion Dispatches* blog, October 21, 2016.

“Independent Catholics, Social Justice, and ‘Sacramental Justice.’” *Sacred Matters* blog, June 22, 2016.

“The Pope’s ‘Amoris Laetitia’ Brings the Church Back to Old Traditions.” *New York Times*, April 12, 2016.

“Not All Catholics are Roman Catholics: A Diverse Independent Movement Gains Attention in the Era of Pope Francis.” *Horizons* (Hofstra University), Spring 2016, pp. 26-31.

“The Pope Francis Paradox.” *On Faith* blog, September 22, 2015.

“Sunday Dinner with Pope Francis.” *Huffington Post*, September 21, 2015.

“The Catholic 17% and Modernity’s Other Ways.” *Reverberations: New Directions in the Study of Prayer*, Social Science Research Council, June 2013.

“Catholics Without Popes.” *Then & Now* blog, *Christian Century*, March 13, 2013.

“The Pope is Not the Most Important Thing About Catholicism.” [CNN.com](http://CNN.com), February 16, 2013.

“Tim Tebow in the Secular City.” *Newsday*, April 6, 2012.

“Saint February.” *Frequencies*, Social Sciences Research Council, September 6, 2011.

“The Pittsburgh Twelve and the Catholic ‘Fringe.’” *Sightings*, September 12, 2006.

## JULIE BYRNE

- “Fundamentalism’s Future.” *Philadelphia Inquirer*, April 22, 2005.  
“Catholicism and Its Discontents.” *Raleigh News and Observer*, April 8, 2005.  
“Pioneers of the Women’s Game.” *Raleigh News and Observer*, March 22, 2005.

### SOCIAL MEDIA

2015-25 Facebook for professional purposes, 2.5K friends

### MEDIA CONSULTING

- 2025 Quoted in Natalie Demaree, *McClatchy News*
- 2024 Quoted in Deborah Morris, *Newsday*; Maureen Mullarkey, *Newsday*; Mike White, *Greater Long Island*
- 2023 Quoted in Harry Bruinius, *Christian Science Monitor*; Bart Jones, *Newsday*; John Zenor, *Associated Press*; Tiffany Cusaac-Smith, *Newsday*
- 2022 Quoted in Mike Sielski, *Philadelphia Inquirer*
- 2021 Quoted in Bart Jones, *Newsday*
- 2020 Quoted in Matt Blitz, *Washington Post*

Consultant for reporters and quoted in articles and stories, 2006-2020

Liz Cohen (CBS), “God in America” documentary (WGBH/Frontline), Samuel Freedman (*New York Times*), Kareem Fahim (*New York Times*), Marc Tracy (*New York Times*), Michael Schulson (*Washington Post*), Jess Rohan (*Philadelphia Inquirer*), Gloria Goodale (*Christian Science Monitor*), Olivia Winslow (*Newsday*), Jeff Basinger (*Newsday*), David Gibson (Religion News Service), Elizabeth Evans (Religion News Service), Alex Norcia (*Vice*), Molly Olmstead (*Slate*), Lewis Beale (*The Daily Beast*), Lilly Fowler (*St. Louis Post-Dispatch*), Chrissy Stroop (*Religion Dispatches*), Rashed Mian (*Long Island Press*), Emilie Munson, (*Greenwich Times*, New Haven, CT), Samantha Rose Walker (*Long Island Advocate*), Rhina Guido (Catholic News Association), and Marie Elena Giossi (*Brooklyn Tablet*)  
Bart Jones (*Newsday*),  
Alexis Buisson (*La Croix*)

### TELEVISION & FILM WORK

- 2023 Interviewed by Gus Rosendale NBC-TV channel 4
- 2020 Interviewed by Cecilia Dowd for *Newsday*  
Interviewed by Eileen Lehpaemer for *News 12 Long Island*

## JULIE BYRNE

Interviewed by Tim Harfmann for NET-TV, September 10, 2018  
Interviewed by Michael Ruiz for UniVision, Bakersfield CA, August 9, 2018  
Interview with Jeff Basinger for Newsday interactive feature "Sanctuary," August 25, 2017  
Interview with Liz Kineke for "Faith in America," Religion & Culture (CBS), April 2, 2017  
Interviewed by Virginia Huie for News 12-Long Island, March 10, 2017  
Interviewed by Sally-Ann Roberts for CBS-4 News New Orleans, July 12, 2016  
Interviewed by Ernie Anastos for Fox 5 News NYC, June 6, 2016  
Interviewed for Danish public television documentary on American religion, March 10, 2016  
Interviewed on-air by anchor, News 12 Long Island, September 24, 2015  
Interviewed by Amy Goodman on *Democracy Now*, September 23, 2015  
Interviewed by Fox 5 News NYC, September 8 and 22, 2015  
Interviewed by director Sam Katz for *Urban Trinity: The Story of Catholic Philadelphia*, History Making Productions, broadcast on public television September 2015  
Interviewed by reporter for News 12 Long Island, October 13, 2014  
Interviewed by Jerome Socolovsky, *Voice of America* reporter, November 22, 2013  
Interviewed by John Schuimo, NY1 "The Call," March 13, 2013  
Consultant, *The Mighty Macs*, dir. Tim Chambers, 2009

### BOOK TOUR

St. Basil's Western Orthodox Church, Nashville, TN, September 9, 2017  
Holy Spirit Catholic Community, Newton, MA, December 17, 2016  
Catholic Apostolic Church of Antioch Convocation, Phoenix, AZ, October 29, 2016  
Shrine of Holy Wisdom, Tempe, AZ, October 27, 2016  
Ascension Alliance Convocation, Los Angeles, CA, September 3, 2016  
St. Cecilia Catholic Community, Palm Springs, CA, August 30, 2016  
St. Matthew Catholic Church, Orange, CA, August 28, 2016  
Old Catholic Church International Synod, Flourtown, PA, August 18, 2016  
St. Andrew's Apostolic Celtic Church, Black Mountain, NC, August 14, 2016  
St. Stanislaus Kostka Catholic Church, St. Louis, MO, July 17, 2016  
Seminary Co-op Book Store, Chicago, IL, July 14, 2016  
Maple Street Books, New Orleans, LA, July 11, 2016  
Santa Fe Public Library, Santa Fe, NM, June 24, 2016  
Barnes & Noble, Neshaminy Mall, Bensalem, PA, June 18, 2016  
Catholic Apostolic Church in North America General Assembly, Elverton, PA, May 11, 2016

### UNIVERSITY SERVICE

2025	Member, Search Committee, Senior VP for Research
2025-12	Coordinator, Critical Spiritualities Lecture Series
2022-25	Chair, HCLAS Diversity, Equity, and Inclusion Committee

## JULIE BYRNE

2022-23 Member, Search Committee, HCLAS Dean  
2024, 2022 Guru Nanak Interfaith Prize Committee  
2021 Discussion moderator, "Career Readiness and the Liberal Arts," Presidential Symposium, Hofstra University, September 28

### PROFESSIONAL MEMBERSHIPS

2024-1993 American Academy of Religion

### LANGUAGES

English (fluent)  
Spanish (gaining fluency)  
French, German, Latin (reading ability)

### OTHER WORK EXPERIENCE

Seafood Salesperson, Whole Foods Market, Durham, NC, 1991-94  
News Assistant, *Africa News*, Africa News Service, Durham, NC, 1990-91  
Lifeguard, Duke University Central Campus Pool, Durham, NC, 1987, 1989  
Grounds Crew, Hershey Highmeadow Campground, Hershey, PA, 1988  
Lifeguard, Annville-Cleona Community Pool, Annville, PA, 1982-86  
Calligrapher, Department of Religion, Lebanon Valley College, Annville, PA, 1980-82

### NOT WORK ACTIVITIES

Running, reading, cooking, mixology, urban gardening, thrift shopping, public radio listening, watching major league sports and college basketball

# **EXHIBIT**

# **40**



## Anne Hutchinson

**Anne Hutchinson** (baptized July 20, 1591, Alford, Lincolnshire, England—died August or September 1643, Pelham Bay, New York [U.S.]) was a religious liberal who became one of the founders of Rhode Island after her banishment from Massachusetts Bay Colony.

Anne Marbury was the daughter of a silenced clergyman and grew up in an atmosphere of learning. She married William Hutchinson, a merchant, in 1612, and in 1634 they migrated to Massachusetts Bay Colony. Anne Hutchinson soon organized weekly meetings of Boston women to discuss recent sermons and to give expression to her own theological views. Before long her sessions attracted ministers and magistrates as well. She stressed the individual's intuition as a means of reaching God and salvation, rather than the observance of institutionalized beliefs and the precepts of ministers. Her opponents accused her of antinomianism—the view that God's grace has freed the Christian from the need to observe established moral precepts.

Hutchinson's criticism of the Massachusetts Puritans for what she considered to be their narrowly legalistic concept of morality and her protests against the authority of the clergy were at first widely supported by Bostonians. John Winthrop, however, opposed her, and she lost much of her support after he won election as governor. She was tried by the General Court chiefly for "traducing the ministers," was convicted in 1637, and was sentenced to banishment. For a time in 1637–38 she was held in custody at the house of Joseph Weld, marshal of Roxbury, Massachusetts. Refusing to recant, she was then tried before the Boston Church and formally excommunicated.

With some of her followers Hutchinson established a settlement (now Portsmouth) on the island of Aquidneck (now part of Rhode Island) in 1638. After the death of her husband in 1642, she settled on Long Island Sound, near present Pelham Bay, New York. In 1643 she and all her servants and children save one were killed by Indians, an event regarded by some in Massachusetts as a manifestation of divine judgment. In 1987 Massachusetts governor Michael Dukakis officially pardoned Hutchinson.

The Editors of Encyclopaedia Britannica This article was most recently revised and updated by Encyclopaedia Britannica.

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**ACCESS DATE:** July 27, 2025

# EXHIBIT

41



## Mary Dyer

Mary Dyer being lead to her execution in Boston. **Mary Dyer** (born early 1600s, probably Somersetshire, England—died June 1, 1660, Boston, Massachusetts Bay Colony [now in Massachusetts, U.S.]) was a British-born religious figure whose martyrdom to her Quaker faith helped relieve the persecution of that group in the Massachusetts Bay Colony.

Married in 1633 in London to William Dyer, Mary Dyer went with him to America (c. 1635) and settled in Boston. She began to accept the antinomian religious views of Anne Hutchinson and in 1638 followed Hutchinson into banishment in Rhode Island. Dyer's husband joined in the founding of Portsmouth (Rhode Island) and became a leading figure in the new colony.

From 1652 to 1657 Dyer lived in England with her husband. During that time she became a member of the Society of Friends (Quakers). Upon her return to New England in 1657 she took up missionary work on behalf of the Quakers. Severe anti-Quaker laws passed in 1657 and 1658 made Dyer's work in Massachusetts extremely perilous. She suffered imprisonment in Boston in 1657 and expulsion from New Haven, Connecticut, in 1658 in the course of her missionary travels. In 1659 she was again imprisoned briefly in Boston, where she had gone to visit two other imprisoned Friends, and in September of that year she was formally banished, a sentence that carried the threat of execution should she return. Dyer nonetheless did return in October. Arrested and condemned, she was reprieved while at the gallows (two others were hanged that day) by the intercession of her son and the governors of Connecticut and Nova Scotia. She was again expelled.

In May 1660, in obedience to her conscience and in defiance of the law, Dyer returned once more to Boston. An appeal to her to acquiesce in banishment failed, and she was hanged publicly on June 1, 1660. Her death came gradually to be considered a martyrdom even in Massachusetts, where it hastened the easing of anti-Quaker statutes.

The Editors of Encyclopaedia Britannica This article was most recently revised and updated by Encyclopaedia Britannica.

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# **EXHIBIT**

**42**



## Procedure and Guidelines for Replacement of Statues

The creation of the National Statuary Hall Collection (<https://www.aoc.gov/explore-capitol-campus/art/about-national-statuary-hall-collection>) was authorized by the United States Congress in 1864 to allow each State to provide two statues of notable citizens for display in the United States Capitol. The Joint Committee on the Library of Congress has oversight of the collection, and, under the committee's direction, the Architect of the Capitol (AOC) is responsible for the reception, placement, and care of the statues.

In accordance with legislation enacted in 2000, "Any State may request the Joint Committee on the Library of Congress to approve the replacement of a statue the State has provided for display in Statuary Hall" under two conditions:

(A) the request has been approved by a resolution adopted by the legislature of the State and the request has been approved by the Governor of the State, and

(B) the statue to be replaced has been displayed in the Capitol of the United States for at least 10 years as of the time the request is made, except that the Joint Committee may waive this requirement for cause at the request of a State.



*Building the National Statuary Hall Collection*

## Steps in the Procedure

### 1. Responsibilities of the State.

The State legislature enacts a resolution that identifies the statue to be replaced, names the individual to be newly commemorated and cites his or her qualifications, selects a committee or commission to represent the State in selecting the sculptor, and directs the method of obtaining the necessary funds to carry the resolution into effect. Expenditures for which the State is responsible include the cost of paying the sculptor for designing and carving or casting the statue; designing and fabricating the pedestal; transporting the statue and pedestal to the United States Capitol; removing and transporting the replaced statue; temporarily erecting the new statue on its pedestal in the location approved for the unveiling ceremony; certain expenses related to the unveiling ceremony; and any other expenses that the State commission may find it necessary to incur.

### 2. Request to Replace a Statue.

A duly authorized State official, typically the governor, shall submit to the Architect of the Capitol a written request to provide a new statue, a description of the location in the State where the replaced statue will be displayed after it is transferred, and a copy of the applicable enacted State legislation authorizing the replacement. The Architect of the Capitol will review the request for completeness and will forward it to the Joint Committee on the Library.

### 3. Joint Committee on the Library Action.

The Joint Committee on the Library will approve or deny the request.

**4. Agreement Regarding Replacement.**

If the request is approved by the Joint Committee on the Library, the Architect of the Capitol will formalize an agreement with the State to guide the process. The agreement consists of the State's commitment to follow the guidelines for the design and fabrication of statues (see below) and to take responsibility for any cost related to the design, construction, transportation, and placement of the new statue; the removal and transportation of the statue being replaced; and any unveiling ceremony. The agreement is between the Architect of the Capitol and the State. If the State authorizes a commission, foundation, or other entity to act upon its behalf in subsequent parts of the process, the governor must so notify the Architect of the Capitol in writing.

**5. Approval of Maquette.**

The State or its representative shall submit to the Architect of the Capitol, for review and final approval by the Joint Committee on the Library, photographs of the maquette from all four sides and the proposed dimensions of the completed statue.

**6. Approval of Full-Size Clay Model and Pedestal Design, Including Proposed Inscription.**

The State shall submit to the Architect of the Capitol, for review and final approval by the Joint Committee on the Library, photographs of the model from all four sides, dimensions, engineering drawings of the pedestal, the anticipated weight of the completed statue and pedestal, and the text of any proposed inscriptions. Any structural, safety, and design concerns will need to be addressed before final approval.

**7. Approval of Completed Statue, Cast in Bronze or Carved in Marble, and Completed Pedestal.**

The State shall submit to the Architect of the Capitol, for review and final approval by the Joint Committee on the Library, photographs of the completed statue and pedestal from all four sides, dimensions, the final weight, and the text of any inscriptions.

**8. Ceremony and Program.**

The holding of an unveiling ceremony is optional. Permission to use the Rotunda or Emancipation Hall must be granted by concurrent resolution of the Congress, and legislation by the Congress is required to authorize printing of the proceedings at government expense. The State may contact its delegation in Congress for assistance and for introduction of the required legislation. Although no law requires the Congress to accept statues by formal resolution, it is recommended that acceptance of the statue by the Congress be included in the legislation introduced for the use of the Rotunda or Emancipation Hall for the unveiling ceremony. The State must arrange the program for the ceremony with the Speaker of the House, who will ensure that congressional participation is bipartisan and bicameral and that the program concludes in a reasonable time. The Architect of the Capitol provides support

for any unveiling ceremony.

**9. Statue Removal/Installation and Ownership Transfer.**

The State must arrange for a rigger approved by the Architect of the Capitol to remove the replaced statue and install the replacement statue in the location of its unveiling. This work must be coordinated with the Architect of the Capitol. The replaced statue must be removed shortly before the new statue is brought into the Capitol. Before the replaced statue is removed, a document transferring ownership of that statue from the federal government to the State will be signed by the designated State official.

**10. Permanent Location.**

The permanent location for the replacement statue will be approved by the Joint Committee on the Library. The National Statuary Hall collection is located in several areas of the Capitol: National Statuary Hall (the Old Hall of the House), the Rotunda, the second-floor House and Senate corridors, the Hall of Columns, the Crypt, and the Capitol Visitor Center. The Architect of the Capitol will make recommendations for placement of the new statue with the least possible disruption to previously placed statues while maintaining a harmonious arrangement. To assist in developing this recommendation, the agency's structural engineer will determine whether the floor in any proposed location can safely support the weight of the statue. If the replacement statue is suitable in weight and dimensions, it will normally take the place of the replaced statue. If not, the Architect of the Capitol will, upon the approval of the Joint Committee on the Library and with the advice of the Commission of Fine Arts as requested, relocate statues within the Capitol. If necessary, after the statue has been unveiled, the Architect of the Capitol will be responsible for moving it to the permanent location approved by the Joint Committee on the Library.

## Guidelines for Replacement Statues

The guidelines below are provided for reference only; they may be modified in particular cases by the Joint Committee on the Library. Images of the statues now in the collection are available at the Architect of the Capitol website ([WWW.AOC.GOV](http://WWW.AOC.GOV) ([https://www.aoc.gov/explore-capitol-campus/art?sort\\_by=title&search&misc=All&collection%5BID%5D=119&statue=All&location=All](https://www.aoc.gov/explore-capitol-campus/art?sort_by=title&search&misc=All&collection%5BID%5D=119&statue=All&location=All))).

**Subject.** The subject of the statue must be a deceased person who was a citizen of the United States and is illustrious for historic renown or for distinguished civic or military services. Statues may represent only one individual (ruling adopted by the Joint Committee on the Library at meeting of March 13, 1950). Statues should represent the full length.

**Material.** The statue must be made of marble or bronze. Replacement statues made of the same material as the replaced statue are preferred. Materials from domestic sources, including, as applicable, sources in the territories and possessions of the United States, are preferred.

**Pedestal.** To reduce weight, the Architect of the Capitol recommends that the pedestal be made of

a hollow steel frame faced in granite or other stone or be made of bronze. It is recommended that the pedestal be designed and constructed with a removable panel (usually in the back) to allow access to attachment bolts. The pedestal design, dimensions, and weight must be submitted to the Architect of the Capitol for review.

**Inscriptions.** Inscriptions on the pedestal should include the name of the State and of the individual represented. The preferred option is that inscriptions be carved. Alternatively, they can be raised or cast on a bronze plaque. It is traditional and preferred that inscriptions be simple and that they appear only on the front of the pedestal. The proposed inscription should be submitted for review and approval by the Joint Committee on the Library as part of the pedestal design.

**Size and Weight.** In general, the figure in the replacement statue should be over life size, with a height between seven and eight feet, and the total height, including the pedestal, no greater than eleven feet. Within that size range, the combined weight of a bronze statue and its pedestal should not exceed 5,000 pounds; a marble statue and its pedestal should weigh no more than 10,000 pounds.

**Patina and Coating.** For bronze statues, the selected patina and coating must be easily maintained and repaired. Formulas for the patinating and coating materials must be provided to the Architect of the Capitol for use during future maintenance.

**Other Considerations.** The statue and pedestal should not be a potential source of safety hazards. They should not have any protruding or sharp element that could cause harm or be an obstacle for persons in the building.

## Relevant Legislation

The law creating National Statuary Hall is the act of July 2, 1864 (2 U.S.C. §2131) (formerly 40 U.S.C. 187), which established that each State had the right to donate "statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown or for distinguished civic or military services . . . ."

This law was modified in 2000 by Sec. 311 of H.R. 5657 (included by reference in H.R. 4577) and established as law by P.L. 106-554, which provides that "Any state may request the Joint Committee on the Library of Congress to approve the replacement of a statue the State has provided for display in Statuary Hall in the Capitol of the United States . . . ." 2 U.S.C. §2132.

## Excerpt From Public Law 106-554

SEC. 311. (a) (1) Any State may request the Joint Committee on the Library of Congress to approve the replacement of a statue the State has provided for display in Statuary Hall in the Capitol of the United States under section 1814 of the Revised Statutes (40 U.S.C. 187).

- (2) A request shall be considered under paragraph (1) only if—
- (A) the request has been approved by a resolution adopted by the legislature of the State and the request has been approved by the Governor of the State, and
  - (B) the statue to be replaced has been displayed in the Capitol of the United States for at least 10 years as of the time the request is made, except that the Joint Committee may waive this requirement for cause at the request of a State.
- (b) If the Joint Committee on the Library of Congress approves a request under subsection (a), the Architect of the Capitol shall enter into an agreement with the State to carry out the replacement in accordance with the request and any conditions the Joint Committee may require for its approval. Such agreement shall provide that—
- (1) the new statue shall be subject to the same conditions and restrictions as apply to any statue provided by a State under section 1814 of the Revised Statutes (40 U.S.C. 187), and
  - (2) the State shall pay any costs related to the replacement, including costs in connection with the design, construction, transportation, and placement of the new statue, the removal and transportation of the statue being replaced, and any unveiling ceremony.
- (c) Nothing in this section shall be interpreted to permit a State to have more than two statues on display in the Capitol of the United States.
- (d) (1) Subject to the approval of the Joint Committee on the Library, ownership of any statue replaced under this section shall be transferred to the State.
- (2) If any statue is removed from the Capitol of the United States as part of a transfer of ownership under paragraph (1), then it may not be returned to the Capitol for display unless such display is specifically authorized by Federal law.
- (e) The Architect of the Capitol, upon the approval of the Joint Committee on the Library and with the advice of the Commission of Fine Arts as requested, is authorized and directed to relocate within the United States Capitol any of the statues received from the States under section 1814 of the Revised Statutes (40 U.S.C. 187) prior to the date of the enactment of this Act, and to provide for the reception, location, and relocation of the statues received hereafter from the States under such section.

**January 2014.** [Download this page as a PDF.](https://admin.aoc.gov/sites/default/files/statue_replacement_guidelines_2014.pdf) ([https://admin.aoc.gov/sites/default/files/statue\\_replacement\\_guidelines\\_2014.pdf](https://admin.aoc.gov/sites/default/files/statue_replacement_guidelines_2014.pdf))

# EXHIBIT

43



**OFFERED BY** Massachusetts Supreme Judicial Court  
Massachusetts Court System

# History of the John Adams Courthouse

The historic John Adams Courthouse was constructed in 1894.

## Design and Initial Occupants



John Adams Courthouse

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Designed by Boston city architect George A. Clough (1843-1916), the courthouse was completed in 1894 at a cost of approximately \$3.8 million. Clough's reliance on classical elements such as arches, columns, pediments (triangular forms), and cornices (ornamental moldings) typifies this period of American architecture.

The original occupants of the building (the Supreme Judicial Court, the Social Law Library, the Suffolk County Superior Court, the Boston Municipal Court, and the Suffolk County Probate and Family Court)

required more space by the first decade of the twentieth century. In 1909, two additional stories were added to the structure. The addition, also designed by Clough, took the form of a high sloped roof, known as a mansard roof.

In 1939, the Supreme Judicial Court and the Social Law Library moved into the "New" Suffolk County Courthouse next door, an Art Deco tower designed by the architectural firm of Desmond & Lord. In 2005, upon completion of a massive restoration and renovation effort led by the



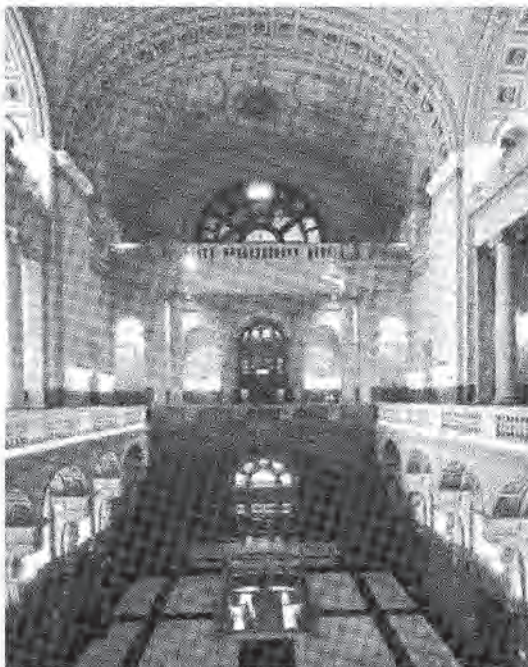
architectural firm of Childs, Bertman, Tseckares, Inc., the Supreme Judicial Court and the Social Law Library, joined by the Appeals Court, returned to the "Old" Suffolk County Courthouse.

On May 14, 2002, Acting Governor Jane Swift signed An Act Designating the Old Suffolk County Courthouse as the John Adams Courthouse in honor of John Adams, author of the Massachusetts Constitution, former Chief Justice of the Supreme Judicial Court, and second President of the United States. At a ceremony celebrating the designation, then Supreme Judicial Court Chief Justice Margaret Marshall remarked:

John Adams was the ingenious architect of our Constitution. He believed passionately that all people were born with certain rights that no government could take away. Driven by this vision of freedom, he devised an

entirely new structure of government, one that had never been tried before. His draft of the Massachusetts Constitution proposed a balanced government, where the judicial branch existed independently but co-equally with the Executive and the Legislature. The notion that judges would decide cases based on the rule of law rather than the demands of the powerful was radical for its time. Yet the idea of an independent judiciary has become one of the great cornerstones of human freedom.

## The Great Hall: History and Design



The Great Hall

The Great Hall serves as a ceremonial space, an exhibition space, and a grand internal corridor linking Pemberton Square and Government Center to Ashburton Place and the Massachusetts State House on Beacon Hill. Albert Haberstroh, of the Boston firm of L. Haberstroh & Son, designed the mural decorations in the Great Hall.

Bands of classical coffers with rosettes demarcate the barrel vaulted ceiling of the Great Hall.

The ceiling's central painted panel features the seal of the Commonwealth, which depicts a Native American holding an arrow pointed downward in a gesture of peace.

A blue ribbon surrounding the figure contains the Latin phrase, "Ense petit placidam sub libertate quietam" ("By the sword we seek peace, but peace only under liberty").

## Sculptor Domingo Mora

The Spanish sculptor, Domingo Mora (1840-1911), created sixteen life-sized allegorical figures for the Great Hall. Beginning with the figure closest to the North Elevator, these figures represent Law, Temperance, Prudence, Justice, Fortitude, Punishment, Guilt, Equity, Right, Innocence, Reward, Wisdom, Religion, Virtue, Reason, and Legislation.



Allegorical figures by Domingo Mora

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## Rufus Choate

Also in the Great Hall is a bronze statue of the noted Massachusetts attorney and statesman Rufus Choate (1799-1859). Choate was regarded as Boston's finest trial attorney of his time and served in the United States House of Representatives (1830-1834) and the United States Senate (1841-1845). He was also a great defender of the institution of an independent judiciary as envisioned by John Adams and spoke eloquently in its defense at the state constitutional convention of 1853.



Rufus Choate statue by Daniel  
Chester French

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## Sculptor Daniel Chester French

The Rufus Choate statue was sculpted by Daniel Chester French (1850-1931) for the original opening of the courthouse.

French is perhaps best known for the statue of Abraham Lincoln sited in the Lincoln Memorial in Washington, D.C. Another of his well-known works is the Minute

Man statue at Concord's North Bridge in Minute Man National Historical Park. Prior to the statue's recent cleaning, only Choate's left toe gleamed--a condition attributable to the routine practice of attorneys rubbing the litigator's foot for good luck.

## Contact

### John Adams Courthouse Contact Information

#### Online

##### Supreme Judicial Court Contact Information

(/info-details/supreme-judicial-court-contact-information)

#### Phone

##### Supreme Judicial Court main phone: 617-557-1000

Hours: Mon. - Fri., 8:30 a.m. - 4:30 p.m.

**Appeals Court main phone: 617-921-4443**

Hours: Mon. - Fri., 8:30 a.m. - 4:30 p.m.

**Social Law Library main phone: 617-226-1500**

Hours: Mon.-Fri. 8:30 a.m.- 4:30 p.m.

**For information on emergency or weather-related closures and delays call:**

**617-557-1000**

## **Address**

1 Pemberton Square, Boston , MA 02108

### **Directions**

(<https://maps.google.com/?q=1+Pemberton+Square%2C+Boston+%2C+MA+02108>)

## **RELATED**

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### **Visit the John Adams Courthouse**

(</info-details/visit-the-john-adams-courthouse>)

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# **EXHIBIT**

**44**

Search:

> You are only searching: Art Inventories

More Smithsonian Searches

Who else has...

- Pratt, Bela Lyon,
- Gorham Manufacturing Company,
- Shepley, Rutan and Coolidge,
- Portrait male -- Hale, Edward Everett
- Occupation -- Religion
- Occupation -- Writer
- Dress -- Accessory
- Dress -- Accessory
- Outdoor Sculpture -- Massachusetts -- Boston
- Sculpture

Edward Everett Hale, (sculpture).

Artist: [Pratt, Bela Lyon, 1867-1917, sculptor.](#)  
[Gorham Manufacturing Company, founder.](#)  
[Shepley, Rutan and Coolidge, architectural firm.](#)

Title: Edward Everett Hale, (sculpture).

Dates: Dedicated March 3, 1913.



Medium: Sculpture: bronze, Base: pink Milford granite.

Dimensions: Figure: approx. H. 8 ft. x Diam. 3 ft. 2 in.; Base: approx. H. 3 ft. 10 in. x Diam. 6 ft.

Inscription: (On base:) EDWARD EVERETT HALE (Inscribed proper right side base:) GORHAM CO. FOUNDERS (Inscribed top of base, rear) B.L. PRATT 1919 signed Founder's mark appears.

Description: Standing male figure wearing an overcoat. He holds a hat in his proper left hand and a cane in his proper right hand.

Subject: [Portrait male -- Hale, Edward Everett -- Full length](#)  
[Occupation -- Religion -- Clergy](#)  
[Occupation -- Writer](#)  
[Dress -- Accessory -- Cane](#)  
[Dress -- Accessory -- Hat](#)

Object Type: [Outdoor Sculpture -- Massachusetts -- Boston](#)  
[Sculpture](#)

Owner: [Administered by City of Boston, Boston Art Commission, Office of Cultural Affairs, Boston City Hall, Room 716, Boston, Massachusetts 02201](#)  
[Located Boston Public Garden, Near Charles Street, Boston, Massachusetts](#)

Remarks: Statue commemorates Edward Everett Hale (d. 1909), a preacher, scholar, author and patriot. The statue was unveiled in 1913 by Hale's grandson, Edward E. Hale. The statue was funded by public subscription. IAS files contain related conservation information. Carlock's text gives 1913 as execution date; Art Commission reports piece inscribed with date of 1919.

References: Save Outdoor Sculpture, Massachusetts survey, 1993.  
Carlock, Marty, "A Guide to Public Art in Greater Boston," Harvard Common Press, 1988, pg. 33.  
Index of American Sculpture, University of Delaware, 1985.  
Zoukee, Sophye M., "Adopt-A-Statue Casebook," Boston: City of Boston, 1990.  
Boston Art Commission, 1991.  
National Park Service, American Monuments and Outdoor Sculpture Database, MA0076, 1989.  
Monumental News, Aug. 1910; May 1913.

Illustration: Carlock, Marty, "A Guide to Public Art in Greater Boston," Boston: Harvard Common Press, 1988, pg. 33.  
Zoukee, Sophye M., "Adopt-A-Statue Casebook," Boston: City of Boston, 1990, pg. 40.

Note: The information provided about this artwork was compiled as part of the Smithsonian American Art Museum's Inventories of American Painting and Sculpture database, designed to provide descriptive and location information on artworks by American artists in public and private collections worldwide.

Repository: Inventories of American Painting and Sculpture, Smithsonian American Art Museum, P.O. Box 37012, MRC 970, Washington, D.C. 20013-7012

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# EXHIBIT

45



## National Statuary Hall Collection By Location

The National Statuary Hall Collection in the United States Capitol Building is comprised of statues donated by individual states to honor persons notable in their history.



*A few of the statues located in the U.S. Capitol's Hall of Columns.*

Statues are currently located in [National Statuary Hall](https://www.aoc.gov/explore-capitol-campus/buildings-grounds/capitol-building/house-wing/statuary-hall) (<https://www.aoc.gov/explore-capitol-campus/buildings-grounds/capitol-building/house-wing/statuary-hall>), [the Capitol Visitor Center](https://www.aoc.gov/explore-capitol-campus/buildings-grounds/capitol-building/capitol-visitor-center) (<https://www.aoc.gov/explore-capitol-campus/buildings-grounds/capitol-building/capitol-visitor-center>), [the CRVPL](https://www.aoc.gov/explore-capitol-campus/buildings-grounds/in-capitol-building/crvpl) (<https://www.aoc.gov/explore-capitol-campus/buildings-grounds/in-capitol-building/crvpl>), [the Hall of Columns](https://www.aoc.gov/explore-capitol-campus/buildings-grounds/in-capitol-building/house-wing/hall-of-columns) (<https://www.aoc.gov/explore-capitol-campus/buildings-grounds/in-capitol-building/house-wing/hall-of-columns>), [the Rotunda](https://www.aoc.gov/explore-capitol-campus/buildings-grounds/in-capitol-building/rotunda) (<https://www.aoc.gov/explore-capitol-campus/buildings-grounds/in-capitol-building/rotunda>) and various areas throughout the House and Senate wings of the Capitol.

The list below sorts the statues by their location in the U.S. Capitol building.

Location	Statue	State
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Location	Statue	State
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall/samuel-adams">Samuel Adams</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall-collection?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=89&amp;location=All">Massachusetts</a>
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall/john-caldwell">John Caldwell</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall/john-caldwell-calhoun">Calhoun</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall-collection?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=16&amp;location=All">South Carolina</a>
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall/charles-carroll">Charles Carroll</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall-collection?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=58&amp;location=All">Maryland</a>
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall/billy-graham">Billy Graham</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall-collection?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=10&amp;location=All">North Carolina</a>
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall/nathanael-greene">Nathanael Greene</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall-collection?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=107&amp;location=All">Rhode Island</a>
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall/robert-r-livingston">Robert R. Livingston</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall-collection?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=101&amp;location=All">New York</a>
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall/crawford-w-long">Crawford W. Long</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall-collection?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=78&amp;location=All">Georgia</a>
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall/john-peter-gabriel-muhlenberg">John Peter Gabriel Muhlenberg</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/statuary-hall-collection?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=40&amp;location=All">Pennsylvania</a>

Location	Statue	State
	<a href="https://www.aoc.gov/explore-capitol-campus/art/john-peter-gibral">art/john-peter-gibral</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/john-peter-gibral">art/john-peter-gibral</a>	
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/caesar-rodney">Caesar Rodney</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/caesar-rodney">https://www.aoc.gov/explore-capitol-campus/art/caesar-rodney</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/caesar-rodney">Delaware</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/caesar-rodney">https://www.aoc.gov/explore-capitol-campus/art/caesar-rodney</a> ) <a href="https://www.aoc.gov/explore-capitol-campus/art/caesar-rodney">search&amp;artist=All&amp;collection%5B19%5D%5D&amp;state=76&amp;location=All</a>
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/roger-herman">Roger Sherman</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/roger-herman">https://www.aoc.gov/explore-capitol-campus/art/roger-herman</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/roger-herman">Connecticut</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/roger-herman">https://www.aoc.gov/explore-capitol-campus/art/roger-herman</a> ) <a href="https://www.aoc.gov/explore-capitol-campus/art/roger-herman">search&amp;artist=All&amp;collection%5B19%5D%5D&amp;state=75&amp;location=All</a>
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/john-stark">John Stark</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/john-stark">https://www.aoc.gov/explore-capitol-campus/art/john-stark</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/john-stark">New Hampshire</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/john-stark">https://www.aoc.gov/explore-capitol-campus/art/john-stark</a> ) <a href="https://www.aoc.gov/explore-capitol-campus/art/john-stark">search&amp;artist=All&amp;collection%5B19%5D%5D&amp;state=9&amp;location=All</a>
Crypt	<a href="https://www.aoc.gov/explore-capitol-campus/art/richard-stockton">Richard Stockton</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/richard-stockton">https://www.aoc.gov/explore-capitol-campus/art/richard-stockton</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/richard-stockton">New Jersey</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/richard-stockton">https://www.aoc.gov/explore-capitol-campus/art/richard-stockton</a> ) <a href="https://www.aoc.gov/explore-capitol-campus/art/richard-stockton">search&amp;artist=All&amp;collection%5B19%5D%5D&amp;state=9&amp;location=All</a>
Capitol Visitor Center	<a href="https://www.aoc.gov/explore-capitol-campus/art/william-edgar-borah">William Edgar Borah</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/william-edgar-borah">https://www.aoc.gov/explore-capitol-campus/art/william-edgar-borah</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/william-edgar-borah">Idaho</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/william-edgar-borah">https://www.aoc.gov/explore-capitol-campus/art/william-edgar-borah</a> ) <a href="https://www.aoc.gov/explore-capitol-campus/art/william-edgar-borah">search&amp;artist=All&amp;collection%5B19%5D%5D&amp;state=80&amp;location=All</a>
Capitol Visitor Center	<a href="https://www.aoc.gov/explore-capitol-campus/art/johnny-cash">Johnny Cash</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/johnny-cash">https://www.aoc.gov/explore-capitol-campus/art/johnny-cash</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/johnny-cash">Arkansas</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/johnny-cash">https://www.aoc.gov/explore-capitol-campus/art/johnny-cash</a> ) <a href="https://www.aoc.gov/explore-capitol-campus/art/johnny-cash">search&amp;artist=All&amp;collection%5B19%5D%5D&amp;state=72&amp;location=All</a>
Capitol Visitor Center	<a href="https://www.aoc.gov/explore-capitol-campus/art/willie-entler">Willie Entler</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/willie-entler">https://www.aoc.gov/explore-capitol-campus/art/willie-entler</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/willie-entler">Nebraska</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/willie-entler">https://www.aoc.gov/explore-capitol-campus/art/willie-entler</a> ) <a href="https://www.aoc.gov/explore-capitol-campus/art/willie-entler">search&amp;artist=All&amp;collection%5B19%5D%5D&amp;state=95&amp;location=All</a>

Location	Statue	State
Capitol Visitor Center	<a href="#">John Middleton Clayton</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/john-middleton-clayton">https://www.aoc.gov/explore-capitol-campus/art/john-middleton-clayton</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=70&amp;location=All">Delaware</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=70&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=70&amp;location=All</a> )
Capitol Visitor Center	<a href="#">James Zachariah George</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/jameszachariah-george">https://www.aoc.gov/explore-capitol-campus/art/jameszachariah-george</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=92&amp;location=All">Mississippi</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=92&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=92&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Ernest Gruening</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/ernest-gruening">https://www.aoc.gov/explore-capitol-campus/art/ernest-gruening</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=70&amp;location=All">Alaska</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=70&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=70&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Wade Hampton</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/wade-hampton">https://www.aoc.gov/explore-capitol-campus/art/wade-hampton</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=40&amp;location=All">South Carolina</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=40&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=40&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Kamehameha I</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/kamehameha-i">https://www.aoc.gov/explore-capitol-campus/art/kamehameha-i</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=79&amp;location=All">Hawaii</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=79&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=79&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Mother Joseph</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/mother-joseph">https://www.aoc.gov/explore-capitol-campus/art/mother-joseph</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=115&amp;location=All">Washington</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=115&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=115&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Helen Keller</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/helen-keller">https://www.aoc.gov/explore-capitol-campus/art/helen-keller</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=67&amp;location=All">Alabama</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=67&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=67&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Eusebio Kino</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/eusebio-kino">https://www.aoc.gov/explore-capitol-campus/art/eusebio-kino</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=70&amp;location=All">Arizona</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=70&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=70&amp;location=All</a> )

Location	Statue	State
Capitol Visitor Center	<a href="#">Ephraim McDowell</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/ephraim-mcdowell">https://www.aoc.gov/explore-capitol-campus/art/ephraim-mcdowell</a>	<a href="#">Kentucky</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=25&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=25&amp;location=All</a> )
Capitol Visitor Center	<a href="#">John McLoughlin</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/john-mcloughlin">https://www.aoc.gov/explore-capitol-campus/art/john-mcloughlin</a>	<a href="#">Oregon</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=19&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=19&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Popay (https://www.aoc.gov/explore-capitol-campus/art/popay/)</a>	<a href="#">New Mexico</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=39&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=39&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Jeannette Rankin (https://www.aoc.gov/explore-capitol-campus/art/jeannetterankin)</a>	<a href="#">Montana</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=9&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=9&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Sakakwea (https://www.aoc.gov/explore-capitol-campus/art/sakakwea)</a>	<a href="#">North Dakota</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=02&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=02&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Maria L. Sanford (https://www.aoc.gov/explore-capitol-campus/art/maria-sanford)</a>	<a href="#">Minnesota</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=01&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=01&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Jack Swiger Jr. (https://www.aoc.gov/explore-capitol-campus/art/jack-swigerjr)</a>	<a href="#">Colorado</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=7&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=7&amp;location=All</a> )
Capitol Visitor Center	<a href="#">Joseph Ward (https://www.aoc.gov/explore-capitol-campus/art/joseph-ward)</a>	<a href="#">South Dakota</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=04&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search&amp;artist=All&amp;collection%5B19%5D-19&amp;state=04&amp;location=All</a> )

Location	Statue	State
Capitol Visitor Center	<a href="https://www.aoc.gov/explore-capitol-campus/art/Chief-Washakie">Chief Washakie</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/Chief-Washakie">Wyoming</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/Chief-Washakie">https://www.aoc.gov/explore-capitol-campus/art/Chief-Washakie</a> )
Capitol Visitor Center	<a href="https://www.aoc.gov/explore-capitol-campus/art/Edward-Douglas-White">Edward Douglas White</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/Edward-Douglas-White">Louisiana</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/Edward-Douglas-White">https://www.aoc.gov/explore-capitol-campus/art/Edward-Douglas-White</a> )
Capitol Visitor Center	<a href="https://www.aoc.gov/explore-capitol-campus/art/Sarah-Wintemucca">Sarah Wintemucca</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/Sarah-Wintemucca">Nevada</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/Sarah-Wintemucca">https://www.aoc.gov/explore-capitol-campus/art/Sarah-Wintemucca</a> )
Hall of Columns	<a href="https://www.aoc.gov/explore-capitol-campus/art/Stephen-Austin">Stephen Austin</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/Stephen-Austin">Texas</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/Stephen-Austin">https://www.aoc.gov/explore-capitol-campus/art/Stephen-Austin</a> )
Hall of Columns	<a href="https://www.aoc.gov/explore-capitol-campus/art/Jacob-Collamer">Jacob Collamer</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/Jacob-Collamer">Vermont</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/Jacob-Collamer">https://www.aoc.gov/explore-capitol-campus/art/Jacob-Collamer</a> )
Hall of Columns	<a href="https://www.aoc.gov/explore-capitol-campus/art/Father-Damien">Father Damien</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/Father-Damien">Hawaii</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/Father-Damien">https://www.aoc.gov/explore-capitol-campus/art/Father-Damien</a> )
Hall of Columns	<a href="https://www.aoc.gov/explore-capitol-campus/art/John-Gorrie">John Gorrie</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/John-Gorrie">Florida</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/John-Gorrie">https://www.aoc.gov/explore-capitol-campus/art/John-Gorrie</a> )
Hall of Columns	<a href="https://www.aoc.gov/explore-capitol-campus/art/John-Hanson">John Hanson</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art/John-Hanson">Maryland</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/John-Hanson">https://www.aoc.gov/explore-capitol-campus/art/John-Hanson</a> )

Location	Statue	State
Hall of Columns	<a href="https://www.aoc.gov/explorer/capitol-campus/art/philip-kearney">Philip Kearny</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/philip-kearney">https://www.aoc.gov/explorer/capitol-campus/art/philip-kearney</a>	<a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=9&amp;location=All">New Jersey</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=9&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=9&amp;location=All</a> )
Hall of Columns	<a href="https://www.aoc.gov/explorer/capitol-campus/art/john-e-kenna">John E. Kenna</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/john-e-kenna">https://www.aoc.gov/explorer/capitol-campus/art/john-e-kenna</a>	<a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=16&amp;location=All">West Virginia</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=16&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=16&amp;location=All</a> )
Hall of Columns	<a href="https://www.aoc.gov/explorer/capitol-campus/art/sannej-jordan-kirkwood">Sannej Jordan Kirkwood</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/sannej-jordan-kirkwood">https://www.aoc.gov/explorer/capitol-campus/art/sannej-jordan-kirkwood</a>	<a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=5&amp;location=All">IOWA</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=5&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=5&amp;location=All</a> )
Hall of Columns	<a href="https://www.aoc.gov/explorer/capitol-campus/art/patrick-anthony-mccarran">Patrick Anthony McCarran</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/patrick-anthony-mccarran">https://www.aoc.gov/explorer/capitol-campus/art/patrick-anthony-mccarran</a>	<a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=9&amp;location=All">Nevada</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=9&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=9&amp;location=All</a> )
Hall of Columns	<a href="https://www.aoc.gov/explorer/capitol-campus/art/esther-hobart-morris">Esther Hobart Morris</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/esther-hobart-morris">https://www.aoc.gov/explorer/capitol-campus/art/esther-hobart-morris</a>	<a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=18&amp;location=All">Wyoming</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=18&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=18&amp;location=All</a> )
Hall of Columns	<a href="https://www.aoc.gov/explorer/capitol-campus/art/oliver-hazard-perry-morton">Oliver Hazard Perry Morton</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/oliver-hazard-perry-morton">https://www.aoc.gov/explorer/capitol-campus/art/oliver-hazard-perry-morton</a>	<a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=8&amp;location=All">Indiana</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=8&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=8&amp;location=All</a> )
Hall of Columns	<a href="https://www.aoc.gov/explorer/capitol-campus/art/florence-r-sabin">Florence R. Sabin</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/florence-r-sabin">https://www.aoc.gov/explorer/capitol-campus/art/florence-r-sabin</a>	<a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=7&amp;location=All">Colorado</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=7&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art/?search&amp;artist=All&amp;collection%5B19%5D%5B%5D&amp;state=7&amp;location=All</a> )

