COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS. **SUPERIOR COURT**

CLAIRE FITZMAURICE, JAY TARANTINO, GILANA ROSENTHOL, DR. CONEVERY BOLTON VALENCIUS, MATTHEW VALENCIUS, LUCILLE DIGRAVIO, DAVID REICH, CYNTHIA ROCHE-COTTER, MICHAEL COTTER, SHERYL LECLAIR, CODY HOOKS, SALVATORE BALSAMO, MARIANNE BALSAMO, MARTHA PLOTKIN, and KATHLEEN GERAGHTY,

Plaintiffs,

v.

CITY OF QUINCY and THOMAS P. KOCH, *in his official capacity as Mayor of Quincy*,

Defendants.

C.A. No. _____

COMPLAINT

The Massachusetts Declaration of Rights prohibits the government from subordinating any religion to another. The City of Quincy's plan to erect two ten-foot-tall bronze statues depicting Catholic Saints Michael and Florian on the façade of its new public safety building violates this fundamental constitutional principle. The decision to spend $850,000 in taxpayer funds on religious statues was set in motion by Mayor Thomas P. Koch in 2023 without notice to the public or City Council as a whole. The public only learned about the statues in February 2025 through reporting in the local press. Despite widespread outcry—including a petition with more than 1,600 signatures, an opposition letter from nineteen Quincy faith leaders, and letters from a local organization to the Massachusetts Office of the Inspector General and the Massachusetts State

Ethics Commission noting the unlawful use of taxpayer funds—neither the City Council nor Mayor Koch nor any other City official has acted to halt the installation of the statues.

Plaintiffs are residents of Quincy who practice a variety of faiths, including Catholicism, Judaism, and Unitarianism, as well as Quincy residents who are Humanist, atheist, spiritual, or do not identify with a single faith or religious organization. They bring this suit to protect their rights under the Massachusetts Constitution and to ensure that their government respects their community's rich religious pluralism. Affixing religious icons of one particular faith to a government facility—the City's public safety building, no less—sends an alarming message that those who do not subscribe to the City's preferred religious beliefs are second-class residents who should not feel safe, welcomed, or equally respected by their government.

JURISDICTION & VENUE

1. Jurisdiction is proper in the Superior Court pursuant to Mass. Gen. Laws ch. 212 § 4, and 231A, § 1.

2. Venue is proper in Norfolk County pursuant to Mass. Gen. Laws ch. 223, § 8(4), because Plaintiffs reside in Quincy and because Quincy is situated in Norfolk County.

THE PARTIES

3. Plaintiff Claire Fitzmaurice is a resident and taxpayer in Quincy. Ms. Fitzmaurice was raised in a Catholic family. Although she left the Catholic Church before she was confirmed, the Catholic tradition in which she was raised still informs some of her beliefs and expectations about the world, including her commitment to social justice. She is now an active member of the Unitarian Universalist Church and has been attending the United First Parish Church in Quincy since 1996. A core religious value of Unitarian Universalism is welcoming into the community

people of all faiths, regardless of creed. Ms. Fitzmaurice believes that the statues will violate these beliefs by elevating one religion over others and sending an exclusionary message to non-Catholics. Ms. Fitzmaurice's faith tradition also elevates peace and teaches that violence is an evil. Ms. Fitzmaurice believes that the statues—in particular, the violent imagery of Saint Michael stepping on the head of a human-like demon—will violate her religious commitment to peace activism. Ms. Fitzmaurice has needed to enter the current police station on multiple occasions in the past, including to report a theft at her church and to turn in a missing phone she found. She has also dropped off old prescription medications at the prescription disposal receptacle. Ms. Fitzmaurice anticipates that she will need to use these services, which will be housed at the new public safety building, again in the future. In addition, Ms. Fitzmaurice drives by the new public safety building at least twice a day because it is on the main road that leads out of her neighborhood. Ms. Fitzmaurice must drive by the building in order to get to the grocery store, to church, and to the Thomas Crane Public Library, where she volunteers.

4. Plaintiff David Reich is a resident and taxpayer in Quincy. He has lived in Quincy since May of 1993 and owns a home there. Mr. Reich is Jewish and believes the statues convey a message that the City of Quincy favors Catholic residents over others. The planned statues make Mr. Reich feel like a second-class citizen because he does not subscribe to the religious beliefs they promote. Mr. Reich regularly drives by the public safety building to go grocery shopping and, several times per year, he drops off waste at the Department of Public Works Yard, which abuts the public safety building. Mr. Reich anticipates that he may need to enter the public safety building in the future to access services there, such as to file a police report or dispose of old prescription medications.

