

MEMORANDUM

To: James L App, City Manager

From: Meg Williamson, Assistant to the City Manager

Date: December 20, 2005

Subject: Ad Hoc Committee Formation – Explore the Costs of Displaying “In God We Trust” motto in City Council Chambers

Develop an Ad Hoc Committee to review the feasibility of and costs of displaying the patriotic national motto “In God We Trust” in the Paso Robles City Council Chambers.

Options:

- a.** Appoint a two-member ad hoc committee to work with staff to explore the costs and benefits of displaying the patriotic national motto of “In God We Trust” in City Council Chambers during City Council Meetings; and report back to the full Council by June 20, 2006.
- b.** Amend, modify, or reject the above option.

Attachments:

1. Background information on citizen request to consider display of National motto.

CATHY -

PLEASE CONTACT MARTI KEMPER
TO DETERMINE WHAT
IS INVOLVED/REQUIRED.

THANKS?

5/19/05



TO: City Council

FRED STROUB ASKED THAT I
REVIEW THIS INFORMATION/INITIATIVE.
PLEASE ADVISE IF YOU WISH TO
PURSUE.

THANKS!

5-28-05

May 27, 2005

Display Our National Motto in Every City Hall in America

Dear Honorable Mayor and City Councilmembers,

Thank you for taking the time to review the information in this packet. It will be mailed to every Mayor and City Councilmember in California. Our national motto, "In God We Trust", represents the values our Founding Fathers envisioned for our country. It is important that we keep the vision alive. I trust that you will be inspired to join the other cities that are already working to display, "In God We Trust" in their city halls.

I would like to introduce you to Marti Kemper, the volunteer for San Luis Obispo County. She will be contacting you in the next few weeks, as well as the other city officials in your county, to encourage your involvement in this project. Marti is dedicated to the goals of In God We Trust - America, and she will be eager to assist you, any way possible, to help you display the national motto in your city. If you have any questions please feel free to contact Marti at (805) 226-8441 or martikemper1@yahoo.com.

Thank you again for your consideration.

Sincerely,

Jacquie Sullivan
President
In God We Trust - America

Bakersfield
City Councilmember



May 18, 2005

Honorable Mayor & Councilmembers:

Prominently display our national motto
on the Wall of your City Hall.

Board of Directors

President
Jacquie Sullivan
Bakersfield Councilmember

Secretary
Mark Abernathy
Western Pacific Research, Inc.

Treasurer
Larry Moxley
Moxley International

Executive Board

Don Clark
Citizen

Paul Neufeld
Wasco Councilmember
Building Contractor

Pedro Rios
Delano Councilmember
Educator

Holly Culhane, SPHR
P*A*S Associates

Cheryl Rhodes
Educator

Dan Schaffler
KAXL Radio

Abraham I. Tenzer, PhD
XSL Biotechnologies, Inc.

Tom Watkins
Bakersfield Family Medical
Center

Tina Miller
Business Owner

The United States of America has much to celebrate. The freedoms we prize were won through great pain and sacrifice and are perpetuated through great courage and vision. Now, to help preserve and protect the best of all that America stands for, a volunteer organization, "In God We Trust - America, Inc.", has been organized, headquartered in the city of Bakersfield, California, to encourage each city in our nation to join in prominently and permanently displaying our national motto, "In God We Trust," in every City Hall throughout our great state and across America.

"In God We Trust" became our national motto shortly after this nation led the world through the trauma of World War II. The words have been used on U.S. currency since 1864. The same inspiring slogan is engraved above both the entrance to the Senate Chamber and above the Speaker's dais in the House of Representatives. In both war and peace, these words have been a profound source of strength and guidance to many generations of Americans.

In February of 2002, the City of Bakersfield officially voted to make our national motto, "In God We Trust" a prominent part of our city. These historic words are now carved in stone as the centerpiece of our city council chambers at Bakersfield City Hall. Neighboring cities have since taken similar official action. We now encourage every city across our wonderful land to do the same.

Will you join us?

Our volunteer organization, "In God We Trust - America" is incorporated, with non-profit 501c3 status. Our organization is designed to provide you, as a civic leader, with whatever assistance, direction and formats you may need by which to be part of this project and to adopt our national motto in your own city. A representative from this organization will contact you soon to see how we can assist you in this noble endeavor.

May God bless America, and may America's trust always be in God.

