
**COMMONWEALTH OF MASSACHUSETTS
SUPREME JUDICIAL COURT**

SJC-13877

CLAIRE FITZMAURICE & OTHERS,

Plaintiffs-Appellees,

v.

CITY OF QUINCY & ANOTHER,

Defendants-Appellants.

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

DEFENDANTS-APPELLANTS' APPENDIX VOLUME I OF II

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February 11, 2026

Claire Fitzmaurice & Others v. City of Quincy & Another

SJC-13877

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2582CV00576 Fitzmaurice, Claire et al vs. City of Quincy et al

- Case Type: Equitable Remedies
- Case Status: Open
- File Date: 05/27/2025
- DCM Track: F - Fast Track
- Initiating Action: Injunction
- Status Date: 05/27/2025
- Case Judge:
- Next Event:

[All Information](#) |
 [Party](#) |
 [Event](#) |
 [Tickler](#) |
 [Docket](#) |
 [Disposition](#)

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Events

Date	Session	Location	Type	Event Judge	Result
07/21/2025 12:00 PM	Civil C	DED-2nd FL, CR 20 (SC)	Conference to Review Status	Sullivan, Hon. William F	Held via Video/Phone
07/29/2025 02:00 PM	Civil C	DED-2nd FL, CR 20 (SC)	Conference to Review Status	Sullivan, Hon. William F	Held via Video/Phone
08/12/2025 02:00 PM	Civil C	DED-2nd FL, CR 20 (SC)	Litigation Control Conference	Sullivan, Hon. William F	Rescheduled
08/19/2025 02:00 PM	Civil C	DED-2nd FL, CR 20 (SC)	Litigation Control Conference	Sullivan, Hon. William F	Held as Scheduled
08/19/2025 02:00 PM	Civil C	DED-2nd FL, CR 20 (SC)	Hearing on Motion to Intervene	Sullivan, Hon. William F	Held - Under advisement
09/19/2025 10:00 AM	Civil C	DED-2nd FL, CR 20 (SC)	Hearing on Preliminary Injunction	Sullivan, Hon. William F	Held - Under advisement
09/19/2025 10:00 AM	Civil C	DED-2nd FL, CR 20 (SC)	Rule 12 Hearing	Sullivan, Hon. William F	Held - Under advisement

Ticklers

<u>Tickler</u>	<u>Start Date</u>	<u>Due Date</u>	<u>Days Due</u>	<u>Completed Date</u>
Service	05/28/2025	08/26/2025	90	
Answer	05/28/2025	09/25/2025	120	
Rule 12/19/20 Heard By	05/28/2025	11/24/2025	180	
Rule 15 Filed By	05/28/2025	10/27/2025	152	
Rule 12/19/20 Served By	05/28/2025	09/25/2025	120	
Rule 12/19/20 Filed By	05/28/2025	10/27/2025	152	
Rule 15 Served By	05/28/2025	09/25/2025	120	
Rule 15 Heard By	05/27/2025	11/24/2025	181	
Discovery	05/28/2025	03/24/2026	300	
Rule 56 Served By	05/28/2025	04/23/2026	330	
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Under Advisement	09/19/2025	10/19/2025	30	10/14/2025
Under Advisement	09/19/2025	10/19/2025	30	10/14/2025

Docket Information

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05/28/2025	Complaint electronically filed. Rec'd 5/27/25	1	 Image
05/28/2025	Civil action cover sheet filed. Rec'd 5/27/25	2	 Image
05/28/2025	Case assigned to: DCM Track F - Fast Track was added on 05/28/2025		
06/02/2025	Plaintiffs Claire Fitzmaurice, David Reich's Motion for Appointment of Process Server (E-Filed 05/29/2025)mk	3	 Image
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Claire Fitzmaurice		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff David Reich		
06/02/2025	Attorney appearance electronically filed of Schlossberg, Esq., Suzanne (Attorney) on behalf of Balsamo, Marianne, Balsamo, Salvatore, Cotter, Michael, DiGravio, Lucille, Fitzmaurice, Claire, Geraghty, Kathleen, Hooks, Cody, LeClair, Sheryl, Reich, David, Roche-Cotter, Cynthia, Rosenthol, Gilana, Tarantino, Jay, Valencius, Conevery Bolton, Valencius, Matthew (Plaintiff)(E-Filed 05/30/2025)mk		 Image
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Michael Cotter		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Marianne Balsamo		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Cynthia Roche-Cotter		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Salvatore Balsamo		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Gilana Rosenthol		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Jay Tarantino		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Conevery Bolton Valencius		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Cody Hooks		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Matthew Valencius		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Kathleen Geraghty		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Lucille DiGravio		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Sheryl LeClair		
06/02/2025	Attorney appearance On this date Suzanne Schlossberg, Esq. added for Plaintiff Martha Plotkin		
06/03/2025	Endorsement on Motion for Appointment of Process Server (#3.0): ALLOWED (Doolin, J)(Dated 06/03/2025)		
06/03/2025	Docket Note: On this date Two (2) Summonses mailed to Atty Arnold, esq.		Image
06/04/2025	One Trial case reviewed by Clerk, case to remain in the Superior Court. Judge: Hickey, Mary K		
06/09/2025	Attorney, Jessie J. Rossman notice of appearance on behalf of all Plaintiffs electronically filed. (eFiled 6/4/25) CB		
06/09/2025	Attorney, Rachel E. Davidson notice of appearance on behalf of all Plaintiffs electronically filed. (eFiled 6/4/25) CB		Image
06/17/2025	Service Returned for Defendant City of Quincy by delivering in hand to James Timmins, City Solicitor at 1305 Hancock St, 3rd Floor, Quincy MA on 06/10/2025. (E-Filed 06/12/2025)	4	
06/17/2025	Service Returned for Defendant Thomas P. Koch In Official Capacity As Mayor of Quincy: Service made in hand to James Timmins, City Solicitor at 1305 Hancock St., 3rd Floor, Quincy MA on 06/10/2025 (E-Filed 06/12/2025)	5	
06/24/2025	Attorney appearance of James S. Timmins on behalf of Defendants, City of Quincy and Thomas P. Koch electronically filed. (E-Filed 06/19/2025)		
07/01/2025	Plaintiff, Defendant Claire Fitzmaurice, David Reich, Michael Cotter, Marianne Balsamo, Cynthia Roche-Cotter, Salvatore Balsamo, Gilana Rosenthal, Jay Tarantino, Conevery Bolton Valencius, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Sheryl LeClair, Martha Plotkin, City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Joint Motion to Extend the Rule 9A deadlines concerning the Plaintiffs' Motion for a Preliminary Injunction (The parties jointly request leave to file the Rule 9A package pertaining to Plaintiffs' Motion for Preliminary Injunction no later than July 21, 2025 with Defendants' Opposition due to be served on the Plaintiff no later than July 9, 2025. The parties further request a hearing be scheduled on or after July 28, 2025). (e-Filed 6/27/2025) dg	6	
07/03/2025	Defendant City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Notice of Rule 9E indicating by agreement of Counsel, their Motion to Dismiss will be served on the Plaintiffs' Counsel on or before July 9, 2025 in accordance with Superior Court Rule 9A (e-Filed 7/1/2025) dg	7	
07/17/2025	Plaintiffs Claire Fitzmaurice, David Reich, Michael Cotter, Marianne Balsamo, Cynthia Roche-Cotter, Salvatore Balsamo, Gilana Rosenthal, Jay Tarantino, Conevery Bolton Valencius, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Sheryl LeClair, Martha Plotkin's Assented to Motion for Leave to Exceed Page Limit and to Modify Rule 9A Deadlines (E-Filed 07/16/2025)	8	
07/21/2025	Event Result:: Conference to Review Status scheduled on: 07/21/2025 12:00 PM Has been: Held via Video/Phone Hon. William F Sullivan, Presiding		
07/29/2025	Event Result:: Conference to Review Status scheduled on: 07/29/2025 02:00 PM Has been: Held via Video/Phone Hon. William F Sullivan, Presiding		
07/30/2025	Endorsement on Motion to extend Rule 9A deadlines concerning plaintiffs' Motion for Preliminary Injunction and request for hearing. (#6.0): After further status hearing by Zoom, ALLOWED (dated 7/29/2025) ns ni Judge: Sullivan, Hon. William F		
07/30/2025	Event Result:: Litigation Control Conference scheduled on: 08/12/2025 02:00 PM Has been: Rescheduled For the following reason: Request of Defendant Hon. William F Sullivan, Presiding		
07/31/2025	Defendants City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Motion to continue / reschedule an event 08/12/2025 02:00 PM Litigation Control Conference (received 7/30/2025)	13	
07/31/2025	Endorsement on Motion to reschedule status hearing (#13.0): ALLOWED (dated 7/30/2025) ns ni Judge: Sullivan, Hon. William F		
08/04/2025	Plaintiff(s) Claire Fitzmaurice, David Reich, Michael Cotter, Cynthia Roche-Cotter, Salvatore Balsamo, Gilana Rosenthal, Matthew Valencius, Conevery Bolton Valencius, Jay Tarantino, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Martha Plotkin, Sheryl LeClair's Motion for a Preliminary Injunction (E-filed 7/30/2025)	14	
08/04/2025	Claire Fitzmaurice, David Reich, Michael Cotter, Cynthia Roche-Cotter, Salvatore Balsamo, Gilana Rosenthal, Jay Tarantino, Conevery Bolton Valencius, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Sheryl LeClair, Martha Plotkin's Memorandum in support of motion for preliminary injunction (E-filed 7/30/2025)	14.1	
08/04/2025	Affidavit of Attorney Rachel E. Davidson (E-filed 7/30/2025)	14.2	

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
08/04/2025	Defendant Thomas P. Koch In Official Capacity As Mayor of Quincy's Cross Motion to dismiss all counts (E-filed 7/30/2025)	14.3	 Image
08/04/2025	Thomas P. Koch In Official Capacity As Mayor of Quincy, City of Quincy's Memorandum in opposition to Motion for Preliminary Injunction and in Support of Motion to Dismiss (E-filed 7/30/2025)	14.4	 Image
08/04/2025	Affidavit of James Timmins (E-filed 7/30/2025)	14.5	 Image
08/04/2025	Affidavit of Thomas Koch (E-filed 7/30/2025)	14.6	 Image
08/04/2025	Exhibits/Appendix (Exhibits 1-2)(SCANNED PURPOSES ONLY - Attached to p#14.6)		 Image
08/04/2025	Exhibits/Appendix (Exhibits 3-12) (SCANNED PURPOSES ONLY - Attached to p#14.6)		 Image
08/04/2025	Exhibits/Appendix (Exhibits 13-17) (SCANNED PURPOSES ONLY - Attached to p#14.6)		 Image
08/04/2025	Opposition to defendants motion to dismiss and reply in support of their preliminary injunction - filed by Claire Fitzmaurice, David Reich, Michael Cotter, Marianne Balsamo, Cynthia Roche-Cotter, Salvatore Balsamo, Gilana Rosenthol, Jay Tarantino, Conevery Bolton Valencius, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Sheryl LeClair, Martha Plotkin (E-filed 7/30/2025)	14.7	 Image
08/04/2025	Affidavit - Second Declaration of Attorney Rachel E. Davidson (E-filed 7/30/2025)	14.8	 Image
08/04/2025	Affidavit - Certificate of Compliance 9C	14.9	 Image
08/04/2025	Plaintiff Claire Fitzmaurice, David Reich, Michael Cotter, Marianne Balsamo, Cynthia Roche-Cotter, Salvatore Balsamo, Conevery Bolton Valencius, Gilana Rosenthol, Jay Tarantino, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Sheryl LeClair, Martha Plotkin's Certificate of service (E-filed 7/30/2025)	15	 Image
08/04/2025	Plaintiff Claire Fitzmaurice, David Reich, Michael Cotter, Marianne Balsamo, Cynthia Roche-Cotter, Salvatore Balsamo, Jay Tarantino, Gilana Rosenthol, Conevery Bolton Valencius, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Sheryl LeClair, Martha Plotkin's Notice of filing (E-filed 7/30/2025)	15.1	 Image
08/05/2025	Other Interested Party Quincy Firefighters, Local 792,IAFF, Quincy Police Patrol Officers Association's EMERGENCY Motion to intervene as Defendants(E-filed)pl	17	 Image
08/06/2025	Plaintiffs Claire Fitzmaurice, David Reich, Michael Cotter, Marianne Balsamo, Gilana Rosenthol, Jay Tarantino, Conevery Bolton Valencius, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Sheryl LeClair, Martha Plotkin's Motion for admission pro hac vice as to Jenny Samuels	16	 Image
08/06/2025	Plaintiffs Claire Fitzmaurice, David Reich, Michael Cotter, Marianne Balsamo, Cynthia Roche-Cotter, Salvatore Balsamo, Gilana Rosenthol, Jay Tarantino, Conevery Bolton Valencius, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Sheryl LeClair, Martha Plotkin's Motion for admission pro hac vice as to Heather L. Weaver, Esq American Civil Liberties Union Foundation Inc(e-filed)	16.1	 Image
08/06/2025	Plaintiffs Claire Fitzmaurice, David Reich, Michael Cotter, Marianne Balsamo, Marianne Balsamo, Cynthia Roche-Cotter, Salvatore Balsamo, Gilana Rosenthol, Jay Tarantino, Conevery Bolton Valencius, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Sheryl LeClair, Martha Plotkin, Lucille DiGravio's Motion for Admission pro hac vice as to Daniel Mach of American Civil Liberties Union Foundation Inc (e-filed)	16.2	 Image
08/06/2025	Plaintiffs Claire Fitzmaurice, David Reich, Michael Cotter, Marianne Balsamo, Cynthia Roche-Cotter, Salvatore Balsamo, Gilana Rosenthol, Jay Tarantino, Conevery Bolton Valencius, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Sheryl LeClair, Lucille DiGravio, Martha Plotkin's Motion for admission pro hac vice as to Kyle J. Steinberg of Freedom from Religion Foundation (e-filed)	16.3	 Image
08/06/2025	Plaintiffs Claire Fitzmaurice, David Reich, Michael Cotter, Marianne Balsamo, Cynthia Roche-Cotter, Salvatore Balsamo, Gilana Rosenthol, Jay Tarantino, Conevery Bolton Valencius, Matthew Valencius, Cody Hooks, Kathleen Geraghty, Lucille DiGravio, Sheryl LeClair, Martha Plotkin's Motion for Pro Hac Vice as to Patrick C. Elliott of Freedom from Religion Foundation (e-filed)	16.4	 Image
08/08/2025	Attorney appearance On this date Michael C Gilleran, Esq. added for Other interested party Quincy Firefighters, Local 792,IAFF		
08/08/2025	Attorney appearance On this date Michael C Gilleran, Esq. added for Other interested party Quincy Police Patrol Officers Association		
08/14/2025	Certificate of Compliance Superior Court Rule 9C as to assent of Motion for Pro Hac Vice package(emaild)	18	 Image
08/15/2025	Reply/Sur-reply Defendants Reply Memorandum (E-filed 8/11/2025)	19	 Image
08/15/2025	Opposition to p#18 Motion to intervene - filed by Claire Fitzmaurice--& all plaintiffs Applies To: Arnold, Esq., Alexandra (Attorney) on behalf of Balsamo, Marianne, Balsamo, Salvatore, Cotter, Michael, DiGravio, Lucille, Fitzmaurice, Claire, Geraghty, Kathleen, Hooks, Cody, LeClair, Sheryl, Plotkin, Martha, Reich, David, Roche-Cotter, Cynthia, Rosenthol, Gilana, Tarantino, Jay, Valencius, Conevery Bolton, Valencius, Matthew (Plaintiff)	20	 Image

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
08/15/2025	Plaintiff City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Submission of Defendants assent to emergency motion of Quincy Police and Fire Unions to intervene (E-filed 8/15/2025)	21	 Image
08/18/2025	Endorsement on Motion for admission pro hac vice of Jenny Samuels (#16.0): ALLOWED (Sullivan, J)(dated; 8/18/25) ns pl Judge: Sullivan, Hon. William F		 Image
08/18/2025	Endorsement on Motion for admission pro hac vice of Heather L. Weaver (#16.1): ALLOWED (Sullivan, J)(dated; 8/18/25)ns pl Judge: Sullivan, Hon. William F		 Image
08/18/2025	Endorsement on Motion for admission pro hac vice of Daniel Mach (#16.2): ALLOWED (Sullivan, J)(dated; 8/18/25) ns pl Judge: Sullivan, Hon. William F		 Image
08/18/2025	Endorsement on Motion for admission pro hac vice of Kyle J. Steinberg (#16.3): ALLOWED (Sullivan, J)(dated; 8/18/25) ns pl Judge: Sullivan, Hon. William F		 Image
08/18/2025	Endorsement on Motion for admission pro hac vice of Patrick C. Elliott (#16.4): ALLOWED (Sullivan, J)(dated; 8/18/25) ns pl Judge: Sullivan, Hon. William F		 Image
08/19/2025	Event Result:: Litigation Control Conference scheduled on: 08/19/2025 02:00 PM Has been: Held as Scheduled Hon. William F Sullivan, Presiding		
08/19/2025	Matter taken under advisement: Hearing on Motion to Intervene scheduled on: 08/19/2025 02:00 PM Has been: Held - Under advisement Hon. William F Sullivan, Presiding		
08/20/2025	General correspondence regarding Patriot Ledger Media Request form to allow Still Camera in courtroom during hearing on 8/19/25(rec'd 8/19/25)	25	
08/20/2025	Endorsement on Submission of Patriot Ledger Media Request form to allow Still Camera in courtroom during hearing on 8/19/25 (#25.0): ALLOWED (Sullivan, J)(dated; 8/19/25) Judge: Sullivan, Hon. William F		 Image
08/22/2025	Reply/Sur-reply Reply of Quincy Fire And Police Unions in Support of Motion for Permissive Intervention (E-filed 8/19/2025)	26	 Image
08/25/2025	Endorsement on Motion of Quincy Fire and Police Unions for Permissive Intervention as Defendants (#17.0): DENIED After hearing, the proposed Intervenor Quincy Firefighters, Local 792 and the Quincy Police Patrol Officers Association's Emergency Motion for Permissive Intervention is DENIED. (Sullivan, J)(dated; 8/22/25) ns pl Judge: Sullivan, Hon. William F		 Image
08/25/2025	MEMORANDUM & ORDER: OF DECISION ON EMERGENCY MOTION OF QUINCY'S FIRE AND POLICE UNIONS FOR PERMISSIVE INTERVENTION AS DEFENDANTS. (Sullivan, J) (dated; 8/22/25) ns pl Judge: Sullivan, Hon. William F	27	 Image
09/05/2025	Supplemental Authority filed by City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy	28	 Image
09/15/2025	Defendant Quincy Firefighters, Local 792,IAFF, Quincy Police Patrol Officers Association's Supplemental, Submission of facts and argument of the Quincy Fire and Police (E-filed 9/10/2025) JM	29	 Image
09/19/2025	Matter taken under advisement: Rule 12 Hearing scheduled on: 09/19/2025 10:00 AM Has been: Held - Under advisement Hon. William F Sullivan, Presiding *FTR Recording located in Courtroom 3, starting at 10:00am and ending at 11:38:25am		
09/19/2025	Matter taken under advisement: Hearing on Preliminary Injunction scheduled on: 09/19/2025 10:00 AM Has been: Held - Under advisement Hon. William F Sullivan, Presiding *FTR Recording located in Courtroom 3, starting at 10:00am and ending at 11:38:25am		
09/22/2025	General correspondence regarding submission of media request form from WBZ radio (rec'd 9/19/25)	30	
09/22/2025	Endorsement on Submission of Media Form from WBZ radio (#30.0): ALLOWED (Sullivan, J)(dated; 9/19/25) ns pl Judge: Sullivan, Hon. William F		 Image

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
09/24/2025	General correspondence regarding submission of media request form from WHDH-TW 7News (rec'd 9/19/25)	31	
09/24/2025	Endorsement on Submission of media request form from WHDH -TV 7NEWS (rec'd 9/19/25) (#31.0): ALLOWED (Sullivan, J)(dated; 9/19/25) ns pl Judge: Sullivan, Hon. William F		
09/24/2025	General correspondence regarding submission of media request form from WCVB (rec'd 9/19/25)	32	
09/24/2025	Endorsement on Submission of media request form from WCVB radio (rec'd 9/19/25) (#32.0): ALLOWED (Sullivan, J)(dated; 9/19/25) ns pl Judge: Sullivan, Hon. William F		
09/24/2025	General correspondence regarding submission of media request form from Joan Morouley -Reporter to take notes(rec'd 9/19/25)	33	
09/24/2025	Endorsement on Submission of media request form from Joan Morouley -Reporter to take notes(rec'd 9/19/25) (#33.0): ALLOWED (Sullivan, J)(dated; 9/19/25) ns pl Judge: Sullivan, Hon. William F		
10/14/2025	Endorsement on Motion of the Plaintiffs' for a Preliminary Injunction; After hearing, Plaintiff's Motion for a Preliminary Injunction is (#14.0): ALLOWED See Memorandum of Decision and Order of even date.		 Image
10/14/2025	Endorsement on Motion to dismiss all counts After hearing; Defendants' Motion to Dismiss is (#14.3): DENIED See Memorandum of Decision and Order of even date.		 Image
10/14/2025	MEMORANDUM & ORDER: --MEMORANDUM OF DECISION AND ORDER ON PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND DEFENDANTS' MOTION TO DISMISS. Judge: Sullivan, Hon. William F	34	 Image
11/06/2025	Notice of Appearance of Robert S Thompson, Esq. on behalf of the Defendant City of Quincy and Thomas P. Koch In Official Capacity As Mayor of Quincy (e-Filed 11/3/2025) dg	35	 Image
11/06/2025	Defendant City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Motion for Admission of Andrea R. Butler, Esq. Pro Hac Vice. (e-Filed 11/3/2025) dg	35.1	 Image
11/06/2025	Defendant City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Motion for Admission of Joseph C. Davis, Esq. Pro Hac Vice (e-Filed 11/3/2025) dg	35.2	 Image
11/06/2025	Defendant City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Motion for Admission of Laura Wolk Slavis, Esq. Pro Hac Vice (e-Filed 11/3/2025)	35.3	 Image
11/06/2025	Defendant City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Motion for Admission of Eric C. Rassbach, Esq. Pro Hac Vice (e-Filed 11/3/225) dg	35.4	 Image
11/06/2025	Defendant City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Notice of Rule 9C compliance and No opposition. (e-Filed) dg	35.5	 Image
11/06/2025	Endorsement on Motion for Admission of Andrea R. Butler, Esq. Pro Hac Vice; Motion is (#35.1): ALLOWED as all requirements have been met. dg		 Image
11/06/2025	Endorsement on Motion for Admission of Joseph C. Davis, Pro Hac Vice; Motion is (#35.2): ALLOWED as all requirements have been met. dg		 Image
11/06/2025	Endorsement on Motion for Admission of Laura Wolk Slavis, Esq. Pro Hac Vice; Motion is (#35.3): ALLOWED as all the requirements have been met. dg		 Image
11/06/2025	Endorsement on Motion for Admission of Eric C. Rassbach, Esq. Pro Hac Vice; Motion is (#35.4): ALLOWED as all requirements have been met. dg		 Image
11/10/2025	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) dg	37	 Image
11/13/2025	Plaintiff Gilana Rosenthal's Notice of Voluntary Dismissal as to her claims ONLY, without prejudice and without award of costs or attorneys' fees. (e-Filed 11/10/2025) dg	36	 Image
11/13/2025	Party status: Plaintiff Rosenthal, Gilana: Voluntarily dismissed;		
11/14/2025	Defendant City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Notice of Transcript Ordered for the date of September 19, 2025. (e-Filed) dg	37	 Image
11/17/2025	One Transcript received: September 19, 2025 hearing in Courtroom 20 before the Honorable William F. Sullivan. dg		
11/20/2025	Notice of appeal filed sent to: as to Memorandum of Decision and Order on Plaintiff's Motion for Preliminary Injunction and Defendants Motion to Dismiss dated October 14,2025	38	

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	Applies To: Samuels, Esq., Jenny (Other interested party); Weaver, Esq., Heather L. (Other interested party); Mach, Esq., Daniel (Other interested party); Steinberg, Esq., Kyle J (Other interested party); Elliott, Esq., Patrick C. (Other interested party); Andrea R. Butler, Esq. (Other interested party); Joseph C. Davis, Esq. (Other interested party); Laura Wolk Slavis, Esq. (Other interested party); Eric C. Rassbach, Esq. (Other interested party); Gilleran, Esq., Michael C (Attorney) on behalf of Quincy Firefighters, Local 792,IAFF (Other interested party); Rossman, Esq., Jessie J (Attorney) on behalf of Fitzmaurice, Claire (Plaintiff); Timmins, James (Attorney) on behalf of City of Quincy (Defendant); Schlossberg, Esq., Suzanne (Attorney) on behalf of Fitzmaurice, Claire (Plaintiff); Arnold, Esq., Alexandra (Attorney) on behalf of Fitzmaurice, Claire (Plaintiff); Davidson, Esq., Rachel E (Attorney) on behalf of Fitzmaurice, Claire (Plaintiff); Thompson, Esq., Robert S (Attorney) on behalf of City of Quincy (Defendant)		
11/20/2025	Docket Note: Re:p#38.0 Notice of Appeal by Defendants e-filed on November 10,2025 but accepted and docketed on November 13,2025.		
11/20/2025	Clarification / Correction of the docket: RE:p#37.0 Notice of Appeal should reflect accepted and docketed on November 13,2025, but e-filed on November 10/2025		
11/20/2025	Clarification / Correction of the docket: RE: Clarification/Correction entered today 11/20/25 indicating p#37.0 should read as p#38.0 Notice of Appeal should reflect accepted and docketed on November 13,2025, but e-filed on November 10/2025		
12/03/2025	Plaintiffs Claire Fitzmaurice's Joint Motion to Stay Proceedings Pending Resolution of Appeal (E-Filed 11/24/2025)mk	39	
12/03/2025	Defendant City of Quincy, Thomas P. Koch In Official Capacity As Mayor of Quincy's Notice of Senior Counsel Joseph C. Davis, Esq. indicating "In light of the Notice of Appeal filed on November 10, 2025 and pursuant to Mass.R.App.P. 9(d)(2)., Defendants' write to confirm that the transcript of the September 19, 2025 hearing which was delivered on November 17, 2025, is the only Transcript that Defendants' intend to be included in the record on appeal. In accordance with Mass. R. App. P. 9(e)(1)(A). Defendants' according submit that it is appropriate for the record on appeal to be assembled."	40	 Image
12/09/2025	General correspondence regarding Email received from Plaintiffs' Counsel indicating they will not be order transcripts	41	
12/10/2025	Notice of assembly of record sent to Counsel Applies To: Samuels, Esq., Jenny (Other interested party); Weaver, Esq., Heather L. (Other interested party); Mach, Esq., Daniel (Other interested party); Steinberg, Esq., Kyle J (Other interested party); Elliott, Esq., Patrick C. (Other interested party); Andrea R. Butler, Esq. (Other interested party); Joseph C. Davis, Esq. (Other interested party); Laura Wolk Slavis, Esq. (Other interested party); Eric C. Rassbach, Esq. (Other interested party); Gilleran, Esq., Michael C (Attorney) on behalf of Quincy Firefighters, Local 792,IAFF (Other interested party); Rossman, Esq., Jessie J (Attorney) on behalf of Fitzmaurice, Claire (Plaintiff); Timmins, James (Attorney) on behalf of City of Quincy (Defendant); Schlossberg, Esq., Suzanne (Attorney) on behalf of Fitzmaurice, Claire (Plaintiff); Arnold, Esq., Alexandra (Attorney) on behalf of Fitzmaurice, Claire (Plaintiff); Davidson, Esq., Rachel E (Attorney) on behalf of Fitzmaurice, Claire (Plaintiff); Thompson, Esq., Robert S (Attorney) on behalf of City of Quincy (Defendant)	42	 Image
12/10/2025	Notice to Clerk of the Appeals Court of Assembly of Record	43	
12/10/2025	Appeal: Statement of the Case on Appeal (Cover Sheet).	44	 Image
12/22/2025	Appeal entered in Appeals Court on 12/18/2025 docket number 2025-J--1555 (email received 12/19/2025)	45	 Image
12/22/2025	Endorsement on Motion to Stay Proceedings Pending Resolution of Appeal(Joint) (#39.0): ALLOWED (date3d 12/8/2025)		 Image
01/22/2026	Notice of docket entry received from Appeals Court The Supreme Judicial Court has allowed an Application for Direct Appellate Review of the above referenced matter. Case transferred to Supreme Judicial Court.	46	 Image
Case Disposition			
<u>Disposition</u>	<u>Date</u>	<u>Case Judge</u>	
Pending			

Docketed 5/28/25

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT

CLAIRE FITZMAURICE, JAY
TARANTINO, GILANA ROSENTHOL,
DR. 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.

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

Defendants.

C.A. No. 2582CV00576

COMPLAINT

The Massachusetts Declaration of Rights prohibits the government from subordinating any religion to another. The City of Quincy's plan to erect two ten-foot-tall bronze statues depicting Catholic Saints Michael and Florian on the façade of its new public safety building violates this fundamental constitutional principle. The decision to spend \$850,000 in taxpayer funds on religious statues was set in motion by Mayor Thomas P. Koch in 2023 without notice to the public or City Council as a whole. The public only learned about the statues in February 2025 through reporting in the local press. Despite widespread outcry—including a petition with more than 1,600 signatures, an opposition letter from nineteen Quincy faith leaders, and letters from a local organization to the Massachusetts Office of the Inspector General and the Massachusetts State

Ethics Commission noting the unlawful use of taxpayer funds—neither the City Council nor Mayor Koch nor any other City official has acted to halt the installation of the statues.

Plaintiffs are residents of Quincy who practice a variety of faiths, including Catholicism, Judaism, and Unitarianism, as well as Quincy residents who are Humanist, atheist, spiritual, or do not identify with a single faith or religious organization. They bring this suit to protect their rights under the Massachusetts Constitution and to ensure that their government respects their community's rich religious pluralism. Affixing religious icons of one particular faith to a government facility—the City's public safety building, no less—sends an alarming message that 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.

JURISDICTION & VENUE

1. Jurisdiction is proper in the Superior Court pursuant to Mass. Gen. Laws ch. 212 § 4, and 231A, § 1.
2. Venue is proper in Norfolk County pursuant to Mass. Gen. Laws ch. 223, § 8(4), because Plaintiffs reside in Quincy and because Quincy is situated in Norfolk County.

THE PARTIES

3. Plaintiff Claire Fitzmaurice is a resident and taxpayer in Quincy. Ms. Fitzmaurice was raised in a Catholic family. Although she left the Catholic Church before she was confirmed, the Catholic tradition in which she was raised still informs some of her beliefs and expectations about the world, including her commitment to social justice. She is now an active member of the Unitarian Universalist Church and has been attending the United First Parish Church in Quincy since 1996. A core religious value of Unitarian Universalism is welcoming into the community

people of all faiths, regardless of creed. Ms. Fitzmaurice believes that the statues will violate these beliefs by elevating one religion over others and sending an exclusionary message to non-Catholics. Ms. Fitzmaurice's faith tradition also elevates peace and teaches that violence is an evil. Ms. Fitzmaurice believes that the statues—in particular, the violent imagery of Saint Michael stepping on the head of a human-like demon—will violate her religious commitment to peace activism. Ms. Fitzmaurice has needed to enter the current police station on multiple occasions in the past, including to report a theft at her church and to turn in a missing phone she found. She has also dropped off old prescription medications at the prescription disposal receptacle. Ms. Fitzmaurice anticipates that she will need to use these services, which will be housed at the new public safety building, again in the future. In addition, Ms. Fitzmaurice drives by the new public safety building at least twice a day because it is on the main road that leads out of her neighborhood. Ms. Fitzmaurice must drive by the building in order to get to the grocery store, to church, and to the Thomas Crane Public Library, where she volunteers.

4. Plaintiff David Reich is a resident and taxpayer in Quincy. He has lived in Quincy since May of 1993 and owns a home there. Mr. Reich is Jewish and believes the statues convey a message that the City of Quincy favors Catholic residents over others. The planned statues make Mr. Reich feel like a second-class citizen because he does not subscribe to the religious beliefs they promote. Mr. Reich regularly drives by the public safety building to go grocery shopping and, several times per year, he drops off waste at the Department of Public Works Yard, which abuts the public safety building. Mr. Reich anticipates that he may need to enter the public safety building in the future to access services there, such as to file a police report or dispose of old prescription medications.

5. Plaintiff Kathleen Geraghty is a resident and taxpayer in Quincy. She is Catholic and attends services at St. John the Baptist in Quincy. She has needed to enter the current police building on multiple occasions in the past, including to return lost keys and dispose of prescription medication, and anticipates that she will need to use the prescription disposal receptacle in the future. She typically drives by the new public safety building at least once per week. The planned statues go against Ms. Geraghty's religious beliefs because she finds the violent imagery associated with Saint Michael offensive. She also finds the statues to be alienating and divisive. And, as someone who is both Catholic and believes that religious imagery should not be displayed on public buildings, she feels that the City's actions have put her in the uncomfortable position of needing to speak out against statues of Catholic figures.

6. Plaintiff Gilana Rosenthol is a resident in Quincy. Ms. Rosenthol is Jewish and actively observes her faith. Ms. Rosenthol objects to the planned statues because Judaism does not recognize saints, and because the installation of Catholic statues on a government building makes her feel excluded from the government's preferred group of citizens. She believes that these statues indicate that the government will protect its chosen people, and that this does not include her. Ms. Rosenthol drives by the public safety building approximately once per week and will regularly see the statues if they are installed on the building.

7. Plaintiff Dr. Conevery Bolton Valencius is a resident and taxpayer in Quincy. She is a practicing Episcopalian and attends service at the Church of Our Savior in Milton. The City's plan to install religious statues on a government building goes against her religious beliefs because she believes that no government should demand submission to religious symbols to enter a public building. Rather, whether to practice religion should be an individual choice, and having to walk by religious statues to enter a public building removes that choice. Dr. Valencius has needed to

enter the current police station on multiple occasions in the past, including to dispose of prescription medications, and anticipates that she will need to use this service again in the future. She typically drives by the new public safety building approximately four times per week and will regularly see the statues if they are installed on the building.

8. Plaintiff Matthew Valencius is a resident and taxpayer in Quincy. He is formerly Catholic and now identifies as an atheist. The City's plan to install religious statues on a government building goes against his beliefs because they promote Catholic religious beliefs, to which he does not subscribe as an atheist, and will create an association between religion and the police department. Mr. Valencius drives by the new public safety building approximately once per day on average and will regularly see the statues if they are installed on the building.

9. Plaintiff Martha Plotkin is a resident and taxpayer in Quincy. Ms. Plotkin is Jewish and was raised going to synagogue with her family, although she is no longer particularly observant. One reason that Ms. Plotkin opposes the statues is that saints are not recognized in Judaism. The planned statues of these saints make Ms. Plotkin feel like a second-class citizen, and that the public safety building and the services housed in it are not for her because she is not Catholic. The installation of the statues would cause Ms. Plotkin to hesitate to enter the building. It would make Ms. Plotkin feel uncomfortable to have religious statues of another faith looking down on her as she tried to access City services. Ms. Plotkin has to drive by the public safety building twice a month to go grocery shopping and, every few months, she drops off hearing aid batteries for recycling at the DPW Yard, which is adjacent to the building. Ms. Plotkin anticipates there are reasons she may need to enter the public safety building in the future, such as to file a police report or to get help returning a lost item.

10. Plaintiff Jay Tarantino is a resident and taxpayer in Quincy. Mr. Tarantino has been an atheist for twenty-four years and prior to that was a practicing Roman Catholic. Mr. Tarantino views the planned statues as a show of government support to idols and a religion in which he does not believe. In part, he views the statue of Saint Michael as a presentation of a dichotomy of good versus evil. The statues signal to him that those who do not subscribe to Catholicism are second class and will be treated as such. Mr. Tarantino drives by the new public safety building frequently as it sits on a main thoroughfare in Quincy and will regularly see the statues if they are installed on the building.

11. Plaintiff Michael F. Cotter is a resident and taxpayer in Quincy. Mr. Cotter has lived in Quincy for seventy years and owns a home there. Mr. Cotter was raised Catholic and attended Catholic school from the second grade through twelfth grade, but he now identifies as a Humanist. Mr. Cotter has been a member of a Humanist organization for approximately fifteen years. Mr. Cotter believes strongly in the separation of church and state, and believes it is inappropriate to install religious statues on a government building. Mr. Cotter has a deep respect for other people's religious convictions, but he believes that having Catholic statues outside the public safety building will alienate him and other Quincy residents who do not identify as Catholic. Mr. Cotter needs to drive by the new public safety building almost every day, as it is located on the main road that leads out of his neighborhood. Thus, he will regularly see the statues if they are installed on the building. In addition, Mr. Cotter has gone to the current police station in the past to dispose of old prescription medications, and he anticipates he may need to enter the new public safety building in the future to access this and other services.

12. Plaintiff Cynthia L. Roche-Cotter is a resident and taxpayer in Quincy. Ms. Roche-Cotter has lived in Quincy her entire life and owns a home there. Ms. Roche-Cotter was raised as

a Catholic but now identifies as a Humanist. She has been a member of a Humanist organization for approximately fifteen years. Ms. Roche-Cotter opposes the statues because she believes they will violate the separation of church and state. Ms. Roche-Cotter believes it is inappropriate to install religious statues on a government building because it will alienate her and other people who are not of the Catholic faith from seeking help from public safety officials. The image of St. Michael dressed as warrior and with his foot on the head of a Demon sends a violent image to the public instead of a welcoming image of compassion for which the Quincy Police Department is known. Because the new public safety building is located on the main road that leads out of her neighborhood, Ms. Roche-Cotter needs to drive by it almost every day (e.g., to go to the grocery store or to the drug store) and will regularly see the statues if they are installed on the building. In addition, she has gone to the current police station in the past to dispose of old prescription medications, and she anticipates that she may need to enter the new public safety building in the future to access this and other services.

13. Plaintiff Marianne Balsamo is a resident and taxpayer in Quincy. Ms. Balsamo was born and raised in Quincy and has owned a home there for twenty years. Ms. Balsamo was raised Catholic and is now an active member of the United First Parish Church. She was raised to believe that God is love, and that belief still informs her worldview. Ms. Balsamo is therefore shocked and offended that the City plans to install the religious statues on a government building. Ms. Balsamo believes that Catholicism is about caring for and welcoming others and believes that, in recent years, the Catholic Church has increasingly emphasized this welcoming message. She believes that the planned statues do not convey Catholic messages of care and welcoming. Instead, they send an exclusionary message. Because the statues do not reflect what Catholicism means to Ms. Balsamo, she finds them religiously offensive. Ms. Balsamo views the police department as a place

to go if you need help. For example, she has gone to the current police station in the past for assistance returning Christmas presents that were accidentally put in her car. She has also gone to the police station in the past to file police reports and to dispose of old prescription medications. She anticipates she may need to get help or use these services at the new public safety building in the future. In addition, Ms. Balsamo typically drives by the new public safety building at least twice per day to get to church, the supermarket, the library, or other destinations and will regularly see the statues if they are installed on the building.

14. Plaintiff Salvatore Balsamo is a resident and taxpayer in Quincy. Mr. Balsamo was raised Catholic and served as an altar boy as a child. Mr. Balsamo no longer identifies as a Catholic and now describes himself as spiritual. Mr. Balsamo opposes the planned statues because he believes it is wrong to have religious statues on a public building. He also opposes the particular religious imagery depicted in the statues. As he was raised, Saint Michael and Saint Florian are supposed to be religious icons of protectiveness, but as depicted in the plans for the public safety building, they appear as icons of violence. The depiction of Saint Michael stepping on the head of a demon is particularly offensive to Mr. Balsamo because he believes it is reminiscent of how George Floyd was killed. Mr. Balsamo believes that it is immoral to install a statue with this violent imagery outside of a police station. Mr. Balsamo typically drives by the new public safety building at least twice per day and will regularly see the statues if they are installed on the building. In addition, Mr. Balsamo has gone to the current police station in the past to file a police report and to dispose of old prescription medications. He anticipates that he may need to enter the new public safety building to access these and other services in the future.

15. Plaintiff Sheryl LeClair is a resident and taxpayer in Quincy. Ms. LeClair is Jewish and is a member of a synagogue in New York, where she attends services via Zoom at least once

a week. Ms. LeClair opposes the statues because she believes that the statues do not strengthen the community but rather divide it and that such violent depictions are not comforting—especially when placed outside a public safety building. As a member of a minority religious group, Ms. LeClair is frightened by the existence and planned installation of these statues and believes that the statues convey the message that she is living in a Christian city and country, and that minority faiths are being ignored, dismissed, and silenced. She also fears that these statues may exacerbate the current rise in antisemitism. Ms. LeClair anticipates she will need to drive by the new public safety building approximately four times in a typical week and will regularly see the statues if they are installed on the building.

16. Plaintiff Cody Hooks is a resident of Quincy. Mr. Hooks joined the Missionary Baptist Church when he was nine years old and later developed a deep affinity for and commitment to interreligious dialogue, multi-faith spiritual care, and compassionate, curious pluralism. He left the church when he was seventeen and now identifies as a religious “none” who values the teachings of many different faith traditions. In 2022, he earned his Master of Divinity from Harvard Divinity School, where the focus of his studies was on spiritual caregiving, or chaplaincy. Mr. Hooks opposes the statues because, as a scholar of religion, he recognizes that Saints Michael and Florian are not universal or transcendent figures, and as a resident of Quincy, he feels deeply alienated by the City’s decision to elevate one faith tradition over others. If the statues were erected, he would feel less welcome in his own city and neighborhood and would feel uncomfortable entering the public safety building or using any of the services available there. The statues also violate his ethical commitment to pluralism. As a spiritual caregiver, he objects to the statues in that they are not reflective of many people’s belief systems and will cause people in Quincy to feel excluded from the community. He regularly drives past the public safety building

and anticipates that he may need to enter the public safety building to file a public safety report or apply for various permits.

17. Plaintiff Lucille DiGravio is a resident of Quincy. Mrs. DiGravio was born in Quincy in 1944 and has lived in Quincy her entire life. She was raised Catholic and was very involved with the Catholic Church from an early age. Although Mrs. DiGravio left the Church in the late 1970s, and is no longer a practicing Catholic, she continues to believe deeply in the ideals of love and humility encompassed in the Beatitudes. She opposes the statues because they violate her spiritual commitment to being a peacemaker. She believes that it is God’s command to bring together those who are in conflict and that erecting the statues—which position Catholics above others in Quincy’s very diverse community—displays a complete lack of understanding and care for the thoughts and beliefs of others. Mrs. DiGravio can see the public safety building from her apartment in Quincy Square and drives past it multiple times per week, as it is on the main thoroughfare that she needs to take to access almost all services in the City.

18. Defendant City of Quincy (“Quincy” or the “City”) is a municipal corporation of the Commonwealth of Massachusetts with its usual place of business at Quincy City Hall, 1305 Hancock Street Quincy, MA 02169.

19. Defendant Thomas P. Koch (“Mayor Koch”) is the Mayor of Quincy and is sued in his official capacity.

FACTUAL BACKGROUND

Approval and Construction of the Public Safety Building

20. In 2017, Quincy's City Council approved \$500,000 to design a new public safety building to replace the City's current police station.¹ The building will be approximately 120,000 square feet in size, four stories tall, and will house the City's information technology department, the police department, emergency operations center, and fire department administrative offices.² The building will be located on Sea Street near the intersection of Sea Street and Southern Artery, both of which are main thoroughfares in Quincy.³ For some residents, driving past the building is the most direct route to access the downtown area of Quincy. For others, they are likely to drive past the building several times per week in the course of their day-to-day lives.

21. The new public safety building will house many necessary services for the residents of Quincy. Residents who must obtain fire permits or records will need to do so at the fire department administrative offices on the first floor, and residents who must file or obtain accident reports or police reports will need to do so at the police department on the first floor.⁴ The first floor will have private rooms adjacent to the lobby that will be used for residents who need to file

¹ Peter Blandino, *How the new Quincy public safety building construction is going and when it'll be done*, PATRIOT LEDGER (Feb. 15, 2025), <https://www.patriotledger.com/story/news/2024/02/15/quincy-ma-public-safety-building-police-station-open-october-2025-budet-cost-overrun-fire-ems/72536700007/>.

² Quincy Public Safety/Municipal Complex Project Info, KBA Architects, <https://www.kba-architects.com/projects/public-safety/quincy-public-safety-municipal-complex/>; Mary Whitfill, *Quincy mayor requests additional \$120 million for new police station*, PATRIOT LEDGER (Feb. 9, 2021), <https://www.patriotledger.com/story/news/2021/02/09/additional-120-million-requested-new-quincy-police-station/4444907001/>.

³ Blandino, *How the new Quincy public safety building construction is going and when it'll be done*, PATRIOT LEDGER (Feb. 15, 2025).

⁴ Quincy City Council Meeting, Feb. 24, 2025 (hereinafter "City Council Video"), at 22:10, <https://www.qatv.org/citycouncil?modal=347,episode,235169> (statement of Chief of Police Mark Kennedy).

police reports, meeting with police officers, and speaking with mental health counselors.⁵ In addition, the second floor will house meeting and training rooms where free classes for the community will be held, including self-defense and pepper spray training, citizens' police academy, youth academy, and "a litany of other classes."⁶ Finally, there may be a prescription drop box in the new public safety building, as there is one currently located in the police station. At a Quincy City Council meeting on February 24, 2025, Chief of Police Mark Kennedy 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."⁷

22. The building will be a fixture in Quincy "for the next hundred years."⁸

23. In November 2019, the City Council approved an additional \$32 million to acquire five pieces of land and to pay for the architect's fees, environmental studies, and permitting for the public safety building. In April 2021, the City Council approved an additional \$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 for construction of the building.⁹

24. The public safety building is slated to open in October 2025.¹⁰

⁵ *Id.* at 23:25.

⁶ *Id.* at 22:45.

⁷ *Id.* at 22:10.

⁸ *Id.* at 13:50 (statement of Joe Shea, managing partner of Granite City Partners, the firm contracted to oversee the building project).

⁹ Blandino, *How the new Quincy public safety building construction is going and when it'll be done*, PATRIOT LEDGER (Feb. 15, 2025).

¹⁰ *Id.*

25. The statues are being constructed by the sculptor in Italy and will be transported to Boston by sea. The amount paid to the artist, \$700,000, and the amount paid to the subcontractor, \$70,000, do not include the cost of transporting the statues from Boston to Quincy and also do not include any temporary storage of the statues that may be required if they cannot be installed immediately upon arrival. These expenses are the sole responsibility of the City. It is not clear whether the City has already allocated or spent funds for these purposes. There are several additional expenses associated with the statues, including statue supports (\$38,035.13) and cast stone accents (\$222,668.91). It is not clear whether these expenses have already been paid. It is also unclear whether there are additional expenses associated with the installation of the statues and whether those funds, if any, have already been allocated or spent.

26. According to a lawyer for the City, shipping of the statues is anticipated to begin sometime this August, and the statues will be available for installation sometime around or after Labor Day; although he also mentioned that the City “should be quiet on the ‘affixing front’ through the end of June at least.”

***The Public Learns of Quincy’s Plan
to Erect Statues of Saints on the Front of the Public Safety Building***

27. The decision to commission and install the Catholic saint statues was made by one person: Mayor Thomas P. Koch.¹¹

28. Many aspects of the building were discussed at length during public meetings. However, at no point during any of the numerous City Council meetings during which funding for the public safety building was discussed or voted on was the public notified of the plan to install

¹¹ City Council Video at 57:32 (Chief of Staff’s statement that the decision to commission the statues “was ultimately and only the Mayor’s decision”); Peter Blandino, *What brings 200 angry residents and uniformed officers to city hall. What the mayor says*, PATRIOT LEDGER (Feb. 25, 2025), <https://www.patriotledger.com/story/news/2025/02/25/saints-mayor-thomas-tom-koch-quincy-ma-religion-church-state-st-michael-florian-police-fire/80146584007/>.

statues of Catholic saints on the front of the building. Nor was the potential for public art of any kind—patron saints or otherwise—contemplated by or included in public plans or drawings of the buildings from the time of the building’s 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.¹²

29. Rather, the public first learned of the proposed statues for the public safety building on February 8, 2025, via a *Patriot Ledger* news article (the “February 8 Article”) reporting that Mayor Koch had commissioned two, ten-foot-tall bronze statues of Catholic saints.¹³ According to the February 8 Article, Koch claimed that the statues were not shown to the City Council when it approved funding for the public safety building at various points between 2017 and 2022 because “large projects like this one sometimes ‘evolve’ and the idea ‘wasn’t on the table’ when councilors cast their votes.”¹⁴

30. The statues will depict Saint Michael the Archangel and Saint Florian, viewed in the Catholic faith as the patron saints of police and firefighters respectively, and are intended to adorn the façade of the public safety building, as depicted in Image 1 below. The two statues will be displayed by themselves on the building, and there are no other statues currently contemplated

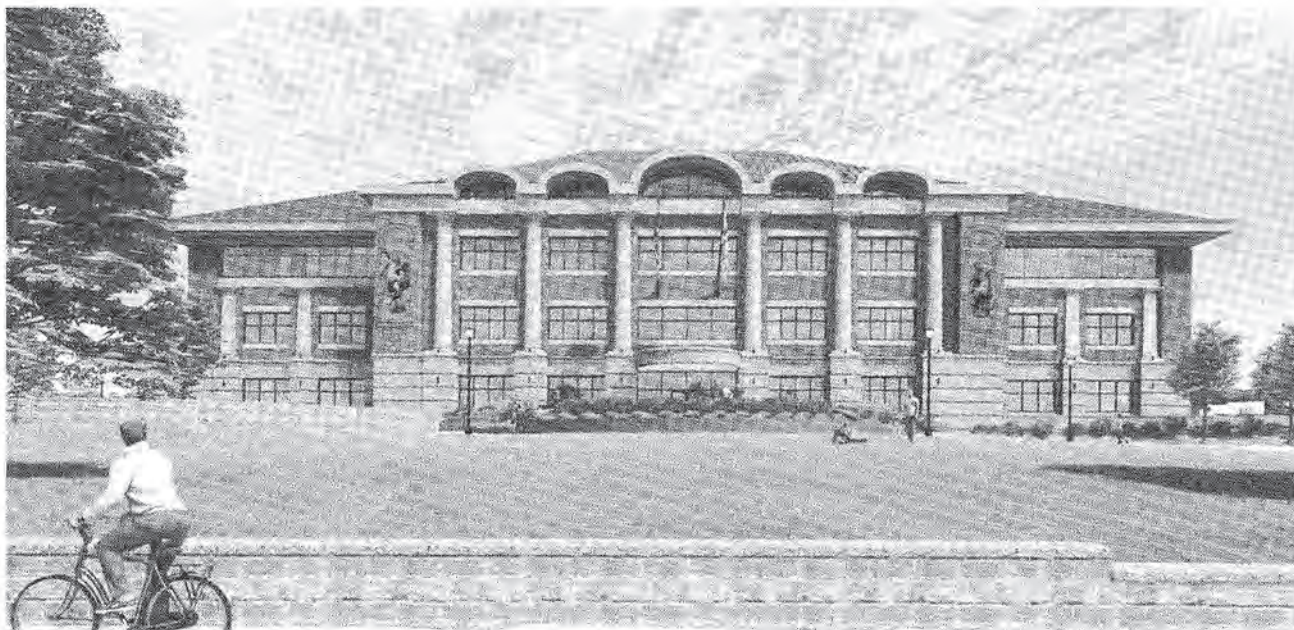
¹² See, e.g. Mary Whitfill, *Quincy councilors question price tag of new police station*, PATRIOT LEDGER (Mar. 16, 2021), <https://www.patriotledger.com/story/news/2021/03/16/quincy-city-councilors-look-cut-spending-new-police-station/4717199001/>; Johanna Seltz, *Quincy council approves \$23 million more for public safety building*, BOSTON GLOBE (Nov. 30, 2022), <https://www.bostonglobe.com/2022/11/30/metro/quincy-council-approves-23-million-more-public-safety-building/>.

¹³ See Peter Blandino, *10-foot-tall bronze statues of saints to adorn new Quincy police headquarters. What they cost*, PATRIOT LEDGER (Feb. 8, 2025), <https://www.patriotledger.com/story/news/2025/02/08/saints-statues-new-police-fire-station-quincy-ma-st-michael-st-florian/78258726007/>.

¹⁴ *Id.*

or given space or prominence on the building. To Plaintiffs' knowledge, Image 1 was not disclosed to the public until it was displayed at a City Council meeting on February 25, 2025.