Location	Statue	State
Hall of Columns	<a href="https://www.aoc.gov/explore/capitol-campus/art/james-shields">James Shields</a>	<a href="https://www.aoc.gov/explore/capitol-campus/art?search&amp;artist=All&amp;collection%5B%5D%5D%5D&amp;state=81&amp;location=All">Illinois</a>
Hall of Columns	<a href="https://www.aoc.gov/explore/capitol-campus/art/roger-williams">Roger Williams</a>	<a href="https://www.aoc.gov/explore/capitol-campus/art?search&amp;artist=All&amp;collection%5B%5D%5D%5D&amp;state=19&amp;location=All">Rhode Island</a>
Hall of Columns	<a href="https://www.aoc.gov/explore/capitol-campus/art/john-winthrop">John Winthrop</a>	<a href="https://www.aoc.gov/explore/capitol-campus/art?search&amp;artist=All&amp;collection%5B%5D%5D%5D&amp;state=29&amp;location=All">Massachusetts</a>
House connecting corridor, 2nd Floor	<a href="https://www.aoc.gov/explore/capitol-campus/art/edward-lewis-bartlett">Edward Lewis Bartlett</a>	<a href="https://www.aoc.gov/explore/capitol-campus/art?search&amp;artist=All&amp;collection%5B%5D%5D%5D&amp;state=70&amp;location=All">Alaska</a>
House connecting corridor, 2nd Floor	<a href="https://www.aoc.gov/explore/capitol-campus/art/william-king">William King</a>	<a href="https://www.aoc.gov/explore/capitol-campus/art?search&amp;artist=All&amp;collection%5B%5D%5D%5D&amp;state=57&amp;location=All">Maine</a>
House connecting corridor, 2nd Floor	<a href="https://www.aoc.gov/explore/capitol-campus/art/jacques-marquette">Jacques Marquette</a>	<a href="https://www.aoc.gov/explore/capitol-campus/art?search&amp;artist=All&amp;collection%5B%5D%5D%5D&amp;state=11&amp;location=All">Wisconsin</a>
House connecting corridor, 2nd Floor	<a href="https://www.aoc.gov/explore/capitol-campus/art/will-rogers">Will Rogers</a>	<a href="https://www.aoc.gov/explore/capitol-campus/art?search&amp;artist=All&amp;collection%5B%5D%5D%5D&amp;state=10&amp;location=All">Oklahoma</a>
House connecting corridor, 2nd Floor	<a href="https://www.aoc.gov/explore/capitol-campus/art/jonathan-trumbull">Jonathan Trumbull</a>	<a href="https://www.aoc.gov/explore/capitol-campus/art?search&amp;artist=All&amp;collection%5B%5D%5D%5D&amp;state=75&amp;location=All">Connecticut</a>

Location	Statue	State
National Statuary Hall	<a href="#">Ethan Allen</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/ethan-allen">https://www.aoc.gov/explore-capitol-campus/art/ethan-allen</a>	<a href="#">Vermont</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=(E)&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=(E)&amp;location=All</a> )
National Statuary Hall	<a href="#">Daisy Lee Gatson Bates</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/daisy-bates-batue">https://www.aoc.gov/explore-capitol-campus/art/daisy-bates-batue</a>	<a href="#">Arkansas</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=72&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=72&amp;location=All</a> )
National Statuary Hall	<a href="#">William Henry Harrison</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/william-henry-harrison-harrison">https://www.aoc.gov/explore-capitol-campus/art/william-henry-harrison-harrison</a>	<a href="#">South Dakota</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=109&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=109&amp;location=All</a> )
National Statuary Hall	<a href="#">Dr. Mary McLeod Bethune</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/dr-mary-mc-leod-bethune">https://www.aoc.gov/explore-capitol-campus/art/dr-mary-mc-leod-bethune</a>	<a href="#">Florida</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=7&amp;location=All&amp;type%5B%5D=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=7&amp;location=All&amp;type%5B%5D=All</a> )
National Statuary Hall	<a href="#">Francis Preston Blair</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/francis-preston-blair">https://www.aoc.gov/explore-capitol-campus/art/francis-preston-blair</a>	<a href="#">Missouri</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=93&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=93&amp;location=All</a> )
National Statuary Hall	<a href="#">Dr. Norman E. Borlaug</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/norman-e-borlaug">https://www.aoc.gov/explore-capitol-campus/art/norman-e-borlaug</a>	<a href="#">Iowa</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=53&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=53&amp;location=All</a> )
National Statuary Hall	<a href="#">John Burke</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/john-burke">https://www.aoc.gov/explore-capitol-campus/art/john-burke</a>	<a href="#">North Dakota</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=102&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=102&amp;location=All</a> )
National Statuary Hall	<a href="#">Lewis Cass</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/lewis-cass">https://www.aoc.gov/explore-capitol-campus/art/lewis-cass</a>	<a href="#">Michigan</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=90&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=119&amp;state=90&amp;location=All</a> )

Location	Statue	State
Hall	<a href="https://www.aoc.gov/explore-capitol-campus/art/lewis-clay">https://www.aoc.gov/explore-capitol-campus/art/lewis-clay</a>	
National Statuary Hall	<a href="https://www.aoc.gov/explore-capitol-campus/art/henry-clay">Henry Clay</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/henry-clay">https://www.aoc.gov/explore-capitol-campus/art/henry-clay</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=85&amp;location=All">Kentucky</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=85&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=85&amp;location=All</a> )
National Statuary Hall	<a href="https://www.aoc.gov/explore-capitol-campus/art/jefferson-davis">Jefferson Davis</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/jefferson-davis">https://www.aoc.gov/explore-capitol-campus/art/jefferson-davis</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=92&amp;location=All">Mississippi</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=92&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=92&amp;location=All</a> )
National Statuary Hall	<a href="https://www.aoc.gov/explore-capitol-campus/art/amelia-earhart">Amelia Earhart</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/amelia-earhart">https://www.aoc.gov/explore-capitol-campus/art/amelia-earhart</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=84&amp;location=All">Kansas</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=84&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=84&amp;location=All</a> )
National Statuary Hall	<a href="https://www.aoc.gov/explore-capitol-campus/art/thomas-edison">Thomas Edison</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/thomas-edison">https://www.aoc.gov/explore-capitol-campus/art/thomas-edison</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=30&amp;location=All">Ohio</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=30&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=30&amp;location=All</a> )
National Statuary Hall	<a href="https://www.aoc.gov/explore-capitol-campus/art/robert-fulton">Robert Fulton</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/robert-fulton">https://www.aoc.gov/explore-capitol-campus/art/robert-fulton</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=10&amp;location=All">Pennsylvania</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=10&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=10&amp;location=All</a> )
National Statuary Hall	<a href="https://www.aoc.gov/explore-capitol-campus/art/barry-goldwater">Barry Goldwater</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/barry-goldwater">https://www.aoc.gov/explore-capitol-campus/art/barry-goldwater</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=71&amp;location=All">Arizona</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=71&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=71&amp;location=All</a> )
National Statuary Hall	<a href="https://www.aoc.gov/explore-capitol-campus/art/hannibal-hamlin">Hannibal Hamlin</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/hannibal-hamlin">https://www.aoc.gov/explore-capitol-campus/art/hannibal-hamlin</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=87&amp;location=All">Maine</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=87&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=87&amp;location=All</a> )
National Statuary Hall	<a href="https://www.aoc.gov/explore-capitol-campus/art/sam-houston">Sam Houston</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/sam-houston">https://www.aoc.gov/explore-capitol-campus/art/sam-houston</a>	<a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=11&amp;location=All">Texas</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=11&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D%5B19&amp;state=11&amp;location=All</a> )

Location	Statue	State
National Statuary Hall	<a href="#">Robert M. La Follette</a> <a href="https://www.aoc.gov/explore-campus/art/robert-m-la-follette">https://www.aoc.gov/explore-campus/art/robert-m-la-follette</a>	<a href="#">Wisconsin</a> ( <a href="https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=11&amp;location=All">https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=11&amp;location=All</a> )
National Statuary Hall	<a href="#">Jason Lee</a> <a href="https://www.aoc.gov/explore-campus/art/jason-lee">https://www.aoc.gov/explore-campus/art/jason-lee</a>	<a href="#">Oregon</a> ( <a href="https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=105&amp;location=All">https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=105&amp;location=All</a> )
National Statuary Hall	<a href="#">Huey Pierce Long</a> <a href="https://www.aoc.gov/explore-campus/art/huey-pierce-long">https://www.aoc.gov/explore-campus/art/huey-pierce-long</a>	<a href="#">Louisiana</a> ( <a href="https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=86&amp;location=All">https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=86&amp;location=All</a> )
National Statuary Hall	<a href="#">Francis Harrison Pierpont</a> <a href="https://www.aoc.gov/explore-campus/art/francis-harrison-pierpont">https://www.aoc.gov/explore-campus/art/francis-harrison-pierpont</a>	<a href="#">West Virginia</a> ( <a href="https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=11&amp;location=All">https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=11&amp;location=All</a> )
National Statuary Hall	<a href="#">Henry Mower Rice</a> <a href="https://www.aoc.gov/explore-campus/art/henry-mower-rice">https://www.aoc.gov/explore-campus/art/henry-mower-rice</a>	<a href="#">Minnesota</a> ( <a href="https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=21&amp;location=All">https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=21&amp;location=All</a> )
National Statuary Hall	<a href="#">Charles Marion Russell</a> <a href="https://www.aoc.gov/explore-campus/art/charles-marion-russell">https://www.aoc.gov/explore-campus/art/charles-marion-russell</a>	<a href="#">Montana</a> ( <a href="https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=24&amp;location=All">https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=24&amp;location=All</a> )
National Statuary Hall	<a href="#">Sequoyah</a> <a href="https://www.aoc.gov/explore-campus/art/sequoyah">https://www.aoc.gov/explore-campus/art/sequoyah</a>	<a href="#">Oklahoma</a> ( <a href="https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=104&amp;location=All">https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=104&amp;location=All</a> )
National Statuary Hall	<a href="#">Father Junipero Serra</a> <a href="https://www.aoc.gov/explore-campus/art/father-junipero-serra">https://www.aoc.gov/explore-campus/art/father-junipero-serra</a>	<a href="#">California</a> ( <a href="https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=7&amp;location=All">https://www.aoc.gov/explore-campus/art/search?artist=All&amp;collection%5B19%5D=19&amp;state=7&amp;location=All</a> )

Location	Statue	State
	<a href="#">capitol-campus/art/</a> <a href="#">hall(er-janipros-serra)</a>	
National Statuary Hall	<a href="#">John Sevier</a> <a href="https://www.aoc.gov/explore-capitol-campus/art/johnsevier/">https://www.aoc.gov/explore-capitol-campus/art/johnsevier/</a>	<a href="#">Tennessee</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=All&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=All&amp;location=All</a> )
National Statuary Hall	<a href="#">George Laird Shoup</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/george-laird-shoup/">https://www.aoc.gov/explore-capitol-campus/art/george-laird-shoup/</a> )	<a href="#">Idaho</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=All&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=All&amp;location=All</a> )
National Statuary Hall	<a href="#">Chief Standing Bear</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/chief-standing-bear/">https://www.aoc.gov/explore-capitol-campus/art/chief-standing-bear/</a> )	<a href="#">Nebraska</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=All&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=All&amp;location=All</a> )
National Statuary Hall	<a href="#">Alexander Hamilton Stephens</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/alexander-hamilton-stephens/">https://www.aoc.gov/explore-capitol-campus/art/alexander-hamilton-stephens/</a> )	<a href="#">Georgia</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=7&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=7&amp;location=All</a> )
National Statuary Hall	<a href="#">Zebulon Baird Vance</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/zebulon-vance/">https://www.aoc.gov/explore-capitol-campus/art/zebulon-vance/</a> )	<a href="#">North Carolina</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=47&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=47&amp;location=All</a> )
National Statuary Hall	<a href="#">Lewis Wallace</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/lewis-wallace/">https://www.aoc.gov/explore-capitol-campus/art/lewis-wallace/</a> )	<a href="#">Indiana</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=8&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=8&amp;location=All</a> )
National Statuary Hall	<a href="#">Daniel Webster</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/daniel-webster/">https://www.aoc.gov/explore-capitol-campus/art/daniel-webster/</a> )	<a href="#">New Hampshire</a> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=9&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art/search?artist=All&amp;collection%5B19%5D%5B19&amp;state=9&amp;location=All</a> )

Location	Statue	State
National Statuary Hall	<u>Joseph Wheeler</u> <a href="https://www.aoc.gov/explore-capitol-campus/art/joseph-wheeler">https://www.aoc.gov/explore-capitol-campus/art/joseph-wheeler</a>	<u>Alabama</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=09&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=09&amp;location=All</a> )
National Statuary Hall	<u>Marcus Whitman</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/marcus-whitman">https://www.aoc.gov/explore-capitol-campus/art/marcus-whitman</a> )	<u>Washington</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=11&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=11&amp;location=All</a> )
National Statuary Hall	<u>Frances E. Willard</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/frances-willard">https://www.aoc.gov/explore-capitol-campus/art/frances-willard</a> )	<u>Illinois</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=17&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=17&amp;location=All</a> )
National Statuary Hall	<u>Brigham Young</u> <a href="https://www.aoc.gov/explore-capitol-campus/art/brigham-young">https://www.aoc.gov/explore-capitol-campus/art/brigham-young</a>	<u>Utah</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=49&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=49&amp;location=All</a> )
Rotunda	<u>Dwight D. Eisenhower</u> <a href="https://www.aoc.gov/explore-capitol-campus/art/dwight-d-eisenhower">https://www.aoc.gov/explore-capitol-campus/art/dwight-d-eisenhower</a>	<u>Kansas</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=20&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=20&amp;location=All</a> )
Rotunda	<u>Gerald R. Ford Jr.</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/gerald-r-ford">https://www.aoc.gov/explore-capitol-campus/art/gerald-r-ford</a> )	<u>Michigan</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=26&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=26&amp;location=All</a> )
Rotunda	<u>James A. Garfield</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/james-garfield">https://www.aoc.gov/explore-capitol-campus/art/james-garfield</a> )	<u>Ohio</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=31&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=31&amp;location=All</a> )
Rotunda	<u>Andrew Jackson</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art/andrew-jackson">https://www.aoc.gov/explore-capitol-campus/art/andrew-jackson</a> )	<u>Tennessee</u> ( <a href="https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=40&amp;location=All">https://www.aoc.gov/explore-capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=40&amp;location=All</a> )

Location	Statue	State
Rotunda	<a href="#">Ronald Wilson Reagan</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/round-wilsonreagan">https://www.aoc.gov/explorer/capitol-campus/art/round-wilsonreagan</a>	<a href="#">California</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=75&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=75&amp;location=All</a> )
Rotunda	<a href="#">Harry S. Truman</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/harry-trumanstatue">https://www.aoc.gov/explorer/capitol-campus/art/harry-trumanstatue</a>	<a href="#">Missouri</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=29&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=29&amp;location=All</a> )
Rotunda	<a href="#">George Washington</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/george-washington">https://www.aoc.gov/explorer/capitol-campus/art/george-washington</a>	<a href="#">Virginia</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=14&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=14&amp;location=All</a> )
Senate Wing, 2nd Floor	<a href="#">Dennis Chavez</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/dennis-chavez">https://www.aoc.gov/explorer/capitol-campus/art/dennis-chavez</a>	<a href="#">New Mexico</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=39&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=39&amp;location=All</a> )
Senate Wing, 2nd Floor	<a href="#">George Clinton</a> <a href="https://www.aoc.gov/explorer/capitol-campus/art/george-clinton">https://www.aoc.gov/explorer/capitol-campus/art/george-clinton</a>	<a href="#">New York</a> ( <a href="https://www.aoc.gov/explorer/capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=100&amp;location=All">https://www.aoc.gov/explorer/capitol-campus/art?search&amp;artist=All&amp;collection%5B19%5D=19&amp;state=100&amp;location=All</a> )

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

SUPERIOR COURT  
CIVIL ACTION NO. 2582-CV-0576

_____	)
CLAIRE FITZMAURICE, ET AL,	)
	)
Plaintiffs,	)
	)
vs.	)
	)
THE CITY OF QUINCY, ET AL,	)
	)
Defendants.	)
_____	)

**EMERGENCY MOTION OF QUINCY’S FIRE AND POLICE  
UNIONS FOR PERMISSIVE INTERVENTION AS DEFENDANTS**

**Introduction**

Prospective Intervenors the Quincy Firefighters, Local 792, IAFF (the “Quincy Fire”), the Quincy Police Patrol Officers Association (the “Quincy Police”) hereby, pursuant to Mass.R.Civ.P. 24(b), moves this Court on an emergency basis – explained below – for permissive invention in this matter (the “Emergency Motion for Intervention”), for the following reasons:

- (1) Florian is an ancient representation of heroic action by firefighters and Michael the Archangel is the same for police; as such they are universal and highly respected representations of firefighters and police and of their high calling;
- (2) The Proposed Statues of Florian and Michael the Archangel are symbolic and general representations of Quincy firefighters and police themselves, not of the City of Quincy in general; the firefighters and police have the greatest interest, perhaps even more so than the City of Quincy, in protecting these Proposed Statues; it would be a hurtful badge of shame for the firefighters and police for the Proposed Statues now to be barred by court order;
- (3) The Quincy firefighters and police will defend the Proposed Statues in this court on the same facts and law as the City of Quincy, but perhaps with even more vehemence.

### Emergency Basis

The undersigned counsel for the Proposed Intervenors was formally, by the signing of an Engagement Letter, retained today, Tuesday, August 5, 2025. He was for that reason reluctant to serve or file any motion or opposition without being formally retained.

There is a hearing on Plaintiff's Motion for Preliminary Injunction and Defendant's Motion to Dismiss to be held on Tuesday, August 19, 2025. This is a critical hearing in this matter and which may even be dispositive of this entire matter at the Superior Court level. The Proposed Intervenors, with an equal or greater stake in this matter than the City of Quincy, have a right to be heard at that August 19, 2025 hearing. That August 19<sup>th</sup> hearing date is 14 days from today, August 5<sup>th</sup>.

However, regular service even today under Superior Court Rule 9A would give Plaintiffs' 16 days to respond, which would be August 21<sup>st</sup>, which is too late. And the meet and confer here was scheduled, at the Plaintiffs' choice, on Wednesday August 6<sup>th</sup>, and 16 days after that is, August 22<sup>nd</sup>, again late (very late).

And the legal positions which the Proposed Intervenors take are identical to those taken by the City of Quincy in its Memorandum In Opposition To Motion For Preliminary Injunction. There are no surprises or ambush here.

Only an Emergency filing solves this timing problem.

In fairness it appears that the main reason Plaintiffs don't want Quincy Fire and Police to be heard at the August 19<sup>th</sup> hearing is that they don't want the parties heard then whom their Motion for Preliminary Injunction – which may be dispositive of this entire matter - most concerns.

As a result of all the above, the Proposed Intervenors, on Monday, August 4<sup>th</sup>, emailed the Plaintiffs' counsel, attaching a draft copy of this Motion, saying that they (the Proposed

Intervenors) would file their Emergency Motion for Intervention on Tuesday, August 5<sup>th</sup>, by noon, and asked for the position of Plaintiffs as to this Emergency Motion for Intervention. See Rules of Superior Court 9A (“a party filing an emergency motion shall certify in the motion that it has made a good faith to contact and confer with all parties regarding the subject of the motion, and shall set forth in the motion whether any party assents to or opposes the emergency motion.”). Plaintiffs’ counsel responded by email on the morning of Tuesday, August 5<sup>th</sup>, with that response attached as Exhibit “1” hereto, saying principally, “Plaintiffs oppose the motion to intervene...”

Accordingly, counsel for the Proposed Intervenors hereby certifies that he has complied with the requirements of Rule 9A for emergency motions and that the opposing party, as set forth here in full, has indicated its opposition to this emergency motion.

#### **Plaintiffs’ Claims**

The Complaint in this matter was filed by fifteen residents of the City of Quincy “who practice various faiths.” Complaint, May 27, 2025, p. 2, 1<sup>st</sup> full ¶ (Docket #1).

According to Plaintiffs’ Memorandum in Support of Plaintiffs’ Motion for Preliminary Injunction (Plaintiffs’ Memorandum”), at pp. 1-2, this case is about:

The City of Quincy and Mayor Thomas P. Koch intend to install two statues of Catholic Sants – Saint Michael the Archangel and Saint Florian – on the façade of the City’s new public safety building.... This planned religious display fails to reflect and respect the pluralism of the Quincy community and violates Article 3 of the Massachusetts Declaration of Rights, which provides that ‘all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by the law.... Absent a preliminary injunction enjoining the City from the impending installation of the statues of Catholic saints and spending of taxpayer funds in connection with transporting, storing, and/or installing the statues, Defendants will violate Plaintiffs’ constitutional rights, for which they will have no adequate remedy at law.

#### **Interest of Quincy’s Police and Fire Unions**

##### **Florian, the Firefighters, and the Quincy Statue.**

Florian, a Roman soldier responsible for organizing and leading the Roman army's fire brigades, has been a symbol, both religious and secular, for firefighting and fire fighters for over a thousand years. Statues of Florian on public buildings and symbols of Florian worn by firefighters have existed for a very long time, again, almost 1,000 years. Legend has it that Florian stopped a fire with a single pitcher of water, so he is usually depicted holding a pitcher and single-handedly dousing a fire. For background see this article on Wikipedia available at [https://en.wikipedia.org/wiki/Saint\\_Florian#cite\\_note-13](https://en.wikipedia.org/wiki/Saint_Florian#cite_note-13):

Florian was born around AD 250 in the ancient Roman city of Aelium Cetium, present-day Sankt Pölten, Austria. He joined the Roman Army and advanced in the ranks, rising to commander of the imperial army in the Roman province of Noricum. In addition to his military duties, he was also responsible for organizing and leading firefighting brigades. Florian organized and trained an elite group of soldiers whose sole duty was to fight fires.

A statue of Florian by Josef Josephu was unveiled in Vienna in 1935. It stood at the main firehouse of Vienna, in the city's main square, Am Hof.

In Austria and Germany, "Florian" is the call sign for fire engines, and the annual firefighting equipment trade fair is called "FLORIAN". See <https://www.messe-florian.de/en>.

The Statue of Florian to be installed on the site of Quincy's Public Safety Headquarters shows Florian, wearing a Roman military helmet and chest plate, holding a pitcher of water, and fearlessly and single-handedly dousing a fire. Complaint, ¶ 31, Image 3. This is generally viewed as the role of firefighters in our society – and in Quincy. There is no Christian or other religious symbol anywhere on this Statue. The Statue of Florian is a general symbolic representation of all Quincy firefighters and their high calling.

**Archangel Michael, the Police, and the Quincy Statue.**

See this Law Enforcement Medal available on Amazon, depicting Michael, with an American bald eagle, multiple American flags, carrying weapons of power, holding the scales of justice over defeated but powerful evil, and with no accompanying religious symbols whatsoever:  
<https://www.amazon.com/saint-michael-police/s?k=saint+michael+police>.



The Archangel Michael appears in the *Ketuvim*, after the Torah, or Hebrew Bible, at Dan. 10, Verse 21: "But I will tell you what is inscribed in the book of truth; there is none who contends

by my side against these except Michael, your prince.” The Archangel Michael also appears in the Qur’an at Sura Al-Baqarah, Verse 98 (2:98): “Whoever is an enemy to Allah, His angels, His messengers, and Gabriel and Michael, is an enemy to Allah and will be treated as such.”

The Archangel Michael has long been depicted as the victor over evil and the bringer of justice. He has been the symbol of police and policemen, those charged with defeating evil and bringing justice, for well over a thousand years.

The Statue of Archangel Michael to be installed on the site of Quincy’s Public Safety Headquarters shows Archangel Michael using weapons of power, defending with his shield, and defeating powerful evil. Complaint, ¶ 31, Image 2. This is generally viewed as the role of the police in our society – and in Quincy. There is no Christian or other religious symbol anywhere on this Statue. The Statue of Archangel Michael is a general symbolic representation of all Quincy police and their high calling.

### **Argument**

#### **1. The Standard on a Motion for Permissive Intervention.**

“A judge had broad discretion is considering permissive intervention.” *Corcoran v. Wigglesworth*, 389 Mass. 1002, 1003 (1983). The standard for permissive intervention, set forth at Mass.R.Civ.P. 24(b)(2), is very low: “when an applicant’s claim or defense and the main action have a question of law or fact in common.” Rule 24(b) also provides that: “In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.”

A judge exercising his or her discretion, “balances the advantages to the applicant against any disadvantages to the present parties.” 6 *Mass. Prac. Rules Practice* § 24.3 (3d. ed. Oct. 2024 update). Again, in exercising their discretion, courts must consider that “a person, although not

initially invited to the litigation, must in fairness be granted the opportunity to protect interests which the litigation may detrimentally affect. *Id.* at § 24.1

“Rule 24 does not require the applicant for permissive intervention to establish a substantial interest in the subject matter of the pending litigation.” *Id.* “The rule does not specify any particular interest that will suffice for permissive intervention and, as the Supreme Court said, it ‘plainly dispenses with any requirement that the intervenor will have a direct personal or pecuniary interest in the subject matter of the litigation.’” *7C Fed. Prac. & Proc. Civ.* § 1911 (3d ed. May 2025 update) (addressing the cognate Federal rule, on which the Massachusetts rule is based, and quoting, *S.E.C. v. U.S. Realty & Improvement Co.*, 310 U.S. 434, 439, 60 S.Ct. 1044, 1055 (1940)).

**2. Here, The Proposed Intervenors Have A Sufficient Interest Because Their Questions Of Law And Fact Are Identical To Those Of The City Of Quincy, And The Balance Weighs Heavily In Favor Of The Advantages To the Proposed Intervenors Versus Little To Any Disadvantages To Plaintiffs.**

**a. The Proposed Intervenors Have A Sufficient Interest; They Have Common Questions of Law & Fact With the City of Quincy.**

The Quincy firefighters and police will raise the following facts and law, with such facts and law then cited to the page where that same fact or issue appears in the City of Quincy’s Memorandum In Opposition To Motion For Preliminary Injunction (“Quincy’s Memorandum”):

- Universal Symbols. The Proposed Statues are universal symbols of the high calling and of firefighters and the police - Quincy’s Memorandum, p. 5, 10-13 (same issue);
- Religious Significance Is Not A Bar. Passive symbols are not barred because they happen to have religious significance - Quincy’s Memorandum, p. 5-6 (same issue);
- They Are Not An Establishment of Religion. A religious establishment requires actual public maintenance, just as the Commonwealth for extended periods collected general taxes to support the Congregational Church - Quincy’s Memorandum, p. 6 (same issue);
- There Is No Subordination. There is “no subordination of one sect or denomination to another.” - Quincy’s Memorandum, p. 8 (same issue);

- The *Lemon v. Kurtzman* Test Has Been Abandoned. The test of *Lemon v. Kurtzman* was not reflected in the text or history of the Constitution, and in any event it has been abrogated and is no longer the law. Because the SJC ruled in *Colo v. Treasurer & Receiver Gen.*, 378 Mass. 550, 558 (1970), that the “criteria .. established by the United States Supreme Court for judging claims arising under the First Amendment ... are equally appropriate to claims brought under the cognate provisions of the Massachusetts Constitution,” so now it is equally appropriate, the U.S. Supreme Court having abandoned the *Lemon v. Kurtzman* criteria, for Massachusetts courts to do the same. - Quincy’s Memorandum, p. 7-8 (same issue).

**b. The Balance Is In Favor Of The Prospective Intervenors, Quincy’s Unions.**

There are obvious advantages to the Court permitting the Proposed Intervenors to intervene in this case. The alternative is for the Proposed Intervenors to file a Declaratory Judgment Action seeking a declaration, perhaps on an emergency basis, that the Proposed Statues are perfectly legal. Allowing intervention prevents a multiplicity of cases and therefore simplifies this dispute.

There are no significant disadvantages because, as set forth above, the facts and law to be presented by the Proposed Intervenors are the same as for the City of Quincy.

The Proposed Intervenors do not propose to extend the Tracking Order here.

**Conclusion**

Prospective Intervenors, Quincy Firefighters, Local 792, IAFF and the Quincy Police Patrol Officers Association, hereby respectfully request that their Emergency Motion for Intervention in all respects be allowed and that they be permitted to permissively intervene in this action.

Upon any allowance of this Emergency Motion for Intervention the Proposed Intervenors will file a Joinder of the City of Quincy’s Motion to Dismiss. Thus, no answer from the Proposed Intervenors is necessary at this time.

QUINCY FIRFIGHTERS, LOCAL 792, IAFF,  
QUINCY POLICE PATROL OFFICERS  
ASSOCIATION,

By their attorneys,

/s/ Michael C. Gilleran  
Michael C. Gilleran (BBO No. 192210)  
michael.gilleran@fisherbroyles.com  
FISHERBROYLES, LLP  
75 State Street, Suite 100  
PMB 4418  
Boston, MA 02109  
Mailing Address:  
9 Sessions Street  
Wellesley, MA 02482  
Direct & Mobile: 339.237.1384

Dated: August 5, 2025

**Certificate of Service**

The undersigned hereby certifies that he today served by email the foregoing and any attached papers on counsel for the Plaintiffs as follows:

Jessie J. Rossman  
Rachel E. Davidson  
Suzanne Schlossberg  
American Civil Liberties Union Foundation  
of Massachusetts, Inc.  
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(617) 482-3170  
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Alexandra Arnold  
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Boston, MA 02111  
(617) 481-0160  
aarnold@clohertysteinberg.com

/s/ Michael C. Gilleran  
Michael C. Gilleran

Dated: August 5, 2025

# **Exhibit “1”**

## Michael Gilleran

---

**From:** Rachel Davidson <RDavidson@aclum.org>  
**Sent:** Tuesday, August 5, 2025 9:45 AM  
**To:** Michael Gilleran; Suzanne Schlossberg; Jessie Rossman; Alexandra Arnold; JAMES TIMMINS  
**Subject:** Re: Fitzmaurice v. City of Quincy; Norfolk Superior Court Civil Action No. 2582CV0576 - Motion for Emergency Intervention

Dear Mike,

Plaintiffs oppose the motion to intervene, and will lay out the basis for their opposition in a separate memorandum, which we will file in the timeline contemplated by Rule 9A unless otherwise ordered by the Court. Plaintiffs also do not believe there is a basis for expedited briefing -- contrary to the statement in your motion, the hearing on August 19 is a scheduling conference and is not a hearing on the merits of either the motion to dismiss or the motion for preliminary injunction. The timing of our meet and confer is also not a basis to expedite, as Plaintiffs' counsel chose one of the dates & times you offered this past Friday afternoon. If you choose to move forward with an emergency motion notwithstanding these clarifications, please indicate that Plaintiffs also oppose that request and please make clear that Plaintiffs' counsel chose one of the dates/times offered by you for the meet and confer.

Thank you.

Best,

Rachel

**Rachel Davidson**  
Staff Attorney  
American Civil Liberties Union Foundation of Massachusetts  
(617) 482-3170 x320

*This message may contain information that is confidential or legally privileged. If you are not the intended recipient, please immediately advise the sender by reply email that this message has been inadvertently transmitted to you and delete this email from your system.*

---

**From:** Michael Gilleran <Michael.Gilleran@fisherbroyles.com>  
**Sent:** Monday, August 4, 2025 2:05 PM  
**To:** Suzanne Schlossberg <SSchlossberg@aclum.org>; Jessie Rossman <JRossman@aclum.org>; Alexandra Arnold <aarnold@clohertysteinberg.com>; Rachel Davidson <RDavidson@aclum.org>; JAMES TIMMINS <jtimmins@quincyma.gov>  
**Subject:** RE: Fitzmaurice v. City of Quincy; Norfolk Superior Court Civil Action No. 2582CV0576 - Motion for Emergency Intervention

Hi All,

I have concluded after carefully checking that a meet and confer to be held on Wednesday, or even today, would be too close to the scheduled August 19<sup>th</sup> hearing for your oppositions to be due before the hearing. See all this explained in detail in the attached Emergency Motion to Intervene.

Therefore, I will give you until tomorrow at noon to offer any comments on the attached before I file it with the Court. I will attach your comments. Also, if you wish an actual conference call meet and confer at any time before noon tomorrow I will set that up too.

Of course, you will still be free to file a full opposition before the hearing.

Mike

**Mike Gilleran**  
Partner

---

**FisherBroyles, LLP**  
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Atlanta | Austin | Boston | Charlotte | Chicago | Cincinnati | Cleveland | Columbus | Dallas | Denver | Detroit | Houston | London | Los Angeles | Miami | Naples | New York | Palo Alto | Philadelphia | Princeton | Salt Lake City | Seattle | Washington, DC

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We will never use email to notify you of a change to any bank account details we have already provided to you. If you receive any email purporting to come from this firm which seeks to do this, then please contact us immediately by telephone and do not act on it or reply to it. We cannot accept responsibility for any loss if you do not follow these instructions.

**From:** Suzanne Schlossberg <SSchlossberg@aclum.org>  
**Sent:** Friday, August 1, 2025 2:36 PM  
**To:** Michael Gilleran <Michael.Gilleran@fisherbroyles.com>; Jessie Rossman <JRossman@aclum.org>; Alexandra Arnold <aarnold@clohertysteinberg.com>; Rachel Davidson <RDavidson@aclum.org>; JAMES TIMMINS <jtimmins@quincyma.gov>  
**Subject:** Re: Fitzmaurice v. City of Quincy; Norfolk Superior Court Civil Action No. 2582CV0576

Mike -

The plaintiffs can discuss on Wednesday, August 6 at 10 AM.

Thanks,

Suzanne

---

**Suzanne Schlossberg**  
Senior Staff Attorney  
American Civil Liberties Union of Massachusetts

270

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

SUPERIOR COURT  
CIVIL ACTION  
NO. 2582-0576

CLAIRE FITZMAURICE, et al.

vs.

THE CITY OF QUINCY, et al.

8/22/25  
RECEIVED & FILED  
CLERK OF THE COURTS  
NORFOLK COUNTY  
8/25/25

**MEMORANDUM OF DECISION AND ORDER ON  
EMERGENCY MOTION OF QUINCY'S FIRE AND POLICE UNIONS FOR  
PERMISSIVE INTERVENTION AS DEFENDANTS**

The underlying litigation is brought by residents and taxpayers of the City of Quincy challenging a decision by Quincy to erect two statues of Catholic saints on the façade of its new public safety building. Plaintiffs contend that the installation and display of the statues violates Article III of the Massachusetts Declaration of Rights. Before the court is a motion for permissive intervention pursuant to Mass. R. Civ. P. 24 (b) brought by the Quincy Firefighters, Local 792, IAFF and the Quincy Police Patrol Officers Association (the "Unions"). Defendants assent to the motion; Plaintiffs oppose it. For the reasons stated below, the court **DENIES** the motion to intervene.

**DISCUSSION**

Permissive intervention pursuant to Mass. R. Civ. P. 24 (b) is allowed at the discretion of the court, upon timely application "(1) when a statute of the Commonwealth confers a conditional right to intervene; or (2) when an applicant's claim or defense and the main action have a question of law or fact in common." "The purpose of Rule 24 (b) is to facilitate the disposal in one action of claims involving common questions of law or fact, thus avoiding both court congestion and undue delay and expense to all parties." See Mass. R. Civ. P. 24, Reporter's Notes (1973). The court has broad discretion in deciding whether permissive intervention is

appropriate. See *Commonwealth v. Fremont Investment & Loan*, 459 Mass. 209, 219 (2011).

“In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.” Mass. R. Civ. P. 24 (b). However, this discretion is not unlimited.

The Unions contend that they should be permitted to intervene because they “will defend the Proposed Statues in this court on the same facts and law as the City of Quincy, but perhaps with even more vehemence.” Union’s Motion at 1. However, for permissive intervention, the Unions must demonstrate that they have a claim or defense that has questions of law or fact in common with this litigation. See *Bolden v. O’Connor Cafe of Worcester, Inc.*, 50 Mass. App. Ct. 56, 71 (2000) (denying permissive intervention where moving party did not establish common question of law or fact in present case that would address moving party’s interest in another action). The Unions here have not done so. Their intent to support Defendants’ position and passionately reinforce Defendants’ arguments is insufficient to meet the requirements of permissive intervention under Mass. R. Civ. P. 24 (b) and therefore does not permit the court to allow intervention.<sup>1</sup> See *Barnstable v. Massachusetts Energy Facilities Siting Bd.*, 2008 WL 4739763, at \*2-\*3 (Mass. Super. 2008) (Quinlan, J.), *aff’d sub nom. Town of Barnstable v. Cape Wind Assocs., LLC*, 75 Mass. App. Ct. 1104 (2009) (denying intervention where proposed intervenor had no claim or defense with questions of law or fact in common with present litigation but “merely [sought] to add its voice in support” of defendant’s position [internal quotation omitted]). An individual’s or group’s passion and vehemence for a cause is not alone a ground for permissive intervention.

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<sup>1</sup> The Unions’ motion to intervene was not accompanied by a pleading setting forth the claim or defense for which intervention was sought, as required by Mass. R. Civ. P. 24 (c). See *Board of Selectmen of Stockbridge v. Monument Inn, Inc.*, 8 Mass. App. Ct. 158, 162 (1979).

Although intervention is not permitted, given the unique historical and current perspective of the Unions, their insight and input would serve to assist the court in making a well-informed decision. Therefore, the court will permit the Unions to submit briefing as an amicus curiae and allow the Unions time to be heard at the upcoming hearing. See *Massachusetts Fed'n of Teachers, AFT, AFL-CIO v. School Comm. of Chelsea*, 409 Mass. 203, 210 n. 6 (1991) (denying intervention where requirements not met but suggesting filing of briefs or memoranda as amici curiae). See also *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 308 F.R.D. 39, 52 (D. Mass.), *aff'd*, 807 F.3d 472 (1st Cir. 2015) (same), also see M.G.L.c. 258B §3(p).

**ORDER**

For the foregoing reasons, the Emergency Motion of Quincy's Fire and Police Unions for Permissive Intervention as Defendants is **DENIED**.

Dated: August 22, 2025

  
William F. Sullivan  
Justice of the Superior Court

Docketed 9/15/2025

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

SUPERIOR COURT  
CIVIL ACTION NO. 2582-CV-0576

_____	)
CLAIRE FITZMAURICE, ET AL,	)
	)
Plaintiffs,	)
	)
vs.	)
	)
THE CITY OF QUINCY, ET AL,	)
	)
Defendants.	)
_____	)

**SUPPLEMENTAL FACTS AND  
ARGUMENT OF THE QUINCY FIRE AND POLICE**

Amicus Curiae consisting of the Quincy Firefighters, Local 792, IAFF (the “Quincy Fire”), and the Quincy Police Patrol Officers Association (the “Quincy Police”) hereby, pursuant to a court order delivered in Open Court on August 19, 2025, provide their pre-hearing additional facts and legal briefing prior to the scheduled September 19, 2025 hearing of all pending motions in this matter.

**Additional Facts**

See Affidavit of Thomas Bowes, President of Quincy Fire, dated September 10, 2025, attached hereto as Exhibit “1.”

¶ 8 – **Florian Is Emotional Support.** “Florian and the fireman’s prayer provide us with emotional support to carry out our duty to protect lives and property while putting our own lives at risk.”

¶¶ 4-6 – **Model For Firefighters Professional Virtues/Values.** “The Proposed Statue of Florian is important to me and Quincy Fire because it depicts what we do every day, the virtues that are most important to our work: honor, courage, bravery.”

**¶ 7 – “Florian Hall” Is The Name of The Main Meeting Place of Firefighters In Massachusetts** – This is located in Dorchester, Mass. It is where we hold memorial services and line of duty funerals for fallen firefighters.

See Affidavit of Gregg Hartnett, President of Quincy Police, dated September 9, 2025 attached hereto as Exhibit “2.”

**¶¶ 4-5 – Michael The Archangel Is The Symbol And Model Of The Police Profession.**

**¶ 6 – The Quincy Police Honor Guard Evokes The Protection of Michael The Archangel For Fallen Policemen And All of Quincy Police.**

### Argument

**I. The SJC In Interpreting Provisions of The Massachusetts Constitution Has Followed Cognate Provisions Of The U.S. Constitution And Is Very Likely To Do So Again; The Policy Based Test of *Lemon v. Kurtzman* Has Been Abandoned.**

**A. The SJC in interpreting the Massachusetts Constitution generally follows the cognate provision of the U.S. Constitution.**

In *Colo v. Treasurer and Receiver General*, 378 Mass. 550, 558 (1979) the SJC held that the ‘criteria ... established by the United States Supreme Court for judging claims arising under the First Amendment ... are equally appropriate to claims brought under the cognate provisions of the Massachusetts Constitution,”

**B. The test of *Lenon v. Kurzman* has been abandoned by the U.S. Supreme Court and would also likely – even necessarily - be abandoned by the SJC.**

The test of *Lenon v. Kurzman* for showing a violation of the No Establishment and Free Exercise Clauses has been abandoned by the U.S. Supreme Court because its complex policy test had nothing to with the actual text or history of No Establishment and Free Exercise clauses in the U.S. Constitution. *Kennedy v. Bremerton School Dist.*, 597 U.S. 307, 535-536, 142 S. Ct. 2407, 2427–28, 213 L.Ed.2d 755 (2022) (“In place of *Lemon* and the endorsement test, this Court has instructed that the Establishment Clause must be interpreted by reference to historical practices

and understandings ... [T]he line that courts and governments ‘must draw between the permissible and the impermissible’ has to accor[d] with history and faithfully reflec[t] the understanding of the Founding Fathers.” (Citations and internal quotes omitted). An additional reason given by the U.S. Supreme Court in *Kennedy v. Bremerton* for abandonment of the policy test of *Lemon v. Kurtzman* was that the No Establishment Clause “does not include anything like a ‘modified heckler’s veto, in which ... religious activity can be proscribed’ based on ‘perceptions’ or ‘discomfort.’” *Id.* at 534.

And as noted just above in the prior point, because the SJC ruled in *Colo v. Treasurer*, at 558, that the “criteria ... established by the United States Supreme Court for judging claims arising under the First Amendment ... are equally appropriate to claims brought under the cognate provisions of the Massachusetts Constitution,” so now it is equally likely, the U.S. Supreme Court having abandoned the *Lemon v. Kurtzman* policy-based test, that Massachusetts courts would do the same. *See Raftery v. State Board of Retirement*, 496 Mass. 402, 415-416, 425 (Aug. 7, 2025) (the SJC regarded U.S. Supreme court decisions as to the Eight Amendment “as persuasive authority and as the proper analysis” under related provisions of the Massachusetts Constitution; the Massachusetts Constitution’s “excessive fines provision, like its federal cognate, is properly analyzed using the factors articulated in *Bajakian* [524 U.S. 321 (1998)].”)

Moreover, no interpretation of a state constitutional provision can stand if it necessarily infringes on the Free Exercise Clause. *Espinoza v. Montana Dept. of Revenue*, 591 U.S. 464, 484-485 (state’s interest separating church and State ‘more fiercely’ than the Federal Constitution” cannot stand “in the face of the infringement of free exercise here.”)

The U.S. Supreme Court has abandoned the policy based test of *Lemon v. Kurtzman*. The SJC, which in *Colo v. Treasurer*, at 558, followed the test *Lemon v. Kurtzman* when it was extant

law, would now likely also abandon *Lemon v. Kurtzman* when it no longer has any precedential gravity in interpreting the U.S. Constitution's No Establishment and Free Exercise Clauses.

**II. Alternatively, The Proposed Statues Are Not Unlawful Under SJC's Interpretation In *Colo v. Treasurer Of The No Establishment And Free Exercise Clauses of the Massachusetts Constitution.***

The No Establishment and Free Exercise Clauses of the Massachusetts Constitution have been interpreted by the SJC in *Colo v. Treasurer and Receiver General*, 378 Mass. 550, 552 n. 4 (1979) (the Free Exercise cognates are at Articles 2 and 3 of the Mass Declaration of Rights (worship peacefully provided no obstruction of others) and the No Establishment cognate is at Article 18, § 2 (no public money for the purpose of maintaining, founding, or aiding any church, religious denomination or society)).

In *Colo*, the SJC held, following the then extant *Lemon v. Kurtzman* test, that state-paid opening invocations are legislative sessions: (1) have a "secular purpose" of "a ritual which prompts legislators to reflect on the gravity of their responsibility and of the acts they are about to perform" - *Colo*, at 559; (2) "Although the opening prayers have a religious nature, it cannot be said that their primary effect is to advance religion... mature legislators may reasonably be assumed to have fully informed their own religious beliefs or nonbeliefs .... [e]ven if it does give recognition to the traditional place that prayer has occupied in such ritual for two centuries." - *Id.* ; and (3) "There is no evidence of excessive entanglement of government with religion ..." *Colo*, *Id.*. The SJC concluded, "The complete obliteration of all vestiges of religious tradition from our public life is unnecessary to carry out the goals of nonestablishment and religious freedom set forth in our State and Federal Constitutions." *Id.* at 561.

**A. There is a secular purpose behind the Proposed Statutes.**

As noted above an in the attached affidavits the Proposed Statues provide to the Quincy Fire and Police, “Emotional Support” where they are called upon to put their own lives at risk, a “Model” of “Professional Virtues and Values,” and “Symbols” of their Professions. These are all without question secular purposes.

**B. Although The Proposed Statues have a religious nature, their primary effect is not to advance religion.**

The same is true here. As noted above an in the attached affidavits the Proposed Statues provide to the Quincy Fire and Police, “Emotional Support” where they are called upon to put their own lives at risk, a “Model” of “Professional Virtues and Values,” and “Symbols” of their Professions. Their primary effect is not to advance religion.

**C. There is No excessive entanglement; The Statutes are Entirely Passive.**

Finally, the Proposed Statues are statues, they are entirely passive.

Accordingly, even under the test in *Colo v. Treasurer*, the Proposed Statues do not violate any concept of No Establishment or Free Exercise and should be held to be lawful in all respects.

**Conclusion**

As a result, all pending motions of the Plaintiffs should be denied and all pending motions of the Defendant should be allowed.

QUINCY FIRFIGHTERS, LOCAL 792, IAFF,  
QUINCY POLICE PATROL OFFICERS  
ASSOCIATION,

By their attorneys,

/s/ Michael C. Gilleran

Michael C. Gilleran (BBO No. 192210)

michael.gilleran@fisherbroyles.com

FISHERBROYLES, LLP

75 State Street, Suite 100

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Mailing Address:  
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Wellesley, MA 02482  
Direct & Mobile: 339.237.1384

Dated: September 10, 2025

**Certificate of Service**

The undersigned hereby certifies that he today served by email the foregoing and attached papers on counsel for the Plaintiffs as follows:

Jessie J. Rossman	Alexandra Arnold
Rachel E. Davidson	Cloherty & Steinberg LLP
Suzanne Schlossberg	One Financial Center, Suite 1120
American Civil Liberties Union Foundation	Boston, MA 02111
of Massachusetts, Inc.	(617) 481-0160
One Center Plaza, Suite 850	aarnold@clohertysteinberg.com
Boston, MA 02108	
(617) 482-3170	
jrossman@aclum.org	
rdavidson@aclum.org	
sschlossberg@aclum.org	

/s/ Michael C. Gilleran  
Michael C. Gilleran

Dated: September 10, 2025

**Exhibit "1"**

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

SUPERIOR COURT  
CIVIL ACTION NO. 2582-CV-0576

\_\_\_\_\_  
CLAIRE FITZMAURICE, ET AL,

Plaintiffs,

vs.

THE CITY OF QUINCY, ET AL,

Defendants.  
\_\_\_\_\_

**AFFIDAVIT OF THOMAS BOWES**

Thomas Bowes, on oath, makes the following affidavit:

1. My name is Tomas Bowes. I am President of Quincy Firefighters, Local 792, IAFF (“Quincy Fire”). I have been a firefighter for twenty-six years. The Board of Quincy Fire has fourteen Executive Members. There are about 282 firefighters of all ranks in Quincy and Quincy Fire represents every one of them. Our Board voted in favor of our involvement in this matter.

2. I make this affidavit on facts of my own personal knowledge and about which I am qualified to testify.

3. Our Board and I have seen the images of the Proposed Statue of Florian to be placed on the new Quincy Public Safety Building, which will be the headquarters of the Quincy Fire Department and out of which many Quincy firefighters will work.

4. The Proposed Statue of Florian is important to me and Quincy Fire because it depicts what we do every day, the virtues that are most important in our work: honor, courage, bravery.

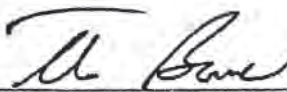
5. We try to represent these values when we are out on the street every day fighting fires and serving the Quincy public.

