

Delaware Town that Banned Nativity Scene from Annual Christmas Display Sued by Knights of Columbus

First Liberty Institute represents group prohibited from placing Nativity at Rehoboth Beach, Delaware Town Circle

Rehoboth Beach, DE—Today, on behalf of the local Knights of Columbus council, First Liberty Institute, Jones Day, and Morton, Valihura & Zerbato, LLC, filed a federal lawsuit against the City of Rehoboth Beach, Delaware, claiming religious discrimination for the town’s blanket ban of a Knights of Columbus crèche, or Nativity, from city property.

You can read the complaint, [here](#).

“The Knights of Columbus simply wants to continue a beloved tradition of this town,” said Roger Byron, Senior Counsel for First Liberty Institute. “It is perfectly lawful to have a crèche on public property, and blatantly unlawful to ban it.”

For decades, a free-standing crèche has been part of the Christmas holiday tradition in Rehoboth Beach. The primary location for Christmas displays is the circle at the city bandstand and adjacent boardwalk, and traditional displays include a crèche, a Christmas tree, holiday lights and light displays, and a large Santa’s House. The local Knights of Columbus council is continuing the tradition of the crèche display, but beginning in 2018 city officials banned the crèche from city property because it is religious.

In its lawsuit, First Liberty claims, “The City’s policy of prohibiting religious messages on public property—both facially and as applied—constitutes viewpoint-based discrimination in violation of the Free Speech Clause of the First Amendment. By prohibiting private organizations from displaying religious holiday messages on City property, while simultaneously allowing private organizations to display secular holiday messages, Defendants’ policy facially discriminates against religious viewpoints in violation of the First Amendment.”

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About First Liberty Institute

[First Liberty Institute](#) is a non-profit public interest law firm and the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

To arrange an interview, contact Lacey McNeil at media@firstliberty.org or by calling 972-941-4453.