Image 1



Draft Rendering of the Façade of the Public Safety Building with Statues

31. The statues of Saint Michael and Saint Florian are depicted below in Images 2 and 3, respectively, which were also published in the February 8 Article. Images provided of the statues show Saint Michael depicted with the wings of an archangel, standing on the head and neck of a demon.¹⁵ The statue of Saint Florian will depict him pouring water on a burning building from a vessel.

¹⁵ Peter Blandino, *Quincy public safety headquarters statues cause concern: 'Made me think of brutal force'*, PATRIOT LEDGER (Feb. 10, 2025), <https://www.patriotledger.com/story/news/local/2025/02/10/quincy-ma-new-police-station-st-michael-statues-city-councilor-daniel-minton-reaction-thomas-koch/78373605007/>.

Image 2



Statue of Saint Michael

Image 3



Statue of Saint Florian

32. The statues are being created by sculptor Sergey Eylanbekov.¹⁶ To Plaintiffs' knowledge, neither Mayor Koch nor any City official issued a request for proposals relating to the creation or installation of the statues.

33. The total cost for the statues is reported to be \$850,000. The first payment to Mr. Eylanbekov was made in July 2023 in the amount of \$250,000. At least seven additional payments have been made since that time: \$100,000.00 in February 2024; \$85,000.00 in March 2024; \$20,417.72 in April 2024; \$100,000 in June 2024; \$200,000 in August 2024; \$77,961.03 in October 2024; and \$78,000.00 in November 2024. Additionally, \$150,000.00 was reimbursed to

¹⁶ Blandino, *10-foot-tall bronze statues of saints to adorn new Quincy police headquarters. What they cost*, PATRIOT LEDGER (Feb. 8, 2025).

the City in September 2024. No public records have been produced regarding from whom this money was reimbursed or for what purpose.

34. According to the February 8 Article, of the nine members of the City Council, two had no prior knowledge of the religious statue plans, one “had heard something about it but didn’t participate in the plans,” one was previously aware of the plan, and five did not respond to requests for comment.

35. Ward 1 Councilor Dave McCarthy, whose district hosts the new public-safety building, admitted during a City Council meeting later that month that he had been informed of the plan “a long time ago.”¹⁷ 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.

36. As the statues were neither discussed in public meetings nor subject to a public procurement process nor otherwise disclosed to the public prior to February 8, it is unclear how or by whom Councilor McCarthy and some other the members of the City Council were made aware of the plan in advance of the February 8 Article received this information. After the religious statue plan was revealed in the February 8 Article, the City Council discussed the matter at its February 24, 2025, meeting. While normally five to ten residents attend City Council meetings in Quincy, over two hundred members of the public attended this meeting.¹⁸

37. While Mayor Koch did not attend this meeting, he was represented by his Chief of Staff. During the meeting, Mayor Koch’s Chief of Staff confirmed that the City Council as a body

¹⁷ *Id.*

¹⁸ See Peter Blandino, *What brings 200 angry residents and uniformed officers to city hall. What the mayor says*, PATRIOT LEDGER (Feb. 25, 2025), <https://www.patriotledger.com/story/news/2025/02/25/saints-mayor-thomas-tom-koch-quincy-ma-religion-church-state-st-michael-florian-police-fire/80146584007/> (last visited May 14, 2025).

had not been previously notified about the statues and was just now “finding out about this with the [rest of] the public.”¹⁹ He contended that “the process for these statues begins and ends, and appropriately so, under the Mayor’s discretion. [The City Council], as we’ve all discussed, had no role in the procurement process for these statues.”²⁰ He also stated that the decision to commission the statues “was ultimately and only the Mayor’s decision.”²¹

38. “Asked why the statues weren’t shown to councilors when they approved funding for the project at various points between 2017 and 2022, Mayor Koch said large projects like this one sometimes ‘evolve’ and the idea ‘wasn’t on the table’ when councilors cast their votes.” Feb. 8 Article.

39. In response to the public outcry over the religious statues, including a resident’s petition to stop their installation and letters from community groups opposing the statues, *infra* ¶¶ 45-52, Mayor Koch and two city councilors proposed a new commission to review future proposals.²²

40. To Plaintiffs’ knowledge, neither the City Council nor Mayor Koch, nor any other City official has acted to halt the installation of the statues.

¹⁹ Quincy City Council Meeting, Feb. 24, 2025 (hereinafter “City Council Video”), at 58:00, <https://youtu.be/OtvL1EciWTY?si=WI7KI-ZPXrdJh7tH>.

²⁰ City Council Video at 33:55.

²¹ City Council Video at 57:32.

²² See City Council Meeting Agenda, May 5, 2025 at 7 (Proposed Ordinance titled Establishing a Public Art & Place Making Program); Peter Blandino, *New Quincy arts commission great idea or perhaps too little, too late? Depends who you ask*, PATRIOT LEDGER (May 5, 2025), <https://www.patriotledger.com/story/news/2025/05/02/saint-statues-quincy-ma-public-art-commission-mayor-koch-appointees/83408439007/>.

Saint Michael and Saint Florian are Religious Figures

41. Saints in general, and patron saints specifically, are prominent among certain sects of Christianity, especially Catholicism.²³ The word “saint” comes from the Latin *sanctus*, meaning holy.²⁴ 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.”²⁵ Patron saints are often recognized by the Catholic Church for various causes so that the faithful can seek their intercession through prayer.²⁶

42. Some other denominations and religions, including many Protestant and nondenominational Christian denominations, reject the creation and/or veneration of saints.

43. Saint Michael holds an important role in Catholicism. One of the archangels mentioned in scripture, Saint Michael is considered to be the leader of God’s heavenly army, the protector of the Church, and the chief adversary of Satan. Unlike humans, who must be canonized to become saints, Catholic doctrine recognizes Saint Michael the Archangel as a saint because of his holiness and proximity to God. Catholic tradition considers Saint Michael to be the patron saint of police not because of any secular symbolism but because of his powerful role in Christian

²³ Richard Gribble, *Saints in the Christian Tradition: Unraveling the Canonization Process*, 6 STUDIES IN CHRISTIAN-JEWISH RELATIONS 2 (2011), available at <http://ejournals.bc.edu/ojs/index.php/scjr>.

²⁴ “Saint,” Oxford English Dictionary Online, <https://www.oed.com/dictionary/saint> (last visited May 6, 2025).

²⁵ United States Conference of Catholic Bishops (USCCB), *Saints*, <https://www.usccb.org/offices/public-affairs/saints> (last accessed May 7, 2025); *Patron Saints*, Catholic Online, <https://www.catholic.org/saints/patron.php?letter=A>.

²⁶ *Frequently Asked Questions about Saints*, Catholic Online, <https://www.catholic.org/saints/faq.php>; Henry Gibson, *Catechism Made Easy: Being a Familiar Explanation of the Catechism of Christian Doctrine* 308-309 (1882) (explaining that Catholics “ask the Saints and Angels to use their power and favor with God to obtain for us from him what we stand in need of”).

tradition as a “defender of faith, protector of souls, and a symbol of divine justice.” The Catholic “‘Prayer to Saint Michael’ specifically implores his defense against the forces of darkness. The ‘Chaplet of Saint Michael’ consists of nine salutations, each dedicated to one of the choirs of angels, and serves as a way to honor and seek [his] intercession.”²⁷

44. The connection of Saint Florian to firefighting in Catholicism stems from saint’s hagiography—the religious biography of his deeds and holiness—specifically, that he saved a town from fire through divine intervention. The Catholic Church recognizes Saint Florian as a saint not as a result of his civic or professional accomplishment, but because he was martyred for his faith. After refusing to enforce proscriptions against Christians in the territory that he oversaw as a commander in the Roman army, Saint Florian was put to death by drowning.²⁸

45. The City’s planned display of these saints will send a predominantly religious message. The two religious figures will be displayed on government property by themselves and are designed to stand out and draw the eye. They will be installed on the front of the public safety building and will communicate that the City supports the display’s religious message and that those Quincy residents who do not venerate these religious saints are regarded as outsiders by public safety officials and their own city government.

²⁷ Catholic Online, St. Michael the Archangel, https://www.catholic.org/saints/saint.php?saint_id=308 (last accessed Apr. 29, 2025). “A chaplet is a personal devotion, often prayed with a set of prayer beads.” Cate Von Dohlen, *How to Pray the St. Michael Chaplet*, Hallow, <https://hallow.com/blog/how-to-pray-the-st-michael-chaplet/> (last accessed May 22, 2025). The Chaplet of Saint Michael asks for protection “in the battles of life, whether physical, spiritual, or emotional,” and can be used “in times of distress, fear, or temptation.” *Id.* The Prayer to Saint Michael is a shorter prayer that similarly “asks St. Michael to intercede on our behalf and always protect us in battle.” *Id.*

²⁸ Catholic Online, “St. Florian,” https://www.catholic.org/saints/saint.php?saint_id=149 (last accessed May 7, 2025).

The Statues Have Caused Serious Political Division in the Quincy Community

46. Quincy is a religiously diverse community. Among other faiths, Quincy residents practice Judaism, Islam, Unitarian Universalism, Buddhism, and an array of Christian denominations and branches. Moreover, many Quincy residents identify as Humanist, spiritual, atheist or nonreligious.

47. The City's plan to erect the religious statues has sparked political division in the Quincy community.

48. While it is often the case that only five to ten residents attend City Council meetings in Quincy, on February 24, 2025, over two hundred people attended the Quincy City Council meeting to discuss the statues.²⁹

49. Hundreds of Quincy residents and at least one City Councilor have publicly expressed opposition to the statues.

50. "Ward 5 Councilor Dan Minton, a retired Quincy police lieutenant who spent 40 years on the department, wrote on Facebook that the image of St. Michael 'may not translate to contemporary times,'" and was "'unwelcoming' and embodying an 'us-versus-them' mentality which contradicts the department's mission of helping citizens."³⁰

51. At the February 24, 2025, City Council meeting, City Councilor Devine noted that "the statues [are] clearly contentious for everyone" and that "a bunch of" constituents reached out to him to express their concerns about the statues.

²⁹ Blandino, *What brings 200 angry residents and uniformed officers to city hall. What the mayor says*, PATRIOT LEDGER (Feb. 25, 2025).

³⁰ Blandino, *Quincy City Councilors react to saint statues on public safety building: Who's saying what*, PATRIOT LEDGER (Feb. 14, 2025).

52. A Quincy resident started a petition to stop the installation of the statues.³¹

53. On April 4, 2025, nineteen faith leaders from the Quincy Interfaith Network issued a public statement expressing “grave concerns” about the religious statues. The Quincy Interfaith Network “aims to gather and lift up the voice and witness of people of faith and conviction in the public sphere to promote justice, inclusion, and interfaith community action.” The signatories to the statement included members of the Roman Catholic, Jewish, Unitarian Universalism, Presbyterian, Lutheran, Methodist, and Nazarene faiths. They noted that, given how Quincy is a “diverse city . . . composed of many people of faith and those who do not identify with any religious tradition[,] [n]o single religious tradition should be elevated in a publicly funded facility. Erecting these statues sends a message that there are insiders and outsiders in this community. We are confident this is not the message our City or our first responders want to send.”³²

***Public Funds Have Been Used to Pay for the Statues
and Further Payments Using Public Funds will be Made***

54. As of April 2025, the City has paid at least \$761,378.75 in public funds for the creation of the statues.

55. 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.

³¹ Claire Fitzmaurice, *Stop the creation of two religious statues for the new Public Safety Headquarters*, Change.org (last accessed Apr. 29, 2025), <https://www.change.org/p/stop-the-creation-of-two-religious-statues-for-the-new-public-safety-headquarters>.

³² Quincy Interfaith Network Statement Regarding Religious Statues at New Public Safety Building (Apr. 4, 2025), <https://www.facebook.com/QUINCY.INTERFAITH.NETWORK/>.

56. To Plaintiffs' knowledge, neither the City nor Mayor Koch, nor any other City official has acted to halt the expenditure or payment of additional public funds in connection with the statues.

COUNT I

Violation of Article III of the Massachusetts Declaration of Rights

(Against All Defendants)

57. The foregoing allegations are incorporated herein.

58. Article 3 of the Massachusetts Declaration of Rights, as amended, provides in relevant part: "[A]ll 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."

59. The installation and display of the religious statues on the City's public safety building will not serve a predominantly secular purpose.

60. The primary effect of installing and displaying the religious statues on Quincy's public safety building will be to promote, promulgate, and advance one faith, subordinating other faiths as well as non-religious traditions. Affixing statues of prominent Catholic figures on the front of a government building conveys the message to Quincy residents, including Plaintiffs, that the City not only favors religion over non-religion, but Catholicism over all other denominations.

61. The installation and display of the religious statues on Quincy's public safety building will unduly entangle the government with religion.

62. The plan to install and display the religious statues has already caused significant political division within the Quincy community and will continue to do so.

63. The installation and display of the religious statues is religiously coercive, pressuring Quincy residents, including Plaintiffs, to subscribe to the City's preferred religious doctrine and faith.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs request that this Court grant them the following relief:

1. A declaratory judgment pursuant to Mass. Gen. Laws ch. 231A, § 2, that Defendants (a) have violated Article III by expending public funds on the statues of St. Michael and St. Florian, (b) will violate Article III by expending any additional funds on the statues, including in any transportation, installation, or ongoing maintenance of the statues, and (c) will violate Article III by installing the statues on the public safety building;
2. Preliminary and permanent injunctions prohibiting Defendants from displaying or installing the statues of Saint Michael and Saint Florian on the public safety building or the grounds of the public safety building;
3. Preliminary and permanent injunctions prohibiting Defendants from expending additional public funds for purposes including, but not limited to, additional construction, transportation, installation, or maintenance of the statues of St. Michael and St. Florian for the public safety building;
4. Award Plaintiffs reasonable costs and attorneys' fees; and
5. Such other relief as this Court deems just and proper.

[signatures on following page]

Dated: May 27, 2025

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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

MEMORANDUM IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY INJUNCTION

The City of Quincy and Mayor Thomas P. Koch intend to install two statues of Catholic saints—Saint Michael the Archangel and Saint Florian—on the façade of the City’s new public safety building. This plan was made without the input, knowledge, or consent of Quincy residents. The purpose of the public safety building is to provide all people in Quincy with critical safety and municipal services, and it is crucial that all residents feel safe, welcomed, and equally protected in that space to access these services, regardless of their religious beliefs. But affixing two 10-foot-tall bronze statues of Catholic saints on the face of the building visibly and prominently conveys the message that Quincy residents who do not subscribe to the religious tradition of the saint statues, namely Catholicism, are outsiders in their own community and should not expect the same quality of services and treatment as those who do. 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 law.”

It recently came to light that, in 2023, Mayor Thomas P. Koch—without seeking approval from the City Council or notifying the public—commissioned and paid a sculptor to create these religious statues. The City now intends to erect the statues upon completion of the outstanding work to the front of the building. The City’s attorney has stated that he expects the statues to be installed around Labor Day, although he also acknowledged that installation could happen earlier. Moreover, transportation of the statues from Italy could occur at any time and may involve additional payment of City funds. Absent a preliminary order 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.

Plaintiffs therefore file this motion for a preliminary injunction to prevent the imminent installation of the statues of Saint Michael the Archangel and Saint Florian on Quincy’s new public safety building and to preclude Defendants from further expending public funds in support of this unconstitutional plan.

FACTUAL BACKGROUND

Approval and Construction of the Public Safety Building

In 2017, Quincy’s City Council approved \$500,000 to design a new public safety building to replace the City’s police station. Ex. 1 to Declaration of Attorney Rachel E. Davidson in Support of Plaintiffs’ Motion for Preliminary Injunction (“Davidson Decl.”).¹ The building will be

¹ All exhibits are attached to the Declaration of Attorney Rachel E. Davidson in Support of Plaintiffs’ Motion for Preliminary Injunction. A table detailing the exhibits is included as Appendix A to this Memorandum.

approximately 122,000 square feet in size, four stories tall, and will house the City's information technology department, police department, emergency operations center, and fire department administrative offices. *See* Ex. 2 & 3. The building will be located on Sea Street near the intersection of Sea Street and Southern Artery, both of which are main thoroughfares in Quincy. *See* Ex. 1. For some residents, driving past the building is the most direct route to access the downtown area of Quincy. *See, e.g.*, Ex. 24 (Fitzmaurice Decl.) ¶ 11. For others, they are likely to drive past the building several times per week in the course of their day-to-day lives. *See, e.g.*, Ex. 31 (Roche-Cotter Decl.) ¶ 11.

The new public safety building will house many necessary services for the residents of Quincy. Residents looking to obtain fire permits or records will need to do so at the fire department administrative offices on the first floor, and residents who must file or obtain accident reports or police reports will need to do so at the police department on the first floor. Quincy City Council Meeting, Feb. 24, 2025 (hereinafter "City Council Video"), at 22:10, <https://youtu.be/OtvL1EciWTY?si=W17KI-ZPXrdJh7tH> (statement of Chief of Police Mark Kennedy). The first floor also will have private rooms adjacent to the lobby that will be used for residents who need to file police reports, meeting with police officers, and speaking with mental health counselors. *Id.* at 23:25. In addition, the second floor will house meeting and training rooms where free classes for the community will be held, including self-defense and pepper spray training, citizens' police academy, youth academy, and "a litany of other classes." *Id.* at 22:45. Finally, there may be a prescription drop box in the new public safety building, as there is one currently located in the police station. At a Quincy City Council meeting on February 24, 2025, Chief of Police Mark Kennedy 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.” *Id.* at 22:10.

In November 2019, the City Council approved an additional \$32 million to acquire five pieces of land and to pay for the architect’s fees, environmental studies, and permitting for the public safety building. *See* Ex. 1. In April 2021, the City Council approved an additional \$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. *Id.* In November 2022, due to cost overruns, the City Council approved an additional \$23 million for construction of the building. *Id.* The building is slated to open in October 2025. *Id.*

***The Public First Learns of Quincy’s Plan
to Erect Statues of Saints on the Front of the Public Safety Building***

The decision to commission and install the Catholic saint statues on the public safety building was made by Mayor Thomas P. Koch. *See* Ex. 4. Many aspects of the building were discussed at length during public meetings. However, at no point during any of the numerous City Council meetings during which funding for the public safety building was discussed or voted on was the public notified of the plan to install statues of Catholic saints in front of the building. Nor was the potential for public art of any kind—patron saints or otherwise—contemplated by or included in public plans or drawings of the building from the time of the building’s 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. *See, e.g.,* Ex. 5 & 6. Rather, the public first learned of the of the proposed statues for the public safety building was on February 8, 2025, via a *Patriot Ledger* news article (the “February 8 Article”) reporting that Mayor Koch had commissioned two, ten-foot-tall bronze statues of Catholic saints. *See* Ex. 7 (“February 8

Article”). According to the February 8 Article, Koch claimed that the statues were not shown to the City Council when it approved funding for the public safety building at various points between 2017 and 2022 because “large projects like this one sometimes ‘evolve’ and the idea ‘wasn’t on the table’ when councilors cast their votes.” *Id.*

The statues, which will adorn the façade of the new public safety building, will depict Saint Michael the Archangel and Saint Florian, designated in the Catholic faith as the patron saints of police and firefighters respectively. *Id.* The two religious statues will be displayed by themselves on the building, and there are no other statues currently contemplated or given space or prominence on the building. *See* Compl. ¶ 30. Images provided of the statues show that Saint Michael will be depicted with the wings of an archangel, standing on the head and neck of a demon. Compl. ¶ 31. The statue of Saint Florian will depict him pouring water on a burning building from a vessel. *Id.* Sculptor Sergey Eylanbekov has been commissioned to create the statues. *See* Ex. 7. Neither Mayor Koch nor any City official issued a public Request for Proposals regarding the creation or installation of the statues.

The total cost for the statues is reported to be \$850,000. The first payment to Mr. Eylanbekov was made in July 2023 in the amount of \$250,000. At least seven additional payments have been made since: \$100,000.00 in February 2024; \$85,000.00 in March 2024; \$20,417.72 in April 2024; \$100,000 in June 2024; \$200,000 in August 2024; \$77,961.03 in October 2024; and \$78,000.00 in November 2024. Additionally, \$150,000.00 was reimbursed to the City in September 2024. *See* Ex. 8. No public records have been produced regarding from whom this money was reimbursed or for what purpose.

According to the February 8 Article, of the nine members of the City Council, two had no prior knowledge of the religious statue plans, one “had heard something about it but didn’t

participate in the plans,” one was previously aware of the plan, and five did not respond to requests for comment. Ex. 7. While it appears that most City Councilors were not aware of the commissioned statues prior to the February 8 Article, Ward 1 Councilor Dave McCarthy, whose district hosts the new headquarters, was informed of the plans “a long time ago.” *Id.* Councilor McCarthy has stated his belief that the statues “will bless our first responders” and his hope that the first responders “might say a little prayer before they go out on duty.” *Id.* As the statues were neither discussed in public meetings nor subject to a public procurement process nor otherwise disclosed to the public prior to February 8, it is unclear how or by whom Councilor McCarthy and some other the members of the City Council were made aware of the plan in advance of the February 8 Article.

After the plan to affix the statues on the public safety building was revealed on February 8, the City Council discussed the matter at its February 24, 2025, meeting. Although Mayor Koch did not attend this meeting, he was represented by his Chief of Staff. At the meeting, Mayor Koch’s Chief of Staff confirmed that the City Council, as a body, had not been previously notified about the statues and was just now “finding out about this with the [rest of] the public.” City Council Video at 58:00. He contended that “the process for these statues begins and ends, and appropriately so, under the Mayor’s discretion. [The City Council], as we’ve all discussed, had no role in the procurement process for these statues.” *Id.* at 33:55. He also stated that the decision to commission the statues “was ultimately and only the Mayor’s decision.” *Id.* at 57:32.

The Planned Statues Have Caused Serious Political Division in the Quincy Community

Quincy is a religiously diverse community. Among other faiths, Quincy residents practice Judaism, Islam, Unitarian Universalism, Buddhism, and an array of Christian denominations and

branches. Moreover, other Quincy residents identify as spiritual, atheist, nonreligious, Humanist, or are religious but do not practice with a particular religious organization.

The City's plan to erect the religious statues has sparked political division in the Quincy community. While it is typically the case that only five to ten residents attend City Council meetings in Quincy, on February 24, 2025, over two hundred people attended the Quincy City Council meeting to hear more about the statues, although there was no opportunity during this meeting for public comment or residents to submit questions about the plan. *See* Ex. 4. Nevertheless, at the meeting, City Councilor James Devine acknowledged that "the statues [are] clearly contentious for everyone" and that "a bunch of" constituents reached out to him to express their concerns about the statues. Indeed, hundreds of Quincy residents and at least one City Councilor have publicly expressed opposition to the statues. *See id.* "Ward 5 Councilor Dan Minton, a retired Quincy police lieutenant who spent 40 years on the department, wrote on Facebook that the image of St. Michael 'may not translate to contemporary times,'" and was "'unwelcoming' and embodying an 'us-versus-them' mentality which contradicts the department's mission of helping citizens." Ex. 9. A Quincy resident also started a petition to stop the installation of the statues. *See* Ex. 10.

Furthermore, on April 4, 2025, nineteen faith leaders from the Quincy Interfaith Network issued a public statement expressing "grave concerns" about the religious statues. *See* Ex. 11. The Quincy Interfaith Network "aims to gather and lift up the voice and witness of people of faith and conviction in the public sphere to promote justice, inclusion, and interfaith community action." *Id.* The signatories to the statement included members of the Roman Catholic, Jewish, Unitarian Universalism, Presbyterian, Lutheran, Methodist, and Nazarene faiths. *Id.* They noted that because Quincy is a "diverse city . . . composed of many people of faith and those who do not identify with

any religious tradition[,] [n]o single religious tradition should be elevated in a publicly funded facility. Erecting these statues sends a message that there are insiders and outsiders in this community. We are confident this is not the message our City or our first responders want to send.” *Id.*

The City Proceeds with Plans to Install the Statues

The statues are being constructed by the sculptor in Italy and will be transported to Boston by sea. *See* Ex. 14 at 20. The amounts paid to the artist, \$700,000, and the subcontractor, \$70,000, do not include the cost of transporting the statues from Italy to Quincy or the cost of any temporary storage of the statues that may be required if they cannot be installed immediately upon arrival. *Id.* at 10. These expenses are the sole responsibility of the City. *Id.* It is not clear whether the City has already allocated or paid out funds for these purposes.

Moreover, there are several additional expenses associated with the statues, including statue supports (\$38,035.13), *see* Ex. 15 at 1, and cast stone accents (\$22,668.91), *see* Ex. 16 at 1. It is likewise unclear whether these expenses have already been paid. It is also not clear whether there are additional expenses associated with the installation of the statues and whether those funds, if any, have already been allocated or spent. As of April 2025, at least \$761,378.75 in public funds diverted to the statues have been paid. *See* Ex. 8.

According to a lawyer for the City, shipping of the statues from Italy to Boston is anticipated to occur sometime this August. *See* Ex. 17. He noted that he expects the statues will be available for installation sometime around or after Labor Day, although he noted that the installation could occur sooner. *See id.* (noting that the City “should be quiet on the ‘affixing front’ through the end of June at least.”).

To Plaintiffs' knowledge, neither the City Council nor Mayor Koch, nor any other City official has acted to halt the installation of the statues. In response to public outcry over the statues, Mayor Koch and two city councilors proposed a new commission to review future plans for public art in the city. *See* Ex. 12. However, "Chris Walker, Koch's chief of staff, said installation of the saint statues will not be put on hold until the new commission can review them." Ex. 13. Based on public statements by the Mayor and his Chief of Staff, as well as communications with a lawyer for the City, the plans to affix the statues to the building are moving forward.

Plaintiffs Object to the Statues

Plaintiffs are fifteen residents of Quincy, twelve of whom own residences and pay property taxes to the City. Plaintiffs are diverse in their religious beliefs and practices. Some Plaintiffs are Catholic, Jewish, Unitarian Universalist, or Episcopalian. *See, e.g.*, Ex. 38 (Geraghty Decl.) ¶ 4; Ex. 33 (LeClair Decl.) ¶ 4; Ex. 24 (Fitzmaurice Decl.) ¶ 4; Ex. 27 (Conevery Bolton Valencius Decl.) ¶ 4. Other Plaintiffs are atheist, Humanist, spiritual, or do not participate in a particular religious organization. *See, e.g.*, Ex. 31 (Roche-Cotter Decl.) ¶ 5; Ex. 34 (Hooks Decl.) ¶ 4; Ex. 25 (Tarantino Decl.) ¶ 4. The Plaintiffs oppose the statues on the basis of their religious beliefs or non-faith beliefs. *See, e.g.*, Ex. 25 (Tarantino Decl.) ¶ 7; Ex. 26 (Rosenthol Decl.) ¶ 6; Ex. 24 (Fitzmaurice Decl.) ¶¶ 7-8. Further, Plaintiffs all have significant interaction with the new public safety building. Most drive by the building on a regular basis and one Plaintiff can see the building from her apartment. *See, e.g.*, Ex. 29 (DiGravio Decl.) ¶ 8; Ex. 30 (Reich Decl.) ¶ 11; Ex. 32 (Cotter Decl.) ¶ 11; Ex. 28 (Matthew Valencius Decl.) ¶ 10. Most Plaintiffs have visited the police department in the past and anticipate that they may need to visit the new public safety building once it is open. *See, e.g.*, Ex. 24 (Fitzmaurice Decl.) ¶ 11; Ex. 27 (Conevery Bolton Valencius Decl.); Ex. 38 (Geraghty Decl.) ¶ 10. In support of this motion, each Plaintiff has submitted a

declaration stating the nature of their objections to the statues, their religious backgrounds, and their anticipated interactions with the new public safety building. *See* Exs. 24-38; Compl. ¶¶ 3-17.

ARGUMENT

When addressing a request for preliminary injunctive relief, courts evaluate: (1) the plaintiff's reasonable likelihood of success on the merits; (2) the potential for irreparable harm to the plaintiff if the injunction is denied; (3) the balance of relevant harms; and (4) the public interest. *Siemens Bldg. Techs., Inc. v. Div. a/Capital Asset Mgmt.*, 439 Mass. 759, 762 (2003). Here, all four factors weigh in favor of Plaintiffs.

I. PLAINTIFFS HAVE A STRONG LIKELIHOOD OF SUCCESS ON THE MERITS

For almost 200 years, Article 3 of the Massachusetts Declaration of Rights has enshrined in the Massachusetts Constitution a deep respect for religious pluralism and a promise of religious liberty and equality for all. As amended in 1833, Article 3 provides in relevant part 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.” The 1833 amendment arose after decades of lawsuits, religious strife, and political battles, leading the Commonwealth's residents to vote overwhelmingly—by a ten-to-one margin—to remove religious favoritism from the Massachusetts Constitution and to put an end to this perennial source of conflict. Ex. 18 at 143–44.

Article 3's prohibition against religious favoritism is especially important when assessing the constitutionality of permanent religious displays on government property, which tend to monopolize the space and endure for all time. Here, Defendants are planning not only to display the religious statues on City property, but also to permanently affix them to the façade of the main

entrance of a City facility that is intended to be used by all Quincy residents. The religious statues will, therefore, become a substantial and enduring part of the structure itself.

In assessing whether a government action violates this provision, Massachusetts courts consider (1) whether the practice has a “secular . . . purpose”; (2) whether the primary effect of the challenged practice neither advances nor inhibits religion; (3) whether it causes “excessive government entanglement with religion”; and (4) “whether the challenged practice has a divisive political potential.” *Colo v. Treas. & Receiver Gen.*, 378 Mass. 550, 558 (1979) (quotations omitted).² Quincy’s planned installation of the statues of Saints Michael and Florian cannot survive this constitutional inquiry.

A. The installation of the statues does not serve a predominantly secular purpose.

Saints Michael and Florian are in no way primarily secular symbols. On the contrary, they are fundamentally religious. Saints in general, and patron saints specifically, are prominent among certain sects of Christianity, especially Catholicism.³ Ex. 19. The word “saint” comes from the Latin *sanctus*, meaning holy.⁴ In the Catholic Church, “[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.” Ex. 20; Compl. ¶ 41. Becoming a saint is a religious function, not a secular honor: Patron saints are recognized by the Catholic Church for various causes so that the

² In adopting these criteria, the Supreme Judicial Court was “aided by” the U.S. Supreme Court’s three-prong test set forth in *Lemon v. Kurtzman*, 403 U.S. 602, 612-13 (1971), while adding a fourth consideration—political divisiveness. *Colo*, 378 Mass. at 55. Although the U.S. Supreme Court recently abandoned the *Lemon* test, *see Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 534 (2022), the *Colo* test remains the law with respect to Article 3 under Supreme Judicial Court precedent.

³ The depiction and veneration of saints varies within and between Christian denominations. For example, many Protestant denominations reject the veneration of saints.

⁴ “Saint,” Oxford English Dictionary Online, <https://www.oed.com/dictionary/saint> (last visited May 6, 2025).

faithful can seek their intercession through prayer. *See* Ex. 21 at 308–09 (explaining that Catholics “ask the Saints and Angels to use their power and favor with God to obtain for us from him what we stand in need of”). Saint Michael, in particular, holds an important role in Catholicism. One of the archangels mentioned in scripture, Saint Michael is considered the leader of God’s heavenly army, the protector of the Church, and the chief adversary of Satan. Ex. 22. Unlike humans, who must be canonized to become saints, Saint Michael the Archangel is recognized as a saint because of his holiness and proximity to God. *Id.* In Catholicism, he is considered the patron saint of police not because of any secular symbolism but because of his powerful role in Christian tradition as a “defender of faith, protector of souls, and a symbol of divine justice.” *Id.*

Similarly, Saint Florian’s link to firefighting stems from the saint’s hagiography—the religious biography of his deeds and holiness—namely, that he saved a town from fire through divine intervention. Ex. 23. He is recognized as a saint not for any civic or professional accomplishment, but because he was martyred for his faith. After refusing to enforce proscriptions against Christians in the territory that he oversaw as a commander in the Roman army, Saint Florian was put to death by drowning. *Id.*

Mayor Koch has asserted that the statues “connect to the uses of the building.” Ex. 7. But the City could have selected any number of secular statue designs to do so; that Mayor Koch intentionally selected religious iconography speaks to the City’s improper purpose. To the extent the Catholic saints “connect” the exterior of the building to its interior services at all, they do so only *because* the saints and imagery depicted by the statues are religious. Any “connection” relies directly on the statues’ theological symbolism and importance as taught in Catholic doctrine pertaining to sainthood, holiness, martyrdom, and divine intercession. Their installation on a government building thus necessarily serves a primarily religious, not secular, purpose—to

promote to all who pass by or enter the building the religious beliefs that the saints represent. *Cf. Caplan v. Town of Acton*, 479 Mass. 69, 87 (2018) (explaining that Court has previously held statute unconstitutional under Article 18 provision where the Court “could infer from [the] statutory scheme no other purpose than to aid private [religious] schools in ‘carrying out their essential function’” (quoting *Bloom v. Sch. Comm. of Springfield*, 376 Mass. 35, 42 (1978))).

B. The statues will have the primary effect of advancing religion.

Given the obvious religious significance of the images of St. Michael and St. Florian, it is not surprising that members of the Quincy community have perceived the statues as conveying a religious message. For instance, Councilor McCarthy stated that the statues “might help” first responders by “bless[ing] them” and first responders “might say a little prayer before they go out on duty.” Ex. 7. Councilor Devine noted that these statues are “patron saints” as opposed to merely secular symbols. City Council Video at 1:24:44. And, noting that saints are “meaningful symbols” that “many of our Roman Catholic neighbors” “rely on in times of crisis and when in need of protection,” faith leaders from the Quincy Interfaith Network explained in their statement opposing the City’s plan to install the statues that the statues “will send[] a message that there are insiders and outsiders in this community.” On its face, this message of religious favoritism constitutes “the subordination” of all “sect[s] or denomination[s] to another,” here Catholicism, and also demonstrates unequal “protection of the law” for the disfavored faiths. Thus, under the plain text of Article 3, Defendants’ conduct has the effect of impermissibly advancing religion.

The Supreme Judicial Court’s ruling in *Colo* is illustrative. There, the Court considered the Massachusetts legislature’s practice of paying chaplains to deliver opening prayers before each session. 378 Mass. at 550. *Colo*’s applications of the purpose, effect, and entanglement criteria are brief and partially tied to the fact that—unlike Defendants’ conduct here—the challenged invocation practice enjoyed a unique, historically “uncontroversial” pedigree. *Id.* at 557. But the

Court’s discussion of the plaintiffs’ federal equal protection claim offers more pertinent insight into practices that elevate one faith, to the exclusion of all others. In *Colo*, although the then-current chaplains were Catholic, clergy from any faith were eligible to apply and be hired for the position. *Id.* at 557. In fact, as the Court noted, “[v]isiting ministers of various faiths, usually at the request of members of the Legislature, occasionally g[a]ve the opening prayer,” *id.* at 551, and “not all legislative chaplains in Massachusetts have been Roman Catholic.” *Id.* at 557. Had the chaplain positions in *Colo* excluded clergy of all religions but Catholicism, the Court’s equal protection and Article 3 analyses likely would have produced a different result because such religious favoritism offends basic notions of religious equality and neutrality.

Here, the City’s challenged conduct will inherently uplift the religious doctrine of one faith while excluding all other religions for as long as the building remains standing.⁵ The City intends to dedicate a uniquely prominent space—the facade above the grand entryway of its public safety building—to statues depicting Catholic saints. All visitors to the building, including employees, individuals seeking to use the building’s public facilities or meeting space, and individuals involuntarily brought to the building for detention and confinement—will be confronted with them. There is no plan to periodically rotate statues of various religious or secular figures in the same location. Nor could there be. The behemoth statues of St. Michael and St. Florian will be cast in bronze and permanently affixed to the building, at a total cost of nearly \$1,000,000, setting the imprimatur of the City on one creed while subordinating all others.

⁵ The building is anticipated to be a fixture in Quincy “for the next hundred years.” City Council Video at 13:50.

C. The statues entangle the government with religion.

The erection of permanent statues portraying religious iconography from one specific denomination also impermissibly entangles the government with religion. The Supreme Judicial Court has recognized the extent to which aesthetic choices regarding religious art and design are necessarily “interwoven with religious doctrine.” *Caplan*, 479 Mass. at 93; *see also Soc’y of Jesus of New England v. Bos. Landmarks Comm’n*, 409 Mass. 38, 42 (1990) (noting that the interior design of a church “is so freighted with religious meaning that it must be considered part and parcel of [a religious order’s] religious worship”). Such is the case here. First, the City and the Mayor decided which religious icons were deserving of special attention. Then, the City and the Mayor necessarily made or approved aesthetic choices regarding the manner in which to depict Saint Florian, Saint Michael, and the demonic figure crushed under Saint Michael’s foot. The decisions relating to the design of the Saint Michael statue, in particular, have prompted objections. *See, e.g.*, Ex. 24 (Fitzmaurice Decl.) ¶ 8; Ex. 35 (Salvatore Balsamo Decl.) ¶ 7. In so doing, the City and the Mayor have placed a permanent and prominent imprimatur on specific conceptions of both the saints and the demon, which are not universally held by all Catholics, let alone all Christians or people who follow other faiths or no faith at all.

Where, as here, government officials choose certain religious figures to venerate, approve the design of image of those religious icons, and then place those symbol-laden statues on government property for permanent, public consumption—thereby demonstrating a permanent, government preference for both the religious individuals and the specific iconography—they become excessively entangled with theological matters that, under Article 3, are reserved to people of faith and faith communities. *Cf. Colo*, 378 Mass. at 559 (holding that, because the prayers offered by the chaplains were “brief, the content unsupervised by the state, and attendance

completely voluntary,” there was “no evidence [of] a great degree of government entanglement with religion”).

D. The religious statues are politically divisive.

Finally, the religious statues are politically divisive. They “risk threatening ‘civic harmony,’ by making the ‘question of religion’ a political one.” *Caplan*, 479 Mass. at 93 (quoting *Bloom*, 376 Mass. at 39). For example, in considering the constitutionality of a municipal grant to fund the restoration of a stained-glass window featuring explicit religious imagery, the Supreme Judicial Court concluded that the “[g]rants for the renovation of churches—using funds that could potentially have been dedicated to open space, soccer fields, low-income housing, or other historic preservation projects . . . pose an inevitable risk of making ‘the irritating question of religion’ a politically divisive one in a community[.]” *Id.* at 93–94 (quoting *Bloom*, 376 Mass. at 39). That is certainly the case here, as evidenced by the community discord already engendered by the proposal and complaints that the \$850,000 in diverted public funds could have been better spent on other needed municipal improvements. *See, e.g.*, Ex. 10 (Change.org petition stating “[t]he cost of almost \$1 million is a reckless misuse of our taxes.”).

As discussed above, on February 24, 2025, more than two hundred people attended the Quincy City Council meeting to hear discussion about the statues. Many Quincy residents, as well as at least one city councilor, have voiced opposition to the statues, and a resident of Quincy has started an online petition against their installation. Nineteen representatives of seven different religious traditions issued a public statement expressing “grave concerns” about the statues, stating that “[n]o single religious tradition should be elevated in a publicly funded facility. Erecting these statues sends a message that there are insiders and outsiders in this community.” Ex. 11. The issue of the statues has been so divisive that Mayor Koch and two city councilors proposed a new commission to review future proposals. *See* Ex. 13.

Avoidance of such divisiveness is a central concern of Article 3. *See Caplan*, 479 Mass. at 76–77. Indeed, Article 3 was amended in 1833 to guarantee equal protection for “all religious sects and denominations” “[a]fter decades of ‘lawsuits, bad feeling, and petty persecution’” *Id.* at 76. Yet the City has indicated its intention to install the statues anyway. Because the statues send the viscerally divisive message that certain faiths and non-believers do not enjoy the same status in Quincy as others, this Court should enjoin their installation.

II. THE OTHER PRELIMINARY INJUNCTION FACTORS WEIGH HEAVILY IN PLAINTIFFS’ FAVOR

The remaining three factors—the potential for irreparable harm to the plaintiffs if the injunction is denied, the balance of relevant harms, and consideration of the public interest—also favor preliminary injunctive relief.

First, violations of constitutional rights are intrinsically irreparable. *See, e.g., T & D Video, Inc. v. City of Revere*, 423 Mass. 577, 582 (1996). What is more, the statues are prominently placed on what will be a widely used City building located on a main thoroughfare in the heart of Quincy. *See, e.g.,* Ex. 34 (Hooks Decl.) ¶¶ 8, 9; Ex. 26 (Rosenthol Decl.) ¶¶ 6, 8. Plaintiffs and other members of the Quincy community will have to regularly confront these unwanted religious displays by the government and will be constantly subjected to the message that they are outsiders, a harm that has no remedy in law. *See, e.g.,* Ex. 30 (Reich Decl.) ¶ 8 (“The statues make me feel like I don’t count because I am not Catholic.”); Ex. 34 (Hooks Decl.) ¶ 7 (“[A]s a resident of Quincy, I feel deeply alienated by the City’s decision to elevate one faith tradition over others. If the statues were erected, I would feel less welcome in my own city and neighborhood and would feel uncomfortable entering the public safety building or using any of the services there.”); Ex. 26 (Rosenthol Decl.) ¶ 6 (“Judaism does not recognize saints, and the planned installation of these statues makes me feel excluded from the ‘in-group’ of the government’s preferred religion. I feel

as though the statues indicate that government officials will protect their own people and that does not include me.”). Furthermore, once the public funds are spent to pay for, transport, and install the statues, those expenditures cannot be undone and thus will result in additional irreparable harm.

Second, the balance of harms tips in Plaintiffs’ favor. Any harm that the City will suffer as the result of granting this preliminary injunction does not exceed that which Plaintiffs will suffer by being denied their constitutionally protected rights. The statues are not essential components of the building and any delay incurred as a result of this lawsuit should not hinder the planned opening of the building in October. The statues are due to be affixed to the building at the end of construction and enjoining their installation is unlikely to cause any other delay in the completion of the building. In the unlikely event that Plaintiffs are unsuccessful in their claim, the statues could always be affixed to the building later.

Third, a preliminary injunction “would ‘promote[] the public interest’” by ensuring that the objectives “reflected in” Article 3 are met. *Caplan*, 479 Mass. at 95 (quoting *LeClair v. Town of Norwell*, 430 Mass. 328, 332 (1999)). At a minimum, a preliminary injunction would not adversely affect the public interest but maintain the status quo—*i.e.*, the public safety building would not have statues of saints installed on the building façade. And the preliminary injunction may have the additional benefit of preventing misuse of government funds on the installation of these statues. As discussed above, even if the City ultimately prevails on the merits, a delay for the duration of a preliminary injunction would not prevent the public safety headquarters from opening as scheduled. A mere delay in erecting the statues would inflict no harm on the public.

CONCLUSION

For the reasons stated above, Plaintiffs respectfully request that this Court preliminarily enjoin Defendants from installing the statues of Saint Michael and Saint Florian on the façade of

the public safety headquarters and to enjoin Defendants from further expending public funds in connection with the statues until the Court can issue a final ruling on the merits.

Dated: May 27, 2025

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Respectfully submitted,

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Attorneys for Plaintiffs
*application for admission *pro hac vice*
forthcoming

CERTIFICATE OF SERVICE

I, Alexandra Arnold, hereby certify that I caused this Memorandum to be served on counsel for all parties by email on May 27, 2025.

/s/ Alexandra Arnold

APPENDIX A
EXHIBITS IN SUPPORT OF
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

<i>Exhibits Attached to the First Declaration of Attorney Rachel E. Davidson</i>	
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9	Peter Blandino, <i>Quincy City Councilors react to saint statues on public safety building: Who's saying what</i> , PATRIOT LEDGER (Feb. 14, 2025),

	https://www.patriotledger.com/story/news/local/2025/02/14/quincy-ma-police-headquarters-statues-st-michael-city-councilors-opinions/78529927007/ (last visited May 14, 2025)
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11	Quincy Interfaith Network Statement Regarding Religious Statues at New Public Safety Building (Apr. 4, 2025), https://www.facebook.com/QUINCY.INTERFAITH.NETWORK/ (last visited May 14, 2025)
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14	Prime Contract Change Order No. 015, dated July 14, 2023, between Suffolk Construction Company, Inc. and City of Quincy MA (MAYOR'S OFFICE) from Suffolk Construction Company, Inc.
15	Prime PCO No. 357, dated February 5, 2025, to City of Quincy MA (MAYOR'S OFFICE) from Suffolk Construction Company, Inc.
16	Prime PCO No. 324, dated December 3, 2024, to City of Quincy MA (MAYOR'S OFFICE) from Suffolk Construction Company, Inc.
17	Email to Rachel E. Davidson from James Timmins, City Solicitor of Quincy, dated May 15, 2025
18	Excerpt from Steven K. Green, <i>The Second Disestablishment</i> (2010)
19	Richard Gribble, <i>Saints in the Christian Tradition: Unraveling the Canonization Process</i> , 6 STUDIES IN CHRISTIAN-JEWISH RELATIONS 2 (2011), available at http://ejournals.bc.edu/ojs/index.php/scjr .
20	United States Conference of Catholic Bishops (USCCB), <i>Saints</i> , https://www.usccb.org/offices/public-affairs/saints (last accessed May 7, 2025)
21	Excerpt from Henry Gibson, <i>Catechism Made Easy: Being a Familiar Explanation of the Catechism of Christian Doctrine</i> 308–09 (1882)

22	Catholic Online, "St. Michael the Archangel," https://www.catholic.org/saints/saint.php?saint_id=308 (last accessed May 7, 2025)
23	Catholic Online, "St. Florian," https://www.catholic.org/saints/saint.php?saint_id=149 (last accessed May 7, 2025)
24	Declaration of Plaintiff Claire Fitzmaurice
25	Declaration of Plaintiff Jay Tarantino
26	Declaration of Plaintiff Gilana Rosenthol
27	Declaration of Plaintiff Conevery Bolton Valencius
28	Declaration of Plaintiff Matthew Valencius
29	Declaration of Plaintiff Lucille DiGravio
30	Declaration of Plaintiff David Reich
31	Declaration of Plaintiff Cynthia Roche-Cotter
32	Declaration of Plaintiff Michael Cotter
33	Declaration of Plaintiff Sheryl LeClair
34	Declaration of Plaintiff Cody Hooks
35	Declaration of Plaintiff Salvatore Balsamo
36	Declaration of Plaintiff Marianne Balsamo
37	Declaration of Plaintiff Martha Plotkin
38	Declaration of Plaintiff Kathleen Geraghty

<i>Exhibits Attached to the Second Declaration of Attorney Rachel E. Davidson, Submitted with Plaintiffs' Reply</i>	
39	Declaration of Julie Byrne
40	Encyclopedia Britannica, <i>Anne Hutchinson</i> (Feb. 19, 2025), https://www.britannica.com/biography/Anne-Hutchinson .
41	Encyclopedia Britannica, <i>Mary Dyer</i> (2024), https://www.britannica.com/biography/Mary-Barrett-Dyer .
42	Architect of the Capitol, <i>Procedure and Guidelines for Replacement of Statues</i> (Jan. 2014), https://www.aoc.gov/explore-capitol-campus/art/procedure-guidelines-replacement-statues .
43	Massachusetts Supreme Judicial Court, <i>History of the John Adams Courthouse</i> , https://www.mass.gov/info-details/history-of-the-john-adams-courthouse .
44	Smithsonian American Art Museum, <i>Edward Everett Hale (sculpture)</i> , https://siris-artinventories.si.edu/ipac20/ipac.jsp?&profile=ariall&source=~!siartinventories&uri=full=3100001~!18322~!0 .
45	Architect of the Capitol, <i>National Statuary Hall Collection By Location</i> , https://www.aoc.gov/explore-capitol-campus/art/statuary-hall-collection-by-location .

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

**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 Declaration in support of Plaintiffs' motion for preliminary injunction.

4. Attached as Exhibit 1 is a true and correct copy of Peter Blandino, *How the new Quincy public safety building construction is going and when it'll be done*, PATRIOT LEDGER (Feb. 15, 2025), <https://www.patriotledger.com/story/news/2024/02/15/quincy-ma-public-safety-building-police-station-open-october-2025-budet-cost-overrun-fire-ems/72536700007/> (last visited May 14, 2025).

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23. Attached as Exhibit 20 is a true and correct copy of United States Conference of Catholic Bishops (USCCB), *Saints*, <https://www.usccb.org/offices/public-affairs/saints> (last accessed May 7, 2025).

24. Attached as Exhibit 21 is a true and correct copy of an excerpt from Henry Gibson, *Catechism Made Easy: Being a Familiar Explanation of the Catechism of Christian Doctrine* 308–09 (1882).

25. Attached as Exhibit 22 is a true and correct copy of Catholic Online, “St. Michael the Archangel,” https://www.catholic.org/saints/saint.php?saint_id=308 (last accessed May 7, 2025).

26. Attached as Exhibit 23 is a true and correct copy of Catholic Online, “St. Florian,” https://www.catholic.org/saints/saint.php?saint_id=149 (last accessed May 7, 2025).

27. Attached as Exhibit 24 is a true and correct copy of the Declaration of Plaintiff Claire Fitzmaurice.

28. Attached as Exhibit 25 is a true and correct copy of the Declaration of Plaintiff Jay Tarantino.

29. Attached as Exhibit 26 is a true and correct copy of the Declaration of Plaintiff Gilana Rosenthol.

30. Attached as Exhibit 27 is a true and correct copy of the Declaration of Plaintiff Conevery Bolton Valencius.

31. Attached as Exhibit 28 is a true and correct copy of the Declaration of Plaintiff
Matthew Valencius.

32. Attached as Exhibit 29 is a true and correct copy of the Declaration of Plaintiff
Lucille DiGravio.

33. Attached as Exhibit 30 is a true and correct copy of the Declaration of Plaintiff
David Reich.

34. Attached as Exhibit 31 is a true and correct copy of the Declaration of Plaintiff
Cynthia Roche-Cotter.

35. Attached as Exhibit 32 is a true and correct copy of the Declaration of Plaintiff
Michael Cotter.

36. Attached as Exhibit 33 is a true and correct copy of the Declaration of Plaintiff
Sheryl LeClair.

37. Attached as Exhibit 34 is a true and correct copy of the Declaration of Plaintiff
Cody Hooks.


38. Attached as Exhibit 35 is a true and correct copy of the Declaration of Plaintiff
Salvatore Balsamo.

39. Attached as Exhibit 36 is a true and correct copy of the Declaration of Plaintiff
Marianne Balsamo.

40. Attached as Exhibit 37 is a true and correct copy of the Declaration of Plaintiff
Martha Plotkin.

41. Attached as Exhibit 38 is a true and correct copy of the Declaration of Plaintiff
Kathleen Geraghty.

Signed this 27th day of May 2025, under the penalties of perjury.



Rachel E. Davidson

EXHIBIT

1

The Patriot Ledger

NEWS

How the new Quincy public safety building construction is going and when it'll be done



Peter Blandino

The Patriot Ledger

Updated Feb. 15, 2024, 5:39 a.m. ET

QUINCY – The city's new public safety headquarters is on pace to open by October 2025, about eight years after the design phase began in 2017.

Joe Shea, managing partner of Granite City Partners, the firm overseeing the project, and members of the development team updated city councilors and answered questions at the Feb. 5 council meeting.

In addition to a four-story, 120,000-square-foot building to replace the existing police station, the \$175 million project includes upgrades to utilities, infrastructure, landscaping and nearby traffic.

The new headquarters will house the police department as well as administrative offices for the fire department and emergency management.

The project will also include a two-deck parking garage, green space and a municipal fueling station. The property consists of 10 acres in the area of Sea Street, Southern Artery, Broad Street and Field Street, Shea said.

What's already done at the new Quincy public safety headquarters

Drivers passing Wollaston Cemetery and the police station will see the building's steel frame rising around stairway and elevator towers. Harder to notice are the

already-completed utility improvements.

Construction workers have laid down water, stormwater and sewer lines and built a stormwater pumping station, according to the presentation. In addition, underground duct banks for power and telecommunication cables have been installed, which will allow the removal of overhead lines in the Broad Street area.

A new municipal fueling station is open on Broad Street, at the site of the former Stop & Shop gas station. The old station was decommissioned, with soil contaminated by leakage removed, Shea said.

On Broad Street, which has new curbing and sidewalks, the former Father Bill's homeless shelter and the Quincy Animal Shelter have been demolished. A new, larger housing resource center run by Father Bill's was completed across the street in late 2023.

The Quincy Animal Shelter now occupies a temporary facility on East Squantum Street while a new shelter is under construction on Quarry Street in West Quincy.

Timeline for the rest of the Quincy public safety headquarters construction

The project manager said structural steel work will wrap up in late April. He said the roof would be done by September, with power supplied to the building a few months later. That will allow tradespeople to start work inside the building, said project manager Stephen Chrusciel, of the Chrusciel Group.