6. The Proposed Statute is our model of what we want to be. We all try to be, strive to be, in our way, Florian.

7. Florian Hall which is located in Dorchester, MA is recognized as the main meeting place for firefighters in Massachusetts and hosts memorial services, 911 events and line of duty funerals.

8. Florian and the fireman's prayer provide us with the emotional support to carry out our duty to protect lives and property while putting our own lives at risk.

Signed under the penalties of perjury,



Thomas Bowes.

Dated: September 10, 2025

### Certificate of Service

The undersigned hereby certifies that he today served by email the foregoing and attached papers on counsel for the Plaintiffs as follows:

Jessie J. Rossman  
Rachel E. Davidson  
Suzanne Schlossberg  
American Civil Liberties Union Foundation  
of Massachusetts, Inc.  
One Center Plaza, Suite 850  
Boston, MA 02108  
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Alexandra Arnold  
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(617) 481-0160  
aarnold@clohertysteinberg.com

/s/ Michael C. Gilleran  
Michael C. Gilleran

Dated: September 10, 2025

**Exhibit "2"**

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

SUPERIOR COURT  
CIVIL ACTION NO. 2582-CV-0576

\_\_\_\_\_)  
CLAIRE FITZMAURICE, ET AL, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
THE CITY OF QUINCY, ET AL, )  
 )  
Defendants. )  
\_\_\_\_\_)

**AFFIDAVIT OF GREGG HARTNETT**

Gregg Hartnett, on oath, makes the following affidavit:

1. My name is Gregg Harnett. I am President of Quincy Police Patrol Officers Association (“QPPOA”). I have been a police officer since 2003. The Board of QPPOA has four Executive Members. There are about 182 police patrolmen in Quincy and QPPOA represents every one of them. Our Board voted in favor of our involvement in this litigation.
2. I make this affidavit on facts of my own personal knowledge and about which I am qualified to testify.
3. Our Board and I have seen the images of the Proposed Statue of Michael the Archangel to be placed on the new Quincy Public Safety Building, which will be the headquarters of the Quincy Police Department and out of which many Quincy police patrolmen will work.
4. The Proposed Statue of Michael the Archangel is important to me and Quincy Police because he is both the symbol and the model of our profession.
5. Michael the Archangel represents what we do and how we do it.

6. I am a member of the Quincy Police Honor Guard. At all our ceremonies, whether a funeral honoring a fallen police patrolmen, or even something less somber, we evoke the protection for the fallen and all of us of Michael the Archangel.

Signed under the penalties of perjury,

Gregg Hartnett  
Gregg Hartnett

Dated: September 9th, 2025

**Certificate of Service**

The undersigned hereby certifies that he today served by email the foregoing and attached papers on counsel for the Plaintiffs as follows:

Jessie J. Rossman	Alexandra Arnold
Rachel E. Davidson	Cloherty & Steinberg LLP
Suzanne Schlossberg	One Financial Center, Suite 1120
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of Massachusetts, Inc.	(617) 481-0160
One Center Plaza, Suite 850	aarnold@clohertysteinberg.com
Boston, MA 02108	
(617) 482-3170	
jrossman@aclum.org	
rdavidson@aclum.org	
sschlossberg@aclum.org	

/s/ Michael C. Gilleran  
Michael C. Gilleran

Dated: September 10, 2025

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

SUPERIOR COURT  
CIVIL ACTION  
NO. 2582-0576

CLAIRE FITZMAURICE & others<sup>1</sup>

vs.

THE CITY OF QUINCY & another<sup>2</sup>

**MEMORANDUM OF DECISION AND ORDER ON PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND DEFENDANTS' MOTION TO DISMISS**

In 1779, John Adams completed the Massachusetts Constitution. Article 3 of the Declaration of Rights, as amended, provides that "all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law." Nearly 250 years later, less than a half mile away from where John Adams has been laid to rest, the City of Quincy has decided to install two ten-foot bronze statues of Catholic saints on the façade of its newly built public safety building. In this lawsuit, fifteen residents and taxpayers of Quincy, challenge this action of the City of Quincy and its mayor, Thomas P. Koch, asserting it violates Article 3 of the Declaration of Rights.

Before the Court is Plaintiffs' Motion for Preliminary Injunction, seeking an order enjoining Defendants from installing the statues until the Court issues a final ruling on the merits, and Defendants' Motion to Dismiss the complaint pursuant to Mass. R. Civ. P. 12(b)(6). For the following reasons, Defendants' Motion to Dismiss is **DENIED**, and Plaintiffs' Motion for Preliminary Injunction is **ALLOWED**.

<sup>1</sup> Jay Tarantino, Gilana Rosenthol, Dr. Conevery Bolton Valencius, Matthew Valencius, Lucille Digrajo, David Reich, Cynthia Roche-Cotter, Michael Cotter, Sheryl LeClair, Cody Hooks, Salvatore Balsamo, Marianne Balsamo, Martha Plotkin, and Kathleen Geraghty  
<sup>2</sup> Thomas P. Koch, in his capacity as Mayor of Quincy

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## **BACKGROUND**

The following facts are alleged in the Complaint. Evidence submitted in support of the motion for preliminary injunction is reserved for discussion below.

In 2017, Quincy's City Council approved \$500,000 for the design of a new public safety building to replace the City's current police station and house the City's information technology department, the police department, emergency operations center, and fire department administrative offices. The resulting design called for a building four stories tall and approximately 120,000 square feet in size, to be located on Sea Street near the intersection with the Southern Artery. Residents of Quincy would access the building to, *inter alia*, obtain fire permits or records, file and obtain accident reports or police reports, meet with police officers, speak with mental health counselors, attend community meetings and trainings, or utilize the prescription drop box. The Chief of Police, Mark Kennedy, has touted the public accessibility and usability of the building, stating that "community access to police and fire service is going to be like nothing we've ever had in this City before." Compl. at par. 21.

In November 2019, the City Council approved \$32 million in expenditures to acquire the five parcels of land identified for the project site, and to pay for the architectural fees, environmental studies, and permitting for the public safety building. In April 2021, the City Council approved \$120 million for construction of the building, including \$90 million for the building itself; \$10 million for furniture and equipment; \$10 million for nearby infrastructure and utility improvements; and \$10 million for contingencies. In November 2022, due to cost overruns, the City Council approved an additional \$23 million to complete the construction. The public safety building is slated to open this month and, given the resources devoted to its construction, is expected to be a prominent fixture in Quincy for years to come.

In 2023, Mayor Koch, without public notice and at the cost of \$850,000 in taxpayer funds, commissioned the construction of two, ten-foot-tall bronze statues depicting Catholic Saints Michael and Florian to be displayed on the façade of the new public safety building. In Christian scripture, Michael is identified as an archangel who led the forces of the God in a battle against “[t]he huge dragon, the ancient serpent, who is called the Devil and Satan,” and his followers, and threw them down from heaven. *Revelation* 12:7-9. In the Catholic teaching, Saint Michael is venerated as the patron saint of the police.<sup>3</sup> The statue of Saint Michael at issue depicts an armored-clad figure with the wings of an angel, with its left hand holding a shield and its right hand held aloft while he presses his sandaled foot on the head and neck of a demon, whose face is contorted in agony. Florian was a historical figure of the late Third and early Fourth Century A.D. – specifically, a Roman military officer whose responsibilities included organizing and commanding firefighting brigades. He was executed in 304 A.D. during the Diocletianic Persecution of Christians. Catholics venerate Saint Florian as a martyr and the patron saint of firefighters. The statue of Saint Florian depicts him as a larger-than-life figure, pouring water from a vessel on a burning building at his feet while holding a lance aloft in his opposite hand. As with the statute of Saint Micheal, Saint Florian is adorned in torso armor, pteruges, and a cloak. However, in his statue, Saint Florian wears the iconic Roman helmet, the galea, and is not winged as an angel. The two statues have been constructed by a sculptor in Italy and are being shipped to Massachusetts.

Although many aspects of the new building including funding were discussed at length during public meetings, at no point during any of the numerous City Council meetings was the public notified of the plan to install the statues. Nor was the potential for public art of any

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<sup>3</sup> A “patron saint” is “a saint to whose protection and intercession a person, a society, a church, or a place is dedicated.” PATRON SAINT, Merriam-Webster Online Dictionary.

kind—patron saints or otherwise—contemplated by or included in public plans or drawings of the building from the time of initial approval until February 2025. Renderings of the building published in news articles between the project’s inception and February 2025 also did not include the statues.

The public first learned of the proposed statues for the public safety building on February 8, 2025, when the Patriot Ledger published a news article (the “February 8 Article”) reporting that Mayor Koch had commissioned two, ten-ten-foot-tall bronze statues of Catholic saints. According to the February 8 Article, of the nine members of the City Council, two had no prior knowledge of plans for statues of religious figures, one “had heard something about it but didn’t participate in the plans,” one was previously aware of the plan; and the remaining five did not respond to requests for comment. Compl. at par. 34. Ward I Councilor Dave McCarthy, in whose district the new public-safety building is located, admitted during a City Council meeting later that month that he had been informed of the plan “a long time ago.” *Id.* at 35. Councilor McCarthy further stated that he believes the statues “will bless our first responders” and that he hopes first responders “might say a little prayer” before they go out on duty. *Id.*

After the February 8 Article, the City Council discussed the matter at its February 24, 2025 meeting. While Quincy City Council meetings are typically attended by five to ten residents, over two hundred members of the public attended this meeting. Mayor Koch was represented by his Chief of Staff, who confirmed during the meeting that the Mayor had not previously notified City Council, as a body, of the plan to commission and install the statues but rather, that the City Council was just now “finding out about [it]with the [rest of] the public.” *Id.* at 37. The Mayor’s Chief of Staff contended that “the process for these statues begins and ends, and appropriately so, under the Mayor’s discretion” and was ultimately the Mayor’s sole

decision to make. *Id.*

Hundreds of Quincy residents and at least one City Councilor have publicly expressed opposition to the statues. One resident initiated a petition to stop the installation of the statues which has 1,600 signatures. On April 4, 2025, nineteen faith leaders from the Quincy Interfaith Network issued a public statement expressing “grave concerns” about the religious statues. Signatories included local ministers/leaders of the Roman Catholic, Jewish, Unitarian Universalist, Presbyterian, Lutheran, Methodist, and Nazarene faiths. Compl. at par. 53.

As of April 2025, the City has paid at least \$761,378.75 in public funds for the creation of the statues. Additional public funds either have already been diverted or will likely need to be diverted and/or appropriated by Mayor Koch and/or the City to pay for the transportation and installation of the statues.

## **DISCUSSION**

As noted, there are two motions before the Court: Plaintiffs’ Motion for Preliminary Injunction and Defendants’ Motion to Dismiss. The competing motions overlap in their discussion of the applicable law but are subject to distinct standards and permissible scopes of review. Since the Plaintiffs’ motion for injunctive relief inevitably must fail if Defendants are entitled to dismissal, the Court first considers Defendants’ Motion to Dismiss.

### **I. Motion to Dismiss**

When considering a motion to dismiss under Mass. R. Civ. P. 12(b)(6), the court must accept as true the factual allegations in the complaint and draw “all reasonable inferences” from those allegations in favor of the plaintiff. *Dunn v. Genzyme Corp.*, 486 Mass. 713, 717 (2021). While the factual allegations in a complaint need not be detailed, they must present “more than labels and conclusions,” and “be enough to raise a right to relief above the speculative level[.]”

.. ‘plausibly suggesting (not merely consistent with)’ an entitlement to relief.” *Iannacchino v. Ford Motor Co.*, 451 Mass. 623, 636 (2008), quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 557 (2007). In addition to the complaint’s factual allegations, a court may consider matters of public record, orders, items appearing in the record of the case, exhibits attached to the complaint, and documents of which the plaintiff had notice and on which they relied in framing the complaint. *Golchin v. Liberty Mut. Ins. Co.*, 460 Mass. 222, 224 (2011); *Schaer v. Brandeis Univ.*, 432 Mass. 474, 477 (2000).

Defendants argue that Plaintiffs have no standing to assert this action and, regardless, the statutes do not violate Article 3 of the Declaration of Rights. As such, Defendants contend that they are entitled to dismissal of Plaintiffs’ complaint. The Court is not persuaded.

#### **A. Standing**

Standing to assert a claim implicates the Court’s subject matter jurisdiction. *Doe v. The Governor*, 381 Mass. 702, 705 (1980). A party may raise the issue of standing by motion under Rules 12(b)(1) or 12(b)(6). *Id.* In general, when considering standing under Rule 12, the Court must accept the factual allegations of the complaint. *Ginther v. Commissioner of Ins.*, 427 Mass. 319, 322 (1998).

Here, Plaintiffs seek declaratory and injunctive relief for an alleged constitutional violation and assert two grounds for their standing. First, Plaintiffs argue that they have taxpayer standing under G. L. c. 40, § 53. This so-called “ten taxpayer statute” “provides a mechanism for taxpayers to enforce laws relating to the expenditure of tax money by the local government.” *LeClair v. Norwell*, 430 Mass. 328, 332 (1999). Acting as private attorneys general to “enforc[e] laws designed to protect the public interest,” *Edwards v. Boston*, 408 Mass. 643, 646 (1990), ten or more taxable inhabitants of a town may invoke the statute when a town is “about to raise or

expend money or incur obligations purporting to bind said town . . . for any purpose or object or in any manner other than that for and in which such town . . . has the legal and constitutional right and power to raise or expend money or incur obligations.” G. L. c. 40, § 53.

The Complaint alleges sufficient facts to support Plaintiffs’ standing under G. L. c. 40, § 53. Plaintiffs, fifteen Quincy taxpayers, have alleged that unbeknownst to the public, Defendants commissioned two statues to be displayed in the façade of a public building in violation of Article 3; Defendants will likely need to divert and allocate more funds for the transportation and installation of the statues; and neither Defendant “has acted to halt the expenditure or payment of additional public funds in connection with the statues.” Compl. at par. 56. See G. L. c. 40, § 53. In short, the Complaint alleges that Defendants are about to expend money for a purpose other than that which the City has the right, and Plaintiffs, comprised of more than ten taxpayers, have a right to bring a suit to enjoin such action.<sup>4</sup>

Defendants contend that Plaintiffs do not have standing under G. L. c. 40, § 53 because they have not alleged that they are acting as private attorney generals seeking to enforce rights on behalf of the public but rather have only alleged individualized harm as a result of Defendants’ actions. The Court does not agree. The Complaint alleges that Plaintiffs “bring this suit to protect their rights under the Massachusetts Constitution *and* to ensure that their government respects their community’s rich religious pluralism” (emphasis added). Compl., intro. It goes on to explain that Defendants’ decision to spend taxpayer funds without notice to the public and to display the Catholic statues on a public building violates Article 3 by conveying a message that

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<sup>4</sup> The Court does not view the fact that Defendants have already expended a substantial portion – or indeed, most – of the cost of the statues as undermining Plaintiffs’ standing under G.L. c. 40, § 53. The Complaint plausibly alleges, and Defendants do not dispute, that additional funds will be required to transport and install the statues. Moreover, while § 53 may seek to preclude challenges to public projects long since completed, there is no suggestion that it was intended to encourage and reward the covert acts alleged here, where Mayor Koch concealed the plans for the statues from the public and the City Council. To allow this argument as a means to defeat a plaintiff’s standing would be to discourage transparency in government budgeting and spending.

“those who do not subscribe to the City’s preferred religious beliefs are second-class residents who should not feel safe, welcomed, or equally respected by their government.” *Id.* Where the Complaint alleges that Defendants’ actions are counter to the public interest, it can be inferred that they are asserting the action, at least in part, as private attorneys general acting on behalf of the public. Defendants have not cited any caselaw holding that Plaintiffs must explicitly invoke G. L. c. 40, § 53 to have statutory standing, and the Court has found none.

Additionally, Plaintiffs contend that they have individual standing under the declaratory judgment statute, G. L. c. 231A, § 1. “A party has standing [to pursue a declaratory judgment action] when it can allege an injury within the area of concern of a constitutional guarantee under which the injurious action has occurred” (citation omitted). *Kligler v. Attorney Gen.*, 491 Mass. 38, 45 (2022). See *Spear v. Boston*, 345 Mass. 744, 747 (1963) (to proceed under declaratory judgment statute, “[t]he petitioning taxpayers [must have an] interest of their own apart from that of all other taxpayers”). In their Complaint and individual sworn declarations, Plaintiffs have alleged individualized injuries within the area of concern of a constitutional guarantee, namely the subordination of all religions to another, under which the injurious action has occurred. See Compl. pars. 3-17.

Defendants respond that Plaintiffs do not have standing under the declaratory judgment statute because they “are simply offended by the planned statues, and, unwilling to confine themselves to the ordinary means for airing ideological disagreements with the government—the political process—have sought to make a lawsuit of it.” Defs.’ Memo. at 4. The Court is not persuaded. A long line of cases in the federal courts recognize a plaintiff’s standing to assert a constitutional challenge to the display of religious symbols on public property based solely on the plaintiff having to view the symbol. See, e.g., *Salazar v. Buono*, 559 U.S. 700 (2010); *Red*

*River Freethinkers v. City of Fargo*, 679 F.3d 1015 (8th Cir. 2012); *American Civil Liberties Union of Kentucky v. Grayson Cnty., Ky.*, 591 F.3d 837 (6th Cir. 2010); *Cooper v. United States Postal Serv.*, 577 F.3d 479, 490 (2d Cir. 2009); *Saladin v. City of Milledgeville*, 812 F.2d 687, 689 (11th Cir. 1987). Given the prominence of the public safety building and the displays at issue, the intended multi-faceted use of the building and promotion of the public accessibility, and Massachusetts' traditional recognition of broader constitutional protections under its constitution than federal courts interpreting the United States Constitution, there is no basis to conclude that Plaintiffs lack standing to assert their claims here. See *Goodridge v. Department of Pub. Health*, 440 Mass. 309, 313 (2003) ("The Massachusetts Constitution is, if anything, more protective of individual liberty and equality than the Federal Constitution").

The Court notes that Defendants' argument echoes Justice Gorsuch's concurrence in *American Legion v. American Humanist Ass'n* calling for the end to "offended observer standing" for alleged violations of the Federal Constitution's Establishment Clause. 588 U.S. 29, 87 (2019) ("Abandoning offended observer standing will mean only a return to the usual demands of Article III, requiring a real controversy with real impact on real persons to make a federal case out of it."). The infirmities of this argument, as it applies to the current case are several and readily apparent. First, it is black letter law that the Bill of Rights establishes a floor and States "are absolutely free . . . to accord greater protection to individual rights than do similar provisions of the United States Constitution." *Kligler*, 491 Mass. at 59, quoting *Goodridge*, 440 Mass. at 328, in turn quoting *Arizona v. Evans*, 514 U.S. 1, 8 (1995). See William J. Brennan, *State Constitutions and the Protection of Individual Rights*, 90 Harv. L. Rev. 489, 491 (1977) ("State constitutions, too, are a font of individual liberties, their protections often extending beyond those required by the Supreme Court's interpretation of [F]ederal law").

Second, Justice Gorsuch’s concurrence did not garner a majority of the United States Supreme Court, much less has the Supreme Judicial Court applied his reasoning to the provisions of our state laws. Lastly, this Court is not persuaded that an offended observer lacks standing or a “real controversy” under Massachusetts law. While Defendants maintain that individuals such as Plaintiffs here should seek redress for alleged constitutional violations of this nature through the political process rather than the courts, such an approach would transform the standing threshold into an insurmountable hurdle in most, if not all, disputes of this nature, leaving adherents to minorities religions without any meaningful recourse. The purpose of constitutional rights is to “withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts.” *West Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 638 (1943). A “fundamental right” that is subject to the vote or the outcome of an election, is fictitious. See *id.* Proponents of abandoning offended observer standing claim it would “reduc[e] ‘religiously based divisiveness’ and promot[e] religious neutrality[.]” Joseph C. Davis & Nicholas R. Reaves, *Fruit of the Poisonous Lemon Tree: How The Supreme Court Created Offended-Observer Standing, and Why it’s Time for It to Go*, 96 Notre Dame L. Rev. 25, 37 (2020). In other words, greater harmony would exist if only minority sects would acquiesce to the majority position and accept subordinate status. To paraphrase Martin Luther King, Jr., this notion confuses the absence of tension with the presence of justice. Massachusetts law cannot countenance such a result.

Moreover, where Defendants argue that the symbolic nature of the statues would serve to inspire the police and firefighters upon viewing, it is contradictory for them to minimize the Plaintiffs’ position that viewing the statues would invoke strong feelings of a different nature. In

this Court’s view, giving a member of the public standing to challenge the overt presentation of Catholic symbols on the front of a public building does not amount to a “modified heckler’s veto.” *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 534 (2022).<sup>5</sup>

Accordingly, the Court concludes that Plaintiffs have alleged cognizable injury and have standing to bring their claims.

### **B. Article 3 Analysis**

As noted, in this case, Plaintiffs bring their claim under Article 3. Article 3 appears in the Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts in the Massachusetts Constitution. “John Adams considered individual rights so integral to the formation of government that the Massachusetts Declaration of Rights precedes the Frame of Government.”<sup>6</sup> The original Declaration of Rights, adopted in 1780, “provided in art. 3 for the direct public support of religion, continuing the Colonial practice of using tax revenues to support the ‘public Protestant teachers of piety, religion and morality[,]’ . . . which essentially meant support of the Congregational Church” (internal citation omitted). *Caplan v. Acton*, 479 Mass. 69, 76 (2018). “After decades of ‘lawsuits, bad feeling, and petty persecution,’ . . . the Massachusetts Constitution was amended in 1833 with art. 11 of the Amendments enacted to substitute for art. 3.” *Id.*, citing S.E. Morison, *A History of the Constitution of Massachusetts* at 24 (1917). Article 11 modified and amended Article 3’s equal protection of “every denomination of Christians” to “all religious sects and denominations.” See *Caplan*, 479 Mass. at 76-77 (“Article 11 guarantees the equal protection of ‘all religious sects and denominations’—

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<sup>5</sup> The Court notes certain inherent contradictions in the Defendants’ arguments. First, it is Defendants through their covert actions, and not Plaintiffs, who arguably attempted to circumvent the political process. Second, Defendants demand that the Court sideline dissenting religious views so that they may honor, Florian, a victim of the Roman Empire’s drive to stamp out dissenting religious views.

<sup>6</sup> <https://www.mass.gov/guides/john-adams-the-massachusetts-constitution>

not just the Christian denominations protected under art. 3—and effectively ended religious assessments.”). Since 1833, Article 3 states: “all religious sects and denominations demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.”

The parties here dispute how the Court should evaluate Plaintiffs’ claim under this provision of Article 3. Plaintiffs contend that the Court should evaluate the constitutionality of the display under the four-part test articulated in *Colo v. Treasurer & Receiver Gen.*, 378 Mass. 550, 558 (1979), relying on test articulated by the Supreme Court in *Lemon v. Kurtzman*, 403 U.S. 602, 612-613 (1971) (“*Lemon* Test”). Defendants argue that the *Lemon* test is no longer good law, and the Court should consider only the “historical practices and understandings” of Article 3 when evaluating the viability of the claim.

The parties’ dispute as to the applicable test is not without reason. The United States Supreme Court has in recent years rejected the *Lemon* Test as a means to evaluate Establishment Clause challenges to public displays of religious symbols. In *American Legion v. American Humanist Ass’n*, the Supreme Court noted that “the *Lemon* test presents particularly daunting problems” in cases where a monument, symbol, or practice that was first established long ago is challenged because identifying the purpose at that time may be difficult and the message conveyed may have changed over time. 588 U.S. at 51-55. In *Kennedy*, 597 U.S. at 534, the Supreme Court went further noting that it had “abandoned *Lemon*” because of the “‘shortcomings’ associated with this ‘ambitiou[s],’ abstract, and ahistorical approach to the Establishment Clause” (citation omitted). See also *Groff v. DeJoy*, 600 U.S. 447, 460 (2023) (noting the abrogation of *Lemon*). In place of *Lemon*, the Supreme Court now interprets

Establishment Clause cases by “reference to historical practices and understandings” and instructs that the line “between the permissible and the impermissible[,]” should “‘accor[d] with history and faithfully reflec[t] the understanding of the Founding Fathers.’” *Kennedy*, 597 U.S. at 535-536.

Although the Supreme Court has explicitly rejected the *Lemon* Test for Establishment Clause challenges, the Massachusetts Supreme Judicial Court (“SJC”) has not. The SJC adopted the *Lemon* Test in *Colo*, 378 Mass. 550, when assessing whether a statute violated the First Amendment of the United States Constitution and Articles 2 and 3 of the Massachusetts Declaration of Rights. It has not yet revisited the test, and therefore, despite the federal court’s retreat from the *Lemon* Test, *Colo* remains precedent when considering such claims.

Even if the SJC were presented with this issue, there is strong evidence that it would not apply to the “historical practices and understandings” analysis as the Defendants contend. In *Kligler v. Attorney Gen.*, the SJC considered whether the Massachusetts Declaration of Rights provides a substantive due process right to physician-assisted suicide. 491 Mass. at 40. In so doing, the Court considered whether to apply the “narrow view of this nation’s history and traditions” applied by the Supreme Court when identifying a fundamental right under the Federal Constitution. *Id.* at 56. It rejected the narrow approach concluding that it “does not adequately protect the rights guaranteed by the Massachusetts Declaration of Rights.” *Id.* at 60. Instead, the Court adopted the “comprehensive approach” which, “uses ‘reasoned judgment’ to determine whether a right is fundamental, even if it has not been recognized explicitly in the past, guided by history and precedent.” *Id.* at 56, citing *Obergefell v. Hodges*, 576 U.S. 644, 664 (2015). The SJC’s analysis in *Kligler* leaves little doubt that despite the Supreme Court’s recent abandonment of a comprehensive approach, the SJC would not, in this case, return to the “narrow view of this

nation's history and traditions" when considering Plaintiff's claim under Article 3. See *Kligler*, 491 Mass. at 60-61 ("The comprehensive approach, unlike the narrow approach, allows us to interpret constitutional protections 'in the light of our whole experience and not merely in that of what we said a hundred years ago,' and therefore is more consonant with our State Constitution" [citation omitted]).<sup>7</sup>

Accordingly, this Court concludes that *Colo* remains controlling precedent and therefore, it will apply the *Lemon* Test to the facts before it to assess Plaintiffs' claim. The Court will also consider Plaintiffs' claim under a more comprehensive approach similar to *Kligler* which factors in history and precedent but considers the totality of circumstances of the challenged statutes. As explained below, under either approach, Defendants' motion to dismiss fails.

**i. *Lemon* Test**

In *Colo*, the SJC considered whether the challenged government practice (1) has a "secular legislative purpose"; (2) a "primary effect . . . [that] 'neither advance[s] nor inhibit[s] religion,'" (3) avoids "'excessive government entanglement' with religion"; and (4) has a "divisive political potential." 378 Mass. at 558, quoting *Lemon*, 403 U.S. at 612-613. The SJC noted that the test is not to be applied mechanically but "as guidelines to analysis." *Colo*, 378 Mass. at 558. Applying the *Lemon* Test here, the Complaint sufficiently alleges a constitutional violation.

As to the first prong of the test, the Court considers the statutes themselves as well as the stated purpose for their use to determine whether they can only serve a nonsecular purpose. See,

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<sup>7</sup> At the hearing on the motion, Defendants directed the Court to another recent decision by the SJC, *Raftery v. State Bd. of Ret.*, 496 Mass. 402, 410 (2025), arguing that it suggested that the SJC would apply a "historical practices and understandings" analysis. The Court does not agree. The SJC in *Raftery* concluded that there was no merit to the plaintiff's argument that based on the "text, history, and purpose of art. 26" of the Declaration of Rights, the forfeiture of his pension was cruel and unusual punishment within the meaning of art. 26's third provision. *Id.* at 407-408. Unlike, *Kligler*, the SJC did not address how the constitutional claim should be evaluated but concluded that evaluating the claim as plaintiff suggested, it had no merit. Thus, *Raftery* does not inform this Court's decision.

e.g., *Glassroth v. Moore*, 229 F. Supp. 2d 1290, 1299-1301 (M.D. Ala. 2002) (finding non-secular purpose evident from monument itself and stated purposes). Here, the Complaint describes the statues and their religious significance.<sup>8</sup> Saint Michael, in Catholic teaching, is considered “the leader of God’s heavenly army, the protector of the Church, and the chief adversary of Satan.” Compl. at par. 43. The statue depicts him with angel’s wings, armed for battle, and apparently prepared to strike down a demon (presumably, the Devil) who he holds under heel. Florian, by contrast, was a historical person. But as the Complaint alleges, Catholicism venerates Florian as saint, martyred for faith, and who performed miracles including “sav[ing] a town from fire through divine intervention.” Compl. at par. 44. The statue at issue depicts Saint Florian in a manner consistent with Christian iconography – as an oversized, armor-clad soldier pouring water from a bucket onto a building at his feet.

The Complaint further alleges that the Mayor selected Saint Michael and Saint Florian because, in Catholic teaching, they are venerated as the patron saints of the police and firefighters. It notes that City Councilor McCarthy stated that he believes the statues “will bless our first responders” and that he hopes first responders “might say a little prayer” before they go out on duty. *Id.* at par. 35. The Complaint alleges that while saints and patron saints in particular “are often recognized by the Catholic Church for various causes so that the faithful can seek their intercession through prayer,” they are rejected by many other Christian denominations and religions. Compl. at pars. 41-42. These allegations are adequate to suggest that the decision to erect these particular statues was “motivated wholly by religious considerations,” *Gaylor v. Mnuchin*, 919 F.3d 420, 427 (7th Cir. 2019), and that the statues cannot be separated from their

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<sup>8</sup> At the hearing on the motions, the Court asked the parties whether it should consider the statues of Saint Michael and Saint Florian separately where the latter arguably has historical in addition to religious significance and displays less overtly religious connotation. Both parties rejected this Solomonian approach and averred that the Court should treat the statues as a set.

religious symbolism. See *Books v. City of Elkhart, Indiana*, 235 F.3d 292, 302 (7th Cir. 2000) (concluding that Ten Commandments monument could not be stripped of its religious, sacred significance).

Turning to the second prong of the *Lemon* Test, the Court considers the primary effect of the challenged government activity and whether it advances or inhibits religion. *Colo.*, 378 Mass. at 558. That is, whether it conveys or attempts to convey a message that a particular religion or religious belief is “favored or preferred.” *County of Allegheny v. ACLU, Greater Pittsburgh Chapter*, 492 U.S. 573, 593 (1989). The test is an objective one considering whether a reasonable observer would perceive the practice in question as endorsing religion. *Id.* at 620.

The Complaint here plausibly alleges that the statues at issue convey a message endorsing one religion over others. As noted, the statues represent two Catholic saints – the patron saint of police officers and the patron saint of firefighters. The statues, particularly when considered together, patently endorse Catholic beliefs. The ten foot statue of Saint Michael specifically is overtly religious, displaying large wings of an archangel and standing on a demon representative of Satan. The Complaint details each Plaintiffs’ view of the message conveyed by the statues as well as the concern expressed by nineteen faith leaders from the Quincy Interfaith Network that the statues “elevate” a “single religious tradition” over others. Compl. at par. 53. As such, the facts alleged plausibly suggest that an objective observer would view these statues on the façade of the public safety building as primarily endorsing Catholicism / Christianity and conveying a distinctly religious message.

The third prong of the test considers whether the challenged action causes excessive entanglement between government and religion. Where the Complaint alleges that the Mayor unilaterally decided to adorn the entrance of the City’s public safety building with the ten-foot

statues which convey a religious message, serve no secular purpose, and cost nearly one million dollars in public funds to commission, transport and install, Plaintiffs have alleged that the challenged government action creates an excessive entanglement with religion.

Finally, the Complaint clearly alleges that the challenged practice has “divisive political potential.” *Colo*, 378 Mass. at 558. Plaintiffs assert that after the public became aware of the City’s intention to display the statues, over two hundred members of the public attended the public meeting to discuss the decision in comparison to the typical five to ten attendees; hundreds of Quincy residents and at least one City Councilor have publicly expressed opposition to the statues; and a Quincy resident started a petition to stop the installation of the statues which has 1,600 signatures. Such facts are sufficient at this stage. *Cf. id.* at 559-560 (holding that employing legislative chaplains did not violate the *Lemon* Test where there was “not the slightest hint that the practice has ever created any of the political divisiveness”).

Accordingly, the Court concludes that to the extent that the *Lemon* Test applies, Plaintiffs have clearly stated a claim upon which relief can be granted.

## **ii. Alternative Approach**

As noted, even if the *Lemon* Test is inapplicable in this case, the Court would not interpret Article 3 with only reference to historical practices and understandings. See *Kligler*, 491 Mass. at 60, citing *Goodridge*, 440 Mass. at 350 n.6 (Greaney, J., concurring) (“rigid application of the narrow approach would ‘freeze for all time the original view of what [constitutional] rights guarantee, [and] how they apply’ . . . Such a result is incompatible with our State constitutional provisions, which ‘are, and must be, adaptable to changing circumstances and new societal phenomena.’”). Rather, the Court takes a more comprehensive approach recognizing the text of the Article, the history, and the overall context of the display at issue and

considers it with our modern day understanding to draw a constitutional line of what constitutes impermissible governmental promotion of religion. Taking such an approach, Defendants' argument for dismissal fails.

Looking to the text and history of the Article, Defendants argue that by displaying "simply passive statues of figures with secular significance" they are not denying equal "protection of the law" or causing the "subordination of any one sect or denomination to another" to be established by law. Defs.' Memo at 8. They assert that historically, displaying religious symbols on government property was commonplace and cite numerous examples of religious symbols on public property throughout the Commonwealth. They further contend that because Plaintiffs cannot point to any evidence in Massachusetts of religious symbols being seen as a form of establishment at the time Article 3 was adopted, Plaintiffs' claim must fail. The Court is not persuaded. To be sure, the history of religious freedom in Massachusetts is complicated. But this Court does not base its understanding of the Massachusetts Declaration of Rights solely on what its founders envisioned at the time they signed the document. To do so would perpetuate the petty bigotries of the past. See *Kligler*, 491 Mass. at 61, citing *Goodridge*, 440 Mass. at 350 n.6, (Greaney, J., concurring) ("The Massachusetts Constitution was never meant to create dogma that adopts inflexible views of one time to deny lawful rights to those who live in another.").

The obvious import of Article 3's amendment in 1833 is that it abolished government support for one religion and protected all religions from subordination. Article 3, as amended, thereafter drew a clear line of separation between the state and religion. To the extent that the forebearers at times have failed to uphold the ideals espoused in our state's Constitution, it is not a basis for this Court, informed by two centuries of human experience, to shrink from its duty to

ensure that promise of Article 3 is fulfilled. The Complaint here alleges that Defendants' actions in adorning a public building with massive statues significant only to one religion serves to subordinate the religions of all other members of the public utilizing that building. While Defendants may disagree that their actions rise to the level of subordination, the allegations plausibly suggest they do. However, it is not surprising that individuals of a majority view may not appreciate the feelings of concern or alienation held by those in the minority.

Moreover, considering the context of the display at issue, the danger of subordination prohibited by Article 3 is readily apparent. A core function of the new public safety building is to facilitate and promote public access to law enforcement. Many in the public may not be aware of the symbolic significance of Michael and Florian and see them only as religious figures adorning the building's entrance. Victims and witnesses entering such a building often must overcome emotional and psychological hurdles, and intimidation to report crimes and seek police assistance. Central to their concerns is the question of whether the police will treat their claims with the gravity warranted and treat them equally as any other individual, regardless of religious beliefs. Viewed in this context, the Complaint raises plausible claims that the statues are not merely passive or benign but serve as part of a broader message as to who may be favored. Indeed, the Complaint raises colorable concerns that members of the community not adherent to Catholic or Christian teaching who pass beneath the two statues to report a crime may reasonably question whether they will be treated equally. See Compl. at pars. 3-17.

Accordingly, the Court concludes that under either test Plaintiffs' Complaint states a claim for violation of Article 3. Defendants' Motion to Dismiss will, therefore, be denied.

## **II. Motion for Preliminary Injunction**

Plaintiffs move for an order enjoining Defendants from installing the statues until the

Court can issue a final ruling on the merits. To obtain a preliminary injunction, Plaintiffs “must show (1) a likelihood of success on the merits; (2) that irreparable harm will result from denial of the injunction; and (3) that, in light of the plaintiff’s likelihood of success on the merits, the risk of irreparable harm to the plaintiff outweighs the potential harm to the defendant in granting the injunction.” *Tri-Nel Management, Inc. v. Board of Health of Barnstable*, 433 Mass. 217, 219 (2001), citing *Packaging Indus. Group, Inc. v. Cheney*, 380 Mass. 609, 617 (1980). In addition, because Plaintiffs seek to enjoin action by the government, the Court must also “determine that the requested order promotes the public interest, or, alternatively, that the equitable relief will not adversely affect the public.” *Loyal Order of Moose, Inc., Yarmouth Lodge #2270 v. Board of Health of Yarmouth*, 439 Mass. 597, 601 (2003), quoting *Commonwealth v. Mass. CRINC*, 392 Mass. 79, 89 (1984). “A preliminary injunction is an extraordinary remedy never awarded as of right.” *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008). It shall “not be granted unless the plaintiff[] ha[s] made a clear showing of entitlement thereto.” *Student No. 9 v. Board of Educ.*, 440 Mass. 752, 762 (2004), citing *Landry v. Attorney Gen.*, 429 Mass. 336, 343 (1999).

In deciding a motion for a preliminary injunction, a judge may consider verified pleadings, sworn affidavits, and documentary evidence supplied by the parties.<sup>9</sup> See Mass. R. Civ. P. 65. See also *Carabetta Enterprises, Inc. v. Schena*, 25 Mass. App. Ct. 389, 391 (1988). When considering sworn affidavits, “the weight and credibility to be accorded those affidavits are within the judge’s discretion” and “[t]he judge need not believe such affidavits even if they are undisputed.” *Commonwealth v. Furr*, 454 Mass. 101, 106 (2009). See *Psy-Ed Corp. v.*

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<sup>9</sup> Although Plaintiffs have not submitted a verified complaint, their failure to do so does not warrant an outright denial of the motion as Defendants contend. Plaintiffs have submitted an affidavit of their counsel with forty-one attached exhibits, including a sworn declaration from each of the fifteen Plaintiffs, upon which many of the allegations in the Complaint are based. The Court’s decision on the motion for preliminary injunction is based on the evidence submitted by Plaintiffs and not on any allegations in the Complaint supported “solely on ‘information and belief.’” See *Eaton v. Federal Nat. Mortg. Ass’n*, 462 Mass. 569, 590 (2012) (“an allegation that is supported on ‘information and belief’ does not supply an adequate factual basis for the granting of a preliminary injunction”).

*Klein*, 62 Mass. App. Ct. 110, 114 (2004) (affidavit “is a form of sworn testimony the credibility of which is to be determined by the judge”). Considering the record before the Court, a preliminary injunction is warranted.

**i. Likelihood of Success on the Merits**

First, under either the *Lemon* Test or an alternative analysis of Article 3, Plaintiffs are likely to succeed on the merits of their claim. The religious significance of the statues depicting two Catholic patron saints is essentially undisputed. Saint Michael with the wings of an archangel, standing on neck of a demon / Satan. Saint Florian is depicted as a larger than-life-figure extinguishing a burning building with water from a single vessel. By all accounts, the statues are drawn directly from and are wholly consistent with Catholic scripture, teaching and iconography, and serve no discernable secular purpose. See Docket No. 14.2, Exhs. 19-23.

Plaintiffs have also demonstrated that they are likely to succeed at proving that the permanent display of the oversized overtly religious-looking statues have a primary effect of advancing religion. The depiction of the statues, their association with one religion, and the various reactions of community members, City Council members, and faith leaders demonstrate Plaintiffs will likely be able to show that the statues convey to the public observing them the implicit government support for the religious doctrine and adherents of Catholic / Christian faith, and as a result, the subordination of other religions. Additionally, Plaintiffs have put forth evidence that Defendants unilaterally decided on the permanent display of the Catholic patron saints on the façade of the public safety building and have continued to allocate further public funds to complete the installation, see *id.* at Exhs. 14, 16 and that the decision to do so has resulted in a divisive public reaction. See *id.* at Exh. 10. The Court finds their factual presentation sufficient to show a likelihood of success on the merits of their claim under Article

3.

Defendants contend that the statues have a secular purpose of inspiring police officers and their display and neither advance nor inhibit religion. Specifically, Mayor Koch avers that the purpose of the statues “has nothing to do with Catholic sainthood, but rather was an effort to boost morale and to symbolize the values of truth, justice, and the prevalence of good over evil” and that they just “happen to be saints venerated in the Catholic Church,” see Aff. of Thomas P. Koch at pars. 2, 6. While a court may be “normally deferential to a State’s articulation of a secular purpose,” the statement of such purpose must be found to be “sincere” as to its predominant purpose. *Edwards v. Aguillard*, 482 U.S. 578, 586-587 (1987). See *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 308 (2000) (reiterating that a governmental entity’s professed secular purpose for an arguably religious policy is entitled to some deference but that it is the duty of the courts to ensure that the purpose is sincere). The Court is not persuaded by the Mayor’s self-serving assertions, particularly in light of his curious actions of commissioning the statues without public knowledge. Regardless, the Mayor’s professed secular purpose offers nothing more than semantics. To the extent a statue of Saint Michael provides inspiration or conveys a message of truth, justice, or the triumph of good over evil, it does so in his context as a Biblical figure – namely, the archangel of God. It is impossible to strip the statue of its religious meaning to contrive a secular purpose. To be sure, the statute of Saint Florian, a historical person, is somewhat more nuanced. But given the manner in which the statue portrays Saint Florian (as larger than life and with allusion to his martyrdom) and its juxtaposition with the statue of Saint Michael, Plaintiffs have demonstrated a likelihood of showing that the statues do not serve a predominantly secular purpose. See *American Civil Liberties Union of Georgia v. Rabun County Chamber of Commerce, Inc.*, 698 F.2d 1098, 1110-1111 (11th Cir.1983) (finding a

religious purpose in erection of large illuminated cross in a state despite the avowed purpose of promotion of tourism).

Defendants next contend the primary message of the statues will be one of inspiration to the police and fire fighters and provide evidentiary support for Saint Michael and Saint Florian's significance to the first responders. Assuming *arguendo*, that public servants of all denominations will discern such secular message despite the bluntly religious delivery, Defendants neglect to address the effect the statues will likely have on a *reasonable member of the public* utilizing the building for one of its many purposes. The placement of two statues seemingly befitting a house of worship, on the exterior façade of the public safety building, overshadowing public access points, indicates the *primary effect* is likely to convey a religious message.

Defendants' claims that the statues will not result in excessive entanglement with religion, or that the evidence of political divisiveness is inapplicable, are also unavailing. The record shows that Mayor Koch commissioned the statues on his own accord, paid significant public funds to do so, and plans to continue to expend such sums for their installation. There is further evidence that the statues will be placed on the front of the central location where the public will interact with those charged with protecting, serving and safeguarding the community. Although Defendants assert the statues are merely part of the City's municipal art initiative, it is hard to see how a continuance of a program spending City funds for this or further religious art could not result in excessive entanglement. Cf. *Lynch v. Donnelly*, 465 U.S. 668, 684 (1984) (absence of entanglement where there was no state involvement with content or design of the exhibit at issue, no expenditures for its maintenance, and the tangible material contributed was *de minimis*).

Next, although federal courts following the *Lemon* Test only consider political divisiveness in cases of where financial subsidies are paid to parochial schools, the SJC has recognized the factor relevant beyond that narrow context. See *Colo*, 378 Mass. at 558. Defendants have not put forth any evidentiary support to counter Plaintiffs' evidence of the divisiveness in the community which the statues have already caused. And, even if the Court disregarded Plaintiffs' evidence of divisiveness, the remaining factors all point to Plaintiffs' likelihood of success on the merits.

Finally, Defendants contend that Plaintiffs are unlikely to succeed on their claim because refusing to install the statues would result in a violation of the Equal Protection Clause of the United States Constitution. Essentially, they argue that to not install the statues would be discriminatory treatment based on Plaintiffs' "negative attitudes" towards Catholicism. Defs.' Memo. at 18. This argument has no merit and would turn constitutional jurisprudence on its head. Plaintiffs are not government actors; Defendants are. Plaintiffs do not seek to exclude, burden, or target Catholic beliefs. They request the religious neutrality Article 3 guarantees. "[T]o insist that government respect the separation of church and state is not to discriminate against religion, indeed it promotes a respect for religion by refusing to single out one or two creeds for official favor at the expense of all others." *Amancio v. Somerset*, 28 F. Supp. 2d 677, 681-682 (D. Mass. 1998). See *Catholic Charities Bureau, Inc. v. Wisconsin Lab. & Indus. Rev. Comm'n*, 605 U.S. 238, 248 (2025) ("the fullest realization of true religious liberty requires that government refrain from favoritism among sects" [citations ad quotations omitted]).

## **ii. Irreparable Harm and Balance of Harms**

Plaintiffs have also demonstrated a risk of irreparable harm. The implication of Plaintiffs' constitutional rights is sufficient to satisfy the requirement of proof of irreparable

harm. See, e.g., *T & D Video, Inc. v. City of Revere*, 423 Mass. 577, 582-583 (1996) (defendant likely infringement of plaintiff's First Amendment right constituted irreparable harm); *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012), quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976) ("It is well established that the deprivation of constitutional rights 'unquestionably constitutes irreparable injury.'"); *Jolly v. Coughlin*, 76 F.3d 468, 482 (2d Cir. 1996) (irreparable harm requirement satisfied when constitutional rights are implied in the analysis); *Basank v. Decker*, 449 F.Supp.3d 205, 213 (S.D.N.Y. 2020) ("Petitioners have also shown irreparable injury because . . . they face a violation of their constitutional rights.").

The balance of the harms to the parties and the public also favors ordering injunctive relief. Enjoining Defendants from installing the statues will prevent Plaintiffs and other members of the public from having to regularly confront the religious displays every time they use or pass by the public building and thus, from experiencing any subordination of religion. See *Catholic Charities Bureau, Inc.*, 605 U.S. at 248, quoting *Santa Fe Independent School Dist.*, 530 U.S. at 309 ("Government actions that favor certain religions, the Court has warned, convey to members of other faiths that 'they are outsiders, not full members of the political community.'"). It will also prevent the further expenditure of public funds on installing the statues, and additional costs from the real prospect of their ultimate removal, neither of which are likely to be recoverable. Conversely, the only identifiable harm to Defendants if they ultimately prevailed in this suit, is delay in installation of the statues. The requested injunction will not forestall the completion of the remaining aspects of the building or its opening to the public.

Lastly, ensuring the requirements of Article 3 are met is in the public interest as is preventing any unnecessary further expenditure of public funds. Although Defendants argue that the public has an interest in inspiring the City's first responders in carrying out their work to

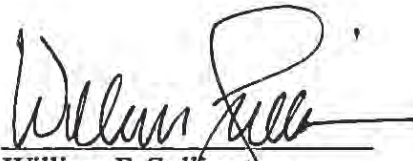
maximum effectiveness, the Court does not conceive that the ability, commitment, and enthusiasm of the members of the Quincy Police and Fire Departments to serve the communities will be appreciably undermined if the two statues are absent for the duration of this litigation. Put another way, there is no showing that the level of performance of the Police or Fire Department is affected by what statues adorn the public entrance to the building.


Accordingly, Plaintiffs meet the requirements for obtaining a preliminary injunction here.