5. Plaintiff Kathleen Geraghty is a resident and taxpayer in Quincy. She is Catholic and attends services at St. John the Baptist in Quincy. She has needed to enter the current police building on multiple occasions in the past, including to return lost keys and dispose of prescription medication, and anticipates that she will need to use the prescription disposal receptacle in the future. She typically drives by the new public safety building at least once per week. The planned statues go against Ms. Geraghty's religious beliefs because she finds the violent imagery associated with Saint Michael offensive. She also finds the statues to be alienating and divisive. And, as someone who is both Catholic and believes that religious imagery should not be displayed on public buildings, she feels that the City's actions have put her in the uncomfortable position of needing to speak out against statues of Catholic figures.

6. Plaintiff Gilana Rosenthol is a resident in Quincy. Ms. Rosenthol is Jewish and actively observes her faith. Ms. Rosenthol objects to the planned statues because Judaism does not recognize saints, and because the installation of Catholic statues on a government building makes her feel excluded from the government's preferred group of citizens. She believes that these statues indicate that the government will protect its chosen people, and that this does not include her. Ms. Rosenthol drives by the public safety building approximately once per week and will regularly see the statues if they are installed on the building.

7. Plaintiff Dr. Conevery Bolton Valencius is a resident and taxpayer in Quincy. She is a practicing Episcopalian and attends service at the Church of Our Savior in Milton. The City's plan to install religious statues on a government building goes against her religious beliefs because she believes that no government should demand submission to religious symbols to enter a public building. Rather, whether to practice religion should be an individual choice, and having to walk by religious statues to enter a public building removes that choice. Dr. Valencius has needed to

enter the current police station on multiple occasions in the past, including to dispose of prescription medications, and anticipates that she will need to use this service again in the future. She typically drives by the new public safety building approximately four times per week and will regularly see the statues if they are installed on the building.

8. Plaintiff Matthew Valencius is a resident and taxpayer in Quincy. He is formerly Catholic and now identifies as an atheist. The City's plan to install religious statues on a government building goes against his beliefs because they promote Catholic religious beliefs, to which he does not subscribe as an atheist, and will create an association between religion and the police department. Mr. Valencius drives by the new public safety building approximately once per day on average and will regularly see the statues if they are installed on the building.

9. Plaintiff Martha Plotkin is a resident and taxpayer in Quincy. Ms. Plotkin is Jewish and was raised going to synagogue with her family, although she is no longer particularly observant. One reason that Ms. Plotkin opposes the statues is that saints are not recognized in Judaism. The planned statues of these saints make Ms. Plotkin feel like a second-class citizen, and that the public safety building and the services housed in it are not for her because she is not Catholic. The installation of the statues would cause Ms. Plotkin to hesitate to enter the building. It would make Ms. Plotkin feel uncomfortable to have religious statues of another faith looking down on her as she tried to access City services. Ms. Plotkin has to drive by the public safety building twice a month to go grocery shopping and, every few months, she drops off hearing aid batteries for recycling at the DPW Yard, which is adjacent to the building. Ms. Plotkin anticipates there are reasons she may need to enter the public safety building in the future, such as to file a police report or to get help returning a lost item.

10. Plaintiff Jay Tarantino is a resident and taxpayer in Quincy. Mr. Tarantino has been an atheist for twenty-four years and prior to that was a practicing Roman Catholic. Mr. Tarantino views the planned statues as a show of government support to idols and a religion in which he does not believe. In part, he views the statue of Saint Michael as a presentation of a dichotomy of good versus evil. The statues signal to him that those who do not subscribe to Catholicism are second class and will be treated as such. Mr. Tarantino drives by the new public safety building frequently as it sits on a main thoroughfare in Quincy and will regularly see the statues if they are installed on the building.

11. Plaintiff Michael F. Cotter is a resident and taxpayer in Quincy. Mr. Cotter has lived in Quincy for seventy years and owns a home there. Mr. Cotter was raised Catholic and attended Catholic school from the second grade through twelfth grade, but he now identifies as a Humanist. Mr. Cotter has been a member of a Humanist organization for approximately fifteen years. Mr. Cotter believes strongly in the separation of church and state, and believes it is inappropriate to install religious statues on a government building. Mr. Cotter has a deep respect for other people's religious convictions, but he believes that having Catholic statues outside the public safety building will alienate him and other Quincy residents who do not identify as Catholic. Mr. Cotter needs to drive by the new public safety building almost every day, as it is located on the main road that leads out of his neighborhood. Thus, he will regularly see the statues if they are installed on the building. In addition, Mr. Cotter has gone to the current police station in the past to dispose of old prescription medications, and he anticipates he may need to enter the new public safety building in the future to access this and other services.

