

RECEIVED

DEC 21 2015

OPINION COMMITTEE

ROD PONTON
83rd DISTRICT ATTORNEY



FILE # ML-47915-15
I.D. # 47915

RQ-0089-KP

400 South Nelson Street
Ft. Stockton, Texas 79735
432-336-3322 (Phone)
432-336-8333 (Fax)

123 North 6th Street
Alpine, Texas 79830
432-837-0990 (Phone)
432-837-0995 (Fax)

December 21, 2015

Hon. Ken Paxton
Texas Attorney General
P.O. Box 12548
Austin, Texas 78711

Attention: Opinion Committee

Re: Display of cross with thin blue line on patrol vehicles of Brewster County
Sheriff's Office

Dear Attorney General Paxton:

I am the elected 83rd District Attorney, serving Brewster, Jeff Davis, Pecos, and Presidio Counties. Brewster County Sheriff Ronny Dodson has allowed his Deputies to place upon their vehicles a small cross, outlined in blue (approximately 12 inches high), on the rear of patrol vehicles. There is no motto, statement, or other logo or writing associated with the cross. I am requesting an opinion from you regarding whether the mere display of a cross on a Sheriff patrol vehicle, violates the First Amendment.

The BCSO responds to all issues, calls, and citizens without regard to religion or belief.

I have reviewed Attorney General Opinion No. KP-0042. I agree that displaying "In God We Trust" on police vehicles is a passive use of a motto steeped in our nation's history that does not coerce citizen approval or participation. I believe that the Sheriff's Department display of a cross, without more, does not suggest "that those who disagree are compelled to join the expression or approve its content." I believe that the mere display of a cross is less intrusive to the public than the motto "In God We Trust". The symbol of the cross is a symbol of protection and comfort. The cross symbol on patrol vehicles, with a blue line, is a symbol of seeking protection for "The Thin Blue Line", for dedicated law officers placing their lives on the line to serve and protect the residents of Brewster County. The use of a cross symbol on patrol cars seems even more mainstream, and less violative of the First Amendment, than the use of the motto "In God we Trust".

Therefore, I respectfully request an opinion from your office regarding whether the mere display of a cross on a Sheriff patrol vehicle, violates the First Amendment.

Sincerely,

A handwritten signature in black ink that reads "Rod Ponton". The signature is written in a cursive, flowing style.

Rod Ponton
83rd District Attorney

Attachments: Photos of cross on patrol cars
Opinion No. KP-0042, November 4, 2015
Paxton letter to Orange County, TX. December 15, 2015

cc: Brewster County Sheriff Ronny Dodson
Hon. Eleazar Cano, Brewster County Judge