



April 3, 2013

Vietnam Veterans Memorial in Mingus Park

Coos Bay City Hall
500 Central Avenue
Coos Bay, OR
97420
www.coosbay.org

Police Department
(541) 269-8911

Fire Department
(541) 269-1191

Library
(541) 269-1101

Public Works &
Development
Department
(541) 269-8918

Economic
Development
(541) 269-8924

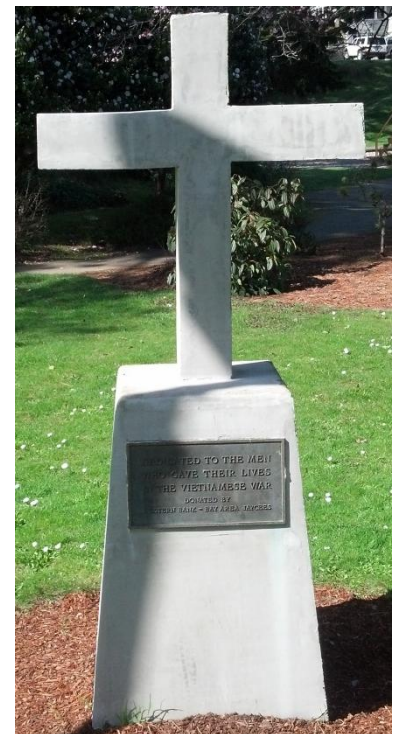
Finance
Department
(541) 269-8915

City Manager's
Office
(541) 269-8912

The City of Coos Bay has retained the services of constitutional attorneys from the Liberty Institute to assess the constitutionality of the Vietnam Veterans Memorial in Mingus Park. Hiram Sasser, Director of Litigation at the Liberty Institute, contacted the City and offered to conduct the assessment and advise the City Council on its options regarding the memorial after learning the City had received a letter from the Freedom from Religion Foundation requesting the removal of the memorial as they believe its shape, a cross, is an unconstitutional endorsement of religion.

Liberty Institute is the national law firm that represents The American Legion and the Veterans of Foreign Wars (VFW) across the country in legal challenges to veteran's memorials because they have religious imagery. Liberty Institute has been representing the Legion for almost a decade on these issues. Liberty Institute successfully represented the VFW in the Salazar v. Buono Supreme Court case involving the VFW's cross memorial in the Mojave Desert.

The memorial was donated and placed in the park in 1972 by Western Bank and the Bay Area Jaycees. On October 19, 2010, Landy Marshall a former member of the Bay Area Jaycees who helped construct and install the memorial appeared before the City Council and requested that the City rehabilitate the memorial as the finish had deteriorated over the years due exposure to the weather. During the summer of 2011, city staff attempted to clean the memorial by pressure washing it. When the pressure washing failed to make any visible improvements, the City contracted with a local firm to rejuvenate the monument by pressure grouting a thin layer of grout over its exterior. On February 7, 2013, the City received a letter from the Freedom from Religion Foundation requesting the removal of the memorial.



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