In late April, workers will lay the foundation for the two-deck parking garage behind the station, Chrusciel said. Shea said the parking deck will have 332 spaces with 30 electric vehicle charging stations on the second level. The garage will have the potential to add up to 200 more charging stations, Shea said.

Field Street, which connects to Broad Street behind the station, will be extended, allowing vehicles leaving the complex to exit onto Southern Artery either at McGrath Highway or at Brackett Street, where the original Dunkin' Donuts stands.

Shea said that would ease traffic congestion and possibly shave critical seconds off response times by providing outlets in multiple directions. At present, police vehicles exit onto Sea Street or into a busy intersection on Southern Artery.

Chrusciel said he expects the building to be fully weatherproofed by the end of March 2025, and police, fire and emergency management personnel to move in by October 2025.

In the following months, workers will abate and demolish the existing police station. After that, work on retaining walls and landscaping will continue until March 2026, when the project will be finished, Chrusciel said.

How much the new Quincy public safety headquarters will cost

The city council approved \$500,000 in 2017 to design a new public safety headquarters to replace the crumbling police station, parts of which are nearly 100 years old. Officers had complained of water damage, crumbling ceiling tiles, sagging floors and leaking roofs.

"When it comes down, we expect it will be to great celebration by all who had to endure that building," Joe Shea told councilors during the Feb. 5 meeting. Shea's firm, Granite City Partners, is overseeing the project

In November 2019, city officials presented scaled-back plans that eliminated a central fire station included in an earlier draft. At that time, the city council approved \$32 million to acquire five pieces of land behind the police station and pay for architect's fees, environmental studies and permitting.

In April 2021, the city council approved \$120 million for construction of the building, with \$90 million reserved for the building itself, \$10 million for furniture and equipment, \$10 million for nearby infrastructure and utility improvements and \$10 million for contingencies. At that time, Shea expected the new building to be completed by the fall of 2023.

During that council meeting, Councilors Nina Liang and Ann Mahoney criticized certain line items in the project's budget, including \$1,000 microwaves and a costly slate and copper roof. A motion to cut \$1.2 million from the budget failed, and the full \$120 million was then unanimously approved.

In 2022, increases in the cost of labor and construction materials had project managers revisiting their plans. In October of that year, the Koch administration requested an additional \$23 million to cover the cost hikes. The council approved the \$23 million in November 2022.

Airbnb battle: Quincy Airbnb host was due to be arraigned on assault charges. Here's why it didn't happen

Happy New Year: Lunar New Year Festival in Quincy: Year of the Dragon. What to know if you go

Quincy is not the only midsize Massachusetts city to overrun its initial budget for a new public safety headquarters. Earlier this month, Brockton Mayor Robert Sullivan told city councilors that the city would need \$34.5 million for a project whose cost was originally estimated at \$98 million.

The four-story, 149,275-square-foot building at the site of the old Brockton High School hit a snag when asbestos, lead and ledge was found during site work. A general rise in construction costs also contributed to the overrun.

New Quincy public safety headquarters will have gym, green space

Ward 1 Quincy City Councilor Dave McCarthy, whose district includes the construction site, praised the work as a "great project" in a "busy Ward 1 corner."

He asked Shea if contractors were keeping within budget. Shea said they are, and that now that the work is "out of the ground," there is less chance that unforeseen circumstances can cause delays or increase costs.

Newl Ward 5 Councilor Dan Minton, a retired Quincy police officer, said he spent 36 years in the existing police station. He asked if the new building would include facilities geared toward stress reduction, such as a high-quality workout room. Minton said higher-than-average rates of divorce, alcoholism and suicide among police personnel make such accommodations critical.

Global conflict, local impact: Local family with Palestinian roots mourns relatives killed in Gaza, calls for cease-fire

Global conflict, local impact: 'Jews have not forgotten' about deadly Hamas attack and hostages, Milton woman says

Chrusciel said that in addition to a fitness room, ancillary spaces will provide a peaceful environment for officers after stressful situations. He said the gym might not match the quality of a "Big 10 college," but it will meet the standards of a "premium high school."

Councilor-at-Large Noel DiBona asked about green and open space planned for the site. Shea said that about an acre of green space will front the building on the Sea Street side and wrap around the corner to face Southern Artery as well.

EXHIBIT

2




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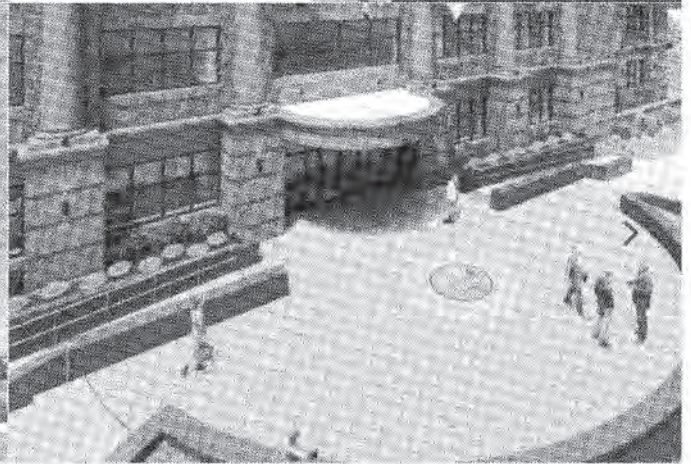

Projects


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Quincy Public Safety / Municipal Complex


 PROJECT INFO



PROJECT INFO

 QUINCY, MA

 2025

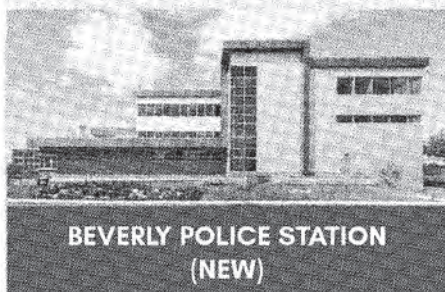
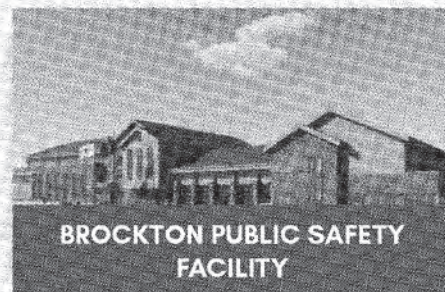
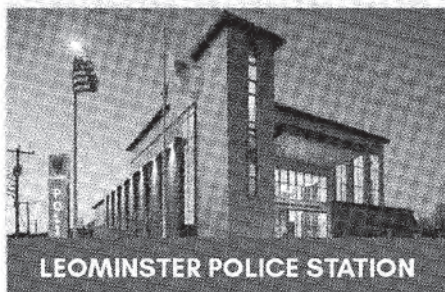
 122,000 SF

The process for developing the new Quincy Public Safety Headquarters began as a feasibility study, culminating with designing a more efficient public safety complex that will house multiple city departments.

The new four-story facility will be approximately 122,000 SF and is being constructed alongside the current police station. The public safety complex will comprise the City of Quincy IT Department, Fire Department administration offices, the Police Department, and the Emergency Operations Center.

Spaces configured for operational efficiency and effectiveness include a large flexible training room, secure prisoner processing, detention area, drive-thru sally port, secure evidence processing and storage, roll call room, fitness area, and offices. A training simulator and live tactical fire range will be on the lower level. This project also relocates the City's fueling station. A secured two-story, 276-space parking garage for Quincy's police, fire administration, and emergency management fleet as well as a First Responders Park will be part of the new headquarters. The complex is currently under construction.

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EXHIBIT

3

The Patriot Ledger

NEWS

Quincy mayor requests additional \$120 million for new police station



Mary Whitfill

The Patriot Ledger

Feb. 9, 2021, 4:00 p.m. ET

QUINCY – Mayor Thomas Koch has asked city councilors to approve spending \$120 million on the final phase of a new police station project that has already cost the city \$32.5 million in land purchases and preconstruction work.

City councilors Monday moved the request to the council's finance committee, where it will be discussed following a presentation by the city's building department. Ahead of the meeting, Koch's Chief of Staff Chris Walker shared new details of the project and an updated set of building renderings with The Patriot Ledger.

The 120,000-square-foot, four-story proposed building would house the city's police station and include administrative offices for the fire department, a firearms training range and headquarters for the department's emergency operations, as well as a roll call room, training space and other amenities officials say the current station lacks.

"The building just needs to be replaced," Walker said. "It's way past its useful life."

In addition to the main buildings, the project also calls for a two-story, 276-space parking garage for Quincy's police, fire administration and emergency management fleet. The garage would include 30 electric vehicle charging stations and would have the capacity to accommodate up to 200 stations.

"We fully expect, in the lifetime of this building, that there will be a full changeover to an electric fleet," Walker said.

He added that the electric focus – plus a 600-KWh solar array planned for the garage's roof – would likely help offset some of the building's cost through state and federal green building programs.

The request for \$120 million is broken down into four components: \$90 million for construction; \$10 million for furniture and equipment; \$10 million for infrastructure and utility improvements nearby; and \$10 million in contingency money.

MORE: Quincy councilors approve next phase of police station project

MORE: Koch scales back plans for Quincy public safety complex

Koch's administration presented plans for the current rendition of a Quincy public safety complex in the fall of 2019. The city council allocated \$500,000 for the design of the building at the time, and approved an additional \$32 million package in December 2019.

The \$32 million paid for five pieces of land in the city, as well as architect's fees, environmental studies, permitting, demolition and clearing of the site. The city used the allocation to buy the Stop & Shop gas station at 450 Southern Artery; an L-shaped parcel on Broad Street that formerly housed a VFW post and now has a recycling center; the Father Bill's homeless shelter and the city's animal shelter; 12 Field St., a strip of land that includes a single-family home; and 39 Broad St., where a single-story industrial building sits.

The city plans to use the pumps at the gas station as a fuel depot to fill the city's vehicles. The properties at 21 Broad St. would be torn down, and the new police station and parking garage would take their place. The animal shelter would be relocated to Quarry Street, and Father Bill's would move across the street to 39 Broad St.

A portion of the 12 Field St. property, which abuts 39 Broad St., would likely be used for a new Father Bill's parking lot, and the city is also considering constructing a new two-way road on the property.

The current station would be torn down and a park dedicated to first responders would replace it, Koch has said.

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Reach Mary Whitfill at mwhitfill@patriotledger.com.

EXHIBIT

4

The Patriot Ledger

NEWS

What brings 200 angry residents and uniformed officers to city hall. What the mayor says



Peter Blandino

The Patriot Ledger

Updated Feb. 25, 2025, 11:10 a.m. ET

Key Points AI-assisted summary ⓘ

A Quincy City Council meeting regarding controversial statues planned for the new public safety building ended with no action taken.

The statues, which depict patron saints of police officers and firefighters, have sparked debate over their religious nature and cost.

While some councilors defended the statues, residents voiced concerns about the lack of public input and potential violation of the separation of church and state.

QUINCY – Two hundred people, split between uniformed fire and police personnel and frustrated residents who feel "dismissed." Defensive and accusatory city officials. Deep-rooted ethical and constitutional debates.

The battle over two saint statues for the new public safety building heated up Monday night at City Hall.

Usually, about five to 10 residents attend city council meetings in Quincy. About 200 people assembled Monday night to hear councilors and city officials discuss controversial statues slated to adorn the new public safety building.

Mayor Thomas Koch plans to mount 10-foot-tall bronze statues depicting St. Michael the Archangel and St. Florian, the patron saints of police and firefighters,

on the façade of the new building. The Patriot Ledger first reported this about two weeks ago. Most city councilors said it was the first time they learned of the statues.

'What is the next step?'

The statues have sparked debate, with residents and one elected official raising concerns that include the lack of public input, the \$850,000 price tag, the separation of church and state and the violent design of St. Michael, who presses his foot onto the head and neck of a subdued demon writhing in pain.

Councilor-at-large Nina Liang asked Chris Walker, chief of staff to Mayor Thomas Koch, about future dialogue on the statues.

“If folks leave here today and they’re not happy, what is that next step?” she asked. “Like, what can they do?”

“Wait for the beautiful public art to appear on these buildings,” was the reply of the mayor’s chief of staff, Chris Walker, who elicited a chorus of groans from citizens and applause from firefighters and police attending the meeting.

“I’m not trying to be flip,” he continued. “The decision on this has been made. The mayor and his authority make these decisions.”

The \$850,000 statues are 98.9% paid for, according to a contract document that itemizes expenses.

What councilors think of religious statues

Ward 1 Councilor Dave McCarthy, whose ward will host the new building, praised the statues and said the project stayed within budget.

“I’m fine with the artwork,” he said. “I’m fine that it’s a message of support. I never took it as religious.”

A little more than two weeks ago, McCarthy told The Patriot Ledger that the statues “will bless our first responders.”

“It might help them,” McCarthy said. “They might say a little prayer before they go out on duty.”

Council President Ian Cain said the statues weren’t the real issue, but rather the “cowardice” of an anonymous person who leaked information to The Patriot Ledger in an act of what Cain termed “political opportunism.”

“This wasn’t meant to open up a discussion with the people who work in government,” Cain said. “This was someone trying to embarrass us, which I don’t appreciate.”

Councilor Cain cites precedents for religious statuary

On the question of church and state, Cain cited instances of religious imagery in public spaces. Funerary markers in public cemeteries, although paid for by the families of the deceased, are enclosed in grounds maintained at the public expense, Cain argued.

Cain further enumerated artwork at the State House in Boston, including a painting of John Eliot preaching to Native Americans and the “Sacred Cod,” a five-foot Atlantic Codfish made of wood.

Though the codfish has no religious connotation, Cain said it is “revered in a way that lends cultural and quasi-religious significance.”

Cain concluded by saying the controversy could have been avoided had councilors been informed “instead of someone anonymously, lacking total courage, going to The Patriot Ledger.”

“But I welcome the conversation,” Cain said. “It forces us to reflect on the role of public spaces, on art and on shared history.”

Residents start own meeting to express opposition to statues

After the discussion of the statues ended at the council meeting, a group of residents moved across the square to a room inside the "Church of the Presidents," where chairs and a microphone were set up. To a crowd of a couple dozen, Quincy resident Geralyn Mackay said that anyone voicing dissent in the city is "dissed and dismissed."

"Is this America, where our founders came up with the idea of independence from a king," she asked.

Joe Murphy, a former candidate for city council and lead organizer of local activist group "A Just Quincy," lamented how the statues formed a wedge between first responders and many of the citizens they serve.

"They want to portray us as if we're against the police," Murphy said. "It's one of the many sad things that came out of tonight."

Quincy resident Liz Speakman, a member of Quincy Votes board of directors, criticized what she called Koch's "good versus evil" worldview. "If you stand on the side of the good and the righteous, you can sort of do whatever you want," Speakman said.

"If you're evil, you should be crushed," she continued. "You should be diminished. You should be silenced. You should be invisible. That's the world view that I have heard through the statements from our mayor. I don't share that world view."

Speakman proudly identified as a "naysayer," a term not infrequently used by Koch and some city councilors for residents who frequently criticize their actions. Speaking one floor above the crypt of John, Abigail, John Quincy and Louisa Catherine Adams, Speakman cited their example as inspiration.

"That's what our Founding Fathers fought for – for 'naysayers' like us to be able to speak publicly, not to be diminished, not to be made invisible, not to be criticized,

but to be heard and thoughtfully considered.”

ACLU issues warning of constitutional violation

Earlier Monday, prior to the meeting, the ACLU delivered an admonishing letter to Koch and city councilors. The letter made a detailed legal argument claiming the two statues would violate the Massachusetts and United States Constitutions.

The letter also said the model for the statue of St. Michael evokes the murder of George Floyd by police officer Derek Chauvin.

During the meeting, Quincy Police Chief Mark Kennedy voiced his support for the statues. He said the new police headquarters in general would improve public safety and create a more welcoming environment for members of the public using the facility.

Police chief describes 'inhumane conditions' in Quincy's holding cells

Kennedy described substandard conditions at the existing police station, which he said fails state inspections every year.

The cell block area, where people are temporarily jailed after arrest, is particularly problematic, he said.

“The climate control of the building is atrocious,” Kennedy said. “It’s really inhumane. Sometimes when you have people in our cells, it gets either freezing cold or roasting hot.”

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Quincy saint statues: 200 people show up to city council meeting

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5

The Patriot Ledger

NEWS

Quincy councilors question price tag of new police station



Mary Whitfill

The Patriot Ledger

Updated March 16, 2021, 5:12 p.m. ET

QUINCY – City councilors have asked for a more specific breakdown of costs before approving a new \$120 million police station and parking garage. The price tag is in addition to \$33 million already spent for land purchases, design and preconstruction work for the project.

Councilors this week heard from the mayor's administration and the team hired to design the building. Construction of the building is expected to cost \$90 million, and an additional \$10 million each is earmarked for road and utility improvements, interior furnishings and soft costs.

All of the city councilors were generally receptive to the project – for which they've already approved a large chunk of money – but said they wanted to hear about how to possibly drive down the cost.

"I want it to look nice, don't get me wrong, but I want it to be affordable," Councilor-at-large Anne Mahoney said. "There have to be things in this budget where we can have cost contingencies."

City Council President Nina Liang asked for more specifics on some costs and pointed out that the estimate included things such as three \$1,000 microwaves and several \$150 clocks. She said she wanted to know how many vendors were asked for cost quotes, and where exactly the design team got those estimates.

"I want our first responders to have the best of the best, but on the practical side of things, can we get away with having a \$200 microwave of the same quality and lifespan?" she said. "Those things really add up and if there are some places we could get away with lower costs, it would be helpful to know that."

The 120,000-square-foot, four- and five-story proposed building would house the city's police station and include administrative offices for the fire department, a firearms training range and headquarters for the department's emergency operations, as well as a roll call room, training space and other amenities officials say the current station lacks.

In addition to the main buildings, the project also calls for a two-story parking garage for Quincy's police, fire administration and emergency management fleet. The garage would include 30 electric vehicle charging stations and would have the capacity to accommodate up to 200 stations in the future.

"We are building this facility to be a 50-year building and our expectation is that, in 50 years, the police cruiser fleet could very well be all electric," Chris Walker, chief of staff to Mayor Thomas Koch, said at the meeting.

MORE: Quincy mayor requests additional \$120 million for new police station

Koch's administration presented plans for the current rendition of a Quincy public safety complex in the fall of 2019. The city council allocated \$500,000 for the design of the building at the time, and approved an additional \$32.5 million package in December 2019 that allowed for the purchase of several parcels of land.

The city used the allocation to buy the Stop & Shop gas station at 450 Southern Artery; an L-shaped parcel on Broad Street that formerly housed a VFW post and now has a recycling center; the Father Bill's homeless shelter and the city's animal shelter; 12 Field St., a strip of land that includes a single-family home; and 39 Broad St., where a single-story industrial building sat.

Demolition contracts for 24 Broad St., the gas station and the Field Street parcel have been awarded and work is underway. All of the private tenants of the buildings have been relocated, with the exception of Father Bill's and the animal shelter, said Joe Shea, of Granite City Partners, which negotiated the real estate deals for the city.

Shea said the goal is to start building the new police station in August and have it occupied by the fall of 2023.

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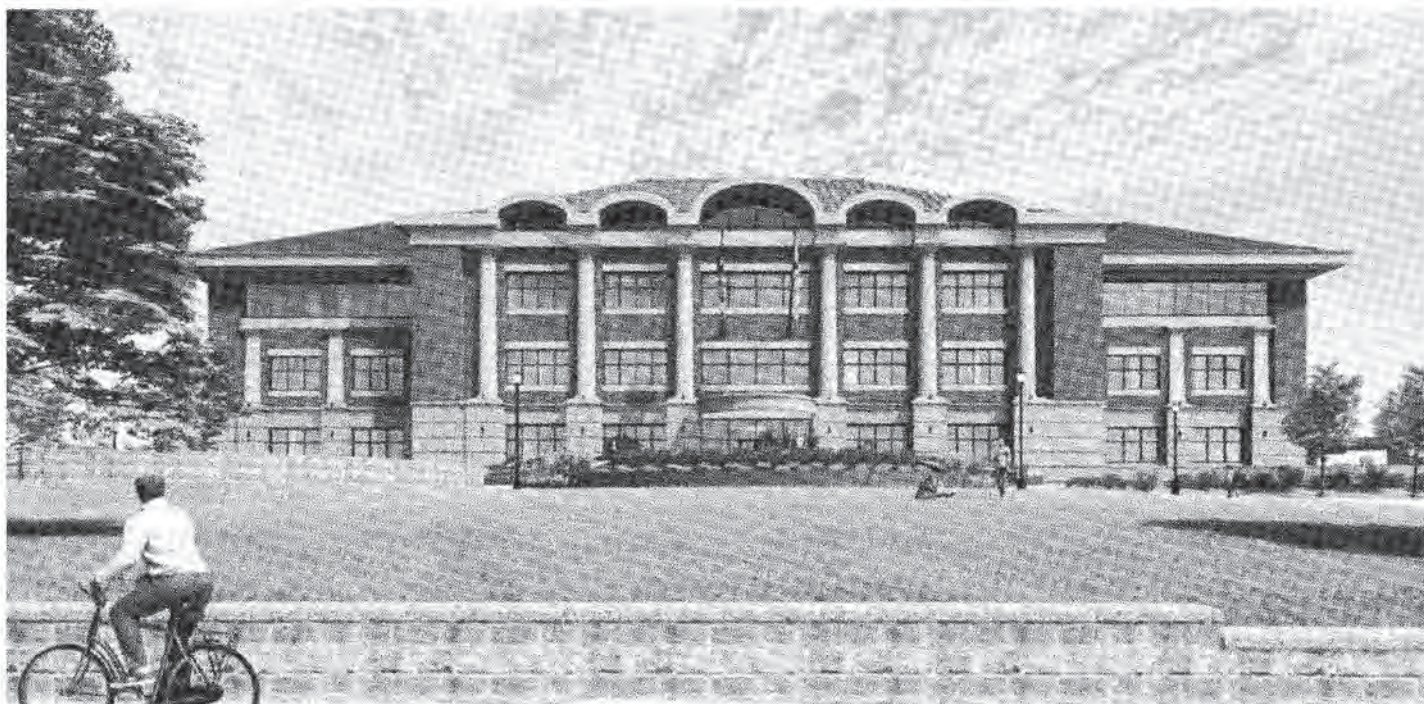
EXHIBIT

6

QUINCY

Quincy council approves \$23 million more for public safety building

By **Johanna seltz** Globe Correspondent, Updated November 30, 2022, 2:03 a.m.



A rendering of the new public safety building to be built in Quincy. CITY OF QUINCY

The Quincy City Council approved spending an extra \$23 million to finish the new public safety building, bringing the total cost to \$143 million.

Officials blamed the cost overrun primarily on inflation.

The vote at the Nov. 21 Council meeting was 7 to 1, with Councilor Anne Mahoney voting against the spending. She said she supported the police but objected to the administration's failure to use federal COVID relief money to avoid passing the entire

cost to taxpayers. Mahoney also questioned whether the design had been revised to save money.

Quincy received \$46 million in COVID aid.

Eric Mason, Quincy's chief financial officer, estimated that the extra \$23 million would cost the average residential property owner about \$38 a year over 30 years. The entire project — including money spent to buy the property and get it ready for development — will add about \$287 annually to the average property tax bill, he said.

Councilor Charles Phelan, who chairs the Finance Committee, said he voted for the extra money because the project was “long overdue and it is time to finish this job. Are we going to leave it half-finished?”

“Inflation basically has hit everyone,” he said.

The four-story, 118,000-square-foot building is under construction at the intersection of the Southern Artery and Broad Street.

The building will house the police station, administrative offices for the fire department, a firearm training range, and a 911 dispatch center.

Johanna Seltz can be reached at seltzjohanna@gmail.com.

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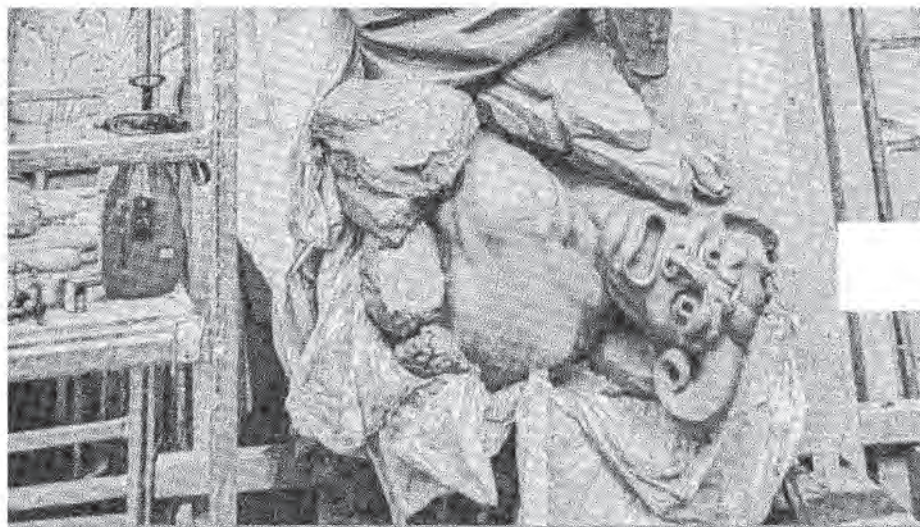
10-foot-tall statues of saints to adorn Quincy's new police headquarters. What they cost



Peter Blandino

The Patriot Ledger

Published 4:47 a.m. ET Feb. 8, 2025



4 Photos

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10-foot bronze statues of saints to adorn new Quincy police station

Statues of St. Michael and St. Florian, the patron saints of police and firefighters, will adorn the facade of Quincy's new public safety building.

Key Points AI-assisted summary

Quincy's new \$175 million police headquarters will feature two 10-foot-tall bronze statues of patron saints, costing \$850,000.

The statues, commissioned by Mayor Thomas Koch, depict St. Michael the Archangel and St. Florian, patrons of police and firefighters respectively.

QUINCY – The new \$175 million police headquarters, one of the most expensive public buildings in Quincy's history, will receive a splashy finishing touch before it opens this autumn – two 10-foot-tall statues depicting St. Michael the Archangel and St. Florian, the patron saints of police and firefighters respectively.

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The pair of bronze statues will cost a combined \$850,000, according to the mayor's chief of staff, Chris Walker.

The building, which will also house the fire department's administrative offices and emergency services, began its planning phase in 2017.

To date, project planners have not presented details about the statues' design and cost, or even their existence, to the public or the council, though at least one councilor said he has knowledge of the plans.

Asked why the statues weren't shown to councilors when they approved funding for the project at various points between 2017 and 2022, Mayor Thomas Koch said large projects like this one sometimes "evolve" and the idea "wasn't on the table" when councilors cast their votes.

"You continue to revise," Koch said. "The bottom line doesn't change."

'We've been trying to get that number down.' A timeline of costs

The four-story, 120,000-square-foot headquarters will replace the existing police station, which city officials have described as dilapidated and dangerous.

Including interest payments, the total project could cost more than \$320 million paid out over the next 30 years, according to an estimate by the Department of Municipal Finance.

In April 2021, the council approved \$120 million for construction, utility work and infrastructure improvements to the surrounding area. The council approved the funding, though two councilors raised concerns about the price tag.

Councilor-at-large Nina Liang questioned the need for microwaves costing \$1,000 each and former Councilor-at-large Anne Mahoney suggested replacing the copper and slate roof with a more affordable alternative.

In October 2022, project planners returned to the council asking for more money, an additional \$32 million to cover cost increases fueled by steep inflation then affecting the economy.

"We've been trying to get that number down in a lot of different ways," said Joe Shea, of Granite Partners, a project consultant, at an October 2022 meeting.



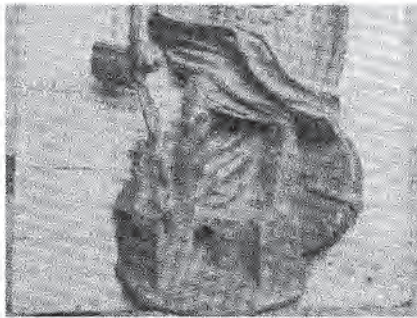
A working model for a statue of St. Michael the Archangel to adorn the facade of Quincy's new police station. Sculptor Sergey Eylanbekov designed the work. Office Of Mayor Thomas Koch



"But this is where we are."

Ultimately the council approved the additional money, with only Mahoney voting in the minority, though Liang too expressed her disappointment in the "process."

Mahoney said at a November 2022 meeting that the plans contained "bells and whistles" that will not enhance safety while increasing the taxpayers' burden.



A model for a statue of St. Florian, the patron saint of firefighters, to adorn the facade of Quincy's new police station, which will also house administrative offices for the fire department. Sculptor Sergey Eylanbekov designed the work. Office Of Quincy Mayor Thomas Koch

Larger-than-life sculptures that symbolize 'good versus evil'

For the saints, Koch turned to sculptor Sergey Eylanbekov, the same artist who created public statues of John and Abigail Adams and three Quincy-born generals memorialized in Generals Park.

A working model of St. Michael shows a beautiful, winged angel with exaggerated muscles. He presses a sandaled foot on the head and neck of a demon, whose face is contorted in agony.

"That's what the police are about in our community," Koch said, referring to St. Michael's symbolic representation of "good versus evil."

St. Florian, whose six-pack and pecs rival St. Michael's, towers above a burning building, which he douses with water poured from a vessel.

Religious iconography on a public building?

Koch said the saints "add interest" and "connect to the uses of the building." Koch, a devout Catholic, pointed out that St. Michael is a figure common to Christianity, Islam and Judaism.

Neither statue carries strictly religious messages, Koch said, stressing instead their representation of bravery, courage and service, values which he said Quincy's first responders exemplify.

"It seemed natural to do those images," he added.



The new Quincy Police Department headquarters under construction on Wednesday, February 5, 2025 *Greg Derr/The Patriot Ledger*

In the the Bible's book of Revelation, St. Michael appears as "a defender of faith and a warrior against evil," according to [Catholic Online](#).

St. Forian was a Roman soldier who led a firefighting brigade in the army, according to [Saint of the Day](#). He was martyred for his Christian faith in the early 4th century A.D.

Quincy government: [Quincy City Council cancels February meeting citing 'no business' to discuss](#)

Cannabis alert: [Contaminated marijuana in Mass. dispensaries, including 2 in Quincy, state agency says](#)

The Supreme Court and religious symbols on public property

The [First Amendment](#) prohibits the establishment of a state religion. But it isn't always that simple.

A number of Supreme Court cases have decided controversies over religious iconography on public property. The [Free Speech Center](#) cites the following examples:

Lynch v. Donnelly (1984): The court ruled that a Christian [nativity scene](#) displayed in Pawtucket, Rhode Island, didn't violate the First Amendment's Establishment Clause.

County of Allegheny v. American Civil Liberties Union (1989): The court ruled that the same nativity scene placed inside a county courthouse did violate the Establishment Clause.

Van Orden v. Perry (2005): The court permitted a Ten Commandments monument to stand alongside "many other monuments and historical markers on the grounds of the Texas State Capitol," according to The Free Speech Center.

City councilors respond to the statues

Ward 4 Councilor Jim Devine said he hadn't heard of the statues. He said that he joined the body after the building's funding was debated and approved for the final time in November 2022. Devine was a member of the council in February 2024, the last time it received an update on the project.

Council President Cain also hadn't heard of the plans and declined to comment on them.

Ward 6 Councilor Bill Harris said he "had heard something about it but didn't participate in the plans."

"If they give (emergency responders) a sense of pride, strength and comfort, then I'm all for the statues," Harris said.

Ward 1 Councilor Dave McCarthy, whose district hosts the new headquarters, approved of the statues. McCarthy said he was informed of the plans "a long time ago."

The statues contain "a great message" and "will bless our first responders," McCarthy said.

"It might help them," he added. "They might say a little prayer before they go out on duty."

Councilors-at-large Nina Liang, Scott Campbell and Noel DiBona, and ward councilors Richard Ash and Dan Minton did not respond to requests for comment.

DIG DEEPER

Quincy's new police headquarters nears completion. How we got here

- How the new Quincy public safety building construction is going and when it'll be done
- Quincy officials: Without extra \$23 million for new police station, 'we don't have a project'
- Skyrocketing costs impact Quincy police station project; construction pushed back
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- Quincy councilors question price tag of new police station



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EXHIBIT

8

Pay App			
Date	Exhibit J #	AIA #	Paid to Date
July-23	18	18	\$250,000.00
August-23	19	19	\$0.00
September-23	20	20	\$0.00
October-23	21	21	\$0.00
November-23	22	22	\$0.00
December-23	23	23	\$0.00
January-24	24	24	\$0.00
February-24	25	25	\$100,000.00
March-24	26	26	\$85,000.00
April-24	27	27	\$20,417.72
May-24	28	28	\$0.00
	29		
	30		
	31		
June-24	32	29	\$100,000.00
July-24	33	30	\$0.00
August-24	34	31	\$200,000.00
September-24	35	32	(\$150,000.00)
October-24	36	33	\$77,961.03
November-24	37	34	\$78,000.00
December-24	38	35	\$0.00
January-25	39	36	\$0.00

EXHIBIT

9

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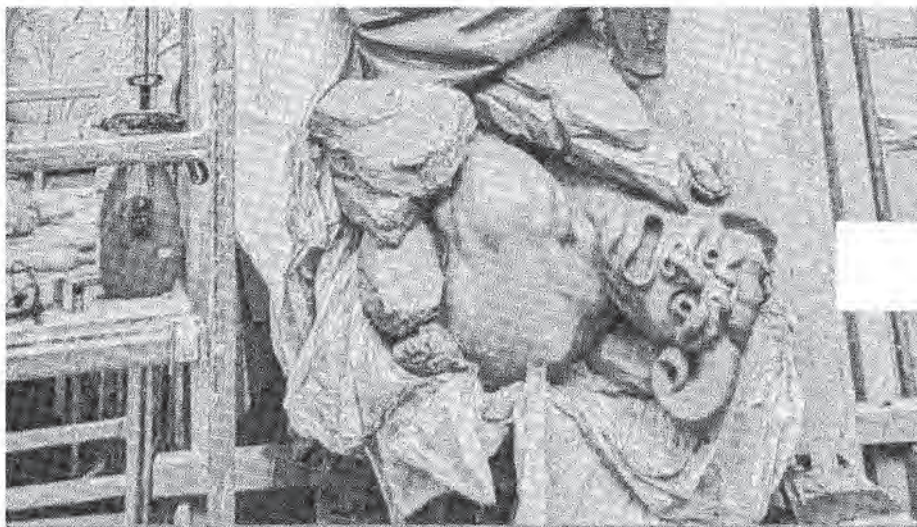
Quincy City Councilors react to saint statues on public safety building: Who's saying what



Peter Blandino

The Patriot Ledger

Published 10:17 a.m. ET Feb. 14, 2025 | Updated 1:57 p.m. ET Feb. 14, 2025



4 Photos

[VIEW FULL GALLERY](#)

10-foot bronze statues of saints to adorn new Quincy police station

Statues of St. Michael and St. Florian, the patron saints of police and firefighters, will adorn the facade of Quincy's new public safety building.

Key Points AI-assisted summary

Two 10-foot bronze statues of St. Michael and St. Florian, costing \$850,000, are planned for Quincy's new public safety headquarters.

Council President Cain called for "further discussions" on the statues, citing concerns about cost, religious imagery, and lack of public input.

QUINCY – Council President [Ian Cain](#) has called for "further discussions" about to two monuments set to adorn Quincy's new, \$175-million public safety headquarters, which is slated to open in October.

Commissioned by Mayor Thomas Koch, the 10-foot bronze statues cost a combined \$850,000. They depict St. Michael the Archangel and St. Florian, patron saints of

We're always working to improve your experience. Let us know what you think.

police officers and firefighters respectively.

News of the statues has sparked public debate. Ward 5 Councilor Dan Minton, a retired Quincy police lieutenant who spent 40 years on the department, wrote on Facebook that the image of St. Michael "may not translate to contemporary times."

A model of the statue shows St. Michael pressing his foot onto the head and neck of a demon who writhes in pain. Minton called the design "unwelcoming" and embodying an "us-versus-them" mentality which contradicts the department's mission of helping citizens.

Mayor Koch responds to Minton's criticism of statues

On Tuesday, Feb. 11, Mayor Thomas Koch defended the statues during an interview with Quincy Access Television's Joe Catalano.

Koch stressed the importance of St. Michael and St. Florian, whom he referred to simply as Michael and Florian, to police officers, soldiers and firefighters and dismissed Minton's interpretation as "loose."



Quincy City Council President Ian Cain. Greg Derr/The Patriot Ledger

"(Minton) doesn't speak for the retired police nor the active police department members," Koch said.



Later in the interview, Koch remarked that nobody will miss the current police station once it comes down.

"Maybe Councilor Minton will," he added.

What does Cain mean by 'further discussion'?

Cain's statement argues both for and against the statues. The saints have a "long-standing association with police officers and firefighters" and symbolize

"protection, courage and service," he wrote.

On the other hand, Cain said "reasonable people" might see the saints' "religious origins" as transgressing the "separation of church and state." He also wrote that the costly statues "warrant public input," which has not been solicited to this point.

Finally, Cain questioned whether the statues are "the best use of taxpayer dollars."

Cain's statement says he'll engage in "further discussion" with city councilors and "city leadership" to decide "whether adjustments should be made to the plans." It doesn't specify when those discussions will take place, if they will be public or if residents will be invited to offer testimony.

Cain did not respond to multiple phone calls and emails seeking clarification.

'We should be talking about it.' Other councilors weigh in

Ward 4 Councilor Jim Devine told The Patriot Ledger that he's been reaching out to firefighters and law enforcement to gauge their views on the statues.

"At the end of the day, it is their headquarters," Devine said. "I know that it's public space, but that's where they will be housed."

Devine said the cost of the statues and lack of public disclosure doesn't concern him.

"We budgeted for the project," Devine said. "Once it's budgeted, there is always going to be changes. As long as they stay within their budget, I don't see what the difference is."

Asked if there will be public discussions, "Clearly we should be talking about it," Devine said. "I think if Ian sets it up, we'll talk about it at the next (council) meeting (on Monday, Feb. 24)."

Councilor William Harris laments communications breakdown

Ward 6 Councilor William Harris told The Patriot Ledger on Thursday that he hasn't heard anything from Council President Cain about "further discussion."

Harris said Cain has virtually ceased communicating with him since Harris announced he would decline the 45% raise councilors voted for themselves last spring.



A working model for a statue of St. Michael the Archangel to adorn the facade of Quincy's new police station. Sculptor Sergey Eylanbekov designed the work. Office Of Mayor Thomas Koch

When the Massachusetts State Ethics Commission launched a conflict-of-interest investigation into the councilors' and Koch's raises last fall, they deferred their pay hikes until after the next election cycle in 2027.

Harris said Cain never notified him that the Feb. 3 council meeting was canceled, leading him to fly home from Florida, where he was vacationing at Disney World with family, for the canceled meeting.

"If I had known (of the cancelation), I would have changed my flight," he said. "I was having one heck of a good time with my grandson."

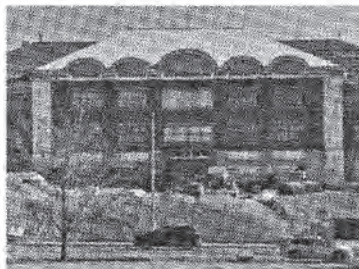


Ward 6 City Councilor Bill Harris represents the North Quincy, Marina Bay and Squantum. *Bill Harris*

DIG DEEPER

Quincy's new police headquarters nears completion. How we got here

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Cain said that all councilors receive the same notification about council meetings, and provided an email sent by city council clerk Jennifer Manning on Jan. 31 to all the councilors announcing the cancelation. Harris' government and personal emails are among the addressees.

Harris said he's open to discussion about the statues. He previously voiced support for the designs, which he said deliver a positive message to first responders and further beautify the city.

"Discussion on anything should be embraced, as long as it's civil discussion, not yelling and screaming," Harris said. "I give up on the American way if we can't (discuss public issues)."

'You wouldn't wear a new suit with old shoes.'

Councilor-at-large Scott Campbell said he still has more to learn about the issue. "Our job is to listen to constituents," he said. "That's what I'm doing."

Campbell also suggested that the ornate and costly statues would match the

grandeur and expensiveness of the overall building.

"You wouldn't wear a new suit with old shoes," Campbell said. "Is that where I land on this? I don't know."

Other councilors give brief or no comments

Asked if there would be hearings or discussion during an open public meeting, Councilor-at-large Nina Liang provided a brief statement saying she "will work with (Cain) with any conversation we need to have on this."

Asked the same question, Councilor-at-large Noel DiBona said, "No comment" and "I don't know," and deferred to Cain as council president to set the agenda.

Minton, Ward 2 Councilor Richard Ash and Ward 1 Councilor Dave McCarthy did not respond to multiple requests for comment.

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(This story was updated to add new information.)



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EXHIBIT

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change.org

Start a petition



Stop the creation of two religious statues for the new Public Safety Headquarters

Sign petition

1,663^{*}

Verified signatures ▾

Karina Lund • 2 weeks ago

Lyla Egan • 2 weeks ago

David Egan • 2 weeks ago

Michael Horto



Decision Maker: Thomas Koch



5 Supporter Voices



3 Updates

I.App.125



[5 Media Mentions](#)

The Issue

The Residents of Quincy demand that Mayor Thomas Koch withdraw his commission from sculptor Sergei Eylanbekov for two over-sized bronze statues of Christian Saints Michael the Archangel and Florian that are intended to be installed at the new Quincy Public Safety Headquarters.

Though religious subjects are not illegal, they are inappropriate for a diverse city such as Quincy. The violence portrayed on a heroic scale of St. Michael the Archangel is especially frightening and conjures images of police violence which is contrary to Quincy Police Dept's mission of public safety. The secrecy surrounding the project from its inception is antithetical to good governance. The cost of almost \$1 million is a reckless misuse of our taxes.

Mayor Koch, cut our losses and cancel this commission now.

[Report a policy violation](#)



Claire Fitzmaurice

Petition Starter

[Media inquiries](#)

The Decision Makers



Thomas Koch

Quincy City Mayor

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Email decision maker

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Melinda, Quincy

3 months ago

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Laura, Somerville

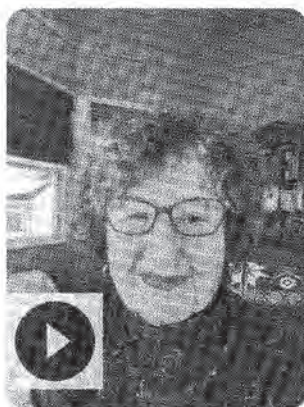
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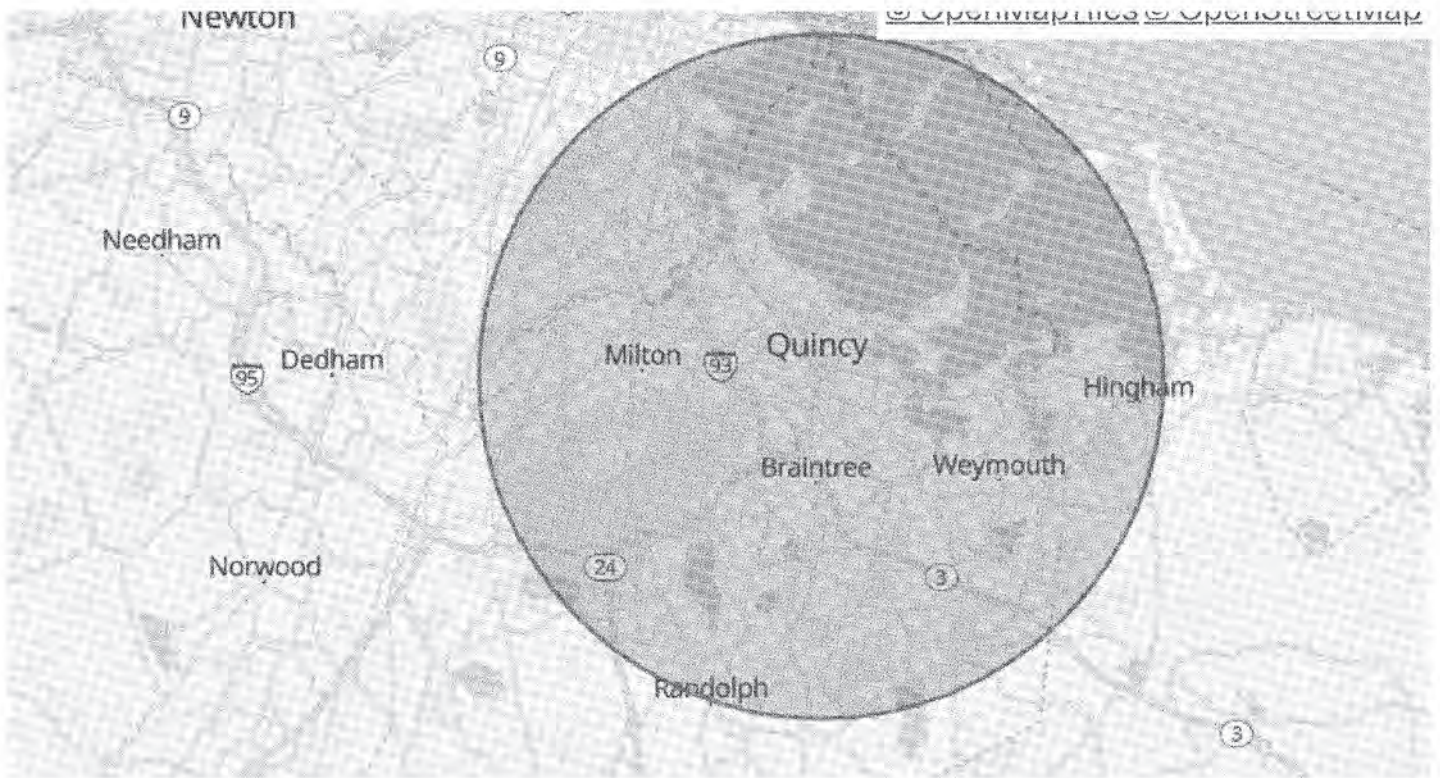
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Petition updates



NBC10 Small Town Secrets reported about the Statues Friday pm

3 months ago

This controversy is growing because of the inherent flaws in Mayor Koch's Commission for 2 10' tall Catholic Statues to adorn the Public Safety Headquarters scheduled to open in October. This Petition is an important driver of the opposition. It is available on many threads on several Social...



The ACLU/MA : these statues violate the State Constitution


3 months ago

It was reported today in The Patriot Ledger online that the ACLU of Massachusetts has determined that these statues of Catholic Saints clearly violate the Separation of Church and State. ACLU Reacts to Statues on Quincy Public Safety Headquarters "Freedom of Expression Attorney Rachel...

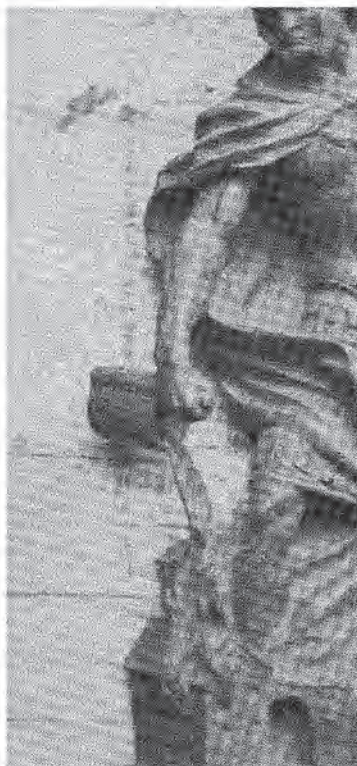
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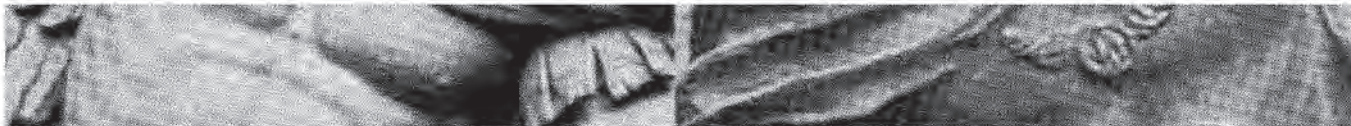
ACLU Challenges Statues at Building

St. Michael image target

🌐 National Catholic Register


🔍 Detected by Change.org

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Planned saint statues at Quincy police headquarters spark outcry

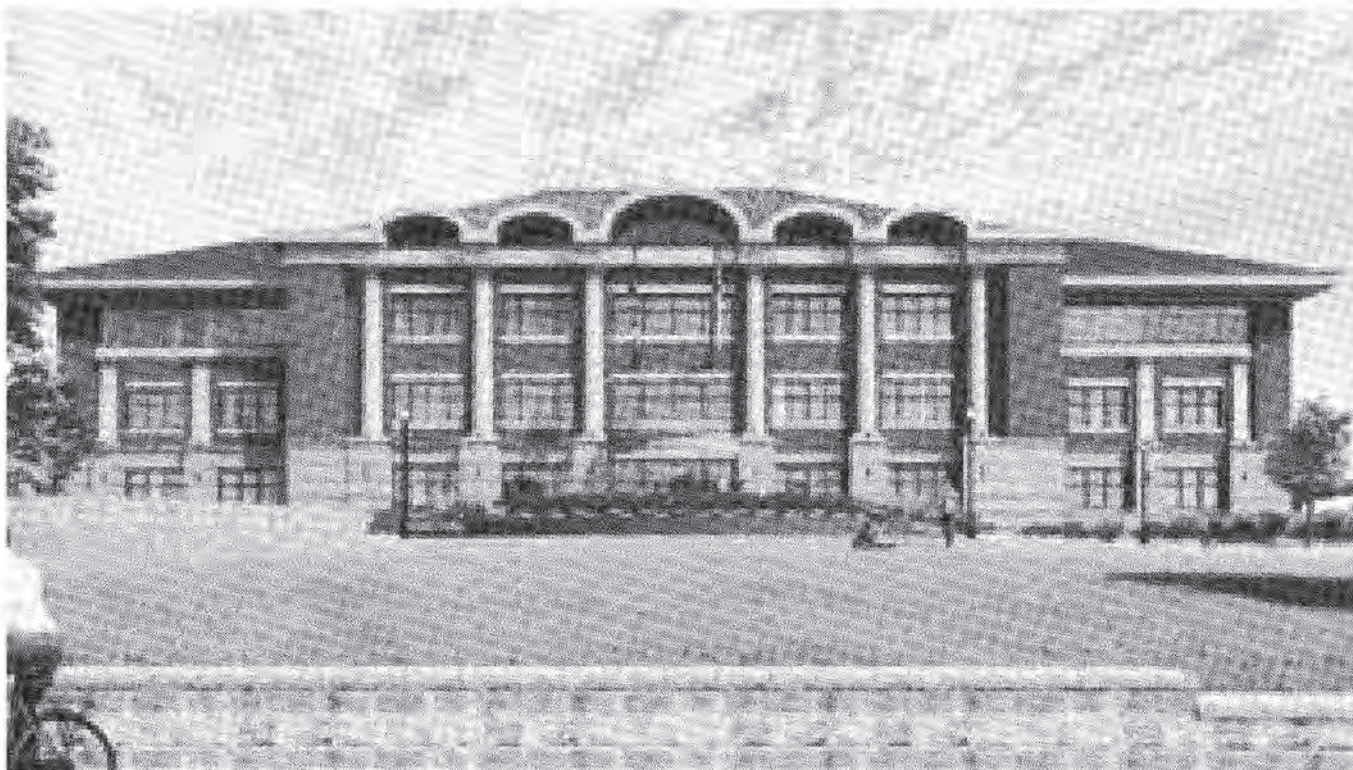
The ACLU of Massachusetts says the two religious statues set to be added to the façade of the a public building in Quincy would “plainly violate the Massachusetts Constitution.” Quincy Mayor Tom Koch said the 10-foot tall bronze statues depictin...

 NBC10 Boston - Feb 25

✦ Detected by Change.org

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Quincy mayor defends \$850,000 patron saint statues at public safety building

"People in the end will understand that it's beautiful public art," Quincy Mayor Thomas Koch said in a radio interview.


 Boston.com - Feb 18


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Petition created on February 10, 2025

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[Stop the creation of two religious statues for the new Public Safety Headquarters](#)

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EXHIBIT

11

**Quincy Interfaith Network Statement Regarding Religious Statues
at New Public Safety Building**

The Quincy Interfaith Network commends the City of Quincy and Mayor Koch for the building of a new public safety complex to support the vital work of our city's police, fire, and emergency personnel. Public safety is necessary for community members to thrive, and it is imperative that this new complex reflects the City's commitment to welcoming and serving the entire community.