**ORDER**

For the reasons stated, Defendants' Motion to Dismiss is **DENIED**, and Plaintiffs' Motion for Preliminary Injunction is **ALLOWED**.

Dated: October 14, 2025

  
\_\_\_\_\_  
William F. Sullivan  
Justice of the Superior Court

<p style="text-align: center;"><b>NOTICE OF APPEAL FILED</b></p>	<p>DOCKET NUMBER <b>2582CV00576</b></p>	<p><b>Trial Court of Massachusetts The Superior Court</b></p> 	
<p>CASE NAME: Fitzmaurice, Claire et al vs. City of Quincy et al</p>		<p>Walter F. Timilty Norfolk County</p>	
<p>TO:  Joseph C. Davis, Esq. Becket Fund for Religious Liberty 1919 Pennsylvania Ave. NW Suite 400 Washington, DC 20006</p>		<p>COURT NAME &amp; ADDRESS <i>Walter F. Timilty</i> Norfolk County Superior Court 650 High Street Dedham, MA 02026</p>	
<p>On 11/10/2025 , a notice of appeal was filed in the above-entitled case by defendant under Mass. R. A. P. 3(a).</p> <p>Accompanying this notice is a copy of the notice of appeal that was filed in the Clerk's Office under Mass. R. A. P. 3(d).</p> <p>Transcripts relevant to the appeal:</p> <ul style="list-style-type: none"> <li>*The appellant is responsible for ordering any transcripts relevant to the appeal within 14 days of filing the notice of appeal, under Mass. R. A. P. 8(b)(1), and in compliance with Trial Court Administrative Order 19-1:Transcript Procedures for Appellate Review promulgated by the Chief Justice of the Trial Court.</li> <li>*The appellant shall notify the transcriber to deliver the completed transcripts directly to the Clerk's Office (not to the appellant) under Mass. R. A. P. 8(b)(3), and in compliance with Trial Court Administrative Order 19-1: Transcript Procedures for Appellate Review promulgated by the Chief Justice of the Trial Court. The transcriber will transmit a copy of the transcript in electronic form to all of the parties to the appeal.</li> <li>*The appellant shall file in the Clerk's Office a copy of the appellant's order for transcripts.</li> </ul> <p><input type="checkbox"/> This is a criminal case or a case (other than a child welfare case) where counsel was appointed in the trial court, under S. J. C. Rule 3:10. Accordingly, under Mass. R. A. P. 3(e):</p> <ul style="list-style-type: none"> <li>*No later than the date the notice of appeal was filed, appointed trial counsel <b>shall</b> notify the Committee for Public Counsel Services that appellate counsel should be assigned.</li> <li>*Trial counsel <b>shall</b> continue to represent the appellant until the Committee for Public Counsel Services appoints <b>appellate</b> counsel and that counsel files an appearance in the trial court.</li> <li>*Once assigned <b>appellate</b> counsel files a notice of appearance in the trial court, trial counsel may file a notice of withdrawal (not a motion to withdraw).</li> </ul> <p>Defendant City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Notice of Appeal of the Memorandum of Decision and Order on Plaintiffs' Motion for Preliminary Injunction and Defendants' Motion to Dismiss, an appealable order entered against them on October 14, 2025. (e-Filed 11/10/2025)Docketed on 11/13/2025</p>			
<p>DATE ISSUED 11/20/2025</p>	<p>ASSOCIATE JUSTICE <b>Hon. William F Sullivan</b></p>	<p>ASSISTANT CLERK X <i>Madeline Helton</i></p>	<p>SESSION PHONE#</p>

<p align="center"><b>NOTICE OF APPEAL FILED</b></p>	<p align="center">DOCKET NUMBER <b>2582CV00576</b></p>	<p align="center"><b>Trial Court of Massachusetts The Superior Court</b></p> 	
<p>CASE NAME: Fitzmaurice, Claire et al vs. City of Quincy et al</p>		<p>Walter F. Timilty Norfolk County</p>	
<p>TO:  Joseph C. Davis, Esq. Becket Fund for Religious Liberty 1919 Pennsylvania Ave. NW Suite 400 Washington, DC 20006</p>		<p>COURT NAME &amp; ADDRESS <i>Walter F. Timilty</i> Norfolk County Superior Court 650 High Street Dedham, MA 02026</p>	
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<p>DATE ISSUED 11/20/2025</p>	<p>ASSOCIATE JUSTICE <b>Hon. William F Sullivan</b></p>	<p>ASSISTANT CLERK X <i>Madeline Gibson</i></p>	<p>SESSION PHONE#</p>

Docketed 11/13/2025

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

SUPERIOR COURT  
C.A. NO 25CV00576

CLAIRE FITZMAURICE, et al.

*Plaintiffs,*

v.

CITY OF QUINCY and THOMAS P.  
KOCH, *in his official capacity as Mayor of  
Quincy,*

*Defendants.*

RECEIVED & FILED  
2025 NOV 12 AM 11:05  
CLERK OF THE COURTS  
NORFOLK COUNTY

NOTICE OF APPEAL

The city of Quincy and Thomas P. Koch give notice that they appeal the Memorandum of Decision and Order on Plaintiffs' Motion for Preliminary Injunction and Defendants' Motion to Dismiss, an appealable order, entered against them on October 14, 2025.

Respectfully submitted,

/s/ Robert S. Thompson  
Robert S. Thompson (BBO #715798)  
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11/20/25 - Counsel for Defendants

I attest that this document is a  
faithful photocopy of an  
original on file.  
*Patricia A. Leuck*  
Deputy Assistant Clerk

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was filed through the Electronic Court Filing system on November 10, 2025, and a copy thereof will be sent electronically to the registered recipients as identified on the Notice of Electronic Filing. I further certify that a true copy of this document was served on counsel for Plaintiffs via email.

*/s/ Robert S. Thompson*  
Robert S. Thompson (BBO #715798)

*Counsel for Defendants*

Volume I  
Pages: 1-60  
Exhibits: 0

NORFOLK, SS. COMMONWEALTH OF MASSACHUSETTS  
SUPERIOR COURT Department  
OF THE TRIAL COURT

\*\*\*\*\*

CLAIRE FITZMAURICE ET AL \*  
Plaintiff \*

v. \* DOCKET NUMBER 2582CV00576

CITY OF QUINCY ET AL \*  
Defendant \*

\*\*\*\*\*

HEARING  
BEFORE THE HONORABLE WILLIAM F. SULLIVAN

APPEARANCES:

For the Plaintiff:  
ACLU Massachusetts  
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By: Suzanne Schlossberg, Esq.  
Rachel E. Davidson, Esq.

For the Defendant:  
1305 Hancock Street  
Quincy, Massachusetts 02169  
By: James Timmins, Esq.

FisherBroyles LLP  
75 State Street  
Boston, Massachusetts 02109  
By: Michael C. Gilleran, Esq.

Dedham, Massachusetts  
Courtroom 20  
September 19, 2025

Recording produced by digital audio recording system. Transcript  
produced by Approved Court Transcriber, Donna Dominguez

I N D E X

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
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None - Hearing				
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P R O C E E D I N G S

1  
2 (Court called to order 9:58:48 a.m.)

3 COURT OFFICER: Court, all rise.

4 Make sure all cell phones are off. You may be seated.

5 Court is in session.

6 THE CLERK: Calling Civil Action 2025-576 Fitzmaurice et al  
7 v. City of Quincy. Would the attorneys identify yourself for  
8 the Court and record?

9 MS. DAVIDSON: Good morning, Your Honor. Rachel Davidson  
10 for Plaintiffs and I'm joined by my colleague Suzanne  
11 Schlossberg.

12 THE COURT: Hi, Counsel.

13 MS. SCHLOSSBERG: Good morning, Your Honor.

14 THE COURT: Good morning.

15 MR. TIMMINS: Your Honor, good morning. Attorney James  
16 Timmins for the City of Quincy and Thomas Koch.

17 THE COURT: All right. Counsel, good morning.

18 MR. GILLERAN: Good morning, Your Honor. Michael Gilleran  
19 for the Quincy Firefighters and Quincy Police Unions.

20 THE COURT: All right. Attorney Gilleran, good morning.  
21 And I want to thank everybody who's here. Before we go in  
22 there, I'm going to log on hopefully to the Zoom call as well.  
23 (Discussion off the record.)

24 THE COURT: I'm having a problem logging on, but I think  
25 hopefully the people who are logged on can hear me.

1           So this is a matter I just kind of wanted to go over with  
2 everybody. What we have or what I have in front of me is two  
3 Motions basically. One is the Motion for the Preliminary  
4 Injunction, and the second is the Motion to Dismiss filed by the  
5 City of Quincy. And so my thought would be to go forward first  
6 on the Preliminary Injunction arguments, and then hear from the  
7 Plaintiff, hear from the Defendant, hear from the Unions, and  
8 then go on to the arguments for the Motion to Dismiss,  
9 understanding that a lot of the arguments for the Motions to  
10 Dismiss, especially in regards to the likelihood of success,  
11 will be the same as those that are raised during the Preliminary  
12 Injunction, so the parties can kind of just adopt earlier  
13 arguments, things like that.

14           So any questions in regards to proceeding in that manner?  
15 Plaintiff?

16           MS. DAVIDSON: No, Your Honor.

17           THE COURT: All right. Defendants?

18           MR. TIMMINS: No, Your Honor. Thank you.

19           MR. GILLERAN: No, Your Honor.

20           THE COURT: Okay. All right. So why don't we do this.  
21 Keeping in mind that I have had the opportunity to review the  
22 pleadings on this, the Affidavits, the Memos, and so why don't I  
23 hear first from the Plaintiffs?

24           MS. DAVIDSON: Good morning again, Your Honor. With the  
25 Court's permission, I have some very brief remarks and then I

1 would be happy to take any questions Your Honor may have.

2 THE COURT: Sure.

3 MS. DAVIDSON: Quincy's new public safety headquarters is  
4 located on a Central Street, and it will be a place where  
5 residents come for many essential services, including in times  
6 of crisis, such as when they need to report a crime. All  
7 residents of Quincy should feel equally protected when they are  
8 seeking help at this building. But Defendants' plan to spend  
9 nearly \$1 million in taxpayer funds to affix two 10 foot tall  
10 statues of Catholic Saints to the front of this building conveys  
11 a clear message that there is a favored and majority religion of  
12 Quincy. It conveys to members of other faiths or no faith that  
13 they are outsiders and not full members of the political  
14 community.

15 Article 3 of the Declaration of Rights prohibits exactly  
16 this kind of religious favoritism. The SJC exercised its  
17 independent judgment in setting forth the Colo v. Treasurer  
18 General factors for consideration, and Colo is the proper  
19 inquiry in this -- in this case. Plaintiffs are likely to  
20 succeed under Colo because the statues are freighted with  
21 religious symbolism characteristic of Catholic iconography.  
22 Additionally, St. Michael the Archangel and St. Florian's  
23 importance to Police and Fire stems from the fact that they are  
24 Patron Saints of these communities and the belief that they  
25 provide comfort and protection through prayer. This is amply

1 illustrated by Defendants' Exhibits and Amicis Affidavits.  
2 Defendants asked this Court to close its eyes to the plainly  
3 religious nature of these statues. Amici similarly suggests  
4 that there are, quote, no religious symbols whatsoever, end  
5 quote, in the image of a winged angel stepping on the neck of a  
6 demon. But the Court need not close its eyes nor abandon common  
7 sense when applying the Constitution in this case.

8 Finally, the statues are already indisputably divisive in  
9 the Quincy community. As one City councilor observed, quote,  
10 the statues are clearly contentious for everyone. Article 3 was  
11 amended to prevent exactly this type of division in the  
12 Commonwealth. It was amended to ensure the equal protection of  
13 residents of all religious beliefs. For this and other reasons,  
14 Plaintiffs not only easily clear the low bar necessary to  
15 survive a Motion to Dismiss, but are also likely to succeed on  
16 the merits of their claim. A Preliminary Injunction preventing  
17 Defendants from installing the statues is necessary to preserve  
18 the status quo and prevent the irreparable Constitutional harm  
19 that would be caused to Plaintiffs and others who will be forced  
20 to confront these statues when seeking essential services at the  
21 public safety headquarters.

22 And with that, Your Honor, I welcome any questions you may  
23 have.

24 THE COURT: All right. Counsel, I guess how would you  
25 respond to the Defendants' position that -- that a different

1 test is to be applied rather than Colo? So the -- and I'm going  
2 to ask the same of the Defendants. What test do you suggest I  
3 use in arriving at this decision, and similar why not adopt the  
4 test that the other side is requesting?

5 MS. DAVIDSON: Your Honor, I think the most straightforward  
6 answer is that Colo v. Treasurer General is SJC precedent. The  
7 SJC was exec -- exercising its independent judgment when it  
8 adopted that -- the Lemon test and added to the Lemon test when  
9 it was determining what analysis should accompany Article 3.  
10 And so Your Honor is bound by SJC precedent unless and until the  
11 SJC revisits that precedent.

12 And I think actually, Your Honor, Defendant submitted  
13 Raftery, which is the new SJC opinion that was recently  
14 published. And Raftery only underscores that the SJC is free to  
15 and -- and does sometimes look to Supreme Court precedent as  
16 persuasive. But the SJC is not bound to follow Supreme Court  
17 precedent everywhere it may lead in the future. And it made  
18 clear in Colo, it said the Lemon factors are appropriate for  
19 Article 3. It certainly didn't say, and by the way, anything  
20 down the road that the Supreme Court may do in 50 years is going  
21 to be what we are following. And so this is precedent that --  
22 that this Court is bound by unless and until the SJC revisits  
23 it.

24 And for that reason, we would suggest that that -- that  
25 Your Honor's analysis ends there. I can also speak to why we do

1 not think that the SJC would adopt a historical traditions  
2 approach if it were to revisit its precedent. I think that's  
3 for a few reasons. For one, we often see that the SJC  
4 interprets our Constitution more broadly, provides broader  
5 protections than the Supreme Court. And recently in Cleveland  
6 v. Attorney General, which is a case decided just a few years  
7 ago, the SJC explicitly rejected the Supreme Court's new turn to  
8 the historical approach to, in that case, the Substantive Due  
9 Process Clause. And so the SJC rejected that sort of narrow  
10 approach. I think my brother Counsel is going to be addressing  
11 Raftery, and I -- I understand that he takes it to indicate that  
12 SJC would take a historical approach here. I would suggest in  
13 terms of Raftery, Raftery is an Article 26 case. It's a very  
14 different provision of our Constitution. It -- it is the, you  
15 know, 8th Amendment analog. And I think that case actually  
16 illustrates how intensive and specific to the Constitutional  
17 provision and even the clause of the Constitutional provision  
18 that the SJC's analysis would be. And so in that case, there's  
19 a lot of similarities in the text and the structure of Article  
20 26 and the 8th Amendment. There was very similar history and  
21 purpose to those amendments. And in this case here, none of  
22 that is the case here, frankly. The text of Article 3 and the  
23 text of the Establishment Clause are different, completely  
24 different. Article 3 speaks to equal protection and not  
25 subordinating any -- any religious sects, whereas the

1 Establishment Clause speaks to the Government may not establish  
2 any religion. So the text is different, the structure is  
3 different, and of course, very importantly, in this case, the  
4 history is different because Article 3 was amended in 1833, and  
5 after many decades of our State's -- our Commonwealth's failed  
6 experiment with religious establishment.

7 And so I do not believe that Your Honor even needs to reach  
8 the question of what new test, if any, the SJC would adopt. But  
9 if you were to reach that question, we do not think that  
10 historical practices is appropriate here. And the SJC has  
11 spoken frequently to the need for the Law to take into account,  
12 you know, the changes that occur in our society. And I think  
13 the SJC would absolutely take into account the fact that  
14 Massachusetts is an increasingly religiously pluralistic society  
15 and -- and take into our contemporary -- take into account the  
16 contemporary nature of this issue.

17 THE COURT: What if I disagree with you in regards to what  
18 test? Would you still argue that you would have a likelihood of  
19 success under that test?

20 MS. DAVIDSON: Absolutely, Your Honor. The Defendants, as  
21 you know, submitted many examples of other displays both in the  
22 Commonwealth and around the country. Certainly under a  
23 historical practices test, I would think that Your Honor would  
24 be looking to understandings around the 1830s and in the  
25 Commonwealth, not around the Country. So looking at the

1 examples that Defendants have provided, I think they actually  
2 illustrate quite well that there has not been a historical  
3 practice of placing religious figures that are primarily  
4 associated with one religion on Government buildings.

5       So we have many examples of displays that are in public  
6 parks, where the statues are often -- often privately donated.  
7 They're -- they're far away from Government buildings. They  
8 don't associate the Government in a direct manner with a  
9 particular sect or a particular religion. So that's one bucket  
10 of these examples that have been given.

11       Another bucket is that there are many examples of figures  
12 who are important historically to Massachusetts and who also  
13 happen to be religious. And -- and their religion might be an  
14 important part of their identity, but they are being displayed  
15 because of their relation to the very important events in our  
16 Commonwealth and not to promote whichever religion they're  
17 associated with. So that's another reason why there is not a  
18 historical practice of these kinds of statues, which will be  
19 placed directly on the entrance of this public safety building.

20       And -- and so we can talk about, you know, some of the  
21 other examples if you'd like, Your Honor, but I would submit  
22 that, you know, if the Historical Practice Test were to be  
23 applied, we would still be likely to succeed.

24       THE COURT: Well, so the argument from -- from the  
25 Defendant seems to be that these are there for a secular

1 purpose. They just happen to be Catholic Saints. And what --  
2 what's the argument -- and I haven't been able to find any cases  
3 as to where I set that line. Is it 51% secular, 49% religious,  
4 or -- or do you know what I'm saying? Where -- where am I to  
5 draw the line if something has both religious significance and  
6 secular significance?

7 MS. DAVIDSON: I would say in this case, Your Honor, while  
8 I certainly understand thinking about this question, and I will  
9 address it, I do want to say first that it's true that  
10 Defendants have submitted Mayor Koch's Affidavit that says he  
11 chose these not because of religious reasons. But I think that  
12 the Court should and must consider that Defendants submitted  
13 Exhibits to explain who these figures are and why they're  
14 important to Police and Fire, and that is the Mayor's reason.  
15 He said they're important to Police and Fire. That's why I  
16 chose them.

17 Defendants specifically submitted 10 Exhibits speaking to  
18 the -- these figures' identity, why they're important in these  
19 communities, and that's Defendants' Exhibits 4 through 12 and  
20 15. And of those 10 Exhibits, eight of those Exhibits explain  
21 the importance of these figures by explicit reference to  
22 religion. And so many of them speak about the fact that first  
23 responders pray to Saints Michael and Florian for protection and  
24 guidance. That's Exhibits 6 through 8, 10, and 15. Several of  
25 them refer to these individuals as Patron Saints. That's

1 Exhibits 4, 7, 9, and 15. And so the Court should take into  
2 consideration that even Defendants cannot explain who these  
3 individuals are and why they are important without extensive  
4 reference to religion. And so I actually don't think this case  
5 presents, you know, a difficult case that's on the line because  
6 the Defendants, in their own words and in their own Exhibits,  
7 are acknowledging that these figures are important because of  
8 their religion. And I don't think that the religious nature of  
9 these figures can be divorced from their importance.

10 THE COURT: Let me ask you this, and this -- you may not be  
11 aware of this, the reason I -- I was thinking of this is  
12 September 11th came -- came by. On September 11th, a Franciscan  
13 Priest from St. Bonaventure University, obviously Catholic, was  
14 the Firefighters Chaplain, goes to the towers, and is killed.  
15 There has been significant statues and tributes paid to Father  
16 Michael Judge. How would -- how would I deal with something  
17 like that? That's -- that's kind of the -- the whole genesis --  
18 careful using that, the whole origin of that question because  
19 there's an individual, very religious significance as the  
20 Chaplain for the Fire Department, but also a secular reason why  
21 the -- the Firefighters in New York just love this guy, you  
22 know, and they want to honor him because of his courage. Is --  
23 is there -- is that -- how would I deal with something like  
24 that? Or is that the -- a different analysis than what you  
25 would ask me to give these statues?

1 MS. DAVIDSON: The analysis is always going to be somewhat  
2 fact intensive. I would say with this particular Priest, you're  
3 looking at someone who is in -- you know, in this community and  
4 obviously was part of a, you know, absolutely traumatic and  
5 transformational event for the Firefighting community. And so  
6 in that case, you know, if there was to be a statue of that  
7 individual in New York where this -- this Priest, you know, did  
8 his work in the community, I think that would be a different  
9 analysis.

10 THE COURT: All right. Let me ask you -- I won't say --  
11 maybe not the final question, but another question. Do you look  
12 at these two statues as what I would say a package deal? Are  
13 they -- is it all or nothing? Is there an analysis that's  
14 different for Florian as opposed to Michael the Archangel?

15 MS. DAVIDSON: I think they share a lot of commonalities in  
16 the sense that they both are depicted, again, in the  
17 characteristic Catholic iconography that they're both typically  
18 depicted in, in religious art. And so, as the Berne Declaration  
19 explains, in Catholic iconography, Saints typically are  
20 accompanied by symbols and motifs that, you know, represent  
21 their martyrdom or miracles that are attributed to them.

22 THE COURT: Right.

23 MS. DAVIDSON: So they both have this religious symbolism  
24 that is -- it is quite specific to Catholicism. Florian has his  
25 single bucket dowsing out a burning building, which refers to

1 the miracle that he -- is attributed to him. And St. Michael  
2 has his angel's wings. He has the demon. And so they both have  
3 overtly religious symbolism. And they both -- again referring  
4 to my previous point, Defendants explain both of them with  
5 reference to religion. And I don't think that either of them  
6 can be divorced from that predominant religious nature that they  
7 have.

8 THE COURT: Is one more demonstrative of the religious --  
9 because I'm just saying, if -- if -- if you look at the statue  
10 specifically of Florian, and he is a historical figure; right?  
11 He was born, my understanding, is around 250 AD and was involved  
12 in creating a brigade of Roman soldiers who put Fires out. And  
13 if you look at that statue, as I looked at, I -- I didn't really  
14 see any overt -- I guess I didn't know his whole history, of an  
15 overt sign of the religious significance. I can't say the same  
16 thing for the other statue. The other statue has wings. I  
17 mean, and it's clearly, clearly a religious statue of -- I mean  
18 of an angel. I mean and I think -- and I think anybody walking  
19 by, knowing the -- the Catholic history, would understand that  
20 person is an angel or depicts an angel, and not so much the same  
21 with Florian. So that's why I was asking if there -- are  
22 different gradients, I guess, of what you would say a violation  
23 of the Constitution?

24 MS. DAVIDSON: I think Your Honor is right that the -- the  
25 angel's wings and the demon are especially overt. But I would

1 say with regard to Florian that he only has his -- he's only  
2 known because of his role in the Catholic Church, with all due  
3 respect -- you know, his works, Firefighting, which I'm sure  
4 were impressive. The reason he is known today and the reason  
5 he's important to that community is because of the powers of  
6 intercession, et cetera.

7 THE COURT: Okay. All right. Anything else you wanted to  
8 -- to add?

9 MS. DAVIDSON: I would just add, Your Honor, I know we  
10 state in our papers, but I just wanted to stress that the SJC  
11 notes that when the Court is applying the Colo framework, these  
12 factors are not mechanistic tests. They're guidelines for Your  
13 Honor's analysis. And I do want to stress that although we have  
14 a very strong case, in my opinion, on each of the prongs,  
15 Plaintiffs do not need to win on all the prongs. A failure of  
16 the Government on any of them is sufficient for an Article 3  
17 violation. So I just wanted to bring that to your  
18 consideration. And I think I could address any other questions  
19 you have during the Motion to Dismiss as well --

20 THE COURT: All right.

21 MS. DAVIDSON: -- if you'd like.

22 THE COURT: All right. Counsel, thank you.

23 MS. DAVIDSON: Thank you, Your Honor.

24 THE COURT: All right. Attorney Timmins.

25 MR. TIMMINS: Thank you, Your Honor.

1 (Discussion off the record.)

2 MR. TIMMINS: Your Honor, what I plan on doing this morning  
3 is we've presented you with a really thorny issue here, and I'm  
4 hoping to make things a little more direct and simple by  
5 focusing on some specific factors that relate to the Injunction,  
6 by reviewing the Complaint and some significant deficiencies I  
7 see with the Complaint and -- and we'll ask the Court to  
8 consider and -- and then reviewing the Preliminary Injunction  
9 arguments. I'll also talk briefly with you about Raftery and  
10 Colo.

11 So, beginning with the Complaint, Your Honor, the first  
12 significant issue is that it is not a Verified Complaint. There  
13 is nothing in the record before you that is signed under oath.  
14 There's not -- there's nothing beyond allegations, suggestions,  
15 implications, and this Court is being asked to enter an  
16 Injunction with that as the record, the foundation.

17 In addition, the introductory paragraph of the Complaint  
18 reads that the Plaintiffs are bringing this action to ensure  
19 that -- to protect their rights under the Massachusetts  
20 Constitution and ensure that their Government respects the  
21 community's rich religious pluralism.

22 Well, if that's the objective, Your Honor, that's how I got  
23 off the trail onto standing and so focused on it, because I've  
24 cited Case Law in my Memo, and the Courts reviewed it, that  
25 individuals do not have a right to bring an action to stop a

1 Municipal Government in the manner that is -- they're attempting  
2 to do here. That's that Amory case. And there are others that  
3 flow from it that are cited in the Memo.

4 In this particular instance, what the individuals are  
5 trying to do collectively is stop what they claim to be a -- an  
6 illegal expenditure of money. They don't specifically say that,  
7 however, anywhere in the Complaint. And, Your Honor, Chapter 42  
8 -- get the numbers right. I'm off to a bad start.

9 Chapter 40, Section 53, the 10 Taxpayer Statute. It's very  
10 specific. And the -- the Complaint begins with describing each  
11 of the Plaintiffs and their status as taxpayers. So one would  
12 infer from that that this is a 10 Taxpayer Statute. But then  
13 you look at the opening paragraph of the Complaint and you look  
14 at the relief sought, and you look at Count One of the  
15 Complaint, and nowhere does it specifically say that they're  
16 trying to stop any illegal expenditure of money by the  
17 Government. The discussion and the Complaint flows toward  
18 Article 3. But again, Count One, violation of Article 3,  
19 paragraph 58, that's the only time that Article 3 is mentioned.  
20 And the -- the issue is Article 3 was, as -- as the Court  
21 understands, because you've read the paperwork, Massachusetts  
22 was the last State in the Commonwealth -- last Commonwealth in  
23 the Republic to continue to pay support private religion.  
24 That's -- that was written into our Constitution and our  
25 Declaration of Rights that we supported religion because they

1 regarded religious faith as so important back when Article 3 was  
2 first written.

3       Then in 1833, after what both parties have conceded were  
4 years of tumult and -- and -- and discord, that provision was  
5 expunged from Article 3. Article 3 is about the  
6 disestablishment of religion and it addresses sex and societies.  
7 It doesn't address individual rights whatsoever. It says that  
8 we're not going to allow Government to pay in support of any  
9 particular religion anymore. That's going to stop. And no  
10 sector society is to be subordinated.

11       Well, I regrettably have spent a lot of time trying to  
12 figure out what subordinated means in that context. And then I  
13 come back to the point that it's sex or societies that are not  
14 to be subordinated. And our ten Plaintiffs are all individuals.  
15 They're members of different religious societies who have come  
16 together to challenge an expenditure. But they're cloaking  
17 themselves in Article 3, it seems, because there's nothing  
18 specific in the Complaint beyond paragraph 58, they're cloaking  
19 themselves in a provision that protects sex and societies, not  
20 individuals. So that's -- that's another big problem here.

21       The Complaint itself outlines in paragraphs 20 and 23 the  
22 appropriation process that occurred when the funding was being  
23 brought forth for this project. It extended from 2017 to 2022  
24 for public meetings. And this is all set out in the Plaintiff's  
25 Complaint. So they outline how this project was funded, and the

1 funding is public funding for a public building. There's no  
2 religious aspect whatsoever. Not only that, but it's a public  
3 building to house Police and Fire.

4 Now, one of the Colo factors, Your Honor, and I may repeat  
5 myself later, but one of the Colo factors that was significant  
6 was that the Court found that the Chaplains, who were conducting  
7 an introductory prayer at the legislative sessions, were  
8 offering that prayer to legislators who the SJC described as  
9 mature individuals who clearly were not going to be influenced  
10 by the prayer. The -- the ultimate finding that this was  
11 primarily sectarian was it was to help them focus and inspire  
12 them to -- to conduct their work. And there was no concern that  
13 they would be influenced. And so, you know, inferentially, the  
14 Court saying, so this wasn't really an attempt to influence or  
15 promote religion. It was focused on that sectarian,  
16 inspirational prayer to begin.

17 Well, that's precisely what's being talked about by the  
18 City in regard to the statues that are being placed on the  
19 building. I said at our last hearing, Your Honor, I kind of  
20 bridle every time I hear the term Catholic Saints, statues of  
21 Catholic Saints. That was first portrayed in the Patriot Ledger  
22 story. It has been picked up in the Complaint. I'm sure the  
23 Court noticed in reviewing the Complaint, it's a very  
24 interesting document because I've never encountered a Complaint  
25 before that was so heavily annotated with references to

1 newspaper stories. The Patriot Ledger is the primary source of  
2 what's in the Complaint, which is probably why it's not a  
3 Verified Complaint. And it is the Patriot Ledger and other  
4 individuals have called these Catholic Saints. I think it's --  
5 your questions alluded to the fact that you understand this key  
6 issue.

7 Your Honor, if we were just picking Catholic Saints in  
8 order to elevate the Catholic faith and show everybody coming by  
9 Sea Street, we're Catholic and Quincy, we probably would have  
10 gone with St. Peter and St. Paul because they're the two big  
11 dogs in our faith. Hypothetically, if we wanted it to be more  
12 well recognized, maybe it would have been St. Patrick and St.  
13 Francis. I mean, it's not a coincidence that it is the Patrons  
14 of Police and Fire that are going on the building. And more  
15 than not a coincidence, it is why it's happening.

16 THE COURT: But who named them the Patrons?

17 MR. TIMMINS: Do you mind --

18 THE COURT: It was the Catholic Church; right?

19 MR. TIMMINS: Could you speak into the microphone?

20 THE COURT: Sure. I'm sorry.

21 MR. TIMMINS: I have hearing issues, sorry.

22 THE COURT: That's all right. And the question I have is  
23 who named them as the Patrons or the protectors of the Police  
24 Department and the Firefighters? It was the Catholic Church.

25 MR. TIMMINS: Well, that's an issue, Your Honor, that I

1 never got to track down. And -- and my argument, I guess, would  
2 be, here --

3 THE COURT: I did. I did. The -- St. Michael the  
4 Archangel was named as the protector and the Patron Saint of the  
5 Police Department in 1949. So, you know, I mean, -- and -- and  
6 St. Florian, my -- and again, my -- I don't want to say my  
7 research, my historical research skills are probably -- may not  
8 be the best, but from what I could find from -- about St.  
9 Florian was, you know, it goes back a long time. He was the  
10 Patron Saint also of -- one of the Patron Saints of Poland, part  
11 of Austria, and the Firefighters. But it goes back, but it was  
12 -- there were -- they were, for lack of a better word, assigned  
13 as the Patron Saints by the Catholic Church. So -- so that --  
14 that argument -- that's significant to me in regards to the  
15 analysis of subordination of one sect as another that the City  
16 has -- I mean, when you say, well, they're Catholic Saints on  
17 there, they are Catholic Saints and they are going to be up  
18 there. So that's the analysis. That's how I -- I was looking  
19 at that. I don't -- I didn't see any question that -- that they  
20 weren't named Saints by the Church and that they weren't -- the  
21 Catholic Church basically assigned these -- these Saints as the  
22 protectors of either the Firefighters or the -- the Police  
23 Officers. So that, for lack -- so that's how I saw it.

24 MR. TIMMINS: Well, I under -- I understand. Perhaps I --  
25 I should have finished the thought or whatever. I found when I

1 was in an argument with my sister for the first time in our 60  
2 plus years together about this issue, that I could not segregate  
3 Saint from Patron. And -- and so I understand that, and I'm not  
4 attempting to do that. But what I'm saying is, I guess what the  
5 big thing is, the Catholic Patron Saints, they're more than  
6 that. Exhibit 22 from the Plaintiffs -- Plaintiffs' Exhibit 22  
7 is a biography. I see you have a few of these on -- but it's in  
8 the record about St. Michael. And when you look at the Exhibit,  
9 and again, this is Plaintiffs' -- this is how St. Michael is  
10 described in Exhibit 22. And -- and this is taken from, as are  
11 many of the Exhibits, from a Catholic Journal. "But St.  
12 Michael's presence can be traced back to early Jewish writings,  
13 particularly in texts from the 2nd and 3rd Centuries BC. In  
14 these ancient texts, he is depicted as the chief among angels  
15 responding for -- or responsible for guarding and caring for  
16 Israel. St. Michael is often referred to as the guardian prince  
17 of Israel."

18       So my point is, when the Catholic Church made these  
19 individual Saints, that didn't mean they took over ownership of  
20 them. What the precipitating factor was for the patronage  
21 adoption by Police and Fire, perhaps Attorney Gilleran's ready  
22 on that. But I'll just say to the Court it's a tough issue.  
23 He'll tell you that they've selected them for a certain reason.  
24 It has nothing to do with Catholicism. But -- and, you know,  
25 I've driven by Florian Hall my whole life. And I -- I -- I

1 remember the first -- my first reaction reading the Complaint, I  
2 didn't know Florian was a Saint. I just thought Florian had  
3 something to do with Firefighting. And Florian Hall is not St.  
4 Florian Hall. It's Florian Hall. And the Firefighters have  
5 patches that relate to the -- the one part of his life. And  
6 this is something I understand you're looking at from your  
7 earlier questioning, Your Honor, that there's more dimension to  
8 these parties. Like, you walk into the SJC. Moses is -- is  
9 there, and Moses is a religious figure, and he's up on a -- the  
10 front door to the Supreme Judicial Court of the Commonwealth  
11 because of -- he stands for, you know, the Law.

12       So there are -- there are two dimensions to these parties,  
13 and -- and I -- I guess when I bridle about, and this is what  
14 got us off on this track, is when people refer to them as  
15 Catholic Saint statues, they're limiting what they're about  
16 because they're more than that. You were talking about the  
17 history of Florian. He was a Roman soldier. He died in roughly  
18 200 AD, and I believe his veneration wasn't until 100 years  
19 later. And he was venerated because he was killed by Romans  
20 because he would not disavow Christianity. Well, before that,  
21 he did the things you mentioned, Your Honor. He created a Fire  
22 brigade, and he put out Fires.

23       And again, I think I'm going to allow Attorney Gilleran to  
24 address most of this because I know he's eager to.

25       THE COURT: Let me ask you kind of the same -- the same

1 question, and I'll let you get back there just because I don't  
2 want to lose my train of thought. Let me ask you the same  
3 question I asked the Plaintiff. Is this a package deal? Is  
4 there -- I understand the arguments regarding Florian. Is -- is  
5 the analysis different for the statue of Michael with the wings  
6 in -- in that type of presentation?

7 MR. TIMMINS: Your Honor, I submit the analysis is not  
8 different. Mayor Koch in his Affidavit, Mayor Koch in I believe  
9 it's Exhibit -- Exhibit 7, there's a Patriot Ledger newspaper  
10 article. The Complaint heavily references it, and it talks --  
11 there's all kinds of quotes from Mayor Koch about why he did  
12 what he did, and he picked the two of them concurrently for  
13 Police and Fire. And I wouldn't, you know, argue that, you  
14 know, while we have a better position with Florian because he's  
15 a Roman soldier, and clearly no religious, you know, inference  
16 can be drawn from that appearance, but Michael has wings, so  
17 that's a whole different issue. We wouldn't do that. I think  
18 it's the same issue on both, because the purpose -- and that's a  
19 very critical analysis that Your Honor -- the Court must  
20 conduct, the purpose of the statues is to inspire both Police  
21 and Fire, and the statues basically have the same origin. One  
22 is a Patron Saint because of what he did in the Fire service,  
23 the other because he's a guardian.

24 THE COURT: If the purpose is to inspire the Police  
25 Officers and the Firefighters, I'm assuming, and I'm not trying

1 to be a wise guy here, I'm assuming you're going to have a  
2 different entrance; right? They're not going to be walking  
3 through the front door. That's where the public is going to  
4 walk, generally, and I -- I don't know what the design is, but  
5 generally the Firefighters and the Police Officers would come in  
6 through a different entrance. Couldn't you put the statues  
7 there? If the -- if the secular purpose is to inspire and to  
8 show the respect to the Officers and the Firefighters, couldn't  
9 you do it there?

10 MR. TIMMINS: Understood. Well, Your Honor, on that point,  
11 this gets to another dimension of this. I submitted a number of  
12 Exhibits with my material, Your Honor, and at the back end of  
13 the pile is -- our -- I'll get it. Don't worry. Thank you.  
14 Exhibit 16, which is a municipal Ordinance, you know, that we  
15 call our Public Art Ordinance, and it talks about the origin of  
16 why we're doing this, that there's all kinds of construction  
17 going on in Quincy and there was at the time the Ordinance was  
18 passed in 2009. And rather than have just these buildings show  
19 up and have, you know, buildings that were brick and mortar, we  
20 introduced a statute in Quincy -- I beg your pardon, an  
21 Ordinance in Quincy that said we want public art installed as  
22 part of the building. And that is what has happened in our  
23 City. And there are statues that have gone up since then. The  
24 City created a public common, and they put -- it's the Hancock  
25 Adams Common. We have a statue of John Hancock, statue of John

1 Adams. So the statues are not merely there for the Police and  
2 Fire. They're there because this is a fairly majestic building  
3 that has been constructed. And precisely what happened here was  
4 the Mayor, and he says this in his Affidavit, he was talking to  
5 the architect during the final phase of closing out the project.  
6 And the facade of the building was just flat with some -- some,  
7 you know, columns or whatever, and he was not -- he was happy  
8 about that. So there's a public art function that is consistent  
9 with the practice that's been going on in Quincy since the  
10 passage of the Ordinance. That's an Exhibit. You know, and  
11 there's -- there's -- there's more to this. It's  
12 multidimensional, than simply art.

13 THE COURT: So you're saying -- I don't want to put words  
14 in your mouth. But make sure I get it, because that's one of  
15 the issues I have, is what is the secular purpose? And so  
16 you're saying that there are multiple secular purposes,  
17 including the -- the art function as well as the others that are  
18 listed in the Mayor's Affidavit?

19 MR. TIMMINS: Yes, Your Honor, and Plaintiffs' Counsel has  
20 made the point, couldn't you have done something else in the  
21 building? Sure. Something else could have been done on the  
22 building, but this is entirely appropriate to put on a public  
23 safety building. That's -- that's what happened. That's -- all  
24 right.

25 So there's -- there's a couple of other things, and then

1 I'll -- I'll move on from the Complaint. But in paragraph -- in  
2 paragraph 45, without any support for the proposition  
3 whatsoever, it says that these Saints will send a predominantly  
4 religious message. Nowhere -- that -- that's just in the  
5 Complaint. In the Motion for Preliminary Injunction, that point  
6 is not developed at all. It's unclear how that message will be  
7 sent. These are statues that if you -- the average person  
8 walked down the street and saw them and was not aware of this  
9 kerfuffle, they would say, Roman Soldier. Why is he holding a  
10 watering bucket?

11 THE COURT: What would they say, though, about the other  
12 statue with the wings?

13 MR. TIMMINS: Well, Your Honor, Saints don't have wings.

14 THE COURT: I don't know that.

15 MR. TIMMINS: So the wings --

16 THE COURT: He's a Saint, according to the Catholic Church.

17 MR. TIMMINS: Well, he's an archangel. I -- I don't -- I  
18 don't think he's a Saint in the Catholic Church either. But the  
19 -- the interesting thing is, and this comes out of Plaintiffs'  
20 paperwork, you know, the origins are in the Jewish faith, and,  
21 you know, it's kind of a denial of the Judeo Christian Theology  
22 to say that, you know, Christianity kind of showed up on the  
23 scene, and then off he went. You know, there's the Book of  
24 Daniel. There's all kinds of things. And there was a --  
25 there's a bit of a transfer in -- you know, from Judeo to

1 Christian, and Michael is part of that. The origins were that  
2 he was the great protect -- protector of Israel, and -- and he  
3 has since been transformed.

4 Your Honor, if there were a statue of Jesus on the  
5 building, that would be a problem, because there's a clear  
6 distinction between how Jews and Christians view Jesus. That's  
7 an issue. There's far more of a merger with regard to Michael,  
8 and that's why he's an archangel and never -- you know, again, I  
9 -- the fact that these two individuals are venerated does not  
10 mean that the Catholic Church reeled them in and put them on the  
11 boat and took off. We don't know -- well, I don't speak for the  
12 Church either. The Catholic Church does not own these two. And  
13 -- and it's arguable that the Firefighters have more ownership  
14 over Florian than the Catholic Church and the same with Michael.  
15 Michael extends into the military. And again, I'll refer to  
16 Attorney Gilleran, but Michael's the great protector. And I do  
17 understand what you're saying, Your Honor, about the wings, you  
18 know, how one might view it might -- would someone walk by and  
19 say, there's some great art or whatever, or ask, who is that?  
20 What is that? But I -- I don't think that that's --

21 THE COURT: Okay.

22 MR. TIMMINS: All right. And there's -- there's a little  
23 quote that finds its way through the Complaint and the -- the PI  
24 Motion that over 200 people were at a public hearing. That's  
25 all it says. It doesn't say anything about who was for, who was

1 against. I was hopeful that perhaps the Fire and Police would  
2 explain their role at that. I didn't see it in the paperwork,  
3 but, you know, I happen to be at the meeting. That's part of my  
4 job. And there were -- the room was packed with Police and  
5 Fire, so -- but for purposes of this matter, over 200 people is  
6 a statement that in a vacuum doesn't establish anything factual.  
7 And then there's a quote regarding Councilor Minton about his  
8 concerns. And from that, the inference is drawn or the  
9 inference is submitted that, you know, a City council was  
10 against us. But Councilor Minton was in community policing.  
11 And when you read what his issue is, it was more with the  
12 depiction. And the direct quote that he made was us versus  
13 them.

14 THE COURT: Yeah.

15 MR. TIMMINS: It doesn't address the religious. So Exhibit  
16 7, Plaintiffs' Exhibits, addresses Koch's process. That's --  
17 that's there, why Koch did what he did.

18 Exhibit 10, Your Honor, is very interesting. And it's a  
19 Change.org Petition, and if you look at it, you will see that  
20 one of the Plaintiffs started this Petition, and the Plaintiff  
21 is identified in it. And when you look at it, the Petition  
22 begins with this statement from the Plaintiff. "Though  
23 religious subjects are not illegal, they are inappropriate."

24 So the question before this Court is the legality of the  
25 expenditure. It's not appropriateness. And I would submit that

1 when you go through the Affidavits, you know, the -- the Motion,  
2 most of this is on private individual objections.

3 And then finally, Your Honor, there is -- there are a  
4 number of statements in the declarations or some statements in  
5 the declarations that Judaism does not recognize Saints. Well,  
6 as I have already discussed, Exhibit 22 talks about the fact  
7 that Judaism perhaps does recognize Michael. So I -- I think  
8 the status of Michael is very different. It's clear that  
9 Michael -- that the language used by the Plaintiffs, which I  
10 suggest is carefully crafted, fine, Judaism doesn't recognize  
11 Saints. That's not the issue here. We're here because of the  
12 patronage aspect.

13 And Your Honor, I -- I think I've taken up some time. I  
14 hope --

15 THE COURT: That's all right. This is an important issue  
16 for -- for everybody. So I -- I -- that's fine.

17 MR. TIMMINS: So I want to get into a bit and I'll close on  
18 this, both Colo and Raftery. So first of all, why did I  
19 introduce Raftery into the discussion? Well, first of all, came  
20 online a little late for us. The Decision was rendered after we  
21 had submitted our paperwork. Otherwise it probably would have  
22 been incorporated. The reason I have brought this in, it was  
23 prompted by a quote in the Colo case that has resonated with me  
24 since I first read it. And that quote is found on page 558 of  
25 Colo. And it says, "The Supreme Court has cautioned that

1 tests," in quote, "are not precise limits to the necessary  
2 Constitutional inquiry, but are instead guidelines to a proper  
3 analysis." And what I believe has gone on in the SJC Decisions  
4 is they have referred to the Supreme Court cases where  
5 appropriate. But Massachusetts, the SJC has retained its  
6 independence as far as how it's going to make decisions. And  
7 that independence has reflected in an evolving approach. Colo  
8 is a Decision that was published in '79. That was followed, and  
9 this is why I talked about Kaplan in the manner I did, by Kaplan  
10 v. Acton, which is 2018, same Court, the SJC. And now we have  
11 Raftery. And what I would submit in Raftery, Your Honor, the  
12 case I -- the version I provided to the Court and to Counsel,  
13 I'm going to refer to the pages on that. It's not official  
14 citations, but on page 11, the Court, as it's beginning its  
15 discussion, talks about the thrust of the Plaintiff's argument  
16 and says, "Text, history, and purpose of Article 26," that's  
17 what they're going to look at. And then I go to page 39, as  
18 we're getting to the conclusion, and the Court states, "With the  
19 benefit of this review of the text, history and Case Law and the  
20 guidance it provides, we conclude that," blah, blah, blah. So  
21 the SJC's approach has been evolving. And I suggest to the  
22 Court that the Court's concern about getting the -- the test  
23 right, which I appreciate, you -- you asked Plaintiff's Counsel  
24 the question. I think all these factors that are listed in the  
25 cases, it's not like the -- the SJC's ever ejected one or moved

1 on from another. I think the Court has the ability to look --  
2 we can apply the Colo test to this case because if we do apply  
3 the Colo test to this case, the Defendant still prevails because  
4 -- on all counts. Colo is about prayers being said in a public  
5 institution. Fitzmaurice is about public art going on a public  
6 building paid for by the Government through appropriations that  
7 are explained in the Complaint.

8 Another thing that resonated, I may have said this to you  
9 already, but the SJC said clearly there's not a concern about an  
10 attempt to undo influence -- unduly influence parties  
11 religiously one way or another, because the legislature, they're  
12 all mature individuals. Well, the Plaintiffs and their  
13 declarations, they're -- they're not just mature, they're  
14 sophisticated about religion. You know, I recall myself back in  
15 2002 having some real issues with the fact that I was a Catholic  
16 given what was going on in the Church. And I actually ended up  
17 speaking at length and looking at different options with some of  
18 the same people that some of the Plaintiffs are now involved  
19 with. So there are issues like that, but I came to decisions  
20 because I could do so, and these Plaintiffs can. And people  
21 driving by Sea Street who look at this building are not going to  
22 be influenced.

23 And an argument I would make by way of example is if we  
24 were building a new school, elementary or junior high, we'll  
25 say, and we put these same two statues on the front door and

1 said it's artwork, well, there -- there may be an argument in  
2 that instance. Well, it's going to -- like you said, about the  
3 wings, this is going to prompt questions, and the questions are  
4 going to be answered. And because it's children, there might be  
5 an argument of undue influence or an attempt to influence, an  
6 attempt to open the door by way of the statues to influencing  
7 what the children think. But here we have mature individuals  
8 before the Court asking you, asking the Court to enjoin the  
9 construction of this -- the completion of this structure due to  
10 these statues because they're offended by them. And --

11 THE COURT: But aren't -- aren't unsophisticated  
12 individuals also going to see these statues? I mean, Sea  
13 Street, you know, it's not limited --

14 MR. TIMMINS: Right.

15 THE COURT: -- just to sophisticated people who drive by  
16 there, with all due respect to people driving on Sea Street.  
17 So, you know, it's not just these Plaintiffs that are going to  
18 see these statues. It's -- it's everybody.