12. Plaintiff Cynthia L. Roche-Cotter is a resident and taxpayer in Quincy. Ms. Roche-Cotter has lived in Quincy her entire life and owns a home there. Ms. Roche-Cotter was raised as

a Catholic but now identifies as a Humanist. She has been a member of a Humanist organization for approximately fifteen years. Ms. Roche-Cotter opposes the statues because she believes they will violate the separation of church and state. Ms. Roche-Cotter believes it is inappropriate to install religious statues on a government building because it will alienate her and other people who are not of the Catholic faith from seeking help from public safety officials. The image of St. Michael dressed as warrior and with his foot on the head of a Demon sends a violent image to the public instead of a welcoming image of compassion for which the Quincy Police Department is known. Because the new public safety building is located on the main road that leads out of her neighborhood, Ms. Roche-Cotter needs to drive by it almost every day (e.g., to go to the grocery store or to the drug store) and will regularly see the statues if they are installed on the building. In addition, she has gone to the current police station in the past to dispose of old prescription medications, and she anticipates that she may need to enter the new public safety building in the future to access this and other services.

13. Plaintiff Marianne Balsamo is a resident and taxpayer in Quincy. Ms. Balsamo was born and raised in Quincy and has owned a home there for twenty years. Ms. Balsamo was raised Catholic and is now an active member of the United First Parish Church. She was raised to believe that God is love, and that belief still informs her worldview. Ms. Balsamo is therefore shocked and offended that the City plans to install the religious statues on a government building. Ms. Balsamo believes that Catholicism is about caring for and welcoming others and believes that, in recent years, the Catholic Church has increasingly emphasized this welcoming message. She believes that the planned statues do not convey Catholic messages of care and welcoming. Instead, they send an exclusionary message. Because the statues do not reflect what Catholicism means to Ms. Balsamo, she finds them religiously offensive. Ms. Balsamo views the police department as a place

to go if you need help. For example, she has gone to the current police station in the past for assistance returning Christmas presents that were accidentally put in her car. She has also gone to the police station in the past to file police reports and to dispose of old prescription medications. She anticipates she may need to get help or use these services at the new public safety building in the future. In addition, Ms. Balsamo typically drives by the new public safety building at least twice per day to get to church, the supermarket, the library, or other destinations and will regularly see the statues if they are installed on the building.

14. Plaintiff Salvatore Balsamo is a resident and taxpayer in Quincy. Mr. Balsamo was raised Catholic and served as an altar boy as a child. Mr. Balsamo no longer identifies as a Catholic and now describes himself as spiritual. Mr. Balsamo opposes the planned statues because he believes it is wrong to have religious statues on a public building. He also opposes the particular religious imagery depicted in the statues. As he was raised, Saint Michael and Saint Florian are supposed to be religious icons of protectiveness, but as depicted in the plans for the public safety building, they appear as icons of violence. The depiction of Saint Michael stepping on the head of a demon is particularly offensive to Mr. Balsamo because he believes it is reminiscent of how George Floyd was killed. Mr. Balsamo believes that it is immoral to install a statue with this violent imagery outside of a police station. Mr. Balsamo typically drives by the new public safety building at least twice per day and will regularly see the statues if they are installed on the building. In addition, Mr. Balsamo has gone to the current police station in the past to file a police report and to dispose of old prescription medications. He anticipates that he may need to enter the new public safety building to access these and other services in the future.

15. Plaintiff Sheryl LeClair is a resident and taxpayer in Quincy. Ms. LeClair is Jewish and is a member of a synagogue in New York, where she attends services via Zoom at least once

a week. Ms. LeClair opposes the statues because she believes that the statues do not strengthen the community but rather divide it and that such violent depictions are not comforting—especially when placed outside a public safety building. As a member of a minority religious group, Ms. LeClair is frightened by the existence and planned installation of these statues and believes that the statues convey the message that she is living in a Christian city and country, and that minority faiths are being ignored, dismissed, and silenced. She also fears that these statues may exacerbate the current rise in antisemitism. Ms. LeClair anticipates she will need to drive by the new public safety building approximately four times in a typical week and will regularly see the statues if they are installed on the building.

16. Plaintiff Cody Hooks is a resident of Quincy. Mr. Hooks joined the Missionary Baptist Church when he was nine years old and later developed a deep affinity for and commitment to interreligious dialogue, multi-faith spiritual care, and compassionate, curious pluralism. He left the church when he was seventeen and now identifies as a religious "none" who values the teachings of many different faith traditions. In 2022, he earned his Master of Divinity from Harvard Divinity School, where the focus of his studies was on spiritual caregiving, or chaplaincy. Mr. Hooks opposes the statues because, as a scholar of religion, he recognizes that Saints Michael and Florian are not universal or transcendent figures, and as a resident of Quincy, he feels deeply alienated by the City's decision to elevate one faith tradition over others. If the statues were erected, he would feel less welcome in his own city and neighborhood and would feel uncomfortable entering the public safety building or using any of the services available there. The statues also violate his ethical commitment to pluralism. As a spiritual caregiver, he objects to the statues in that they are not reflective of many people's belief systems and will cause people in Quincy to feel excluded from the community. He regularly drives past the public safety building

and anticipates that he may need to enter the public safety building to file a public safety report or apply for various permits.