Please feel free to contact me for assistance at (661) 834-4943 or by email at:
jacquie@libertystar.net.

Sincerely,

Jacquie Sullivan
City Councilmember
City of Bakersfield

IN GOD WE TRUST -- AMERICA, INC.

P.O. Box 9341 • Bakersfield, CA 93389 • (661) 834-4943 • jacquie@libertystar.net
A non-profit 501c3 educational corporation ID# 2624857

The Constitutionality of the National Motto "In God We Trust"

- In September of 1814 during the British bombardment of Fort McHenry, Francis Scott Key composed the poem "Star Spangled Banner" of which one line of the final stanza is "And this to be our motto-"In God We Trust"
- In 1861 The Chief Justice Chase of the Supreme Court wrote the following in a letter to the director of the US Mint: "No nation can be strong except in the strength of God, or safe except in His defense. The trust of our people in God should be declared on our national coins."
- In 1866 Congress enacted legislation authorizing the inscription of the phrase "In God We Trust" to be placed on certain coins.
- In 1931 Congress passed the act that until today officially designates as the national anthem " the composition of the words and music known as the Star Spangled Banner".
- In 1955 Congress mandated the inscription of "In God We Trust" on all coins and paper currency.
- A 1956 Congress codified "In God We Trust" as the national motto. Thus, "In God We Trust" has remained our national motto since 1956.
- The United States Code itself contains religious references. For example, Congress has directed the President to " set aside and proclaim a suitable day each year...as a National Day of Prayer, on which the people of the United States may turn to God in prayer and meditation at churches, in groups, and as individuals."
- By statute the Pledge of Allegiance to the Flag describes the United States as "one Nation under God". Likewise our National Motto, "In God We Trust" is prominently engraved in the wall above the Speaker's dais in the Chamber of the House of Representatives and is reproduced on every coin minted and every dollar printed by the Federal Government.
- The Judicial Branch also acknowledges the central role of religion in our society. All federal courts open sessions with the request that " God save the United States and this honorable Court".
- The Ten Commandments are posted in the US Supreme Court Chambers directly above the bench where the nine justices sit.



CITY ATTORNEY
Virginia Gennaro



DEPUTY CITY ATTORNEYS
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January 28, 2005

Ms. Jacquie Sullivan, Council Member, Ward 6
1501 Truxtun Avenue
Bakersfield, California, 93301

RE: Patriotic Display of National Motto

Dear Council Member Sullivan and Interested Persons:

In 2002, the City Council of the City of Bakersfield, in the best interest of the citizens of the City of Bakersfield, decided to display the national motto ("In God We Trust") above the seal of the City of Bakersfield located in the Council Chambers. In addition, the Council added the phrase "e pluribus unum" below the same seal. Also, the Council established a "historical documents" display on the wall across from the City Clerk's Office. These actions were all taken by the Council to provide and encourage a spirit of national patriotism within the community.

The original consideration of these actions was a direct result of a concept proposed by Council Member Sullivan, which embodied the spirit of patriotism. While the public discussion which resulted seemed to center on the national motto terminology, the City Council's stated intent consistently has been to encourage patriotism. The quotation marks around the phrase "In God We Trust" were included to signify that the phrase was the national motto and not an entanglement with nor a promoting of a religious activity. In furtherance of this intent, the City Council's inclusion of displaying the phrase "e pluribus unum," which reflects the unifying of many states into a national government, was again to signify that the display was to encourage national patriotism.

You inquired about the legal defensibility of the City Council's actions. While anyone can initiate litigation and assert various challenges to the Council's actions, the record of the City Council's discussions concerning this concept is clear that the City Council was not promoting or becoming entangled in religious activities, but was actively involved in promoting national patriotism. Nothing is 100% sure of being defensible, and when dealing with a constitutional challenge, there is an ever-changing legal case law climate which could, with minimal potential, cause the challenge to the City Council's actions to be successful. However, with the clear record, it is my opinion the ability of the City to advance and display obviously patriotic phrases and documents is constitutionally permissible, and the City arguably has a very defensible position in this issue. The non-existence of the filing of a claim or lawsuit by a citizen of the City of Bakersfield challenging the City Council's action is further evidence the City Council made clear its intention, and was not unconstitutionally entangling itself in promoting or fostering any religious activity.

Very truly yours,

Handwritten signature of Virginia Gennaro in cursive script.
VIRGINIA GENNARO
City Attorney