19 MR. TIMMINS: Well, I understand that, but they're -- but  
20 they're the only ones --

21 THE COURT: Okay.

22 MR. TIMMINS: -- making it at this time, number one.

23 Number two, I presume that most of the people who are  
24 traveling up and down Sea Street are going to be looking  
25 straight ahead so they don't drive into who's in front of them.

1 But, you know, who knows what they're going to see and how  
2 they're going to react. This case is to some degree a  
3 subjective reaction by ten individuals to what's going on.  
4 You're absolutely correct, Your Honor. There's -- I can't  
5 necessarily limit the argument because of the fact it's -- these  
6 are mature individuals. But the fact of the matter is, it's set  
7 back. It's not like we have it out on the street. You know,  
8 it's set back, and it's public art. It's -- in the same manner  
9 that the Colo Court came to the conclusion that the potential  
10 for influence was not there, I would argue that -- I would  
11 submit that this Court can make the same finding because of the  
12 nature of it.

13 THE COURT: All right. I just had one question, because on  
14 both Colo and the other tests, history is important; right?  
15 Everybody talks about the textual interpretations through  
16 history. And I have to ask it because Quincy, it's known for a  
17 lot of things, but it's really known for John Adams. And John  
18 Adams, right, is -- is buried maybe a quarter of a mile from  
19 where these statues are. What would John Adams say, do you  
20 think, in regards to this issue?

21 MR. TIMMINS: Well, that's very -- that's an interesting  
22 question, because one thing I found fascinating was, in going  
23 through the history of Article 3, he didn't participate in the  
24 discussion about the amendment. He intentionally absented  
25 himself. And from what I saw, you know, Madison in Virginia,

1 Adams in Massachusetts, they were on different sides of the  
2 coin. He just totally stepped out of it. And the Church, the  
3 First Parish Church, this is -- this is from John Adams. It's  
4 built on land he donated to the City, and -- and there are  
5 members of the congregation here. And -- and, you know, I'm not  
6 sure what he would say, Your Honor, but I do know that, you  
7 know, Adams Academy, when it was built, there were all kinds of  
8 things that John Adams did in Quincy, and he donated land, and  
9 he did not impose restrictions. And I think that in that  
10 respect, you know, I would -- in responding to your question,  
11 Adams, he contributed to the City, but he didn't want to  
12 dominate. One of the reasons he wasn't a more major national  
13 figure was because of his -- his persona. So I think if the  
14 implication behind your question is, do you think he'd object or  
15 whatever, well, again, contextually, we're calling this public  
16 art, and we're supporting the Police and Fire Department, and  
17 I'm virtually certain he'd -- he'd accept that in a discussion.

18 THE COURT: All right.

19 MR. TIMMINS: So --

20 THE COURT: Thank you.

21 MR. TIMMINS: All right.

22 THE COURT: All right. Anything further? I didn't mean to  
23 cut you off with that kind of hypothetical historical inquiry.  
24 I'm sorry.

25 MR. TIMMINS: Well, no, Your Honor, I just -- I guess the -

1 - the closing thought I would have is this, that it's certainly  
2 regrettable that the Plaintiffs feel the way they do. And --  
3 however, they have not submitted to the Court anything that can  
4 support the type of extraordinary relief -- they're trying to  
5 stop this project. Nothing's under oath. It's not even clear  
6 that they're coming forward under the 10 Taxpayer Statute.  
7 That's not specified anywhere. And there's no particular  
8 allegation that the money that's being spent violates Article 3.  
9 The -- Article 3 is mentioned, and it's left there. So I would  
10 just say that the -- you know, the likelihood of success is --  
11 is very minimal, if at all. And in response to the Motion to  
12 Dismiss discussion we'll have later, I understand that a  
13 response to Rule 12 is that parties can amend a Complaint to  
14 clarify whatever issues I raise; however, at this juncture,  
15 there's -- there's no amending. There's no case. And I'd ask  
16 the Court -- it's important for the City to complete this  
17 project, and it's going to send an important message to the  
18 public, to the Police and Firefighters who support this project,  
19 that the -- the matter be allowed -- the build -- the completion  
20 of the project be allowed to go forward.

21 THE COURT: All right. Counsel, thank you.

22 MR. TIMMINS: All right. Thank you, Your Honor.

23 THE COURT: All right. Attorney Gilleran.

24 MR. GILLERAN: Your Honor, my argument will be much more  
25 technical, but if I might first bring to the attention of the

1 Court the case of Colo v. Treasurer and Receiver General. I  
2 have a copy, if I might hand it up, Your Honor.

3 THE COURT: Actually, I -- I have a copy as well in regards  
4 to that.

5 MR. GILLERAN: If I could turn to the endnotes, the  
6 footnotes at the back, and the reason why I'm doing this is  
7 because one of these footnotes is written by John Adams. His  
8 language appears at the end of Colo v. Treasurer and Receiver  
9 General at footnote four. And his language is Article 2. This  
10 is John Adams who wrote the Massachusetts Constitution of 1780.  
11 This is his language from that document, the oldest Constitution  
12 in the world, which governs in this Courtroom. And he said, "It  
13 is the right as well as the duty," not just the right, the duty,  
14 "of all men in society publicly and its stated seasons to  
15 worship the supreme being, the duty, the great creator and  
16 preserver of the universe. This is our Law today. And no  
17 subject shall be hurt, molested, or restrained in his person,  
18 liberty, or estate for worshiping God in the manner and season  
19 most agreeable to the dictates of his own conscience or for his  
20 religious profession or sentiments, provided, caveat, he does  
21 not disturb the public peace or obstruct others in their  
22 religious purpose."

23 Okay. So this is a -- I would call this a cognate of the  
24 Free Exercise Clause is what this is. But it is stated, not  
25 just you've got the right. You have a duty. And also the

1 Constitution of 1780 removed the direct financial taxpayer  
2 support of the Congregational Church, which was a descendant of  
3 the Puritans. That was removed, so that all religions were  
4 recognized in the Commonwealth. All religions were recognized  
5 in the Commonwealth by John Adams, and he said that religious  
6 worship was a duty. I can't say that I know what John Adams  
7 would do about these statues, but I see his strong support for  
8 religion in the public square. It's right here. It's right  
9 here.

10 Now, I'm going to be, as I said, far more technical than my  
11 brother. And I'm going to take a very -- sorry. One second,  
12 Your Honor.

13 I think the question of what is the appropriate Law is an  
14 important question. I think the Court, yourself, raised this  
15 question. And what we have to look at here is what happens in  
16 Colo v. Treasurer Receiver General and what happens in  
17 subsequent cases -- cases and also in Raftery down to this day.  
18 And what we see there consistently, starting with Colo, is a  
19 particular interpretive -- interpretive test applied by the SJC.  
20 And it's the same today. They argue that they win under Lemon  
21 v. Kurtzman as applied under Colo. They don't dispute that  
22 Lemon v. Kurtzman is not the Law at the U.S. Supreme Court  
23 today. They don't dispute this. What they argue is Lemon v.  
24 Kurtzman must be applied because it's applied in Colo v.  
25 Treasurer. But what actually happens there is the SJC says in

1 this 1979 case, and I'm reading from page 558, "In determining  
2 the Constitutionality of a particular statute that allowed  
3 chaplains to be paid, we are aided -- aided by the criteria  
4 which have been established by the U.S. Supreme Court for  
5 judging claims arising under the First Amendment. First  
6 Amendment, which criteria we believe are equally appropriate to  
7 claims brought under cognate provisions of the Massachusetts  
8 Constitution."

9 Now, what we find out is when we look at later cases, and  
10 my brother cited one of those, and those cases have -- include  
11 Commonwealth v. Lucas. Again, I have a copy of this case. If  
12 the Court wants to see it, I can hand it up.

13 THE COURT: If you just give me the cite, no, I can pull  
14 that off.

15 MR. GILLERAN: The site is 472 Mass 387. 472 Mass 387 at  
16 393. This case is from 2015. Now, again, Colo is 1979.  
17 Commonwealth v. Lucas is 9 -- sorry, 2015. It cites Colo v.  
18 Treasurer and says, quote, this is the SJC now, "Criteria which  
19 have been established by the U.S. Supreme Court for judging  
20 claims arising under the First Amendment are equally appropriate  
21 to claims brought under cognate provisions of the Massachusetts  
22 Constitution."

23 And then finally we have Raftery. What does Raftery say?  
24 This is six weeks ago, six weeks ago yesterday almost. And I'm  
25 looking at page 415. Raftery is 496 Mass 402. 496 Mass 402 at

1 415. "Having reviewed the -- the relevant test -- text," my  
2 brother cited this, "Text, history, and Case Law supporting the  
3 excessive fine clause of Article 26, that's the Mass  
4 Constitution and the 8th Amendment U.S. Constitution, we  
5 conclude that the disproportionality principle is central to the  
6 analysis of excessive fines under the State and Federal  
7 Constitutions. We further conclude that the Supreme Court's  
8 multi factor -- Supreme Court's," that's the U.S. Supreme Court,  
9 "multifactor tests for evaluating disproportionality under the  
10 8th Amendment," that's U.S., "Also precludes -- also provides a  
11 sound basis for evaluating disproportionality under Article 26."  
12 Provides a sound basis.

13 One further sentence, Your Honor. "Accordingly we adopt  
14 the 8th Amendment," again the U.S. Constitution, "excessive  
15 fines criteria as outlined Boujankian," which is a U.S. Supreme  
16 Court case. Boujankian. "And applied by this Court in  
17 Betancourt," SJC Decision, "as persuasive authority and as the  
18 proper analysis under Article 26 excessive fines clause."

19 So what's happened here? The SJC over 45 years, 45 years  
20 looks to the precedent for interpreting this Massachusetts  
21 Constitution from the U.S. Supreme Court, finds it persuasive,  
22 finds it a sound basis, and finds it is the proper analysis.  
23 There is not one case offered by the Plaintiffs to suggest that  
24 today the SJC would do anything different. And these cases go  
25 on and on and on as to what is the governing interpretive

1 principle applied to the Massachusetts Constitution. It's the  
2 cognate provisions of the U.S. Constitution in Article 1.  
3 That's what it is. And those are the Free Exercise Clause and  
4 the No Establishment Clause. And those provisions today, as  
5 interpreted by the U.S. Supreme Court Plaintiffs would not  
6 prevail. Defendants would prevail. Establishment means  
7 establishment, means paid for and supported by the Government.  
8 Free exercise in almost all these cases, and I'll cover this in  
9 just a second, almost nothing can trump free exercise. No  
10 heckler's veto. I'll cover that in just a second. Nothing else  
11 can trump it. The Free Exercise Clause I would say is -- is --  
12 is largely predominant and only a State supported -- State  
13 supported religion could do so -- could do so. And that is the  
14 current Law today at the U.S. Supreme Court.

15 Now moving on from that, I raise the question as follows.  
16 My brother points out that the Plaintiffs rely upon Article 3 of  
17 the Massachusetts Constitution, which is set forth in the Colo  
18 case in the footnotes which I just looked to. And the Colo case  
19 involves -- and it's described at -- at page 552. The Colo case  
20 involved a claim brought under the First Amendment of the U.S.  
21 Constitution, the 14th Amendment, Equal Protection, Articles 2  
22 and 3 of the Massachusetts Declaration of Rights, which is --  
23 Article 2, we've already seen is the Free Exercise clause  
24 written by Adams. Article 3, which has its anomalous language.  
25 Then Article 18, Section 2, Article 18, Section 2, again, that's

1 described at the back of Colo at footnote four. And this is a  
2 No Establishment Clause. And it says -- this is from 1833. "No  
3 grant, appropriation, or use of public money or property or a  
4 loan of public credit shall be made or authorized for the  
5 purpose of founding, maintaining, or aiding any Church,  
6 religious denomination, or society." Now why is that important?  
7 Again, that's a classic No Establishment Clause like the U.S.  
8 Constitution, at least how it's interpreted today. And the  
9 Plaintiffs rely in their Complaints solely on Article 3. Yet  
10 here the U.S. Supreme Court in Colo applied Lemon v. Kurtzman  
11 because the case was a First Amendment case, and they say so.  
12 And I'm looking at page 558 again, which I already quoted. "In  
13 determining the Constitutionality of the chaplain provision, we  
14 are aided by the criteria which have been established by the  
15 U.S. Supreme Court for judging claims arising under the First  
16 Amendment." In other words, their whole argument about Lemon v.  
17 Kurtzman applies, is based upon what's in Colo, which is the  
18 First Amendment. It's not here. Even Article 3 doesn't even  
19 have the Free Exercise Clause written by Jefferson. Sorry,  
20 written by Adams. Sometimes confusing. Or Article 18, Section  
21 2, there's no establishment provision. Their provision, Article  
22 3, is anomalous. It's an orphan. It's not interpreted  
23 anywhere. And how they have the right to argue Lemon v.  
24 Kurtzman solely under Article 3 is beyond. They don't provide  
25 any support for this proposition. Their argument for Lemon v.

1 Kurtzman is an argument in the air. It has no support in any  
2 Case Law, any Statute or anything. It is a -- it is a made up  
3 argument.

4 Now, what is the status of Lemon v. Kurtzman today? Lemon  
5 v. Kurtzman has a four part test as explained by the SJC in  
6 Colo. It asks, is there a secular purpose? Your Honor, you  
7 asked this question, 49%, 51% what? And I'm quoting now from  
8 the SJC in Colo, these criteria involve the application of the  
9 following three tests. Is there a -- a secular -- secular  
10 legislative purpose. Doesn't say primary or anything else, just  
11 says a secular purpose. That's number one.

12 Number two, does the primary effect of the challenged  
13 practice advance -- neither advance nor inhibit religion?

14 Number three is entanglement.

15 And number four is whether the practice has a divisive  
16 political potential.

17 And I have a chart on this if the Court would like to see  
18 it. I'm about to go through some sites from the SJC and the  
19 U.S. Supreme Court which showed that each --

20 THE COURT: Yes, and I don't mean to cut you. If you're  
21 going to give me that chart of the cites, do we need to go  
22 through them? Because I don't have them in front of me. I'm  
23 going to go read them obviously.

24 MR. GILLERAN: I -- I expect that.

25 THE COURT: You know.

1 MR. GILLERAN: But I've also got quotes, so you -- you can  
2 see the right on the page if you'd like, Your Honor.

3 THE COURT: I mean, I guess I don't know how many -- I  
4 don't know how many cites you're going to go through. That's  
5 the question I have.

6 MR. GILLERAN: I'm not -- that won't be long.

7 THE COURT: Okay. Counsel, do you have -- all right. All  
8 right. Thank you.

9 MR. GILLERAN: Now, first of all -- first off, we know that  
10 the U.S. Supreme Court has abandoned specifically Lemon v.  
11 Kurtzman. They did so in the 2022 case of Kennedy v. Bremerton  
12 School District. Lemon v. Kurtzman is no longer the Law of the  
13 land. It has been completely abrogated. I could read some  
14 quotes from that case, but I think it's pretty easy to look at  
15 it and see for yourself, even in the --

16 THE COURT: I've read it, so you don't need to, Counsel.  
17 I've read that. I've read Kennedy and --

18 MR. GILLERAN: And Justice Sotomayor in dissent says the  
19 majority has completely got rid of Lemon. That's what they did.  
20 Okay.

21 Now, as to the purpose test, there is no wall of separation  
22 between Church and State in our Constitution, even in our -- in  
23 our Federal Constitution and in our State Constitution. That is  
24 a fiction the grew out of a letter that Thomas Jefferson wrote  
25 in 1802 to a Baptist Society in Connecticut. He did not write

1 the Constitution. He was a minister to France at the time. He  
2 did not write the amendments which were written by Madison and  
3 George Mason. He had nothing to do with any of this. This was  
4 him -- simply his gloss many years later picked up by others,  
5 which has nothing to do with the text, the history, or anything  
6 of the First Amendment. Even our SJC -- I should say our SJC  
7 has written it. And I cite it here, "The hermetic separation of  
8 Church and state is an impossibility which the Constitution has  
9 never required." This is our own SJC says this.

10 And a few more points, there's two others. I won't be  
11 reading all of these down the pages because there -- they  
12 repeat. There's no preference for secular activity. The  
13 Plaintiffs say in their Complaint it's all about pluralism.  
14 They even suggest that the State Constitution contains a  
15 pluralism clause that requires the Court to do what they want.  
16 Well, instead, the U.S. Supreme Court in Kennedy v. Bremerton as  
17 written by Justice Gorsuch a few years ago, says "Rather than  
18 respect the First Amendment, First Amendment double protection  
19 for religious expression, the District Court would have us  
20 preference secular activity." There is no such preference for  
21 secular activity. There is no such thing.

22 Next, under this purpose test, for the founding generation,  
23 displaying a religious -- religious symbol on Government  
24 property was commonplace. Again, that's Justice Gorsuch in  
25 American Legion v. American Humanist Association from 2019. Of

1 the purpose test, we already know that the U.S. Supreme Court  
2 has abrogated Lemon entirely, including under Kennedy v.  
3 Bremerton. But for the purpose test, there's nothing left of  
4 it. The States, the SJC, and the U.S. Supreme Court do not ask  
5 the question, is there a secular purpose? They don't. The same  
6 points apply to the effect test. There's no wall of separation.  
7 There's no preference for secular activity. Religious displays  
8 of Government property were commonplace, same for entanglement,  
9 same analysis --

10 THE COURT: So you say -- Counsel, let me interrupt you  
11 there. So is your argument that as long as there's a secular  
12 purpose, it doesn't make any difference that there's a religious  
13 significance to the action of the statement?

14 MR. GILLERAN: That's correct, Your Honor.

15 THE COURT: Okay.

16 MR. GILLERAN: Even under -- even Colo, as (inaudible at  
17 11:18:14, low audio) as Lemon v. Kurtzman, it simply asks, is  
18 there a secular purpose? And you can see that analysis with  
19 respect to the Chaplain provision. The supreme -- SJC says  
20 obviously there's --

21 THE COURT: Wasn't -- wasn't --

22 MR. GILLERAN: -- religious purpose.

23 THE COURT: -- didn't -- wasn't the language in Colo  
24 whether the primary effect of the challenged practice. So why  
25 would they say primary effect if it didn't make any difference?

1 MR. GILLERAN: There are two different tests, Your Honor.  
2 One is the -- the first one looking at page 558. Is there a  
3 secular legislative purpose?

4 THE COURT: Correct.

5 MR. GILLERAN: Page 558. I have a copy if the Court wants  
6 it right now.

7 THE COURT: No, I have a copy.

8 MR. GILLERAN: Sorry.

9 THE COURT: I have a copy. I'm fine, thanks.

10 MR. GILLERAN: And as for two under Lemon v. Kurtzman, then  
11 the question is, does the primary effect of the challenge  
12 practice neither advance nor inhibit religion? My brother  
13 discusses -- discusses at length with respect to Colo and its  
14 effect was as to the legislature, mature people was neither to  
15 advance nor inhibit religion. But my point is that with respect  
16 to these various decisions by the SJC and the U.S. Supreme  
17 Court, Lemon v. Kurtzman is not the Law here. It's not the Law  
18 anywhere.

19 The last point I would make, Your Honor, is the  
20 divisiveness test and that is in Colo and asks whether the  
21 practice has a divisive political potential. And the U.S.  
22 Supreme Court said in Kennedy v. Bremerton, I have a copy if the  
23 Court would like to see it, at page 534, U.S. Supreme Court  
24 said, "This Court has made plain that the establishment clause  
25 does not include anything like a modified heckler's veto in

1 which religious activity can be prescribed based on perceptions  
2 or discomfort. In other words, the viewer has no veto. There  
3 is no veto. They in their Complaint cite to the declarations of  
4 numerous members of their 10 Taxpayers. Plaintiffs opposed the  
5 statutes -- statues on the basis of their religious beliefs or  
6 were non-faith beliefs. As a matter of Constitutional Law,  
7 that's irrelevant. They have no veto, nothing.

8 THE COURT: Doesn't the --

9 MR. GILLERAN: Further, Plaintiffs --

10 THE COURT: Can I -- can I ask you this? Because that  
11 echoes to me of a level of arrogance from a Government that they  
12 don't want to hear -- they can't even be addressed the public's  
13 --

14 MR. GILLERAN: Oh, that's --

15 THE COURT: -- objection?

16 MR. GILLERAN: That's a political question. That's not a -  
17 -

18 THE COURT: How about in this case here, the money, these  
19 stat -- and I don't really want to get into this but if -- if  
20 we're talking about -- it just sounds such a disrespectful type  
21 phrase, a modified heckler. The money has been spent before the  
22 modified hecklers knew. So how are they going to address that  
23 politically?

24 MR. GILLERAN: Your Honor, I am here to address simply the  
25 legal issues. I'm -- I'm going to follow the words of -- of the

1 City Solicitor who said it may be illegal but politically  
2 inappropriate. But the question in this Court --

3 THE COURT: Right. You're right, I'm sorry.

4 MR. GILLERAN: -- is the legality, it maybe that -- and I  
5 don't suggest this. The redress of the Plaintiffs is political  
6 in the City of Quincy. It's not legal in this Court.

7 THE COURT: All right. I understand. Go ahead. I'm  
8 sorry.

9 MR. GILLERAN: So this particular clause from Kennedy v.  
10 Bremerton written by Justice Gorsuch and is the majority opinion  
11 is critical. The Plaintiffs ignore this. They clearly impute  
12 not just -- not just their religious beliefs or lack of thereof  
13 or their belief in pluralism and its importance or anything  
14 else. They believe they -- their opposition to these statues  
15 for whatever reason should be enough in this Court to stop them,  
16 stop the statue. But under the Law, under the U.S. Supreme  
17 Court, under what our SJC has said it would follow, the cognate  
18 provisions, they don't have a veto. Their veto is political,  
19 not legal. So from the Injunction's point of view, they've got  
20 to show a substantial likelihood of success. They cannot.  
21 They've got to show substantial risk of irreparable harm. And  
22 I'm looking at the Siemens case that they cited, and it says  
23 substantial risk of irreparable harm. And then it goes on to  
24 say, as weighed against -- as weighed against the party's chance  
25 of success on the merits. If they have no chance of success on

1 the merits, they have no irremediable -- irremediable  
2 Constitutional harm. They have none. They can't show a  
3 likelihood of success on the merits. They can show they have a  
4 political complaint. That's not for this Court.

5 So we would suggest, Your Honor, and our argument on the  
6 Motion to Dismiss will be similar, if not exactly the same, it  
7 would not be as long --

8 THE COURT: No, it's all right.

9 MR. GILLERAN: We ask that the Preliminary Injunction be  
10 denied.

11 THE COURT: All right. Counsel, thank you. All right. So  
12 I'm going to take the Motion for Preliminary Injunction under  
13 advisement, obviously, because I'm going to need to review the  
14 cases that all three Counsel have raised, also go back and  
15 review the Exhibits.

16 So in regards now, let's move on to the Motion to Dismiss.  
17 I know we've -- I've heard a lot of the arguments I assume are  
18 going to be similar, but I -- I want to make sure that everybody  
19 gets a chance if there is something else that -- that they  
20 wanted to bring up. So the -- the -- this is the City's Motion  
21 to Dismiss. Attorney Timmins, I'll hear from you.

22 MR. TIMMINS: Thank you, Your Honor. Your Honor, as you  
23 said, you've pretty much heard what I would argue in this Motion  
24 and reviewed it already. I would submit that I may simply refer  
25 you to pages 12 through 19 of my Memorandum, rather than

1 repeating those arguments. The -- the core issue is that the  
2 Plaintiff -- I -- I say on page 17 of my Memo, Plaintiff's Memo  
3 at 16, citing the Kaplan case, there's a quote, "Government  
4 support of Churches has always and inevitably been a politically  
5 divisive issue in Massachusetts." And the core argument that  
6 I've presented is that this is public funds for public building.  
7 There's no entanglement like there was in Acton, where under the  
8 community preservation, there were contingencies and there was  
9 subsequent review of stained glass windows and whatnot. None of  
10 that's present here.

11 So for that reason, as I came to the conclusion of my  
12 Opposition for the Preliminary Injunction, I realized, as I have  
13 already said to you, that there's not a lot presented to this  
14 Court on this record. And so I would suggest that -- I mean,  
15 the Preliminary Injunction is our priority. The Motion to  
16 Dismiss, I understand that frequently Courts allow for  
17 amendment, but that's at the very least in order here. There  
18 has to be something presented to the Court within the four  
19 corners of the Complaint to move forward with.

20 So with that, I think I'll rest.

21 THE COURT: All right.

22 MR. TIMMINS: Thank you, Your Honor.

23 THE COURT: Counsel, thank you. Mr. Gilleran, we're --  
24 we're back with you very quickly.

25 MR. GILLERAN: Very brief, Your Honor.

1 THE COURT: Yeah.

2 MR. GILLERAN: The Plaintiffs say, and I'm looking at their  
3 -- Plaintiff's Opposition to Defendants Motion to Dismiss and  
4 Reply in Support of their Motion for Preliminary Injunction,  
5 which is dated -- I don't have the Docket Number. Dated July  
6 30th. They argue that Lemon still has life. It's still going.  
7 It's still strong. Kennedy, it's Kennedy v. Bremerton School  
8 District did not hold that the application of the Lemon  
9 framework itself violated the Free Exercise Clause. I'm looking  
10 at page eight of the Memorandum. In other words, Lemon still --  
11 because Lemon itself is not a violation, it somehow has life.  
12 Wait a minute. There's no dispute that Lemon is not the Law.  
13 It doesn't matter whether or not it violates something. It's  
14 not the Law. The U.S. Supreme Court has told us that in Kennedy  
15 v. Bremerton School District. It's not the Law.

16 And furthermore, this is my last point, Espinosa v.  
17 Montana, U.S. Supreme Court Decision 2020. I'm looking at the  
18 case site is 590 U.S. 464, 590 U.S. 464 at page 485, 485. And  
19 this is the majority opinion. And it says, "A State's interest  
20 in achieving greater separation of Church and State than is  
21 already insured under the Establishment Clause is limited by the  
22 Free Exercise Clause." This is what I said earlier. State's  
23 interest in achieving greater separation -- in other words,  
24 that's a violation. You can't do that. That violates free  
25 exercise. So to apply a more powerful test even, more powerful

1 test, violates free exercise. That's my point. Their point,  
2 that somehow Lemon is preserved and can infringe on free  
3 exercise rights is wrong.

4 Therefore, Your Honor, we would submit that they cannot  
5 show that they -- the -- the Lemon v. Kurtzman elements which  
6 they use to try to establish an Injunction, the failure of all  
7 those elements is also the failure of the elements that would  
8 give rise to a claim under Article 3. They don't bring any  
9 other claim. Like I said, there's no Free Exercise Clause, no  
10 First Amendment, no Article 2 of the Massachusetts Declaration  
11 of Rights, no Article 18, nothing, just Article 3, which, as I  
12 said before, is an orphan. Unexplained, unadorned, hard to  
13 understand. Motion to Dismiss should be allowed, Your Honor.

14 THE COURT: All right. Counsel, thank you. Yes,  
15 Plaintiff.

16 MS. DAVIDSON: Your Honor, would it be all right if I  
17 respond to a few of the issues raised with regard to the  
18 Preliminary Injunction?

19 THE COURT: Why don't we kind of -- very tight, because  
20 what I don't want to do is then go back to Mr. Timmins and Mr.  
21 Gilleran to respond to your response. But so if you want to  
22 just briefly and then move on to the Motion to Dismiss.

23 MS. DAVIDSON: Yes, Your Honor. I'll keep it very brief.  
24 I did want to address the issue of standing, which is relevant  
25 both to the Motion to Dismiss and the Preliminary Injunction.

1 And I wanted to emphasize that Plaintiffs have two separate and  
2 independent bases for standing in this case. First and  
3 foremost, I would argue, is the -- the standing to raise  
4 Constitutional violations in itself. So that's separate and  
5 apart from the 10 Taxpayer Statute. And in Massachusetts,  
6 Plaintiffs have standing to raise Constitutional claims when  
7 they can allege an injury within the concern -- the area of  
8 concern of a Constitutional guarantee. And so they are arguing  
9 that they are being injured in a way that violates Article 3.  
10 They have standing to do that. And -- and that standing is  
11 supported by allegations in the Complaint and sworn declarations  
12 attached to the PI explaining how they regularly interact with  
13 this building. So that's one thing. They do separately have 10  
14 Taxpayers standing. There's more than ten taxpayers that are  
15 Plaintiffs in this case. But I want to know those are two  
16 separate bases. I think it's very important, actually, that  
17 Plaintiffs have Constitutional standing separate and apart from  
18 the Taxpayer Statute.

19 THE COURT: Okay.

20 MS. DAVIDSON: With regard to my brother Counsel's comments  
21 about the Complaint not being Verified, I did just want to note  
22 for Your Honor that we have Plaintiffs' sworn declarations. We  
23 have a sworn attorney declaration verifying the Exhibits that  
24 are submitted in support of the Preliminary Injunction.

25 And I did want to -- again, I want to keep it brief, Your

1 Honor, but I wanted to address the argument because it keeps --  
2 you know, it's -- it's raised frequently in this matter that --  
3 about Michael being important or referenced in Judaism. And I  
4 just wanted to have a couple quick reactions to that, the first  
5 being, this only emphasizes the religious nature of Michael, and  
6 it wouldn't be okay if -- if Michael was recognized only in the  
7 Abrahamic religious. There are other religions in Quincy and in  
8 our Commonwealth. So I just wanted to note that. And of  
9 course, Florian is only recognized in Catholicism, to my  
10 knowledge. And of course, as we, you know, state in the  
11 declaration from Professor Byrne, Saints are not venerated or  
12 created in many religions, including Judaism, including a number  
13 of Protestant religions, et cetera. So I just wanted to note  
14 that.

15       And I just wanted to note with respect to the suggestion  
16 that this -- this case is about Plaintiffs' subjective reaction,  
17 I think was my brother Counsel's words to these statues, and I  
18 want to underscore that it's not just Plaintiffs who understand  
19 these statues to be Catholic Saints. We have in our papers a  
20 statement from one of the City Councilors who said, you know,  
21 when asked in the interview, he thought that the states -- the  
22 Saints would, quote, bless the first responders and that it  
23 might, quote, inspire them to say a prayer before they go out on  
24 duty. We have the Quincy Interfaith Network, which is 19  
25 interfaith leaders and Quincy from many different religions

1 coming together and saying these are Roman Catholic statues and  
2 we worry about them. So I just wanted to note that.

3 I did -- and this -- I can keep it brief. So this will be  
4 my final point, and then I can turn to the Motion to Dismiss  
5 specifically. I did just want to note that Article 3 is not  
6 limited to the payment of Government funds to religious  
7 organizations. Its text is not limited to that. And you know,  
8 its text speaks of equal protection. And it is also in the  
9 Declaration of Rights. It is an individual right that these  
10 Plaintiffs have that they are vindicating in this Court. And so  
11 those are some points I wanted to just raise briefly, Your  
12 Honor.

13 With regard to the Motion to Dismiss, we set this forth in  
14 our papers, but frankly, it was difficult to respond to that  
15 Motion in light of the fact that -- that my brother Counsel's  
16 arguments have an extensive reference to Affidavits submitted by  
17 the Mayor, Exhibits regarding other statues around the country  
18 and history. And none of those Affidavits or Exhibits, and the  
19 Amicis Affidavits as well can be considered when adjudicating a  
20 Motion of Dismiss. So I just want to note that.

21 Our -- our arguments are largely the same. And -- and  
22 again, Your Honor, due to the fact that we need only win on one  
23 prong ultimately in order to prevail on this case and establish  
24 an Article 3 violation, I think especially when evaluating under  
25 the lenient standard for Motion to Dismiss, we have absolutely

1 surpassed the bar necessary to survive that Motion to Dismiss.  
2 So I would -- I would submit that, Your Honor.

3 THE COURT: All right, Counsel, thank you. So I'm going to  
4 just -- unless there's any objections, I'm going to consider the  
5 arguments that were made as part of the Preliminary Injunction  
6 arguments, also as part of the arguments for the Motion to  
7 Dismiss, just so there's no confusion in regards to the record.  
8 So I'm going to take that Motion under advisement as well.

9 Is there -- is there an understanding or an agreement as to  
10 the statues, what's going to happen to them or not happen to  
11 them until this decision is made? I know that last time we were  
12 here was about a month or so ago. So do I need to address that,  
13 or can the -- have the parties -- have the parties reached an  
14 agreement while this is under -- under advisement?

15 MR. TIMMINS: Your Honor, we have not talked about any  
16 particular agreement. I checked on the timing on Tuesday of  
17 this week so I could report to the Court and to the parties.  
18 The statues are going to be shipped by the end of next week.  
19 It's going to take five weeks for the statues to make it to the  
20 port of Boston, and then once they're in the port of Boston,  
21 I'll have more particular knowledge. But, you know, when the  
22 shipment arrives, it's got to be inspected, accepted, blah,  
23 blah, blah. So there's five weeks plus. But once they're in  
24 Boston, I'm happy to keep everyone informed, Your Honor.

25 THE COURT: All right. Counsel?

1 MS. DAVIDSON: Your Honor, we actually have an agreement  
2 that we filed -- we Memorialize in the record that Defendants  
3 would not affix the statutes until the Preliminary Injunction is  
4 adjudicated.

5 THE COURT: All right. So that's good. But -- and my  
6 concern was they're not down at the Fore River right now, so --  
7 so we've got that. I'll have the decision well before that. It  
8 was -- it's kind of my way of fishing to see kind of where we  
9 were in regards to the timetable. So that's -- that's fine. So  
10 I'm going to take this under advisement.

11 The only thing I wanted to say was I -- you know, we  
12 mentioned John Adams a couple times, and I think that Mr. Adams  
13 would be very proud of the fact that -- that this is an argument  
14 that means a lot to both sides, and it's done respectfully, and  
15 it's done relying on the Law, which is exactly what John --  
16 maybe not his cousin Sam, would have said, but I think John  
17 would be very proud that this is the way this dispute is being  
18 addressed. So I want to thank both Counsel as well as all --  
19 all the individuals that have -- have voiced your opinion on  
20 both sides, really. So I just kind of wanted to thank everybody  
21 in regards to that.

22 So with that, we'll be in recess and this matter be taken  
23 under advisement.

24 MR. TIMMINS: Thank you, Your Honor.

25 THE COURT: Okay. Counsel, thank you.

1 MS. DAVIDSON: Thank you, Your Honor.

2 COURT OFFICER: Court's in recess.

3 All rise.

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(Adjourned)



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# Keyword Index

<b>\$</b>		<b>A</b>	
<b>\$1</b> [1] 5:9	24 9:4 15:16 17:18,18,19, 20 18:1,5,5,17 34:23 36:8, 9 41:16,22,24 42:9,18,22, 24 53:8,11 54:9 56:5,24	<b>a.m</b> [1] 3:2	<b>address</b> [10] 11:9 15:18 18:7 23:24 29:15 48:22,24 53:24 55:1 57:12
<b>1</b>	<b>30th</b> [1] 52:6	<b>abandon</b> [1] 6:6	<b>addressed</b> [2] 48:12 58: 18
<b>1</b> [1] 41:2	<b>387</b> [2] 39:15,15	<b>abandoned</b> [1] 44:10	<b>addresses</b> [2] 18:6 29:16
<b>10</b> [11] 5:9 11:17,20,24 17:9, 12 29:18 36:6 48:4 54:5,13	<b>39</b> [1] 31:17	<b>ability</b> [1] 32:1	<b>addressing</b> [1] 8:10
<b>100</b> [1] 23:18	<b>393</b> [1] 39:16	<b>able</b> [1] 11:2	<b>adjourned</b> [1] 59:25
<b>11</b> [1] 31:14	<b>3rd</b> [1] 22:13	<b>about</b> [42] 10:20 11:8,22 16:9 18:5 19:17 21:8 22:2, 8 23:13,15,16 24:11 25:15 26:8 27:11 28:17,25 29:7 30:6 31:9,15,22 32:4,5,9, 14 33:2 34:15,24 38:7 42: 16 43:18 45:13 48:18,20 54:21 55:3,16 56:2 57:12, 15	<b>adjudicated</b> [1] 58:4
<b>11:18:14</b> [1] 46:17	<b>4</b>	<b>abrahamic</b> [1] 55:7	<b>adjudicating</b> [1] 56:19
<b>11th</b> [2] 12:12,12	<b>4</b> [2] 11:19 12:1	<b>abrogated</b> [2] 44:13 46:2	<b>adopt</b> [5] 4:12 7:3 8:1 9:8 40:13
<b>12</b> [3] 11:19 36:13 50:25	<b>40</b> [1] 17:9	<b>absented</b> [1] 34:24	<b>adopted</b> [1] 7:8
<b>14th</b> [1] 41:21	<b>402</b> [2] 39:25,25	<b>absolutely</b> [5] 9:13,20 13: 4 34:4 56:25	<b>adoption</b> [1] 22:21
<b>15</b> [3] 11:20,24 12:1	<b>415</b> [2] 39:25 40:1	<b>academy</b> [1] 35:7	<b>advance</b> [4] 43:13,13 47: 12,15
<b>16</b> [2] 25:14 51:3	<b>42</b> [1] 17:7	<b>accept</b> [1] 35:17	<b>advisement</b> [5] 50:13 57: 8,14 58:10,23
<b>17</b> [1] 51:2	<b>45</b> [3] 27:2 40:19,19	<b>accepted</b> [1] 57:22	<b>affidavit</b> [4] 11:10 24:8 26: 4,18
<b>1780</b> [2] 37:10 38:1	<b>464</b> [2] 52:18,18	<b>accompanied</b> [1] 13:20	<b>affidavits</b> [6] 4:22 6:1 30: 1 56:16,18,19
<b>18</b> [4] 41:25,25 42:20 53:11	<b>472</b> [2] 39:15,15	<b>accompany</b> [1] 7:9	<b>affix</b> [2] 5:9 58:3
<b>1802</b> [1] 44:25	<b>485</b> [2] 52:18,18	<b>according</b> [1] 27:16	<b>after</b> [3] 9:5 18:3 30:20
<b>1830s</b> [1] 9:24	<b>49%</b> [2] 11:3 43:7	<b>accordingly</b> [1] 40:13	<b>again</b> [19] 4:24 13:16 14:3 17:18 21:6 22:9 23:23 28:8, 15 35:15 39:11,16 40:14 41:25 42:7,12 45:24 54:25 56:22
<b>1833</b> [3] 9:4 18:3 42:2	<b>496</b> [2] 39:25,25	<b>account</b> [3] 9:11,13,15	<b>against</b> [4] 29:1,10 49:24, 24
<b>19</b> [2] 50:25 55:24	<b>5</b>	<b>achieving</b> [2] 52:20,23	<b>ago</b> [5] 8:7 39:24,24 45:17 57:12
<b>1949</b> [1] 21:5	<b>50</b> [1] 7:20	<b>acknowledging</b> [1] 12:7	<b>agreeable</b> [1] 37:19
<b>1979</b> [2] 39:1,16	<b>51%</b> [2] 11:3 43:7	<b>action</b> [4] 3:6 16:18,25 46: 13	<b>agreement</b> [4] 57:9,14,16 58:1
<b>2</b>	<b>53</b> [1] 17:9	<b>activity</b> [5] 45:12,20,21 46: 7 48:1	<b>ahead</b> [2] 33:25 49:7
<b>2</b> [7] 37:9 41:21,23,25,25 42: 21 53:10	<b>534</b> [1] 47:23	<b>acton</b> [2] 31:10 51:7	<b>aided</b> [3] 39:3,3 42:14
<b>20</b> [1] 18:21	<b>552</b> [1] 41:19	<b>actually</b> [9] 7:12 8:15 10:1 12:4 32:16 37:3 38:25 54: 16 58:1	<b>aiding</b> [1] 42:5
<b>200</b> [3] 23:18 28:24 29:5	<b>558</b> [5] 30:24 39:1 42:12 47: 2,5	<b>ad</b> [2] 14:11 23:18	<b>air</b> [1] 43:1
<b>2002</b> [1] 32:15	<b>58</b> [2] 17:19 18:18	<b>adams</b> [18] 25:25 26:1 34: 17,18,19 35:1,3,7,8,11 37: 7,10 38:5,6 41:24 42:20 58: 12,12	<b>al</b> [1] 3:6
<b>2009</b> [1] 25:18	<b>590</b> [2] 52:18,18	<b>add</b> [2] 15:8,9	<b>all</b> [67] 3:3,4,17,20 4:17,20 5:6 6:13,24 13:10,13 15:2, 7,15,20,22,24 18:14,24 20: 22 24:11 25:16 26:23 27:6, 24 28:22,25 30:15,18,19 31:24 32:4,12 33:16 34:13 35:7,18,21,22 36:11,21,22,
<b>2015</b> [2] 39:16,17	<b>6</b>	<b>added</b> [1] 7:8	
<b>2017</b> [1] 18:23	<b>6</b> [1] 11:24	<b>addition</b> [1] 16:17	
<b>2018</b> [1] 31:10	<b>60</b> [1] 22:1	<b>additionally</b> [1] 5:22	
<b>2019</b> [1] 45:25	<b>7</b>		
<b>2020</b> [1] 52:17	<b>7</b> [3] 12:1 24:9 29:16		
<b>2022</b> [2] 18:23 44:11	<b>79</b> [1] 31:8		
<b>2025-576</b> [1] 3:6	<b>8</b>		
<b>22</b> [4] 22:6,6,10 30:6	<b>8</b> [1] 11:24		
<b>23</b> [1] 18:21	<b>8th</b> [5] 8:15,20 40:4,10,14		
<b>250</b> [1] 14:11	<b>9</b>		
<b>26</b> [6] 8:13,20 31:16 40:3, 11,18	<b>9</b> [2] 12:1 39:17		
<b>2nd</b> [1] 22:13	<b>9:58:48</b> [1] 3:2		
<b>3</b>			
<b>3</b> [31] 5:15 6:10 7:9,19 8:22,			

# Keyword Index

<p>23 37:14 38:3,4 41:8 44:7, 7,9 45:11,13 49:7 50:8,11, 11,14 51:21 53:6,14,16 57: 3,25 58:5,18,19 59:3</p> <p><b>allegation</b> [1] 36:8</p> <p><b>allegations</b> [2] 16:14 54: 11</p> <p><b>allege</b> [1] 54:7</p> <p><b>allow</b> [3] 18:8 23:23 51:16</p> <p><b>allowed</b> [4] 36:19,20 39:2 53:13</p> <p><b>alluded</b> [1] 20:5</p> <p><b>almost</b> [3] 39:24 41:8,9</p> <p><b>already</b> [9] 6:8 30:6 32:9 41:23 42:12 46:1 50:24 51: 13 52:21</p> <p><b>also</b> [16] 6:15 7:25 10:12 12:20 16:9 21:10 33:12 37: 25 38:17 40:10,10 44:1 50: 14 53:7 56:8 57:6</p> <p><b>although</b> [1] 15:13</p> <p><b>always</b> [2] 13:1 51:4</p> <p><b>am</b> [2] 11:4 48:24</p> <p><b>amend</b> [1] 36:13</p> <p><b>amended</b> [3] 6:11,12 9:4</p> <p><b>amending</b> [1] 36:15</p> <p><b>amendment</b> [19] 8:15,20 34:24 39:5,6,20 40:4,10,14 41:20,21 42:11,16,18 45:6, 18,18 51:17 53:10</p> <p><b>amendments</b> [2] 8:21 45: 2</p> <p><b>american</b> [2] 45:25,25</p> <p><b>amici</b> [1] 6:3</p> <p><b>amicis</b> [2] 6:1 56:19</p> <p><b>among</b> [1] 22:14</p> <p><b>amory</b> [1] 17:2</p> <p><b>amply</b> [1] 5:25</p> <p><b>an</b> [48] 8:13 9:14 10:13 12: 19 13:13 14:14,18,20,20 15:16 16:15,25 17:5 18:16 19:7,14 20:25 22:1 25:20 26:10 27:17 28:7,8 30:15 31:7 32:9,23 33:1,5,5,5 34: 21 36:17 38:13 42:22 43:1 45:8 53:6,12 54:7 56:9,16, 24 57:9,9,13 58:1,13</p> <p><b>analog</b> [1] 8:15</p>	<p><b>analysis</b> [19] 7:9,25 8:18 12:24 13:1,9,13 15:13 21: 15,18 24:5,7,19 31:3 40:6, 18,22 46:9,18</p> <p><b>ancient</b> [1] 22:14</p> <p><b>angel</b> [4] 6:5 14:18,20,20</p> <p><b>angels</b> [1] 22:14</p> <p><b>angel's</b> [2] 14:2,25</p> <p><b>annotated</b> [1] 19:25</p> <p><b>anomalous</b> [2] 41:24 42: 22</p> <p><b>another</b> [9] 10:11,17 13: 11 18:20 21:15 25:11 32:1, 8,11</p> <p><b>answer</b> [1] 7:6</p> <p><b>answered</b> [1] 33:4</p> <p><b>any</b> [25] 4:14 5:1 6:22 8:25, 25 9:2,8 11:2 14:14 15:16, 18 17:16 18:8 21:19 27:2 42:5,25 43:1,2 45:3 46:12, 25 53:8 57:4,15</p> <p><b>anybody</b> [1] 14:18</p> <p><b>anymore</b> [1] 18:9</p> <p><b>anything</b> [12] 7:19 15:7 28: 25 29:6 35:22 36:3 40:24 43:2,10 45:5 47:25 49:13</p> <p><b>anywhere</b> [4] 17:7 36:7 42:23 47:18</p> <p><b>apart</b> [2] 54:5,17</p> <p><b>appearance</b> [1] 24:16</p> <p><b>appears</b> [1] 37:8</p> <p><b>application</b> [2] 43:8 52:8</p> <p><b>applied</b> [9] 7:1 10:23 38: 19,21,24,24 40:16 41:1 42: 10</p> <p><b>applies</b> [1] 42:17</p> <p><b>apply</b> [4] 32:2,2 46:6 52:25</p> <p><b>applying</b> [2] 6:7 15:11</p> <p><b>appreciate</b> [1] 31:23</p> <p><b>approach</b> [6] 8:2,8,10,12 31:7,21</p> <p><b>appropriate</b> [7] 7:18 9:10 26:22 31:5 38:13 39:6,20</p> <p><b>appropriateness</b> [1] 29: 25</p> <p><b>appropriation</b> [2] 18:22 42:3</p> <p><b>appropriations</b> [1] 32:6</p>	<p><b>archangel</b> [5] 5:22 13:14 21:4 27:17 28:8</p> <p><b>architect</b> [1] 26:5</p> <p><b>are</b> [92] 3:4,25 4:11 5:7,13, 19,20,23 6:4,8,10,15 7:18, 21 8:23 10:3,5,6,11,12,14, 25 11:13 12:3,3,7,7 13:12, 16,19,21 14:21,25 15:12 16:18 17:2,3,4 18:13,14 19: 18 20:14 21:7,17,17 22:10 23:12,12 25:23 26:1,16,17 27:7,20 28:9 29:23,23 30:3 31:1,2,24 32:7,18,19,21 33: 3,17,23,24 34:6,19 35:4 39: 3,6,20 41:3 42:14 47:1 48: 22 50:17 54:8,9,14,15,24 55:7,11 56:1,10,11,21 57: 18</p> <p><b>area</b> [1] 54:7</p> <p><b>aren't</b> [2] 33:11,11</p> <p><b>arguable</b> [1] 28:13</p> <p><b>argue</b> [9] 9:18 24:13 34:10 38:20,23 42:23 50:23 52:6 54:3</p> <p><b>arguing</b> [1] 54:8</p> <p><b>argument</b> [20] 10:24 11:2 21:1,14 22:1 31:15 32:23 33:1,5 34:5 36:24 42:16,25 43:1,3 46:11 50:5 51:5 55: 1 58:13</p> <p><b>arguments</b> [13] 4:6,8,9,13 16:9 24:4 50:17 51:1 56:16, 21 57:5,6,6</p> <p><b>arising</b> [3] 39:5,20 42:15</p> <p><b>around</b> [5] 9:22,24,25 14: 11 56:17</p> <p><b>arrives</b> [1] 57:22</p> <p><b>arriving</b> [1] 7:3</p> <p><b>arrogance</b> [1] 48:11</p> <p><b>art</b> [10] 13:18 25:15,21 26:8, 12,17 28:19 32:5 34:8 35: 16</p> <p><b>article</b> [45] 5:15 6:10 7:9, 19 8:13,19,22,24 9:4 15:16 17:18,18,19,20 18:1,5,5,17 24:10 31:16 34:23 36:8,9 37:9 40:3,11,18 41:2,16,23, 24,25,25 42:9,18,20,21,24</p>	<p>53:8,10,11,11 54:9 56:5,24</p> <p><b>articles</b> [1] 41:21</p> <p><b>artwork</b> [1] 33:1</p> <p><b>as</b> [73] 3:22 4:11 5:6 6:9 7: 15 9:20 11:3,25 12:19 13: 12,14,18 14:13 15:19 16: 16 17:11,20,20 18:1 19:8 20:23 21:4,13,15,21 22:10, 14,16 23:14 25:21 26:17, 17 30:6 31:6,6,14,17 37:3, 13,13 38:10,21 40:15,17, 17,25 41:4,15 43:5 44:21 45:16 46:11,11,16,17 47: 10,14 48:6 49:24,24 50:7, 22 51:11,12 53:11 55:10 56:19 57:5,6,8,9 58:18,18</p> <p><b>ask</b> [13] 7:2 12:10,25 13:10 16:7 23:25 24:2 28:19 34: 16 36:15 46:4 48:10 50:9</p> <p><b>asked</b> [6] 6:2 16:15 24:3 31:23 43:7 55:21</p> <p><b>asking</b> [3] 14:21 33:8,8</p> <p><b>asks</b> [3] 43:6 46:17 47:20</p> <p><b>aspect</b> [2] 19:2 30:12</p> <p><b>assigned</b> [2] 21:12,21</p> <p><b>associate</b> [1] 10:8</p> <p><b>associated</b> [2] 10:4,17</p> <p><b>association</b> [1] 45:25</p> <p><b>assume</b> [1] 50:17</p> <p><b>assuming</b> [2] 24:25 25:1</p> <p><b>at</b> [62] 5:8 6:20 7:3 9:25 13: 3,12 14:9,13,13 17:13,14, 14 19:7,19 21:19 22:8 23:6 25:12,17 27:6 28:24 29:2,3, 19,21 31:17 32:17,17,21 33:22 36:11,14 37:6,8,9 38: 15,22 39:9,15,25,25 41:14, 19,19 42:1,1,8,12 44:14 45: 1 46:16 47:2,13,23 49:22 51:3,17 52:2,10,17,18 58:6</p> <p><b>attached</b> [1] 54:12</p> <p><b>attempt</b> [4] 19:14 32:10 33:5,6</p> <p><b>attempting</b> [2] 17:1 22:4</p> <p><b>attention</b> [1] 36:25</p> <p><b>attorney</b> [10] 3:15,20 8:6 15:24 22:21 23:23 28:16 36:23 50:21 54:23</p>
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# Keyword Index