17. Plaintiff Lucille DiGravio is a resident of Quincy. Mrs. DiGravio was born in Quincy in 1944 and has lived in Quincy her entire life. She was raised Catholic and was very involved with the Catholic Church from an early age. Although Mrs. DiGravio left the Church in the late 1970s, and is no longer a practicing Catholic, she continues to believe deeply in the ideals of love and humility encompassed in the Beatitudes. She opposes the statues because they violate her spiritual commitment to being a peacemaker. She believes that it is God's command to bring together those who are in conflict and that erecting the statues—which position Catholics above others in Quincy's very diverse community—displays a complete lack of understanding and care for the thoughts and beliefs of others. Mrs. DiGravio can see the public safety building from her apartment in Quincy Square and drives past it multiple times per week, as it is on the main thoroughfare that she needs to take to access almost all services in the City.

18. Defendant City of Quincy ("Quincy" or the "City") is a municipal corporation of the Commonwealth of Massachusetts with its usual place of business at Quincy City Hall, 1305 Hancock Street Quincy, MA 02169.

19. Defendant Thomas P. Koch ("Mayor Koch") is the Mayor of Quincy and is sued in his official capacity.

FACTUAL BACKGROUND

Approval and Construction of the Public Safety Building

20. In 2017, Quincy's City Council approved $500,000 to design a new public safety building to replace the City's current police station.[1] The building will be approximately 120,000 square feet in size, four stories tall, and will house the City's information technology department, the police department, emergency operations center, and fire department administrative offices.[2] The building will be located on Sea Street near the intersection of Sea Street and Southern Artery, both of which are main thoroughfares in Quincy.[3] For some residents, driving past the building is the most direct route to access the downtown area of Quincy. For others, they are likely to drive past the building several times per week in the course of their day-to-day lives.

21. The new public safety building will house many necessary services for the residents of Quincy. Residents who must obtain fire permits or records will need to do so at the fire department administrative offices on the first floor, and residents who must file or obtain accident reports or police reports will need to do so at the police department on the first floor.[4] The first floor will have private rooms adjacent to the lobby that will be used for residents who need to file

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[1] Peter Blandino, *How the new Quincy public safety building construction is going and when it'll be done*, PATRIOT LEDGER (Feb. 15, 2025), https://www.patriotledger.com/story/news/2024/02/15/quincy-ma-public-safety-building-police-station-open-october-2025-budet-cost-overrun-fire-ems/72536700007/.

[2] Quincy Public Safety/Municipal Complex Project Info, KBA Architects, https://www.kba-architects.com/projects/public-safety/quincy-public-safety-municipal-complex/; Mary Whitfill, *Quincy mayor requests additional $120 million for new police station*, PATRIOT LEDGER (Feb. 9, 2021), https://www.patriotledger.com/story/news/2021/02/09/additional-120-million-requested-new-quincy-police-station/4444907001/.

[3] Blandino, *How the new Quincy public safety building construction is going and when it'll be done*, PATRIOT LEDGER (Feb. 15, 2025).

[4] Quincy City Council Meeting, Feb. 24, 2025 (hereinafter "City Council Video"), at 22:10, https://www.qatv.org/citycouncil?modal=347,episode,235169 (statement of Chief of Police Mark Kennedy).

police reports, meeting with police officers, and speaking with mental health counselors.[5] In addition, the second floor will house meeting and training rooms where free classes for the community will be held, including self-defense and pepper spray training, citizens' police academy, youth academy, and "a litany of other classes."[6] Finally, there may be a prescription drop box in the new public safety building, as there is one currently located in the police station. At a Quincy City Council meeting on February 24, 2025, Chief of Police Mark Kennedy touted the public accessibility and usability of the building, stating that "community access to police and fire service is going to be like nothing we've ever had in this City before."[7]

22. The building will be a fixture in Quincy "for the next hundred years."[8]

23. In November 2019, the City Council approved an additional $32 million to acquire five pieces of land and to pay for the architect's fees, environmental studies, and permitting for the public safety building. In April 2021, the City Council approved an additional $120 million for construction of the building, including $90 million for the building itself; $10 million for furniture and equipment; $10 million for nearby infrastructure and utility improvements; and $10 million for contingencies. In November 2022, due to cost overruns, the City Council approved an additional $23 million for construction of the building.[9]