Quincy Interfaith Network aims to gather and lift up the voice and witness of people of faith and conviction in the public sphere to promote justice, inclusion, and interfaith community action. In light of that mission, we have grave concerns about the statues of Roman Catholic saints planned for the façade of the new public safety building.

Many traditions have meaningful symbols, markers and narratives that communities and individuals of faith rely on in times of crises and when in need of protection. As leaders of different religious traditions, we appreciate that saints play that role for many of our Roman Catholic neighbors. However, our diverse city is composed of many people of faith and those who do not identify with any religious tradition. No single religious tradition should be elevated in a publicly funded facility. Erecting these statues sends a message that there are insiders and outsiders in this community. We are confident this is not the message our City or our first responders want to send.

We are also deeply troubled that one of the statues depicts violent imagery. While such imagery may hold historical and theological significance, it is not appropriate for a facility dedicated to public safety and to building community trust. For anyone unfamiliar with the religious context, we worry about the message it sends about our Roman Catholic siblings who have a long history of welcoming and caring for the most vulnerable in this community.

We urge Mayor Koch and the City of Quincy to reconsider this decision and instead seek secular design elements that reflect the shared values of our entire community — justice and inclusion for all.

Rev. Rebecca Froom, United First Parish Church (UU)

Rabbi Alfred Benjamin, Rabbi at Congregation Beth Shalom of the Blue Hills

Sister Marie-Therese "Tess" Browne, Sisters of Charity of Nazareth, Resident of Quincy

Rev. Mat Thomas, Lead Pastor at Bethel Church of the Nazarene, Resident of Quincy

Rev. Kimberly J. Murphy, Senior Minister at Quincy Point Congregational Church (UCC)

Rev. Alissa Oleson, Pastor at Good Shepherd Lutheran Church, Resident of Quincy

Rev. Dr. Sheldon W. Bennett, Minister Emeritus at United First Parish Church UU,
Resident of Quincy

Rev. Dave Egan, First Parish Unitarian Universalist in Medfield, Resident of Quincy

Rev. Ryan Lun, Mission Developer at Good Neighbor Lutheran Church

Rev. David Young, Pastor at North Street Community Church of the Nazarene,
Resident of Quincy

Rev. Bradley Duperre, Associate Pastor at Bethel Church of the Nazarene

Rev. Drew Hanson, Pastor at First Presbyterian Church of Quincy

Rev. Dr. Michelle Walsh, Lead Minister at First Parish UU-Canton: A Neponset River UU
Community, Resident of Quincy

Rev. Dr. Clyde Grubbs, Affiliate Community Minister at First Parish UU-Canton: A Neponset
River UU Community, Resident of Quincy

Rev. Niki Harvell, Pastor at Faith Lutheran Church, Resident of Quincy

Sister Katherine McGrath, Member of Sisters of Charity (Halifax), Resident of Quincy

Rev. Samantha Ball, Provisional Deacon at Quincy Community United Methodist Church,
Resident of Quincy

Rev. Al Carroll, Associate Pastor at Bethel Church of the Nazarene, Resident of Quincy

Rev. David Shim, Pastor at Quincy United Methodist Church

EXHIBIT

12



City of Quincy

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William P. Harris
David F. McCarthy

Noel T. DiBona
James K. Devine
Nina X. Liang
Daniel J. Minton

Nicole L. Crispo, City Clerk
Joseph J. Newton, Assistant Clerk
Jennifer L. Manning, Clerk of Committees
Susan M. O'Connor, Auditor

Monday, May 5, 2025
The Great Hall - Historic City Hall
1305 Hancock Street

Public Hearings

6:30 PM

2025-045 - Utility - Grant of Location - National Grid Conduit - Sea St at Southern Artery & Overlook Rd

6:35 PM

2025-046- Utility - Grant of Location - National Grid Pole - Sea Street at Southern Artery

6:40 PM

2025-047- Utility - Grant of Location - Mass Electric/Verizon -59 Spear Street

6:45 PM

2025-052 - Utility - Grant of Location - National Grid Gas - Penn Street @ Thomas Burgin Parkway -
MBTA Bus Maintenance Facility

6:50 PM

2025-027 - Order - Amendment to Zoning Code Section 8.1 - Flood Plain Overlay District

6:55 PM

Ordinance Committee Meeting

2025-027 - Order - Amendment to Zoning Code Section 8.1 - Flood Plain Overlay District

City Council Meeting

7:05 PM

- | | |
|--|----------------|
| 1. 2025-053 - Appropriation - Fiscal 2026 General Fund Budget | Mayor Koch |
| 2. 2025-054 - Appropriation - Fiscal 2026 Sewer Enterprise Budget | Mayor Koch |
| 3. 2025-055 - Appropriation - Fiscal 2026 Water Enterprise Budget | Mayor Koch |
| 4. 2025-056 - Order - Nomination & Election of City Clerk | President Cain |
| 5. 2025-057 - Order - Designation of Early Polling Places for a Preliminary Election
Saturday, August 23, 2025 through Thursday, August 28, 2025 and
Election Saturday, October 25, 2025 through Friday, October 31, 2025
- at Quincy City Hall | Clerk Crispo |

It is anticipated that one or more matters contained within the City Council Calendar, including any or all listed items pending in Committee, may be discussed and acted upon at this meeting. For a full Council Calendar, go to www.quincyma.gov



City Council Meeting Agenda

City Hall - Great Hall
Monday, May 5, 2025

- | | |
|--|---|
| 6. 2025-058 – Ordinance - Amending Zoning Section 8.5 - Transit-Oriented Districts | Councillor Devine |
| 7. 2025-059 – Ordinance - Amending Chapter 12 - Establishing a Public Art & Place Making Program | Councillor Ash
Councillor Campbell
Mayor Koch |
| 8. 2025-060 – Gift - \$100.00 from Richard & Mary Cox for Quincy Animal Shelter | Mayor Koch |
| 9. 2025-061 – Gift - \$500.00 from Fowler House Cafe to D.A.R.E. | Mayor Koch |

It is anticipated that one or more matters contained within the City Council Calendar, including any or all listed items pending in Committee, may be discussed and acted upon at this meeting. For a full Council Calendar, go to www.quincyma.gov

INTRODUCED BY: **MAYOR THOMAS P. KOCH**

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2025-053

ORDERED:

May 05, 2025

Appropriation - Fiscal 2026 General Fund Budget

INTRODUCED BY: **MAYOR THOMAS P. KOCH**

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2025-054

ORDERED:

May 05, 2025

Appropriation - Fiscal 2026 Sewer Enterprise Budget

INTRODUCED BY: **MAYOR THOMAS P. KOCH**

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2025-055

ORDERED:

May 05, 2025

Appropriation - Fiscal 2026 Water Enterprise Budget

INTRODUCED BY: **CITY CLERK NICOLE L. CRISPO**

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2025-057

ORDERED:

May 05, 2025

That the City Clerk be hereby directed to notify voters of the City of Quincy the time period and locations of Early Voting in accordance with the requirements set forth in General Laws Chapter 54, Section 25B, as heretofore designate the following locations to then and there give their votes for the following offices:

City Councillor

School Committee: Three of Six Seats

In-Person Early Voting at Quincy City Hall, 1305 Hancock Street for the 2025 elections -

September 2, 2025 City Preliminary Election -

Saturday, August 23, 2025 - 8:30 AM to 2:30 PM

Monday, August 25, 2025 through Thursday, August 28, 2025 - 8:30 AM to 4:30 PM

November 4, 2025 City Election -

Saturday, October 25, 2025 - 8:30 AM to 2:30 PM

Monday, October 27, 2025 through Friday, October 31, 2025 - 8:30 AM to 4:30 PM

INTRODUCED BY: **WARD TWO COUNCILLOR – RICHARD C. ASH**
COUNCILLOR AT LARGE – SCOTT S. CAMPBELL
MAYOR THOMAS P. KOCH

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2025-059

ORDERED:

May 05, 2025

Establishing a Public Art & Place-Making Program

WHEREAS, the City recognizes the value that public art can bring to the cultural, aesthetic and economic vitality of the community, there is hereby established a Public Art & Place-Making Program, which includes but is not limited to establishing a Public Arts Commission, to be responsible for the implementation of the public art initiative through the commissioning and acquisition of permanent and temporary public art, acting as a steward of the city's public art collection, and engaging the public in the collection.

BE IT ORDAINED by the City Council that the Quincy Municipal Code is hereby amended in Chapter 12 Boards, Commissions and Committees, as follows:

By adding the following:

Article XV Public Art & Place-Making Program

12.54 Public Art and Place-Making Program.

It is the purpose of this subsection to lessen the visual impact of development and to create a Public Art and Place-Making Program for new development and redevelopment in the City of Quincy. Properties included in this Program include plots greater than 1/4 acre and/or on buildings owned by the City of Quincy and/or managed by the City's Public Buildings Department ("Subject Properties"). The Public Art and Place-Making Program, through the requirements of this subsection, 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.

12.55 Public Art and Place-Making Program Guidelines.

The Public Art Commission shall prepare, and from time-to-time revise, Public Art and Place-Making Program 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; donation; loans and memorials; collection management; and administration of the Public Art Fund.

12.56 Public Art Commission.

There is hereby established a Commission to be known as the "Public Art Commission." The Public Art Commission shall consist of five members plus two alternates appointed by the Mayor and one non-voting high school student. A quorum shall consist of three voting members.

The Public Art Commission members shall be nominated as follows:

- 1 nomination by the City Council
- 2 nominations by the Mayor
- 1 nomination by the Planning Director
- 1 nomination by the Commissioner of Public Buildings
- 2 nominations by the President of the Quincy Art Association
- 1 nonvoting student nominated by the Mayor

12.57 Powers and duties of the Commission.

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

1. Adoption of Public Art and Place-Making Program guidelines and amendments thereto.
2. Recommending, to the Mayor, Public Art on Subject Properties that total \$50,000.00 or more per expenditure, per project, and/or per calendar year.
3. Establishing an annual administrative budget for the Commission.
4. Establishing an annual calendar which shall include not fewer than four open public meetings of the Commission.

INTRODUCED BY: **MAYOR THOMAS P. KOCH**

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2025-060

ORDERED:

May 05, 2025

BE IT ORDAINED that the City of Quincy accept the following gift upon the conditions attached and herein set forth:

DONOR

GIFT

PURPOSE

Richard & Mary Cox

\$100.00

Quincy Animal Shelter

Deposit To: ██████████3000

Quincy Animal Shelter

Donor	Check #	Date	Amount
Richard & Mary Cox	Cash	4/6/2025	\$ 100.00
			\$ 100.00

INTRODUCED BY: **MAYOR THOMAS P. KOCH**

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2025-061

ORDERED:

May 05, 2025

BE IT ORDAINED that the City of Quincy accept the following gift upon the conditions attached and herein set forth:

DONOR

GIFT

PURPOSE

Fowler House Cafe

\$500.00

D.A.R.E. Program

Deposit To: ██████████ #000

QUINCY POLICE DEPARTMENT

GIFT ACCOUNT

APRIL 14, 2025

TO: The Quincy City Council


Please accept the following gift

PURPOSE: DONATION FOR DARE PROGRAM
TOTAL AMOUNT \$500.00

ACCOUNT # [REDACTED] 4000

DONOR: FOWLER HOUSE CAFE

CONTACT: JOHN MACNEIL

 ADDRESS: 1049 HANCOCK ST
QUINCY MA 02169

Mark P. Kennedy

Mark P. Kennedy
Chief Of Police

EXHIBIT

13

The Patriot Ledger

NEWS

New Quincy arts commission great idea or perhaps too little, too late? Depends who you ask



Peter Blandino

The Patriot Ledger

May 2, 2025 Updated May 5, 2025, 9:44 a.m. ET

Key Points AI-assisted summary ⓘ

Quincy officials propose a new commission to oversee public art amid controversy surrounding two Catholic saint statues planned for the new public safety headquarters.

The statues, commissioned by Mayor Koch without public input, have drawn criticism for their religious imagery, cost, and lack of transparency.

While the commission is seen as a positive step, critics question its effectiveness given that the controversial statues are already planned for installation.

QUINCY – Amid controversy over two Roman Catholic statues that will adorn the façade of the new public safety headquarters, two city councilors and Mayor Tom Koch have proposed a new commission to review future plans for public art in the city.

The ordinance, entitled "Establishing a Public Art & Place-Making Program," will be introduced at the Monday, May 5, city council meeting by Koch, Ward 2 Councilor Richard Ash and Councilor-at-large Scott Campbell.

Koch commissioned the two 10-foot-tall bronze statues depicting St. Michael and St. Florian, patron saints of police and firefighters, without informing the public or city councilors, who approved the budget for the public safety headquarters in 2022.

Critics – including civil liberties organizations, religious leaders, a city councilor and residents – have complained that the statues violate the separation of church and state and criticized what they see as their excessive cost of \$850,000, violent imagery and lack of transparency or public input.

Chris Walker, Koch's chief of staff, said installation of the saint statues will not be put on hold until the new commission can review them.

Councilors Ash and Campbell did not respond to requests for comment.

Overspending or smart investment? Breaking down Quincy's \$1.6 billion in public debt

What would a Quincy public art commission do and who would be on it?

The Public Arts Commission would commission and acquire artworks, steward the city's public art collection and engage the public, according to the ordinance.

The commission would consist of five members, all appointed by the mayor. The city council and planning director could nominate one member each to the mayor, and the president of the Quincy Art Association could nominate members.

The mayor would name two members and one nonvoting student member, the ordinance says. Koch could also reject nominations he finds unacceptable, Walker said, adding that the commission would not act independently of the mayor.

The commission would recommend to the mayor art projects that cost more than \$50,000 to be installed on city-owned properties and properties larger than a quarter acre, the ordinance says.

The commission would also hold at least four open public meetings annually. It would prepare guidelines governing the selection of artists and artworks, project planning and the administration of a public art fund.

A Just Quincy responds to the proposed Public Art Commission

Quincy residents Joe Murphy and Maggie McKee, who co-founded the citizen advocacy group A Just Quincy in the summer of 2024, said the proposal is a step in the right direction, but they raised concerns over its limited powers and composition.

"Residents should absolutely have a voice in what gets built in our public spaces – especially when public dollars are involved," Murphy said.

But Murphy said the move might be too late because Koch already planned and executed two large and costly monuments, the saint statues and the \$750,000 gate at Mount Wollaston Cemetery.

"If the biggest, most expensive projects have already been commissioned, designed and paid for, there's a real concern the commission could end up being more symbolic than substantive," Murphy said.

McKee said she would like for the public to play a role in appointing members to the commission and asked for assurance that the city will incorporate public input in its decisions around public art. She also welcomed the clause requiring at least four public hearings per year.

"Any kind of public meeting is a good thing," McKee said. "This is a step. It's not the whole way there."

Success Failure: Exclusive interview with owner about Success Real Estate: I intend to pay people back

Quincy history: Move planned for historic Quincy granite house. But it doesn't make everyone happy – why not

Peter Blandino covers Quincy for The Patriot Ledger. Contact him at pblandino@patriotledger.com.

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EXHIBIT

14



PRIME CONTRACT CHANGE ORDER

No. 015

Distribution To: Contractor _____
 Field _____
 Accounting _____

TITLE: QPSH - B&G - PCCO 015 - St. Michael and St. Florian
 Bronze Statues

DATE: 7/14/2023

CONTRACT NO: 221133-01

PROJECT: Quincy Public Safety Headquarters

FROM: Suffolk Construction Company, Inc.

65 Allerton Street
 Boston, Massachusetts 02119

TO:

City of Quincy MA (MAYOR'S OFFICE)
 The Mayor's Office, 1305 Hancock St.
 Quincy, Massachusetts 02169

DESCRIPTION OF CHANGE

This PCCO includes:

QPSH - B&G - PCO 139 - St. Michael and St. Florian Bronze Statues

CHANGE ORDER LINE ITEMS:

PCO # 139 : QPSH - B&G - St. Michael and St. Florian - Bronze Statues

#	Cost Code	Description	Type	Amount
1	31-310000.001 - Earthwork (Building)	KRR22-117	SUBCONTRACTOR	\$ 770,000.00
Subtotal:				\$770,000.00
Insurance: 1.40% Applies to OTHER, SUBCONTRACTOR, SUBGUARD, CHANGE ORDER FEE, ALLOWANCE, CCIP, CONTINGENCY, FEE, FEE CONTINGENCY, GLPD, HOLD, LABOR, LIT, and MATERIALS.				10,780.00
Subcontractor Default Insurance: 1.40% Applies to ALLOWANCE, CCIP, CONTINGENCY, FEE, FEE CONTINGENCY, GLPD, HOLD, LABOR, LIT, MATERIALS, OTHER, SUBCONTRACTOR, SUBGUARD, and CHANGE ORDER FEE.				10,930.92
Change Order Fee: 2.50% Applies to all line item types.				19,792.77
Grand Total:				\$811,503.69

The Original Contract Sum was	\$ 0.00
Net Change by Previously Authorized Requests and Changes	\$ 1,696,513.98
The Contract Sum Prior to This Change Order was	\$ 1,696,513.98
The Contract Sum would be changed	\$ 811,503.69
The New Contract Sum Including This Change Order	\$ 2,508,017.67
The Date of Substantial Completion was:	
The Contract Time Will be Changed:	
The Date of Substantial Completion now is:	

This change order does not waive Contractor's entitlement to an extension of the Contract Time associated with the Work covered herein or an additional increase to the Contact Sum for any costs not explicitly included herein, all of which are reserved.

ACCEPTED:

Suffolk Construction

Suffolk Construction

Chrusicel Group (EAST LONGMEADOW)

By: DocuSigned by:

 Steven Evans

By: DocuSigned by:

 Chris Gedrich

By: DocuSigned by:

 Steve Chrusicel

Date: 7/20/2023

Date: 7/20/2023

Date: 7/20/2023



TITLE: QPSH - B&G - St. Michael and St. Florian -
Bronze Statues

DATE: 7/7/2023

PROJECT: 221133

JOB: Quincy Public Safety Headquarters

CHANGE
EVENT: 199

TO:
City of Quincy MA (MAYOR'S OFFICE)
The Mayor's Office, 1305 Hancock St.
Quincy, Massachusetts 02169

FROM: Suffolk Construction Company, Inc.
65 Allerton Street
Boston, Massachusetts 02119

DESCRIPTION OF CHANGE


The enclosed PCO is for the purchase and delivery of (2) monumental size bronze sculptures, (1) of St. Michael and (1) of St. Florian created by artist Sergey Eylanbekov. Sculptures will be hoisted and installed to the façade of the building by a separate contractor.

#	Description	Cost Code	Type	Net Amount
1	KRR22-117	31-310000.001 - Earthwork (Building)	SUBCONTRACTOR	\$ 770,000.00

ACCEPTED:

Suffolk Construction

By:

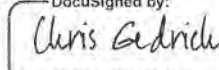


Steven Evans

Date:

Suffolk Construction

By:



Chris Gedrich

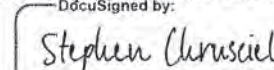
Date:

7/10/2023

App. 159

Chrusicel Group (EAST LONGMEADOW)

By:



Steve Chrusicel

Date:

7/13/2023

SUFFOLK

Subcontractor Pricing



K. R. Rezendes, Inc.

SITE AND UTILITY CONSTRUCTION • LAND DEVELOPMENT

3 Sammy's Lane
P.O. Box 879
Assonet, MA 02702-0897

(508) 644-5795
(508) 644-5796
Fax (508) 644-5789

July 06, 2023

Suffolk Construction Company
65 Allerton Street
Boston, MA 02119
Attention: Steven Evans, CLS
Senior Project Engineer

Re: Quincy Public Safety Headquarters – Sculpture Addition

KRR22-117

Dear Steve:

We are pleased to submit our pricing to contract with Sergey Eylanbekov Sculpture LLC to create two monumental size bronze sculptures which are to be attached to the façade of the newly constructed Public Safety Building in Quincy, Massachusetts. The description and scope of the work will be as described in the attached outline provided by Suffolk which includes the timeline for fabrication, progress payments with dates, fee, transportation from the Port of Boston and Installation, Artist completion, termination, insurance, shipping, installation, ownership and copyright, non-destruction, alteration, and maintenance, amendments, notices, agreement, non-assignability, heirs and assigns, and waiver which all become a part of this agreement.

Notes:

- A. K. R. Rezendes, Inc. does not include any handling, transportation, or installation of the sculptures which will be the responsibility of Suffolk Construction Company.
- B. Payments will be made to K. R. Rezendes Inc. in accordance with the breakdown listed in the attachment plus 10% and 10 days prior to the dates listed to allow for payment to the Sculptor.
- C. We feel that the change order be broken down into separate items per the payment schedule so that we can requisition in time for payments to be made on time. K. R. Rezendes, Inc. will not make any payments to the Sculptor unless already paid to us by Suffolk or the owner. Payments will have to be made separate from the usual requisition as 2-3 months from requisition to payment will not be acceptable. (\$150,000. Due by July 2023?)

The costs are as follows:

1. Sergey Eylanbekov Sculpture LLC Cost	Lump Sum	\$ 700,000.00
2. K. R. Rezendes, Inc. Cost	Lump Sum	\$ 70,000.00
	Total	\$ 770,000.00

If you have any questions, please contact this office.

Very truly yours,

Rodger D. Lawton, Project Manager

cc: Gedrich, Chris
Mehegan, Peter
Hunt, Meghan



**Artist for Adams Green Project
Sergey Eylanbekov Sculpture LLC
35 Georgia Drive
Syosset, NY 11791**

Recitals

The City of Quincy, MA (“City”) has requested Sergey Eylanbekov Sculpture LLC (“LLC”), through the artistic services of Sergey Eylanbekov (“Artist”) to create two monumental size bronze sculptures representing Saint Michael the Archangel the patron saint of Law Enforcement, and Saint Florian as a protector of fire fighters and a protector against fire and burning (“Sculptures”). The Sculptures are to be attached the façade of the newly constructed Public Safety Building in Quincy, Massachusetts. [PLEASE FILL OUT THIS SECTION AS NEEDED]

1. Proposed Scope of Work

The LLC, through the artistic services of the Artist, will be responsible for the creation and delivery of the Sculptures to include the following:

- Two full-figures in bronze of about 9 feet tall each representing Saint Michael the Archangel and Saint Florian: \$350,000.00 each

TOTAL for the bronze Sculptures: \$700,000.00

2. Timeline For Fabrication and Progress Payments

- (a) The timeline (“Timeline”) for the LLC’s creation and fabrication of the Sculptures, and for the progress payments to be made by the City to the LLC is as set forth below, in subparagraph (b). LLC’s adherence to the Timeline is contingent upon LLC’s timely receipt of (i) the City’s written Notices to Proceed (“NTP”) with each phase of the creation process described below, and (ii) the progress payments set forth below, to be received by the LLC within ten (10) business days of submission of its invoices and no later than by the dates indicated below. All progress payments will be made by the City by wire transfer, to the account of the LLC, the details of which will be provided by the LLC.

- (b) The Timeline is as follows (dates to be adjusted, upon agreement of both City and LLC, depending on the actual date of signing this agreement (“Agreement”)).

The Timeline shall be extended, upon written agreement of both City and LLC, for such period of time as Artist may be disabled by illness preventing progress on the Sculptures. The Timeline shall also be extended, upon written agreement of both City and LLC, in the event of delays caused by events beyond the control of the LLC or Artist, including but not limited to fire, theft, strikes, shortages of materials, pandemics, and Acts of God.

(i) Amount due to LLC **upon signing of the Agreement: \$50,000**. On signing this Agreement, LLC shall submit an invoice for \$50,000, which will be paid by the City within ten (10) business days of City’s execution of the Agreement and issuance of the Purchase Order. The City will issue a Notice to Proceed (“NTP”) with Phase 1 upon signing of this Agreement.

(ii) **PHASE 1 – Concept Models**
Design phase – **Signing Date (May 2023) through July 2023 -- \$100,000.00 due to Artist by July 15, 2023.**

Phase 1 Scope of Work:

Studio preparation for creating concept models of the Sculptures (“Concept Models”) – turntables, stands, armature, clay, space.

Creating approximately 11 inches tall Concept Model in clay;

Taking molds of the Concept Models and casting them in plaster in preparation for the Work Models (refer to Phase 2)

On the City’s receipt of LLC’s invoice for Phase 1, with photographic documentation of the completed Concept Models for the City’s review and approval, not to be unreasonably withheld, City will pay the LLC \$100,000 within ten (10) business days of its receipt of the

invoice, by no later than July 15, 2023, and provide the LLC with a written NTP with Phase 2.

(iii) **PHASE 2 - Work Models**

August 2023 through November 2023: Total of \$100,000.00; which is due to LLC by September 15, 2023

Phase 2 Scope of Work:

Studio preparation for creating approximately 1/3 scale work models of the Sculptures (“Work Models”) – turntables, armature, clay, space.

Creating the clay Work Models;

Making molds of the Work Models;

Producing and finishing the plaster casts of the Work Models necessary for their proportional enlargement and creation of the Sculptures in actual size. It is agreed that only Artist will determine at what point Work Models are complete and sufficient for preparation for his work on the Full-Size Figure of Sain Michael the Archangel and Saint Florian.

LLC will submit invoice for Phase 2 work in the amount of \$100,000. The LLC will submit Phase 2 invoice with photographic documentation of the work-in-progress and completed Work Models for the City’s review (but not approval). The City will pay the invoice within ten (10) business days of receipt, and by no later than October September 15, 2023. City will issue a NTP with Phase 3 with its payment of the Phase 2 invoice.

(iv) **PHASE 3 – Full-size Sculptures**
December 2023 through December 2024

- Application of patina on the finished Sculptures.

Phase 3 Payments schedule -- December 2023 – December 2024

1. \$100,000 due to LLC by January 10, 2024.
2. \$75,000 due to LLC by April 15, 2024.
3. \$75,000 due to LLC by July 15, 2024.
4. \$60,000 due to LLC by October 15, 2024
5. \$60,000 due to LLC by January 10, 2025

LLC shall submit an invoice for each Phase 3 payment, to be paid by City within ten (10) business days of receipt.

Within ten (10) business days of City's receipt of LLC's notification and photographic documentation that the bronze Sculptures are complete, City will provide LLC with written approval of all the completed bronze Sculptures, such approval not to be unreasonably withheld, and provide LLC with a written NTP with Phase 4.

(v) **PHASE 4 – Packing, crating, shipping of the completed Sculptures -- February through May 2025**

Scope of work:

Preparing the completed bronze Sculptures for shipping to the Port of Boston – packing, crating.

Shipping the completed bronze Sculptures to the Port of Boston **via the sea.**

LLC will ship the Sculptures as soon as possible after packing and crating. The City will be responsible for all costs associated with storing the Sculptures on site in Italy if shipment is delayed through no fault of the LLC or Artist by more than thirty (30) days from the time the Sculptures are packed, crated, and ready for shipment to the Port of Boston.

Phase 4 Payments schedule –

1. \$50,000 due to LLC on March 15, 2025
2. **June-July 2025:** Payment to the LLC of \$30,000 due within ten (10) business days of (i) delivery of the completed Sculptures to the Port of Boston, and (ii) the City's acceptance of the Sculptures by its designee, such acceptance not to be unreasonably delayed or withheld.

TOTAL PROJECT FEE: \$700,000

3. Transportation from the Port of Boston and Installation the Responsibility of The City

(i) The City will assume full responsibility for transporting the Sculptures from the Port of Boston to the installation site. All fees associated with transporting the Sculptures to the installation site or temporary storage facility, and associated storage and insurance fees, will be the sole responsibility of the City. Neither the LLC nor Artist will be responsible for the Sculptures, their transportation, storage, or insurance after their delivery to the Port of Boston.

(ii) The City agrees that it will be solely responsible for ensuring that the installation site is complete and prepared for timely installation of the Sculptures under the Timeline, and neither the LLC nor Artist will have any responsibility of any type for the creation and construction of pedestals or other architectural, structural and supporting elements at the installation site. Installation of the Sculptures will not be the LLC's or Artist's responsibility, but solely the responsibility of the City.

4. Artist to Determine When Sculptures are Complete

Completion of the Sculptures shall be determined by the Artist, who shall use the Artist's professional judgment to deviate from the preliminary design as the Artist in good faith believes is necessary to create and install the Sculptures.

5. Termination

(a) The LLC shall have the right to terminate this Agreement in the event the City is more than fifteen (15) days late in making any payment due pursuant

to the Timeline, provided, however, that nothing herein shall prevent the LLC or Artist from pursuing all remedies available for the City's breach of this Agreement.

(b) The City shall have the right to terminate this agreement if the LLC fails without cause to complete the Sculptures by the date that is thirty (30) days prior to the scheduled and mutually agreed-upon date for their installation in Quincy, Massachusetts (the "Installation Date"), which date the City and the LLC hereby agree will not be before May, 2023. The City shall confirm the agreed-upon Installation Date in writing to the LLC by no later than December 1, 2024. The City will promptly inform the LLC in writing if the confirmed Installation Date will be postponed to a later date. In the event of termination pursuant to this subparagraph 5(b), the LLC shall retain all payments received, the City shall pay LLC in full for completed bronze Sculptures, LLC will ship all completed bronze Sculptures to the Port of Boston subject to the terms of this Agreement, and neither the LLC nor Artist shall be liable for any additional liability, expenses, damages, or claims of any kind based on their failure without cause to timely complete all of the Sculptures.

(c) This Agreement shall automatically terminate upon the Artist's death, provided, however, that the LLC and/or Artist's estate shall retain all payments made pursuant to the Timeline, and receive all payments due for the work performed through the time of Artist's death.

(d) The exercise of a right of termination shall be in writing, delivered to the other party at the address set forth above and by electronic mail and shall set forth all the grounds for termination.

6. Insurance, shipping, and installation

LLC agrees to keep the Sculptures insured against fire and theft and bear any other risk of loss or damage until their delivery to the Port of Boston and receipt and acceptance by the City's designee. In case of loss, damage, theft, or destruction while the Sculptures are in the LLC's possession and control, the LLC will use any insurance proceeds received for their loss, damage, theft, or destruction to cause Artist to recommence the making of the affected Sculptures.

7. Ownership and Copyright

interest or legal representatives.

10. Notices To Be In Writing, Transmitted by Electronic Mail

All notices (including, without limitation, NTPs), written approvals, invoices, and other communications between the parties referred to in this Agreement shall be transmitted by electronic mail or other electronic means to the e-mail addresses furnished by the parties hereto.

11. Entire Agreement

This Agreement is an amendment to the existing contract between the City and Artist, and the terms contained herein represent the entirety of this Agreement.

12. Non-Assignability

Neither party hereto shall have the right to assign this Agreement without the prior written consent of the other party. The LLC shall, however, retain the right to assign monies due to the LLC under the terms of this Agreement.

13. Heirs and Assigns

This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, and personal representatives.

14. Waiver

A waiver of any breach of any of the provisions of this Agreement shall not be construed as a continuing waiver of other breaches of the same or of any other provisions hereof.



TITLE: QPSH - B&G - St. Michael and St. Florian -
Bronze Statues

DATE: 7/7/2023

PROJECT: 221133

JOB: Quincy Public Safety Headquarters

CHANGE
EVENT: 199

TO:
City of Quincy MA (MAYOR'S OFFICE)
The Mayor's Office, 1305 Hancock St.
Quincy, Massachusetts 02169

FROM: Suffolk Construction Company, Inc.
65 Allerton Street
Boston, Massachusetts 02119

DESCRIPTION OF CHANGE

The enclosed PCO is for the purchase and delivery of (2) monumental size bronze sculptures, (1) of St. Michael and (1) of St. Florian created by artist Sergey Eylanbekov. Sculptures will be hoisted and installed to the façade of the building by a separate contractor.

#	Description	Cost Code	Type	Net Amount
1	KRR22-117	31-310000.001 - Earthwork (Building)	SUBCONTRACTOR	\$ 770,000.00
Subtotal:				\$770,000.00
Insurance:				\$ 10,780.00
Subcontractor Default Insurance:				\$ 10,930.92
Change Order Fee:				\$ 19,792.77
Total:				\$811,503.69

ACCEPTED:

Suffolk Construction

Suffolk Construction

Chrusciel Group (EAST LONGMEADOW)

By: _____
Steven Evans

By: _____
Chris Gedrich

By: _____
Steve Chrusciel

Date: _____

Date: **LApp.171**

Date: _____



K. R. Rezendes, Inc.

SITE AND UTILITY CONSTRUCTION • LAND DEVELOPMENT

3 Sammy's Lane
P.O. Box 879
Assonet, MA 02702-0897

(508) 644-5795
(508) 644-5796
Fax (508) 644-5789

July 06, 2023

Suffolk Construction Company
65 Allerton Street
Boston, MA 02119
Attention: Steven Evans, CLS
Senior Project Engineer

Re: Quincy Public Safety Headquarters – Sculpture Addition

KRR22-117

Dear Steve:

We are pleased to submit our pricing to contract with Sergey Eylanbekov Sculpture LLC to create two monumental size bronze sculptures which are to be attached to the façade of the newly constructed Public Safety Building in Quincy, Massachusetts. The description and scope of the work will be as described in the attached outline provided by Suffolk which includes the timeline for fabrication, progress payments with dates, fee, transportation from the Port of Boston and Installation, Artist completion, termination, insurance, shipping, installation, ownership and copyright, non-destruction, alteration, and maintenance, amendments, notices, agreement, non-assignability, heirs and assigns, and waiver which all become a part of this agreement.

Notes:

- A. K. R. Rezendes, Inc. does not include any handling, transportation, or installation of the sculptures which will be the responsibility of Suffolk Construction Company.
- B. Payments will be made to K. R. Rezendes Inc. in accordance with the breakdown listed in the attachment plus 10% and 10 days prior to the dates listed to allow for payment to the Sculptor.
- C. We feel that the change order be broken down into separate items per the payment schedule so that we can requisition in time for payments to be made on time. K. R. Rezendes, Inc. will not make any payments to the Sculptor unless already paid to us by Suffolk or the owner. Payments will have to be made separate from the usual requisition as 2-3 months from requisition to payment will not be acceptable. (\$150,000. Due by July 2023?)

The costs are as follows:

1. Sergey Eylanbekov Sculpture LLC Cost	Lump Sum	\$ 700,000.00
2. K. R. Rezendes, Inc. Cost	Lump Sum	\$ 70,000.00
	Total	\$ 770,000.00

If you have any questions, please contact this office.

Very truly yours,

Rodger D. Lawton, Project Manager

cc: Gedrich, Chris
Mehegan, Peter
Hunt, Meghan



**Artist for Adams Green Project
Sergey Eylanbekov Sculpture LLC
35 Georgia Drive
Syosset, NY 11791**

Recitals

The City of Quincy, MA ("City") has requested Sergey Eylanbekov Sculpture LLC ("LLC"), through the artistic services of Sergey Eylanbekov ("Artist") to create two monumental size bronze sculptures representing Saint Michael the Archangel the patron saint of Law Enforcement, and Saint Florian as a protector of fire fighters and a protector against fire and burning ("Sculptures"). The Sculptures are to be attached the façade of the newly constructed Public Safety Building in Quincy, Massachusetts. [PLEASE FILL OUT THIS SECTION AS NEEDED]

1. Proposed Scope of Work

The LLC, through the artistic services of the Artist, will be responsible for the creation and delivery of the Sculptures to include the following:

- Two full-figures in bronze of about 9 feet tall each representing Saint Michael the Archangel and Saint Florian: \$350,000.00 each

TOTAL for the bronze Sculptures: \$700,000.00

2. Timeline For Fabrication and Progress Payments

- (a) The timeline ("Timeline") for the LLC's creation and fabrication of the Sculptures, and for the progress payments to be made by the City to the LLC is as set forth below, in subparagraph (b). LLC's adherence to the Timeline is contingent upon LLC's timely receipt of (i) the City's written Notices to Proceed ("NTP") with each phase of the creation process described below, and (ii) the progress payments set forth below, to be received by the LLC within ten (10) business days of submission of its invoices and no later than by the dates indicated below. All progress payments will be made by the City by wire transfer, to the account of the LLC, the details of which will be provided by the LLC.

- (b) The Timeline is as follows (dates to be adjusted, upon agreement of both City and LLC, depending on the actual date of signing this agreement (“Agreement”)).

The Timeline shall be extended, upon written agreement of both City and LLC, for such period of time as Artist may be disabled by illness preventing progress on the Sculptures. The Timeline shall also be extended, upon written agreement of both City and LLC, in the event of delays caused by events beyond the control of the LLC or Artist, including but not limited to fire, theft, strikes, shortages of materials, pandemics, and Acts of God.

(i) Amount due to LLC **upon signing of the Agreement: \$50,000**. On signing this Agreement, LLC shall submit an invoice for \$50,000, which will be paid by the City within ten (10) business days of City’s execution of the Agreement and issuance of the Purchase Order. The City will issue a Notice to Proceed (“NTP”) with Phase 1 upon signing of this Agreement.

(ii) **PHASE 1 – Concept Models**
Design phase – **Signing Date (May 2023) through July 2023 -- \$100,000.00 due to Artist by July 15, 2023.**

Phase 1 Scope of Work:

Studio preparation for creating concept models of the Sculptures (“Concept Models”) – turntables, stands, armature, clay, space.

Creating approximately 11 inches tall Concept Model in clay;

Taking molds of the Concept Models and casting them in plaster in preparation for the Work Models (refer to Phase 2)

On the City’s receipt of LLC’s invoice for Phase 1, with photographic documentation of the completed Concept Models for the City’s review and approval, not to be unreasonably withheld, City will pay the LLC \$100,000 within ten (10) business days of its receipt of the

invoice, by no later than July 15, 2023, and provide the LLC with a written NTP with Phase 2.

(iii) **PHASE 2 - Work Models**

August 2023 through November 2023: Total of \$100,000.00; which is due to LLC by September 15, 2023

Phase 2 Scope of Work:

Studio preparation for creating approximately 1/3 scale work models of the Sculptures (“Work Models”) – turntables, armature, clay, space.

Creating the clay Work Models;

Making molds of the Work Models;

Producing and finishing the plaster casts of the Work Models necessary for their proportional enlargement and creation of the Sculptures in actual size. It is agreed that only Artist will determine at what point Work Models are complete and sufficient for preparation for his work on the Full-Size Figure of Sain Michael the Archangel and Saint Florian.

LLC will submit invoice for Phase 2 work in the amount of \$100,000. The LLC will submit Phase 2 invoice with photographic documentation of the work-in-progress and completed Work Models for the City’s review (but not approval). The City will pay the invoice within ten (10) business days of receipt, and by no later than October September 15, 2023. City will issue a NTP with Phase 3 with its payment of the Phase 2 invoice.

(iv) **PHASE 3 – Full-size Sculptures
December 2023 through December 2024**

(Explanatory note*:

Upon LLC's finishing and receiving City's written approval of the Sculptures in clay, the mold of each Sculpture will be made and then each Sculpture will be cast in bronze at the foundry. Work in various Phases might overlap depending on the progress of work on each Sculpture. This will be a multi-layered process of work, *i.e.*, while Artist is working on one of the Sculptures in clay, the mold of the previously completed and approved clay Sculpture will be made, and then cast and finished in bronze. This process will be repeated until the completion of the Sculptures.

Phase 3 Scope of work:

Studio preparation for making full-size Sculptures – stands, armature, clay, space.

Enlarging the Sculptures using Work Models, – building armature and creating proper clay volume with correct proportions.

Modeling and finishing the full-size Sculptures in clay.

LLC will deliver to City photographic documentation of the work-in-progress and of each completed clay Sculpture, and upon LLC's receipt of City's written approval, LLC shall proceed to have them cast in bronze, as follows:

- Making molds of the finished and approved clay Sculptures necessary for casting them in bronze;
- Delivering molds to the foundry for preparation for casting in bronze;
- Producing wax models in actual size;
- Finishing wax models in final preparation for casting in bronze;
- Casting the approved Sculptures in bronze;
- Finishing the approved Sculptures cast in bronze; and

- Application of patina on the finished Sculptures.

Phase 3 Payments schedule -- December 2023 – December 2024

1. \$100,000 due to LLC by January 10, 2024.
2. \$75,000 due to LLC by April 15, 2024.
3. \$75,000 due to LLC by July 15, 2024.
4. \$60,000 due to LLC by October 15, 2024
5. \$60,000 due to LLC by January 10, 2025

LLC shall submit an invoice for each Phase 3 payment, to be paid by City within ten (10) business days of receipt.

Within ten (10) business days of City's receipt of LLC's notification and photographic documentation that the bronze Sculptures are complete, City will provide LLC with written approval of all the completed bronze Sculptures, such approval not to be unreasonably withheld, and provide LLC with a written NTP with Phase 4.

(v) **PHASE 4 – Packing, crating, shipping of the completed Sculptures -- February through May 2025**

Scope of work:

Preparing the completed bronze Sculptures for shipping to the Port of Boston – packing, crating.

Shipping the completed bronze Sculptures to the Port of Boston **via the sea.**

LLC will ship the Sculptures as soon as possible after packing and crating. The City will be responsible for all costs associated with storing the Sculptures on site in Italy if shipment is delayed through no fault of the LLC or Artist by more than thirty (30) days from the time the Sculptures are packed, crated, and ready for shipment to the Port of Boston.

Phase 4 Payments schedule –

1. \$50,000 due to LLC on March 15, 2025
2. **June-July 2025:** Payment to the LLC of \$30,000 due within ten (10) business days of (i) delivery of the completed Sculptures to the Port of Boston, and (ii) the City's acceptance of the Sculptures by its designee, such acceptance not to be unreasonably delayed or withheld.

TOTAL PROJECT FEE: \$700,000

3. Transportation from the Port of Boston and Installation the Responsibility of The City

(i) The City will assume full responsibility for transporting the Sculptures from the Port of Boston to the installation site. All fees associated with transporting the Sculptures to the installation site or temporary storage facility, and associated storage and insurance fees, will be the sole responsibility of the City. Neither the LLC nor Artist will be responsible for the Sculptures, their transportation, storage, or insurance after their delivery to the Port of Boston.

(ii) The City agrees that it will be solely responsible for ensuring that the installation site is complete and prepared for timely installation of the Sculptures under the Timeline, and neither the LLC nor Artist will have any responsibility of any type for the creation and construction of pedestals or other architectural, structural and supporting elements at the installation site. Installation of the Sculptures will not be the LLC's or Artist's responsibility, but solely the responsibility of the City.

4. Artist to Determine When Sculptures are Complete

Completion of the Sculptures shall be determined by the Artist, who shall use the Artist's professional judgment to deviate from the preliminary design as the Artist in good faith believes is necessary to create and install the Sculptures.

5. Termination

(a) The LLC shall have the right to terminate this Agreement in the event the City is more than fifteen (15) days late in making any payment due pursuant

to the Timeline, provided, however, that nothing herein shall prevent the LLC or Artist from pursuing all remedies available for the City's breach of this Agreement.

(b) The City shall have the right to terminate this agreement if the LLC fails without cause to complete the Sculptures by the date that is thirty (30) days prior to the scheduled and mutually agreed-upon date for their installation in Quincy, Massachusetts (the "Installation Date"), which date the City and the LLC hereby agree will not be before May, 2023. The City shall confirm the agreed-upon Installation Date in writing to the LLC by no later than December 1, 2024. The City will promptly inform the LLC in writing if the confirmed Installation Date will be postponed to a later date. In the event of termination pursuant to this subparagraph 5(b), the LLC shall retain all payments received, the City shall pay LLC in full for completed bronze Sculptures, LLC will ship all completed bronze Sculptures to the Port of Boston subject to the terms of this Agreement, and neither the LLC nor Artist shall be liable for any additional liability, expenses, damages, or claims of any kind based on their failure without cause to timely complete all of the Sculptures.

(c) This Agreement shall automatically terminate upon the Artist's death, provided, however, that the LLC and/or Artist's estate shall retain all payments made pursuant to the Timeline, and receive all payments due for the work performed through the time of Artist's death.

(d) The exercise of a right of termination shall be in writing, delivered to the other party at the address set forth above and by electronic mail and shall set forth all the grounds for termination.

6. Insurance, shipping, and installation

LLC agrees to keep the Sculptures insured against fire and theft and bear any other risk of loss or damage until their delivery to the Port of Boston and receipt and acceptance by the City's designee. In case of loss, damage, theft, or destruction while the Sculptures are in the LLC's possession and control, the LLC will use any insurance proceeds received for their loss, damage, theft, or destruction to cause Artist to recommence the making of the affected Sculptures.

7. Ownership and Copyright

EXHIBIT

15



TITLE: PCO #357 - QPSH - B&G - PR 053 Statue Supports

DATE: 2/5/2025

PROJECT: 221133

JOB: Quincy Public Safety Headquarters

CHANGE

EVENT: 339

TO:

City of Quincy MA (MAYOR'S OFFICE)
The Mayor's Office, 1305 Hancock St.
Quincy, Massachusetts 02169

FROM:

Suffolk Construction Company, Inc.
65 Allerton Street
Boston, Massachusetts 02119

DESCRIPTION OF CHANGE

QPSH - B&G - PR 053 Statue Supports

This PCO reflects costs associated with "PR053 - Statue Supports" that pertain to misc. metals tube steel and plates at both locations where artwork is to be located.

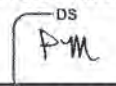
#	Description	Cost Code	Type	Net Amount
1	COR # 33 - PR-053	05-057000.000 - Decorative Metal	SUBCONTRACTOR	\$ 35,838.97
Subtotal:				\$35,838.97
Insurance:				\$ 501.75
Subcontractor Default Insurance:				\$ 508.77
P&P Bond:				\$ 257.95
Change Order Fee:				\$ 927.69
Total:				\$38,035.13

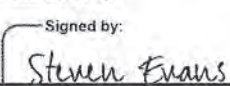
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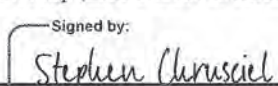
Suffolk Construction

Suffolk Construction

Chrusrciel Group (EAST LONGMEADOW)

By: 
Peter Mchegan

Signed by:
By: 
Steven Evans

Signed by:
By: 
Stephen Chrusrciel

Date: _____

Date: 2/6/2025

Date: 2/6/2025



CHANGE ORDER REQUEST

No. 33

*Include this COR number on
Change Order if accepted*

DESCRIPTION: PR-053 **DATE: February 5, 2025**

PROJECT: Quincy Public Safety
Peter Mehegan
Suffolk Construction
65 Allerton Street
Boston, MA 02119
774-573-5359
 pmehegan@suffolk.com, sevans@suffolk.com

REV 1 _____
REV 2 _____
REV 3 _____
REV 4 _____

PROJECT MANAGER Martin Blais - mblais@ralphsblacksmith.com
PROJECT EXECUTIVE Scott Peabody - scott@ralphsblacksmith.com

DESCRIPTION OF CHANGE

PR-053
 Provide & Install (2) Statue Supports
 Tube Steel & Plates only. J-Bolts are by others
 Detailing is included. Engineering is excluded.
 HD Galv Finish

<u>Material Description</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Net Amount</u>
Material Quote	1	5982.41	5,982.41
Hot Dip Galv	1	3832.01	3,832.01
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
Shop Drawing Design for Approval	1	450.00	Included 450.00
Engineering Review / Stamp	0	0.00	Excluded 0.00
Fire Watch - \$618.60 per day plus 10% admin fee	1	2,041.38	Included 2,041.38
Equipment Rental	1	6,100.00	Included 6,100.00
Shop / Fabrication Labor	30	120.24	3,607.20
Field / Installation Labor	68	120.24	8,176.32
Trucking / Delivery	1	975.00	975.00
Overhead & Profit 15.00%		31,164.32	4,674.65
Total Request			35,838.97

GENERAL NOTES:

Costs reflected within this COR are valid for 30 days from issue date, thereafter all costs are subject to adjustment based on current market conditions

Work will not commence until this change order request is signed, actual change order or other written authorization to proceed is provided

Signature below indicates this change order request has been accepted and SMJ Metal Company, Inc. is authorized to proceed with this work

Suffolk Construction

Accepted By _____

Date _____

Printed Name _____

Title _____



ONLINE QUOTATION

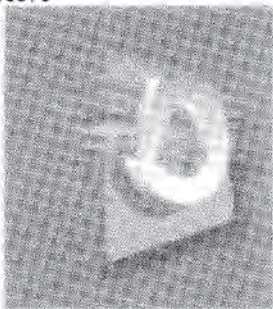
Customer Service Hotline!

1-859-745-2650

QUOTE DETAILS						02/05/2025	
#	Item	Description	Qty	Size	Price	Total	
1.	T16412	6" X 4" X 1/2" wall A500 Rectangle Steel Tube	3	20 ft.	\$767.60	\$2,302.80	
2.	P134	3/4 inch THICK A36 Steel Plate	2	4 ft. x 10 ft.	\$1,433.20	\$2,866.40	
Order Comments / Delivery Instructions:					Sub-Total:	\$5,169.20	
					FedEx Freight FXF	\$813.21	
Delivery to Northampton, MA 01060 (4288 lbs.)					Order Total:	\$5,982.41	

Thanks for Your Inquiry!

To place an order for these items, simply Visit Us Online at www.MetalsDepot.com or Call Our Sales Desk at **1-859-745-2650**. We accept VISA, MASTERCARD, DISCOVER & AMERICAN EXPRESS, or Purchase Orders for approved accounts. Wire Transfer or PayPal for International orders.



Duncan Galvanizing

69 Norman Street
Everett, MA 02149

Estimate

Ralph's Blacksmith Shop
36 Smith St
Northampton, MA 01060

To Hot Dip Galvanize your total of 3667 lbs of various steel

Total weight = 3667 lbs @ .95 = 3483.65

Enviro Fee 10% of all orders = 348.36

Total for all Work: 3,832.01

Quote is valid for 15 days, after which we reserve the right to re-price based on market conditions.

Please sign below if we are to proceed and lock in this price.

We appreciate your inquiry.

Accepted by

Date



Log in / Sign up



- Equipment and Tools ▾
- Industry Solutions ▾
- Training ▾
- Locations

Renting to Adams St, Quincy, MA, USA

Edit

EQUIPMENT AND TOOLS / AERIAL WORK PLATFORMS - SCAFFOLDING AND LADDERS / MANLIFT STRAIGHT BOOM / 80' STRAIGHT MANLIFT

CAT CLASS: 0580822

80' Straight Manlift

ONLINE RATE

6100.00

includes delivery to site
includes pickup from site



1



Add to Cart

P R - P R O P O S A L R E Q U E S T

QUINCY PUBLIC SAFETY HEADQUARTERS
Quincy, MA

KBA #18005.01
Page: 1 of 1

Wall

CONSTRUCTION MANAGER: **SUFFOLK CONSTRUCTION COMPANY, INC.** PR NO. 053-03
65 Allerton Street
Boston, Massachusetts 02119
Attn: **Steven Evans – Sr. Project Manager**

ISSUED BY: Kevin Witzell
Project Manager

DATE: **December 17, 2024**
June 17, 2024
April 29, 2024

COPIES TO:

- KBA – CT/MA
- Owner
- Official
- Consultant
- Consultant

Please submit an itemized quotation for changes in the Contract Sum and/or Contract Time for proposed modifications to the Contract Documents described herein. Notify the Architect in writing of the date on which you anticipate submitting your proposal.
THIS IS NOT A CHANGE ORDER, CONSTRUCTION CHANGE DIRECTIVE, OR A DIRECTION TO PROCEED WITH THE WORK DESCRIBED IN THE PROPOSED MODIFICATIONS.

Description: **Statue Supports – (REVISED)**

Provide a detailed cost proposal to provide two statue supports as shown on attached sketches SKS-010.0 & SKS-010.1.

June 17, 2024

Provide a detailed cost proposal to provide supports for two statues as shown the revised sketches SKS-010.0r1 & SKS-010.1r1.

