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Mojave cross at center of court fight reported stolen

By **Bill Mears**, CNN
May 12, 2010 8:41 a.m. EDT

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The Mojave Memorial Cross was ordered covered until the Supreme Court resolved a constitutional issue.

Washington (CNN) -- A war memorial shaped like a cross that has been at the center of a Supreme Court fight has been torn down by vandals from its remote perch in a California desert.

The 6-foot-tall metal structure was removed Sunday night from Sunrise Rock in a lonely stretch of the Mojave National Preserve, said government officials and veterans groups that have been fighting for years to keep the cross on national park land.

STORY HIGHLIGHTS

Removed Sunday night from Sunrise Rock in a lonely stretch of the Mojave National Preserve

High court on April 28 ruled cross did not violate separation of church and state

American Civil Liberties Union has promised to continue the court fight

The National Park Service said it is investigating the incident; no arrests had been made as of Tuesday morning.

The high court on April 28 ruled the cross did not violate the constitutional separation of church and state. The American Civil Liberties Union, which had brought the original lawsuit to have the cross removed, promised to continue the court fight.



Video: Desert cross dispute

The Veterans of Foreign Wars and the Liberty Institute, the legal organization that represents the veterans groups in the case, are offering rewards totaling \$35,000 for information leading to the arrest and conviction of those behind the theft.

"This is an outrage, akin to desecrating people's graves," said Kelly Shackelford, president and CEO of Liberty Institute. "It's a disgraceful attack on the selfless sacrifice of our veterans. We will not rest until this memorial is re-installed."

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The Latin cross was first erected in 1934 by a local VFW unit to honor war dead. It has been rebuilt several times over the years, and Easter services are held annually at the remote desert site. The site is on national park land that totals about 1.6 million acres, or 2,500 square miles.

The cross itself was embedded in rock held in place by concrete. Whomever removed it would have had to climb up the steep outcropping, maneuvering around rattlesnakes that hide in the crevices.

A federal judge in 2001 ordered the cross covered with plywood until the legal issues were resolved. Many tourists driving by the site had believed the memorial was a neglected billboard.

The Park Service told CNN the wooden cover was reported missing Saturday morning. When staff arrived Monday to replace it, the cross itself was missing.

"Park law enforcement is investigating this crime and is asking for the public's assistance," said Linda Slater, a Mojave National Preserve spokeswoman.

The unofficial caretakers of the structure said they are heartbroken at



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its disappearance. Henry and Wanda Sandoz have driven 140 miles each way from their home on a weekly basis to maintain the area. Sitting near the cross last September, Henry Sandoz told CNN he has done heavy maintenance over the years.

"Up until the box went on it, I would replace it when it got knocked down, repair it," he said. "The last time, I had to get a couple of cowboys across the way and they helped me put it up. We had to literally to hoist it up because it's heavy, 3-inch pipe, and filled it with cement. I put it up to stay."

Frank Buono, a former Park Service employee, initiated the lawsuit, saying the cross represented government endorsement of the Christian faith. A federal appeals court ultimately agreed, and rejected a move by Congress in 2003 to transfer the tiny portion of land where the cross sits to the VFW as a privately held national memorial.

The justices did not completely resolve the fight over the fate of the cross, but the conservative majority re-affirmed recent rulings that there is a limited place for religious symbols on government land.

"It is reasonable to interpret the congressional designation as giving recognition to the historical meaning that the cross had attained," wrote Justice Anthony Kennedy. "The Constitution does not oblige government to avoid any public acknowledgment of religion's role in society."

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squidlydoo

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Since when was it designated that War Memorials have to be crosses? I mean, as if God is only on "our" sides. Im all for War Memorials, but, making them crosses changes the subject entirely. Your giving thought, really, to only believers who fight, when im certain their are non-believers who have fo [...more](#)

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hjablowm

hjablowm

i don't understand why a neutral monument can't be erected if the main point is to honour fallen soldiers. didn't any

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non-christians die serving their country? i'm all for honouring our veterans. i don't think it has to make a religious statement.

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Rozmarija

Rozmarija

The cross should be removed according to the Constitution, with respect for American soldiers of all faiths AND NONE, as even President Obama mentioned in another reference. Switching public land for private sets a dangerous precedent and we could seed a cross on Mt Rushmore. Religion is a private ma ...[more](#)

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Thorrsmann

Thorrsmann

Justice Anthony Kennedy wrote for the majority, "The goal of avoiding governmental endorsement does not require eradication of all religious symbols in the public realm."

And that should end the debate.

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Rozmarija

Rozmarija

Justice Anthony Kennedy is CATHOLIC. Perhaps he feels her cannot let down his commitment to his Faith. Why should there be religious symbols in the public realm? There are enough churches in every town coast to coast!

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runningboy

runningboy

Just to be clear, I mean "Good joke... it's not likely to end the debate", especially since the bulk of this discussion (like many discussions lately) was not really about the issue at hand. Kennedy's writing won't end the discussion about this (and spinoff) topics any more than Plessy v Ferguson r ...[more](#)

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sonso

sonso

agreed

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runningboy

runningboy

Good one.

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Thorrsmann

Thorrsmann

Looks like CNN didn't like the sort of attention this story got. Not at all good for the Atheist cause, a criminal act like this.

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paelth

paelth

I think christians from here on out should not enlist in our military. Let the atheists die for our country for once, then they could earn the right to complain about the cross.

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runningboy

runningboy

Get a grip and come back to reality. Plenty of people with all kinds of beliefs - yes, even atheists - have already died for the country. Typical atheists don't care whether you believe the religious things you believe. They don't share your beliefs, but they really do respect your right for priv ...[more](#)

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Bandit346

Bandit346

I hope the government pursues the perps of this hate crime with the same enthusiasm that it goes after other haters.

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Thorrsmann

Thorrsmann

millennial Hate is in the heart of the criminals. This was done in hate, ergo it is a hate crime.

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millennial

millennial

It can't be a hate crime. After all, the court ruled that this cross can stay up because the cross is not a Christian symbol - it's a symbol of a war memorial.

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ridaalki

ridaalki

Good deal!

I so glad that that stupid cross is finally down!

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squidlydoo

squidlydoo

Oh, Passion of the Christ should be avoided at all costs. Dont give your money to that anti-semite, Gibson!

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GreatBush

GreatBush

Passion of the Christ blew.

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runningboy

runningboy

millennial, I agree 100%. I don't condone theft, and I would rather see a different object used in this commemoration.

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millennial

millennial

No, not good idea. There are right and wrong ways to solve problems. This is the latter.

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runningboy

runningboy

I won't regret my choice of any of the movies I have seen over the last few decades. Are you in some way insinuating that you will be "one of the chosen ones" because of a movie you have seen?

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paelth

paelth

Choice is great, is it not? I wonder who will regret their choice in movies 100 years from now?

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runningboy

runningboy

Have you seen The Life of Brian?

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paelth

paelth

Have you seen the "Passion of the Christ"? I highly recommend it.

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StevenPocksp

StevenPocksp

I'm agnostic. I don't subscribe to any religion. Yet, I don't catch fire when I look at religious symbols. Freedom of religion is not freedom FROM religion. The pieces of crap who stole the cross should never see the light of day once they are captured. I'd say they deserve to die, but they aren't wo ...[more](#)

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GreatBush

GreatBush

You're delusional.

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