24. The public safety building is slated to open in October 2025.[10]

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[5] *Id.* at 23:25.
[6] *Id.* at 22:45.
[7] *Id.* at 22:10.
[8] *Id.* at 13:50 (statement of Joe Shea, managing partner of Granite City Partners, the firm contracted to oversee the building project).
[9] Blandino, *How the new Quincy public safety building construction is going and when it'll be done*, PATRIOT LEDGER (Feb. 15, 2025).
[10] *Id.*

25. The statues are being constructed by the sculptor in Italy and will be transported to Boston by sea. The amount paid to the artist, $700,000, and the amount paid to the subcontractor, $70,000, do not include the cost of transporting the statues from Boston to Quincy and also do not include any temporary storage of the statues that may be required if they cannot be installed immediately upon arrival. These expenses are the sole responsibility of the City. It is not clear whether the City has already allocated or spent funds for these purposes. There are several additional expenses associated with the statues, including statue supports ($38,035.13) and cast stone accents ($222,668.91). It is not clear whether these expenses have already been paid. It is also unclear whether there are additional expenses associated with the installation of the statues and whether those funds, if any, have already been allocated or spent.

26. According to a lawyer for the City, shipping of the statues is anticipated to begin sometime this August, and the statues will be available for installation sometime around or after Labor Day; although he also mentioned that the City "should be quiet on the 'affixing front' through the end of June at least."

The Public Learns of Quincy's Plan to Erect Statues of Saints on the Front of the Public Safety Building

27. The decision to commission and install the Catholic saint statues was made by one person: Mayor Thomas P. Koch.[11]

28. Many aspects of the building were discussed at length during public meetings. However, at no point during any of the numerous City Council meetings during which funding for the public safety building was discussed or voted on was the public notified of the plan to install

[11] City Council Video at 57:32 (Chief of Staff's statement that the decision to commission the statues "was ultimately and only the Mayor's decision"); Peter Blandino, *What brings 200 angry residents and uniformed officers to city hall. What the mayor says*, PATRIOT LEDGER (Feb. 25, 2025), https://www.patriotledger.com/story/news/2025/02/25/saints-mayor-thomas-tom-koch-quincy-ma-religion-church-state-st-michael-florian-police-fire/80146584007/.

statues of Catholic saints on the front of the building. Nor was the potential for public art of any kind—patron saints or otherwise—contemplated by or included in public plans or drawings of the buildings from the time of the building's approval until February 2025. Renderings of the building published in news articles between the project's inception and February 2025 also did not include the statues.[12]

29. Rather, the public first learned of the proposed statues for the public safety building on February 8, 2025, via a *Patriot Ledger* news article (the "February 8 Article") reporting that Mayor Koch had commissioned two, ten-ten-foot-tall bronze statues of Catholic saints.[13] According to the February 8 Article, Koch claimed that the statues were not shown to the City Council when it approved funding for the public safety building at various points between 2017 and 2022 because "large projects like this one sometimes 'evolve' and the idea 'wasn't on the table' when councilors cast their votes."[14]

30. The statues will depict Saint Michael the Archangel and Saint Florian, viewed in the Catholic faith as the patron saints of police and firefighters respectively, and are intended to adorn the façade of the public safety building, as depicted in Image 1 below. The two statues will be displayed by themselves on the building, and there are no other statues currently contemplated

[12] *See, e.g.* Mary Whitfill, *Quincy councilors question price tag of new police station*, PATRIOT LEDGER (Mar. 16, 2021), https://www.patriotledger.com/story/news/2021/03/16/quincy-city-councilors-look-cut-spending-new-police-station/4717199001/; Johanna Seltz, *Quincy council approves $23 million more for public safety building*, BOSTON GLOBE (Nov. 30, 2022), https://www.bostonglobe.com/2022/11/30/metro/quincy-council-approves-23-million-more-public-safety-building/.

[13] *See* Peter Blandino, *10-foot-tall bronze statues of saints to adorn new Quincy police headquarters. What they cost*, PATRIOT LEDGER (Feb. 8, 2025), https://www.patriotledger.com/story/news/2025/02/08/saints-statues-new-police-fire-station-quincy-ma-st-michael-st-florian/78258726007/.

[14] *Id.*

or given space or prominence on the building. To Plaintiffs' knowledge, Image 1 was not disclosed to the public until it was displayed at a City Council meeting on February 25, 2025.

Image 1



Draft Rendering of the Façade of the Public Safety Building with Statues

31. The statues of Saint Michael and Saint Florian are depicted below in Images 2 and 3, respectively, which were also published in the February 8 Article. Images provided of the statues show Saint Michael depicted with the wings of an archangel, standing on the head and neck of a demon.[15] The statue of Saint Florian will depict him pouring water on a burning building from a vessel.