December 17, 2024

Provide a detailed cost proposal to provide supports for two statues as shown the revised sketches SKS-010.0r2, SKS-010.1r2 & SKS-10.2r2

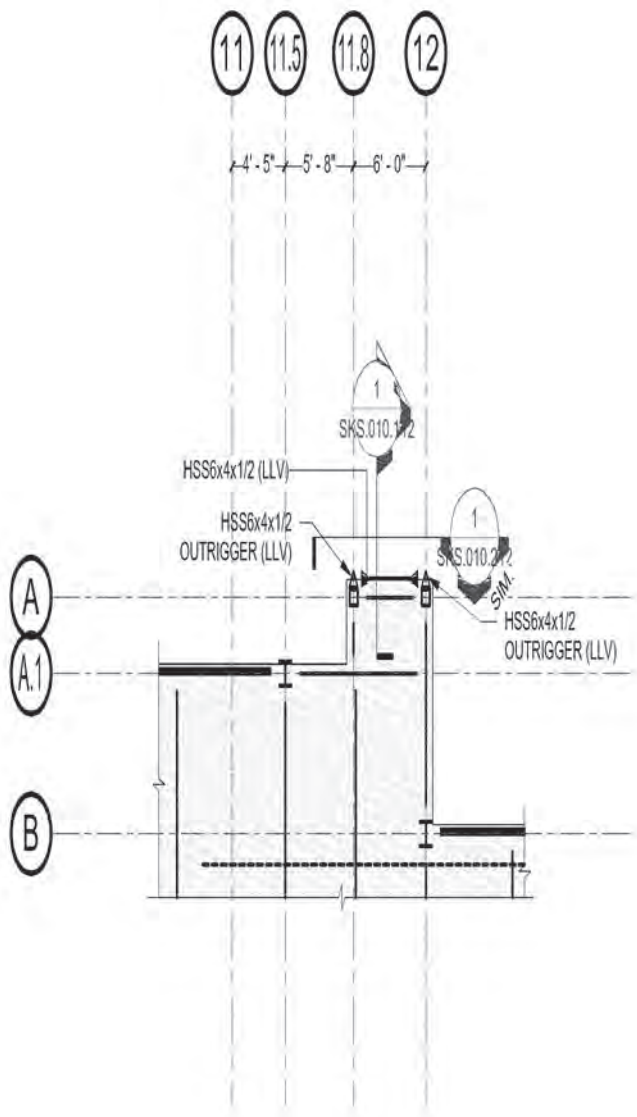
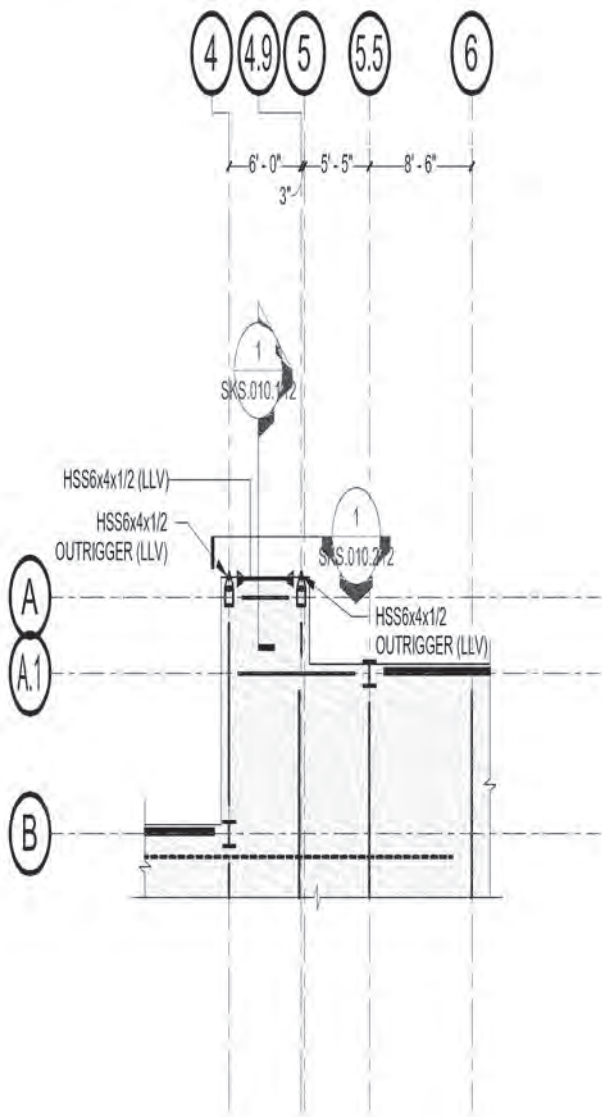
Attachments: Sketches SKS-010.0r2, SKS-010.1r2 & SKS-10.2r2

NW BRITAIN, CT


FOXBOROUGH, MA

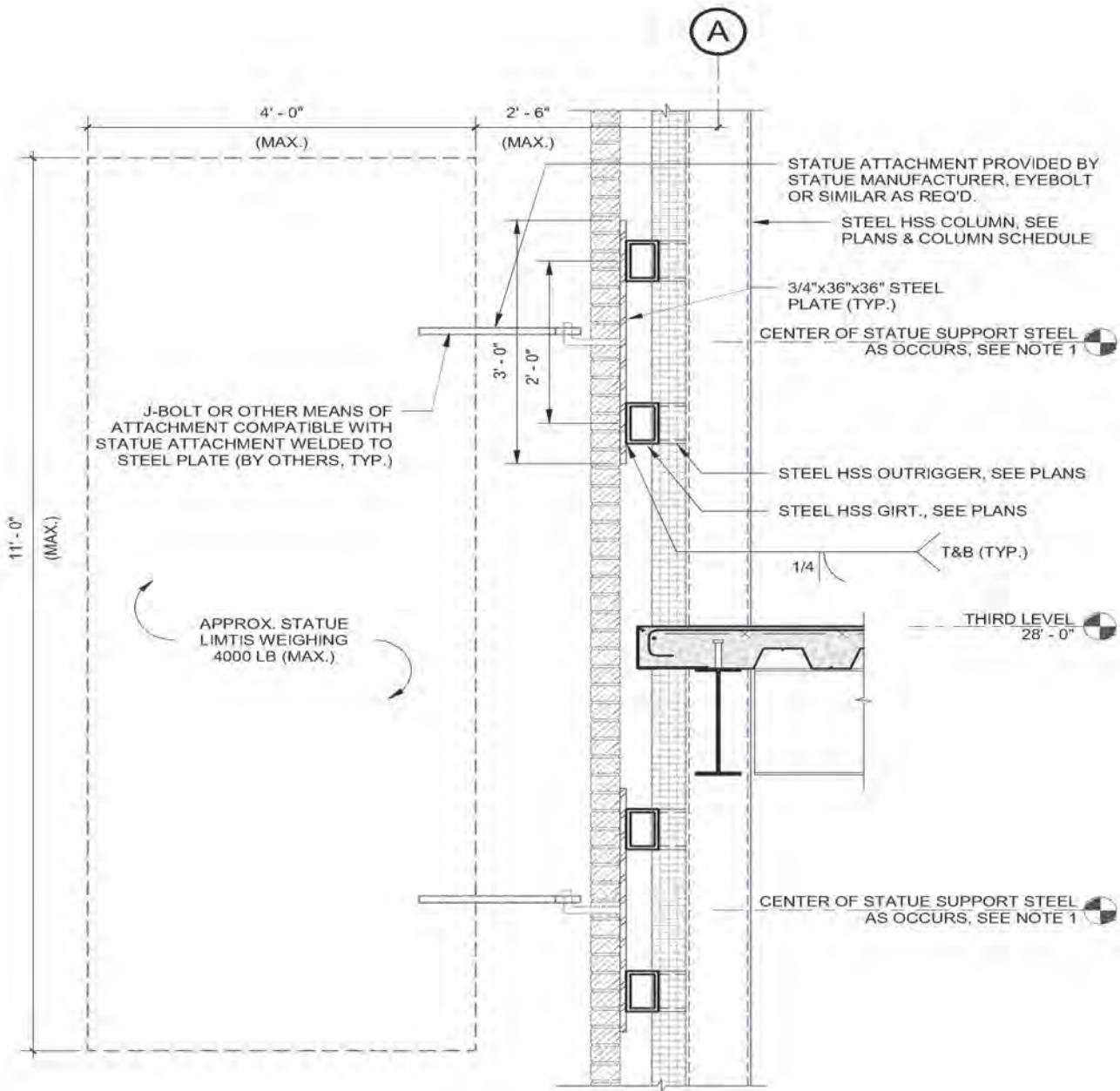
BOSTON, MA

RUMFORD, RI



1 PARTIAL THIRD FLOOR FRAMING PLAN
 SCALE: 1/8" = 1'-0"

KAESTLE BOOS associates, inc 418 State Road, P.O. Box 2550 New Britain, CT 06520-0250 Phone: 860-219-0281 Fax: 860-279-0303 18 Chalmers Street, Suite 304 Waterbury, MA 02455 Phone: 303-545-8636 Fax: 303-545-8007 319 Congress Street, Suite 100 Boston, MA 02210 Phone: 303-617-0211 Fax: 303-545-8907 Email: kb@kaestleboos.com Web: www.kba-arch.com	CONSULTANT:	 QUINCY PUBLIC SAFETY HEADQUARTERS ONE SEA STREET QUINCY, MA 02169	THIS SKETCH TO BE READ IN CONJUNCTION WITH THE CONTRACT DOCUMENTS	SKETCH GENERATED FOR:						
	TITLE: STATUE SUPPORT				ADDENDUM	REV.	ASL	FR	CCD	
	DATE: 12/16/24		DRAWN BY: AJC	DRAWING NO.:	REFERENCE DETAILSHEET:					
SCALE: 1/8" = 1'-0"	PROJECT NO.: 2020-0045	SKS.010.0 r2								



1 **DETAIL**
 SCALE: 3/4" = 1'-0"

NOTES:

1. THE EXACT LOCATION, ELEVATION AND QUANTITY OF THE STATUE SUPPORT LOCATIONS IS UNKNOWN. STEEL SHALL BE PROVIDED AS SHOWN FOR EACH STATUE SUPPORT LOCATION AND SHALL BE COORDINATED WITH THE ARCHITECT, STATUE MANUFACTURER AND OWNER.

KAESTLE BOOS
 associates, inc

415 River Road, P.O. Box 2590
 New Britain, CT 06050-2590
 Phone: 860-225-0281 Fax: 860-225-0283
 15 Chalmers Street, Suite 301
 Foxborough, MA 02035
 Phone: 508-543-9568 Fax: 508-543-9607
 313 Corporate Street, Suite 150
 Haverhill, MA 02310
 Phone: 508-617-2212 Fax: 508-543-9657

Email: kba@kaestleboos.com
 Web: www.kba-architects.com

CONSULTANT:



QUINCY PUBLIC SAFETY HEADQUARTERS

ONE NORTH GLENWAY AVENUE
I.App.190

THIS SKETCH TO BE READ IN CONJUNCTION WITH THE CONTRACT DOCUMENTS.

SKETCH GENERATED FOR:

ADDENDUM	REVISED	DATE	BY	CHKD.

REFERENCE DETAIL/SHEET:

TITLE: **STATUE SUPPORT**

DATE: 12/16/24

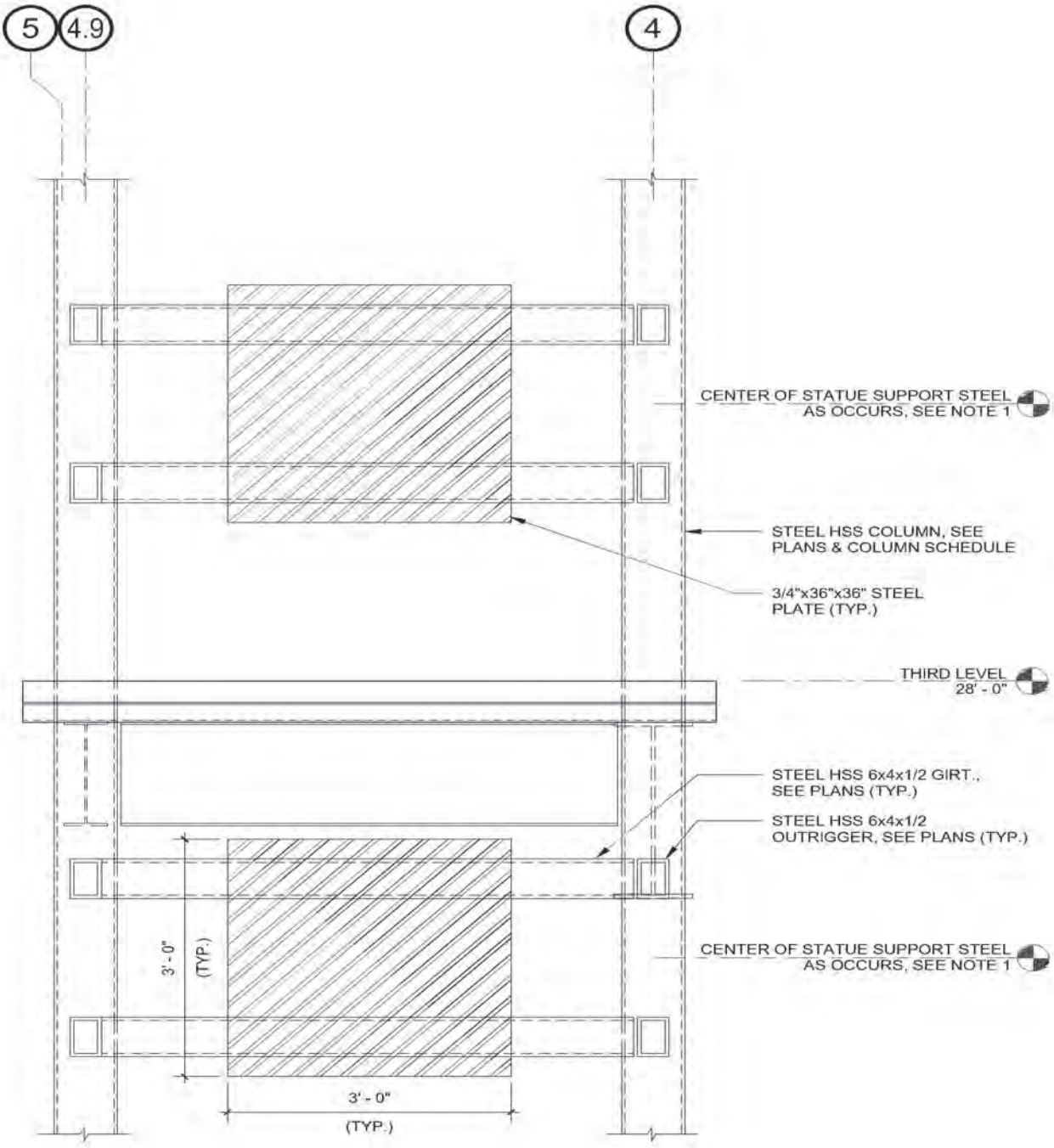
DRAWN BY: AJC

DRAWING NO.:

SCALE: 3/4" = 1'-0"

PROJECT NO.: 2020-00045

SKS.010.1 r2



1 **DETAIL**
 SCALE: 3/4" = 1'-0"

- NOTES:**
1. THE EXACT LOCATION, ELEVATION AND QUANTITY OF THE STATUE SUPPORT LOCATIONS IS UNKNOWN. STEEL SHALL BE PROVIDED AS SHOWN FOR EACH STATUE SUPPORT LOCATION AND SHALL BE COORDINATED WITH THE ARCHITECT, STATUE MANUFACTURER AND OWNER.

KAESTLE BOOS
 associates, inc

416 Sever Road, P.O. Box 2990
 New Britain, CT 06050-2990
 Phone: 860-726-0381 Fax: 860-726-5383

15 Chatham Street, Suite 201
 Foxborough, MA 01938
 Phone: 508-549-3668 Fax: 508-549-0607

319 Corporate Blvd, Suite 150
 Haverhill, MA 02310
 Phone: 508-617-0212 Fax: 508-619-0607

Email: kba@kaestleboos.com
 Web: www.kba-architects.com

CONSULTANT:



QUINCY PUBLIC SAFETY HEADQUARTERS

ONE NORTH QUINCY AVENUE
I.App.191

THIS SKETCH TO BE READ IN CONJUNCTION WITH THE CONTRACT DOCUMENTS.	SKETCH GENERATED FOR:				
	ADDENDUM	REV.	AS.	P.R.	C.C.O.
REFERENCE DETAIL/SHEET:					
TITLE: STATUE SUPPORT					
DATE: 12/16/24	DRAWN BY: AJC		DRAWING NO.:		
SCALE: 3/4" = 1'-0"	PROJECT NO.: 2020-00045		SKS.010.2 r2		

EXHIBIT

16



TITLE: PCO#: 324 - PR 066 Cast Stone Accents

DATE: 12/3/2024

PROJECT: 221133

JOB: Quincy Public Safety Headquarters

CHANGE

EVENT: 408

TO:

City of Quincy MA (MAYOR'S OFFICE)
The Mayor's Office, 1305 Hancock St.
Quincy, Massachusetts 02169

FROM: Suffolk Construction Company, Inc.

65 Allerton Street
Boston, Massachusetts 02119

DESCRIPTION OF CHANGE

PR 066 Cast Stone Accents

This change order accounts for changes to the masonry façade as directed per PR#: 066 "Cast Stone Accents." PR#: 066 provides new SKA-095 showing the deletion of corbelling on the brick pilasters along Column Line A between Column lines 4 & 5 and 11.8 & 12. In lieu of the corbelling aesthetic cast stone accents were added. Marmelo has provided the attached quote for this PR which includes cost for shop drawings, furnish and install, and equipment necessary for install. This cost does not include engineering or out of sequence work; both would be extra cost submitted separately if necessary.

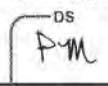
#	Description	Cost Code	Type	Net Amount
1	PR 066 Cast Stone Accents	04-040000.000 - Masonry	SUBCONTRACTOR	\$ 21,360.00
Subtotal:				\$21,360.00
Insurance:				\$ 299.04
Subcontractor Default Insurance:				\$ 303.23
P&P Bond:				\$ 153.74
Change Order Fee:				\$ 552.90
Total:				\$22,668.91

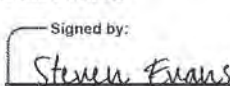
ACCEPTED:

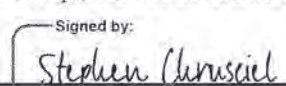
Suffolk Construction

Suffolk Construction

Chruscziel Group (EAST LONGMEADOW)

By: 
Peter McEgan

By: 
Steven Evans

By: 
Stephen Chruscziel

Date: _____

Date: 12/18/2024

Date: 12/18/2024

Marmelo Bros. Construction

13 Ventura Drive
North Dartmouth, MA 02747
Phone (508)995-6582 Fax (508)995-6926

December 10, 2024

To: Suffolk Construction Company

Attn: Peter Mchegan

Re: Quincy Public Safety Headquarters
Quincy, MA

Pricing for masonry work at the above referenced project:

Scope of Work: Per PR #66-01

Delete brick corbelling and provide new Cast Stone Accents per SKA-095
at (2) brick pilasters at column line A between 4-5 and 11.8 and 12 lines

***Extra costs required if we need to remobilize**

Material

Pre-cast accents *see backup attached

Shop drawings included- Engineering Excluded \$3,765.00

Cast Stone Anchors \$500.00

Labor Credit for Corbeling

16 Mason Hours @ \$127.97/Hr. (\$2,047.52)

16 Labor Hours @ \$92.80/Hr. (\$1,484.80)

Sub Total Labor (\$3,532.32)

Labor for Brick Cutting

16 Mason Hours @ \$127.97/Hr. \$2,047.52

16 Labor Hours @ \$92.80/Hr. \$1,484.80

Sub Total Labor \$3,532.32

Labor to Install Cast Stone and Cut Brick

16 Foreman Hours @ \$142.05 \$2,272.80

48 Mason Hours @ \$127.97/Hr. \$6,142.56

24 Labor Hours @ \$92.80/Hr. \$2,227.20

24 Operator Hours \$99.67/Hr. \$2,392.08

Sub Total Labor \$13,034.64

Equipment

Forklift @ \$1,000/week \$1,000.00

Sub-Total:	\$18,299.64
15% OH/Profit	\$2,744.95
Bond Cost	\$315.67
Total:	\$21,360.00

Should you have any questions please feel free to call me.

Very Truly Yours,

Steven Marmelo

P R - P R O P O S A L R E Q U E S T

QUINCY PUBLIC SAFETY HEADQUARTERS
Quincy, MA

KBA #18005.01
Page: 1 of 1

CONSTRUCTION MANAGER: **SUFFOLK CONSTRUCTION COMPANY, INC.** PR NO. 066-01
65 Allerton Street
Boston, Massachusetts 02119
Attn: **Steven Evans – Sr. Project Manager**

ISSUED BY: Kevin Witzell
Project Manager

DATE: **October 10, 2024**

COPIES TO:

- KBA – CT/MA
- Owner
- Official
- Consultant
- Consultant

Please submit an itemized quotation for changes in the Contract Sum and/or Contract Time for proposed modifications to the Contract Documents described herein. Notify the Architect in writing of the date on which you anticipate submitting your proposal.
THIS IS NOT A CHANGE ORDER, CONSTRUCTION CHANGE DIRECTIVE, OR A DIRECTION TO PROCEED WITH THE WORK DESCRIBED IN THE PROPOSED MODIFICATIONS.

Description: Cast Stone Accents

Provide a detailed cost proposal to delete the corbelling on the brick pilasters on column line A between columns 4 & 5 and 11.8 & 12. Provide cast stone accents as shown on sketch SKA-095 in the same location as the now flat brick pilasters.

Attachments: Sketch SKA-095

EXHIBIT

17

Friday, May 23, 2025 at 12:08:30 Eastern Daylight Time

Subject: Public Records request - City of Quincy
Date: Thursday, May 15, 2025 at 5:58:54 PM Eastern Daylight Time
From: JAMES TIMMINS
To: Rachel Davidson
Attachments: 221133_-_PCO_324_-_PR_066_Cast_Stone_Accentp.pdf, 221133_-_PCO_357_-_QPSH_-_BG_-_PR_053_Statup.pdf, Complete_with_DocuSign_QPSH_-_BG_-_CCO_007_p (1).pdf, Complete_with_DocuSign_QPSH_-_BG_-_PCCO_015p (3).pdf, Please_Review_Execute_the_Following_Change_ (2).pdf, PR 053_01 Statue Supports.pdf, PR 066_01 Cast Stone Accents (1).pdf, PR_047_Added_Plaza_Lighting_PR_60_Locker_Rpd.pdf, SKA-095 CAST STONE ACCENTS @ STATUES 10.10.24.pdf

Good evening, Rachel

Attached please find the documents provided to me by our construction manager, Steve Chrusciel. I have one more document I am having trouble attaching here, but will try again in a subsequent email.

As to the date on which the statues might be affixed, Steve explained that they are being transported to the Port of Boston, with shipping anticipated to begin (depart from the port of origin) some time in August. Steve does not believe they will be in Boston for installation until some time around or after Labor Day.

I ask that you understand I do not want to get caught in a position where a change in dates occurs and you look to me for explanation. I am not working on this project in any capacity, and therefore have not attended any project meetings whatsoever. I accept what Steve tells me to be accurate, and trust him based on my past experience. My concern is only that something occurs that I am not aware of, and you folks are caught in the lurch. I am going to respectfully burden you with the obligation to follow up for updates if you feel you need them as we get along toward late June/July. If I hear something about timing, I will let you know (and I did ask for updates, but from a very busy guy who does not associate me with the project, other than my one reach out re your document request).

I am comfortable the timing representations above are accurate and we should be quiet on the "affixing front" through the end of June at least.

Please feel free to follow up...

Jim

James S. Timmins
CITY SOLICITOR
CITY OF QUINCY

1305 Hancock Street

Quincy MA 02169
(617)376-1511
FAX 376-1519

jtimmins@quincyma.gov

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See G.L. c. 66, s. 10.

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EXHIBIT

18

THE SECOND DISESTABLISHMENT

CHURCH AND STATE IN
NINETEENTH-CENTURY AMERICA



STEVEN K. GREEN



The Second Disestablishment

*Church and State in Nineteenth-Century
America*

STEVEN K. GREEN

OXFORD
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4

New England Disestablishment

It was the last struggle of the Separation of Church and State.

—*Autobiography of Lyman Beecher* (1865)

At the same time that Protestant evangelicalism was taking hold of antebellum culture, the three remaining states with religious establishments were experiencing the pangs of political disestablishment. In all three states, the drive for disestablishment had strong partisan overtones, with Jeffersonian Republicans generally supporting the abolition of mandatory assessments (or liberalizing the rules providing exemptions for members of dissenting churches) and Federalists aligning with the Congregationalists or Unitarians who were locally dominant and the chief beneficiaries of the religious tax. The dispute also had a socioeconomic class aspect to it, with the New England elite—again, primarily Congregationalists, Unitarians, and a few Episcopalians—viewing the public support of worship and instruction as indispensable for maintaining an orderly society and reinforcing class standing. Support for disestablishment and greater separation came primarily, though not solely, from the democratically inspired lower and laboring classes, which also made up the bulk of the dissenting churches: Baptists, Methodists, Universalists, Shakers, Christians.¹

Agitation for greater religious equality under the assessment systems, if not for full disestablishment, was continuous in New England between 1800 and 1833 and represented one of the leading

political and social controversies of the day. The fact that Connecticut, New Hampshire, and Massachusetts maintained establishments until 1818, 1819, and 1833, respectively, should not be interpreted as general satisfaction with the status quo until the end. Rather, religious assessments and other forms of religious preferences were as controversial in New England as they had been in those states that had disestablished immediately following the Revolution. This is so even though the New England systems were arguably more moderate than those that had existed in Virginia and other southern states. In fact, the high number of political and legal challenges to the enforcement of the assessment systems between 1800 and 1833 substantiates the level of resistance to the New England establishments. Thus, disestablishment in New England is chiefly a story of the efforts of religious and political dissenters to chip away at the existing establishments while the Standing Order sought to hold on to an entrenched assessment system against rising popular opposition. The arguments pro and con during the battles over disestablishment reveal the evolving attitudes toward that concept.²

In the early nineteenth century, public financial support for worship, usually in the form of an assessment levied by a town or parish to pay for the minister and church preferred by a majority of voters, was the norm in four New England states: Massachusetts, Connecticut, New Hampshire, and Vermont. In all of these states, provisions allowed members of dissenting or minority churches to obtain certificates of exemption, whereby their assessments would (hopefully) be paid to their respective churches. The ease with which dissenters could obtain certificates varied widely; at times, states required that the dissenting ministers and their churches be licensed and incorporated, the latter often being an arduous task of petitioning the legislature, which retained discretion over the granting of incorporation articles.³ Some denominations, primarily the Baptists, objected to the requirements of exemption certificates, licensing, and church incorporation on theological grounds, arguing that profane governments had no authority over things sacred. Frequently, officials imposed strict prerequisites for the granting of a certificate, such as requiring a petitioner to prove membership in good standing in a church with a full-time ordained minister, usually by obtaining the signatures of several elders or trustees of the church. The argument for this requirement was that membership in a church serviced by a part-time minister should not relieve one's full obligation to support public worship. Such requirements were particularly burdensome on members of smaller and informal religious societies and those, like the Methodists, who relied on itinerant or lay clergy. Town residents who did not maintain a church membership or who failed to satisfy the certificate requirements were assessed in support of the officially recognized church.⁴

As discussed earlier, in drafting the Vermont Constitution of 1786, the state legislature had amended a 1777 provision calling for the public support of religion, with new language providing that “no man ought, or of right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any minister, contrary to the dictates of his conscience.” This language should have ended the state’s religious establishment. However, the legislature had left intact a 1783 law that authorized towns to collect assessments and to grant certificates of exemption to religious dissenters, an inconsistency that led to a patchwork of enforcement. Despite complaints by religious dissenters, the Congregationalist majority resisted recision of the law, even though assessments were arguably no longer authorized by the constitution. Not until 1807, with the defeat of a Federalist/Congregationalist-controlled legislature and the rise of the Democratic-Republican Party did the Vermont legislature abolish all statutory authority for the collection of assessments. Vermont’s “illegal” establishment thus stood on a different legal footing than those existing in neighboring states in that the law operated in contravention of constitutional authorization. The law’s demise, led by a loose coalition of Jeffersonian Republicans and Baptists, helped to lay the groundwork for disestablishment in the remaining states.⁵

Connecticut (1818) and New Hampshire (1819) were the next states to fall. Disestablishment came about in both states through the efforts of similar coalitions of Jeffersonian Republicans and religious dissenters. In New Hampshire, Baptists, Universalists, and members of Elias Smith’s Christian movement began agitating for disestablishment shortly after the 1800 election.⁶ The drive for disestablishment suffered a setback in 1803 when the Superior Court of Judicature upheld the assessment system in a lawsuit to recover a parish tax. Though holding that the Presbyterian plaintiff was improperly taxed in support of a local Congregationalist minister, the court wrote a missive on the importance of public support of religion. Chief Justice Jeremiah Smith insisted that no one should infer from the holding “that religion is a thing of no consequence to society.” On the contrary:

It is declared in our Constitution that morality and piety rightly grounded on evangelical principles, that is, on the principles of the Gospel, will give the best and greatest security to government, and . . . that the knowledge of these [principles] is most likely to be propagated through society by the institution of the public worship of the Deity, and by public instruction in morality and religion.⁷

At the same time as it was affirming the interdependence of religion and government, the New Hampshire court disclaimed that the state maintained

anything comparable to a religious establishment. In a passage revealing his understanding of disestablishment, Smith wrote:

A religious establishment is where the State prescribes a formulary of faith and worship for the rule of government of all the subjects. . . . Here the state do [*sic*] neither. It is left to each town and parish, not to prescribe rules of faith or doctrine for the members of the corporation, but barely to elect a teacher of religion and morality for the society, who is maintained at the expense of the whole.

Because any denomination in theory could be selected by a majority of voters, no denomination was “superior or inferior to another,” Smith declared. An establishment thus meant a preference for one religious sect; the possibility of equal support for all denominations was not an establishment.⁸

Smith appeared blind to the inherent inconsistencies in his opinion. Despite the putative equality of the assessment system with its exceptions for dissenters—which Smith saw as a crucial element—he dismissed claims of religious dissenters that the system as applied violated their rights of conscience. Smith insisted that, even if a dissenter was unable to obtain an exemption certificate and was forced to support the teacher of a different denomination than his own, “[h]is conscience is free, his civil rights unimpaired.” “He need not believe as the teacher or the majority believe,” Smith remarked. “He need not worship as they worship.” This was partially because the public support of religion was for the good of society, not necessarily for the benefit of religion. Still, Smith acknowledged that the system imposed a spiritual burden on a religious dissenter. It was simply “his misfortune that, in electing a teacher of religion and morality, he happens to be in the minority.” For Smith, state government could not be separated from foundational Christian principles, and the state had to employ those principles for the betterment of society. The “[p]ublic instruction in religion and morality, within the meaning of our Constitution and laws,” was therefore “a civil, not a spiritual, institution.”⁹

Chief Justice Smith’s opinion answered any questions about whether New Hampshire’s religious establishment conflicted with republican principles, and it helped to stall any momentum toward disestablishment. Early on, religious dissenters also received little support from the fledgling Republican Party, which had taken longer to become established in New Hampshire than in Vermont or Connecticut. Even though Republicans gained control of the New Hampshire legislature in 1804 and the governor’s office in 1805, they were hesitant to advocate for disestablishment, preferring to support religious dissenters in their claims for exemption certificates. Not until 1816, with the numerical increase in dissenting congregations and the demoralization of Federalists following the

conclusion of the War of 1812, did Republicans feel sufficiently confident to push for disestablishment. Also the previous year, in the case of *Moore v. Poole*, the New Hampshire Superior Court had interpreted state law to grant tax exemptions only to official town and parish ministers, thus dispensing with the veneer of equal treatment of all denominations. With momentum on their side, Republicans and their dissenting allies proposed in 1817 a bill to abolish religious taxes, the Toleration Act. After two years of political maneuvering, the legislature finally passed the act in 1819.¹⁰

Disestablishment in Connecticut took a course similar to that in New Hampshire: it was achieved after years of agitation by religious dissenters and a change in the political winds that finally moved hesitant Republicans to support disestablishment. But Connecticut was different from New Hampshire. The state was the bulwark of orthodox Calvinism: home to Yale College (referred to by one Republican critic as that “laboratory of church and state”), the New Divinity theology movement, and many leaders of the Standing Order, such as “Pope” Timothy Dwight, Samuel Hopkins, Lyman Beecher, and Nathaniel W. Taylor.¹¹ Connecticut had not experienced the level of religious dissent or diversity of its surrounding neighbors. Its establishment had deviated little from the Saybrook Platform (1708), which had closely aligned the authority of the state and the Congregational Church, despite providing tax exemptions for Episcopalians and Quakers in 1727 and 1729, respectively. And, unlike the other new states (with the exception of Rhode Island), Connecticut declined to draft a constitution upon independence but continued to operate under the authority of its colonial charter. In contrast to the situation in the other New England states, Connecticut’s political and judicial leaders were not forced to reconcile its existing establishment with constitutional provisions professing religious equality.¹²

Several developments between 1783 and 1818 helped to bring about disestablishment in Connecticut. According to William McLoughlin, between the Revolution and 1818, the number of dissenting churches and adherents grew exponentially; whereas Baptists had accounted for only nine churches and 450 adherents in 1760, by 1810 those numbers had swelled to fifty-five churches with 5,700 adherents. Membership in Episcopalian and Methodist churches also increased, such that by 1818 the dissenting churches outnumbered the Congregational churches.¹³ Partially in response to this growing religious pluralism, the Connecticut legislature in 1784 repealed the Saybrook Platform and enacted a new certificate system that extended the exemption from religious taxes to bona fide members of all denominations, not merely to Episcopalians, Quakers, and Baptists. Seven years later, the legislature further liberalized the certificate system, allowing dissenters to file their own certificates rather than

obtain one at the discretion of a justice of the peace. Baptists still objected to being required to file any certificate with authorities (either justices of the peace or clerks of the local Congregational church), and Baptist leader John Leland authored several tracts advocating a greater separation of church and state, one having the colorful name *The Rights of Conscience Inalienable, and Therefore Religious Opinions Not Cognizable by Law or, the High-Flying Churchman Stripped of His Legal Robes Appears a Yahoo* (1791).¹⁴ In calling for disestablishment, Leland did not argue merely for a political uncoupling or for equal treatment of all denominations; rather, he attacked the underlying assumptions of the Standing Order about the necessity of religious support for civil society:

The certificate law supposes, 1. That the legislature have power to establish a religion. This is false. 2. That they have authority to grant indulgence to non-conformists:—this is also false; for religious liberty is a *right* and not a *favor*.

Is uniformity of sentiments, in matters of religion, essential to the happiness of civil government?—Not at all. Government has no more to do with the religious opinions of men, than it has with the principles of the mathematicks. Let every man speak freely without fear—maintain the principles that he believes—worship according to his own faith, either one God, three Gods, no God, or twenty Gods; and let government protect him in so doing.¹⁵

That the changes to the certificate system meant only toleration of dissenting sects, and not religious equality, was reinforced by the Standing Order's insistence that the Congregationalist establishment retain its legal and social preferences. Congregationalist clergy represented a privileged and powerful class: their salaries and lands were exempt from taxation, only they could perform marriages, and their opinions on matters moral and political went unquestioned.¹⁶ Also, the Congregationalist clergy controlled the educational system: town primary schools were run by local Congregationalist clergy; Yale College, that bastion of orthodox Calvinism, received tax support from the state; and the Congregationalist clergy resisted calls by Episcopalians for public support for their fledgling academy.¹⁷ The privileged position of the Congregationalists became an issue during a controversy over the sale of western lands in 1795. As initially enacted by the legislature, receipts from the sale were to go into a perpetual account to fund the "Ecclesiastical Societies Churches or Congregations of all denominations," and, secondarily, "Schools of Education," both of which would have enhanced the position of the Congregationalist clergy. For two years, the legislature resisted amending the law despite charges

of preferential treatment of Congregationalists, finally acquiescing to create a perpetual school fund from the proceeds.¹⁸

As the Appropriation Act controversy demonstrates, the Congregationalist clergy essentially held a stranglehold on the state and local political establishments, and by the time of John Adams's election, they were Federalists almost to a man. Within the Connecticut Federalist Party, the clergy were the largest and most powerful block, sometimes choosing the party's political leadership.¹⁹ Lyman Beecher later candidly acknowledged the political power of the Standing Order clergy in his *Autobiography*:

The ministers had always managed [political matters] themselves, for in those days the ministers were all politicians. They had always been used to it from the beginning. On election day they had a festival. All the clergy used to go, walk in procession, smoke pipes, and drink. And, fact is when they got together, they would talk over who should be governor, and who lieutenant-governor and who in the upper house, and their counsels would prevail.²⁰

Thus, in spite of providing an exemption for religious dissenters under the certificate system, Connecticut maintained one of the more entrenched religious establishments, which gave preferential treatment to Congregationalist churches and awarded political power to Congregationalist clergy. One opponent described it as a "smothering establishment of religion." This inequitable system, together with the controversy over the Appropriation Act, led to the birth of the first serious political opposition (which evolved into the state Republican Party) and helped to engender an anticlericalism in that party's members that would continue through disestablishment in 1818.²¹

Growing agitation for greater religious equality if not disestablishment led Judge Zephaniah Swift to include a defense of the existing system in his treatise *A System of the Laws of the State of Connecticut* (1795). Swift was a former member of Congress, a liberal Congregationalist, and also a supporter of the existing Standing Order. Still, his defense of his state's system had more of an apologetic quality than that of New Hampshire's Chief Justice Smith. Swift wrote that Connecticut had *previously* maintained a religious establishment, which he characterized as having been a "more mild and tolerant establishment, than that with which [the settlers] had been acquainted" in Britain. With the repeal of the Saybrook Platform and the passage of the certificate laws of 1784 and 1791, the notion of a religious establishment had "exploded." Although the state legislature might not have so intended, Swift wrote,

yet here is a compleat renunciation of the doctrine, that an ecclesiastical establishment is necessary to the support of civil government.

No sect is invested with privileges superior to another. No creed is established, and no test act excluded any person from holding any offices in government.²²

For Swift, an establishment—something he defined as providing exclusive support and preferences—no longer existed in Connecticut. Because all dissenters were entitled to receive certificates to exempt them from paying for support of the Congregational Church, Swift argued that concerns about religious conscience had been met: “the people are left to their own freedom, in the choice of their creed, and the mode of worship.” Swift also believed that, notwithstanding the presumption in the law that gave Congregational churches all remaining taxes, there was a “levelling [of] all distinctions and placing [of] every denomination of christians equally under the protection of the law.”²³

But Swift was also responding to the orthodox Calvinists who were bemoaning the loss of piety and financial support through the liberalization of the law. There were some, Swift wrote, who “imbibed the false principle that government cannot exist without a civil establishment of religion”:

It will be found in all countries that ecclesiastical establishments have subjected mankind to a despotism that has largely contributed to their distress. . . . In this state, since the rejection of our ecclesiastical establishment, religion has become more flourishing, government more energetic, and the people more peaceable. These considerations must demonstrate the important truth, that a religious establishment is not necessary to the support of civil government, and that religion left to itself, will produce the happiest influence on civil society.²⁴

Swift still had to reconcile his understanding of disestablishment with the laws providing for the public support of worship, including assessing taxes to pay for church buildings and Christian ministers. Swift insisted that the “settlement of ministers is merely a civil regulation” and was for the benefit of civil society, not to advance religion. The 1791 law was “passed for the purpose of promoting the public good,” and there was “an inherent right of the legislature” to enact such salutary laws.²⁵ While the legislature had no right to prescribe “the ceremonies, the creed or the discipline of a church,” where a people agreed upon the truth of a peculiar religion, the legislature could “step in to their aid, and enact laws that are necessary to enable them to support public worship in a manner agreeable to their consciences”:

The legislature without establishing any religion, has considered christianity to be the religion of the people, and has enacted laws to

authorize the people to maintain public worship, in the manner which they deem proper. No mode of worship is prescribed, no creed is established, no church discipline enforced. In point of principle there is no coercion. . . . Every christian may believe, worship, and support in such manner as he thinks right, and if he does not feel disposed to join public worship, he may stay at home and believe as he pleases, without any inconvenience, but the payment of his tax to support public worship in the located society where he lives.²⁶

Thus, for Swift, “[t]he agreement of settling a minister, tho binding on the [religious] society, is merely a corporate or political transaction, and by no means involves a personal obligation upon the honor and consciences of man.” Rather, it was like a private contract, and “because the majority governs . . . a man may be legally subjected to a contract to which he never assented.” As Mark McGarvie has demonstrated, Swift was reconceiving the role of still-publicly-supported churches and religion from public institutions into private ones. Whether Swift realized it, his nuanced defense of Connecticut’s establishment helped to further its demise by deemphasizing the public role of churches.²⁷

Swift’s treatise, though clearly an apologia for the new status quo, demonstrates the variety of opinion over what constituted an “establishment” in the late 1790s. Swift and Leland would have agreed that coerced assessments and preferential treatment constituted an establishment, though they would have parted on what constituted a coercive practice or a religious preference. Swift, the lawyer, was also willing to accept the legal fiction that the certificate system somehow neutralized the coercive aspects of an assessment system. And Swift, like most moderate supporters of the establishment, viewed the public support of religion chiefly as serving civil society, for the benefit of all. But to the growing number of religious dissenters, Baptists, Universalists, and Methodists—many without regular ministers and thus ineligible for certificates—the system was still coercive and favored the dominant Congregationalists. Despite the availability of an exemption certificate, Baptists and other dissenters, who came primarily from the lower and working classes, resented the certificate requirement and the preferences enjoyed by the dominant Congregational elite. They remained dissenters in the eyes of the law and society.²⁸

In 1801, the Danbury Baptist Association launched a petition drive to the state legislature seeking repeal of the certificate laws. Its petition coincided with Thomas Jefferson’s election as president and a resurgence of the state Republican Party; initially, though, the Baptists did not associate with the Republicans out of suspicion of their rationalist leanings. During this five-year drive, the Danbury Association wrote to Jefferson, seeking moral support for

their cause and noting that the religious privileges they enjoyed existed only as “favors granted and not as inalienable rights.” “Religion is at all times a Matter between God and Individuals,” the association wrote, and “no man ought to suffer in Name, person or effects on account of his religious Opinions.”²⁹

Jefferson, who during the preceding election had been viciously attacked by the Standing Order for his rationalist beliefs, responded with his now-famous Letter to the Danbury Baptists, pronouncing the metaphor of “a wall of separation between church and state.” Religion was “a matter which lies solely between man and his God,” Jefferson echoed, and because man owed “account to none other for his faith and worship, . . . legislative powers of government [should] reach actions only, and not [religious] opinions.” No doubt, Jefferson viewed his response as an occasion to make a salvo against his nemeses in the Standing Order. At the same time, he unquestionably saw it as an opportunity to elaborate his view on church-state separation, and the letter was carefully worded and vetted for public consumption by his attorney general, Levi Lincoln. Postmaster General Gideon Granger, a Connecticut Republican who also reviewed Jefferson’s response in advance of its mailing, enthusiastically replied that “[i]t is but a declaration of Truths which are in fact felt by a great Majority of New England, and publicly acknowledged by near half the People of Connecticut.” Though likely exaggerating the strength of popular sentiment, Granger, like Jefferson, understood the importance of the response in the looming battle between Connecticut’s religious dissenters and the Standing Order over disestablishment. He wrote that Jefferson’s answer “will undoubtedly give great Offense to the established Clergy of New England while it will delight the Dissenters.” Granger urged Jefferson not to change a sentence or sentiment, hoping that the “temporary Spasm among the Established Religionists” would in turn help to “germinate among the People . . . their political Tenets,” leading to greater religious and political reform.³⁰

Although few Connecticut Baptists shared Jefferson’s more expansive views on church-state separation (with the possible exception of John Leland), the sentiments expressed in his letter reflected a common perspective that united the Baptists and Republicans: matters of faith and worship were beyond the legislative powers of government; and the privileges and political power of the Congregationalist clergy violated church-state separation. Even the defenders of Connecticut’s “mild establishment,” like Judge Swift, would have agreed that government lacked authority over matters of religious conscience. The rub was whether the support of public worship for the “public good” went beyond the authority of government and/or violated rights of conscience. That opinions varied, even among Republicans and religious dissenters, over the power of government to take cognizance of religion and provide for public morality

does not negate the ongoing separationist impulse of the early nineteenth century. Too much significance can be placed on discrete differences of opinion so as to obscure the continuing appeal and vitality of the Jeffersonian principle.³¹

The Federalist-controlled Connecticut legislature rejected the Baptist petitions as well as calls for drafting a state constitution. But their intransigence to religious and political reform had the effect of uniting the Baptists and the Republican Party. Baptists still remained suspicious of the Republicans' deism and anticlericalism and Republicans in turn were uncomfortable with the Baptists' evangelical piety, but greater distrust of the Federalist-Congregationalist alliance kept the two groups together. The Federalists controlled the Connecticut legislature until 1816 and were able to fend off all efforts for disestablishment. But the Federalist-Congregationalist alliance was on increasingly shaky ground. Gradually, Methodists, Universalists, and liberal Congregationalists (likely unitarian in belief) became disaffected from the Standing Order's increasing sectarianism.³²

Lyman Beecher, for one, demonstrated the Standing Order's elitism and insensitivity to the dynamic situation by delivering two sermons in 1814 that praised Connecticut's Puritan past and the existing religious establishment that favored Congregationalists. In "The Building of Waste Places," Beecher criticized the certificate exemption law and panned dissenters' claims of religious coercion. The practical effect of the exemption, Beecher insisted, "has been to liberate all conscientious dissenters from supporting a worship which they did not approve . . . and to liberate a much greater number, without conscience, from paying for the support of the Gospel anywhere." While the exemption "accommodates the conscientious feelings of ten," Beecher argued, "it accommodates the angry, revengeful, avaricious, and irreligious feelings of fifty; and threatens, by a silent, constant operation, to undermine the deep-laid foundations of our civil and religious order."³³ To Beecher, it was a "vital principle" that "every man shall pay according to his property for the support of religious instruction," which he insisted was a "public civil benefit." Moreover, that necessary public instruction in religion could only be accomplished effectively through an educated ministry, Beecher continued in "An Address to the Charitable Society." In a statement that caused offense to Baptists, Methodists, and other evangelical groups with lay clergy, Beecher declared that "[i]lliterate men have never been the chosen instruments of God to build up his cause."³⁴

Beecher's sermons were circulated widely and criticized in the Republican press as confirming "Congregational schemes" to remain in power while keeping down Baptist, Methodist, and Episcopal churches "at any cost and all hazards." The Connecticut government "is and has been for a long time a combination of men of one sect in politics and one sect in religion, firmly bent on

their own promotion and relying on the union of Church and state to bear down all opposition,” wrote the *American Mercury* in September 1816.³⁵

Disestablishment came finally to Connecticut in 1818. The Federalists and their Congregationalist allies had lost face through their opposition to the War of 1812 (and through the former’s flirtation with treason in the ill-fated Hartford Convention that had considered New England’s secession from the union). The breaking point came in 1816, however, when the Episcopal leadership abandoned the Federalists over a funding dispute and threw in their lot with the Republicans. The two groups formed the Toleration Party with a chief platform of abolishing the remaining religious establishment. The Toleration Party won the governor’s seat and the lower house in 1817 and a complete sweep in the March 1818 election. The legislature then called for a convention to draft a state constitution to replace the old colonial charter. The new constitution included an article in its Bill of Rights, Article VII, that provided that “every society or denomination of Christians . . . shall have and enjoy the same equal powers, rights and privileges,” and that “no person shall by law be compelled to join or support, nor be classed with, or associated to any congregation, church, or religious association.”³⁶ Disestablishment was not a by-product of the movement for constitutional and political reform, however; it was its chief catalyst. And based on Connecticut’s history as having the most socially and politically integrated religious establishment, the drive for disestablishment represented not just the formal abolition of the assessment system but a rejection of the moral claims upon which the establishment had rested.³⁷

A resigned but still intransigent Lyman Beecher later recounted the events in his *Autobiography*, blaming disestablishment on the Episcopalians, religious dissenters, “infidels,” Republicans, and “the rabble,” but refusing to accept any of the blame himself. The “minor sects had swollen” in membership and had “complained of favoritism” and “of having to get a certificate to pay their tax where they liked,” Beecher wrote. “So the democracy, as it rose, included nearly all the minor sects, besides the Sabbath-breakers, rum-selling tippling folk, infidels, and ruff-scuff generally, and made a dead set at us of the standing order.” Beecher also acknowledged, without apology, that “our efforts to enforce reformation of morals by law made us unpopular; [and] they attacked the clergy unceasingly, and myself in particular . . . with all sorts of misrepresentation, ridicule, and abuse.” Beecher maintained that he worked “as hard as mortal man could” to stem the tide, but the “cause of Christ” was overcome; “[i]t was as dark a day as ever I saw.”³⁸

Writing two years after disestablishment, however, Beecher was more reflective. Though at the time the events had caused him “great depression and suffering,” he now believed that disestablishment was “*the best thing that ever*

happened to the State of Connecticut. It cut churches loose from dependence on state support [and] threw them wholly on their own resources and on God.” The “tax law had for more than twenty years really worked to weaken us and strengthen [our opponents],” Beecher acknowledged. Now, the animosity between denominations was gone, opening the way to “a time of revival as never before in this state.” Yet Beecher still wanted his readers to appreciate the significance of the passing of the Connecticut establishment: “Take this revolution though, it was one of the most desperate battles ever fought in the United States. It was the last struggle of the separation of Church and State.”³⁹

The final “desperate battle” for disestablishment took place in Massachusetts. As discussed in a previous chapter, the Massachusetts Constitution of 1780 formalized the unevenly enforced multiple establishments of the late colonial period. Article III constitutionalized the previous statutory requirement that every town collect taxes for the support of a “public protestant teacher . . . of piety, religion and morality,” making the mandate permanent and giving the arrangement renewed vigor. The constitution purported to guarantee the equality of all Christian denominations with “no subordination of any one sect or denomination to the other.” In reality, it effectively cut back on the freedoms of Baptists, Quakers, and other dissenters by removing the previous exemption from paying the taxes and requiring them to file certificates of membership in a dissenting church, to which their assessment would then be paid. For those who failed to file a certificate or who lacked membership in a religious body, their taxes went to support the locally settled public teacher of religion, invariably a Congregationalist minister. Finally, the 1780 constitution reaffirmed the symbolic importance of the state’s ecclesiastical establishment, asserting that the “public worship of GOD” and “instruction . . . into piety, religion and morality” were indispensable for “the good order and preservation of civil society.” What Massachusetts lacked in an entrenched Standing Order clergy, as in Connecticut, it made up for in its invigorated constitutional system.⁴⁰

Several factors led to gradual disestablishment in Massachusetts. As in Connecticut, some of the factors were cultural and political: the growth in dissenting church membership (Baptists, Methodists, Universalists) and the rise of the state Republican Party, which advocated greater religious equality though it balked at outright disestablishment until the end. As William McLoughlin has written:

[Even though the Republicans] frequently used the phrase “religious liberty” as a political war cry in Massachusetts, they did not mean by it what the [religious] dissenters did. For Republican politicians it

meant primarily liberty from clerical support of Federalist policies. . . . The Republican Party was born, flourished and died in Massachusetts without ever advocating Jefferson's position on disestablishment.⁴¹

The Republicans attacked the inequity of the system and those who benefited from it, but they did not challenge its core. Criticism of the assessment system by religious dissenters like Isaac Backus and his successors also kept pro-establishment forces on the defensive. The fundamental inequity of the assessment system, which favored the Congregational churches while sometimes resulting in distraint or the imprisonment of dissenters for refusing to pay ministerial taxes, kept the matter in the public eye. But the more important factors leading to disestablishment in Massachusetts were—appropriately, considering its constitutional shoring—legal developments spurred on by a theological split within the Congregational Church. In Massachusetts, the transition to disestablishment was less ideologically driven than in other states.⁴²

As soon as the 1780 constitution was enacted, legal controversies arose over the operation of the assessment system. The drawback to a more formalized system was that the legislature and courts were required to settle questions over the requirements for obtaining certificates of exemption, the ease with which a person could transfer membership from a Congregational church to a dissenting church, and whether the availability of a certificate depended on the incorporation of a dissenting church, the ordination of its minister, or his full-time status. Also, the Massachusetts courts had to decide who chose the settled public minister or teacher (and thus controlled the local establishment): the active members of the dominant church or the residents of the larger town or parish. All of these controversies exposed the preferential nature of the state's "mild and equitable establishment," highlighting the inherent inconsistency between an assessment system and true religious equality, while increasing the number of converts to disestablishment. But it was the resolution of the last controversy in favor of towns over churches—which effectively transferred power from the orthodox trinitarian Congregationalists to the more liberal unitarian Congregationalists—that ultimately led to the demise of the system. Fortunately, these controversies are documented in several important court decisions between 1785 and 1833. In addition to marking the evolution of the law governing the last remaining establishment, the cases also reveal the variety of attitudes about the relationship between the state and religion generally.⁴³

An early legal challenge to the Massachusetts establishment involved John Murray, a leader in the fledgling Universalist movement; the issue of tax exemption for members of unincorporated churches; and the ability of the

clergy of the dissenting churches to perform marriages. Although the Massachusetts Standing Order could barely tolerate the insurgent Baptists and Methodists, Universalism challenged the theological underpinnings of trinitarian Congregationalism through its rejection of core Calvinist doctrines, particularly predestination and eternal damnation. Murray founded in 1779 the Independent Church of Christ of Gloucester, which purposely set itself up as a voluntary religious association without seeking legislative incorporation; the church also declined to ordain Murray. In 1783, several church members sought to have their parish taxes applied toward their own church as provided for under Article III of the Constitution. The tax assessors rejected the applications on the ground that the church was not a bona fide dissenting body and proceeded to distrain the taxes. As the church members were contemplating an appeal, the local sheriff arrested the non-ordained Murray for performing illegal marriages.⁴⁴