<p><b>attorneys</b> [1] 3:7  <b>attributed</b> [2] 13:21 14:1  <b>audio</b> [1] 46:17  <b>austria</b> [1] 21:11  <b>authority</b> [1] 40:17  <b>authorized</b> [1] 42:4  <b>average</b> [1] 27:7  <b>aware</b> [2] 12:11 27:8  <b>away</b> [1] 10:7</p> <hr/> <p style="text-align: center;"><b>B</b></p> <hr/> <p><b>back</b> [15] 18:1,13 21:9,11  22:12 24:1 25:12 32:14 34:  7,8 37:6 42:1 50:14 51:24  53:20  <b>bad</b> [1] 17:8  <b>baptist</b> [1] 44:25  <b>bar</b> [2] 6:14 57:1  <b>based</b> [2] 42:17 48:1  <b>bases</b> [2] 54:2,16  <b>basically</b> [3] 4:3 21:21 24:  21  <b>basis</b> [4] 40:11,12,22 48:5  <b>bc</b> [1] 22:13  <b>be</b> [77] 3:4 4:5,11 5:1,4 6:  19,19 7:1,21 8:10,18 9:24  10:13,13,18,22,23,25 11:1  12:9,10 13:1,6,8 14:6 17:5  18:10,14 19:9,13 20:11 21:  2,8,17 22:12 24:16 25:1,2  27:6 28:5 29:3 32:22 33:1,  4,4,24 36:19,20,24 37:17  38:10,24 39:3 42:4 44:6 45:  10 48:1,12 49:1,15 50:6,7,  9,18 51:18 53:13,16 55:6,  19 56:3,19 57:18,22 58:13,  17,22,22  <b>because</b> [53] 5:20 9:4 10:  15 11:11 12:5,7,18,22 14:9  15:2,5 16:23 17:21,25 18:  17 19:24 20:10 23:11,16,  19,20,24 24:1,14,18,22,23  26:2,14 28:5 30:11 32:2,3,  11,20 33:4,10 34:5,11,13,  16,22 35:13 37:7 38:24 42:  11 43:22 45:11 48:10 50:  13 52:11 53:19 55:1  <b>been</b> [18] 10:2,10 11:2 12:</p>	<p>15 19:22 20:12 26:3,9,21  28:3 30:22 31:21 39:4,19  42:14 44:13 48:21 51:4  <b>before</b> [10] 3:21 16:13 19:  25 23:20 29:24 33:8 48:21  53:12 55:23 58:7  <b>beg</b> [1] 25:20  <b>begin</b> [1] 19:16  <b>beginning</b> [2] 16:11 31:14  <b>begins</b> [2] 17:10 29:22  <b>behind</b> [1] 35:14  <b>being</b> [13] 10:14 16:15 18:  22 19:17,18 32:4 36:8 37:  15 54:9,21 55:3,5 58:17  <b>belief</b> [2] 5:24 49:13  <b>beliefs</b> [4] 6:13 48:5,6 49:  12  <b>believe</b> [6] 9:7 23:18 24:8  31:3 39:6 49:14  <b>benefit</b> [1] 31:19  <b>berne</b> [1] 13:18  <b>best</b> [1] 21:8  <b>betancourt</b> [1] 40:17  <b>better</b> [2] 21:12 24:14  <b>between</b> [2] 28:6 44:22  <b>beyond</b> [3] 16:14 18:18 42:  24  <b>big</b> [3] 18:20 20:10 22:5  <b>biography</b> [1] 22:7  <b>bit</b> [2] 27:25 30:17  <b>blah</b> [6] 31:20,20,20 57:22,  23,23  <b>bless</b> [1] 55:22  <b>boat</b> [1] 28:11  <b>bonaventure</b> [1] 12:13  <b>book</b> [1] 27:23  <b>born</b> [1] 14:11  <b>boston</b> [3] 57:20,20,24  <b>both</b> [17] 9:21 11:5 13:16,  17,23 14:2,3,4 18:3 24:18,  20 30:18 34:14 53:25 58:  14,18,20  <b>boujankian</b> [2] 40:15,16  <b>bound</b> [3] 7:10,16,22  <b>bremerton</b> [7] 44:11 45:  16 46:3 47:22 49:10 52:7,  15  <b>brick</b> [1] 25:19</p>	<p><b>bridle</b> [2] 19:20 23:13  <b>brief</b> [5] 4:25 51:25 53:23  54:25 56:3  <b>briefly</b> [3] 16:9 53:22 56:  11  <b>brigade</b> [2] 14:12 23:22  <b>bring</b> [5] 15:17 16:25 36:  25 50:20 53:8  <b>bringing</b> [1] 16:18  <b>broader</b> [1] 8:4  <b>broadly</b> [1] 8:4  <b>brother</b> [9] 8:10 38:11 39:  10 40:2 41:16 47:12 54:20  55:17 56:15  <b>brought</b> [5] 18:23 30:22  39:7,21 41:20  <b>bucket</b> [4] 10:9,11 13:25  27:10  <b>build</b> [1] 36:19  <b>building</b> [20] 5:8,10 10:19  13:25 19:1,3,19 20:14 25:  22 26:2,6,21,22,23 28:5 32:  6,21,24 51:6 54:13  <b>buildings</b> [4] 10:4,7 25:18,  19  <b>built</b> [2] 35:4,7  <b>buried</b> [1] 34:18  <b>burning</b> [1] 13:25  <b>but</b> [74] 3:24 5:8 6:6,15 7:  16 9:8 10:14,21 11:11 12:  20 13:11 14:25 15:10 17:  12,18 18:16 19:2,5 20:16  21:8,11,11 22:4,7,11,22,24  24:16 25:4 26:14,22 27:1,  18 28:16,20 29:3,5,10 31:2,  5,14 32:9,19 33:7,11,19,19  34:1,6,17 35:6,11 36:25 37:  24 38:7,25 44:1,14 46:3 47:  15 48:19 49:1,2,16 50:18  51:17 53:21 54:15 55:1 56:  14 57:21,23 58:5,16  <b>by</b> [57] 3:10 4:4 6:1 7:10,19,  22 11:21 12:12 13:20 14:  19 16:4,6 17:16 19:10,17  20:8 21:13,20 22:21,25 23:  19 28:18 30:9,23 31:9 32:6,  21,23 33:6,10,15 34:3 37:7  38:5,19 39:3,4,19 40:16,23</p>	<p>41:5,7,24 42:14,14,19,20  43:5 45:2,4,17 47:16 49:10  52:21 54:11 56:16 57:18  <b>byrne</b> [1] 55:11</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>c</b> [1] 3:1  <b>call</b> [3] 3:22 25:15 37:23  <b>called</b> [2] 3:2 20:4  <b>calling</b> [2] 3:6 35:15  <b>came</b> [6] 12:12,12 30:19  32:19 34:9 51:11  <b>can</b> [29] 3:25 4:12 7:25 10:  20 12:9 14:6 22:12 24:16  32:2,20 34:11 36:3,13 39:  12,13 41:9,11 44:1 46:18  48:1,10,10 50:3 53:2 54:7  56:3,4,19 57:13  <b>cannot</b> [3] 12:2 49:20 53:4  <b>can't</b> [6] 14:15 34:4 38:6  48:12 50:2 52:24  <b>careful</b> [1] 12:18  <b>carefully</b> [1] 30:10  <b>caring</b> [1] 22:15  <b>case</b> [47] 5:19 6:7 8:6,8,13,  15,18,21,22 9:3 11:7 12:4,  5 13:6 15:14 16:24 17:2 30:  23 31:12,19 32:2,3 34:2 36:  15 37:1 39:1,11,16 40:2,16,  23 41:18,18,19 42:11,11  43:2 44:11,14 48:18 49:22  51:3 52:18 54:2,15 55:16  56:23  <b>cases</b> [10] 11:2 31:4,25 38:  17,17 39:9,10 40:24 41:8  50:14  <b>catholic</b> [32] 5:10,21 11:1  12:13 13:17,19 14:19 15:2  19:20,21 20:4,7,8,9,18,24  21:13,16,17,21 22:5,11,18  23:15 27:16,18 28:10,12,  14 32:15 55:19 56:1  <b>catholicism</b> [3] 13:24 22:  24 55:9  <b>caused</b> [1] 6:19  <b>cautioned</b> [1] 30:25  <b>caveat</b> [1] 37:20  <b>cell</b> [1] 3:4</p>
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# Keyword Index

<p><b>central</b> [2] 5:4 40:5  <b>centuries</b> [1] 22:13  <b>certain</b> [2] 22:23 35:17  <b>certainly</b> [4] 7:19 9:22 11:8 36:1  <b>cetera</b> [2] 15:6 55:13  <b>challenge</b> [2] 18:16 47:11  <b>challenged</b> [2] 43:12 46:24  <b>chance</b> [3] 49:24,25 50:19  <b>change.org</b> [1] 29:19  <b>changes</b> [1] 9:12  <b>chaplain</b> [4] 12:14,20 42:13 46:19  <b>chaplains</b> [2] 19:6 39:3  <b>chapter</b> [2] 17:7,9  <b>characteristic</b> [2] 5:21 13:17  <b>chart</b> [2] 43:17,21  <b>checked</b> [1] 57:16  <b>chief</b> [1] 22:14  <b>children</b> [2] 33:4,7  <b>chose</b> [2] 11:11,16  <b>christian</b> [2] 27:21 28:1  <b>christianity</b> [2] 23:20 27:22  <b>christians</b> [1] 28:6  <b>church</b> [21] 15:2 20:18,24 21:13,20,21 22:18 27:16,18 28:10,12,12,14 32:16 35:2,3 38:2 42:5 44:22 45:8 52:20  <b>churches</b> [1] 51:4  <b>citations</b> [1] 31:14  <b>cite</b> [3] 39:13 45:7 48:3  <b>cited</b> [5] 16:24 17:3 39:10 40:2 49:22  <b>cites</b> [3] 39:17 43:21 44:4  <b>citing</b> [1] 51:3  <b>city</b> [15] 3:7,16 4:5 6:9 19:18 21:15 25:23,24 29:9 35:4,11 36:16 49:1,6 55:20  <b>city's</b> [1] 50:20  <b>civil</b> [1] 3:6  <b>claim</b> [5] 6:16 17:5 41:20 53:8,9  <b>claims</b> [6] 39:5,7,20,21 42:15 54:6</p>	<p><b>clarify</b> [1] 36:14  <b>classic</b> [1] 42:7  <b>clause</b> [21] 8:9,17,23 9:137:24 40:3,18 41:3,4,11,23 42:2,7,19 45:15 47:24 49:9 52:9,21,22 53:9  <b>clear</b> [6] 5:11 6:14 7:18 28:5 30:8 36:5  <b>clearly</b> [7] 6:10 14:17,17 19:9 24:15 32:9 49:11  <b>clerk</b> [1] 3:6  <b>cleveland</b> [1] 8:5  <b>cloaking</b> [2] 18:16,18  <b>close</b> [3] 6:2,6 30:17  <b>closing</b> [2] 26:5 36:1  <b>cognate</b> [5] 37:23 39:7,21 41:2 49:17  <b>coin</b> [1] 35:2  <b>coincidence</b> [2] 20:13,15  <b>colleague</b> [1] 3:10  <b>collectively</b> [1] 17:5  <b>colo</b> [39] 5:17,18,20 7:1,6,18 15:11 16:10 19:4,5 30:18,23,25 31:7 32:2,3,4 34:9,14 37:1,8 38:16,18,21,24 39:16,17 41:17,18,19 42:1,10,17 43:6,8 46:16,23 47:13,20  <b>columns</b> [1] 26:7  <b>come</b> [4] 5:5 18:13,15 25:5  <b>comes</b> [1] 27:19  <b>comfort</b> [1] 5:25  <b>coming</b> [3] 20:8 36:6 56:1  <b>comments</b> [1] 54:20  <b>common</b> [3] 6:6 25:24,25  <b>commonalities</b> [1] 13:15  <b>commonplace</b> [2] 45:24 46:8  <b>commonwealth</b> [12] 6:12 9:22,25 10:16 17:22,22 23:10 38:4,5 39:11,17 55:8  <b>commonwealth's</b> [1] 9:5  <b>communities</b> [2] 5:24 11:19  <b>community</b> [8] 5:14 6:9 13:3,5,8 15:5 29:10 51:8  <b>community's</b> [1] 16:21  <b>complaint</b> [31] 16:6,7,11,</p>	<p>12,17 17:7,10,13,15,17 18:18,21,25 19:22,23,24 20:2,3 23:1 24:10 27:1,5 28:23 32:7 36:13 45:13 48:3 50:4 51:19 54:11,21  <b>complaints</b> [1] 42:9  <b>complete</b> [1] 36:16  <b>completely</b> [3] 8:23 44:13,19  <b>completion</b> [2] 33:9 36:19  <b>conceded</b> [1] 18:3  <b>concern</b> [6] 19:12 31:22 32:9 54:7,8 58:6  <b>concerns</b> [1] 29:8  <b>conclude</b> [3] 31:20 40:5,7  <b>conclusion</b> [3] 31:18 34:9 51:11  <b>concurrently</b> [1] 24:12  <b>conduct</b> [2] 19:12 24:20  <b>conducting</b> [1] 19:6  <b>confront</b> [1] 6:20  <b>confusing</b> [1] 42:20  <b>confusion</b> [1] 57:7  <b>congregation</b> [1] 35:5  <b>congregational</b> [1] 38:2  <b>connecticut</b> [1] 44:25  <b>conscience</b> [1] 37:19  <b>consider</b> [3] 11:12 16:8 57:4  <b>consideration</b> [3] 5:18 12:2 15:18  <b>considered</b> [1] 56:19  <b>consistent</b> [1] 26:8  <b>consistently</b> [1] 38:18  <b>constitution</b> [26] 6:7 8:4,14 14:23 16:20 17:24 37:10,11 38:1 39:8,22 40:4,4,14,21 41:1,2,17,21 42:8 44:22,23,23 45:1,8,14  <b>constitutional</b> [10] 6:18 8:16,17 31:2 48:6 50:2 54:4,6,8,17  <b>constitutionality</b> [2] 39:2 42:13  <b>constitutions</b> [1] 40:7  <b>constructed</b> [1] 26:3  <b>construction</b> [2] 25:16</p>	<p>33:9  <b>contains</b> [1] 45:14  <b>contemporary</b> [2] 9:15,16  <b>contentious</b> [1] 6:10  <b>context</b> [1] 18:12  <b>contextually</b> [1] 35:15  <b>contingencies</b> [1] 51:8  <b>continue</b> [1] 17:23  <b>contributed</b> [1] 35:11  <b>conveys</b> [2] 5:10,12  <b>copy</b> [7] 37:2,3 39:11 47:5,7,9,22  <b>core</b> [2] 51:1,5  <b>corners</b> [1] 51:19  <b>correct</b> [3] 34:4 46:14 47:4  <b>could</b> [11] 15:18 20:19 21:8 22:2 26:21 32:20 37:5 41:13,13 44:13 57:17  <b>couldn't</b> [3] 25:6,8 26:20  <b>council</b> [1] 29:9  <b>councilor</b> [3] 6:9 29:7,10  <b>councilors</b> [1] 55:20  <b>counsel</b> [20] 3:12,17 6:24 8:10 15:22 26:19 31:12,23 36:21 44:7,16 46:10 50:11,14 51:23 53:14 57:3,25 58:18,25  <b>counsel's</b> [3] 54:20 55:17 56:15  <b>count</b> [2] 17:14,18  <b>country</b> [3] 9:22,25 56:17  <b>counts</b> [1] 32:4  <b>couple</b> [3] 26:25 55:4 58:12  <b>courage</b> [1] 12:22  <b>course</b> [3] 9:3 55:9,10  <b>courtroom</b> [1] 37:12  <b>courts</b> [2] 16:24 51:16  <b>court's</b> [6] 4:25 8:7 31:22 40:7,8 59:2  <b>cousin</b> [1] 58:16  <b>cover</b> [2] 41:8,10  <b>crafted</b> [1] 30:10  <b>created</b> [3] 23:21 25:24 55:12  <b>creating</b> [1] 14:12</p>
---	--	---	--

# Keyword Index

<p><b>creator</b> <sup>[1]</sup> 37:15  <b>credit</b> <sup>[1]</sup> 42:4  <b>crime</b> <sup>[1]</sup> 5:6  <b>crisis</b> <sup>[1]</sup> 5:6  <b>criteria</b> <sup>[6]</sup> 39:3,6,18 40:15            42:14 43:8  <b>critical</b> <sup>[2]</sup> 24:19 49:11  <b>current</b> <sup>[1]</sup> 41:14  <b>cut</b> <sup>[2]</sup> 35:23 43:20</p> <hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <p><b>d</b> <sup>[1]</sup> 3:1  <b>daniel</b> <sup>[1]</sup> 27:24  <b>dated</b> <sup>[2]</sup> 52:5,5  <b>davidsen</b> <sup>[20]</sup> 3:9,9 4:16,            24 5:3 7:5 9:20 11:7 13:1,            15,23 14:24 15:9,21,23 53:            16,23 54:20 58:1 59:1  <b>day</b> <sup>[1]</sup> 38:17  <b>deal</b> <sup>[4]</sup> 12:16,23 13:12 24:            3  <b>decades</b> <sup>[1]</sup> 9:5  <b>decided</b> <sup>[1]</sup> 8:6  <b>decision</b> <sup>[7]</sup> 7:3 30:20 31:            8 40:17 52:17 57:11 58:7  <b>decisions</b> <sup>[4]</sup> 31:3,6 32:            19 47:16  <b>declaration</b> <sup>[8]</sup> 5:15 13:            18 17:25 41:22 53:10 54:            23 55:11 56:9  <b>declarations</b> <sup>[6]</sup> 30:4,5            32:13 48:3 54:11,22  <b>defendant</b> <sup>[4]</sup> 4:7 7:12 10:            25 32:3  <b>defendants</b> <sup>[15]</sup> 4:17 6:2,            17 7:2 9:20 10:1 11:10,12,            17 12:2,6 14:4 41:6 52:3            58:2  <b>defendants'</b> <sup>[4]</sup> 5:8 6:1,            25 11:19  <b>deficiencies</b> <sup>[1]</sup> 16:6  <b>degree</b> <sup>[1]</sup> 34:2  <b>demon</b> <sup>[3]</sup> 6:6 14:2,25  <b>demonstrative</b> <sup>[1]</sup> 14:8  <b>denial</b> <sup>[1]</sup> 27:21  <b>denied</b> <sup>[1]</sup> 50:10  <b>denomination</b> <sup>[1]</sup> 42:6  <b>department</b> <sup>[4]</sup> 12:20 20:</p>	<p>24 21:5 35:16  <b>depicted</b> <sup>[3]</sup> 13:16,18 22:            14  <b>depiction</b> <sup>[1]</sup> 29:12  <b>depicts</b> <sup>[1]</sup> 14:20  <b>descendant</b> <sup>[1]</sup> 38:2  <b>described</b> <sup>[4]</sup> 19:8 22:10            41:19 42:1  <b>describing</b> <sup>[1]</sup> 17:10  <b>design</b> <sup>[1]</sup> 25:4  <b>determining</b> <sup>[3]</sup> 7:9 39:1            42:13  <b>developed</b> <sup>[1]</sup> 27:6  <b>dictates</b> <sup>[1]</sup> 37:19  <b>did</b> <sup>[23]</sup> 13:7 21:3,3 23:21            24:11,12,22 29:17,17 30:            18 31:9 35:8,9 44:11,19,25            45:2 52:8 53:24 54:21,25            56:3,5  <b>didn't</b> <sup>[12]</sup> 7:19 14:13,14            21:19 22:19 23:2 29:2 34:            23 35:11,22 46:23,25  <b>died</b> <sup>[1]</sup> 23:17  <b>difference</b> <sup>[2]</sup> 46:12,25  <b>different</b> <sup>[23]</sup> 6:25 8:14,23,            24 9:2,3,4 12:24 13:8,14            14:22 18:15 24:5,8,17 25:2,            6 30:8 32:17 35:1 40:24 47:            1 55:25  <b>difficult</b> <sup>[2]</sup> 12:5 56:14  <b>dimension</b> <sup>[2]</sup> 23:7 25:11  <b>dimensions</b> <sup>[1]</sup> 23:12  <b>direct</b> <sup>[4]</sup> 10:8 16:4 29:12            38:1  <b>directly</b> <sup>[1]</sup> 10:19  <b>disagree</b> <sup>[1]</sup> 9:17  <b>disavow</b> <sup>[1]</sup> 23:20  <b>discomfort</b> <sup>[1]</sup> 48:2  <b>discord</b> <sup>[1]</sup> 18:4  <b>discussed</b> <sup>[1]</sup> 30:6  <b>discusses</b> <sup>[2]</sup> 47:13,13  <b>discussion</b> <sup>[8]</sup> 3:23 16:1            17:17 30:19 31:15 34:24            35:17 36:12  <b>disestablishment</b> <sup>[1]</sup> 18:            6  <b>dismiss</b> <sup>[20]</sup> 4:4,8,10 6:15            15:19 36:12 50:6,16,21 51:</p>	<p>16 52:3 53:13,22,25 56:4,            13,20,25 57:1,7  <b>displayed</b> <sup>[1]</sup> 10:14  <b>displaying</b> <sup>[1]</sup> 45:23  <b>displays</b> <sup>[3]</sup> 9:21 10:5 46:            7  <b>disproportionality</b> <sup>[3]</sup>            40:5,9,11  <b>dispute</b> <sup>[4]</sup> 38:21,23 52:12            58:17  <b>disrespectful</b> <sup>[1]</sup> 48:20  <b>dissent</b> <sup>[1]</sup> 44:18  <b>distinction</b> <sup>[1]</sup> 28:6  <b>district</b> <sup>[4]</sup> 44:12 45:19 52:            8,15  <b>disturb</b> <sup>[1]</sup> 37:21  <b>division</b> <sup>[1]</sup> 6:11  <b>divisive</b> <sup>[4]</sup> 6:8 43:15 47:            21 51:5  <b>divisiveness</b> <sup>[1]</sup> 47:20  <b>divorced</b> <sup>[2]</sup> 12:9 14:6  <b>do</b> <sup>[42]</sup> 4:20 7:2,20,25 9:7,9            11:4,9 13:11 15:13,15 16:            25 17:2,5 20:17 22:4,24 23:            3 24:17 25:9 28:16 32:2,20            34:19 35:6,14 36:2 38:7 40:            24 41:13,13 43:21 44:7 45:            3,5,15 46:4 52:24 53:20 54:            10,13 57:12  <b>docket</b> <sup>[1]</sup> 52:5  <b>document</b> <sup>[2]</sup> 19:24 37:11  <b>does</b> <sup>[11]</sup> 7:15 17:15 28:9,            12 30:5,7 37:20 39:23 43:            12 47:11,25  <b>doesn't</b> <sup>[10]</sup> 18:7 28:25 29:            6,15 30:10 42:18 43:10 46:            12 48:8 52:13  <b>dogs</b> <sup>[1]</sup> 20:11  <b>doing</b> <sup>[3]</sup> 16:2 25:16 37:6  <b>dominate</b> <sup>[1]</sup> 35:12  <b>donated</b> <sup>[3]</sup> 10:6 35:4,8  <b>done</b> <sup>[4]</sup> 26:20,21 58:14,15  <b>don't</b> <sup>[38]</sup> 4:20,22 10:8 12:            4,8 14:5 17:6 21:6,19 24:1            25:4,13 26:13 27:13,14,17,            18 28:11,11,20 33:25 38:            21,23 42:24 43:20,22 44:3,            4,16 46:5 48:12,19 49:5,18</p>	<p>52:5 53:8,19,20  <b>door</b> <sup>[4]</sup> 23:10 25:3 32:25            33:6  <b>double</b> <sup>[1]</sup> 45:18  <b>down</b> <sup>[7]</sup> 7:20 21:1 27:8 33:            24 38:17 45:11 58:6  <b>dowsing</b> <sup>[1]</sup> 13:25  <b>draw</b> <sup>[1]</sup> 11:5  <b>drawn</b> <sup>[2]</sup> 24:16 29:8  <b>drive</b> <sup>[2]</sup> 33:15,25  <b>driven</b> <sup>[1]</sup> 22:25  <b>driving</b> <sup>[2]</sup> 32:21 33:16  <b>due</b> <sup>[5]</sup> 8:8 15:2 33:9,16 56:            22  <b>during</b> <sup>[3]</sup> 4:11 15:19 26:5  <b>duty</b> <sup>[6]</sup> 37:13,13,15,25 38:            6 55:24</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>e</b> <sup>[2]</sup> 3:1,1  <b>each</b> <sup>[3]</sup> 15:14 17:10 43:19  <b>eager</b> <sup>[1]</sup> 23:24  <b>earlier</b> <sup>[3]</sup> 4:12 23:7 52:22  <b>early</b> <sup>[1]</sup> 22:12  <b>easily</b> <sup>[1]</sup> 6:14  <b>easy</b> <sup>[1]</sup> 44:14  <b>echoes</b> <sup>[1]</sup> 48:11  <b>effect</b> <sup>[6]</sup> 43:12 46:6,24,25            47:11,14  <b>eight</b> <sup>[2]</sup> 11:20 52:10  <b>either</b> <sup>[4]</sup> 14:5 21:22 27:18            28:12  <b>ejected</b> <sup>[1]</sup> 31:25  <b>elementary</b> <sup>[1]</sup> 32:24  <b>elements</b> <sup>[3]</sup> 53:5,7,7  <b>elevate</b> <sup>[1]</sup> 20:8  <b>else</b> <sup>[7]</sup> 15:7 26:20,21 41:            10 43:10 49:14 50:19  <b>emphasize</b> <sup>[1]</sup> 54:1  <b>emphasizes</b> <sup>[1]</sup> 55:5  <b>encountered</b> <sup>[1]</sup> 19:24  <b>end</b> <sup>[4]</sup> 6:4 25:12 37:8 57:            18  <b>ended</b> <sup>[1]</sup> 32:16  <b>endnotes</b> <sup>[1]</sup> 37:5  <b>ends</b> <sup>[1]</sup> 7:25  <b>enjoin</b> <sup>[1]</sup> 33:8  <b>enough</b> <sup>[1]</sup> 49:15</p>
---	--	---	---

# Keyword Index

<p><b>ensure</b> <sup>[3]</sup> 6:12 16:18,20</p> <p><b>entanglement</b> <sup>[3]</sup> 43:14 46:8 51:7</p> <p><b>enter</b> <sup>[1]</sup> 16:15</p> <p><b>entirely</b> <sup>[2]</sup> 26:22 46:2</p> <p><b>entrance</b> <sup>[3]</sup> 10:19 25:2,6</p> <p><b>equal</b> <sup>[4]</sup> 6:12 8:24 41:21 56:8</p> <p><b>equally</b> <sup>[3]</sup> 5:7 39:6,20</p> <p><b>especially</b> <sup>[3]</sup> 4:10 14:25 56:24</p> <p><b>espinosa</b> <sup>[1]</sup> 52:16</p> <p><b>essential</b> <sup>[2]</sup> 5:5 6:20</p> <p><b>establish</b> <sup>[4]</sup> 9:1 29:6 53: 6 56:23</p> <p><b>established</b> <sup>[3]</sup> 39:4,19 42:14</p> <p><b>establishment</b> <sup>[11]</sup> 8:23 9:1,6 41:4,6,7 42:2,7,21 47: 24 52:21</p> <p><b>estate</b> <sup>[1]</sup> 37:18</p> <p><b>et</b> <sup>[3]</sup> 3:6 15:6 55:13</p> <p><b>evaluating</b> <sup>[3]</sup> 40:9,11 56: 24</p> <p><b>even</b> <sup>[14]</sup> 8:17 9:7 12:2 36: 5 42:18,18 44:15,22 45:6, 14 46:16,16 48:12 52:25</p> <p><b>event</b> <sup>[1]</sup> 13:5</p> <p><b>events</b> <sup>[1]</sup> 10:15</p> <p><b>ever</b> <sup>[1]</sup> 31:25</p> <p><b>every</b> <sup>[1]</sup> 19:20</p> <p><b>everybody</b> <sup>[8]</sup> 3:21 4:2 20: 8 30:16 33:18 34:15 50:18 58:20</p> <p><b>everyone</b> <sup>[2]</sup> 6:10 57:24</p> <p><b>everywhere</b> <sup>[1]</sup> 7:17</p> <p><b>evolving</b> <sup>[2]</sup> 31:7,21</p> <p><b>exactly</b> <sup>[4]</sup> 5:15 6:11 50:6 58:15</p> <p><b>example</b> <sup>[1]</sup> 32:23</p> <p><b>examples</b> <sup>[6]</sup> 9:21 10:1,5, 10,11,21</p> <p><b>excessive</b> <sup>[4]</sup> 40:3,6,14, 18</p> <p><b>exec</b> <sup>[1]</sup> 7:7</p> <p><b>exercise</b> <sup>[13]</sup> 37:24 41:3,8, 9,11,23 42:19 52:9,22,25 53:1,3,9</p>	<p><b>exercised</b> <sup>[1]</sup> 5:16</p> <p><b>exercising</b> <sup>[1]</sup> 7:7</p> <p><b>exhibit</b> <sup>[11]</sup> 22:6,6,8,10 24: 9,9 25:14 26:10 29:15,18 30:6</p> <p><b>exhibits</b> <sup>[16]</sup> 6:1 11:13,17, 19,20,20,24 12:1,6 22:11 25:12 29:16 50:15 54:23 56:17,18</p> <p><b>expect</b> <sup>[1]</sup> 43:24</p> <p><b>expenditure</b> <sup>[4]</sup> 17:6,16 18:16 29:25</p> <p><b>experiment</b> <sup>[1]</sup> 9:6</p> <p><b>explain</b> <sup>[5]</sup> 11:13,20 12:2 14:4 29:2</p> <p><b>explained</b> <sup>[2]</sup> 32:7 43:5</p> <p><b>explaining</b> <sup>[1]</sup> 54:12</p> <p><b>explains</b> <sup>[1]</sup> 13:19</p> <p><b>explicit</b> <sup>[1]</sup> 11:21</p> <p><b>explicitly</b> <sup>[1]</sup> 8:7</p> <p><b>expression</b> <sup>[1]</sup> 45:19</p> <p><b>expunged</b> <sup>[1]</sup> 18:5</p> <p><b>extended</b> <sup>[1]</sup> 18:23</p> <p><b>extends</b> <sup>[1]</sup> 28:15</p> <p><b>extensive</b> <sup>[2]</sup> 12:3 56:16</p> <p><b>extraordinary</b> <sup>[1]</sup> 36:4</p> <p><b>eyes</b> <sup>[2]</sup> 6:2,6</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>facade</b> <sup>[1]</sup> 26:6</p> <p><b>fact</b> <sup>[13]</sup> 5:23 9:13 11:22 13: 2 20:5 28:9 30:6 32:15 34: 5,6 56:15,22 58:13</p> <p><b>factor</b> <sup>[2]</sup> 22:20 40:8</p> <p><b>factors</b> <sup>[7]</sup> 5:18 7:18 15:12 16:5 19:4,5 31:24</p> <p><b>factual</b> <sup>[1]</sup> 29:6</p> <p><b>failed</b> <sup>[1]</sup> 9:5</p> <p><b>failure</b> <sup>[3]</sup> 15:15 53:6,7</p> <p><b>fairly</b> <sup>[1]</sup> 26:2</p> <p><b>faith</b> <sup>[5]</sup> 5:12 18:1 20:8,11 27:20</p> <p><b>faiths</b> <sup>[1]</sup> 5:12</p> <p><b>far</b> <sup>[4]</sup> 10:7 28:7 31:6 38:10</p> <p><b>fascinating</b> <sup>[1]</sup> 34:22</p> <p><b>father</b> <sup>[1]</sup> 12:15</p> <p><b>favored</b> <sup>[1]</sup> 5:11</p> <p><b>favoritism</b> <sup>[1]</sup> 5:16</p>	<p><b>federal</b> <sup>[2]</sup> 40:6 44:23</p> <p><b>feel</b> <sup>[2]</sup> 5:7 36:2</p> <p><b>few</b> <sup>[6]</sup> 8:3,6 22:7 45:10,17 53:17</p> <p><b>fiction</b> <sup>[1]</sup> 44:24</p> <p><b>figure</b> <sup>[4]</sup> 14:10 18:12 23:9 35:13</p> <p><b>figures</b> <sup>[6]</sup> 10:3,11 11:13, 21 12:7,9</p> <p><b>figures'</b> <sup>[1]</sup> 11:18</p> <p><b>filed</b> <sup>[2]</sup> 4:4 58:2</p> <p><b>final</b> <sup>[3]</sup> 13:11 26:5 56:4</p> <p><b>finally</b> <sup>[3]</sup> 6:8 30:3 39:23</p> <p><b>financial</b> <sup>[1]</sup> 38:1</p> <p><b>find</b> <sup>[3]</sup> 11:2 21:8 39:9</p> <p><b>finding</b> <sup>[2]</sup> 19:10 34:11</p> <p><b>finds</b> <sup>[4]</sup> 28:23 40:21,22,22</p> <p><b>fine</b> <sup>[5]</sup> 30:10,16 40:3 47:9 58:9</p> <p><b>finer</b> <sup>[3]</sup> 40:6,15,18</p> <p><b>finished</b> <sup>[1]</sup> 21:25</p> <p><b>fire</b> <sup>[15]</sup> 5:23 11:14,15 12: 20 19:3 20:14 22:21 23:21 24:13,21,22 26:2 29:1,5 35: 16</p> <p><b>firefighters</b> <sup>[12]</sup> 3:19 12: 14,21 20:24 21:11,22 23:4 24:25 25:5,8 28:13 36:18</p> <p><b>firefighting</b> <sup>[3]</sup> 13:5 15:3 23:3</p> <p><b>fires</b> <sup>[2]</sup> 14:12 23:22</p> <p><b>first</b> <sup>[32]</sup> 4:5,23 11:9,22 16: 11 18:2 19:21 22:1 23:1,1 30:18,19,24 35:3 36:25 39: 5,5,20 41:20 42:11,15,18 44:9,9 45:6,18,18 47:2 53: 10 54:2 55:4,22</p> <p><b>fishing</b> <sup>[1]</sup> 58:8</p> <p><b>fitzmaurice</b> <sup>[2]</sup> 3:6 32:5</p> <p><b>five</b> <sup>[2]</sup> 57:19,23</p> <p><b>flat</b> <sup>[1]</sup> 26:6</p> <p><b>florian</b> <sup>[19]</sup> 11:23 13:14,24 14:10,21 15:1 21:6,9 22:25 23:2,2,3,4,4,17 24:4,14 28: 14 55:9</p> <p><b>florian's</b> <sup>[1]</sup> 5:22</p> <p><b>flow</b> <sup>[1]</sup> 17:3</p> <p><b>flows</b> <sup>[1]</sup> 17:17</p>	<p><b>focus</b> <sup>[1]</sup> 19:11</p> <p><b>focused</b> <sup>[2]</sup> 16:23 19:15</p> <p><b>focusing</b> <sup>[1]</sup> 16:5</p> <p><b>follow</b> <sup>[3]</sup> 7:16 48:25 49:17</p> <p><b>followed</b> <sup>[1]</sup> 31:8</p> <p><b>following</b> <sup>[2]</sup> 7:21 43:9</p> <p><b>follows</b> <sup>[1]</sup> 41:15</p> <p><b>foot</b> <sup>[1]</sup> 5:9</p> <p><b>footnote</b> <sup>[2]</sup> 37:9 42:1</p> <p><b>footnotes</b> <sup>[3]</sup> 37:6,7 41:18</p> <p><b>for</b> <sup>[87]</sup> 3:7,10,16,19 4:3,8,9 5:5,18 6:10,13 7:18,24 8:3, 3 9:11 10:25 11:23 12:20 13:5,14 14:16 15:12,16 18: 23,24 19:1 21:12,23 22:1, 15,15,15,20,23 23:11 24:5, 12 26:1 27:2,5 28:11,25 29: 5 30:16,16,20 32:6 34:10, 16,17 36:16 37:18,19 38:7 39:4,19 40:9,11,20 41:7 42: 4,15,25,25 44:15 45:12,19, 20,22 46:3,7,8 47:10 49:15 50:4,12 51:6,11,12,16 52:4 54:2,22 56:25 57:6,19</p> <p><b>forced</b> <sup>[1]</sup> 6:19</p> <p><b>fore</b> <sup>[1]</sup> 58:6</p> <p><b>foremost</b> <sup>[1]</sup> 54:3</p> <p><b>forth</b> <sup>[4]</sup> 5:17 18:23 41:17 56:13</p> <p><b>forward</b> <sup>[4]</sup> 4:5 36:6,20 51: 19</p> <p><b>found</b> <sup>[4]</sup> 19:6 21:25 30:24 34:22</p> <p><b>foundation</b> <sup>[1]</sup> 16:16</p> <p><b>founding</b> <sup>[2]</sup> 42:5 45:22</p> <p><b>four</b> <sup>[5]</sup> 37:9 42:1 43:5,15 51:18</p> <p><b>framework</b> <sup>[2]</sup> 15:11 52:9</p> <p><b>france</b> <sup>[1]</sup> 45:1</p> <p><b>francis</b> <sup>[1]</sup> 20:13</p> <p><b>franciscan</b> <sup>[1]</sup> 12:12</p> <p><b>frankly</b> <sup>[2]</sup> 8:22 56:14</p> <p><b>free</b> <sup>[14]</sup> 7:14 37:24 41:3,8, 9,11,23 42:19 52:9,22,24 53:1,2,9</p> <p><b>freighted</b> <sup>[1]</sup> 5:20</p> <p><b>frequently</b> <sup>[3]</sup> 9:11 51:16 55:2</p>
---	--	--	---

# Keyword Index

<p><b>from</b> <sup>[53]</sup> 4:6,7,7,23 5:23 6:17 10:7,24,24 12:9,13 14:6 17:3,12 18:5,23 21:8,8 22:3,6,10,11,13 23:6 24:11,16 27:1,25 29:8,22 32:1 34:18,25 35:3 37:11 39:1,16 40:21 41:15 42:2 43:7,18 44:14 45:25 48:11 49:9,19 50:21 54:5,17 55:11,20,25</p> <p><b>front</b> <sup>[7]</sup> 4:2 5:10 23:10 25:3 32:25 33:25 43:22</p> <p><b>full</b> <sup>[1]</sup> 5:13</p> <p><b>function</b> <sup>[2]</sup> 26:8,17</p> <p><b>funded</b> <sup>[1]</sup> 18:25</p> <p><b>funding</b> <sup>[3]</sup> 18:22 19:1,1</p> <p><b>funds</b> <sup>[3]</sup> 5:9 51:6 56:6</p> <p><b>further</b> <sup>[4]</sup> 35:22 40:7,13 48:9</p> <p><b>furthermore</b> <sup>[1]</sup> 52:16</p> <p><b>future</b> <sup>[1]</sup> 7:17</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>g</b> <sup>[1]</sup> 3:1</p> <p><b>general</b> <sup>[6]</sup> 5:18 7:6 8:6 37:1,9 38:16</p> <p><b>generally</b> <sup>[2]</sup> 25:4,5</p> <p><b>generation</b> <sup>[1]</sup> 45:22</p> <p><b>genesis</b> <sup>[1]</sup> 12:17</p> <p><b>george</b> <sup>[1]</sup> 45:3</p> <p><b>get</b> <sup>[6]</sup> 17:8 24:1 25:13 26:14 30:17 48:19</p> <p><b>gets</b> <sup>[2]</sup> 25:11 50:19</p> <p><b>getting</b> <sup>[2]</sup> 31:18,22</p> <p><b>gilleran</b> <sup>[33]</sup> 3:18,18,20 4:19 23:23 28:16 36:23,24 37:5 39:15 43:24 44:1,6,9,18 46:14,16,22 47:1,5,8,10 48:9,14,16,24 49:4,9 50:9 51:23,25 52:2 53:21</p> <p><b>gilleran's</b> <sup>[1]</sup> 22:21</p> <p><b>give</b> <sup>[4]</sup> 12:25 39:13 43:21 53:8</p> <p><b>given</b> <sup>[2]</sup> 10:10 32:16</p> <p><b>glass</b> <sup>[1]</sup> 51:9</p> <p><b>gloss</b> <sup>[1]</sup> 45:4</p> <p><b>go</b> <sup>[16]</sup> 3:21 4:1,5,8 30:1 31:17 36:20 40:24 43:18,21,23 44:4 49:7 50:14 53:20</p>	<p>55:23</p> <p><b>god</b> <sup>[1]</sup> 37:18</p> <p><b>goes</b> <sup>[4]</sup> 12:14 21:9,11 49:23</p> <p><b>going</b> <sup>[51]</sup> 3:22 7:1,20 8:10 13:1 18:8,9 19:9 20:14 21:17 23:23 25:1,2,3,17 26:9 31:6,13,17 32:5,16,21 33:2,3,4,12,17,24 34:1,2,3,22 36:17 38:10,11 43:21,23 44:4 48:22,25 50:12,13,18 52:6 57:3,4,8,10,18,19 58:10</p> <p><b>gone</b> <sup>[3]</sup> 20:10 25:23 31:3</p> <p><b>good</b> <sup>[9]</sup> 3:9,13,14,15,17,18,20 4:24 58:5</p> <p><b>gorsuch</b> <sup>[3]</sup> 45:17,24 49:10</p> <p><b>got</b> <sup>[10]</sup> 16:22 21:1 23:14 37:25 44:1,19 49:19,21 57:22 58:7</p> <p><b>governing</b> <sup>[1]</sup> 40:25</p> <p><b>government</b> <sup>[16]</sup> 9:1 10:4,7,8 15:16 16:20 17:1,17 18:8 32:6 41:7 45:23 46:8 48:11 51:3 56:6</p> <p><b>governs</b> <sup>[1]</sup> 37:12</p> <p><b>gradients</b> <sup>[1]</sup> 14:22</p> <p><b>grant</b> <sup>[1]</sup> 42:3</p> <p><b>great</b> <sup>[4]</sup> 28:2,16,19 37:15</p> <p><b>greater</b> <sup>[2]</sup> 52:20,23</p> <p><b>grew</b> <sup>[1]</sup> 44:24</p> <p><b>guarantee</b> <sup>[1]</sup> 54:8</p> <p><b>guardian</b> <sup>[2]</sup> 22:16 24:23</p> <p><b>guarding</b> <sup>[1]</sup> 22:15</p> <p><b>guess</b> <sup>[8]</sup> 6:24 14:14,22 21:1 22:4 23:13 35:25 44:3</p> <p><b>guidance</b> <sup>[2]</sup> 11:24 31:20</p> <p><b>guidelines</b> <sup>[2]</sup> 15:12 31:2</p> <p><b>guy</b> <sup>[2]</sup> 12:21 25:1</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p><b>had</b> <sup>[5]</sup> 4:21 23:2 30:21 34:13 45:3</p> <p><b>hall</b> <sup>[4]</sup> 22:25 23:3,4,4</p> <p><b>hancock</b> <sup>[2]</sup> 25:24,25</p> <p><b>hand</b> <sup>[2]</sup> 37:2 39:12</p> <p><b>happen</b> <sup>[5]</sup> 10:13 11:1 29:3 57:10,10</p> <p><b>happened</b> <sup>[4]</sup> 25:22 26:3,23 40:19</p> <p><b>happening</b> <sup>[1]</sup> 20:15</p> <p><b>happens</b> <sup>[3]</sup> 38:15,16,25</p> <p><b>happy</b> <sup>[3]</sup> 5:1 26:7 57:24</p> <p><b>hard</b> <sup>[1]</sup> 53:12</p> <p><b>harm</b> <sup>[4]</sup> 6:18 49:21,23 50:2</p> <p><b>has</b> <sup>[45]</sup> 9:10 10:2 11:5 12:15 13:24 14:2,2,16 15:1 19:22 21:16 22:24 24:16 25:22 26:3,19 28:3 30:23,25 31:3,5,7,21 32:1 41:24 43:1,5,15 44:10,13,19 45:5,7,8 46:2 47:21,24 48:2,21 49:17 51:4,18 52:6,11,14</p> <p><b>haven't</b> <sup>[1]</sup> 11:2</p> <p><b>having</b> <sup>[3]</sup> 3:24 32:15 40:1</p> <p><b>he</b> <sup>[52]</sup> 8:11 11:10,15 14:1,2,10,11 15:1,4 21:9 22:14 23:11,17,17,19,19,20,21,21,22 24:11,12,12,22 26:4,4,7,7 27:9,23 28:2,2 29:12,17 34:23,24 35:2,4,6,8,9,11,11,12 37:12,20 38:5 44:25 45:1,1,3 55:21</p> <p><b>headquarters</b> <sup>[2]</sup> 5:3 6:21</p> <p><b>hear</b> <sup>[8]</sup> 3:25 4:6,7,7,23 19:20 48:12 50:21</p> <p><b>heard</b> <sup>[2]</sup> 50:17,23</p> <p><b>hearing</b> <sup>[3]</sup> 19:19 20:21 28:24</p> <p><b>heavily</b> <sup>[2]</sup> 19:25 24:10</p> <p><b>heckler</b> <sup>[1]</sup> 48:21</p> <p><b>hecklers</b> <sup>[1]</sup> 48:22</p> <p><b>heckler's</b> <sup>[2]</sup> 41:10 47:25</p> <p><b>he'd</b> <sup>[3]</sup> 35:14,17,17</p> <p><b>he'll</b> <sup>[1]</sup> 22:23</p> <p><b>help</b> <sup>[2]</sup> 5:8 19:11</p> <p><b>here</b> <sup>[28]</sup> 3:21 8:12,21,22 9:10 16:3 17:2 18:20 21:2 25:1 26:3 30:11,11 33:7 35:5 38:8,9,15 40:19 42:10,18 45:7 47:17 48:18,24 51:10,17 57:12</p> <p><b>hermetic</b> <sup>[1]</sup> 45:7</p>	<p><b>he's</b> <sup>[10]</sup> 15:1,5 23:9,24 24:14,23 27:16,17,18 28:8</p> <p><b>hi</b> <sup>[1]</sup> 3:12</p> <p><b>high</b> <sup>[1]</sup> 32:24</p> <p><b>him</b> <sup>[3]</sup> 12:22 14:1 45:4</p> <p><b>himself</b> <sup>[1]</sup> 34:25</p> <p><b>his</b> <sup>[25]</sup> 12:22 13:8,24 14:2,14 15:1,2,3 23:5,18 24:8 26:4 29:7,11 35:13,13 37:7,9,11,17,19,19 38:7 45:4 58:16</p> <p><b>historical</b> <sup>[11]</sup> 8:1,8,12 9:10,23 10:2,18,22 14:10 21:7 35:23</p> <p><b>historically</b> <sup>[1]</sup> 10:12</p> <p><b>history</b> <sup>[13]</sup> 8:20 9:4 14:14,19 23:17 31:16,19 34:14,16,23 40:2 45:5 56:18</p> <p><b>hold</b> <sup>[1]</sup> 52:8</p> <p><b>holding</b> <sup>[1]</sup> 27:9</p> <p><b>honor</b> <sup>[78]</sup> 3:9,13,15,18 4:16,18,19,24 5:1 6:22 7:5,10,12 9:7,20,23 10:21 11:7 12:22 14:24 15:9,23,25 16:2,11,22 17:7 19:4,19 20:7,25 23:7,21 24:7,19 25:10,12 26:19 27:13 28:4,17 29:18 30:3,13 31:11 34:4 35:6,25 36:22,24 37:2 38:12 40:13 43:6 44:2 46:14 47:1,19 48:24 50:5,22,22 51:22,25 53:4,13,16,23 54:22 55:1 56:12,22 57:2,15,24 58:1,24 59:1</p> <p><b>honor's</b> <sup>[2]</sup> 7:25 15:13</p> <p><b>hope</b> <sup>[1]</sup> 30:14</p> <p><b>hopeful</b> <sup>[1]</sup> 29:1</p> <p><b>hopefully</b> <sup>[2]</sup> 3:22,25</p> <p><b>hoping</b> <sup>[1]</sup> 16:4</p> <p><b>house</b> <sup>[1]</sup> 19:3</p> <p><b>how</b> <sup>[22]</sup> 6:24 8:16 12:16,16,23 16:22 18:25 21:18,23 22:9 27:6 28:6,18 31:6 34:1 42:8,23 44:3,4 48:18,22 54:12</p> <p><b>however</b> <sup>[3]</sup> 17:7 36:3,14</p> <p><b>humanist</b> <sup>[1]</sup> 45:25</p> <p><b>hurt</b> <sup>[1]</sup> 37:17</p>
--	---	--