[15] Peter Blandino, *Quincy public safety headquarters statues cause concern: 'Made me think of brutal force'*, PATRIOT LEDGER (Feb. 10, 2025), https://www.patriotledger.com/story/news/local/2025/02/10/quincy-ma-new-police-station-st-michael-statues-city-councilor-daniel-minton-reaction-thomas-koch/78373605007/.

Image 2



Statue of Saint Michael

Image 3



Statue of Saint Florian

32. The statues are being created by sculptor Sergey Eylanbekov.[16] To Plaintiffs' knowledge, neither Mayor Koch nor any City official issued a request for proposals relating to the creation or installation of the statues.

33. The total cost for the statues is reported to be $850,000. The first payment to Mr. Eylanbekov was made in July 2023 in the amount of $250,000. At least seven additional payments have been made since that time: $100,000.00 in February 2024; $85,000.00 in March 2024; $20,417.72 in April 2024; $100,000 in June 2024; $200,000 in August 2024; $77,961.03 in October 2024; and $78,000.00 in November 2024. Additionally, $150,000.00 was reimbursed to

[16] Blandino, *10-foot-tall bronze statues of saints to adorn new Quincy police headquarters. What they cost*, PATRIOT LEDGER (Feb. 8, 2025).

the City in September 2024. No public records have been produced regarding from whom this money was reimbursed or for what purpose.

34. According to the February 8 Article, of the nine members of the City Council, two had no prior knowledge of the religious statue plans, one "had heard something about it but didn't participate in the plans," one was previously aware of the plan, and five did not respond to requests for comment.

35. Ward 1 Councilor Dave McCarthy, whose district hosts the new public-safety building, admitted during a City Council meeting later that month that he had been informed of the plan "a long time ago."[17] Councilor McCarthy further stated that he believes the statues "will bless our first responders" and that he hopes first responders "might say a little prayer before they go out on duty.

36. As the statues were neither discussed in public meetings nor subject to a public procurement process nor otherwise disclosed to the public prior to February 8, it is unclear how or by whom Councilor McCarthy and some other the members of the City Council were made aware of the plan in advance of the February 8 Article received this information. After the religious statue plan was revealed in the February 8 Article, the City Council discussed the matter at its February 24, 2025, meeting. While normally five to ten residents attend City Council meetings in Quincy, over two hundred members of the public attended this meeting.[18]

37. While Mayor Koch did not attend this meeting, he was represented by his Chief of Staff. During the meeting, Mayor Koch's Chief of Staff confirmed that the City Council as a body

[17] *Id.*

[18] *See* Peter Blandino, *What brings 200 angry residents and uniformed officers to city hall. What the mayor says*, PATRIOT LEDGER (Feb. 25, 2025), https://www.patriotledger.com/story/news/2025/02/25/saints-mayor-thomas-tom-koch-quincy-ma-religion-church-state-st-michael-florian-police-fire/80146584007/ (last visited May 14, 2025).

had not been previously notified about the statues and was just now "finding out about this with the [rest of] the public."[19] He contended that "the process for these statues begins and ends, and appropriately so, under the Mayor's discretion. [The City Council], as we've all discussed, had no role in the procurement process for these statues."[20] He also stated that the decision to commission the statues "was ultimately and only the Mayor's decision."[21]

38. "Asked why the statues weren't shown to councilors when they approved funding for the project at various points between 2017 and 2022, Mayor Koch said large projects like this one sometimes 'evolve' and the idea 'wasn't on the table' when councilors cast their votes." Feb. 8 Article.

39. In response to the public outcry over the religious statues, including a resident's petition to stop their installation and letters from community groups opposing the statues, *infra* ¶¶ 45-52, Mayor Koch and two city councilors proposed a new commission to review future proposals.[22]

40. To Plaintiffs' knowledge, neither the City Council nor Mayor Koch, nor any other City official has acted to halt the installation of the statues.

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[19] Quincy City Council Meeting, Feb. 24, 2025 (hereinafter "City Council Video"), at 58:00, https://youtu.be/OtvL1EeiWTY?si=WI7KI-ZPXrdJh7tH.
[20] City Council Video at 33:55.
[21] City Council Video at 57:32.
[22] *See* City Council Meeting Agenda, May 5, 2025 at 7 (Proposed Ordinance titled Establishing a Public Art & Place Making Program); Peter Blandino, *New Quincy arts commission great idea or perhaps too little, too late? Depends who you ask*, PATRIOT LEDGER (May 5, 2025), https://www.patriotledger.com/story/news/2025/05/02/saint-statues-quincy-ma-public-art-commission-mayor-koch-appointees/83408439007/.