The Universalists appealed both issues to the Massachusetts Supreme Judicial Court, sitting with a jury, in 1785. Murray was represented by James Sullivan, a future attorney general and Republican governor of Massachusetts; the parish was represented by Theophilus Parsons, a future chief justice of the supreme judicial court who would write several of the crucial opinions that would bring about disestablishment. Sullivan argued for an expansive reading of Article III, one that required only proof that the applicants held different beliefs from that of the settled church; however, the justices accepted Parsons's narrow interpretation of the clause, instructing the jury that taxes could be applied only to a minister who had been elected by a corporate body. Sullivan claimed that such an interpretation effectively excluded "Episcopalians, Baptists, Quakers, Presbyterians and Sandemanians [Unitarians], from all benefits arising from the third article." On the second question, Parsons argued that, regardless of incorporation, Murray could not qualify as a "teacher of piety, religion [and] morality" because his belief in universal salvation undermined public morality. The jury ignored the judges' instruction, however, returning a verdict that Murray was entitled to the taxes from his parishioners, regardless of incorporation. Because the jury failed to settle the issue about the legality of his ministry, Murray sought reconsideration of both questions. The following year, two members of the supreme judicial court reversed themselves, now ruling that the constitution should be interpreted to be of "a most liberal kind" to permit teachers of "any persuasion whatever" to receive the taxes of their parishioners. Chief Justice William Cushing noted that the holding would likely lead to the proliferation of sects and the inability of some parishes to agree on a settled minister and fulfill their obligation to maintain public worship; however, the constitution's antisubordination clause was intended to provide equality for

dissenting faiths. Even though the court held that Murray's church was entitled to the taxes of its parishioners, it held that Murray was still disqualified as a minister to perform marriages due to his lack of ordination, thus leaving in doubt the ability of some dissenting ministers to receive the tax assessment.⁴⁵

For some reason, the *Murray* decision carried little precedent, and local officials continued to deny recognition to unincorporated churches and to distrain members' property to pay for taxes. Some dissenting churches succumbed to pressure, seeking incorporation and ordaining their ministers to be consistent with the Cambridge Platform, but a few stood on principle. Ongoing litigation led the Massachusetts General Court in 1800 to repeal the previous laws and enact a comprehensive statute governing assessments. But that new law proved not up to the task. It affirmed that only incorporated towns and parishes were subject to the constitutional requirement to collect taxes for the support of public worship and settled ministers, omitting any mention of unincorporated societies and their ability to receive ministerial taxes. It also reaffirmed procedures for obtaining exemptions from paying taxes, but this involved filing certificates with local assessors, something that Baptist dissenters in particular found offensive. Though the privileges under the 1800 law technically were available to all incorporated churches, it chiefly reaffirmed the status quo favoring Congregational churches.⁴⁶

Two events of significance occurred in 1807 that added momentum to the growing dissatisfaction with the Massachusetts establishment. The first event, the case of *Avery v. Inhabitants of Tyringham*, presaged the looming schism between unitarian and trinitarian Congregationalists over the selection of settled ministers and possession of meetinghouses. In 1803, the majority of the residents of Tyringham voted to dismiss their town minister, Joseph Avery, who had been the public religious teacher of the town and Congregational church since 1788. Avery, backed by a minority of church members, sued for his salary, winning at trial and on appeal. The town argued that Article III vested both the duty and authority on towns to provide for public worship, including the selection and payment of a public religious teacher, and for the purposes of the constitution, the town and parish were legally indistinguishable. All three justices of the supreme judicial court read that authority narrowly, with Justice Isaac Parker declaring that the town's authority over ministers existed only upon a vacancy. Taking a slightly different approach, Chief Justice Parsons argued that, even though the constitution secured to towns "the exclusive right, at all times, of electing their public ministers," he noted that the town had not yet rejected relying on the "ancient usages" of church members electing public ministers.⁴⁷ The decision, while acknowledging that the constitution distinguished between town or parish inhabitants and church

membership, with ultimate authority for maintaining the local establishment resting with the former, temporarily propped up the Congregationalist establishments by making it more difficult for a town with a dissenting majority to change the status quo. Lest there was any doubt as to the court's inclinations, Justice Theodore Sedgwick added a defense of the establishment system contained in Article III:

In language strong and energetic, the religion of Protestant Christians is *established*. Liberty of conscience is *secured*. Provision is made for the support and maintenance of public Protestant teacher[s] of religion and morality. The exclusive right of electing their public teachers, and of contracting with them for their support and maintenance, is guaranteed to religious societies; and it is made their duty, *at their own expense*, to make suitable provision for the institution of the public worship of God.⁴⁸

During the same year that the supreme judicial court was announcing its strong support for the existing establishment, Republicans won control of both houses of the legislature and elected as governor James Sullivan, the attorney who had defended Murray and other religious dissenters. Now in power, Massachusetts Republicans publicly criticized the inequity of the system and, chiefly, the tax support for the settled Federalist Congregationalist ministers who used their quasi-public and religious positions to rail against Jeffersonian policies. But they did not share Jefferson's philosophical antipathy for the public support of religion generally; nor did they call for dismantling the state establishment, as some religious dissenters wished. At least initially, the Republican elite, including Sullivan, Elbridge Gerry, and Levi Lincoln, did not actively align themselves with the religious dissenters, the majority of whom came from the lower and working classes. McLoughlin notes that Republican leaders "were ready to aid persecuted dissenters in specific instances. . . . And they made glowing speeches against instances of clerical oppression and bigotry. But they never advocated separation of church and state."⁴⁹

Despite their ambivalence, Sullivan and the Republicans pushed a religious liberty bill, or Worship Bill, in the legislature in 1808 to rectify some of the inequities of the 1800 law, in particular to facilitate the ability of voluntary religious societies to receive their assessments. But the Republicans lacked backbone and flinched at accusations that they were advancing an "Infidel Bill." As unitarian Congregational minister and Republican activist the Reverend William Bentley wrote: "The increase of the sects must eventually make this law necessary. But the fury of the opposition was great especially by such men as wished to sound a religious alarm against the Republicans." Those accusations

came primarily from the Federalist Congregationalists. Although Congregationalists were experiencing a growing rift between trinitarian and unitarian factions, they “agree[d] only in one point,” Bentley noted. “[T]hat is, they rest upon the establishment of Parish laws.” Allowing for more equitable distribution of the assessment proceeds would threaten the power and financial security of all Congregational churches, whatever the variety. So, despite Republicans controlling both legislative houses and the governorship, the “Infidel Bill” lost on a reconsideration vote. Whether as a result of the failure of the Worship Bill or not, Republicans were voted out of office in 1808.⁵⁰

Not all events worked against the liberalization of the state’s “mild establishment.” In 1808, the Massachusetts Supreme Judicial Court affirmed through a series of cases that the 1800 law protected the ability of people to transfer membership to dissenting churches, much to the chagrin of the settled churches which lost the financial support. Chief Justice Parsons wrote in *Thaxter v. Jones* that because the constitution prohibited subordination of any denomination of Christians and prohibited the legislature from denying the incorporation of new churches, the law must also “give liberty to any of the members of [the standing church] to recede from it.” Importantly, the court also held that the newly converted were not required to prove conscientious scruples to gain the privilege: “Men of liberal minds may, with a good conscience, attend indifferently the public worship of different denominations, and may elect their denomination from mere local convenience, or for other good causes.”⁵¹

The following year, however, the high court rejected the claim of a Baptist minister for his share of the assessment on grounds that his two churches were not incorporated and he was not properly ordained, such that his half-time status at each church could not free his parishioners from their full obligation to support public worship. The court viewed the claim as a threat to the stability of the system, with Chief Justice Parsons warning against any “mischievous construction” that would allow parish members to “withdraw their annual contribution intended for the support of the parish minister, to supply themselves with teachers for half a year, or perhaps for a month.”⁵² This latter holding affected both Baptists attending small churches without full-time clergy and the growing number of Methodist churches with their itinerant circuit riders, and it set the stage for the second significant court holding, *Barnes v. First Parish in Falmouth*, in 1810.

Barnes involved the issue of whether a Universalist minister was entitled to the ministerial taxes assessed against two of his members but given to the local Congregational church. Barnes’s church was not incorporated by the legislature, something neither the constitution nor the 1800 law required and a question the court in *Murray* had appeared to resolve in favor of dissenting churches.

But Chief Justice Parsons, the prosecuting attorney in *Murray* some twenty-five years earlier, took the opportunity in *Barnes* to clarify the law and, at the same time, to defend the establishment against its critics. *Barnes* stands as the strongest apologia for religious establishments of any American legal decision.⁵³

The specific issue in *Barnes* was whether the constitution required incorporation in order for churches to participate under the assessment system and receive the benefits of Articles II and III. For Parsons, this issue led to the fundamental question about the official role of religion in civil society. The object of civil government, Parsons began, was for the promotion and security of the happiness of its citizens. But that goal could not be achieved without an understanding of “our moral duties,” which enabled humankind to “comprehend all the social and civil obligations of man to man.” Even “wise laws” could not instill or oblige the performance of the necessary duties:

Civil government, therefore, availing itself of its own powers, is extremely defective; and unless it could derive assistance from some superior power, whose laws extend to the temper and disposition of the human heart, . . . wretched indeed would be the state of man under a civil constitution of any form.⁵⁴

Fortunately, Parsons continued, the people of Massachusetts “were not exposed to the threat of choosing a false and defective religious system.” Instead, Protestant Christianity had long been recognized as the superior system, its “divine authority admitted,” resting on “immortal truth” and containing “a system of morals adapted to man.” The people collectively had adopted and patronized this religion by setting up an establishment, but one “liberal and consistent with the rights of conscience on religious subjects.” This establishment, according to Parsons, necessitated the public’s instruction in religion and morals, which could only be accomplished by public religious societies “known in the law, [and] formed by the public authority of the state.” Only legally recognized societies could accomplish this important task, and only they could receive public support.⁵⁵

Parsons’s opinion provided a legal and philosophical justification for the establishment, but he still had to reconcile the freedom of conscience, equal protection, and antisubordination provisions of Articles II and III. Parsons was up to the task, noting that no one was compelled to attend any religious instruction to which he conscientiously disapproved; as a result, “the first objection seems to mistake a man’s conscience for his money, and to deny the state a right of levying and of appropriating the money of the citizens, at the will of the legislature, in which they all are represented.” Directing his argument toward the Baptists and other conscientious objectors, Parsons insisted:

The great error [in their argument] lies in not distinguishing between liberty of conscience in religious opinions and worship, and the right of appropriating money by the state. The former is an unalienable right [protected by the constitution]; the latter is surrendered to the state, as the price of protection.⁵⁶

Moreover, the dissenters could not claim that the system had the goal of advancing any one religion nor that they did not benefit from its operation. “The object of public religious instruction is to teach . . . a system of correct morals among the people, and to form and cultivate reasonable and just habits and manners.” Thus, the establishment advanced civil society, not religion, and all members of society benefited from its operation. With respect to the clause requiring that all moneys paid for the support of public worship be “uniformly applied to the support of the public teacher or teachers of [one’s] own religious sect or denomination,” Parsons maintained that it applied only to Protestant ministers of incorporated churches. In so holding, he gutted much of the meaning out of Article III’s equal protection and antissubordination clauses, which he claimed were only for the purpose of preventing an ecclesiastical hierarchy.⁵⁷

Finally, Parsons responded to the claim that establishments usurped religion for the benefit of the state, violating Christian teachings against erecting a “temporal domination” of religion. Parsons denied that the state’s founders intended to create a Christian state authorized to enforce Christian doctrine. But “the faith and precepts of the Christian religion are so interwoven that they must be taught together.” “Our constitution certainly provides for the punishment of many breaches of the laws of Christianity,” Parsons wrote, “but not for the purpose of propping up the Christian religion, but because those breaches are offenses against the laws of the state.” The state was not usurping any authority it did not already possess as a civil government, and the operation of the establishment was solely for the benefit of all members of society.⁵⁸

Parsons had hoped that his *Barnes* opinion would settle the question over eligibility to participate in the assessment system and provide a philosophical basis that would perpetuate the establishment for years to come. But his argument of why the tax system respected rights of conscience went against the growing consensus that had led to disestablishment in eleven of the states, and it convinced few people in Massachusetts. Parsons’s narrow reading of the guarantees of religious equality and nonsubordination also highlighted the tension in a system that professed an agnosticism toward, but kept a keen interest in, the theological content of public religious instruction. Despite the constitution’s declaration of religious equality in Massachusetts, the Standing Order was not prepared to risk the existence of civil society on such an experiment.

More immediately, the holding threw the status of unincorporated dissenting churches into limbo, as it tied the ability to receive incorporation to how closely the legislature would examine whether each church conformed to the greater purposes behind Article III. In the end, though, *Barnes* turned out not to be the legal life preserver of the establishment that Parsons had hoped but the last significant victory for the supporters of the status quo.

In 1810, the same year as the *Barnes* decision, the Republicans regained power in Boston with Elbridge Gerry being elected governor. The following year, the legislature passed the Religious Freedoms Act, partially in response to the *Barnes* decision. The act effectively reversed much of Parsons's sweeping opinion. Justifying its necessity on giving meaning to the nonsubordination and equal protection clauses, the act affirmed the right of every person to have his assessment paid to the church or society of his choice, regardless of its corporate status. Also seeking to rectify *Murray* and *Thaxter*, the act provided that a dissenting minister's eligibility to receive taxes would rest on whatever ordination his church recognized and was not dependent on the number of churches he served. Finally, the act relaxed the requirements for the filing of an exemption certificate that would ensure that one's assessment was paid to his own religious society. The combination of these provisions effectively allowed all dissenters to avoid paying taxes to support the locally dominant Congregational churches. In many respects, the 1811 act not only reversed the narrow judicial interpretations of Articles II and III but expanded on those provisions.⁵⁹

The impact of the 1811 act on the law and the consternation it caused for the Massachusetts Standing Order were indicated by an 1817 case, *Adams v. Howe*, which required the supreme judicial court to apply the new law for the first time. Daniel Adams was a member of the unincorporated Baptist society of Barre, which was served by a minister only once a month. He sued after the town assessors distrained his cow as payment to the local Congregational church.⁶⁰ Chief Justice Isaac Parker, who had joined in the *Barnes* decision, held for Adams, but only after expressing considerable regret. Parker reiterated the above facts, which previously would have mattered, but acknowledged that they were now immaterial under the act, which "expressly puts corporate and unincorporated societies upon the same footing." But Parker could not withhold his disdain for the new law:

We are well aware of the great inconveniences, and the injury to public morals and religion, and the tendency to destroy all the decency and regularity of public worship, which may result from a general application of the indulgence granted by the legislature, in

that statute, to all persons who may choose to associate, and withdraw themselves from the regular and established religious societies in towns and parishes, which, being by law obligated to support public teachers, may thus have their means and power so much diminished.⁶¹

Parker viewed the act as undercutting the ability of towns to fulfill their obligation of public worship and instruction, and thus as a threat to the establishment itself. "The mischief to be dreaded is the breaking up of the parochial religious establishments, by authorizing any number of individuals to withdraw themselves, in the easy and loose way which is provided in this act." As a supporter of the Standing Order, Parker believed that the act set up a false conflict between rights of conscience and the support of public worship. But if members of the legislature, "with a view to secur[ing] the rights of conscience, pass laws, within the letter of the constitution, which may have a tendency injuriously to affect the regular public worship, it is not for the judiciary power to control their course." The court's duty was "to give effect to such acts of the legislature as they have the constitutional authority to make, without regarding their evil tendency or inexpediency." Quite clearly, the justices had a difficult time disregarding the presumed "evil tendency and inexpediency" brought on by the liberalization of the law. The justices also astutely recognized that a religious establishment, with its promotion of public religion, could not long stand if all faiths were able to lay equal claim to religious truth and public support and could satisfy society's "depend[ence] upon piety, religion and morality."⁶²

The *Adams* case should have led to the demise of the Massachusetts establishment; the system was irrevocably damaged by the court's affirmation of the Religious Freedoms Act's requirements. But the combination of the act and the *Adams* decision gave many dissenters what they had long wanted, which had the immediate effect of reducing pressure for further change. Likely, *Adams* would have eventually led to disestablishment had it not been for a more immediate crisis, not one involving dissenters attacking the establishment from without but a schism within the Standing Order itself.

The division between the more liberal unitarian and more orthodox trinitarian Congregationalists had been brewing for many years. Controversy over the growth of unitarianism at Harvard, which trained most Congregationalist ministers, had led trinitarians to establish Andover Theological Seminary in 1807. In many parishes, disaffected unitarians left the settled Congregational church, joining with the dissenting Baptists, Methodists, and Universalists to constitute the majority of town residents. In other towns, the unitarian faction constituted the majority within the settled church, forcing disgruntled trinitarians to bite

their lips or, in larger towns, to establish “second churches.”⁶³ Issues over who controlled the “first churches”—the town majority or church majority—and who had the power to select the ministers had been at a low boil for a long time. Article III appeared to assign the obligation and authority for public worship on the towns or legal parishes, but the *Avery* decision had cast that authority into doubt. Yet, slowly, the court came to recognize the superior authority of the towns over ecclesiastical matters. In *Burr v. Inhabitants of Sandwich* (1812), involving an attempt by a parish to reduce the salary of or remove the settled minister, the court affirmed that the ultimate power rested with the residents of the parish, not the church members. A “parish and church are bodies with different powers,” Chief Justice Parsons wrote. The church members had “no power to contract with or to settle a minister, that power residing wholly in the parish, of which the members of the church, who are inhabitants, are a part.” As a result, the parish could call an ecclesiastical council to inquire into whether the Reverend Jonathan Burr had adopted “a new system of divinity,” and it could not be blocked from doing so by the church members.⁶⁴

Although *Burr* involved a dispute over authority and church property between unitarian and trinitarian factions, the crisis took on additional significance after the unitarians took steps in 1819–1821 to establish a separate denomination. With the ante raised, the court’s consideration of *Baker v. Fales*, or the *Dedham Case*, in 1820 became the watershed for establishment in Massachusetts. The dispute arose over the selection of a minister for the First Church of Dedham between the unitarian faction, which constituted a majority of the town residents, and the trinitarian faction, which constituted a majority of the church members. The town majority chose the candidate from Harvard, leading the trinitarian majority to withdraw and organize a church of their own. The trinitarians then sued for possession of the church building, claiming to be the rightful church. The court held that not only did the town have the authority to select the settled minister, but also that church members held title to the church property only as trustees for the parish. When the trinitarian “church” seceded from the parish, it lost any right to the church property. According to the court, both the constitution and prior practice established that “the members of the church, who withdrew from the parish, ceased to be the first church in Dedham, and that all the rights and duties of that body, relative to property intrusted to it, devolved upon those members who remained with and adhered to the parish.” In essence, that “body, which is to be considered *the first church in Dedham*, must be the *church* of the *first parish* in that town.” The decision confirmed that the settled, established churches in several towns were not under the control of the same traditionalist Congregationalists who had benefited most from the establishment. It also raised the specter that those

now-dissenting trinitarians might be required to support financially the worship and instruction of the unitarian members who had the backing of the town residents—either that or formally break from the church and become a dissenting religious society. None of the alternatives was palatable.⁶⁵

The ramifications of the *Dedham Case* were not immediately apparent to most trinitarians. In the winter following the decision, the commonwealth held a constitutional convention to amend the 1780 document, spurred on by pressure from Maine residents who wanted to form a new state. Federalists acceded to the separation with a mind to jettison the Republican-leaning province as a way of preserving their Federalist empire. The delegates attending the convention constituted a “who’s who” of Massachusetts and American politics: John Adams, Daniel Webster, Levi Lincoln, Justice Joseph Story, and state justices Isaac Parker and Lemuel Shaw. A chief point of discussion was what to do with Article III and the existing establishment. The delegates split three ways over the issue of disestablishment, although not evenly: traditionalists sought to preserve what they could of the status quo; moderates like Story and Judge Joseph Varnum sought to reform the existing system; and a handful called for outright disestablishment. At this point, both trinitarians and unitarians supported the continuation of some form of establishment. Three related issues confronted the delegates: the ongoing state relationship with unitarian Harvard College; the abolition of the religious test oath; and whether and how to amend Article III.⁶⁶

After voting to reorganize the Harvard board of overseers and to repeal the test oath, the delegates turned to competing proposals to leave Article III unchanged, to write the provisions of the 1811 act into the constitution, or to make the support of religious societies completely voluntary. The latter proposal lost by a vote of 136–246, and Justice Story had to work diligently to include language in the article extending coverage to unincorporated churches.⁶⁷ Story’s most significant proposal, however, was to clarify that the privilege of having one’s ministerial taxes paid to one’s own church, as provided in the 1811 act, extended to both unitarian and trinitarian Congregationalists, whichever happened to be on the losing end of a schism dispute. Story, a conservative unitarian, saw this solution as the only way to maintain the establishment; otherwise, both factions would oppose paying religious taxes when they constituted a minority of a particular town or parish, quickly leading to disestablishment. The convention adopted Story’s proposal, along with a proposed repeal of the requirement of church attendance. It also exchanged the word “protestant” with “christian” to modify those “public teachers” entitled to public support. The proposed changes to Article III would have made Massachusetts an even milder establishment, albeit one that still acknowledged the state’s role in

providing for “public instruction in piety, religion and morality.” When sent to the voters, however, the proposed amendment to Article III failed overwhelmingly, with only the repeal of the test oath requirement passing.⁶⁸

The failure of the 1820 amendments to Article III represented the last nail in the coffin of the establishment, although it managed by sheer inertia and Federalist control to exist for another thirteen years. But the effect of the *Dedham Case* decision and the fact that trinitarian Congregationalists lacked the same privilege as members of dissenting churches to have their taxes paid to their own societies caused discontent among those who only recently had been the privileged beneficiaries of the state establishment. Based on the authority of the *Dedham Case*, approximately a hundred church buildings changed from trinitarian to unitarian hands between 1820 and 1834, even though unitarians usually constituted less than half of a particular church’s membership. Trinitarian Congregationalists accused the unitarians of “plundering” their churches, but to no avail. This state of affairs gradually drove trinitarians to conclude that a religious establishment was no longer workable. Increasingly, whether motivated by desperation or conviction, Congregationalist ministers began to identify the voluntary support of religion as the only form consistent with religious liberty. Even arch-Calvinist Lyman Beecher, who had moved to Boston from Connecticut in 1823, conceded that disestablishment was necessary to protect the church against the control of the nonchurched.⁶⁹

Also after 1820, with the failed reforms to Article III and Massachusetts now standing as the last remaining church-state, Baptists, Methodists, Universalists, and other religious dissenters renewed their calls for complete disestablishment based on conscience claims. Only Congregationalist unitarians remained solidly behind the establishment. Beginning in 1829, petitions calling for the abolition of all religious taxes were filed in the legislature. Some of the petitions raised ideological arguments; others, primarily pragmatic ones. The legislature considered the petitions between 1831 and 1833, with the house voting for an amendment to Article III in 1831 only to have the measure defeated in the senate. Pressure from the coalition of Baptists, Congregationalists, and Universalists mounted, and the senate finally conceded to submitting the amendment to a plebiscite, and in November 1833, the last remaining establishment was undone by a 10–1 vote of the people.⁷⁰

With disestablishment in Massachusetts, Beecher’s aphorism about the “last struggle of the separation of church and state” had finally been realized, not in a dramatic climax but as a result of a gradual progression, fueled more by self-interest than by commitment to a principle. Still, the process of political disestablishment that had begun almost sixty years earlier was finally complete. With it, the first American disestablishment came to an end. But full

disestablishment had not been achieved; both legal and cultural disestablishment still lay ahead.

By the 1830s, the significance of the final political disestablishment for the culture was minimal. Formal establishments by the early antebellum era were already anachronisms. Even long-standing supporters like Lyman Beecher had come to realize that such systems were no longer necessary to ensure the nation's religious piety and that the structures likely stood in the way of fulfilling the millennial visions of a truly Christian America. This is not to suggest that the arguments of those who opposed the religious establishments on principle should be discounted. On the contrary, they revealed—as did the resistance to the voluntary reform societies and to the repeal of Sunday mail delivery—a lingering commitment to the ideals of Jeffersonian separation. Importantly, those ideals did not disappear with the increasing Protestant hegemony of the antebellum era. However, separationist ideals were easier to enunciate against concrete threats such as religious tax assessments. Those ideals became more abstract and diffused when they confronted the more amorphous, but no less real, cultural shift toward Protestant evangelicalism in the early nineteenth century. Over time, Jeffersonian separationism was not able to compete with the more compelling accounts of America's Christian founding, which became increasingly popular during the antebellum era.

By midcentury, concepts of the religious character of the government and of the nation's chosen destiny had become ingrained in the culture. Led by evangelical leaders and historical revisionists, public attitudes had been transformed over a span of thirty years from a view of the Constitution and government as based on secular principles to one where the founding documents and the republic itself were sanctified by God. The providential and millennial impulses of the colonial and revolutionary periods, although far from dominant in the creation of the republic, had been perpetuated and readapted to fit within the expanding evangelical framework of the antebellum period. But whereas contemporaries of the founding period had generally been able to distinguish the religious and secular attributes of the new republic, such distinctions became blurred following the War of 1812. Antebellum evangelical clergy and revisionist historians seized upon the latent providential themes and religious discourse common in the earlier periods and molded them into a convincing myth of America's Christian nationhood that fit neatly within many people's conception of America as a specially chosen land.

Even secular publications succumbed to the myth. In an 1858 editorial entitled "Providence in American History," *Harper's New Monthly Magazine* added its voice to the chorus by pronouncing the inspired nature of the nation's

founding and the sacred quality of the Constitution. Embracing the myths perpetuated by the revisionist historians, the editorial declared that the Constitution was the result of “a higher wisdom, a profounder foresight, a remoter purpose, than ordinarily characterizes the best works of men.” The drafters were more than merely inspired or led by God; they were “servants of a higher will than their own; men who unconsciously did a work far more magnificent than they understood.” The form of government they created, with its pure and sublime principles, could only have come about through divine intervention. These religious influences meant that the Constitution “has a moral meaning, a sacredness, over and above what political science and civil compacts can ever give to the organic law of a commonwealth. It takes its place among the instrumentalities of Providence.”⁷¹ America was thus a Christian nation in the fullest sense of the phrase: divine Providence had guided the settlement of America and had *directed*, not merely informed, the framers in the formation of the government. Christianity served not only as the founding principle upon which the Constitution was based but also as the basis for all of the laws and enactments at all levels of government. America was thus the ideal example of “Providence as God’s method of administering the affairs of the world.”⁷²

Regardless of whether *Harper’s* view represented the attitude of a majority of Americans during the late antebellum period, the concept was sufficiently vague so that most people could agree with some aspects of the editorial’s claims. The idea of America as a Christian nation had become part of the nation’s mythology and was too compelling to be ignored.

EXHIBIT

19

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Saints in the Christian Tradition: Unraveling the Canonization Process

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It would not be atypical in contemporary parlance to describe a significant friend or other person we know as a "living saint." What do we mean by calling one a "saint?" Various responses could be given, but most agree that the term speaks in a very positive sense, and often refers to how one manifests holiness, close proximity to God, or other general qualities that society sees as attractive or desirable. People are honored when others, especially those beyond their family associations, refer to them in such a laudatory way.

Historically, many religious traditions, but most especially Roman Catholicism, have honored people who in some way have manifested (a sense of) holiness in their lives. Buddhists venerate *arahants*, their *bodhisttvas* and for Tibetans, their *lamas*. Hindus revere a range of divinely human and humanly divine figures, including their personal gurus and spiritual leaders. Muslims have their *awliya Allah* (close friends of Allah), and their revered Sufi masters. Even in Judaism, one finds popular devotion to Abraham and Moses, beloved rabbis and other *tsaddikim* (just men). The Roman Catholic Christian tradition, however, is most associated with the concept of saints. The Church's 2000-year history has seen the process for the proclamation of saints, a procedure not well understood even by faithful Catholics, develop significantly with time. Indeed, for the majority of peoples of all faiths, this process, known as canonization, has been shrouded for many generations in mystery and ignorance. The religious historian and journalist, Kenneth Woodward, quoting a popular history of the Vatican, commented on the mysterious nature of the canonization process: "The mystery of Sainthood and the canonic process, with all its spiritual dimensions of divine intercession, relics and miracles, probably is the Church's greatest enigma outside the Mass itself."¹

¹ Kenneth Woodward, *Making Saints: How the Catholic Church Determines Who Becomes a Saint, Who Doesn't and Why* (New York: Simon & Schuster, 1990), 77.

Unraveling the puzzle of the canonization process through an analysis of the administrative process followed historically by the Church to officially declare one a saint is the subject of this article. After an initial discussion of the concept of sainthood, an historical overview of the development of the canonization process will be given. This process was most recently transformed by Blessed Pope John Paul II,² whose long pontificate (1978-2005) produced not only the most beatified and canonized Servants of God of any pope in history, but also, appropriately was the source of the most recent transformation (streamlining) of the canonization process.

The Concept of Sainthood

What do we mean when we call a person a saint? Etymologically, the word saint is derived from the Greek *hagios* and Latin *sanctus*, which generally refer to a "holy person." Various classes of people, emperors, gods, deceased relatives, and other significant people could generally be classified as "saints." With the dawn of the Christian era a more technical meaning for the word became normative. On a basic level, a saint was seen as one whose holiness was recognized as exceptional by other Christians. Referring to Galatians 2:20, the Jesuit theologian Paul Molinari describes the saint in this way:

Every age, every environment, has seen and still sees countless Christians who have like him [Paul] "clothed themselves in Christ" (Gal 3:27, Eph 4:24), surrendering themselves unconditionally to the graces of his Spirit in responding spontaneously to the divine proffer. It is these people who are justly called "saints."³

² John Paul II was beatified on May 1, 2011.

³ Paul Molinari, SJ, "The Theology of Canonization," *Way Supplement* 39, (Winter 1980), 9.

Vatican II's "Dogmatic Constitution on the Church" (*Lumen Gentium*) presents a different perspective of being transformed by the power of Jesus Christ:

In the lives of those who, sharing in our humanity, are however more perfectly transformed into the image of Christ, God vividly manifests His presence and His face to men. He speaks to us in them, and gives us a sign of His Kingdom, to which we are strongly drawn, having so great a cloud of witnesses over us and such a witness to the truth of the Gospel.⁴

For centuries, Christians have delighted in and given veneration to those exceptional individuals whom they claim to be "saints." Thus, it is important to note that saints exist for others; they are proclaimed for the way they have modeled the life of Christ, by their willingness to undergo a powerful conversion, willingly giving away (in the case of martyrs) or living their lives as disciples of Jesus.

What qualities do these men and women who over the Christian era have been recognized as saints possess? First, it is important to realize that saints are not perfect; like all human beings they were incomplete and broken people who had their failures and at times did not lead lives consistent with their saintly recognition. Indeed, Molinari has written of the limitations of those declared to be saints.

Furthermore, these people are as human as ourselves in their limitations, their characters, their genius, their capabilities and gifts, their learning and culture. They inhabit the same world as we do, are children of the same times, and have the same human predicament. The difference is that they live in

such close contact with him [God] as to be wholly taken up with him, moved and directed by his Spirit. When we come into contact with such people, we experience a lively sense of presence—of the God who has turned their lives upside down by the force of his love.⁵

Augustine, the fourth and fifth century bishop and theologian, and one of the most well-known saints, serves as a good illustration. He wandered rather aimlessly during his youth and early adult life, even fathering a child out of wedlock, until his conversion to Christianity. Yet, Augustine and the many others who have been proclaimed as saints, did, in the end, demonstrate important qualities that have led others to view them as saintly figures.

Historically, the basic qualities of the saints are collected into two major categories: martyrdom, shedding one's blood for the faith, and heroic virtue. Referencing *Lumen Gentium*, Pope John Paul II in his Apostolic Constitution, *Divinus perfectionis Magister*, stated:

"At times God chooses from among those many who, having followed more closely the example of Christ, give outstanding testimony to the Kingdom of heaven by shedding their blood or by an heroically virtuous life."⁶

The theologian Richard Kieckhefer has identified five essential elements found in Christian saints. Under the category of moral elements, he describes asceticism, contemplation, and action. Associated with extraordinary manifestations of power, he lists miracles and visions. He does not suggest that these abilities and qualities are absolutely necessary, but rather that they are

⁴ *Lumen Gentium*, #50.

⁵ Molinari, "Theology of Canonization," 10.

⁶ Pope John Paul II, Apostolic Constitution, *Divinus perfectionis Magister*, January 25, 1983.

commonly manifested in the lives of saints.⁷ In general, the saints make Jesus known to others in an experiential way; the face, actions, and message of Christ are manifested to the world in the person of another.⁸

While it can be said that people generally appreciate the qualities of saintliness and respect for the people who manifest them, it still must be asked: Why is there a need for saints? First, people are always looking for mentors and role models who can provide solid advice and example that can be directly applied to one's own life. Many, so moved by what they experience in another, have chosen to pattern their lives after an individual. In a similar way, over the Christian centuries, saints, inspired by Christ, have become superior role models for countless numbers of people. Another critical dimension of the presence of saints is their role of continuing the mission of Christ in the world today. Molinari has commented:

Christ lives and works in them [the saints] not simply in order to establish that intimacy of relationship which delights him so much, but also to prolong in them his mission, his labours and the abundance of his gifts.⁹

Lawrence Cunningham, the noted theologian and professor at the University of Notre Dame, suggests that the life and witness of saints signifies one of three things: (1) the perennial value of the religious tradition by showing that tradition in a vigorously lived fashion, (2) a model for new ways of living out the religious vision of a given tradition, and (3) a prophetic judgment on those who share the religious tradition but failed to

reach up to its claims and/or ideals.¹⁰ There will always be a need for saints. Indeed, the famous French philosopher and Christian mystic, Simone Weil, in her book *Waiting for God* concluded, "The world today needs saints, new saints, saints of genius."¹¹

Society's need for models and mentors requires that some system or guidelines for recognizing saintly qualities be developed. It first must be understood that saints are the work of God, not the Church. Archbishop Edward Nowak has articulated this distinction: "It is evident that sanctity is a gift from God. The Lord makes saints. The Church has the task of finding these gifts and presenting them to the faithful."¹² As mentioned earlier, the concept of a saintly figure is found in many world religions, but only Roman Catholicism possesses a formal process for a declaration of sainthood. Considering Catholicism's 2000 years of history and tradition, it is understandable, even expected, that the process to formally declare a saint would develop over time. The Belgian sociologist Pierre DeLooz points out that saints are understood within their historical context; thus changing conditions will dictate what process might be utilized. He writes, "Since saints were the witnesses to the group [people of the time period] considered by the group to be ideal models, they will doubtless reveal its successive changes and structures."¹³ The fact that

⁷ Richard Kieckhefer, "Imitators of Christ: Sainthood in the Christian Tradition" in *Sainthood: Its Manifestations in World Religions* Richard Kieckhefer and George D. Bond, eds. (Berkeley: University of California Press, 1988), 7.

⁸ Molinari, "Theology of Canonization," 11.

⁹ *Ibid.*

¹⁰ Lawrence S. Cunningham. *The Meaning of Saints* (San Francisco: Harper & Row, 1980), 73.

¹¹ Quoted in Roland Cluny, *Holiness in Action* (New York: Hawthorn Books, 1963), 18.

¹² Edward Nowak, "The New Evangelization with the Saints," Address, November 6, 2001 in Woestman, *Canonization*, 55.

¹³ Pierre DeLooz, "Towards a Sociological Study of Canonized Sainthood in the Catholic Church," in Stephen Wilson, ed. *Saints and Their Cults: Studies in Religious Sociology, Folklore and History* (Cambridge, England: Cambridge University Press, 1983), 189.

procedures for declaring saints have changed with time provides evidence that an accurate list of men and women over history so designated as saints would be virtually impossible to generate. Again, DeLooz has commented:

Even if a definition of a Catholic saint can be...agreed upon—a person whose cult is officially sanctioned by the church—it is impossible to draw an exact list of those to whom their definition may be applied.¹⁴

Saints of the Patristic Era: First to Sixth Centuries

The concept of honoring Christian men and women, and developing cults to their memory, started as a direct result of the Roman persecutions perpetrated on the early followers of Jesus. The dominant Roman influence of polytheism clashed directly with the monotheism of Judaism and Christianity. In particular, it was the nascent Christian community which was rapidly growing that was viewed as problematic and, therefore, was proscribed throughout the Empire. At times severe persecutions, both local and general, arose against Christians, generating numerous martyrs. For example, local Roman persecutions were inaugurated by the emperors Nero (64-66), Domitian (95), Trajan (111), Marcus Aurelius (161-180), and Septimus Severus (202-203). General persecutions of Christians occurred under Decius (249-251), Valerian (258-260), and Diocletian (303-305).¹⁵ This era ended with Constantine's Edict of Toleration in 313.

The freedom brought to Christianity through Constantine was clearly the catalyst that drove the machine for

recognizing martyrs as saints. Indeed, the Church historian Yves Beaudoin, describing the Church after 313, has written:

"The cult of martyrs developed with great enthusiasm and without any opposition. Freedom gave greater solemnity to celebrations. Many people gathered for the celebrations. Often Christians built churches—basilicas at times—over the sites of these burials."¹⁶

The basilicas of St. Peter and St. Paul Outside the Walls in Rome are primary examples of this reality.

Public veneration of many of these martyrs, generally celebrated on the date of their death, was in evidence as early as the second century. The Patristic scholar, Peter Brown, has written, "The cult of the saints as it emerged in late antiquity, became part and parcel of the succeeding millennium of Christian history to such an extent that we tend to take its elaboration for granted."¹⁷ While Christians regarded all the baptized as saints, dying for the faith was particularly noteworthy and was awarded with special veneration. Sanctity and martyrdom were virtually indistinguishable in the Christian consciousness. As Jesus died obedient to the Father, so the saints died for and in obedience to Christ. Cults to individual saints, almost exclusively local in nature, arose. Indeed, one of the early definable objective criteria for one to be called a "saint" was the existence of a public cult.¹⁸ Pierre DeLooz has commented on this concept: "Saints are saints *for other people* [emphasis DeLooz] but they are also saints made *by other people* [emphasis DeLooz]. The opinion of others is not

¹⁴ *Ibid.*, 189-90.

¹⁵ See Jean Daniélou and Henri Marrou, *The First Six Hundred Years* (New York: Paulist Press, 1983), 81-114, 223-38.

¹⁶ Yves Beaudoin, O.M.I. "Brief History of Canonization," in Woestman, *Canonization*, 22.

¹⁷ Peter Brown, *The Cult of the Saints: Its Rise and Function in Latin Christianity* (Chicago: University of Chicago Press, 1981), 1.

¹⁸ Cunningham, *Meaning of Saints*, 8-12; Woodward, *Making Saints*, 52-53; DeLooz, "Sociological Study," 193.

sufficient in itself to create a saint. Opinion must be strong enough to provide a public cult.¹⁹ In this era there were generally no inquiries, tribunals, or judgments concerning saints; rather the martyrs were claimed as saints by public acclamation. This was a period of popular canonization when spontaneous reputation for sanctity could lead to sainthood.²⁰

The early Patristic era was a time when sainthood was basically defined by martyrdom, yet the universal call to sanctity was never lost. This reality was acknowledged by Pope John Paul II:

The Church...from the earliest beginnings of Christianity has always believed that the Apostles and Martyrs are more closely joined to us in Christ and has venerated them, together with the Blessed Virgin Mary and the holy Angels, with special devotion, devoutly imploring the aid of their intercession.²¹

The British Patristic historian W.H.C. Frend, describing the state of the Church in North Africa in the third century, concurs with the Pope's ideas, while adding specifics on common practices of the cult:

In this environment confessors and martyrs were held in the highest honour. Vigils outside their prisons, services in the *creae* in which they were buried, the cult of their anniversaries (*natalica*) and powers of forgiveness universally subscribed to them, raised their status beyond that of the clergy.²²

¹⁹ DeLooz, "Sociological Study," 199.

²⁰ Beaudoin, "Brief History of Canonization," 27.

²¹ Pope John Paul II, *Divinus perfectionis Magister*, Apostolic Constitution, January 25, 1983.

²² Quoted in Cunningham, *Meaning of Saints*, 12.

Still, the Roman Martyrology *Praenotanda* of Pope Gregory XIII (1583) speaks of the universal call to sanctity:

1. God the Father wants the salvation of all men and women made according to the divine image and that they come to a knowledge of the truth, which is Christ, the way for all to the Father. All, and first of all Christ's faithful, of whatever rank or status, are called to the fullness of the Christian life and to the perfection of charity; by this sanctity a more human manner of living is promoted in this earthly society.

2. Rather God the Father manifested his will, namely the sanctification of all, which through Christ, with Christ, and in Christ, increases each day for the greater glory of the one and undivided Trinity and greater holiness in the life of Christ's faithful.²³

The cult of the saints, as suggested by Peter Brown, was the way Christians broke down the imaginative barrier between Heaven and Earth. He writes, "It [the cult of saints] designated human beings as the recipients on unalloyed reverence, and it linked these dead and invisible figures in no uncertain manner to precise visible places and, in many areas, to precise living representatives."²⁴ Indeed the graves of the saints, fragments of their bodies, or even objects they had made almost became centers of ecclesiastical life for a region, where the contrast between Heaven and Earth met. Brown describes a sixth century layman who wrote to his spiritual father: "When I find that I am in a place where there are relics of the holy martyrs, I am obsessed by the need to go in and venerate

²³ Roman Martyrology *Praenotanda*, paragraph 1 in Woestman, *Canonization*, 3.

²⁴ Brown, *Cult of Saints*, 11.

them. Every time I pass in front of them, I feel I should bow my head."²⁵

The concept of public veneration and acclamation of saints, conducted with virtually no controls, began to disappear between the fifth and tenth centuries when local bishops began to exert significant influence on the process of declaring saints. During this era it became normative that before a new name was added to the calendar of saints, bishops insisted that petitioners provide a written account of the candidate's life, virtues, death, accounts of miracles, and where applicable martyrdom. This *vita* was typically a stereotypical account filled with legends and hagiography. Often witness testimony was second or third hand. Saints were identified by: (1) their reputation, especially among the people, (2) the stories and legends into which their lives were transmitted as exemplars of heroic virtue, and (3) their reputation for producing miracles, especially those worked at their shrines or through relics. At this time saints still remained objects of cult, not investigation or inquiry. However, some bishops began to see the need for a more serious examination of the candidate's life.²⁶ Control on cults was a means to wrest control from local pious people to a more central authority. This is in evidence in the Roman Martyrology *Praenotanda*:

It is permitted to venerate by public cult only those servants of God who are listed among the saints and blessed by the authority of the Church. Their authentic relics and their images are held in veneration, for the cult of saints in the Church proclaims the wonderful deeds of Christ in his servants and provides the faithful with examples suitable for imitation.²⁷

²⁵ *Ibid.*

²⁶ Woodward, *Making Saints*, 62, 65.

²⁷ Roman Martyrology *Praenotanda* #1 paragraph 15, in Woestman, *Canonization*, 6.

By the end of the 10th century there was a call for the Pope, in virtue of his supreme authority, to grant sainthood, the process which eventually became canonization.²⁸

Sacred relics,²⁹ especially those associated with the martyrs, was another concept associated with the veneration of saints that, due to abuses, led to greater controls. Relics circulated widely and in many ways became portable shrines for public and private veneration of the saints. This idea became so integral to general public worship that by decree of the Second Council of Nicaea (787) church altars were required to have embedded in them a relic from a saint.³⁰ Tracts, known as the *passio*, contained accounts of miracles, especially healings that became part of the cult. Even speeches given by great orators at various sites of relics were preserved.³¹ The importance of relics for public and private worship generated the practice of transferring them to different locations. In the Eastern Church, which laid little claim to martyrs compared with Rome, local churches began to "import" relics by moving the bodies of saints. This practice of "translation" of relics led to many abuses. People, even monks and other religious, stole relics for their personal use. This abuse reached its apex in the 12th century when Crusaders stripped Constantinople of its relics and carried them back to churches in the West.³² This abuse eventually created a need to end the practice of public cults associated with reputed saints until after an individual had been publicly proclaimed by the official Church to be a saint.

²⁸ Woodward, *Making Saints*, 65.

²⁹ Catholicism speaks of two different levels of sacred relics. First class relics would be some portion of the saint's body, such as a bone chip or hair sample. Second class relics are something that came in contact with the saint's body, such as clothing.

³⁰ *Ibid.*, 59. The practice of embedding the relic of a saint in an altar continues today.

³¹ Beaudoin, "Brief History of Canonization," 24.

³² *Ibid.*, 59, 63.

Stopping the practice of public cults was a boon to the Church's desire to secure an impartial judgment concerning candidates for sainthood, one that was not influenced by public opinion.³³

Veneration of the saints and their relics, while a practice that honored all those considered to have lived extraordinarily close to Christ, was, as indicated earlier, centered in the cult of martyrs. Such was the case during the Patristic era and beyond. While the Romans venerated their dead, their general practice was cremation. Christians, on the other hand, possibly following the idea of Jesus' burial and Jewish custom (which was totally opposed to cremation), buried their dead outside city walls as was required by law. These cemeteries (which became the origins of the catacombs in Rome) were sites where the faithful came to celebrate the anniversary of death of the individual. This custom was first described in the *Martyrium Polycarpi* (155-156), which speaks of how the community of Smyrna celebrated the martyrdom of their bishop Polycarp. The *Depositio martyrum* of the Church of Rome (early fourth century) contains the oldest list of Roman feasts of martyrs, giving their anniversaries of death and the cemetery where the martyr was buried.³⁴

How has the Church defined martyrdom over the centuries? While a general idea of one who died for the faith was in vogue for centuries, Pope Benedict XIV (1740-1758) in *De Servorum Dei beatificatione et beatorum canonizatione* (only published in 1840) defined the practice: "Martyrdom is the voluntary suffering or acceptance of death because of faith in Christ or another active virtue related to God." Additionally, it is necessary that the individual persevered, undefeated and patiently, until death.³⁵ For one to be officially proclaimed a

³³ Woestman, *Canonization*, 36-37.

³⁴ Beaudoin, "Brief History of Canonization," 20-22.

³⁵ Quoted in Robert Sarno, "Theological Reflection on Canonization," in Woestman, *Canonization*, 11. See also, Woestman, *Canonization*, 43.

martyr, two elements had to be proved: (1) the death of the individual really took place and (2) the person was killed (a) out of hatred for faith in Christ or (b) for an active virtue connected with God.³⁶ This idea has been synthesized in a recent document published by the Congregation for the Causes of Saints (one of the many Roman curial offices): "The reputation of martyrdom is the opinion that has spread among the faithful about the death endured by the Servant of God for the Faith or for a virtue connected to the Faith."³⁷

Martyrs are witnesses of Christ, not only through their profession of faith, but also through the individual's life and death. They are seen as paradigms of Christian living and a locus of spiritual power. Referencing Vatican II's Dogmatic Constitution on the Church (*Lumen Gentium*), theologian Robert Sarno comments,

Christian heroism is found par excellence in the most sublime practice of charity that is martyrdom by which a disciple is transformed into an image of his Master by freely accepting death for the salvation of the world as well as in conformity to Christ in the shedding of his blood.³⁸

Martyrdom was clearly the initial and most obvious path for one to find official Church recognition as a saint, but with the end of the Roman persecutions after 313 and the consequent reduction in martyrs, another avenue to sainthood had to be formulated. Christians began to view the heroic exercise of virtue, of penance and prayer, as equivalent to martyrdom.

³⁶ Robert J. Sarno, "Theological Reflection on Canonization," in William Woestman, OMI, ed. *Canonization: Theology, History, Process* (Ottawa, Canada: Faculty of Canon Law of St. Paul University, 2002), 11.

³⁷ "Instruction for Conducting Diocesan or Eparchal Inquiries in the Causes of Saints," May 2007, Article 5, #2.

³⁸ Cunningham, *Meaning of Saints*, 13; Sarno, "Theological Reflection," 15.

Hagiographical accounts of the fourth century began to point out that the confessor (one blessed with heroic virtue) was not inferior to a martyr. This thinking led to the creation of the cult of great heroes who, by their virtue, penance, and prayer life, had drawn exceptionally close to God. Saints so recognized under this new category were: in the East, St. Antony of the Desert (died 356), St. Hilary (died 372), St. Athanasius (died 373); in the West, St. Sylvester (died 335), St. Martin of Tours (died 397) and St. Augustine (died 430).³⁹

Heroic virtue was manifested in general and specific ways. In a generic sense, it was the exemplary example of the individual which was touted as heroic virtue. Sarno comments:

The heroic exercise of virtue signifies instead that a person in his or her whole way of acting was faithful to the faith, animated by charity, sustained by hope, and that as a consequence, practiced the cardinal virtues.... The person's whole mode of life is to be considered exemplary.⁴⁰

More specifically, at the dawn of the sixth century, the miraculous became the criterion for establishing the cult of a confessor. Professor Agostino Amore, speaking of the early Church concept of saints, comments, "A confessor is a saint because he performs miracles (both in his lifetime and after his death, and the more numerous, the more extraordinary, and the more stupefying the miracle the greater sanctity reputed to the person."⁴¹ Indeed, the miraculous often totally overshadowed any good works or noteworthy accomplishments the person achieved in life.

A person of heroic virtue must hold as central the three theological virtues of faith, hope, and charity, and the four moral or cardinal virtues of fortitude, justice, prudence, and temperance. For a religious, observance of the evangelical counsels, the vows of poverty, chastity, and obedience, and the rule of the community were also essential. The Christian hero was seen as one who lived these virtues in an extraordinary life of faith and constancy by being Christ-like in every manner. Robert Sarno has captured the essence of Christian heroic virtue:

The constant, faithful, and joyful fulfillment of all the duties of one's state in the midst of the difficult daily trials is called *heroic* [emphasis Sarno]. In a word it is the practice of the virtues in a way that is essentially superior to that of good Christians who live in the same state and circumstances of life.⁴²

This same sentiment has been expressed in the most recent Vatican document on the subject: "The reputation of holiness is the opinion that has spread among the faithful about the purity and integrity of life of the Servant of God [candidate for sainthood] and about the virtues practiced by him to an heroic degree."⁴³ Clearly the achievement of heroic virtue as described herein is rather utopian. Thus, it must be understood that while these virtues (and others could be added) are the goals, many saints have struggled with fulfilling them. The humanity of the saints must never be forgotten.

The Era of Papal Control: Canonization

The Medieval period of Church history was a time of significant centralization of the procedures for declaring martyrs and men and women of heroic virtues as saints. Greater control

³⁹ *Ibid.*, 205-06; Beaudoin, "Brief History of Canonization," 24-25.

⁴⁰ Sarno, "Theological Reflection," 14.

⁴¹ Quoted in Cunningham, *Meaning of Saints*, 18.

⁴² Sarno, "Theological Reflection," 15.

⁴³ "Instruction for Conducting Diocesan or Eparchal Inquiries in the Causes of Saints," May 2007, Article 5, #1.

was deemed necessary due to many abuses, such as those previously mentioned associated with relics as well as the mixing of cults with pagan ritual. Additionally, it became clear that many had been declared saints without sufficient investigation. Although rather dismissive in his analysis, Pierre DeLooz captures the essence of the problem:

Several people...have been considered to be saints... without anything being known about them beyond a few scraps of legend: in the last resort saints do not need to have existed at all, and this is true of more than one.⁴⁴

Lawrence Cunningham raises a similar concern:

The historical corruption of the biographies of the saints takes many forms and undergoes any number of permutations in the medieval period. In its most basic form, there was the inclusion of people who never existed but it took on a fictionalized *persona* because of the accretion of various stories, legends, and romances attached to real historical events.⁴⁵

Initially in an attempt to correct possible abuses, local episcopal control was implemented. As one example, the Council of Mainz in 813 decreed that it was forbidden to canonize anyone without the agreement of the Prince (Emperor or Pope) and permission of the bishops. People of that era did not see the bishop's intervention as any sort of human control on what God had done in the saint's life, but rather a solemn

⁴⁴ DeLooz, "Sociology Study," 195. Although DeLooz's attitude is rather dismissive, his concern about proclaiming as saints individuals who possibly did not exist has been raised recently with the canonization in 2002 of Juan Diego, an Aztec peasant who was the seer to a series of apparitions of the Blessed Virgin Mary in Mexico in 1531.