# Keyword Index

<p><b>hypothetical</b> <sup>[1]</sup> 35:23</p> <p><b>hypothetically</b> <sup>[1]</sup> 20:11</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>iconography</b> <sup>[3]</sup> 5:21 13:17,19</p> <p><b>i'd</b> <sup>[1]</sup> 36:15</p> <p><b>identified</b> <sup>[1]</sup> 29:21</p> <p><b>identify</b> <sup>[1]</sup> 3:7</p> <p><b>identity</b> <sup>[2]</sup> 10:14 11:18</p> <p><b>if</b> <sup>[47]</sup> 8:2 9:8,9,17 10:21,22 11:5 13:6 14:9,9,9,13,21 15:21 16:22 20:7,11 24:24 25:7,7 27:7 28:4 29:19 32:2,23 35:13 36:11,25 37:2,5 39:11,13 43:17,20 44:2 46:25 47:5,22 48:19,19 49:25 50:6,19 53:16,21 55:6,6</p> <p><b>ignore</b> <sup>[1]</sup> 49:11</p> <p><b>i'll</b> <sup>[15]</sup> 16:9 22:22 24:1 25:13 27:1,1 28:15 30:17 41:8,10 50:21 51:20 53:23 57:21 58:7</p> <p><b>illegal</b> <sup>[4]</sup> 17:6,16 29:23 49:1</p> <p><b>illustrate</b> <sup>[1]</sup> 10:2</p> <p><b>illustrated</b> <sup>[1]</sup> 6:1</p> <p><b>illustrates</b> <sup>[1]</sup> 8:16</p> <p><b>i'm</b> <sup>[47]</sup> 3:10,22,24 7:1 11:4 14:9 15:3 16:3 17:8 19:22 20:20 22:3,4 23:23 24:25,25 25:1 31:13 35:5,17,24 37:6 38:10,11 39:1,24 42:12 43:7,18,22 44:6 47:9 48:25,25 49:3,7,22 50:12,13 52:2,9,17 57:3,4,8,24 58:10</p> <p><b>image</b> <sup>[1]</sup> 6:5</p> <p><b>implication</b> <sup>[1]</sup> 35:14</p> <p><b>implications</b> <sup>[1]</sup> 16:15</p> <p><b>importance</b> <sup>[4]</sup> 5:23 11:21 12:9 49:13</p> <p><b>important</b> <sup>[18]</sup> 10:12,14,15 11:14,15,18 12:3,7 15:5 18:1 30:15 34:14 36:16,17 38:14 42:6 54:16 55:3</p> <p><b>importantly</b> <sup>[1]</sup> 9:3</p> <p><b>impose</b> <sup>[1]</sup> 35:9</p>	<p><b>impossibility</b> <sup>[1]</sup> 45:8</p> <p><b>impressive</b> <sup>[1]</sup> 15:4</p> <p><b>impute</b> <sup>[1]</sup> 49:11</p> <p><b>inappropriate</b> <sup>[2]</sup> 29:23 49:2</p> <p><b>inaudible</b> <sup>[1]</sup> 46:16</p> <p><b>include</b> <sup>[2]</sup> 39:10 47:25</p> <p><b>including</b> <sup>[5]</sup> 5:5 26:17 46:2 55:12,12</p> <p><b>incorporated</b> <sup>[1]</sup> 30:22</p> <p><b>increasingly</b> <sup>[1]</sup> 9:14</p> <p><b>independence</b> <sup>[2]</sup> 31:6,7</p> <p><b>independent</b> <sup>[3]</sup> 5:17 7:7 54:2</p> <p><b>indicate</b> <sup>[1]</sup> 8:11</p> <p><b>indisputably</b> <sup>[1]</sup> 6:8</p> <p><b>individual</b> <sup>[6]</sup> 12:19 13:7 18:7 22:19 30:2 56:9</p> <p><b>individuals</b> <sup>[15]</sup> 11:25 12:3 16:25 17:4 18:14,20 19:9 20:4 28:9 32:12 33:7,12 34:3,6 58:19</p> <p><b>inevitably</b> <sup>[1]</sup> 51:4</p> <p><b>infer</b> <sup>[1]</sup> 17:12</p> <p><b>inference</b> <sup>[3]</sup> 24:15 29:8,9</p> <p><b>inferentially</b> <sup>[1]</sup> 19:13</p> <p><b>influence</b> <sup>[6]</sup> 19:14 32:10,10 33:5,5 34:10</p> <p><b>influenced</b> <sup>[3]</sup> 19:9,13 32:22</p> <p><b>influencing</b> <sup>[1]</sup> 33:6</p> <p><b>informed</b> <sup>[1]</sup> 57:24</p> <p><b>infringe</b> <sup>[1]</sup> 53:2</p> <p><b>inhibit</b> <sup>[3]</sup> 43:13 47:12,15</p> <p><b>injunction</b> <sup>[19]</sup> 4:4,6,12 6:16 16:5,8,16 27:5 50:9,12 51:12,15 52:4 53:6,18,25 54:24 57:5 58:3</p> <p><b>injunction's</b> <sup>[1]</sup> 49:19</p> <p><b>injured</b> <sup>[1]</sup> 54:9</p> <p><b>injury</b> <sup>[1]</sup> 54:7</p> <p><b>inquiry</b> <sup>[3]</sup> 5:19 31:2 35:23</p> <p><b>inspected</b> <sup>[1]</sup> 57:22</p> <p><b>inspirational</b> <sup>[1]</sup> 19:16</p> <p><b>inspire</b> <sup>[5]</sup> 19:11 24:20,24 25:7 55:23</p> <p><b>installed</b> <sup>[1]</sup> 25:21</p> <p><b>installing</b> <sup>[1]</sup> 6:17</p>	<p><b>instance</b> <sup>[2]</sup> 17:4 33:2</p> <p><b>instead</b> <sup>[2]</sup> 31:2 45:16</p> <p><b>institution</b> <sup>[1]</sup> 32:5</p> <p><b>insured</b> <sup>[1]</sup> 52:21</p> <p><b>intensive</b> <sup>[2]</sup> 8:16 13:2</p> <p><b>intentionally</b> <sup>[1]</sup> 34:24</p> <p><b>interact</b> <sup>[1]</sup> 54:12</p> <p><b>intercession</b> <sup>[1]</sup> 15:6</p> <p><b>interest</b> <sup>[2]</sup> 52:19,23</p> <p><b>interesting</b> <sup>[4]</sup> 19:24 27:19 29:18 34:21</p> <p><b>interfaith</b> <sup>[2]</sup> 55:24,25</p> <p><b>interpretations</b> <sup>[1]</sup> 34:15</p> <p><b>interpreted</b> <sup>[3]</sup> 41:5 42:8,22</p> <p><b>interpreting</b> <sup>[1]</sup> 40:20</p> <p><b>interpretive</b> <sup>[3]</sup> 38:19,19 40:25</p> <p><b>interprets</b> <sup>[1]</sup> 8:4</p> <p><b>interrupt</b> <sup>[1]</sup> 46:10</p> <p><b>interview</b> <sup>[1]</sup> 55:21</p> <p><b>into</b> <sup>[13]</sup> 9:11,13,15,15 12:17 17:24 20:19 23:8 28:15 30:17,19 33:25 48:19</p> <p><b>introduce</b> <sup>[1]</sup> 30:19</p> <p><b>introduced</b> <sup>[1]</sup> 25:20</p> <p><b>introductory</b> <sup>[2]</sup> 16:17 19:7</p> <p><b>involve</b> <sup>[1]</sup> 43:8</p> <p><b>involved</b> <sup>[3]</sup> 14:11 32:18 41:20</p> <p><b>involves</b> <sup>[1]</sup> 41:19</p> <p><b>irrelevant</b> <sup>[1]</sup> 48:7</p> <p><b>irremediable</b> <sup>[2]</sup> 50:1,1</p> <p><b>irreparable</b> <sup>[3]</sup> 6:18 49:21,23</p> <p><b>israel</b> <sup>[3]</sup> 22:16,17 28:2</p> <p><b>issue</b> <sup>[18]</sup> 9:16 16:3,12 17:20 20:6,25 22:2,22 24:17,18 28:7 29:11 30:11,15 34:20 51:1,5 53:24</p> <p><b>issues</b> <sup>[7]</sup> 20:21 26:15 32:15,19 36:14 48:25 53:17</p> <p><b>its</b> <sup>[14]</sup> 5:16 6:2,6 7:7 8:2 28:23 31:5,14 37:14 41:24 47:13 49:13 56:7,8</p> <p><b>it's</b> <sup>[78]</sup> 8:13 11:9 14:17 17:9 18:13 19:2,23 20:2,4,13,</p>	<p>15 22:7,22 23:4 24:9,18 25:24 26:11 27:6,21 28:13 29:18,25 30:8 31:6,13,14,25 33:1,2,4,13,17,18,18 34:5,6,7,8,8,8,16,17 35:3 36:1,5,9,16,17 38:8,8,20,24 41:1,19 42:8,18,22,22 44:14 45:13 47:17 49:6 50:8 52:6,7,7,13,15 54:16 55:2,2,18 57:19,22 58:8,14,15</p> <p><b>itself</b> <sup>[4]</sup> 18:21 52:9,11 54:4</p> <p><b>i've</b> <sup>[10]</sup> 16:23 19:24 22:25 30:13 44:1,16,17,17 50:17 51:6</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>james</b> <sup>[1]</sup> 3:15</p> <p><b>jefferson</b> <sup>[2]</sup> 42:19 44:24</p> <p><b>jesus</b> <sup>[2]</sup> 28:4,6</p> <p><b>jewish</b> <sup>[2]</sup> 22:12 27:20</p> <p><b>jews</b> <sup>[1]</sup> 28:6</p> <p><b>job</b> <sup>[1]</sup> 29:4</p> <p><b>john</b> <sup>[14]</sup> 25:25,25 34:17,17,19 35:3,8 37:7,10 38:5,6 58:12,15,16</p> <p><b>joined</b> <sup>[1]</sup> 3:10</p> <p><b>journal</b> <sup>[1]</sup> 22:11</p> <p><b>judaism</b> <sup>[5]</sup> 30:5,7,10 55:3,12</p> <p><b>judeo</b> <sup>[2]</sup> 27:21,25</p> <p><b>judge</b> <sup>[1]</sup> 12:16</p> <p><b>judging</b> <sup>[3]</sup> 39:5,19 42:15</p> <p><b>judgment</b> <sup>[2]</sup> 5:17 7:7</p> <p><b>judicial</b> <sup>[1]</sup> 23:10</p> <p><b>july</b> <sup>[1]</sup> 52:5</p> <p><b>junction</b> <sup>[1]</sup> 36:14</p> <p><b>junior</b> <sup>[1]</sup> 32:24</p> <p><b>just</b> <sup>[48]</sup> 4:1,12 8:6 11:1 12:21 14:9 15:9,10,17 20:7 22:22 23:2 24:1 25:18 26:6 27:4 32:13 33:15,17 34:13 35:2,25 36:10 37:13,25 39:13 41:9,10,18 43:10 48:20 49:12,12 53:11,22 54:21 55:4,8,13,15,18 56:2,5,11,20 57:4,7 58:20</p> <p><b>justice</b> <sup>[4]</sup> 44:18 45:17,24</p>
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# Keyword Index

<p>49:10</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>kaplan</b> [3] 31:9,9 51:3  <b>keep</b> [4] 53:23 54:25 56:3 57:24  <b>keeping</b> [1] 4:21  <b>keeps</b> [1] 55:1  <b>kennedy</b> [9] 44:11,17 45:16 46:2 47:22 49:9 52:7,7,14  <b>kerfuffle</b> [1] 27:9  <b>key</b> [1] 20:5  <b>killed</b> [2] 12:14 23:19  <b>kind</b> [13] 4:1,12 5:16 12:17 19:19 23:25 27:21,22 35:23 53:19 58:8,8,20  <b>kinds</b> [5] 10:18 24:11 25:16 27:24 35:7  <b>knew</b> [1] 48:22  <b>know</b> [69] 8:15 9:12,21 10:20,22 11:4 12:5,22 13:3,4,6,7,20 14:14 15:3,9 19:13 21:5,9 22:24 23:2,11,24 24:13,14,15 25:4,14,19 26:7,10 27:14,20,21,22,23,25 28:8,11,18 29:3,9 30:1 32:14 33:13,17 34:1,7,25 35:5,6,7,10 36:10 38:6 43:25 44:3,4,9 46:1 50:17 54:15 55:2,10,20 56:7 57:11,21 58:11  <b>knowing</b> [1] 14:19  <b>knowledge</b> [2] 55:10 57:21  <b>known</b> [4] 15:2,4 34:16,17  <b>knows</b> [1] 34:1  <b>koch</b> [5] 3:16 24:8,8,11 29:17  <b>koch's</b> [2] 11:10 29:16  <b>kurtzman</b> [15] 38:21,22,24 42:10,17,24 43:1,4,5 44:11,12 46:17 47:10,17 53:5</p> <hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <p><b>lack</b> [3] 21:12,23 49:12  <b>land</b> [3] 35:4,8 44:13  <b>language</b> [6] 30:9 37:8,9,</p>	<p>11 41:24 46:23  <b>largely</b> [2] 41:12 56:21  <b>last</b> [6] 17:22,22 19:19 47:19 52:16 57:11  <b>late</b> [1] 30:20  <b>later</b> [5] 19:5 23:19 36:12 39:9 45:4  <b>law</b> [19] 9:11 16:24 23:11 31:19 37:16 38:13,22 40:2 41:14 43:2 44:12 47:17,17 48:6 49:16 52:12,14,15 58:15  <b>lead</b> [1] 7:17  <b>leaders</b> [1] 55:25  <b>least</b> [2] 42:8 51:17  <b>ledger</b> [4] 19:21 20:1,3 24:9  <b>left</b> [2] 36:9 46:3  <b>legal</b> [3] 48:25 49:6,19  <b>legality</b> [2] 29:24 49:4  <b>legion</b> [1] 45:25  <b>legislative</b> [3] 19:7 43:10 47:3  <b>legislators</b> [1] 19:8  <b>legislature</b> [2] 32:11 47:14  <b>lemon</b> [26] 7:8,8,18 38:20,22,23 42:10,16,23,25 43:4,4 44:10,12,19 46:2,17 47:10,17 52:6,8,10,11,12 53:2,5  <b>length</b> [2] 32:17 47:13  <b>lenient</b> [1] 56:25  <b>let</b> [6] 12:10 13:10 23:25 24:1,2 46:10  <b>let's</b> [1] 50:16  <b>letter</b> [1] 44:24  <b>level</b> [1] 48:11  <b>liberty</b> [1] 37:18  <b>life</b> [4] 22:25 23:5 52:6,11  <b>light</b> [1] 56:15  <b>like</b> [17] 4:13 10:21 12:17,23 15:21 23:8 31:25 32:19 33:2 34:7 42:7 43:17 44:2 47:23,25 51:7 53:9  <b>likelihood</b> [5] 4:10 9:18 36:10 49:20 50:3  <b>likely</b> [3] 5:19 6:15 10:23</p>	<p><b>limit</b> [1] 34:5  <b>limited</b> [4] 33:13 52:21 56:6,7  <b>limiting</b> [1] 23:15  <b>limits</b> [1] 31:1  <b>line</b> [3] 11:3,5 12:5  <b>listed</b> [2] 26:18 31:24  <b>little</b> [3] 16:4 28:22 30:20  <b>loan</b> [1] 42:4  <b>located</b> [1] 5:4  <b>log</b> [1] 3:22  <b>logged</b> [1] 3:25  <b>logging</b> [1] 3:24  <b>long</b> [4] 21:9 44:6 46:11 50:7  <b>longer</b> [1] 44:12  <b>look</b> [16] 7:15 13:11 14:9,13 17:13,13,14 22:8 29:19,21 31:17 32:1,21 38:15 39:9 44:14  <b>looked</b> [2] 14:13 41:18  <b>looking</b> [14] 9:24,25 13:3 21:18 23:6 32:17 33:24 39:25 42:12 47:2 49:22 52:2,9,17  <b>looks</b> [1] 40:20  <b>lose</b> [1] 24:2  <b>lot</b> [8] 4:9 8:19 13:15 18:11 34:17 50:17 51:13 58:14  <b>love</b> [1] 12:21  <b>low</b> [2] 6:14 46:17  <b>lucas</b> [2] 39:11,17</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>made</b> [9] 7:17 22:18 26:20 29:12 42:4 43:2 47:24 57:5,11  <b>madison</b> [2] 34:25 45:2  <b>maintaining</b> [1] 42:5  <b>majestic</b> [1] 26:2  <b>major</b> [1] 35:12  <b>majority</b> [4] 5:11 44:19 49:10 52:19  <b>make</b> [11] 3:4 16:4 26:14 31:6 32:23 34:11 46:12,25 47:19 50:18 57:19  <b>making</b> [1] 33:22  <b>manner</b> [6] 4:14 10:8 17:1</p>	<p>31:9 34:8 37:18  <b>many</b> [12] 5:5 9:5,21 10:5,11 11:22 22:11 44:3,4 45:4 55:12,25  <b>martyrdom</b> [1] 13:21  <b>mason</b> [1] 45:3  <b>mass</b> [5] 39:15,15,25,25 40:3  <b>massachusetts</b> [16] 9:14 10:12 16:19 17:21 31:5 35:1 37:10 39:7,21 40:20 41:1,17,22 51:5 53:10 54:5  <b>material</b> [1] 25:12  <b>matter</b> [8] 4:1 29:5 34:6 36:19 48:6 52:13 55:2 58:22  <b>mature</b> [6] 19:9 32:12,13 33:7 34:6 47:14  <b>may</b> [13] 3:4 5:1 6:22 7:17,20 9:1 12:10 19:4 21:7 32:8 33:1 49:1 50:24  <b>maybe</b> [5] 13:11 20:12 34:18 49:4 58:16  <b>mayor</b> [6] 11:10 24:8,8,11 26:4 56:17  <b>mayor's</b> [2] 11:14 26:18  <b>me</b> [14] 3:25 4:2 12:10,25 13:10 21:14 23:25 24:2 30:23 39:13 43:21,22 46:10 48:11  <b>mean</b> [13] 14:17,17,18 20:13 21:5,16 22:19 28:10 33:12 35:22 43:20 44:3 51:14  <b>means</b> [4] 18:12 41:6,7 58:14  <b>mechanistic</b> [1] 15:12  <b>meeting</b> [1] 29:3  <b>meetings</b> [1] 18:24  <b>members</b> [5] 5:12,13 18:15 35:5 48:4  <b>memo</b> [4] 16:24 17:3 51:2,2  <b>memorandum</b> [2] 50:25 52:10  <b>memorialize</b> [1] 58:2  <b>memos</b> [1] 4:22  <b>men</b> [1] 37:14  <b>mentioned</b> [4] 17:19 23:21 36:9 58:12</p>
--	---	--	--

# Keyword Index

<p><b>merely</b> <sup>[1]</sup> 26:1  <b>merger</b> <sup>[1]</sup> 28:7  <b>merits</b> <sup>[4]</sup> 6:16 49:25 50:1, 3  <b>message</b> <sup>[4]</sup> 5:11 27:4,6 36:17  <b>michael</b> <sup>[22]</sup> 3:18 5:22 11:23 12:16 13:14 14:1 21:3 22:8,9,16 24:5,16 28:1,7,14,15 30:7,8,9 55:3,5,6  <b>michael's</b> <sup>[2]</sup> 22:12 28:16  <b>microphone</b> <sup>[1]</sup> 20:19  <b>might</b> <sup>[7]</sup> 10:13 28:18,18 33:4 36:25 37:2 55:23  <b>mile</b> <sup>[1]</sup> 34:18  <b>military</b> <sup>[1]</sup> 28:15  <b>million</b> <sup>[1]</sup> 5:9  <b>mind</b> <sup>[2]</sup> 4:21 20:17  <b>minimal</b> <sup>[1]</sup> 36:11  <b>minister</b> <sup>[1]</sup> 45:1  <b>minton</b> <sup>[2]</sup> 29:7,10  <b>minute</b> <sup>[1]</sup> 52:12  <b>miracle</b> <sup>[1]</sup> 14:1  <b>miracles</b> <sup>[1]</sup> 13:21  <b>modified</b> <sup>[3]</sup> 47:25 48:21, 22  <b>molested</b> <sup>[1]</sup> 37:17  <b>money</b> <sup>[6]</sup> 17:6,16 36:8 42:3 48:18,21  <b>montana</b> <sup>[1]</sup> 52:17  <b>month</b> <sup>[1]</sup> 57:12  <b>more</b> <sup>[20]</sup> 8:4 14:8 16:4 20:11,14 22:5 23:7,16 26:11 28:7,13 29:11 35:12 36:24 38:10 45:10 52:25,25 54:14 57:21  <b>morning</b> <sup>[9]</sup> 3:9,13,14,15, 17,18,20 4:24 16:2  <b>mortar</b> <sup>[1]</sup> 25:19  <b>moses</b> <sup>[2]</sup> 23:8,9  <b>most</b> <sup>[5]</sup> 7:5 23:24 30:2 33:23 37:19  <b>motifs</b> <sup>[1]</sup> 13:20  <b>motion</b> <sup>[28]</sup> 4:3,4,8 6:15 15:19 27:5 28:24 30:1 36:11 50:6,12,16,20,23 51:15 52:3,4 53:13,22,25 56:4,13, 15,20,25 57:1,6,8</p>	<p><b>motions</b> <sup>[2]</sup> 4:3,9  <b>mouth</b> <sup>[1]</sup> 26:14  <b>move</b> <sup>[4]</sup> 27:1 50:16 51:19 53:22  <b>moved</b> <sup>[1]</sup> 31:25  <b>moving</b> <sup>[1]</sup> 41:15  <b>mr</b> <sup>[60]</sup> 3:15,18 4:18,19 15:25 16:2 20:17,19,21,25 21:24 24:7 25:10 26:19 27:13, 15,17 28:22 29:15 30:17 33:14,19,22 34:21 35:19, 21,25 36:22,24 37:5 39:15 43:24 44:1,6,9,18 46:14,16, 22 47:1,5,8,10 48:9,14,16, 24 49:4,9 50:9,22 51:22,23, 25 52:2 53:20,20 57:15 58:12,24  <b>ms</b> <sup>[20]</sup> 3:9,13 4:16,24 5:3 7:5 9:20 11:7 13:1,15,23 14:24 15:9,21,23 53:16,23 54:20 58:1 59:1  <b>much</b> <sup>[3]</sup> 14:20 36:24 50:23  <b>multi</b> <sup>[1]</sup> 40:8  <b>multidimensional</b> <sup>[1]</sup> 26:12  <b>multifactor</b> <sup>[1]</sup> 40:9  <b>multiple</b> <sup>[1]</sup> 26:16  <b>municipal</b> <sup>[2]</sup> 17:1 25:14  <b>must</b> <sup>[3]</sup> 11:12 24:19 38:24  <b>my</b> <sup>[38]</sup> 3:10 4:5 8:10 14:4, 11 15:14 16:24 21:1,6,6,6, 7 22:1,18,25 23:1 24:2 25:12 29:3 36:24 38:10 39:10 40:1 41:16 47:12,15 50:25 51:2,11 52:16 53:1 54:20 55:9,17 56:4,15 58:5,8  <b>myself</b> <sup>[2]</sup> 19:5 32:14</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>n</b> <sup>[1]</sup> 3:1  <b>named</b> <sup>[4]</sup> 20:16,23 21:4, 20  <b>narrow</b> <sup>[1]</sup> 8:9  <b>national</b> <sup>[1]</sup> 35:12  <b>nature</b> <sup>[6]</sup> 6:3 9:16 12:8 14:6 34:12 55:5  <b>nearly</b> <sup>[1]</sup> 5:9</p>	<p><b>necessarily</b> <sup>[1]</sup> 34:5  <b>necessary</b> <sup>[4]</sup> 6:14,17 31:1 57:1  <b>neck</b> <sup>[1]</sup> 6:5  <b>need</b> <sup>[9]</sup> 5:6 6:6 9:11 15:15 43:21 44:16 50:13 56:22 57:12  <b>needs</b> <sup>[1]</sup> 9:7  <b>neither</b> <sup>[3]</sup> 43:13 47:12,14  <b>network</b> <sup>[1]</sup> 55:24  <b>never</b> <sup>[4]</sup> 19:24 21:1 28:8 45:9  <b>new</b> <sup>[7]</sup> 5:3 7:13 8:7 9:8 12:21 13:7 32:24  <b>newspaper</b> <sup>[2]</sup> 20:1 24:9  <b>next</b> <sup>[2]</sup> 45:22 57:18  <b>no</b> <sup>[43]</sup> 4:16,18,19 5:12 6:4 18:9 19:1,12 24:15 35:25 36:7,15,15 37:16 39:13 41:4,9 42:2,2,7,21 43:1 44:12, 21 45:12,20,21 46:6,7 47:7 48:2,3,7 49:25 50:1,8 51:7 52:12 53:9,9,10,11 57:7  <b>none</b> <sup>[4]</sup> 8:21 50:2 51:9 56:18  <b>non-faith</b> <sup>[1]</sup> 48:6  <b>nor</b> <sup>[4]</sup> 6:6 43:13 47:12,15  <b>note</b> <sup>[7]</sup> 54:21 55:8,13,15 56:2,5,20  <b>notes</b> <sup>[1]</sup> 15:11  <b>nothing</b> <sup>[12]</sup> 13:13 16:13, 14 18:17 22:24 41:9,10 45:3,5 46:3 48:7 53:11  <b>nothing's</b> <sup>[1]</sup> 36:5  <b>noticed</b> <sup>[1]</sup> 19:23  <b>now</b> <sup>[16]</sup> 19:4 31:10 32:18 38:10 39:9,16,18 41:15 42:6 43:4,7 44:9,21 47:6 50:16 58:6  <b>nowhere</b> <sup>[2]</sup> 17:15 27:4  <b>number</b> <sup>[10]</sup> 25:11 30:4 33:22,23 43:11,12,14,15 52:5 55:12  <b>numbers</b> <sup>[1]</sup> 17:8  <b>numerous</b> <sup>[1]</sup> 48:4</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>o</b> <sup>[1]</sup> 3:1</p>	<p><b>oath</b> <sup>[2]</sup> 16:13 36:5  <b>object</b> <sup>[1]</sup> 35:14  <b>objection</b> <sup>[1]</sup> 48:15  <b>objections</b> <sup>[2]</sup> 30:2 57:4  <b>objective</b> <sup>[1]</sup> 16:22  <b>observed</b> <sup>[1]</sup> 6:9  <b>obstruct</b> <sup>[1]</sup> 37:21  <b>obviously</b> <sup>[5]</sup> 12:13 13:4 43:23 46:20 50:13  <b>occur</b> <sup>[1]</sup> 9:12  <b>occurred</b> <sup>[1]</sup> 18:22  <b>off</b> <sup>[11]</sup> 3:4,23 16:1,23 17:8 23:14 27:23 28:11 35:23 39:14 44:9  <b>offended</b> <sup>[1]</sup> 33:10  <b>offered</b> <sup>[1]</sup> 40:23  <b>offering</b> <sup>[1]</sup> 19:8  <b>officer</b> <sup>[2]</sup> 3:3 59:2  <b>officers</b> <sup>[4]</sup> 21:23 24:25 25:5,8  <b>official</b> <sup>[1]</sup> 31:13  <b>often</b> <sup>[4]</sup> 8:3 10:6,6 22:16  <b>oh</b> <sup>[1]</sup> 48:14  <b>okay</b> <sup>[11]</sup> 4:20 15:7 28:21 33:21 37:23 44:7,20 46:15 54:19 55:6 58:25  <b>oldest</b> <sup>[1]</sup> 37:11  <b>on</b> <sup>[81]</sup> 3:22,24,25 4:6,8,22 5:4 6:5,15 10:4,19 12:5,12 15:14,15,16 16:2,5,23 19:15,18 20:14 21:16 22:7,22 23:9,14 24:18 25:10,17 26:9,21,22 27:1,22 28:4,10 30:2,17,24 31:3,13,14 32:1,4, 5,16,25 33:16 34:3,7,13 35:1,4 40:25,25,25 41:15 42:9 43:17 44:2 45:23 48:1,5 49:23,25,25 50:3,5,16 51:2,14 53:2,22 55:23 56:22,23 57:16,16 58:15,19  <b>once</b> <sup>[2]</sup> 57:20,23  <b>one</b> <sup>[35]</sup> 4:3 6:9 8:3 10:4,9 14:8 17:11,14,18 19:4,5 21:10,15 23:5 24:21 26:14 28:18 29:20 31:25 32:11 33:22 34:13,22 35:12 37:7 38:11 39:10 40:13,23 43:11 47:2,2 54:13 55:20 56:22</p>
---	--	---	--

# Keyword Index

<p><b>ones</b> [1] 33:20</p> <p><b>online</b> [1] 30:20</p> <p><b>only</b> [13] 6:14 7:14 15:1,1 17:19 19:2 33:20 41:12 55:5,6,9 56:22 58:11</p> <p><b>onto</b> [1] 16:23</p> <p><b>open</b> [1] 33:6</p> <p><b>opening</b> [1] 17:13</p> <p><b>opinion</b> [5] 7:13 15:14 49:10 52:19 58:19</p> <p><b>opportunity</b> [1] 4:21</p> <p><b>opposed</b> [2] 13:14 48:4</p> <p><b>opposition</b> [3] 49:14 51:12 52:3</p> <p><b>options</b> [1] 32:17</p> <p><b>or</b> [53] 4:2 5:12 10:9 11:4,4 12:24 13:13,21 14:20 18:13 19:14 20:23 21:22,25 22:15 26:7 28:19,19 29:8 30:4 31:25 32:11,24 33:5 35:14 37:17,18,19,20,21 42:3,3,3,4,5,6,20 43:2,10 45:5 48:2,5 49:12,13,13 52:13 55:3,11 56:18 57:9,10,12,13</p> <p><b>order</b> [4] 3:2 20:8 51:17 56:23</p> <p><b>ordinance</b> [5] 25:14,15,17,21 26:10</p> <p><b>organizations</b> [1] 56:7</p> <p><b>origin</b> [3] 12:18 24:21 25:15</p> <p><b>origins</b> [2] 27:20 28:1</p> <p><b>orphan</b> [2] 42:22 53:12</p> <p><b>other</b> [20] 5:12 6:13 7:4 9:21 10:21 14:16,16 15:18 20:3 24:23 26:25 27:11 34:14 42:16 48:2 52:10,23 53:9 55:7 56:17</p> <p><b>others</b> [6] 6:19 17:2 26:17 37:21 45:4,10</p> <p><b>otherwise</b> [1] 30:21</p> <p><b>our</b> [34] 8:4,14 9:5,5,12,15 10:15 15:10 17:24,24 18:14 19:19 20:11 22:1 25:13,15,22 30:21 37:16 44:22,22,23,23 45:6,6,9 49:17 50:5 51:15 55:8,19 56:14,21,</p>	<p>21</p> <p><b>out</b> [13] 13:25 14:12 18:12,24 23:22 26:5 27:19 34:7 35:2 39:9 41:16 44:24 55:23</p> <p><b>outline</b> [1] 18:25</p> <p><b>outlined</b> [1] 40:15</p> <p><b>outlines</b> [1] 18:21</p> <p><b>outsiders</b> [1] 5:13</p> <p><b>over</b> [6] 4:1 22:19 28:14,24 29:5 40:19</p> <p><b>overt</b> [3] 14:14,15,25</p> <p><b>overtly</b> [1] 14:3</p> <p><b>own</b> [5] 12:6,6 28:12 37:19 45:9</p> <p><b>ownership</b> [2] 22:19 28:13</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>p</b> [1] 3:1</p> <p><b>package</b> [2] 13:12 24:3</p> <p><b>packed</b> [1] 29:4</p> <p><b>page</b> [14] 30:24 31:14,17 39:1,25 41:19 42:12 44:2 47:2,5,23 51:2 52:10,18</p> <p><b>pages</b> [3] 31:13 45:11 50:25</p> <p><b>paid</b> [4] 12:15 32:6 39:3 41:7</p> <p><b>papers</b> [3] 15:10 55:19 56:14</p> <p><b>paperwork</b> [4] 17:21 27:20 29:2 30:21</p> <p><b>paragraph</b> [6] 16:17 17:13,19 18:18 27:1,2</p> <p><b>paragraphs</b> [1] 18:21</p> <p><b>pardon</b> [1] 25:20</p> <p><b>parish</b> [1] 35:3</p> <p><b>parks</b> [1] 10:6</p> <p><b>part</b> [10] 10:14 13:4 21:10 23:5 25:22 28:1 29:3 43:5 57:5,6</p> <p><b>participate</b> [1] 34:23</p> <p><b>particular</b> [11] 10:9,9 13:2 17:4 18:9 36:7 38:19 39:2 49:9 57:16,21</p> <p><b>particularly</b> [1] 22:13</p> <p><b>parties</b> [9] 4:12 18:3 23:8,</p>	<p>12 32:10 36:13 57:13,13,17</p> <p><b>party's</b> [1] 49:24</p> <p><b>passage</b> [1] 26:10</p> <p><b>passed</b> [1] 25:18</p> <p><b>patches</b> [1] 23:5</p> <p><b>patrick</b> [1] 20:12</p> <p><b>patriot</b> [4] 19:21 20:1,3 24:9</p> <p><b>patron</b> [9] 5:24 11:25 21:4,10,10,13 22:3,5 24:22</p> <p><b>patronage</b> [2] 22:20 30:12</p> <p><b>patrons</b> [3] 20:13,16,23</p> <p><b>paul</b> [1] 20:10</p> <p><b>pay</b> [2] 17:23 18:8</p> <p><b>payment</b> [1] 56:6</p> <p><b>peace</b> [1] 37:21</p> <p><b>people</b> [10] 3:25 23:14 28:24 29:5 32:18,20 33:15,16,23 47:14</p> <p><b>perceptions</b> [1] 48:1</p> <p><b>perhaps</b> [4] 21:24 22:21 29:1 30:7</p> <p><b>permission</b> [1] 4:25</p> <p><b>person</b> [3] 14:20 27:7 37:17</p> <p><b>persona</b> [1] 35:13</p> <p><b>persuasive</b> [3] 7:16 40:17,21</p> <p><b>peter</b> [1] 20:10</p> <p><b>petition</b> [3] 29:19,20,21</p> <p><b>phase</b> [1] 26:5</p> <p><b>phones</b> [1] 3:4</p> <p><b>phrase</b> [1] 48:21</p> <p><b>pi</b> [2] 28:23 54:12</p> <p><b>picked</b> [3] 19:22 24:12 45:4</p> <p><b>picking</b> [1] 20:7</p> <p><b>pile</b> [1] 25:13</p> <p><b>place</b> [1] 5:4</p> <p><b>placed</b> [2] 10:19 19:18</p> <p><b>placing</b> [1] 10:3</p> <p><b>plain</b> [1] 47:24</p> <p><b>plainly</b> [1] 6:2</p> <p><b>plaintiff</b> [7] 4:7,15 24:3 29:20,22 51:2 53:15</p> <p><b>plaintiffs</b> [33] 3:10 4:23 5:</p>	<p>19 6:14,19 15:15 16:18 17:11 18:14 22:6 29:20 30:9 32:12,18,20 33:17 36:2 40:23 41:5,16 42:9 45:13 48:4,9 49:5,11 52:2 54:1,6,15,17 55:18 56:10</p> <p><b>plaintiffs'</b> [7] 22:6,9 26:19 27:19 29:16 54:22 55:16</p> <p><b>plaintiff's</b> [5] 18:24 31:15,23 51:2 52:3</p> <p><b>plan</b> [2] 5:8 16:2</p> <p><b>pleadings</b> [1] 4:22</p> <p><b>pluralism</b> [4] 16:21 45:13,15 49:13</p> <p><b>pluralistic</b> [1] 9:14</p> <p><b>plus</b> [2] 22:2 57:23</p> <p><b>point</b> [13] 14:4 18:13 22:18 25:10 26:20 27:5 47:15,19 49:19 52:16 53:1,1 56:4</p> <p><b>points</b> [4] 41:16 45:10 46:6 56:11</p> <p><b>poland</b> [1] 21:10</p> <p><b>police</b> [19] 3:19 5:23 11:14,15 19:3 20:14,23 21:5,22 22:21 24:13,20,24 25:5 26:1 29:1,4 35:16 36:18</p> <p><b>policing</b> [1] 29:10</p> <p><b>political</b> [7] 5:13 43:16 47:21 48:16 49:5,18 50:4</p> <p><b>politically</b> [3] 48:23 49:1 51:4</p> <p><b>port</b> [2] 57:20,20</p> <p><b>portrayed</b> [1] 19:21</p> <p><b>position</b> [2] 6:25 24:14</p> <p><b>potential</b> [3] 34:9 43:16 47:21</p> <p><b>powerful</b> [2] 52:25,25</p> <p><b>powers</b> [1] 15:5</p> <p><b>practice</b> [9] 10:3,18,22 26:9 43:13,15 46:24 47:12,21</p> <p><b>practices</b> [2] 9:10,23</p> <p><b>pray</b> [1] 11:23</p> <p><b>prayer</b> [6] 5:25 19:7,8,10,16 55:23</p> <p><b>prayers</b> [1] 32:4</p> <p><b>precedent</b> [8] 7:6,10,11,15,17,21 8:2 40:20</p> <p><b>precipitating</b> [1] 22:20</p>
---	---	--	---

# Keyword Index

<p><b>precise</b> [1] 31:1</p> <p><b>precisely</b> [2] 19:17 26:3</p> <p><b>precludes</b> [1] 40:10</p> <p><b>predominant</b> [2] 14:6 41:12</p> <p><b>predominantly</b> [1] 27:3</p> <p><b>preference</b> [4] 45:12,20, 20 46:7</p> <p><b>preliminary</b> [16] 4:3,6,11 6:16 16:8 27:5 50:9,12 51:12,15 52:4 53:18,25 54:24 57:5 58:3</p> <p><b>prescribed</b> [1] 48:1</p> <p><b>presence</b> [1] 22:12</p> <p><b>present</b> [1] 51:10</p> <p><b>presentation</b> [1] 24:6</p> <p><b>presented</b> [4] 16:3 51:6, 13,18</p> <p><b>presents</b> [1] 12:5</p> <p><b>preservation</b> [1] 51:8</p> <p><b>preserve</b> [1] 6:17</p> <p><b>preserved</b> [1] 53:2</p> <p><b>preserver</b> [1] 37:16</p> <p><b>presume</b> [1] 33:23</p> <p><b>pretty</b> [2] 44:14 50:23</p> <p><b>prevail</b> [3] 41:6,6 56:23</p> <p><b>prevails</b> [1] 32:3</p> <p><b>prevent</b> [2] 6:11,18</p> <p><b>preventing</b> [1] 6:16</p> <p><b>previous</b> [1] 14:4</p> <p><b>priest</b> [3] 12:13 13:2,7</p> <p><b>primarily</b> [2] 10:3 19:11</p> <p><b>primary</b> [6] 20:1 43:10,12 46:24,25 47:11</p> <p><b>prince</b> [1] 22:16</p> <p><b>principle</b> [2] 40:5 41:1</p> <p><b>priority</b> [1] 51:15</p> <p><b>private</b> [2] 17:23 30:2</p> <p><b>privately</b> [1] 10:6</p> <p><b>probably</b> [4] 20:2,9 21:7 30:21</p> <p><b>problem</b> [3] 3:24 18:20 28:5</p> <p><b>proceeding</b> [1] 4:14</p> <p><b>process</b> [3] 8:9 18:22 29:16</p> <p><b>profession</b> [1] 37:20</p> <p><b>professor</b> [1] 55:11</p>	<p><b>prohibits</b> [1] 5:15</p> <p><b>project</b> [7] 18:23,25 26:5 36:5,17,18,20</p> <p><b>promote</b> [2] 10:16 19:15</p> <p><b>prompt</b> [1] 33:3</p> <p><b>prompted</b> [1] 30:23</p> <p><b>prong</b> [1] 56:23</p> <p><b>prongs</b> [2] 15:14,15</p> <p><b>proper</b> [4] 5:18 31:2 40:18, 22</p> <p><b>property</b> [3] 42:3 45:24 46:8</p> <p><b>proposition</b> [2] 27:2 42:25</p> <p><b>protect</b> [2] 16:19 28:2</p> <p><b>protected</b> [1] 5:7</p> <p><b>protection</b> [7] 5:25 6:12 8:24 11:23 41:21 45:18 56:8</p> <p><b>protections</b> [1] 8:5</p> <p><b>protector</b> [3] 21:4 28:2,16</p> <p><b>protectors</b> [2] 20:23 21:22</p> <p><b>protects</b> [1] 18:19</p> <p><b>protestant</b> [1] 55:13</p> <p><b>proud</b> [2] 58:13,17</p> <p><b>provide</b> [2] 5:25 42:24</p> <p><b>provided</b> [3] 10:1 31:12 37:20</p> <p><b>provides</b> [4] 8:4 31:20 40:10,12</p> <p><b>provision</b> [9] 8:14,17,17 18:4,19 42:13,21,21 46:19</p> <p><b>provisions</b> [5] 39:7,21 41:2,4 49:18</p> <p><b>public</b> [27] 5:3 6:21 10:5, 19 18:24 19:1,1,2 25:3,15, 21,24 26:8,22 28:24 32:4,5, 5 34:8 35:15 36:18 37:21 38:8 42:3,4 51:6,6</p> <p><b>publicly</b> [1] 37:14</p> <p><b>public's</b> [1] 48:12</p> <p><b>published</b> [2] 7:14 31:8</p> <p><b>pull</b> [1] 39:13</p> <p><b>puritans</b> [1] 38:3</p> <p><b>purpose</b> [22] 8:21 11:1 24:18,20,24 25:7 26:15 31:16 37:22 42:5 43:6,10,11 44:21 45:22 46:1,3,5,12,18,22</p>	<p>47:3</p> <p><b>purposes</b> [2] 26:16 29:5</p> <p><b>put</b> [8] 14:12 23:22 25:6,24 26:13,22 28:10 32:25</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>quarter</b> [1] 34:18</p> <p><b>question</b> [26] 9:8,9 11:8 12:18 13:11,11 20:22 21:19 24:1,3 29:24 31:24 34:13,22 35:10,14 38:13,14, 15 41:15 43:7 44:5 46:5 47:11 48:16 49:2</p> <p><b>questioning</b> [1] 23:7</p> <p><b>questions</b> [7] 4:14 5:1 6:22 15:18 20:5 33:3,3</p> <p><b>quick</b> [1] 55:4</p> <p><b>quickly</b> [1] 51:24</p> <p><b>quincy</b> [19] 3:7,16,19,19 4:5 5:7,12 6:9 20:9 25:17,20, 21 26:9 34:16 35:8 49:6 55:7,24,25</p> <p><b>quincy's</b> [1] 5:3</p> <p><b>quite</b> [2] 10:2 13:24</p> <p><b>quo</b> [1] 6:18</p> <p><b>quote</b> [13] 6:4,5,9 28:23 29:7,12 30:23,24 31:1 39:18 51:3 55:22,23</p> <p><b>quoted</b> [1] 42:12</p> <p><b>quotes</b> [3] 24:11 44:1,14</p> <p><b>quoting</b> [1] 43:7</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p><b>r</b> [1] 3:1</p> <p><b>rachel</b> [1] 3:9</p> <p><b>raftery</b> [14] 7:13,14 8:11, 13,13 16:9 30:18,19 31:11, 11 38:17 39:23,23,25</p> <p><b>raise</b> [5] 36:14 41:15 54:3, 6 56:11</p> <p><b>raised</b> [5] 4:11 38:14 50:14 53:17 55:2</p> <p><b>rather</b> [4] 7:1 25:18 45:17 50:25</p> <p><b>reach</b> [2] 9:7,9</p> <p><b>reached</b> [1] 57:13</p> <p><b>react</b> [1] 34:2</p> <p><b>reaction</b> [3] 23:1 34:3 55:</p>	<p>16</p> <p><b>reactions</b> [1] 55:4</p> <p><b>read</b> [8] 17:21 29:11 30:24 43:23 44:13,16,17,17</p> <p><b>reading</b> [3] 23:1 39:1 45:11</p> <p><b>reads</b> [1] 16:18</p> <p><b>ready</b> [1] 22:21</p> <p><b>real</b> [1] 32:15</p> <p><b>realized</b> [1] 51:12</p> <p><b>really</b> [6] 14:13 16:3 19:14 34:17 48:19 58:20</p> <p><b>reason</b> [12] 7:24 10:17 11:14 12:11,20 15:4,4 22:23 30:22 37:6 49:15 51:11</p> <p><b>reasons</b> [4] 6:13 8:3 11:11 35:12</p> <p><b>recall</b> [1] 32:14</p> <p><b>receiver</b> [3] 37:1,8 38:16</p> <p><b>recently</b> [2] 7:13 8:5</p> <p><b>recess</b> [2] 58:22 59:2</p> <p><b>recognize</b> [3] 30:5,7,10</p> <p><b>recognized</b> [5] 20:12 38:4, 4 55:6,9</p> <p><b>record</b> [9] 3:8,23 16:1,13, 16 22:8 51:14 57:7 58:2</p> <p><b>redress</b> [1] 49:5</p> <p><b>reeled</b> [1] 28:10</p> <p><b>refer</b> [5] 11:25 23:14 28:15 31:13 50:24</p> <p><b>reference</b> [4] 11:21 12:4 14:5 56:16</p> <p><b>referenced</b> [1] 55:3</p> <p><b>references</b> [2] 19:25 24:10</p> <p><b>referred</b> [2] 22:16 31:4</p> <p><b>referring</b> [1] 14:3</p> <p><b>refers</b> [1] 13:25</p> <p><b>reflected</b> [1] 31:7</p> <p><b>regard</b> [6] 15:1 19:18 28:7 53:17 54:20 56:13</p> <p><b>regarded</b> [1] 18:1</p> <p><b>regarding</b> [3] 24:4 29:7 56:17</p> <p><b>regards</b> [10] 4:10,14 9:17 21:14 34:20 37:3 50:16 57:7 58:9,21</p> <p><b>regrettable</b> [1] 36:2</p>
---	--	---	---

