

Wiley Rein Helps Secure First Amendment Win in 'Peace Cross' Case, as Supreme Court Rules Memorial Does Not Violate Establishment Clause

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Press Contact

Molly Peterson

T: 202.719.3109

mmpeterson@wiley.law

Washington, DC—Wiley Rein LLP helped secure an important First Amendment victory today in a high-profile U.S. Supreme Court case concerning the "Peace Cross" memorial in Bladensburg, Maryland.

The Supreme Court ruling, in *American Legion, et al. v. American Humanist Association, et al.*, overturned a Fourth Circuit decision that the monument, built in memory of 49 Prince George's County veterans who died in World War I, violated the Establishment Clause of the First Amendment. The Fourth Circuit ruling was challenged by The American Legion, which built the memorial in 1925, and the Maryland-National Capital Park and Planning Commission, which has maintained the memorial since the 1960s.

In finding that the memorial does not violate the Establishment Clause, the Supreme Court endorsed the position advanced in an *amicus* brief that Wiley Rein authored last year on behalf of a group of Medal of Honor recipients. The brief was filed in support of the petitioners by a team of Wiley Rein attorneys that included Megan L. Brown, Louisa Brooks, Wesley E. Weeks, Bethany A. Corbin, Krystal B. Swendsboe, Tatiana Sainati, and Jeremy J. Broggi.

Related Professionals

Jeremy J. Broggi

Partner

202.719.3747

jbroggi@wiley.law

Megan L. Brown

Partner

202.719.7579

mbrown@wiley.law

Tatiana Sainati

Partner

202.719.3544

tsainati@wiley.law

Krystal B. Swendsboe

Partner

202.719.4197

kswendsboe@wiley.law

Wesley E. Weeks

Partner

202.719.7569

weeeks@wiley.law

Practice Areas

First Amendment/Commercial Speech

The brief argued that the Fourth Circuit decision strayed “from the underpinnings of the Establishment Clause” and warranted correction. “The Establishment Clause has historically served to prevent coerced religious adherence, not to save passersby from seeing a display they find disagreeable,” Wiley Rein said in the brief.

The Wiley Rein team submitted the brief on behalf of Medal of Honor recipients Hershel Woodrow Williams, Charles S. Kettles, Robert Roland Ingram, and Allen James Lynch, all of whom have “lifelong commitments to honoring the history and memory of fallen American servicemen” and are among the nation’s most distinguished veterans. Mr. Williams was honored for his heroic actions during the Battle of Iwo Jima and is the last surviving Medal of Honor recipient who served in the Pacific theatre of World War II. Mr. Kettles served in Korea and Vietnam, and Mr. Ingram and Mr. Lynch are both Vietnam veterans.

In addition to the brief filed by Wiley Rein, a diverse and bipartisan coalition of other *amici* filed briefs urging the Supreme Court to reverse the Fourth Circuit’s decision, including briefs filed on behalf of 109 U.S. Senators and Members of the House of Representatives; 29 Governors; the Veterans of Foreign Wars (VFW); the Military Order of the Purple Heart; various Christian, Jewish, and Islamic advocacy groups; groups of retired generals and admirals; and numerous state and local governments.

The Wiley Rein brief can be found [here](#). The Supreme Court ruling can be found [here](#).