⁴⁵ Cunningham, *Meaning of Saints*, 39.

thanksgiving to God for his benevolent action through the saint. The basic procedure started when a cult arose from the people, based not only on miracles, but holiness of life. A *passio* (biography) of the individual was then generated with emphasis on miracles. After the aforementioned Council at Mainz, the local bishop conducted a study that led to a decree permitting the *elevatio* (elevation) *et translatio* (translation), a process whereby the individual was officially recognized. This drew attention to the saint, local community, and the place privileged to be the guardian of the saint's relics. Nevertheless, the era of local episcopal control was fraught with its own problems. Indeed, Beaudoin comments:

From a study of the sources, it can be said that often episcopal canonizations were done with great ease, little discernment, and no critical sense concerning the means used or the proofs accepted to determine the decision.⁴⁶

Centralization of the canonization process led to greater hierarchical control and consequently, a more formalized process. The basic procedure began when a cult arose from the people. This was based not only on miracles, but holiness of life. The greater the authority of the Church official who performed the rights of *elevatio* and *translatio*, the more God was glorified and the more the saint was recognized. This was the initial reason why bishops often requested intervention of the Pope to formally proclaim one a saint. In turn, papal confirmation accentuated the Pope's authority.⁴⁷ Pope Innocent I (401-417) was the first pontiff to intervene by authorizing a cult and conducting the canonization outside Rome. Over the ensuing centuries, several popes issued decrees permitting

⁴⁶ Beaudoin, "History of Canonization," 28, 32.

⁴⁷ Cunningham, *Meaning of Saints*, 48-49; Beaudoin, "History of Canonization," 30. From the period of the Patristic Church (100-600) the ritual of raising up and exposure of the body of a saint was known as *elevatio* and *translatio*.

canonizations, but in other cases the Pope traveled to the site to perform the canonization. For example, in 1052, Pope Leo IX (1049-1054) traveled through Germany and conducted several canonizations.⁴⁸

The Medieval papacy, beginning with Pope Alexander III (1159-1181), with some interruptions, saw a long series of Medieval lawyer popes who fashioned Roman Catholicism into Europe's first state governed by laws. Included in this development was the process of canonization. In 1179 Alexander reprimanded the Swedes for venerating a man who had died drunk. In his letter *Audivimus* he wrote, "Even if there are miracles, it is not permitted to consider any one a saint and to venerate them without the authorization of the Church of Rome."⁴⁹ This important statement was included in the *Decretals* (1234) of Pope Gregory IX which brought greater clarity, as well as complexity and centralization, to the canonization process. Through Gregory's efforts, canonization became a legal trial between petitioners, represented by an official procurator, and the Pope, represented by a new curial official, the "Promoter of the Faith," popularly known as the "Devil's Advocate." It was at this time as well that the papacy introduced the distinction between *sancti* (saints) and *beati* (blessed). The former were so declared by the Pope, the latter by local bishops. After 1234 canonization was reserved to the pope, even though other bishops until 1634 continued to approve, at least indirectly, the popular cult of saints.⁵⁰

The shift to a more centralized canonization process brought consequent change in the types of individuals who were canonized. Members of religious orders and royal houses in favor with a particular Pope were given priority. Most notably

was the obvious diminution of martyrdom as the litmus test for sainthood. The French Medieval historian André Vauchez has written, "The identification of sanctity with martyrdom was no more than a mere memory."⁵¹ Servants of God who combined radical poverty, chastity, and obedience, such as Francis of Assisi (canonized only two years after his death) were favored. The learned cleric, such as St. Dominic, canonized in 1234, and Thomas Aquinas, canonized in 1323, was another favored category. Kenneth Woodward has commented, "In sum, the development of canonization as a papal process meant a shift in focus from popular concern with miracles to elite concern with virtues."⁵²

While centralization of the canonization procedure propelled sainthood beyond martyrs, it did little to encourage the Church to declare lay men and women as saints. Indeed, the most underrepresented group in the ranks of the canonized is the laity. Between 993 and 1978 only 19% of canonized saints were of the laity. From the 17th century to the elevation of John Paul II in 1978, only 35% of those beatified were members of the laity. The statistics are more striking one observes when the majority of lay saints are not individuals, but rather anonymous members of persecuted groups who were martyred, such as the Ugandan, Japanese, and Korean martyrs. Between 1978 and 1987, when the Church celebrated the "Year of the Laity," not one layperson was canonized for heroic virtue.⁵³ While many reasons can be postulated for these numbers, one significant reason most assuredly was the general perception prior to Vatican II that priesthood and religious life was a higher order than choice of the single or married life. Surely, the fact that the process of canonization was completely controlled by clerics

⁴⁸ Beaudoin, "History of Canonization," 31.

⁴⁹ Quoted in *Ibid.*

⁵⁰ *Ibid.*, 30; Woodward, *Meaning of Saints*, 68-70.

⁵¹ Quoted in Woodward, *Meaning of Saints*, 69.

⁵² *Ibid.*, 69-71.

⁵³ *Ibid.*, 118-20, 340-46.

brought a blinding effect to the contributions of laity and an overemphasis on the contribution of clergy and religious.

Despite the centralization of the canonization process between 1234 and 1634, the broadening of saints beyond martyrs, and Pope Gregory IX's edict that forbade bishops from authorizing a cult for a prospective saint, local ordinaries often continued to tolerate the popular cult of new saints, generating new abuses. Indeed, the Dutch historian Johan Huizinga, referring to the Church on the eve of the Reformation, describes a society drenched in saints in which "excesses and abuses result[ed] from an extreme familiarity with the holy.... Too large a part of the living faith had crystallized in the veneration of saints, and thus arose a craving for something more spiritual."⁵⁴ During the Reformation era, Martin Luther rejected the concept of saints as mediators.⁵⁵ Rome responded at the Council of Trent (1545-1563) by reaffirming the cult of saints and their relics. Still, the Church did reform its procedures. In 1588, Pope Sixtus V created the Congregation of Rites and gave its officials responsibility for preparing papal canonizations and for the authentication of relics. The Counter Reformation era was also the catalyst for the work of the Bollandists, a group of Jesuit priests who, beginning in the 17th century, defended the cult of saints against Protestants and the general skepticism against saints promoted during the Enlightenment. Their commitment to scrupulous scholarship and exacting standards anticipated the great flowering of historiography in the latter half of the 19th century. Their work, the *Acta Sanctorum Bollandistarum* (62 volumes by 1988), became the standard against which all hagiographic works were measured. The Bollandists showed the

Church had nothing to fear from critical historical investigation.⁵⁶

The centralization of the canonization process continued apace throughout the 17th and 18th centuries. During the pontificate of Urban VIII (1623-1644), the papacy gained complete control over the declaration of saints. One of Urban's decrees forbade any form of public veneration, including the publication of books of miracles or revelations attributed to the supposed saint, until the person was beatified or canonized by solemn papal declaration. His one exception was if a cult had existed "from time immemorial" or could be justified on the strength of what the Fathers or saints had written about the individual.⁵⁷ Prospero Lambertini, a brilliant canonist who rose through the ranks of the Congregation of Rites to become Pope Benedict XIV, conducted a thorough review of Church policy on saints. His five volume *De Servorum Dei Beatificatione et Beatorum Canonizatione* (On the Beatification of Servants of God and Canonization of the Blessed), published between 1734 and 1738, is even today a significant reference text for the canonization process.⁵⁸

Canonization and the 1917 Code of Canon Law

Beginning with the publication of the Code of Canon Law in 1917, the canonization process became codified. Specifically, 143 canons were present in the 1917 code that dealt with beatification and canonization. The previously presented survey of the historical development of this process demonstrates how a need for an organized system to root out abuses and provide a common ground for the process for canonization

⁵⁴ Quoted in *Ibid.*, 74-75.

⁵⁵ In an interesting quirk of history, Luther's original decision to become a priest was traced to the intercession of St. Anne (the mother of the Blessed Virgin Mary) to whom he prayed asking to be spared from a violent thunderstorm.

⁵⁶ *Ibid.*, 74-75, 96; Kieckhefer, "Imitators of Christ, 4-5.

⁵⁷ Beadojin, "Brief History of Canonization, 29; Woodward, *Making Saints*, 75-76.

⁵⁸ Woodward, *Making Saints*, 75-76.

was necessary.⁵⁹ Writing in 1980 when the Church was operating under the 1917 code, Lawrence Cunningham describes the efficacy of the process: "The present canonization process has served the church well by providing some kind of 'quality control' over those who enjoy the public recognition of the liturgical calendar."⁶⁰

Codification made the process of canonization even more formal. Canonization became known as an act by the Supreme Pontiff to declare in a definitive and solemn way that a Catholic Christian was actually in the glory of heaven, interceding for humanity before God. The two categories of martyrdom and heroic virtue continued to be the avenues one could traverse to be declared a saint.⁶¹

The 1917 code also clearly delineated a nine step process to determine juridical canonization. (1) Pre-judicial Phase: At least 50 years was required after the candidate's death before any process could be initiated. This was to assure the individual's reputation for holiness was sound, not a passing phase. Financial and spiritual support for the process could be gathered by the initiators of the cause, known as "the petitioners." (2) Informative Phase: The local bishop initiated a tribunal or court of inquiry, summoning witnesses for testimony. He was to assure that no public veneration of the candidate was ongoing. (3) Judgment of Orthodoxy: Officials were asked to collect all the writings of the candidate which were checked for orthodoxy. (4) Roman (Apostolic) Phase: Once the information gathered had arrived in Rome, responsibility for the case was assigned to a Postulator. Both the Postulator and the Defender of the Faith (Devil's Advocate) prepared briefs. This generated

material in total was called the *positio*. This material was studied by officials of the Congregation for the Causes of Saints. A positive review/judgment from this Congregation signified sufficient grounds for a trial or *processus*. The Pope then gave his approval to enter the Apostolic Phase. New questions were raised and returned to the local bishop. In effect, the Apostolic Phase was a more exacting version of the local diocesan process. Its purpose was to prove the candidate's reputation for holiness or martyrdom was based on fact. From this, an *informatio* was generated and studied by the Congregation. The process was repeated a third time with the Pope as a participant. If the candidate (Servant of God) was judged to have lived the Christian virtues to an heroic degree, the title "venerable" was given. (5) Historical Section: In 1930, Pope Pius XI established a special historical section if a cause required specialized archival research that a normal juridical process could not adequately provide. (6) Examination of Corpse: Before the beatification of the candidate, the individual's body was exhumed for identification only. (7) Miracle Process: After rigorous human investigation (but fallible) beatification and canonization required a divine sign, confirming the Church's judgment. A divine sign is a miracle performed through the intercession of the candidate. It must be established that (a) God performed a miracle—usually a physical healing and (b) the miracle occurred through the intercession of the Servant of God. This material was judged by a team of medical professionals. (8) Beatification: Before beatification, a general meeting of the Congregation for the Causes of Saints and the Pope was held to decide if the process could go forward. A favorable decision led to beatification. (9) Canonization: After beatification the cause lay dormant until an additional divine sign was given. When this second required miracle was accepted, the Pope issued a bull of canonization.⁶²

⁵⁹ Woestman, *Canonization*, 34.

⁶⁰ Cunningham, *Meaning of Saints*, 48.

⁶¹ Sarno, "Theological Reflection," 10.

⁶² Woodward, *Making Saints*, 79-85. The 1917 Code has many canons that addressed the canonization process. Some relevant numbers are: 2115-

This nine step process can be broken down into two basic parts, the informative process on the diocesan level and its review by the Roman Congregation for the Causes of Saints and the adjudication of miracles. The informative process sought to gather information concerning the general reputation for sanctity of the candidate and information about reputed miracles. The 1917 code required at least ten witnesses, at least two of whom were called by the Promoter of the Faith (Devil's Advocate), the remainder by the Postulator.⁶³ Questions to the witnesses were presented by the diocesan tribunal from those submitted by the Postulator and Promoter of the Faith. A court of inquiry was convened to adjudicate the case. A favorable vote sent the process to the next level in Rome.⁶⁴

The Roman procedure began by a review of the informative process, with objections raised and problems resolved, but then moved onto an in-depth analysis of other areas that required scrutiny. The Congregation of Rites conducted a careful review of the writings of the candidate to make certain that nothing contrary to faith or morals was contained therein.⁶⁵ An investigation of miracles, which always had been seen as an obligatory criterion for sainthood (save for martyrs), was conducted. Pierre DeLooz explains the Church's understanding of the value of miracles: "The Catholic Church thus sees miracles as *revealers* [emphasis DeLooz] of sainthood; this means that an *event* [emphasis DeLooz] can signify *to others* [emphasis DeLooz] that a given person intervened in

it precisely as a saint."⁶⁶ A cure under consideration must be complete and lasting; it must be inexplicable by all scientific measures. The *Consulta Medica*, a team of over 60 physicians, was responsible for validating a physical cure as miraculous.⁶⁷ Under the 1917 code, once an individual was beatified, canonization required two additional miracles wrought through the candidate's intercession.⁶⁸

The procedures defined by the 1917 Code of Canon Law were utilized until Pope Paul VI modified them in March 1969. In his *motu proprio*, *Sanctitas clarior*,⁶⁹ the Pope simplified the norms for beatification. Instead of repeating the informative process on both episcopal and Roman levels, the Pope called for the diocesan Bishop to initiate the process once it received approval of the Holy See. Similarly there was to be only one process to investigate the Servant of God's writings, life of virtue or martyrdom, and absence of a public cult. The Bishop was also allowed to investigate purported miracles once he had received instructions from the Congregation of Rites on how to proceed. This change greatly simplified the process.⁷⁰

The Canonization Process Today

In 1983, a wholly revised and simplified system for the canonization of saints was inaugurated. That year a new Code of Canon Law was promulgated with only one canon (1403)

2118 and 2134-2138. See *The 1917 or Rio-Benedictine Code of Canon Law* (San Francisco: Ignatius Press, 2001).

⁶³ See Canons 1764 and 1767.

⁶⁴ Woestman, *Canonization*, 34-38.

⁶⁵ In order to obtain all the candidate's writings, the local ordinary issues a decree to be read in every parish and religious house seeking such writings. If writings are present outside the diocese, church officials in these other locations are asked to cooperate.

⁶⁶ DeLooz, "Sociology Study," 208.

⁶⁷ Woodward, *Making Saints*, 54-55. Members of the *Consult Medica* are appointed by the pope to their position. Most are professors or heads of departments at Roman medical schools. Their specialties range from surgery to tropical diseases. While these physicians are provided a stipend for their service, their reports which typically run to 1500 pages, are basically a *pro bono* exercise.

⁶⁸ Woestman, *Canonization*, 41.

⁶⁹ Pope Paul VI, Apostolic Letter *Sanctitas Clarior*, March 19, 1969.

⁷⁰ Woestman, *Canonization*, 42.

which dealt directly with the process of beatification and canonization.⁷¹ The major change came on January 25, 1983 when Pope John Paul II issued the Apostolic Constitution *Divinus perfectionis Magister*. This document, while bringing sweeping changes, reaffirmed from the outset the rationale for canonization:

From the earliest beginnings of Christianity, the Church, in turn, which has always believed that the Apostles and Martyrs were quite closely joined to us in Christ, has shown them, together with the Blessed Virgin Mary and the holy Angels, particular veneration and has devotedly implored the aid of their intercession. To these were soon added others also who had imitated more closely the virginity and poverty of Christ and, finally, others whose outstanding practice of the Christian virtues and the divine charisms recommend them to the pious devotion in imitation of the faithful.⁷²

While continuity of purpose was maintained by the Pope, his 1983 Constitution mandated a thorough reform of the whole canonization process, inaugurated by Urban VIII in the 17th century and codified in 1917. The goals of this reform were to make the canonization process simpler, faster, less expensive, more collegial, and ultimately more productive. The changes were manifested in two fundamental ways: (1) The entire responsibility for gathering evidence in support of the cause was placed in the hands of the local bishop. Instead of two canonical processes, episcopal and the Roman, there would be one, directed by the local bishop. (2) *Divinus perfectionis Magister* abolished the entire series of legal dialectics between the Postulator and the Promoter of the Faith. A new group of officials, "the college of relators" supervised the writing

of the historical-critical account of the candidate's life and virtues. The chief sources of information would be historical, especially a well-documented critical biography.⁷³

The Pope provided significant rationale for changing the canonization process. He wrote:

Some recent progress in the field of historical studies has shown the necessity of providing the competent Congregation with an apparatus better suited for its task so as to respond more adequately to the dictates of historical criticism.

Additionally, the Pope said that an updated process was needed as the bishops had asked for a simpler procedure while maintaining "the soundness of the investigation in matters of such great import."⁷⁴

Divinus perfectionis Magister created a paradigm shift in how saints were declared. No longer did the process use a courtroom model for determining a truth concerning the saint's life, but rather it employed the academic model of research and writing. Replacement of the Postulator and Defender of the Faith with the college of relators was arguably the most significant change for it transformed the process from a trial to an investigation. The criteria for initiation of a cause were also modified. First, the 50-year waiting period was reduced to five years, although even this could be waived by the Holy Father for pastoral reasons.⁷⁵ Additionally, the cause was not to be introduced unless there existed a true and widespread acclamation, namely spontaneous, genuine, and broadly held, among the faithful that one was in heaven either through an

⁷¹ *Ibid.*, 71.

⁷² *Divinus perfectionis Magister*, January 25, 1983.

⁷³ Woodward, *Making Saints*, 90-91.

⁷⁴ *Divinus perfectionis Magister*, January 25, 1983.

⁷⁵ This was waived with respect to both the causes of Blessed Mother Teresa of Calcutta and Blessed John Paul II.

active martyrdom or because of living life in an heroic manner over and above the actions of upright men and women.⁷⁶

Today, as a result of Pope John Paul II's changes, the process of canonization proceeds in three phases. It begins with the institution of a diocesan inquiry which consists of a series of investigations initiated by a competent diocesan bishop who wishes to raise a cause of canonization. This inquiry has as its goal the collection of information concerning the life, heroic virtue, or martyrdom, reputation of sanctity or martyrdom of the Servant of God, as well as proof of any possible miracles. Second, after the information has been collected, it is sent to the Congregation for the Causes of the Saints, presided over by a Cardinal Prefect, which conducts a study of the case, concluding with the preparation of the *positio*. Lastly, the Congregation for the Causes of the Saints discusses and passes judgment on the merits of the cause leading, with the approval of the Pope, to beatification or canonization.⁷⁷

In May 2007, the present pontiff, Benedict XVI, issued "Instruction for Conducting Diocesan or Eparchal Inquiries in the Causes of Saints." The document was issued to clarify currently existing procedures, to facilitate their application, and to indicate the ways of executing them both in recent and ancient causes. Most importantly the document clarified the rationale for canonization by reiterating, using different language, what had been stated in earlier documents:

The cause of beatification and canonization regards a Catholic who in life, in death and after death has enjoyed a reputation of holiness by living all the Christian virtues in an heroic manner; or engages a reputation of

martyrdom because, having followed Christ more closely, he has sacrificed his life in the act of martyrdom.⁷⁸

The document also provides greater clarity on the role and duties of the Postulator, stating that the one should be an expert in theology, Canon law and history, as well as understanding the work of the Congregation for the Causes of the Saints.⁷⁹

The process of canonization, which has clearly developed over history as described in this article, continues to generate questions for people today. While some will always question the basic concept of sainthood and the procedures used to declare one a saint, the most prominent issue during the recent pontificate of John Paul II was the plethora of beatifications and canonizations conducted during his tenure as the Supreme Pontiff (1978-2005).⁸⁰ In response to the critique that John Paul II created a "saints factory," Archbishop Edward Nowak has written:

Since each individual has his or her own, unique, and ir-repeatable personality, the situation with human beings is diametrically opposed to such a concept. This is even

⁷⁶ Woestman, *Canonization*, 78; Sarno, "Theological Reflection," 10.

⁷⁷ Woestman, *Canonization*, 72.

⁷⁸ "Instruction for Conducting Diocesan or Eparchal Inquiries in the Causes of Saints." May 17, 2007, Article 4, #1.

⁷⁹ *Ibid.*, Articles 9 and 12.

⁸⁰ As a matter of comparison, between the sixth and 10th centuries approximately 750 men and women were canonized; from 1002 to 1234 another 600 were canonized. From 1234 to 1588 another 600 were canonized. Between 1592 and 1978, 302 were canonized. During the pontificate of John Paul II, 1338 were beatified and 482 were canonized. Obviously, the numbers of the beatified and canonized during the reign of John Paul II were significant. See Beaudoin, "History of Canonization," 29 and http://www.vatican.va/news_services/press/documentazione/documents/pontificato_gp11/pontificato_dati-statistici_en.html#Beatificazioni%20e%20Canonizzazioni

more so when it is a question of saints. A saint is an exceptional person for many aspects: each one is different, each is great, outright a genius in his or her genus. Each saint is a masterpiece of God and with the cooperation of the individual, profoundly personal and always unique. God does not have a factory with an assembly line for the making of saints; nor does he employ cloning, to use a modern expression.⁸¹

The other significant question, both today and in the past, has concerned the infallibility of canonizations. For at least seven centuries, Roman Catholic theologians have argued over whether the Pope can err in declaring one a saint. Thomas Aquinas, one of the first to raise the issue, was of the opinion that "the honor we show the Saints is a certain profession of faith by which we believe in their glory and is to be piously believed that even in this, the judgment of the Church is not able to err." Kenneth Woodward suggests that the judgment of the Congregation for the Causes of the Saints concerning canonizations is infallible and irrevocable, based on theological necessity and tradition. The Council of Trent declared saints to be venerated by the Church. Thus, the Church has the power to canonize. The second argument is given by the words used by the Pope in declaring one a saint: "We solemnly decide and find that [name] is a saint and inscribe him in the catalog of Saints, stating that his memory shall be kept with pious devotion by the universal Church." The key phrase is "solemnly decide and define," the same words used by popes and councils in defining dogmas of faith. Still, the church has never issued a doctrinal statement on this issue. Many theologians, therefore, question the infallibility of canonizations.⁸² This question has become more prominent recently as a result of the

work of Stafford Poole and others who question the historical reality of St. Juan Diego.⁸³

The Saints and the Liturgical Life of the Church

The process of canonization leads to the proclamation of men and women as saints who are celebrated within the liturgical life of Roman Catholicism. Throughout the liturgical year, a journey that begins with the season of Advent and moves through Christmas, Lent, Easter, and Ordinary (ordinal) time, canonized saints are celebrated. Depending on several factors, including significance of the saint in Church history and tradition, saints have been assigned a certain day that is celebrated as that individual's "feast" day. A hierarchy of celebrations, moving from greatest to least, is assigned to each saint. Thus, the feast days of saints are celebrated as solemnities, feasts, obligatory memorials, or optional memorials. In each case, specified prayers, pertinent to the saint's life and work, are used in the celebration of Mass and the daily recitation of the divine office.⁸⁴ In this way the saints become an almost daily example of the qualities one should seek in being a follower of Jesus Christ.

⁸³ The historian priest Stafford Pole has challenged Juan Diego's existence. Basing his conclusion on the lack of any historical record during the episcopacy of Juan Zumarraga, the first Bishop in Mexico, of Juan Diego or data concerning the apparitions, known as Our Lady of Guadalupe, Poole's work once again raised the specter of historical accuracy with respect to the process of sainthood. See Stafford Poole, C.M. "Did Juan Diego Exist? Questions on the Eve of Canonization," *Commonweal* 129(12) (June 14, 2002): 9-10.

⁸⁴ For more detailed information on the liturgical life of the Church and the role saints play in it, see Mary Ann Simcoe, ed. *The Liturgy Documents: a Parish Resource* (Chicago: Liturgy Training Publications, 1985). The Divine Office, commonly known as the Breviary, is the daily prayer required of priests and utilized by many religious and lay men and women in their daily prayer life. The Office contains special prayers, depending on the rank of the feast, for all saints on the liturgical calendar.

⁸¹ Edward Novak, "The New Evangelization with the Saints," in Woestman, *Canonization*, 48-49.

⁸² Woodward, *Making Saints*, 121-22.

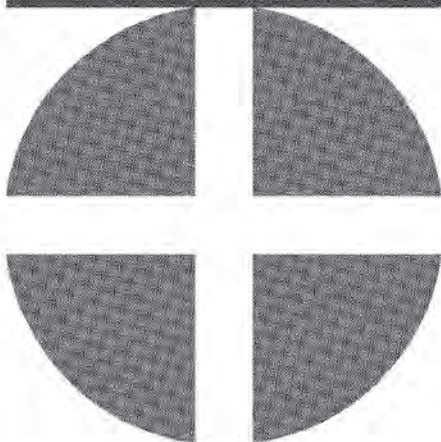
Conclusion

A popular Christian hymn begins, "For all the saints who from their labors rest, who thee by faith, before the world confess."⁸⁵ The lyrics of this song aptly describe the basic foundation upon which Roman Catholicism has built its tradition of sainthood. Saints, those men and women who have gone before us, marked by the sign of faith, and have been recognized as martyrs or people of heroic virtue, stand as models for people of faith today. Fidelity to Christian teaching that calls one to be a disciple of Jesus necessitates a countercultural perspective on the world. Saints of the past, present, and future have made, continue to make, and will in the future be forced to make a basic decision for the world or for God. The saints of history have in many ways been ordinary men and women who have struggled to live in the world but not of the world. Still, some have been officially recognized for their exemplary lives. Over the 2000 years of Christian history, the process of canonization has become much more refined, transparent, and historically verifiable. Yet, the basic criterion of recognition by the official church, that one lived an extraordinary life dedicated to the teachings of Christ and his Church, has remained constant throughout the Common Era. The unraveling of this perceived mysterious process, by examination of its historical development, can bring greater appreciation to those who have been so recognized as saints, validity to the whole process, and greater understanding to the Roman Catholic Church, under which the process is conducted. Solving the puzzle of the canonization process and bringing one to greater appreciation of this procedure, benefits peoples of faith, both now and in the future.

⁸⁵ "For All the Saints" was composed as a processional hymn by Anglican Bishop William Walsham and published in 1864.

EXHIBIT

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United States Conference of Catholic Bishops

Saints

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Saints

Introduction

All Christians are called to be saints. Saints 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.

In official Church procedures there are three steps to sainthood: a candidate becomes "Venerable," then "Blessed" and then "Saint." Venerable is the title given to a deceased person recognized formally by the pope as having lived a heroically virtuous life or offered their life. To be beatified and recognized as a Blessed, one miracle acquired through the candidate's intercession is required in addition to recognition of heroic virtue or offering of life. Canonization requires a second miracle after beatification. The pope may waive these requirements. A miracle is not required prior to a martyr's beatification, but one is required before canonization.

Key Terms

Beatification -- the second stage in the process of proclaiming a person a saint; occurs after a diocese or eparchy and the Congregation for the Causes of Saints has conducted a rigorous investigation into the person's life and writings to determine whether he or she demonstrates a heroic level of virtue, offered their life or suffered martyrdom. A miracle attributed to the person's intercession must be proved.

Blessed -- title bestowed on a person who has been beatified and accorded limited liturgical veneration.

Canonization -- the formal process by which the Church declares a person to be a saint and worthy of universal veneration.

Congregation for the Causes of Saints -- a department of the Roman Curia, established originally as the

Congregation of Rites by Pope Sixtus V in 1588. Reorganized and renamed in 1969 by Pope Paul VI, and again in 1983 by Pope John Paul II. Some of the responsibilities of the Congregation include making recommendations to the pope on beatifications and canonizations, and the authentication and preservation of sacred relics.

Miracle –something that has occurred by the grace of God through the intercession of a Venerable, or Blessed which is scientifically inexplicable.

Petitioner – party initiating an action in canon law. In the case of a sainthood cause, the petitioner is one who asks the diocesan bishop to begin the investigation which could ultimately lead to canonization. (A bishop may also begin a cause on his own initiative, in which case he is the petitioner.)

Positio – a comprehensive summary of all documentation; in this context, there are two: the one summarizing the investigation of a candidate's life and heroic virtues or offering of life, or martyrdom and a second for any alleged miracles. The *Positio* is prepared during the Roman phase by the postulator with the assistance of someone from the Congregation for the Causes of Saints.

Postulator -- person appointed to guide and oversee the cause. One oversees the cause at the diocesan or eparchial level (Phase I); the Roman postulator, oversees all aspects of Phases II and III.

Prefect -- the head of any of the Roman curial congregations, usually a cardinal.

Relator – person appointed by the Congregation for the Causes of Saints to assemble the historic documentation of the candidate for canonization.

Saint – the title given to someone who has been formally canonized by the Church as sharing eternal life with God, and therefore offered for public veneration and imitation.

Servant of God -- the title given to a candidate for sainthood whose cause is still under investigation, prior to being declared Venerable.

Venerable – the title given to a candidate for sainthood whose cause has not yet reached the beatification stage but whose heroic virtue has been declared by the pope.

History

In the first five centuries of the Church, the process for recognizing a saint was based on public acclaim or the vox populi, vox Dei (voice of the people, voice of God). There was no formal canonical process as understood by today's standards. Beginning in the sixth century and continuing into the twelfth century, the intervention of the local bishop was required before someone could be canonized. The intervention of the local bishop usually began with a request from the local community for the bishop to recognize someone a saint. Upon studying the request and a written biography, if he found it favorable, the bishop would typically issue a decree, legitimize the liturgical cult and thereby canonize the person.

Starting in the tenth century, a cause proceeded with the usual steps, i.e. the person's reputation would spread, a request to the local bishop from the people to declare the person a saint occurred, and a biography would be written for the bishop's review. Now however, the bishop would collect eyewitness testimony of those who knew the person and who had witnessed miracles, and he would provide a summary of the case to the Pope for his approval. The Pope then reviewed the cause, and if he approved it, he issued a decree declaring the person a canonized saint. The first documented case of papal invention is by Pope John XV on January 31, 993 for the canonization of St. Ulric. When Pope Sixtus V reorganized the Roman Curia in 1588 he established the Congregation for Sacred Rites. One of its functions was to assist the Pope with reviewing causes. Except for a few canonical developments, from 1588 the process of canonization remained the same until 1917 when a universal Code of Canon Law was promulgated.

The 1917 code contained 145 canons (cc. 1999- 2144) on causes of canonization, and mandated that an episcopal process and an apostolic process be conducted. The episcopal process consisted of the local bishop verifying the reputation of the person, ensuring that a biography existed, collecting eye witness testimony and the person's written works. All of this was then forwarded to the Congregation for Sacred Rites. The apostolic process consisted of reviewing the evidence submitted, collecting more evidence, studying the cause, investigating any alleged miracles and ultimately forwarding the cause to the Pope for his approval. This process remained in effect until 1983 with the promulgation of the 1983 Code of Canon Law and new norms for causes of canonization: *Divinus Perfectionis Magister, Normae Servandae in Inquisitionibus ab Episcopis Faciendis in Causis Sanctorum* and *Sanctorum Mater* (2007). This revised process for causes of canonization is still in force and is detailed below.

No precise count exists of those who have been proclaimed saints since the first centuries. However, in 1988, to mark its 4th centenary, the Congregation for the Causes of Saints published the first "Index ac Status Causarum." This book and its subsequent supplements, written entirely in Latin, are considered the definitive index of all causes that have been presented to the Congregation since its institution.

American Saints, Blesseds and Venerables

The American Church has been blessed with numerous Saints, Blesseds and Venerables, all of whom in their own unique way witness to Christ's love through their martyrdom or virtuous lives within our American culture. Currently, there are eleven American Saints:

St. Frances Xavier Cabrini, St. Marianne Cope, St. Katharine Drexel, St. Rose Philippine Duchesne, St. Mother Théodore Guérin, St. Isaac Jogues and the North American Martyrs, St. John Neumann, St. Elizabeth Ann Seton, St. Father Junípero Serra, O.F.M., St. Kateri Tekakwitha, and St. Damien de Veuster (canonized as Damien of Moloka'i). There are four American Blesseds: Blessed Father Solanus Casey, O.F.M. Cap., Blessed Father Stanley Francis Rother, Blessed Father Francis Xavier Seelos, C.Ss.R.,, and Blessed Sister Miriam Teresa, S.C. (Teresa Demjanovich). There are thirteen American Venerables: Venerable Father Nelson Baker, Venerable Bishop Frederic Baraga, Venerable Mother Mary Magdalen Bentivoglio, O.S.C., Venerable Cornelia Connelly, S.H.C.J., Venerable Henriette Delille, S.S.F., Venerable Mother Mary Theresa Dudzik, O.S.F., Venerable Bishop Alphonse Gallegos, O.A.R., Venerable Mother Maria Kaupas, S.S.C., Venerable Mother Mary Angeline Teresa McCrory, O. Carm., Venerable Father Michael McGivney, Venerable Archbishop Fulton Sheen, Venerable Pierre Toussaint, and Venerable Father Felix Varela

Stage I – Examining the Life of a Candidate for Sainthood

Phase 1: Diocesan or Eparchial Level

Five years must pass from the time of a candidate's death before a cause may begin. This is to allow greater balance and objectivity in evaluating the case and to let the emotions of the moment dissipate. The pope can dispense from this waiting period.

The bishop of the diocese or eparchy in which the person died is responsible for beginning the investigation. The petitioner (who for example can be the diocese/eparchy, bishop, religious order or association of the faithful) asks the bishop through a person known as the postulator to open the investigation.

The bishop then begins a series of consultations with the episcopal conference, the faithful of his diocese or eparchy and the Holy See. Once these consultations are done and he has received the 'nihil obstat' of the Holy See, he forms a diocesan or eparchial tribunal. The tribunal will investigate the martyrdom or how the candidate lived a life of heroic virtues, that is, the theological virtues of faith, hope and charity, and the cardinal virtues of prudence, justice, temperance and fortitude, and others specific to his or her state in life. Witnesses will be called and documents written by and about the candidate must be gathered and examined.

Phase II: Congregation for the Causes of Saints

Once the diocesan or eparchial investigation is finished, the documentation is sent to the Congregation for the Causes of Saints. The postulator for this phase, residing in Rome, under the direction of a member of the Congregation's staff called a relator prepares the 'Positio,' or summary of the documentary evidence from the diocesan or eparchial phase in order to prove the heroic exercise of virtue or the martyrdom.

The 'Positio' undergoes an examination by nine theologians who vote on whether or not the candidate lived a heroic life or suffered martyrdom. If the majority of the theologians are in favor, the cause is passed on for examination by cardinals and bishops who are members of the Congregation. If their judgment is favorable, the prefect of the Congregation presents the results of the entire course of the cause to the pope, who gives his approval and authorizes the Congregation to draft a decree declaring one Venerable if they have lived a virtuous life or a Blessed if they have been martyred.

Stage II – Beatification

For the beatification of a Venerable, a miracle attributed to his intercession, verified after his death, is necessary. The required miracle must be proven through the appropriate canonical investigation, following a procedure analogous to that for heroic virtues. This investigation too is concluded with the appropriate decree. Once the decree on the miracle is promulgated the pope grants the beatification, which is the concession of limited public veneration – usually only in the diocese, eparchy, region, or religious community in which the Blessed lived. With beatification the candidate receives the titled of Blessed. For a martyr, no miracle is required. Thus when the pope approves the positio declaring that the person was a martyred for the faith, the title Blessed is granted to the martyr at that time.

Stage III – Canonization

For canonization another miracle is needed for both Blessed martyrs and Blesseds who lived a virtuous life, attributed to the intercession of the Blessed and having occurred after his or her beatification. The methods for affirming the miracle are the same as those followed for beatification. Canonization allows for the public veneration of the Saint by the Universal Church. With canonization, the Blessed acquires the title of Saint.

Contact for more information:

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011-39-6-6988-1935 fax

Sources:

Adapted from "Canonical procedure for causes of saints," Vatican Information Service, Sept. 12, 1997; and from "Saints in the

Catholic Church," Vatican Information Service, July 29, 1997.

Other sources include:

Bunson, Matthew; Bunson, Margaret; and Bunson, Stephen, eds., *Our Sunday Visitor's Encyclopedia of Saints* (Huntington, IN:

Our Sunday Visitor Publishing Division, 1998.)

Congregation for the Causes of Saints. Instruction *Sanctorum Mater*, promulgated on May 17, 2007.

John Paul II. Apostolic Constitution *Divinus Perfectionis Magister*, promulgated on January 25, 1983.

McBrien, Richard P., ed., HarperCollins *Encyclopedia of Catholicism* (San Francisco: HarperSanFrancisco, 1995.)

Sacred Congregation for the Causes of Saints. *Normae Servandae in Inquisitionibus ab*

Episcopis Faciendis in Causis Sanctorum, promulgated February 7, 1983.

Vatican Information Service reports from May 18, 1999; July 30, 1999; and January 28, 2000, July 31, 2000.



EXHIBIT

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CATECHISM MADE EASY:

BEING

A FAMILIAR EXPLANATION

OF THE

Catechism of Christian Doctrine.

(No. 2.)

BY THE

REV. HENRY GIBSON,

LATE CATHOLIC CHAPLAIN TO THE KIRKDALE GAOL AND KIRKDALE
INDUSTRIAL SCHOOLS.

Second Edition.

VOL. I.



"Except you utter by the tongue plain speech, how shall it be known what is said? For you shall be speaking into the air."—1 COR. xiv. 9.

LONDON: BURNS AND OATES.

1882.

138 . i . 622

related his sacrilegious exploit. In the midst of his recital he suddenly recognised among his audience an Irish Catholic, who was listening with intense horror. On perceiving him he drew from his pocket several hosts, and, holding them forth, said in a sneering tone, "Here, behold your God! Why need you go any more to seek him in the church?" The Catholic stood dumb with horror. At the same moment the blasphemer turned pale, and feeling himself seized with a sudden colic, left the apartment. A quarter of an hour, half an hour elapsed, yet he returned not. A vague fear fell upon the bystanders. They followed him to the closet to which he had retired, and there found him—a corpse. He had died the death of Arius.—*Annals of the Prop. of the Faith.*

TWENTY-FIFTH INSTRUCTION.

The First Commandment concluded. What it does not forbid. The Making of Images—Praying to the Saints and Angels—Honour paid to Relics, Crucifixes, and Holy Pictures,

Q. Does the first Commandment forbid the making of images?

A. The first Commandment does not forbid the making of images, but the making of idols; that is, it forbids us to make images to be adored or honoured as gods.

When Almighty God says in the first commandment, "Thou shalt not make to thyself any graven thing, nor the likeness of anything that is in heaven above, nor in the earth beneath, nor of those things that are in the waters under the earth," he *does not forbid* altogether the *making of images*, but only of such images as are intended to be set up as *idols*, that is, which are made *to be adored or honoured as gods*. For the meaning of the words, "Thou shalt not make to thyself any graven thing," is explained by the words which follow—"Thou shalt not adore them or serve them." If it were not so, it would be wrong for us to make a statue to be set up in a public square, or the figure of a horse or dog to put upon our chimney-piece, or even a doll for a child to play with. But we know that there is no harm in any of these things.

We are forbidden, therefore, to make images to *adore* or *serve* them, but not forbidden to make them for any other purpose; for example, for use or ornament, or

to inspire religious reverence and devotion. Indeed, God himself in the old law commanded images to be made and used for religious purposes; for example, the two golden Cherubim placed on each side of the ark of the covenant in the Holy of Holies, whose extended wings formed, as it were, the Mercy Seat of God, from which he made known his Will to the Jewish people (Exod. xxv. 18, &c.; xxxvii. 7; Numb. xxi. 8, 9). What God himself ordered the Jews to do, the Catholic Church does likewise, placing in her temples the images of the Angels and Saints, and, above all, that of Christ crucified and his B. Mother. These sacred representations serve to fill the mind with holy thoughts, to instruct and arouse our faith, to excite our hope, to move us to love and sorrow, and finally to animate us with a holy zeal to imitate the virtues of those whose images we contemplate. For in the same way as men erect in the squares and public places of our cities the statues of kings, and warriors, and statesmen, though but sinners like themselves, as well to honour their memory as also to excite the zeal of others to imitate those great deeds which they have performed for the good of their country, so also does the Church of God place in her temples the images of our Divine Redeemer, his Virgin Mother, and his Saints and Angels, not only in order to show a loving reverence to those whom they represent, but also to lead us to walk in their footsteps by imitation of their virtues.

I told you just now that it is strictly forbidden by this commandment to make any graven image for the purpose of idolatrous worship. Listen, and I will relate to you the history of five noble martyrs, who chose rather to sacrifice their lives than be guilty of this heinous sin.

DIOCLESIAN AND THE SCULPTORS.

In the reign of Dioclesian there lived at Rome five clever sculptors, whose works of art had obtained for them a high place in the Emperor's favour. Their names were Claudius, Nicostratus, Symphorianus, Casterius, and Simplicius, the last of whom had been converted to the Christian religion by the piety and edifying example of his companions. Never did these holy men commence their labour without devoutly invoking the Holy Name of Jesus, and so great a blessing

attended this pious practice, that each succeeding work served to raise them higher in the Emperor's favour.

About this time Dioclesian was engaged in the erection of a costly edifice, and as he was anxious that the decoration should be as perfect as possible, he sent for the five sculptors to execute the difficult piece of carving which was to ornament the front of the building. The design exhibited the figures of various animals which were to be carved in marble ; the centre of the piece was to be occupied by the images of certain pagan divinities. After a short time the Emperor came to watch the progress of the work. He found the carving complete, with the exception of the vacant space which was to be occupied with the images of the pretended deities. Dioclesian praised the sculptors for the skill with which they had executed a portion of the work, but blamed them for their delay in completing the remainder. "Sire," replied they, "we are Christians, and we are not permitted by our religion to execute any work which may contribute to the superstitious worship of idols." The Emperor, enraged, ordered them to be delivered up to the judge, to whom he gave secret orders to use every effort to induce them to renounce the faith, that he might not lose, by their martyrdom, the services of such skilful workmen. The judge displayed before their eyes the most frightful instruments of torture, and strove by alternate threats and promises to induce them to submit to the Emperor's will. His efforts proving unavailing, he caused them to be inhumanly scourged. As they still remained constant, Dioclesian condemned them to be shut up alive in a vast leaden coffin, and thrown into the river Tiber. The sentence was executed, and they thus sealed their noble profession of faith by a glorious martyrdom. —*Lives of the Saints.*

Q. Is it forbidden to give honour and worship to the Angels and Saints?

A. It is forbidden to give to the Angels and Saints divine honour or worship, for this belongs to God alone.

Q. Should we pay some kind of honour or worship to the Angels and Saints?

A. We should pay to the Angels and Saints an inferior honour or worship, for this is due to them as the servants and special friends of God.

From these two answers you see that, while it is forbidden to give the Angels and Saints *Divine honour and worship*, which belongs only to God, it is noways forbidden to pay them an *inferior* or lesser *honour and worship*; indeed, that it is our duty to render this to them, as being the chosen *servants and special friends of God*. For an honour paid for the sake of God, passes to God himself; nor could we honour God rightly, if we did not also

honour those whom God has himself honoured and placed about his heavenly throne. You will easily understand this from what happens here below. We honour the Queen as the sovereign ruler of the State, but we also, for her sake, honour her ministers, her generals, her judges. Were we wanting in respect to them, we should be dishonouring the Queen herself. And why? Because by their very office and position they are entitled to be treated with respect, as possessing her confidence and bearing the marks of her authority. Yet notice, that the honour we pay to them falls far short of that which we render to the Queen in person. We salute them with respect if we meet them, but we do not kiss their hand on bended knee, as those do who are presented to the Queen. We call them by the titles which they hold, but we never say to them "Your gracious Majesty." So is it also in the court of heaven. To God alone we pay *Divine* worship, but to the Saints and Angels we show a *lesser* reverence for the sake of God, whose friends and servants they are. Thus we *adore* God, but we do not adore them; we *ask God to pardon our sins*, but we do not ask pardon from the Saints and Angels; we *beg blessings and grace from God*, but we only ask the Saints and Angels to use their power and favour with God to obtain for us from him what we stand in need of. Hence you see there is a wide, and indeed an infinite distance between the honour we pay to God and that which we render to his Saints and Angels—as great a distance as there is between the Creator and the creature.

You will often hear it said by those who differ from us in religion that the honour paid by Catholics to the Saints and Angels is an injury done to God, and takes away from the honour due to him. You see clearly that this cannot be the case, since the honour which we pay to them is of a totally different nature from that which we give to God, and is given only for His sake. On the contrary, it is plain that we honour God the more, the more we reverence those who are his friends and favourites. *For it is God who has made them what they are; and when we extol their glory, their power, their holiness,*

their sublime virtues, we extol his gifts and graces. Take, for example, the Virgin Mother of his Divine Son, the greatest, the noblest of God's creatures, excepting only the Sacred Human nature of our B. Lord. Who is it that has made her what she is—so pure from every stain of sin, so humble, chaste and gentle, so high in dignity and glory, the creature, yet the Mother of God, and the Queen of Angels and of men? It is to God, and God alone, that Mary owes all, as she herself tells us in her beautiful canticle of thanksgiving, the Magnificat, "He that is mighty hath done great things in me, and Holy is his Name." Therefore, when we praise and show reverence to Mary, when we recommend ourselves to her protection and ask her intercession, we glorify and acknowledge the Infinite Power, and Wisdom, and Goodness of God, as manifested in her. In the same way is it with the other Saints and the Angels of God; they are his friends, his favourites, or his ministers to execute his Divine decrees; but all their honour, their holiness, their power with him come from God himself, and are the gift of his Goodness. In praising them, therefore, we praise him; in begging their prayers, we show our belief that he loves them, and will not refuse to grant them what they ask.

Cherish, therefore, my dear children, always in your hearts a tender devotion to the Angels and Saints of God. Especially love and honour the B. Mother of God, who is our own Mother also, since our dear Lord gave us to her to be her children before he expired on the cross, and bade us look upon her henceforth as our mother. Oh, how many precious graces shall we not obtain, if we practise, during life, a filial devotion to the B. Virgin! She will be our comfort in affliction, our strength in temptation, our sure refuge in every danger. Be faithful, therefore, in performing some little devotion daily in her honour. Love to pray before her image, to sing her praises, to adorn her altar, but, above all, strive to practise those virtues of which she sets you so beautiful an example, especially these three—humility, obedience, and holy purity. Believe me, there is no more powerful means of advancing in virtue, and no surer sign of perse-

verance, than the practice of a true devotion to the B. Virgin.

After our B. Lady, do not fail to love and honour St. Joseph, for his power is very great with Mary, his Virgin Spouse, and with the Divine Child, of whom he was the guardian and protector on earth. St. Joseph is especially the patron of the young and of the dying. He will guide your steps in the path of virtue, guard your innocence from danger, and obtain for you the greatest of all graces, namely, a happy death. I would recommend you to say some little prayer daily in his honour.

You should also have a special devotion to your Patron Saint, whose name you received in Baptism or Confirmation, or whom you have particularly chosen as your model and protector. You should read his life, try to imitate his virtues, and frequently recommend yourself to his prayers. He on his part will intercede for you before the throne of God, and guard and help you in all the trials of life.

There is one kind friend and protector, of whom I have not yet spoken, but whom you should never forget, for he is ever by your side, watching over you with a tender and constant love, guiding your steps aright, assisting you in every necessity, protecting you in every danger. I mean, of course, your Guardian Angel. For you know that is a pious and universal belief in the Catholic Church, that when God gives each of us our being, he at the same time chooses out from among those glorious spirits who ever minister about his throne, one to be our special guardian and protector throughout life. Hence, holy David says beautifully in one of the Psalms, "He hath given his Angels charge over thee, to keep thee in all thy ways. In their hands they shall bear thee up lest thou dash thy foot against a stone" (Ps. xc. 11, 12). And again, our Blessed Lord, in warning his disciples against the grievous sin of scandal, reminds them, that the Guardian Angels of those whom they lead to sin will bear witness against them before the throne of God: "I say to you that their Angels in heaven always see the face of my Father who *is in heaven*" (Matt. xviii. 10). Oh, my dear children,

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how many graces do we not owe to the watchful care and tender love of these blessed spirits ! It is they who shield us from danger, strengthen us in trial and temptation, comfort us in affliction, and breathe into our souls pure and holy thoughts. How true, indeed, are those beautiful words of the hymn—

“ But I have felt thee in my thoughts
Fighting with sin for me ;
And when my heart loves God, I know
The sweetness is from thee.

“ Yes, when I pray, thou prayest too,
Thy prayer is all for me ;
But when I sleep thou sleepest not
But watchest patiently.”

Preserve, then, ever in your hearts a tender devotion to your good Angel. Always remember his presence, and never grieve this pure and holy spirit by defiling your soul, which he loves so dearly, with the guilt of wilful sin. Often invoke him in your temptations, for he is especially appointed by God to help you in such moments of need. You could say to him, for example, this little prayer, “ My dear Angel Guardian defend me ;” or this longer one, to which an indulgence is attached, “ Oh, my good Angel, whom God has appointed to be my Guardian, enlighten and protect me, direct and govern me.”

There is a beautiful history related in the Holy Scripture, which shows with what loving kindness and tender care our Guardian Angels watch over those committed to their charge, and guide their steps through life. I mean the history of—

ST. RAPHAEL AND THE YOUNG TOBIAS.

When the elder Tobias was now old and blind, and thought that the day of his death was not far distant, he called his son, and, after giving him his last advice, bade him seek out some trusty guide to conduct him to the city of Rages, there to receive a sum of money due to him by one Gabelus. The young Tobias, going out to fulfil his father's commands, was met by a youth of comely aspect who was girded ready for a journey. In answer to his inquiries, the stranger told him that he knew the way to Rages, and was acquainted with Gabelus ; he added, moreover, that he was ready to guide him on his road. Full of joy, Tobias brought in the

young stranger to his father, who asked him his name, little thinking that it was the great Archangel St. Raphael, whom God, to reward his piety, had sent to take charge of his beloved son. The youth replied that his name was Azarias, for this was the name that he had assumed, and he assured the old man that he would undertake to conduct his son in safety to Rages, and bring him back again to his home.

The two travellers accordingly set out, and rested the first evening by the banks of the river Tigris. Here Tobias went into the water in order to bathe his feet, when suddenly a monstrous fish came rushing forwards to devour him. In great terror he called out to his companion, who told him not to be afraid, but to take the fish by the gill and draw him to the shore. He did so, and, having brought the fish to land, set aside, by the direction of his guide, a portion of it as useful for medicine; the rest they cooked and carried with them as provision for the journey.

Thus they travelled on till they arrived at the house of Raguel, a friend of the elder Tobias. Now, it happened that Raguel had a daughter named Sara, who had been espoused to seven different husbands, all of whom had been slain by Satan on the first night of their nuptials. The Angel bade Tobias ask her in marriage, assuring him that such was the Will of God. Tobias did so, and obtained her father's consent. The marriage was celebrated with great rejoicing, and the holy couple sanctified it and drew down on themselves the protection of heaven by spending the first three nights of their union in prayer. Meanwhile, Azarias proceeded to Rages, and received the money owing by Gabelus.

Soon after, the young Tobias, with his virtuous spouse and faithful guide, set out on his return home. As they drew near their journey's end, the dog, which had accompanied them throughout, went running forwards with signs of joy, as if to announce their return. Tobias rose hastily, and leaning on a servant's arm, ran, with stumbling feet, to meet and embrace his son. After the first joyful greetings were over, the young Tobias, by the direction of Azarias, took of the fish's gall, and applied it to the eyes of his father, who immediately recovered his sight. With hearts overflowing with gratitude, both father and son raised their voices in praise to God, and then, turning to the young guide, begged him to accept of half of their substance as some return for his services. Upon which Azarias declared who he really was, and how he had been sent by God to guide the son, and to console and heal the father.

"Bless ye the God of heaven," said he; *"give glory to him in the sight of all that live, because he hath shewn his mercy to you. For I am the Angel Raphael, one of the seven who stand before the Lord. Peace be to you, fear not. For when I was with you I was there by the will of God. It is time that I return to him that sent me, but bless ye God and publish all his wonderful works.*

"And when he had said these things he was taken from their sight, and they could see him no more. Then they, lying prostrate

for three hours on their face, blessed God, and rising up they told all his wonderful works" (Tobias xii. 21, 22).

Tobias lived to an extreme old age, and died, happily, in the arms of his children and grandchildren.—*Tobias*.

OTHER EXAMPLES RELATING TO THE HOLY ANGELS.

The holy patriarch Jacob, being on his deathbed, called his twelve sons around him to give them his last blessing. His son Joseph brought also his two children, Ephraim and Manasses, to their grandfather's bedside, and Jacob, stretching out his hands to bless them, prayed thus, "The Angel that delivereth me from all evils bless these boys" (Gen. xlviii).

When Almighty God spoke to Moses upon Mount Sinai, he told him that he had appointed one of his holy Angels to guide and protect the people of Israel, and conduct them safely into the promised land. "Behold," said he, "I will send my Angel who shall go before thee, and keep thee in thy journey, and bring thee into the place that I have prepared. Take notice of him and hear his voice, and do not think him one to be contemned; for he will not forgive when thou hast sinned, and my name is in him. But if thou wilt hear his voice, and do all that I speak, I will be an enemy to thy enemies, and will afflict them that afflict thee. And my Angel shall go before thee, and shall bring thee into the promised land" (Ex. xxiii. 20-23).