Saint Michael and Saint Florian are Religious Figures

41. Saints in general, and patron saints specifically, are prominent among certain sects of Christianity, especially Catholicism.[23] The word "saint" comes from the Latin *sanctus*, meaning holy.[24] In Catholic doctrine, "[s]aints are persons in heaven (officially canonized or not), who lived heroically virtuous lives, offered their life for others, or were martyred for the faith, and who are worthy of imitation," and "[p]atron saints are chosen as special protectors or guardians over areas of life."[25] Patron saints are often recognized by the Catholic Church for various causes so that the faithful can seek their intercession through prayer.[26]

42. Some other denominations and religions, including many Protestant and nondenominational Christian denominations, reject the creation and/or veneration of saints.

43. Saint Michael holds an important role in Catholicism. One of the archangels mentioned in scripture, Saint Michael is considered to be the leader of God's heavenly army, the protector of the Church, and the chief adversary of Satan. Unlike humans, who must be canonized to become saints, Catholic doctrine recognizes Saint Michael the Archangel as a saint because of his holiness and proximity to God. Catholic tradition considers Saint Michael to be the patron saint of police not because of any secular symbolism but because of his powerful role in Christian

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[23] Richard Gribble, *Saints in the Christian Tradition: Unraveling the Canonization Process*, 6 STUDIES IN CHRISTIAN-JEWISH RELATIONS 2 (2011), available at http://ejournals.bc.edu/ojs/index.php/scjr.

[24] "Saint," Oxford English Dictionary Online, https://www.oed.com/dictionary/saint (last visited May 6, 2025).

[25] United States Conference of Catholic Bishops (USCCB), *Saints*, https://www.usccb.org/offices/public-affairs/saints (last accessed May 7, 2025); *Patron Saints*, Catholic Online, https://www.catholic.org/saints/patron.php?letter=A.

[26] *Frequently Asked Questions about Saints*, Catholic Online, https://www.catholic.org/saints/faq.php; Henry Gibson, *Catechism Made Easy: Being a Familiar Explanation of the Catechism of Christian Doctrine* 308-309 (1882) (explaining that Catholics "ask the Saints and Angels to use their power and favor with God to obtain for us from him what we stand in need of").

tradition as a "defender of faith, protector of souls, and a symbol of divine justice." The Catholic "'Prayer to Saint Michael' specifically implores his defense against the forces of darkness. The 'Chaplet of Saint Michael' consists of nine salutations, each dedicated to one of the choirs of angels, and serves as a way to honor and seek [his] intercession."[27]

44. The connection of Saint Florian to firefighting in Catholicism stems from saint's hagiography—the religious biography of his deeds and holiness—specifically, that he saved a town from fire through divine intervention. The Catholic Church recognizes Saint Florian as a saint not as a result of his civic or professional accomplishment, but because he was martyred for his faith. After refusing to enforce proscriptions against Christians in the territory that he oversaw as a commander in the Roman army, Saint Florian was put to death by drowning.[28]

45. The City's planned display of these saints will send a predominantly religious message. The two religious figures will be displayed on government property by themselves and are designed to stand out and draw the eye. They will be installed on the front of the public safety building and will communicate that the City supports the display's religious message and that those Quincy residents who do not venerate these religious saints are regarded as outsiders by public safety officials and their own city government.

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[27] Catholic Online, St. Michael the Archangel, https://www.catholic.org/saints/saint.php?saint_id=308 (last accessed Apr. 29, 2025). "A chaplet is a personal devotion, often prayed with a set of prayer beads." Cate Von Dohlen, *How to Pray the St. Michael Chaplet*, Hallow, https://hallow.com/blog/how-to-pray-the-st-michael-chaplet/ (last accessed May 22, 2025). The Chaplet of Saint Michael asks for protection "in the battles of life, whether physical, spiritual, or emotional," and can be used "in times of distress, fear, or temptation." *Id.* The Prayer to Saint Michael is a shorter prayer that similarly "asks St. Michael to intercede on our behalf and always protect us in battle." *Id.*

[28] Catholic Online, "St. Florian," https://www.catholic.org/saints/saint.php?saint_id=149 (last accessed May 7, 2025).

The Statues Have Caused Serious Political Division in the Quincy Community

46. Quincy is a religiously diverse community. Among other faiths, Quincy residents practice Judaism, Islam, Unitarian Universalism, Buddhism, and an array of Christian denominations and branches. Moreover, many Quincy residents identify as Humanist, spiritual, atheist or nonreligious.

