



NEWS RELEASE

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TMLC to Defend Teacher’s Patriotic “God Banners” Thursday Morning in the Ninth Circuit Court of Appeals

ANN ARBOR, MI – Thomas More Law Center (TMLC) Senior Trial Counsel Robert Muise will defend the right of public high school teacher Brad Johnson to display patriotic banners in his classroom before a panel of the Ninth Circuit Court of Appeals tomorrow at 9:00 a.m. PST in Pasadena, California. The Poway Unified School District in California ordered Johnson to take down his banners that contained historical slogans such as “In God We Trust,” “One Nation under God,” as well as the preamble to the Constitution, because “they may offend a Muslim student.”

Johnson had been displaying the banners for twenty-five years. He was ordered to remove them in 2007. Because of the national significance of this case, C-SPAN will be videotaping the oral arguments, which will be broadcasted at a later date.

In a classic example of discrimination against anything Christian, the School District allowed religious classroom displays by other teachers, including displays included a 35 to 40-foot string of Tibetan prayer flags with images of Buddha; a poster with the lyrics from John Lennon’s anti-religion song “Imagine;” a poster with Hindu leader Mahatma Gandhi’s “7 Social Sins”; a poster of Muslim leader Malcolm X; and a poster of Buddhist leader, the Dalai Lama.

TMLC filed a federal lawsuit in 2007 against the Poway Unified School District, alleging that the school district violated Johnson’s constitutional rights by imposing a viewpoint-based restriction on his speech.

In February 2010, Federal District Court Judge Roger T. Benitez ruled in favor of Johnson in a 32-page strongly worded opinion critical of the Poway school district's aversion to mentioning God:

“[The school district officials] apparently fear their students are incapable of dealing with diverse viewpoints that include God’s place in American history and culture. . . . That God places prominently in our Nation’s history does not create an Establishment Clause violation requiring curettage and disinfectant for Johnson’s public high school classroom walls. It is a matter of historical fact that our institutions and government actors have in past and present times given place to a supreme God.”

Shortly after his ruling, however, the School District board voted to appeal Judge Benitez's ruling at a closed-session meeting.

The Thomas More Law Center defends and promotes America’s Christian heritage and moral values, including the religious freedom of Christians, time-honored family values, and the sanctity of human life. It supports a strong national defense and an independent and sovereign United States of America. The Law Center accomplishes its mission through litigation, education, and related activities. It does not charge for its services. The Law Center is supported by contributions from individuals, corporations and foundations, and is recognized by the IRS as a section 501(c)(3) organization. You may reach the Thomas More Law Center at (734) 827-2001 or visit our website at www.thomasmore.org.