# Keyword Index

<p><b>regrettably</b> <sup>[1]</sup> 18:11  <b>regularly</b> <sup>[1]</sup> 54:12  <b>rejected</b> <sup>[2]</sup> 8:7,9  <b>relate</b> <sup>[2]</sup> 16:5 23:5  <b>relation</b> <sup>[1]</sup> 10:15  <b>relevant</b> <sup>[2]</sup> 40:1 53:24  <b>relief</b> <sup>[2]</sup> 17:14 36:4  <b>religion</b> <sup>[21]</sup> 5:11 9:2 10:4, 9,13,16 11:22 12:4,8 14:5 17:23,25 18:6,9 19:15 32:14 38:8 41:13 43:13 47:12, 15  <b>religions</b> <sup>[6]</sup> 38:3,4 55:7, 12,13,25  <b>religious</b> <sup>[46]</sup> 5:16,21 6:3, 4,13 8:25 9:6 10:3,13 11:3, 5,11 12:8,19 13:18,23 14:3, 6,8,15,17 16:21 18:1,15 19: 2 23:9 24:15 27:4 29:15,23 37:20,22 38:5 42:6 45:19, 23,23 46:7,12,22 48:1,5 49: 12 55:5,7 56:6  <b>religiously</b> <sup>[2]</sup> 9:14 32:11  <b>rely</b> <sup>[2]</sup> 41:16 42:9  <b>relying</b> <sup>[1]</sup> 58:15  <b>remarks</b> <sup>[1]</sup> 4:25  <b>remember</b> <sup>[1]</sup> 23:1  <b>removed</b> <sup>[2]</sup> 38:1,3  <b>rendered</b> <sup>[1]</sup> 30:20  <b>repeat</b> <sup>[2]</sup> 19:4 45:12  <b>repeating</b> <sup>[1]</sup> 51:1  <b>reply</b> <sup>[1]</sup> 52:4  <b>report</b> <sup>[2]</sup> 5:6 57:17  <b>represent</b> <sup>[1]</sup> 13:20  <b>republic</b> <sup>[1]</sup> 17:23  <b>requesting</b> <sup>[1]</sup> 7:4  <b>required</b> <sup>[1]</sup> 45:9  <b>requires</b> <sup>[1]</sup> 45:15  <b>research</b> <sup>[2]</sup> 21:7,7  <b>residents</b> <sup>[3]</sup> 5:5,7 6:13  <b>resonated</b> <sup>[2]</sup> 30:23 32:8  <b>respect</b> <sup>[9]</sup> 15:3 25:8 33: 16 35:10 45:18 46:19 47: 13,15 55:15  <b>respectfully</b> <sup>[1]</sup> 58:14  <b>respects</b> <sup>[1]</sup> 16:20  <b>respond</b> <sup>[4]</sup> 6:25 53:17,21 56:14</p>	<p><b>responders</b> <sup>[2]</sup> 11:23 55: 22  <b>responding</b> <sup>[2]</sup> 22:15 35: 10  <b>response</b> <sup>[3]</sup> 36:11,13 53: 21  <b>responsible</b> <sup>[1]</sup> 22:15  <b>rest</b> <sup>[1]</sup> 51:20  <b>restrained</b> <sup>[1]</sup> 37:17  <b>restrictions</b> <sup>[1]</sup> 35:9  <b>retained</b> <sup>[1]</sup> 31:5  <b>review</b> <sup>[5]</sup> 4:21 31:19 50: 13,15 51:9  <b>reviewed</b> <sup>[3]</sup> 16:24 40:1 50:24  <b>reviewing</b> <sup>[3]</sup> 16:6,8 19: 23  <b>revisit</b> <sup>[1]</sup> 8:2  <b>revisits</b> <sup>[2]</sup> 7:11,22  <b>rich</b> <sup>[1]</sup> 16:21  <b>rid</b> <sup>[1]</sup> 44:19  <b>right</b> <sup>[56]</sup> 3:17,20 4:17,20 6: 24 13:10,22 14:10,24 15:7, 20,22,24 16:25 17:8 20:18, 22 25:2 26:24 28:22 30:15 31:23 33:14 34:13,14,18 35:18,21,22 36:21,22,23 37:13,13,25 38:8,8 42:23 44:2,7,8 47:6 49:3,3,7 50:8, 11,11 51:21 53:14,16 56:9 57:3,25 58:5,6  <b>rights</b> <sup>[8]</sup> 5:15 16:19 17:25 18:7 41:22 53:3,11 56:9  <b>rise</b> <sup>[3]</sup> 3:3 53:8 59:3  <b>risk</b> <sup>[2]</sup> 49:21,23  <b>river</b> <sup>[1]</sup> 58:6  <b>road</b> <sup>[1]</sup> 7:20  <b>role</b> <sup>[2]</sup> 15:2 29:2  <b>roman</b> <sup>[5]</sup> 14:12 23:17 24: 15 27:9 56:1  <b>romans</b> <sup>[1]</sup> 23:19  <b>room</b> <sup>[1]</sup> 29:4  <b>roughly</b> <sup>[1]</sup> 23:17  <b>rule</b> <sup>[1]</sup> 36:13</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>s</b> <sup>[1]</sup> 3:1  <b>safety</b> <sup>[4]</sup> 5:3 6:21 10:19</p>	<p>26:23  <b>said</b> <sup>[23]</sup> 7:18 11:15 19:19 25:21 32:4,8,9 33:1,2 37: 12 38:5,10 47:22,24 49:1, 17 50:23 51:13 52:22 53:9, 12 55:20 58:16  <b>saint</b> <sup>[8]</sup> 21:4,10 22:3 23:2, 15 24:22 27:16,18  <b>saints</b> <sup>[25]</sup> 5:10,24 11:1,23, 25 13:19 19:20,21 20:4,7 21:10,13,16,17,20,21 22:5, 19 27:3,13 30:5,11 55:11, 19,22  <b>sam</b> <sup>[1]</sup> 58:16  <b>same</b> <sup>[21]</sup> 4:11 7:2 14:15, 20 23:25,25 24:2,18,21 28: 14 31:10 32:18,25 34:8,11 38:20 46:5,8,9 50:6 56:21  <b>saw</b> <sup>[3]</sup> 21:23 27:8 34:25  <b>say</b> <sup>[37]</sup> 7:19 11:7,9 13:2, 10,12 14:15,22 15:1 17:6, 15 21:6,16 22:22 27:9,11, 22 28:19,25 32:25 34:19 35:6 36:10 38:6 39:23 41: 11 42:11 43:10 45:6,13 46: 10,25 49:24 51:2 52:2 55: 23 58:11  <b>saying</b> <sup>[8]</sup> 11:4 14:9 19:14 22:4 26:13,16 28:17 56:1  <b>says</b> <sup>[17]</sup> 11:10 18:7 26:4 27:3 28:25 30:25 31:16 38: 25 39:18 42:2 43:11 44:18 45:9,17 46:19 49:22 52:19  <b>scene</b> <sup>[1]</sup> 27:23  <b>schlossberg</b> <sup>[2]</sup> 3:11,13  <b>school</b> <sup>[4]</sup> 32:24 44:12 52: 7,15  <b>sea</b> <sup>[5]</sup> 20:9 32:21 33:12,16, 24  <b>season</b> <sup>[1]</sup> 37:18  <b>seasons</b> <sup>[1]</sup> 37:14  <b>seated</b> <sup>[1]</sup> 3:4  <b>second</b> <sup>[4]</sup> 4:4 38:11 41:9, 10  <b>sect</b> <sup>[2]</sup> 10:9 21:15  <b>sectarian</b> <sup>[2]</sup> 19:11,15  <b>section</b> <sup>[4]</sup> 17:9 41:25,25 42:20</p>	<p><b>sector</b> <sup>[1]</sup> 18:10  <b>sects</b> <sup>[1]</sup> 8:25  <b>secular</b> <sup>[19]</sup> 10:25 11:3,6 12:20 25:7 26:15,16 43:6,9, 9,11 45:12,20,21 46:5,7,11, 18 47:3  <b>see</b> <sup>[19]</sup> 8:3 14:14 16:7 21: 19 22:7 29:2,19 33:12,18 34:1 38:7,18 39:12 43:17 44:2,15 46:18 47:23 58:8  <b>seeking</b> <sup>[2]</sup> 5:8 6:20  <b>seems</b> <sup>[2]</sup> 10:25 18:17  <b>seen</b> <sup>[1]</sup> 41:23  <b>segregate</b> <sup>[1]</sup> 22:2  <b>selected</b> <sup>[1]</sup> 22:23  <b>send</b> <sup>[2]</sup> 27:3 36:17  <b>sense</b> <sup>[2]</sup> 6:7 13:16  <b>sent</b> <sup>[1]</sup> 27:7  <b>sentence</b> <sup>[1]</sup> 40:13  <b>sentiments</b> <sup>[1]</sup> 37:20  <b>separate</b> <sup>[4]</sup> 54:1,4,16,17  <b>separately</b> <sup>[1]</sup> 54:13  <b>separation</b> <sup>[5]</sup> 44:21 45:7 46:6 52:20,23  <b>september</b> <sup>[2]</sup> 12:12,12  <b>service</b> <sup>[1]</sup> 24:22  <b>services</b> <sup>[2]</sup> 5:5 6:20  <b>session</b> <sup>[1]</sup> 3:5  <b>sessions</b> <sup>[1]</sup> 19:7  <b>set</b> <sup>[6]</sup> 11:3 18:24 34:6,8 41: 17 56:13  <b>setting</b> <sup>[1]</sup> 5:17  <b>several</b> <sup>[1]</sup> 11:24  <b>sex</b> <sup>[3]</sup> 18:6,13,19  <b>shall</b> <sup>[2]</sup> 37:17 42:4  <b>share</b> <sup>[1]</sup> 13:15  <b>shipment</b> <sup>[1]</sup> 57:22  <b>shipped</b> <sup>[1]</sup> 57:18  <b>should</b> <sup>[8]</sup> 5:7 7:9 11:12 12:1 21:25 45:6 49:15 53: 13  <b>show</b> <sup>[8]</sup> 20:8 25:8,18 49: 20,21 50:2,3 53:5  <b>showed</b> <sup>[2]</sup> 27:22 43:19  <b>side</b> <sup>[1]</sup> 7:4  <b>sides</b> <sup>[3]</sup> 35:1 58:14,20  <b>siemens</b> <sup>[1]</sup> 49:22  <b>sign</b> <sup>[1]</sup> 14:15</p>
--	---	--	---

# Keyword Index

<p><b>signed</b> [1] 16:13</p> <p><b>significance</b> [5] 11:5,6 12:19 14:15 46:13</p> <p><b>significant</b> [5] 12:15 16:6, 12 19:5 21:14</p> <p><b>similar</b> [4] 7:3 8:20 50:6, 18</p> <p><b>similarities</b> [1] 8:19</p> <p><b>similarly</b> [1] 6:3</p> <p><b>simple</b> [1] 16:4</p> <p><b>simply</b> [5] 26:12 45:4 46: 17 48:24 50:24</p> <p><b>since</b> [4] 25:23 26:9 28:3 30:24</p> <p><b>single</b> [1] 13:25</p> <p><b>sister</b> [1] 22:1</p> <p><b>site</b> [2] 39:15 52:18</p> <p><b>sites</b> [1] 43:18</p> <p><b>six</b> [2] 39:24,24</p> <p><b>sjc</b> [40] 5:16 7:6,7,10,11,13, 14,16,22 8:1,3,7,9,12 9:8, 10,13 15:10 19:8 23:8 31:3, 5,10 32:9 38:19,25 39:18 40:17,19,24 43:5,8,18 45:6, 6,9 46:4,19 47:16 49:17</p> <p><b>sjc's</b> [3] 8:18 31:21,25</p> <p><b>skills</b> [1] 21:7</p> <p><b>societies</b> [4] 18:6,13,15, 19</p> <p><b>society</b> [6] 9:12,14 18:10 37:14 42:6 44:25</p> <p><b>soldier</b> [3] 23:17 24:15 27: 9</p> <p><b>soldiers</b> [1] 14:12</p> <p><b>solely</b> [2] 42:9,24</p> <p><b>solicitor</b> [1] 49:1</p> <p><b>some</b> [16] 4:25 10:20 16:5, 6 26:6,6 28:19 30:4,13 32: 15,17,18 34:2 43:18 44:13 56:11</p> <p><b>somehow</b> [2] 52:11 53:2</p> <p><b>someone</b> [2] 13:3 28:18</p> <p><b>something</b> [10] 11:5 12: 16,23 23:3,6 26:20,21 50: 19 51:18 52:13</p> <p><b>sometimes</b> [2] 7:15 42:20</p> <p><b>somewhat</b> [1] 13:1</p> <p><b>sophisticated</b> [2] 32:14</p>	<p>33:15</p> <p><b>sorry</b> [9] 20:20,21 35:24 38:11 39:17 42:19 47:8 49: 3,8</p> <p><b>sort</b> [1] 8:9</p> <p><b>sotomayor</b> [1] 44:18</p> <p><b>sought</b> [1] 17:14</p> <p><b>sound</b> [3] 40:11,12,22</p> <p><b>sounds</b> [1] 48:20</p> <p><b>source</b> [1] 20:1</p> <p><b>speak</b> [4] 7:25 11:22 20:19 28:11</p> <p><b>speaking</b> [2] 11:17 32:17</p> <p><b>speaks</b> [3] 8:24 9:1 56:8</p> <p><b>specific</b> [5] 8:16 13:24 16: 5 17:10 18:18</p> <p><b>specifically</b> [6] 11:17 14: 10 17:6,15 44:10 56:5</p> <p><b>specified</b> [1] 36:7</p> <p><b>spend</b> [1] 5:8</p> <p><b>spent</b> [3] 18:11 36:8 48:21</p> <p><b>spoken</b> [1] 9:11</p> <p><b>square</b> [1] 38:8</p> <p><b>st</b> [16] 5:22,22 12:13 14:1 20:10,10,12,12 21:3,6,8 22: 8,9,11,16 23:3</p> <p><b>stained</b> [1] 51:9</p> <p><b>standard</b> [1] 56:25</p> <p><b>standing</b> [9] 16:23 53:24 54:2,3,6,10,10,14,17</p> <p><b>stands</b> [1] 23:11</p> <p><b>start</b> [1] 17:8</p> <p><b>started</b> [1] 29:20</p> <p><b>starting</b> [1] 38:18</p> <p><b>stat</b> [1] 48:19</p> <p><b>state</b> [11] 15:10 17:22 40:6 41:12,12 44:22,23 45:8,14 52:20 55:10</p> <p><b>stated</b> [2] 37:14,24</p> <p><b>statement</b> [4] 29:6,22 46: 13 55:20</p> <p><b>statements</b> [2] 30:4,4</p> <p><b>states</b> [3] 31:18 46:4 55:21</p> <p><b>state's</b> [3] 9:5 52:19,22</p> <p><b>statue</b> [12] 13:6 14:9,13,16, 16,17 24:5 25:25,25 27:12 28:4 49:16</p> <p><b>statues</b> [37] 5:10,20 6:3,8,</p>	<p>10,17,20 10:6,18 12:15,25 13:12 19:18,20 23:15 24: 20,21 25:6,23 26:1 27:7 32: 25 33:6,10,12,18 34:19 38: 7 48:5 49:14 55:17,19 56:1, 17 57:10,18,19</p> <p><b>status</b> [4] 6:18 17:11 30:8 43:4</p> <p><b>statute</b> [8] 17:9,12 25:20 36:6 39:2 43:2 54:5,18</p> <p><b>statutes</b> [2] 48:5 58:3</p> <p><b>stems</b> [1] 5:23</p> <p><b>stepped</b> [1] 35:2</p> <p><b>stepping</b> [1] 6:5</p> <p><b>still</b> [7] 9:18 10:23 32:3 52: 6,6,7,10</p> <p><b>stop</b> [7] 16:25 17:5,16 18:9 36:5 49:15,16</p> <p><b>stories</b> [1] 20:1</p> <p><b>story</b> [1] 19:22</p> <p><b>straight</b> [1] 33:25</p> <p><b>straightforward</b> [1] 7:5</p> <p><b>street</b> [8] 5:4 20:9 27:8 32: 21 33:13,16,24 34:7</p> <p><b>stress</b> [2] 15:10,13</p> <p><b>strong</b> [3] 15:14 38:7 52:7</p> <p><b>structure</b> [3] 8:19 9:2 33: 9</p> <p><b>subject</b> [1] 37:17</p> <p><b>subjective</b> [2] 34:3 55:16</p> <p><b>subjects</b> [1] 29:23</p> <p><b>submit</b> [8] 10:21 24:7 29: 25 31:11 34:11 50:24 53:4 57:2</p> <p><b>submitted</b> [11] 7:12 9:21 11:10,12,17 25:11 29:9 30: 21 36:3 54:24 56:16</p> <p><b>subordinated</b> [3] 18:10, 12,14</p> <p><b>subordinating</b> [1] 8:25</p> <p><b>subordination</b> [1] 21:15</p> <p><b>subsequent</b> [2] 38:17 51: 9</p> <p><b>substantial</b> [3] 49:20,21, 23</p> <p><b>substantive</b> [1] 8:8</p> <p><b>succeed</b> [3] 5:20 6:15 10: 23</p>	<p><b>success</b> [7] 4:10 9:19 36: 10 49:20,25,25 50:3</p> <p><b>such</b> [4] 5:6 45:20,21 48: 20</p> <p><b>sufficient</b> [1] 15:16</p> <p><b>suggest</b> [10] 7:2,24 8:12 30:10 31:21 40:23 45:14 49:5 50:5 51:14</p> <p><b>suggestion</b> [1] 55:15</p> <p><b>suggestions</b> [1] 16:14</p> <p><b>suggests</b> [1] 6:3</p> <p><b>support</b> [12] 17:23 18:8 27:2 36:4,18 38:2,7 42:25 43:1 51:4 52:4 54:24</p> <p><b>supported</b> [5] 17:25 41:7, 12,13 54:11</p> <p><b>supporting</b> [2] 35:16 40:2</p> <p><b>supreme</b> [33] 7:15,16,20 8: 5,7 23:10 30:25 31:4 37:15 38:22 39:4,19 40:7,8,8,15, 21 41:5,14 42:10,15 43:19 44:10 45:16 46:1,4,19 47: 16,22,23 49:16 52:14,17</p> <p><b>sure</b> [9] 3:4 5:2 15:3 19:22 20:20 26:14,21 35:6 50:18</p> <p><b>surpassed</b> [1] 57:1</p> <p><b>survive</b> [2] 6:15 57:1</p> <p><b>suzanne</b> [1] 3:10</p> <p><b>sworn</b> [3] 54:11,22,23</p> <p><b>symbol</b> [1] 45:23</p> <p><b>symbolism</b> [3] 5:21 13:23 14:3</p> <p><b>symbols</b> [2] 6:4 13:20</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>take</b> [12] 5:1 8:12 9:11,13, 15,15 12:1 38:11 50:12 57: 8,19 58:10</p> <p><b>taken</b> [3] 22:10 30:13 58: 22</p> <p><b>takes</b> [1] 8:11</p> <p><b>talk</b> [2] 10:20 16:9</p> <p><b>talked</b> [3] 19:17 31:9 57:15</p> <p><b>talking</b> [3] 23:16 26:4 48: 20</p> <p><b>talks</b> [5] 24:10 25:15 30:6 31:15 34:15</p> <p><b>tall</b> [1] 5:9</p>
---	---	--	---

# Keyword Index

<p><b>taxpayer</b> <sup>[7]</sup> 5:9 17:9,12 36:6 38:1 54:5,18</p> <p><b>taxpayers</b> <sup>[4]</sup> 17:11 48:4 54:14,14</p> <p><b>technical</b> <sup>[2]</sup> 36:25 38:10</p> <p><b>tell</b> <sup>[1]</sup> 22:23</p> <p><b>ten</b> <sup>[3]</sup> 18:14 34:3 54:14</p> <p><b>term</b> <sup>[1]</sup> 19:20</p> <p><b>terms</b> <sup>[1]</sup> 8:13</p> <p><b>test</b> <sup>[24]</sup> 7:1,2,4,8,8 9:8,18, 19,23 10:22 31:22 32:2,3 38:19 40:1 43:5 44:21 45: 22 46:1,3,6 47:20 52:25 53: 1</p> <p><b>tests</b> <sup>[6]</sup> 15:12 31:1 34:14 40:9 43:9 47:1</p> <p><b>text</b> <sup>[11]</sup> 8:19,22,23 9:2 31: 16,19 40:1,2 45:5 56:7,8</p> <p><b>texts</b> <sup>[2]</sup> 22:13,14</p> <p><b>textual</b> <sup>[1]</sup> 34:15</p> <p><b>than</b> <sup>[14]</sup> 7:1 8:5 12:24 20: 15 22:5 23:16 25:18 26:12 28:14 38:10 45:17 50:25 52:20 54:14</p> <p><b>thank</b> <sup>[21]</sup> 3:21 4:18 15:22, 23,25 25:13 35:20 36:21, 22 44:8 50:11,22 51:22,23 53:14 57:3 58:18,20,24,25 59:1</p> <p><b>thanks</b> <sup>[1]</sup> 47:9</p> <p><b>that's</b> <sup>[77]</sup> 8:2 10:9,17 11: 15,19,24,25 12:5,17,17 13: 13 14:21 16:22,22 17:2,19, 24 18:9,20,20 19:17 20:22, 25 21:14,18,18,23 24:17, 18 25:3 26:9,10,14,23,23, 23 27:4 28:6,8,20,24 29:3, 16,17 30:11,15,16 31:16 34:21,21 36:7,8 40:3,8,10 41:3,25 42:7 43:11 44:4,19 45:24 46:14 48:7,14,16,16 50:4 51:10,17 52:24 53:1 54:4,13 58:5,9,9</p> <p><b>their</b> <sup>[31]</sup> 6:16 10:13,14,15 12:6,6,8,9 13:21 16:19,20 17:11 19:12 29:2 32:12 37: 21 42:9,16,21,25 45:13 48: 3,4,5 49:12,13,14,18 52:2,</p>	<p>4 53:1</p> <p><b>them</b> <sup>[29]</sup> 11:16,22,25 13: 21 14:4,5 15:16 19:11,12 20:16,23 22:20,23 23:14 24:12 27:8 28:10,10 29:13 33:10,25 43:22,22,23 49: 15 55:23 56:2 57:10,11</p> <p><b>themselves</b> <sup>[2]</sup> 18:17,19</p> <p><b>then</b> <sup>[21]</sup> 4:6,8,25 16:8 17: 12 18:3,12 25:23 26:25 27: 23 29:7 30:3 31:17 39:23 41:25 47:10 49:23 53:20, 22 56:4 57:20</p> <p><b>theology</b> <sup>[1]</sup> 27:21</p> <p><b>there</b> <sup>[70]</sup> 3:22 5:11 6:4 7: 25 8:20 10:2,11,17,25 12: 15,23 13:6,13 14:21 16:12 17:2 19:12 21:12,17,18 23: 9,12,12 24:1,4 25:7,9,17, 23 26:1,2,16 27:24 28:4 29: 4,17 30:3,3 32:19 33:1,1,4, 16 34:10 35:4,7 36:9 38:18, 25 40:23 43:6,9 44:21 45: 11,20,21 46:5,11,18 47:1,2 48:2 50:19 51:7,8,8,17 55: 7 57:9,9</p> <p><b>therefore</b> <sup>[1]</sup> 53:4</p> <p><b>thereof</b> <sup>[1]</sup> 49:12</p> <p><b>there's</b> <sup>[49]</sup> 8:18 12:19 16: 14,14 18:17 19:1 23:7 24:9, 11 25:16 26:8,11,11,11,25, 25 27:23,24,25 28:5,7,19, 22,22 29:7 32:9 34:4 36:7, 15,15,15 42:21 45:10,12 46:3,6,7,11,12,20 51:3,7, 13 52:12 53:9 54:14 57:4,7, 23</p> <p><b>these</b> <sup>[53]</sup> 5:24 6:3,20 10: 10,18,25 11:11,13,18,18,21, 25 12:2,7,9,25 13:12 15:11 20:4 21:21,21 22:7,14,18 23:8,12 25:18 27:3,7 28:9, 12 31:24 32:20,25 33:10, 12,17,18 34:5,19 37:7 38:7 40:24 41:8 43:8 45:11 47: 16 48:18 49:14 55:17,19 56:1,9</p> <p><b>they</b> <sup>[84]</sup> 5:6,7,13,23,24 10:</p>	<p>1,7,14 11:1 12:3,22 13:13, 15,16,23 14:2,3,6 17:5,6, 25 18:25 19:13 21:12,17, 17,19,20 22:19 25:24 27:9, 11 29:23 31:4 33:25 35:1 36:2,3 38:20,20,21,23,23 42:11,23,24 44:11,19 45: 11,14,15 46:5,25 48:3,7,11, 12,22 49:11,14,14,18,20,22, 25 50:1,2,2,3,3,19 52:6 53: 4,5,6,8 54:7,8,9,10,12,13 55:23 56:10</p> <p><b>they're</b> <sup>[36]</sup> 10:7,7,16 11: 13,15,18 13:17 15:12 17:1, 15 18:15,16,18 20:10 21: 16 22:5 23:15,15,16 25:2 26:2 31:17 32:11,13,13,13 33:10,19,20 34:1,2 36:4,6 57:20,23 58:6</p> <p><b>they've</b> <sup>[3]</sup> 22:23 49:19,21</p> <p><b>thing</b> <sup>[8]</sup> 14:16 22:5 27:19 32:8 34:22 45:21 54:13 58: 11</p> <p><b>things</b> <sup>[7]</sup> 4:13 16:4 23:21 26:25 27:24 34:17 35:8</p> <p><b>think</b> <sup>[44]</sup> 3:24 7:5,12 8:1,2, 10,15 9:9,12,23 10:1 11:11 12:4,8 13:8,15 14:5,18,18, 24 15:18 20:4 23:23 24:17 27:18 28:20 30:7,13 31:24 32:1 33:7 34:20 35:9,13,14 38:13,14 44:14 51:20 54: 16 55:17 56:24 58:12,16</p> <p><b>thinking</b> <sup>[2]</sup> 11:8 12:11</p> <p><b>thomas</b> <sup>[2]</sup> 3:16 44:24</p> <p><b>thorny</b> <sup>[1]</sup> 16:3</p> <p><b>those</b> <sup>[13]</sup> 4:11 8:21 11:20, 20 39:10,10 41:3,4 51:1 53: 7 54:15 56:11,18</p> <p><b>though</b> <sup>[2]</sup> 27:11 29:22</p> <p><b>thought</b> <sup>[6]</sup> 4:5 21:25 23:2 24:2 36:1 55:21</p> <p><b>three</b> <sup>[3]</sup> 43:9,14 50:14</p> <p><b>through</b> <sup>[14]</sup> 5:25 11:19, 24 25:3,6 28:23 30:1 32:6 34:15,23 43:18,22 44:4 50: 25</p> <p><b>thrust</b> <sup>[1]</sup> 31:15</p>	<p><b>tight</b> <sup>[1]</sup> 53:19</p> <p><b>time</b> <sup>[10]</sup> 17:19 18:11 19:20 21:9 22:1 25:17 30:13 33: 22 45:1 57:11</p> <p><b>times</b> <sup>[2]</sup> 5:5 58:12</p> <p><b>timetable</b> <sup>[1]</sup> 58:9</p> <p><b>timing</b> <sup>[1]</sup> 57:16</p> <p><b>timmins</b> <sup>[34]</sup> 3:15,16 4:18 15:24,25 16:2 20:17,19,21, 25 21:24 24:7 25:10 26:19 27:13,15,17 28:22 29:15 30:17 33:14,19,22 34:21 35:19,21,25 36:22 50:21, 22 51:22 53:20 57:15 58: 24</p> <p><b>today</b> <sup>[9]</sup> 15:4 37:16 38:20, 23 40:24 41:4,14 42:8 43:4</p> <p><b>together</b> <sup>[3]</sup> 18:16 22:2 56: 1</p> <p><b>told</b> <sup>[1]</sup> 52:14</p> <p><b>took</b> <sup>[2]</sup> 22:19 28:11</p> <p><b>totally</b> <sup>[1]</sup> 35:2</p> <p><b>tough</b> <sup>[1]</sup> 22:22</p> <p><b>toward</b> <sup>[1]</sup> 17:17</p> <p><b>towers</b> <sup>[1]</sup> 12:14</p> <p><b>traced</b> <sup>[1]</sup> 22:12</p> <p><b>track</b> <sup>[2]</sup> 21:1 23:14</p> <p><b>traditions</b> <sup>[1]</sup> 8:1</p> <p><b>trail</b> <sup>[1]</sup> 16:23</p> <p><b>train</b> <sup>[1]</sup> 24:2</p> <p><b>transfer</b> <sup>[1]</sup> 27:25</p> <p><b>transformational</b> <sup>[1]</sup> 13: 5</p> <p><b>transformed</b> <sup>[1]</sup> 28:3</p> <p><b>traumatic</b> <sup>[1]</sup> 13:4</p> <p><b>traveling</b> <sup>[1]</sup> 33:24</p> <p><b>treasurer</b> <sup>[7]</sup> 5:17 7:6 37: 1,8 38:16,25 39:18</p> <p><b>tributes</b> <sup>[1]</sup> 12:15</p> <p><b>true</b> <sup>[1]</sup> 11:9</p> <p><b>trump</b> <sup>[2]</sup> 41:9,11</p> <p><b>try</b> <sup>[1]</sup> 53:6</p> <p><b>trying</b> <sup>[5]</sup> 17:5,16 18:11 24: 25 36:4</p> <p><b>tuesday</b> <sup>[1]</sup> 57:16</p> <p><b>tumult</b> <sup>[1]</sup> 18:4</p> <p><b>turn</b> <sup>[3]</sup> 8:7 37:5 56:4</p> <p><b>two</b> <sup>[16]</sup> 4:2 5:9 13:12 20:</p>
--	--	---	--

# Keyword Index

<p>10 23:12 24:12 28:9,12 32:25 33:23 43:12 45:10 47:1,10 54:1,15</p> <p><b>type</b> [4] 6:11 24:6 36:4 48:20</p> <p><b>typically</b> [2] 13:17,19</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>u.s</b> [29] 38:22 39:4,19 40:4,8,10,14,15,21 41:2,5,14,20 42:7,10,15 43:19 44:10 45:16 46:1,4 47:16,21,23 49:16 52:14,17,18,18</p> <p><b>ultimate</b> [1] 19:10</p> <p><b>ultimately</b> [1] 56:23</p> <p><b>unadorned</b> [1] 53:12</p> <p><b>unclear</b> [1] 27:6</p> <p><b>under</b> [38] 5:20 9:19,22 16:13,19 21:24 36:5,6 38:20,21 39:5,7,20,21 40:6,9,11,18 41:20 42:15,24 45:22 46:2,16 47:10 49:16,16,17 50:12 51:7 52:21 53:8 56:24 57:8,14,14 58:10,23</p> <p><b>underscore</b> [1] 55:18</p> <p><b>underscores</b> [1] 7:14</p> <p><b>understand</b> [15] 8:11 11:8 14:19 20:5 21:24 22:3 23:6 24:4 28:17 33:19 36:12 49:7 51:16 53:13 55:18</p> <p><b>understanding</b> [3] 4:9 14:11 57:9</p> <p><b>understandings</b> [1] 9:24</p> <p><b>understands</b> [1] 17:21</p> <p><b>understood</b> [1] 25:10</p> <p><b>undo</b> [1] 32:10</p> <p><b>undue</b> [1] 33:5</p> <p><b>unduly</b> [1] 32:10</p> <p><b>unexplained</b> [1] 53:12</p> <p><b>unions</b> [2] 3:19 4:7</p> <p><b>universe</b> [1] 37:16</p> <p><b>university</b> [1] 12:13</p> <p><b>unless</b> [3] 7:10,22 57:4</p> <p><b>unsophisticated</b> [1] 33:11</p> <p><b>until</b> [5] 7:10,22 23:18 57:11 58:3</p> <p><b>up</b> [14] 19:22 21:17 23:9 25:</p>	<p>19,23 27:22 30:13 32:16 33:24 37:2 39:12 43:2 45:4 50:20</p> <p><b>upon</b> [2] 41:16 42:17</p> <p><b>us</b> [6] 23:14 29:10,12 30:20 45:19 52:14</p> <p><b>use</b> [3] 7:3 42:3 53:6</p> <p><b>used</b> [1] 30:9</p> <p><b>using</b> [1] 12:18</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>v</b> [36] 3:7 5:17 7:6 8:6 31:10 37:1,8 38:16,21,22,23,24 39:11,17,17 42:10,16,23,25 43:4,5 44:10,11,12 45:16,25 46:2,17 47:10,17,22 49:9 52:7,15,16 53:5</p> <p><b>vacuum</b> [1] 29:6</p> <p><b>various</b> [1] 47:16</p> <p><b>venerated</b> [3] 23:19 28:9 55:11</p> <p><b>veneration</b> [1] 23:18</p> <p><b>verified</b> [3] 16:12 20:3 54:21</p> <p><b>verifying</b> [1] 54:23</p> <p><b>version</b> [1] 31:12</p> <p><b>versus</b> [1] 29:12</p> <p><b>very</b> [23] 4:25 8:13,20 9:3 10:15 12:19 15:14 17:9 19:23 24:19 29:18 30:8 34:21 36:11 38:11 51:17,24,25 53:19,23 54:16 58:13,17</p> <p><b>veto</b> [7] 41:10 47:25 48:2,3,7 49:18,18</p> <p><b>view</b> [3] 28:6,18 49:19</p> <p><b>viewer</b> [1] 48:2</p> <p><b>vindicating</b> [1] 56:10</p> <p><b>violated</b> [1] 52:9</p> <p><b>violates</b> [5] 36:8 52:13,24 53:1 54:9</p> <p><b>violation</b> [6] 14:22 15:17 17:18 52:11,24 56:24</p> <p><b>violations</b> [1] 54:4</p> <p><b>virginia</b> [1] 34:25</p> <p><b>virtually</b> [1] 35:17</p> <p><b>voiced</b> [1] 58:19</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>wait</b> [1] 52:12</p> <p><b>walk</b> [3] 23:8 25:4 28:18</p> <p><b>walked</b> [1] 27:8</p> <p><b>walking</b> [2] 14:18 25:2</p> <p><b>wall</b> [2] 44:21 46:6</p> <p><b>want</b> [25] 3:21 11:9 12:22 15:13 21:6 24:2 25:21 26:13 30:17 35:11 45:15 48:12,19 50:18 53:20,21,24 54:15,21,25,25 55:18 56:5,20 58:18</p> <p><b>wanted</b> [16] 4:1 15:7,10,17 20:11 50:20 54:1 55:1,4,8,13,15 56:2,11 58:11,20</p> <p><b>wants</b> [2] 39:12 47:5</p> <p><b>was</b> [89] 6:10,12 7:7,9,13 8:20 9:4 12:11,13 13:4,6 14:11,11,21 17:20,22,24 18:1,4,22,25 19:5,6,10,11,11,12,15,21,25 20:18,24 21:4,9,9,11,18 22:1,20 23:2,17,19,19 25:17,17 26:3,4,6,7,7 27:8,24 28:2,25,25 29:1,4,9,10,11,12 30:20,22 31:8,8 32:15,16 34:10,22 35:7,13 38:2,3,6 42:11 45:1,3,24 47:14,14 51:7,8 55:6,17 56:14 57:12 58:6,8,11</p> <p><b>wasn't</b> [6] 19:14 23:18 35:12 46:21,21,23</p> <p><b>watering</b> [1] 27:10</p> <p><b>way</b> [9] 7:19 28:23 32:11,23 33:6 36:2 54:9 58:8,17</p> <p><b>we</b> [67] 3:21 4:2,20 7:21,24,25 8:3 9:9 10:5,20,23 15:9,13 17:25 20:7,9,11 24:14,17 25:14,19,21,25 28:11 30:20 31:10,20 32:2,2,23,25 33:7 34:7 38:15,18 39:3,6,9,9,23 40:4,7,13 42:13 43:21 44:9 46:1 50:5,9 53:4,19 54:22,22 55:10,19,24 56:2,13,22,25 57:11,15 58:1,2,2,8,11</p> <p><b>week</b> [2] 57:17,18</p> <p><b>weeks</b> [4] 39:24,24 57:19,23</p> <p><b>weighed</b> [2] 49:24,24</p>	<p><b>welcome</b> [1] 6:22</p> <p><b>well</b> [33] 3:22 10:2,24 15:19 16:22 18:11 19:17 20:12,25 21:16,24 23:20 25:10 26:17 27:13,17 28:11 30:5,19 32:12 33:1,2,19 34:21 35:15,25 37:3,13 45:16 56:19 57:8 58:7,18</p> <p><b>we'll</b> [4] 16:7 32:24 36:12 58:22</p> <p><b>went</b> [1] 27:23</p> <p><b>were</b> [29] 8:2 9:9 10:22 15:4 18:3 19:6,7,9 20:7 21:12,12 23:16 25:19 28:1,4,24 29:4 32:24 35:1,7 38:3,4 45:2 46:8 48:6 51:8 57:5,11 58:9</p> <p><b>we're</b> [10] 18:8 20:9 25:16 30:11 31:18 35:15,16 48:20 51:23,24</p> <p><b>weren't</b> [2] 21:20,20</p> <p><b>we've</b> [4] 16:3 41:23 50:17 58:7</p> <p><b>what</b> [67] 4:2,2 7:2,9,21 9:8,17,17 11:1,4 12:24 13:12 14:22 16:2 17:4,5 18:3,12 21:8 22:4,4,20 23:13,15 24:12,22 25:4,22 26:3,15,23 27:11 28:17,20 29:11,17 31:3,11,17 32:16 33:7 34:1,19,25 35:6 37:24 38:6,13,15,15,16,18,23,25 39:9,23 40:25 41:3 43:4,7 44:19 45:15 49:17 50:23 52:22 53:20 58:15</p> <p><b>whatever</b> [6] 21:25 26:7 28:19 35:15 36:14 49:15</p> <p><b>whatnot</b> [1] 51:9</p> <p><b>what's</b> [7] 11:2 19:17 20:2 34:3 40:19 42:17 57:10</p> <p><b>whatsoever</b> [4] 6:4 18:7 19:2 27:3</p> <p><b>when</b> [25] 5:6,7 6:7,20 7:7,8 15:11 18:1,22 21:16,25 22:8,18 23:13,14 29:11,21 30:1 35:7 39:9 54:6 55:21 56:19,24 57:21</p> <p><b>where</b> [11] 5:4 10:6 11:3,4,</p>
---	---	---

# Keyword Index

<p>4 13:7 25:3 31:4 34:19 51:7 58:8</p> <p><b>whereas</b> [1] 8:25</p> <p><b>whether</b> [4] 43:15 46:24 47:20 52:13</p> <p><b>which</b> [34] 7:13 8:6 10:18 13:25 15:3 20:2 25:14 30:9 31:10,23 37:12 38:2 39:4,6,18 40:15 41:17,18,22,24 42:12,14,17 43:19 45:2,5,8 48:1 52:5 53:5,11,24 55:24 58:15</p> <p><b>whichever</b> [1] 10:16</p> <p><b>while</b> [3] 11:7 24:14 57:14</p> <p><b>who</b> [26] 3:25 6:19 10:12,12 11:13 12:2 13:3 14:12 18:15 19:6,8,9 20:16,23 28:19,25,25 32:21 33:15,23 34:1 36:18 37:10 49:1 55:18,20</p> <p><b>whole</b> [6] 12:17,18 14:14 22:25 24:17 42:16</p> <p><b>who's</b> [2] 3:21 33:25</p> <p><b>why</b> [24] 4:20,22 7:3,25 10:17 11:13,15,18 12:3,20 14:21 20:2,15 24:11 25:16 27:9 28:8 29:17 30:18 31:9 37:6 42:6 46:24 53:19</p> <p><b>will</b> [11] 4:11 5:4 6:19 10:18 11:8 27:3,6 29:19 36:24 50:6 56:3</p> <p><b>win</b> [3] 15:15 38:20 56:22</p> <p><b>windows</b> [1] 51:9</p> <p><b>winged</b> [1] 6:5</p> <p><b>wings</b> [10] 14:2,16,25 24:5,16 27:12,13,15 28:17 33:3</p> <p><b>wise</b> [1] 25:1</p> <p><b>with</b> [60] 4:1,24 5:20 6:22 9:6,17 10:4,8,17 12:16,23 13:2 14:4,21 15:1,2 16:3,7,9,11,16 17:10 19:25 20:10 22:1,24 23:3 24:5,14 25:12 26:6,9 27:12 28:7,14 29:4,11,22 30:23 31:18 32:15,17,19 33:16 35:23 38:18 45:3,5 46:18 47:13,15 51:19,20,24 53:17 54:12,20 55:15 56:13 58:22</p>	<p><b>within</b> [2] 51:18 54:7</p> <p><b>without</b> [2] 12:3 27:2</p> <p><b>won't</b> [3] 13:10 44:6 45:10</p> <p><b>word</b> [1] 21:12</p> <p><b>words</b> [8] 12:6 26:13 42:16 48:2,25 52:10,23 55:17</p> <p><b>work</b> [2] 13:8 19:12</p> <p><b>works</b> [1] 15:3</p> <p><b>world</b> [1] 37:12</p> <p><b>worry</b> [2] 25:13 56:2</p> <p><b>worship</b> [2] 37:15 38:6</p> <p><b>worshipping</b> [1] 37:18</p> <p><b>would</b> [81] 3:7 4:5 5:1 6:19,24 7:24 8:1,12,12,18 9:8,13,18,18,23,23 10:21,23 11:7 12:16,16,23,25 13:2,8,12 14:19,22,25 15:9 17:11 19:13 20:9,12 21:1 23:20 25:5 27:9,11 28:5,18 29:1,25 30:21 31:11 32:23 34:10,10,19 35:6,10 36:1,9 37:23 38:7 40:24 41:5,6,11 43:17 45:19 46:25 47:19,23 49:17 50:5,7,23,24 51:14 53:4,7,16 54:3 55:22 57:2,2 58:3,13,16,17</p> <p><b>wouldn't</b> [3] 24:13,17 55:6</p> <p><b>write</b> [2] 44:25 45:2</p> <p><b>writings</b> [1] 22:12</p> <p><b>written</b> [10] 17:24 18:2 37:7 41:24 42:19,20 45:2,7,17 49:10</p> <p><b>wrong</b> [1] 53:3</p> <p><b>wrote</b> [2] 37:10 44:24</p>	<p>14:24 15:9,12,17,23,25 16:2,11,22 17:7 19:4,19 20:5,7,25 23:6,7,21 24:7,19 25:10,12,20 26:14,19 27:13 28:4,17 29:18 30:3,13 31:11 34:4 35:6,10,14,25 36:22,24 37:2 38:12 40:13 43:6 44:2 46:11,14 47:1,19 48:24 50:5,22,22 51:22,25 53:4,13,16,21,23 54:22,25 56:11,22 57:2,15,24 58:1,19,24 59:1</p> <p><b>you're</b> [10] 13:2 23:6 25:1 26:13,16 28:17 34:4 43:20 44:4 49:3</p> <p><b>yourself</b> [3] 3:7 38:14 44:15</p> <p><b>you've</b> [3] 17:21 37:25 50:23</p>
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<p><b>zoom</b> [1] 3:22</p>		

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT

CLAIRE FITZMAURICE et al.,

Plaintiffs,

v.

CITY OF QUINCY and THOMAS P.  
KOCH, *in his official capacity as Mayor of  
Quincy,*

Defendants.

Civil Action No. 2582CV00576

**STATUS REPORT OF PLAINTIFF CODY HOOKS**

Plaintiff Cody Hooks submits this status report to inform the Court that he has relocated out of Quincy, Massachusetts. As this case is currently stayed in the Superior Court, unless the Court instructs otherwise, Mr. Hooks will file a notice of dismissal of this action only as it relates to his claims once the stay is lifted.

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Dated: February 4, 2026

**CERTIFICATE OF SERVICE**

I hereby certify that I caused this notice to be served on counsel for all parties by email on February 4, 2026.

/s/ Alexandra Arnold  
Alexandra Arnold