47. The City's plan to erect the religious statues has sparked political division in the Quincy community.

48. While it is often the case that only five to ten residents attend City Council meetings in Quincy, on February 24, 2025, over two hundred people attended the Quincy City Council meeting to discuss the statues.[29]

49. Hundreds of Quincy residents and at least one City Councilor have publicly expressed opposition to the statues.

50. "Ward 5 Councilor Dan Minton, a retired Quincy police lieutenant who spent 40 years on the department, wrote on Facebook that the image of St. Michael 'may not translate to contemporary times,'" and was "'unwelcoming' and embodying an 'us-versus-them' mentality which contradicts the department's mission of helping citizens."[30]

51. At the February 24, 2025, City Council meeting, City Councilor Devine noted that "the statues [are] clearly contentious for everyone" and that "a bunch of" constituents reached out to him to express their concerns about the statues.

[29] Blandino, *What brings 200 angry residents and uniformed officers to city hall. What the mayor says*, PATRIOT LEDGER (Feb. 25, 2025).
[30] Blandino, *Quincy City Councilors react to saint statues on public safety building: Who's saying what*, PATRIOT LEDGER (Feb. 14, 2025).

52. A Quincy resident started a petition to stop the installation of the statues.[31]

53. On April 4, 2025, nineteen faith leaders from the Quincy Interfaith Network issued a public statement expressing "grave concerns" about the religious statues. The Quincy Interfaith Network "aims to gather and lift up the voice and witness of people of faith and conviction in the public sphere to promote justice, inclusion, and interfaith community action." The signatories to the statement included members of the Roman Catholic, Jewish, Unitarian Universalism, Presbyterian, Lutheran, Methodist, and Nazarene faiths. They noted that, given how Quincy is a "diverse city . . . composed of many people of faith and those who do not identify with any religious tradition[,] [n]o single religious tradition should be elevated in a publicly funded facility. Erecting these statues sends a message that there are insiders and outsiders in this community. We are confident this is not the message our City or our first responders want to send."[32]

Public Funds Have Been Used to Pay for the Statues and Further Payments Using Public Funds will be Made

54. As of April 2025, the City has paid at least $761,378.75 in public funds for the creation of the statues.

55. Additional public funds either have already been diverted or will likely need to be diverted and/or appropriated by Mayor Koch and/or the City to pay for the transportation and installation of the statues.

[31] Claire Fitzmaurice, *Stop the creation of two religious statues for the new Public Safety Headquarters*, Change.org (last accessed Apr. 29, 2025), https://www.change.org/p/stop-the-creation-of-two-religious-statues-for-the-new-public-safety-headquarters.

[32] Quincy Interfaith Network Statement Regarding Religious Statues at New Public Safety Building (Apr. 4, 2025), https://www.facebook.com/QUINCY.INTERFAITH.NETWORK/.

56. To Plaintiffs' knowledge, neither the City nor Mayor Koch, nor any other City official has acted to halt the expenditure or payment of additional public funds in connection with the statues.

COUNT I

Violation of Article III of the Massachusetts Declaration of Rights

(Against All Defendants)

57. The foregoing allegations are incorporated herein.

58. Article 3 of the Massachusetts Declaration of Rights, as amended, provides in relevant part: "[A]ll religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law."

59. The installation and display of the religious statues on the City's public safety building will not serve a predominantly secular purpose.

60. The primary effect of installing and displaying the religious statues on Quincy's public safety building will be to promote, promulgate, and advance one faith, subordinating other faiths as well as non-religious traditions. Affixing statues of prominent Catholic figures on the front of a government building conveys the message to Quincy residents, including Plaintiffs, that the City not only favors religion over non-religion, but Catholicism over all other denominations.

61. The installation and display of the religious statues on Quincy's public safety building will unduly entangle the government with religion.

62. The plan to install and display the religious statues has already caused significant political division within the Quincy community and will continue to do so.

63. The installation and display of the religious statues is religiously coercive, pressuring Quincy residents, including Plaintiffs, to subscribe to the City's preferred religious doctrine and faith.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs request that this Court grant them the following relief:

1. A declaratory judgment pursuant to Mass. Gen. Laws ch. 231A, § 2, that Defendants (a) have violated Article III by expending public funds on the statues of St. Michael and St. Florian, (b) will violate Article III by expending any additional funds on the statues, including in any transportation, installation, or ongoing maintenance of the statues, and (c) will violate Article III by installing the statues on the public safety building;
2. Preliminary and permanent injunctions prohibiting Defendants from displaying or installing the statues of Saint Michael and Saint Florian on the public safety building or the grounds of the public safety building;
3. Preliminary and permanent injunctions prohibiting Defendants from expending additional public funds for purposes including, but not limited to, additional construction, transportation, installation, or maintenance of the statues of St. Michael and St. Florian for the public safety building;
4. Award Plaintiffs reasonable costs and attorneys' fees; and
5. Such other relief as this Court deems just and proper.

[*signatures on following page*]

Dated: May 27, 2025

Respectfully submitted,

/s/ *Alexandra Arnold*

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