

Crossing Paths: Christians and City Hall Locking Horns in Freedom Battle

A heated legal battle over religious freedom has erupted in a small town outside of San Francisco, California, where a group of dedicated Christians is fighting to reinstall a 28-foot cross that was recently removed from a parcel of land.

The dispute centers around Albany Hill, where a bench trial has commenced in a U.S. district court to determine if the city can invoke eminent domain to take the Lions Club's easement, which has granted access to the cross for over half a century.

The cross has stood atop Albany Hill, offering a breathtaking view of California's East Bay, since 1970. Dorena Osborn, whose father and another community leader sold 1.1 acres of land to the city, recalled the cross being built after the Lions Club was granted an easement in a 1973 deal. Over the last 50 years, the illuminated 28-foot metal-and-plexiglass cross has been a pillar for worshippers in the community, lit up for special occasions like Easter and Christmas.

However, in 2015, the monument faced scrutiny when East Bay Atheists challenged its constitutionality. Subsequently, in 2017, Albany's mayor criticized the Lions Club for illuminating the cross on a 9/11 anniversary.

"I want to reiterate that neither the City Council nor the City of Albany endorses in any way the lighting of the cross for any occasion, religious or nationalistic, or supports its continued presence on public property," said then-Mayor Peggy McQuaid.

The situation escalated when, in 2018, a judge ruled that the

cross violated the Establishment Clause of the U.S. Constitution. The city was left with two options: sell the small plot of ground where the cross stood to a private party or acquire the easement through eminent domain and remove the cross. Last year, the city council unanimously voted to pursue the latter option, obtaining prejudgment possession of the cross pending the Lions Club's lawsuit over the eminent-domain action.

Quietly on June 8, the cross was taken off the property and placed in storage, sparking debates on religious freedom and constitutional rights.

Albany Mayor Aaron Tiedemann defended the removal, stating it was "consistent with their values" and that the city appears more accepting now. He acknowledged that for those who wanted the cross to stay, its removal may feel like oppression but believes it will eventually be accepted.

"The city has actually put its money where its mouth is, and our city looks a little bit more accepting now in a way that we think is consistent with our values," Mr. Tiedemann told the East Bay Times. "For the small local group of people that really want to see the cross stay, when you've had such privilege for so long, losing it feels like being oppressed. That's going to be an adjustment for folks, but I think we will all get used to it, and I think it's a real benefit."

The Lions Club, however, maintains that city leaders harbor animosity towards any Christian faith-related monument. Club President Kevin Pope expressed disappointment with the city's decision to spend a substantial amount, potentially close to \$1 million, to resolve the issue instead of accepting the club's offer to buy the small plot of land.

"The City Council seem to hate what it represents, and rather than take an amount of money for the land and sell it to the Lions Club, they've decided to spend what we think is probably

close to \$1 million to resolve this issue, instead of doing the easy thing,” Mr. Pope says. “That’s how much they hate it.

“I think they just gave the city of Albany a black eye,” Pope says. “There’s a lot of people who love it being up there—a lot of people go up there and pray and have church services. Taking it down shows their intolerance toward Christian values.”

The trial’s outcome will determine whether the city must return the cross to the group or if the Lions Club will receive a settlement for its removal. If returned, the group may face additional challenges related to zoning and permitting when trying to erect the cross again. Nonetheless, Pope remains steadfast, believing that the love for the cross far outweighs those who oppose it.

“It’s a sacred place to many, but there’s a few loud, vocal people who hate it,” he said. “But I believe the people who love it are a much bigger group than the people who don’t.”

As the trial unfolds, tensions continue to rise over the fate of the cross, with religious freedom advocates and Christians closely watching the proceedings to safeguard the importance of freedom of religion in the country. {eo}

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