While the prophet Daniel was mourning over the continued captivity of the Jewish people, and was praying fervently to God for their speedy deliverance, there appeared to him an Angel, probably the Archangel St. Gabriel, who told him that his prayer was heard, and that God had sent him to announce its speedy accomplishment. The same heavenly messenger informed him that the Prince, or Guardian Angel of the Persians, had resisted him in this matter for one and twenty days, when St. Michael, the Guardian Angel of the Church of God, came to his help, and that their prayers prevailed with God. No doubt, the blessed Angel of the Persians was unwilling that the nation intrusted to his charge should be deprived of the presence and example of a people who followed the true religion, not worshipping false gods like the Persians, but the One True God of heaven. The Angel added, that the Guardian Angel of the Greeks had appeared also, when he came forth to the prophet, so that he would return to continue the combat. He feared, probably, that the Angel of the Greeks, whose empire was soon to be established on the ruins of that of Persia, would be equally anxious that the Jews should remain in that country for the spiritual good of the people committed to his charge, and would join with the Angel of the Persians in imploring this grace from God (Dan. x).

During the cruel persecutions raised by King Herod against the early Christians at Jerusalem, St. Peter was thrown into prison, where he was bound with chains and guarded by a band of soldiers.

In the middle of the night an Angel appeared to him, loosed his chains, and led him forth into the street, where he disappeared from his sight. St. Peter, being now at liberty, directed his steps to the house of Mary, the mother of St. Mark, where the faithful were assembled, praying for his speedy deliverance. Having knocked at the door, a servant maid, named Rhode, came cautiously to listen; recognising, however, the voice of St. Peter, she ran in haste to tell the disciples that it was St. Peter himself who was without. They, knowing that the Apostle had been cast into prison and placed under a strong guard, did not at first believe her, but thought that, perhaps, it was his Guardian Angel come to console them in his absence. "Nay," said they to her, "it cannot be St. Peter, surely *it is his Angel.*" Upon opening the door, however, they found that it was the Apostle himself, who related to them the manner of his miraculous deliverance (Acts xii).

From these examples you see how the Jews believed, no less than we do, in the protecting care of Guardian Angels, and how this belief is in perfect accordance with the teaching of Holy Scripture.

Q. Should we give honour to relics, crucifixes, and holy pictures?

A. Yes; we should give to relics, crucifixes, and holy pictures, an inferior and relative honour, as they relate to Christ and his Saints, and are memorials of them.

Q. May we pray to relics or images?

A. No; we may not pray to relics or images, for they can neither see, nor hear, nor help us.

We come now to speak of the honour paid by Catholics to *relics, crucifixes, and holy pictures.* These two answers of the catechism teach us that it is our duty to *honour* them, but that it is not permitted to *pray to* them. We honour them because *they are memorials*, that is, objects which remind us *of Christ and his Saints*; but we do not pray to them, because they are without life or sense, and *can neither see, nor hear, nor help us.* Moreover, the honour which we pay to them is of an *inferior* or lesser kind, and is only *relative*; that is, given to them not for their own sake, but for the sake of our B. Lord and his Saints to whom they in some manner *relate.*

From this simple explanation, you see how foolish is the charge of idolatry sometimes brought against Catholics *by ignorant people*, on account of the respect which we *show to* relics, crucifixes, and holy pictures. Idolatry is,

as you know, the giving Divine worship to an image or false God. But can any one be so foolish as to suppose that we worship as gods the *relics*, that is, the sacred remains of departed Saints; or that we adore pious pictures or the *images* of Christ crucified? The simplest Catholic child knows that the respect which we pay to these objects is only a means that we take of showing our reverence and affection to those whom they represent, or to whom they have in some manner belonged.

But it will be said that we place these objects in our churches, that we adorn them with lights and flowers, that we wear them about our necks, that we kneel and pray before them. Assuredly we do. But does not a child cherish with the same fond reverence the memorials of a departed parent without ever being blamed, much less charged with idolatry for so doing? Let us suppose you have lost a beloved mother in your early childhood. You remember well her watchful and patient care, her loving words, her gentle smile. She was taken from you by the hand of God, no more to meet or embrace you till that day so full of happiness for the good, the day of the final resurrection. But, perhaps, you have the good fortune to possess a lock of her hair, the letters she has written to you, or some other object which once belonged to her. Can any one blame you if you prize these relics, as they really are, of a dear departed mother, above all else that you possess, if you carry them about with you, if you kiss them with filial tenderness? Or let us suppose that you have a picture or likeness which recalls to you the features of that beloved parent. Does any one charge you with the black crime of idolatry if you set it in an honoured place in your little room, if you adorn it with flowers, if you water it with your tears, or if, in moments of temptation, you kneel and pray before it, recalling to your mind the gentle warnings and prudent counsels given you in years gone by by that dear departed one? Nay, so far from blaming you, would not any one that saw you say, "There is a good child, who truly loved his mother." And shall it not be lawful, then, to show the same affectionate reverence to the memorials of our loving Saviour,

of our Heavenly Mother, or of the B. Saints and Angels, that we do to those of our departed earthly parents? Surely the more holy and exalted that the person is whom the image or relic recalls to our mind, the greater is the reverence with which it should be treated. You will understand from this, I am sure, why it is that the Catholic Church shows such respect to relics, crucifixes, and holy pictures.

THE ABBOT STEPHEN AND THE EMPEROR'S IMAGE.

Above seven hundred years after Christ, a violent heresy arose in the East, which was directed against the veneration that had always been paid in the Catholic Church to crucifixes and sacred images. The fanatics who embraced this heresy overran the country, everywhere tearing down and defacing the pictures and statues of Christ and his Saints, from whence they received the name of Iconoclasts or "Breakers of images." The Emperor Constantine Copronymus, who was a violent partisan of these heretics, treated with the greatest cruelty all who remained steadfast to the Catholic faith.

Among others who were summoned before him was the holy Abbot Stephen, whom he ordered to trample upon the crucifix, if he wished to save his life. Stephen declared that he would rather die than be guilty of so great an irreverence towards his blessed Redeemer. "Stupid and ignorant man," rejoined the Emperor, "do you suppose that, by trampling upon his image, you trample upon Jesus Christ?" Upon this the Saint, drawing from beneath his robe a piece of money, asked the Emperor whose image it was that was engraved upon it. "Whose can it be," replied he, "but my own?" The holy man then turning to the bystanders said, "What treatment, think you, would he deserve who should trample under foot the Emperor's image?" "A most severe punishment," replied all with one voice. "What!" said the Saint, heaving a deep sigh, "shall it be esteemed a grievous crime to trample under foot the image of a mortal king, and none to outrage that of the King of Heaven!" Constantine felt the force of this reasoning, but did not yield to it. Falling into a violent passion, he ordered the heroic monk to be beheaded.—*Butler's Saints' Lives.*

There are many among you, I daresay, who wear about your necks a blessed crucifix, medal, scapular, Agnus Dei, or Gospel. The relics of the Saints are also worn in the same manner. As it is well that you should understand the meaning of what you wear, I will give you a short explanation of these sacred objects.

The crucifix is the image of our B. Lord nailed to the

cross, so that you see there is a difference between a crucifix and a cross. A cross is simply a piece of wood, metal, &c., with a shorter piece placed across it; but a crucifix is a cross with the figure of Jesus Christ upon it. By wearing the crucifix devoutly, we are reminded of the infinite love of our Saviour in dying for us on the cross, we are taught to place all our hopes in the merits of his Passion and Death, and are encouraged to follow him generously, bearing our cross after him by patiently submitting to the trials and afflictions which he sends us.

The *medals*, which we wear as objects of devotion, are pieces of metal stamped with some sacred image, such as the figure of our B. Lady, of our Guardian Angel, or of our Patron Saint. There are also medals of the Sacred Heart of Jesus, of the Precious Blood, of First Communion, Confirmation, &c. By wearing respectfully these sacred medals, we show our devotion to that Saint or Mystery which they represent, and obtain, no doubt, many graces through the pious sentiments which they inspire, and the prayers which are offered up over them in the name of the Church when they are blessed. There are also many indulgences, which have been granted by different Popes to those who wear or make devout use of crucifixes and sacred medals; but in order to gain them, it is necessary that these pious objects should have been blessed by some priest who has received the necessary power from the Pope.

The *scapular* is a sacred badge, consisting of two small pieces of cloth joined together by two strings and worn about the neck. The first mention of the scapular is found in the life of St. Simon Stock, General of the Order of Mount Carmel. This holy monk earnestly besought our Lady to bestow on the religious of his Order some pledge of her special care and protection. The B. Virgin granted his request, and, appearing to him, presented him with a scapular which she held in her hand, at the same time promising that she would watch over and guard in a special manner all who should wear it in her honour. Since that time many religious orders have worn it over their habits, and numbers of the faithful also wear it

under their ordinary clothing. The scapular most commonly used is the Brown Scapular of our Lady of Mount Carmel, but there are many others. There is the Blue Scapular of our Lady's Immaculate Conception, and the Black Scapular in honour of her Seven Dolours. There is also the Red Scapular in honour of the Passion of our Blessed Lord, and the White Scapular in honour of the Most Holy Trinity. In order to gain the indulgences attached to the wearing of the scapular, it is necessary that we should be invested with it by a priest who has received power for the purpose. We must also wear it constantly, recite the prescribed prayers, and fulfil the other conditions laid down. But let us remember that it will avail us little to wear the badge or livery of our B. Lady or our Divine Lord, if we do not honour their sacred habits by a good and holy life.

The *Agnus Dei* is made from the wax of the Paschal Candle mixed with the Sacred Chrism, and is worn in honour of our B. Redeemer. It receives its name of "Agnus Dei," or "Lamb of God," from the figure of a lamb stamped upon it in memory of our dear Lord, who shed his blood like a meek and gentle lamb for our salvation. Sometimes it is worn about the neck, in which case it is covered with silk, out of respect; at other times it is enclosed in a frame or silver case to be hung in our rooms or oratories. No one but the Pope can bless an *Agnus Dei*, and he performs this ceremony but once in seven years, upon Easter Thursday. In this solemn blessing he prays that those who use the *Agnus Dei* devoutly may be preserved from pestilence, earthquakes, shipwrecks, and sudden death; also that they may receive many spiritual and temporal blessings. Although those who wear the *Agnus Dei* are not strictly obliged to recite any prayer, yet it is recommended to say daily some little prayer in honour of it. A very suitable one is the prayer repeated three times by the priest in the Mass, "Lamb of God, who takest away the sins of the world, have mercy on us."

Gospels are of very ancient use in the Catholic Church. They consist usually of a written or printed copy of the

beginning of St. John's Gospel, the same part that is read by the priest at the end of Mass ; and they are used as a protection against various diseases and other calamities. By wearing them devoutly, we express our firm belief in the truths revealed to us by God in the Holy Gospel, the unbounded confidence which we place in his Goodness, and our ardent love of Him, the true Word of God, who " was made flesh and dwelt amongst us."

By *relics*, we mean the remains of the Saints ; for example, portions of their bones, of their hair, of their clothes, or of whatever has belonged to them during life, or touched their bodies after death. These relics are usually enclosed in silver cases, sealed with the Pope's seal, and are accompanied with a written paper certifying that they are true or genuine. The honour paid to relics is as old as the Church herself. No sooner had the Apostles and early Martyrs laid down their lives in the midst of cruel torments for the love of their Divine Master, than the Christians eagerly sought out the remains of their sacred bodies, and preserved them with the utmost reverence. During the times of persecution they hid these precious relics in the catacombs, or secret passages beneath the surface of the earth, to which they had to fly for safety ; but when peace was restored to the Church, they erected over them magnificent altars and costly churches, to which the faithful flocked to pray before the tombs of the martyrs, and implore their intercession in presence of their sacred remains. The same veneration has in all ages been paid by the Church to the relics of the Saints, and this not only through respect for the Saints themselves, but still more in reverence to God. For as the bodies of the Saints were during their lives upon earth the chosen temples of the Holy Ghost, and will hereafter be glorified for all eternity in heaven, so does the Church feel that any honour paid to their remains redounds to the glory of God, who has blessed and sanctified them for his own Divine service.

You will now understand, my dear children, that these pious objects, the meaning of which I have explained to you, are so many *helps* given us by God to arouse our

faith and excite our devotion. In making use of them, we hope to obtain many graces, and to be preserved from many dangers through the prayers of the Saints in whose honour we wear them, or through the blessing which the Church has pronounced over them. Were we to expect help from the objects themselves, or to imagine that the mere wearing of them would be sufficient to save us, we should be guilty of the sin of superstition. But you all well know, that it is to God alone, through the merits of his Divine Son, that we look for every grace; and that we cannot hope for salvation if we do not believe what he has taught, and practise what he has commanded. We hope, indeed, to obtain the Divine assistance more speedily and surely through the prayers of the Saints and the blessing of the Church, but we are very far from believing that crucifixes, or medals, or scapulars, or Agnus Deis, or even the relics of the Saints, have, of themselves, any power to help or save us.

THE USE OF RELICS WARRANTED BY HOLY SCRIPTURE

The prophet Eliseus, who inherited, along with the garment, the miraculous powers of his great master Elias, was no less remarkable for his holy life than for his wonderful miracles. At his death he was buried, according to the custom of the Jews, in a tomb or small cavern hollowed out of the rock, the door of which was closed, no doubt, with a large flag or stone, as we read in the history of our Lord's burial. Shortly afterwards, the Moabites, a neighbouring nation who were often at war with the Jews, made an incursion into the land of Israel. It happened that a party of Israelites were at this very time carrying the body of a man to the place of burial, the road to which lay past the tomb of Eliseus. Seeing the Moabite rovers approaching, and fearing for their lives, they hastily uncovered the sepulchre of the prophet, and cast in the body. No sooner had the corpse touched the bones of Eliseus, than the soul returned to it, and the man stood upon his feet alive and well (4 Kings xiii.).

"And behold a woman," says the Evangelist, "who was troubled with an issue of blood twelve years, came behind Jesus and touched the hem of his garment. For she said within herself, *If I shall touch only his garment I shall be healed.* But Jesus, turning and seeing her, said, *Be of good heart, daughter, thy faith hath made thee whole.* And the woman was made whole from that hour" (Matt. ix. 20-22).

"And God," says St. Luke, "wrought by the hand of Paul more

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than common miracles, so that even there were brought from his body to the sick handkerchiefs and aprons, and the diseases departed from them, and the wicked spirits went out of them" (Acts xix. 11, 12).

The Church of God, which is ever watchful in guarding her children from all danger of superstition, requires that no public honour should be paid to relics which have not been properly examined and declared to be true and genuine. You will understand how careful she is on this point from the following little history.

ST. MARTIN AND THE ROBBER GHOST.

In the time of St. Martin, Bishop of Tours, in France, there were, at a little distance from that city, an altar and chapel built over the body of a pretended martyr whose relics were held by the people in great veneration. St. Martin, suspecting that their devotion was misplaced, carefully examined into the origin of this sanctuary, and questioned the oldest of his clergy on the subject. Not receiving any satisfactory explanation, he one day repaired to the spot, attended by his clergy, and, standing over the tomb, earnestly besought Almighty God to show him who it was that was there buried. Then, turning to the left, he saw near him a pale ghost of fierce aspect, whom he commanded to speak. The ghost told him his name, and it then appeared that the body was that of a robber who had been executed for his crimes, but whom the people revered as a martyr. None saw him but St. Martin, the rest only heard his voice. St. Martin, accordingly, ordered the altar to be removed, and thus freed the people from the superstition.—*Butler's Saints' Lives.*

WOOD OF THE TRUE CROSS.

St. Gregory, another Bishop of Tours, who lived in the sixth century, and on account of his many miracles is surnamed Thaumaturgus, or the Wonder-worker, says, in his writings, that he once received a present of an old silk veil, which the donor assured him had been wrapped round the wood of the true cross. "In my simplicity," says St. Gregory, "I had a difficulty in believing it; nor could I imagine how he could have merited so great a favour, knowing, as I did, that on the days when the sacred wood was exposed, it was not only impossible to obtain any relic of it, but that the greatest care and even violence was employed to keep the crowd at a respectful distance. The person related to me, however, that he had received it at Jerusalem, along with other relics, from the Abbot Photinus, an ecclesiastic in high favour with Sophia, the Empress of the East.

"On receiving the veil," continues the Saint, "I washed it in

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water, and gave certain persons, who were suffering from fever, the water to drink. In a moment, by the effect of the Divine power, they were cured. I gave a portion of the veil to a certain abbot, who, coming to see me two years after, assured me that he had cured with it three possessed persons, three who were blind, and two paralytics. One day, he informed me, he put the veil into the mouth of a dumb man, but scarce had it touched his teeth and tongue, when his voice and speech were restored."—*Rohrbacher, Viea des Saints.*

Miraculous cures, similar to those related by St. Gregory, frequently accompany, even in these our days, the devout use of relics or other pious objects. For the arm of God is not shortened, nor is his Power diminished; while his Goodness and Mercy are equally ready now, as they were in the days of the Apostles, to reward the faith and loving confidence of those who have recourse to him, if he sees that the favour which they ask will conduce to the salvation of their souls.

Before we go on to speak of the second commandment, there is one other remark which I wish to make, and it is this. In wearing the image of Christ crucified, or of his Saints, in placing them in your little oratories, in adorning them with lights and flowers, you should never forget that what you must principally aim at is, to imprint in your hearts the virtues of those whom they represent. The crucifix, meditated upon, will preach you a continual sermon. In moments of temptation it will keep you from sin by the remembrance of what our dear Lord has suffered for our salvation. In sorrow and sickness it will animate you to patience and resignation, by the example of his patient suffering. It will teach you to be meek and humble of heart, to forgive all who have offended you, as Christ forgave his enemies on the Cross, and to be obedient, in all things, to your parents and superiors, as he was obedient to his Heavenly Father even unto death. In like manner, the pictures of the Saints will animate you to fight against your passions, to despise the world and its empty pleasures, and to walk in their footsteps by the imitation of their virtues, keeping your eyes constantly fixed on heaven, where they are now awaiting you. Oh, my dear children, how happy will you be if

you learn such lessons from these sacred objects! Encouraged by the example of the Saints, and helped by their prayers, you will not fail one day to arrive at the same eternal happiness.

ST. BONAVENTURE AND THE CRUCIFIX.

The great St. Bonaventure, who, on account of his many learned and pious writings, is numbered among the Doctors of the Church, was one day visited by St. Thomas of Aquinas, who asked him what books he had chiefly made use of in composing so many excellent and learned works. St. Bonaventure pointed to his crucifix, all tarnished with the many kisses he had imprinted upon it, saying, "This is the book from which I have collected all that I have written; this has taught me all the little that I know."—*Life of St. Bonaventure.*

DEATH OF MARY, QUEEN OF SCOTLAND.

The gentle and unfortunate Mary Stuart, having taken refuge in England from her rebellious subjects, was thrown into prison by her cousin, Queen Elizabeth, and kept for many years in close confinement. After the mockery of a trial she was condemned to death, and at length the fatal warrant was signed by Elizabeth. Mary prepared herself for her end with edifying piety, and walked with firmness to the scaffold, bearing the crucifix in her hands. Upon her arrival at the place of execution, she offered a fervent prayer for the pardon of her sins, and for a blessing on the Church, her son James, and her cousin Queen Elizabeth. Then, holding up the crucifix before her eyes, she exclaimed, "As thy arms, O God! were stretched out upon the cross, so receive me into the arms of thy mercy, and forgive me my sins." "Madam," said the Earl of Kent, "you had better leave such Popish trumperies, and bear him in your heart." She replied, "I cannot hold in my hand the representation of his sufferings, but I must, at the same time, bear him in my heart." So saying, she laid her head upon the block, and gave up her soul into the arms of her crucified Lord.—*Lingard's History of England.*

KING BOLISLAUS AND HIS FATHER'S IMAGE.

Bolislav IV., King of Poland, caused the image of his father, for whose memory he entertained the greatest veneration, to be engraved upon a golden medal, and always wore it round his neck. Ever after, when about to say or do anything of importance, he took the image into his hand and kissed it, saying respectfully, "Dear father, let me not do anything unworthy of your name."

How much more guarded would Christians be over

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St. Michael the Archangel, also known as Saint Michael the Archangel or simply Archangel Michael, holds a significant place in the Roman Catholic tradition. He is an Archangel, associated with courage, protection, and divine intervention.

Biblical and Historical Roots

St. Michael's presence can be traced back to early Jewish writings, particularly in texts from the 3rd and 2nd centuries BC. In these ancient texts, he is depicted as the chief among angels and archangels, responsible for guarding and caring for Israel.

Guardian Prince of Israel

In Jewish tradition, St. Michael is often referred to as the guardian prince of Israel, a protector who stands ready to defend God's chosen people. He appears in the Book of Enoch as one of the seven archangels, alongside Uriel, Raguel, Raphael, Sariel, Gabriel, and Remiel. These archangels are described as standing before the glory of the Lord.

Defender of the Faith

St. Michael's role as a defender of faith and a warrior against evil is most vividly portrayed in the New Testament, particularly in the Book of Revelation (Revelation 12:7–12). Here, he engages in a cosmic battle against Satan, casting the adversary out of heaven and preventing him from accusing humanity before God. St. Michael's triumphant role in this battle marks a significant shift from the Old Testament to the New Testament.

The Epistle of Jude

In the Epistle of Jude, St. Michael is cited as an example of righteous judgment and opposition to evil. He is contrasted with heretics, as he did not hesitate to rebuke Satan over the body of Moses, saying, "The Lord punish you!" This passage underscores St. Michael's unwavering commitment to God's divine justice.

In Our Catholic Tradition

Within our Roman Catholic tradition, St. Michael the Archangel holds a special place. He is often invoked as "Holy Michael, the Archangel" or "Saint Michael" in prayers and liturgies. While not formally canonized as a saint, he is revered as a celestial being with immense significance.

Four Main Roles in Catholic Teaching

We recognize that St. Michael has four "offices" or roles.

- **Leader of the Army of God:** St. Michael is seen as the commander of heaven's forces, leading the angelic host in their battle against the powers of darkness. He serves as a model of spiritual warfare, reflecting the ongoing struggle between good and evil.
- **Angel of Death:** St. Michael is regarded as the angel of death, accompanying the souls of departed Christians to heaven. At the moment of death, he offers the souls an opportunity for redemption, thwarting the devil's attempts to claim them.
- **Weigher of Souls:** St. Michael is often depicted holding balanced scales, symbolizing his role in weighing souls during the Last Judgment. This signifies his involvement in the divine judgment of humanity.
- **Guardian of the Church:** St. Michael serves as the guardian of the Church and the Chosen People. Throughout history, he has been revered by military orders of knights and is considered the patron saint

of various cities and countries.

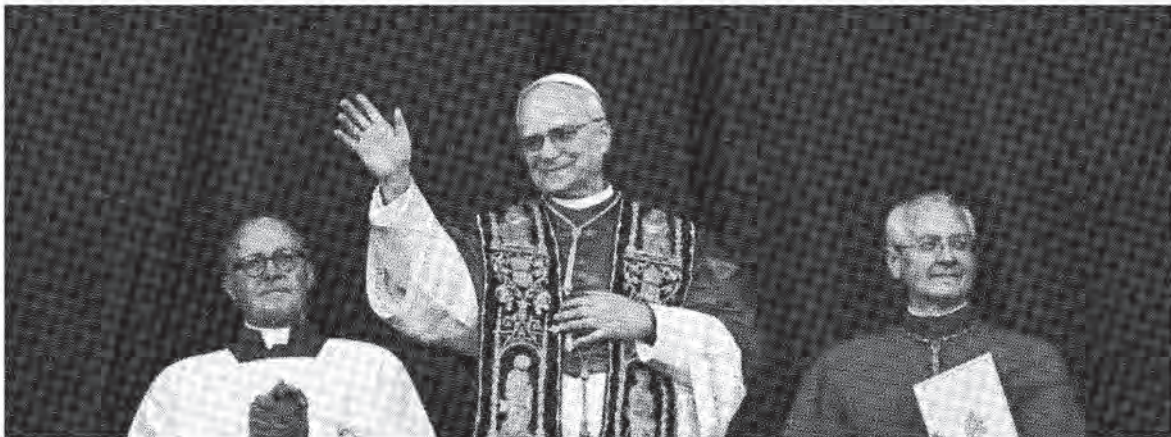
Prayers and Devotions

Catholics frequently turn to St. Michael for protection and guidance. The "Prayer to Saint Michael" specifically implores his defense against the forces of darkness. The "Chaplet of Saint Michael" consists of nine salutations, each dedicated to one of the choirs of angels, and serves as a way to honor and seek the intercession of St. Michael.

St. Michael the Archangel plays a crucial role in our Roman Catholic tradition as a defender of faith, protector of souls, and a symbol of divine justice. His presence and intercession are sought after in times of spiritual warfare and challenges, making him a revered figure in Catholic devotion and liturgy.

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Memorial Day: Honor Those Who Have Given Their Lives in Military Service

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To Honor the Lost: A Brief History of Memorial Day

(<https://catholiconline.news/u-s-news/to-honor-the-lost-a-brief-history-of-memorial-day/>)

The Sacred Memory of Sacrifice: A Catholic Reflection for Memorial Day

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EXHIBIT

23

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families worldwide. Our founders, now in their 70's, just gave their entire life savings to protect this mission. But fewer than 2% of readers donate. If everyone gave just **\$5, the cost of a coffee**, we could rebuild stronger and keep Catholic education free for all. Stand with us in faith. Thank you. **Help Now** > (https://donorbox.org/catholiconlineschool?utm_source=col&utm_medium=top_ad)


St. Florian


[Catholic Online \(/\)](#) / [Saints & Angels \(/saints/\)](#)

Facts

Feastday: ([/saints/f_day/](#)) May 4

Author and Publisher - Catholic Online

 [Printable Catholic Saints PDFs \(https://catholicresources.education/\)](https://catholicresources.education/)

 [Shop St. Florian \(https://catholiconline.shopping/search?type=product&q=St.+Florian\)](https://catholiconline.shopping/search?type=product&q=St.+Florian)



The St. Florian (https://www.catholic.org/saints/saint.php?saint_id=149) commemorated in the Roman Martyrology (<https://www.catholic.org/encyclopedia/view.php?id=7652>) 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 (<https://www.catholic.org/encyclopedia/view.php?id=4554>) in the days of Diocletian. His legendary "Acts" state that he gave himself up at Lorch to the soldiers of Aquilinus, the governor, when they were rounding up the Christians, and 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 removed to the Augustinian Abbey (<https://www.catholic.org/encyclopedia/view.php?id=19>) of St. Florian, near Linz. It is said to have been at a later date translated to Rome, and Pope Lucius III, in 1138, gave some of the saint's relics (<https://www.catholic.org/encyclopedia/view.php?id=9934>) to King Casimir of Poland (<https://www.catholic.org/encyclopedia/view.php?id=9445>) and to the Bishop (<https://www.catholic.org/encyclopedia/view.php?id=1918>) of Cracow. Since that time, St. Florian (https://www.catholic.org/saints/saint.php?saint_id=149) has been regarded as a patron of Poland

(<https://www.catholic.org/encyclopedia/view.php?id=9445>) as well as of Linz, Upper Austria and of firemen. There has been popular devotion to St. Florian (https://www.catholic.org/saints/saint.php?saint_id=149) 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 (<https://www.catholic.org/encyclopedia/view.php?id=6146>) and he is invoked as a powerful protector in danger from fire or water. His feast day (https://www.catholic.org/saints/f_day/) is May 4th.

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[The Apostles' Creed \(/prayers/prayer.php?p=220\)](/prayers/prayer.php?p=220)

[Unfailing Prayer to St. Anthony \(/prayers/prayer.php?p=163\)](/prayers/prayer.php?p=163)

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EXHIBIT

24

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. _____

**DECLARATION OF CLAIRE FITZMAURICE IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, Claire Fitzmaurice, hereby depose and state:

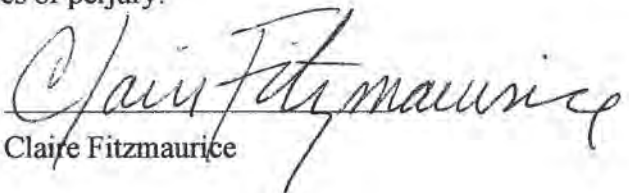
1. I have personal knowledge of the facts contained herein.
2. I submit this Declaration in support of Plaintiffs' motion for preliminary injunction.
3. I live in Quincy and pay property taxes to the City.
4. I was raised in a Catholic family. Though I left the Catholic Church before I was confirmed, the Catholic tradition I was raised in still informs some of my assumptions and expectations about the world, such as my commitment to social justice. I am now an active member of the Unitarian Universalist church. I have been attending the United First Parish Church in Quincy since 1996 and I serve on the Church's Board of Governors.

5. An important principle in the Unitarian Universalist church is “faith in action.” As part of my faith in action, I volunteer on various projects in the community. For example, for the past fourteen years, I and another church member have volunteered to rebuild and maintain the flower beds at the Thomas Crane Public Library. Following the murder of George Floyd, I also helped lead a weekly stand-out outside of the United First Parish Church in support of Black Lives Matter, which I kept up for over three years.
6. I understand that the City plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the facade of the new public safety building.
7. The City’s plan to install religious statues on a government building goes against my religious beliefs. A core principle in the Unitarian Universalist religion is a deep commitment to democracy and religious pluralism. We believe in respecting and celebrating diverse faiths, and welcoming into our community people of all faiths, regardless of creed. The statues violate this principle by symbolically—and physically, because the statues will be high up on the building—elevating one religion over others. The patron saints being depicted in the statues are not universal symbols, they are symbols for one specific faith. I am concerned that these statues will have an exclusionary effect on people who do not identify as Catholic.
8. The planned statues also violate my religious commitment to peace activism. One of the planned statues depicts a human-like Saint Michael stepping on the head of a human-like demon. That violent imagery is deeply offensive to me. My faith tradition elevates peace and teaches that violence is an evil.
9. I understand that the City plans to spend \$850,000 in taxpayer funds on the religious statues.

10. I object to this planned use of my tax payments to purchase, install, and maintain these statues.

11. I have needed to enter the old police facility on multiple occasions in the past, including to report a theft at my church and to turn in a missing phone I found. I have also dropped off old prescription medications. I anticipate that I will need to use these services, now housed at the new public safety building, again in the future. I also drive by the new public safety building at least twice a day because it is on the main road that leads out of my neighborhood. I need to drive by the building in order to get to the grocery store, to church, and to the Thomas Crane Public Library where I volunteer.

Signed this 22 day of May, 2025, under the penalties of perjury.


Claire Fitzmaurice

EXHIBIT

25

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. _____

**DECLARATION OF JAY TARANTINO IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, JAY TARANTINO, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this declaration in support of Plaintiffs' motion for preliminary injunction.
3. I live in Quincy, Massachusetts and pay property taxes to the City.
4. I am an atheist and have been for 24 years. Prior to that, I was a practicing Roman Catholic.
5. I left the Roman Catholic faith due to ideological differences and I consider my rejection of Catholicism to be a sincerely held part of my current nonreligious ideology.
6. I understand that the City plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the facade of its new public safety building.

EXHIBIT

26

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. _____

**DECLARATION OF GILANA ROSENTHOL IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, GILANA ROSENTHOL, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I am a Plaintiff in the above-captioned matter and submit this Declaration in support of Plaintiffs' motion for a preliminary injunction.
3. I live in Quincy, Massachusetts.
4. I am Jewish and actively observe the faith.
5. I understand that the City plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the facade of its new public safety building.
6. I object to the installation of the statues of Saint Michael and Saint Florian on the Quincy public safety building because Judaism does not recognize saints, and the planned installation of these statues makes me feel excluded from the "in-group" of the

government's preferred religion. I feel as though the statues indicate that government officials will protect their own people and that does not include me.

7. The violent and overtly religious nature of the statues is emotional for me to see and they make me less likely to enter the public safety building should I ever have a reason to do so.
8. I drive by the new public safety building approximately once per week. If the statues of Saint Michael and Saint Florian are installed on the public safety building, I expect that I will regularly see them.
9. I understand that the city plans to spend at least \$850,000 of taxpayer funds on these statues
10. I object to this planned use of tax payments to purchase, install, and maintain these statues

Signed this 22nd day of May, 2025, under the penalties of perjury.



GILANA ROSENTHOL

EXHIBIT

27

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. _____

**DECLARATION OF CONEVERY BOLTON VALENCIUS IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Conevery Bolton Valencius, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this Declaration in support of Plaintiffs' motion for preliminary injunction.
3. I live in Quincy and pay property taxes to the City.
4. My Christian faith is at the core of my life. I am a practicing Episcopalian and have been since age eight. I currently am a member of the Church of Our Savior in Milton, where I have attended for 21 years. I have participated in the Episcopal church in various capacities, including being a Lay Eucharistic Minister, serving as a member and leader of the vestries of multiple parishes, teaching Sunday School, going on service trips, helping plan national gatherings for Episcopal youth, and serving as a counselor at church camps and as an acolyte during services. I additionally participate in Roman Catholic services, reflective retreats, and a pilgrimage following the life of Saint Ignatius of Loyola through the Jesuit university where I teach.

5. I understand that the City plans to erect two ten-foot-tall bronze statues depicting Saints Michael and Florian on the façade of the new public safety building.

6. The City's plan to install Catholic religious statues on the entrances to a government building goes against my religious beliefs. I believe that no religion should demand obedience to its symbols to enter a public building. The statues are an inappropriate symbol of religion in a space that is not meant to be religious. The Girl Scout Troop I mentored included girls from several different faiths. I emphasized to them their civic responsibilities: I want those young women to know they can fully participate in and feel welcome in all civic spaces in our community. These statues will signal that they are not fully part of the community being served. They should not have to walk under such looming religious imagery to seek help from public safety officers or seek city services, and nor should I: such imagery promotes one religion over all others. I go to church because it is my choice to freely practice my religion, and having to walk beneath religious statues to enter a public building removes that choice.

7. I understand that the City plans to spend at least \$850,000 in taxpayer funds on the religious statues.

8. I object to this planned use of my tax payments to purchase, install, and maintain these statues.

9. I have needed to enter the old police facility on multiple occasions in the past, including to dispose of prescription medications. I anticipate that I will need to use this service, which I understand will be housed at the new public safety building, again in the future. I typically drive by the new public safety building approximately four times per week, for instance on my visits to the nearby YMCA, where I am a member.

Signed this 26th day of May, 2025, under the penalties of perjury.

A handwritten signature in cursive script, reading "Conevery Bolton Valencius", written in black ink. The signature is fluid and extends across the width of the page.

Conevery Bolton Valencius

EXHIBIT

28

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT

CLAIRE FITZMAURICE et al.,

Plaintiffs,

v.

C.A. No. _____

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

Defendants.

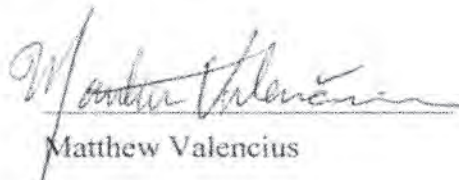
**DECLARATION OF MATTHEW VALENCIUS IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Matthew Valencius, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this Declaration in support of Plaintiffs' motion for preliminary injunction.
3. I live in Quincy and pay property taxes to the City.
4. I am formerly Catholic and now identify as an atheist. I was baptized and confirmed in the Catholic faith, attended Sacred Heart Elementary School for grades 1-6, and was an altar boy. I began attending an Episcopal church around the time of revelations of the sex abuse scandal in the Catholic church. I began explicitly identifying myself as an atheist about ten years ago.

5. I understand that the City plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the façade of the new public safety building.
6. The City's plan to install religious statues on a government building goes against my religious beliefs. I am opposed to the establishment of any religion by the government, and these statues promote Catholicism. In particular, I am concerned with the association between religion and the police department that these statues will create. Many religions have historically persecuted those they identify as heretics, and a state instrument of power such as the police department should not be tied to any specific religion such as the Catholic Church which may divide the world into "good" and "bad" people.
7. If the statues were to be installed on the new public safety building, it would cause me negative concern when entering the building.
8. I understand that the City plans to spend at least \$850,000 in taxpayer funds on the religious statues.
9. I object to this planned use of my tax payments to purchase, install, and maintain these statues. I do not want my taxpayer dollars supporting someone else's religion.
10. I drive by the new public safety building approximately once per day on average. I am also a member of the YMCA which is located near the building and I see the building every time I go to the YMCA.

Signed this 23 day of May, 2025, under the penalties of perjury.


Matthew Valencius

EXHIBIT

29

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. _____

**DECLARATION OF LUCILLE DIGRAVIO IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Lucille DiGravio, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this declaration in support of Plaintiffs' emergency motion for preliminary injunction.
3. I was born in Quincy in 1944 and have lived in the City my entire life.
4. I was raised Catholic and was very involved with the church from an early age. At one point during my life, I seriously considered becoming a nun. Both of my children are baptized, and my daughter received her first communion.
5. I left the Catholic church in the late 1970s, but while I am no longer a practicing Catholic, my life remains guided by the concepts encompassed in the Beatitudes. I deeply believe in these highest ideals of love and humility and in Christ's teachings on compassion. I strive to live a life aligned with God's will and focused on the well-being of others, which, to me, means working for the benefit of all and promoting unity, not division or conflict.

6. I understand that the City has plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the façade of its new public safety building.

7. The statues violate my spiritual commitment to being a peacemaker. I believe that it is God's command to bring together those who are in conflict and that erecting the statues—which position Catholics above others in Quincy's very diverse community—displays a complete lack of understanding and care for the thoughts and beliefs of others.

8. I can see the public safety building from my apartment in Quincy Square and go past it constantly, as it is on the main thoroughfare that I need to take to access almost all services in the City.

Signed this 22nd day of May 2025, under the penalties of perjury.


LUCILLE DIGRAVIO

EXHIBIT

30

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. _____

**DECLARATION OF DAVID REICH IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, David Reich, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this Declaration in support of Plaintiffs' motion for preliminary injunction.
3. I have lived in Quincy since May of 1993.
4. I own a home in Quincy and pay property taxes to the City.
5. I was raised in the Jewish faith and still identify as a non-observant Jew.
6. I understand that the City plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the facade of the new public safety building.
7. It is offensive to me that the City plans to install these statues on a government building. I believe that the statues convey the message that the City of Quincy favors Catholic

residents and disfavors people like me, who do not identify as Catholic. The planned statues make me feel like a second-class citizen.

8. The statues bring up the same feelings I had as a child, when I was forced to say Christian prayers at my public school. At the time, being forced to say prayers for another religion made me feel like I was less important than the people who followed the prevailing religion. Now, with the statues, I feel the same way. The statues make me feel like I don't count because I am not Catholic.
9. I understand that the City plans to spend \$850,000 in taxpayer funds on the religious statues.
10. I object to this planned use of my tax payments to purchase, install, and maintain these statues.
11. I regularly drive by the public safety building on the way to do grocery shopping at the Stop & Shop on Southern Artery and at the Trader Joes in Hingham. Several times a year, I drop off waste at the DPW Yard, whose lot abuts that of the public safety building. There are numerous reasons I anticipate I may need to enter the public safety building in the future, including to file a police report or to dispose of old prescription medications.

Signed this 21st day of May, 2025, under the penalties of perjury.



David Reich

EXHIBIT

31

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. _____

**DECLARATION OF CYNTHIA L. ROCHE-COTTER IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, Cynthia L. Roche-Cotter, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this Declaration in support of Plaintiffs' motion for preliminary injunction.
3. I have lived in Quincy my entire life.
4. I own a home in Quincy and I pay property taxes to the City.
5. I was raised as a Catholic, but I now identify as a Humanist.
6. I have been a member of the American Humanist Association for approximately fifteen years and I occasionally attend meetings of the organization.
7. I understand that the City plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the facade of its new public safety building.

8. The statues do not reflect my beliefs. I believe strongly in the separation of church and state, and I think it is inappropriate to install religious statues on a government building.
9. I understand that the City plans to spend \$850,000 in taxpayer funds on the religious statues.
10. I object to this planned use of my tax payments to purchase, install, and maintain these statues.
11. The public safety building is on the main road that leads out of my neighborhood, and I need to drive by almost every day. For example, I need to drive by the building in order to go to the grocery store or to the drug store. I have gone to the police station in the past to dispose of old prescription medications. I anticipate I may need to enter the new public safety building to access this and other services in the future.

Signed this 21st day of May, 2025, under the penalties of perjury.


Cynthia L. Roche-Cotter

EXHIBIT

32

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. _____

**DECLARATION OF MICHAEL F. COTTER IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, Michael F. Cotter, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this Declaration in support of Plaintiffs' motion for preliminary injunction.
3. I have lived in Quincy for seventy years.
4. I own a home in Quincy and pay property taxes to the City.
5. I was raised as a Catholic, but I now identify as a Humanist.
6. I have been a member of the American Humanist Association for approximately fifteen years and I occasionally attend meetings of the organization.
7. I understand that the City plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the facade of its new public safety building.

8. The statues do not reflect my beliefs. I believe strongly in the separation of church and state, and I think it is inappropriate to install religious statues on a government building. I have a deep respect for other people's religious convictions, but not everyone is Catholic. I believe that having Catholic statues outside the public safety building will alienate Quincy residents of other religious backgrounds.
9. I understand that the City plans to spend \$850,000 in taxpayer funds on the religious statues.
10. I object to this planned use of my tax payments to purchase, install, and maintain these statues.
11. The public safety building is on the main road that leads out of my neighborhood, and I need to drive by it almost every day. I have gone to the police station in the past to dispose of old prescription medications. I anticipate I may need to enter the new public safety building to access this and other services in the future.

Signed this 20th day of May, 2025, under the penalties of perjury.



Michael F. Cotter

EXHIBIT

33

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. _____

**DECLARATION OF SHERYL LECLAIR IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Sheryl LeClair, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this Declaration in support of Plaintiffs' motion for preliminary injunction.
3. I live in Quincy and pay property taxes to the City.
4. I am Jewish. For many years I considered myself more of a "secular" Jew, although I was a member of a synagogue in Milton for some time and recently joined a synagogue in New York. In January, after receiving a distressing health diagnosis, I began attending Zoom services with the synagogue in New York. I attend services at least once a week and sometimes up to five times a week. I have found great comfort and meaning in these services and in deepening my connection with my Judaism during this time.
5. I understand that the City plans to erect two ten-foot-tall bronze statues depicting Saints Michael and Florian on the façade of the new public safety building.

6. The City's plan to install religious statues on a government building goes against my religious beliefs. We do not have saints in Judaism. Additionally, as a part of the services that I regularly attend, we pray for our community, including a prayer concerning protection of the rule of law. Participating in these Jewish services, and praying regularly to strengthen my community has only reinforced my feelings that these statues are offensive to my beliefs: they do not strengthen the community but instead divide it; the meaning of the statues, and Saint Michael portrayed as violent and standing on a demon is not something I accept or is a comfort to me – especially when placed outside a public safety building.
7. As a member of a minority religion, the existence and planned installation of these statues frightens me and tells me that I am not welcome here. These statues send the message to me that I am living in a Christian country and city; that Christianity, and Catholicism in particular, is being embolden while minority faiths are being ignored, dismissed, and silenced. The fact that the City intends to continue with the installation of these statues, even after significant public anger and outcry, sends the message to me that my concerns as a member of a minority religion do not matter.
8. I have been fortunate to experience antisemitism only a couple of times in my life. By putting these statues up, the City is endorsing Catholicism – and while not necessarily endorsing or promoting antisemitism, I fear that the statues somehow will exacerbate the trend in rising antisemitism.
9. I understand that the City plans to spend at least \$850,000 in taxpayer funds on the religious statues.

10. I object to this planned use of my tax payments to purchase, install, and maintain these statues.
11. I anticipate that I will need to drive by the new public safety building approximately four times in a typical week and will need to drive by the building for appointments, meetings, groceries and other errands.

Signed this 23rd day of May 2025, under the penalties of perjury.


Sheryl LeClair

EXHIBIT

34

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. _____

**DECLARATION OF CODY HOOKS IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Cody Hooks, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this declaration in support of Plaintiffs' emergency motion for preliminary injunction.
3. I have lived in Quincy since September 2019.
4. Although I was not raised in an explicitly religious household, I joined a Missionary Baptist church of my own accord when I was nine years old. Later in my life, as I explored other faith traditions, I developed a deep affinity for and commitment to interreligious dialogue, multi-faith spiritual care, and compassionate, curious pluralism. I left the church when I was seventeen and now identify as a religious "none": I do not have a religious home in any specific faith tradition but am deeply spiritual and value the teachings of many different faith traditions.

5. In 2022, I earned my Master of Divinity from Harvard Divinity School. The focus of my studies was on spiritual caregiving, or chaplaincy. I consider my commitment to pluralism to have a spiritual and religious dimension.

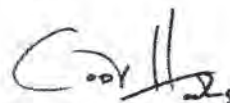
6. I understand that the City has plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the façade of its new public safety building.

7. As a scholar of religion, I recognize that Saints Michael and Florian are not universal or transcendent figures, and as a resident of Quincy, I feel deeply alienated by the City's decision to elevate one faith tradition over others. If the statues were erected, I would feel less welcome in my own city and neighborhood and would feel uncomfortable entering the public safety building or using any of the services available there.

8. The statues also violate my ethical commitment to pluralism. As a spiritual caregiver, I object to the statues in that they are not reflective of many people's belief systems and will cause people in Quincy to feel excluded from the community.

9. I regularly drive past the public safety building. I also anticipate numerous reasons that I might have to enter the public safety building in the future, including to file a public safety report or apply for various permits.

Signed this 21st day of May 2025, under the penalties of perjury.



CODY HOOKS

EXHIBIT

35

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS. SUPERIOR COURT

CLAIRE FITZMAURICE et al.,

Plaintiffs,

v.

C.A. No. _____

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

Defendants.

**DECLARATION OF SALVATORE BALSAMO IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, Salvatore Balsamo, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this Declaration in support of Plaintiffs' motion for preliminary injunction.
3. I own a home in Quincy and pay property taxes to the City.
4. I was raised Catholic and served as an altar boy as a child. I no longer identify as Catholic. I now describe myself as spiritual.
5. I understand that the City plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the facade of its new public safety building.
6. I am opposed to these statues because I believe it is wrong to have religious statues on a public building.

7. I am also opposed to the particular religious imagery depicted in these statues. As I was raised, Saint Michael and Saint Florian are supposed to be religious icons of protectiveness, but as depicted in the plans for the public safety building, they appear as icons to violence. The depiction of Saint Michael stepping on the head of a demon is particularly offensive to me because it is reminiscent of how Geroge Floyd was killed. I believe that it is immoral to install a statue with this violent imagery outside of a police station.
8. I understand that the City plans to spend \$850,000 in taxpayer funds on the religious statues.
9. I object to this planned use of my tax payments to purchase, install, and maintain these statues.
10. I typically drive past the new public safety building at least twice per day. I have gone to the police station in the past to file a police report and to dispose of old prescription medications. I anticipate I may need to enter the new public safety building to access these and other services in the future.

Signed this 21 day of May, 2025, under the penalties of perjury.



Salvatore Balsamo

EXHIBIT

36

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. _____


**DECLARATION OF MARIANNE BALSAMO IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, Marianne Balsamo, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this Declaration in support of Plaintiffs' motion for preliminary injunction.
3. I was born and raised in Quincy, and I have owned a house here for twenty years.
4. I pay property taxes on my home to the City.
5. I was raised as a Catholic and I am now an active member of the United First Parish Church. I was raised to believe that God is love, and that belief still informs my worldview.
6. I understand that the City plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the facade of its new public safety building.

7. I am shocked and offended that the City would install these statues on a government building. To me, Catholicism is about caring for one another. That was a message ingrained on me as a child and it is a big part of why I became a nurse—to help others. Another core principle of Catholicism is welcoming others. In recent years, the Catholic Church has increasingly emphasized this principle. For example, Pope Francis commissioned a statue dedicated to welcoming immigrants of all cultures and religions. The statues the City plans to install on the public safety building do not convey Catholic messages of care and welcoming. Instead, they send an exclusionary message. The statues do not reflect what Catholicism means to me, and I find them offensive.
8. I understand that the City plans to spend \$850,000 in taxpayer funds on the religious statues.
9. I object to this planned use of my tax payments to purchase, install, and maintain these statues.
10. I view the police department as the place to go if you need help. About five years ago, for example, someone accidentally put their Christmas shopping in my car, and I went to the police station to get help in returning the presents. I have also gone to the police station in the past to file police reports and to dispose of old prescription medications. I anticipate I may need to get help or use these services at the new public safety building in the future. In addition, I regularly need to drive by the new public safety building to get to church, the supermarket, and the library. I usually drive by the building at least twice a day.

Signed this 21 day of May, 2025, under the penalties of perjury.


Marianne Balsamo

EXHIBIT

37

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. _____

**DECLARATION OF MARTHA PLOTKIN IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, Martha Plotkin, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this Declaration in support of Plaintiffs' motion for preliminary injunction.
3. I own a home in Quincy and I pay property taxes to the City.
4. I was raised Jewish and was brought up going to synagogue and celebrating Jewish holidays with my family. I still identify as Jewish, though I am no longer particularly observant.
5. I understand that the City plans to erect two ten-foot-tall bronze statues depicting the Catholic Saints Michael and Florian on the facade of its new public safety building.
6. There is no representation of me, as a Jewish person, in these statues. I had never heard of these saints before these statues came to light, and I never learned about them when I

attended synagogue as a child. These are not figures that are recognized in Judaism as I know it.

7. The fact that these statues are going to be on a public building makes me feel like a second-class citizen. The statues make me feel like the building, and the services housed in it, are not for me because I am not Catholic. The statues send the message that the police, fire, and other services located in the building are not there to serve me and other non-Catholic Quincy residents.
8. I was raised to value religious diversity. I had Protestant neighbors growing up, and I remember that they used to invite me over to make Christmas cookies and sing Christmas carols with them. I loved it! And my parents loved that this other family was welcoming me into their religious traditions. By contrast, these statues do not celebrate religious diversity, nor do they send a welcoming message to people who do not follow the Catholic faith they represent. I find the statues really offensive.
9. If the statues were installed, it would make me hesitate to enter the building. I would feel very uncomfortable having religious statues of another faith looking down on me as I tried to access City services. I drove by the building a few days ago with my husband and I breathed a sigh of relief when I saw that the statues had not yet been erected. The plan for the statues is unimaginable in such a diverse community.
10. I understand that the City plans to spend \$850,000 in taxpayer funds on the religious statues.
11. I object to this planned use of my tax payments to purchase, install, and maintain these statues.

12. I have to drive by the new public safety building twice a month to go grocery shopping. Every few months, I drop off hearing aid batteries for recycling at the DPW Yard, which is adjacent to the new public safety building. There are numerous reasons I anticipate I might need to enter the public safety building in the future, such as to file a police report or to get help returning a lost item.

Signed this 23 day of May, 2025, under the penalties of perjury.

Martha Plotkin
Martha Plotkin

EXHIBIT

38

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. _____

**DECLARATION OF KATHLEEN GERAGHTY IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

I, Kathleen Geraghty, hereby depose and state:

1. I have personal knowledge of the facts contained herein.
2. I submit this declaration in support of Plaintiffs' motion for preliminary injunction.
3. I live in Quincy and pay property taxes to the City.
4. I am Catholic. For many years, I attended services at Sacred Heart Parish in Quincy, which recently merged with other parishes and is now known as Divine Mercy Parish. I now attend services at St. John the Baptist in Quincy.
5. I understand that the City plans to erect two ten-foot-tall bronze statues depicting Saints Michael and Florian on the façade of the new public safety building.
6. I strongly support Quincy's first responders and I support the City's efforts to build modernized facilities for them.
7. However, the City's plan to install religious statues on the new public safety building goes against my religious beliefs. The violent imagery associated with Saint Michael

offends me. I find the statues to be alienating and divisive. Additionally, as someone who is both Catholic and believes that religious imagery should not be displayed on public buildings, I am upset that the City's actions have put me in the position of needing to speak out against statues of Catholic figures.

8. I understand that the City plans to spend at least \$850,000 in taxpayer funds on the religious statues.
9. I object to this planned use of my tax payments to purchase, install, and maintain these statues.
10. I have needed to enter the old police department on multiple occasions in the past, including to turn in a pair of lost keys I found at the beach. I have also utilized the prescription medication disposal receptacle at the police department in the past. I anticipate that I will need to use this disposal receptacle, which I understand will be housed at the new public safety building, again in the future. I typically drive by the new public safety building at least once per week.

Signed this 23rd day of May, 2025, under the penalties of perjury.



Kathleen Geraghty