



FACT SHEET ***American Atheists v. Davenport***

ABOUT American Atheists v. Davenport

American Atheists, Inc., sued the Utah Highway Patrol and the Utah Transportation Department seeking a court order to remove roadside cross memorials placed to honor fallen state highway patrol officers. The group contests the inclusion of the UHP's beehive logo, placed in the center of each memorial cross, claiming that it is state establishment of religion. ADF attorneys are representing the Utah Highway Patrol Association, a private organization that funds and maintains the memorials on behalf of the families of the fallen officers. Photos of the memorials are available at the following links:

- www.telladf.org/UserDocs/UtahMemorials/Antoniewicz.jpg
- www.telladf.org/UserDocs/UtahMemorials/Harris.jpg
- www.telladf.org/UserDocs/UtahMemorials/Ingram.jpg
- www.telladf.org/UserDocs/UtahMemorials/Lund.jpg
- [www.telladf.org/UserDocs/UtahMemorials/Pierson and Luke.jpg](http://www.telladf.org/UserDocs/UtahMemorials/Pierson_and_Luke.jpg)
- [www.telladf.org/UserDocs/UtahMemorials/Rettberg and Rees.jpg](http://www.telladf.org/UserDocs/UtahMemorials/Rettberg_and_Rees.jpg)
- www.telladf.org/UserDocs/UtahMemorials/Thorne.jpg
- [www.telladf.org/UserDocs/UtahMemorials/Vanwagenen and Winn.jpg](http://www.telladf.org/UserDocs/UtahMemorials/Vanwagenen_and_Winn.jpg)
- www.telladf.org/UserDocs/UtahMemorials/Hutchings.jpg

CURRENT STATUS OF American Atheists v. Davenport AS OF 4/30/10

In November 2007, a federal district court judge ruled in favor of the UHPA. American Atheists appealed to the U.S. Court of Appeals for the 10th Circuit. ADF Senior Legal Counsel argued before the court on March 9, 2009, in Denver, Colo. The case is currently awaiting a decision from the court.

WHAT IS AT STAKE?

What is at stake in this case is the right for a private association to be able to publicly honor fallen officers as they wish when no taxpayer dollars are being used and the association has no religious purpose. If American Atheists succeeds in this case, other cross memorials placed by private citizens could be in legal jeopardy as well, such as the memorials near Glenwood Springs, Colorado, that honor firefighters who lost their lives at Storm King Mountain in July 1994.

CONTACT

ADF Media Relations

Phone: (480) 444-0020, x. 17102 / E-mail: adfmedia@telladf.org / Web: www.adfmedia.org/home/contact

ABOUT ADF

ADF is a legal alliance of Christian attorneys and like-minded organizations defending the right of people to freely live out their faith. Launched in 1994, ADF employs a unique combination of strategy, training, funding, and litigation to protect and preserve religious liberty, the sanctity of life, marriage, and the family.

ABOUT Byron Babione

Byron Babione serves as senior legal counsel with the Alliance Defense Fund at its headquarters in Scottsdale, Arizona. He is a member of the Virginia, New York, and Arizona bars and has practiced trial and appellate advocacy in numerous civil rights cases in federal and state court. Babione is a graduate of George Mason University and has practiced law since 1993 after earning his J.D. from the Regent University School of Law.