News

A statue of St. Junipero Serra in Sacramento, Calif., is seen in this 2015 file photo. It was torn

A statue of St. Junipero Serra in Sacramento, Calif., is seen in this 2015 file photo. It was torn down by a group of demonstrators late July 4, 2020. (CNS/Nancy Wiechec)

Alejandra Molina

View Author Profile

Religion News Service

View Author Profile

Join the Conversation

Send your thoughts to *Letters to the Editor*. Learn more

October 12, 2021

Share on BlueskyShare on FacebookShare on TwitterEmail to a friendPrint

A year after the Junipero Serra statue toppling in San Rafael, just north of San Francisco, advocates are urging the Marin County district attorney to drop the felony charges against the five protesters who were arrested after the monument was torn down on Indigenous Peoples Day.

“There should be a separation between church and state,” said Corrina Gould, a spokesperson for the Confederated Villages of Lisjan/Ohlone, at a virtual press conference October 11.

“The state is actually doing the violence of the church, it's upholding these five individuals to be persecuted because the church decides that they want to have somebody to hold accountable to their belief systems,” added Gould, who in 2015

advocated against Serra's sainthood.

Melissa Aguilar, Mayorgi Nadieska Delgadillo, Victoria Eva Montano Pena, Moira Van De Walker and Andrew Lester Mendle — who are referred to as the “Indigenous Peoples 5” — are each facing one count of felony vandalism for leveling the statue at Mission San Rafael Arcángel in San Rafael, according to a complaint filed Nov. 12, 2020, by the Marin County District Attorney’s Office. Damages were estimated at $10,000, according to the complaint.

A court date is scheduled Oct. 15 for the setting of their preliminary hearing.

In the days after the toppling, San Francisco Archbishop Salvatore J. Cordileone applauded the charges as a “breakthrough moment for Catholics” and called on the district attorney to “press charges to the full extent of the law.” He urged they should also be charged with a hate crime.

To the protesters’ supporters, it doesn’t make sense that the district attorney is continuing with the charges even as Gov. Gavin Newsom signed a law to replace the Serra statue — that, before its toppling, stood on the grounds of the California Capitol since 1967 — with a memorial for the state’s Native Americans.

And in Los Angeles, Mayor Eric Garcetti, city officials and tribal leaders marked Indigenous Peoples Day on Monday by announcing the area informally known as Father Serra Park, where his statue was toppled last summer, would be officially renamed.

“It really raises the question, ‘why isn’t Marin following suit?'” said Annie Banks, a supporter of the protesters, at the virtual press conference.

Advertisement

Hasmik Geghamyan, one of the five attorneys defending the protesters, attended the virtual event and said the charges were “needless” and “politically motivated.”

"There is an over emphasis on a restitution from the DA’s office. The statue was donated to the church by a developer many decades ago,” Geghamyan said.

This donation, she said, is through a tax exempt entity.

"This brings the question of complicity, and also violation of the establishment clause because the DA's office is involved in the operations of the church," she said. "This also puts a question on the separation of church and state."

"If this was truly a democracy, the DA's office would have not even brought these charges in the first place," Geghamyan said.

Geghamyan said she is not aware of any other charges that stemmed from the toppling of the Serra statues in the state. The Marin County district attorney's office did not respond to a request for comment before publication.

More than 80,000 people have signed a change.org petition urging District Attorney Lori Frugoli to drop the charges against the protesters. "All five facing charges are Indigenous women and Two Spirited people," according to the petition.

"While monuments to racism and violence are being removed by city and state officials, schools, parks and activists across the state, the city of San Rafael is refusing to recognize the harms perpetrated against Indigenous people and has decided to file felony charges against five of the fifty demonstrators," the petition reads.

While Serra, an 18th-century Franciscan priest and Catholic saint, is credited with spreading the Catholic faith in what is now California, critics say he was part of an imperial conquest that enslaved Native Americans.

This public scrutiny of Serra has reemerged in the wake of Black Lives Matter protests denouncing institutional racism and police brutality and led to the toppling of monuments honoring Confederate leaders. Statues were toppled in Los Angeles, San Francisco and Sacramento.

Cordileone and Los Angeles Archbishop José Gomez have issued letters staunchly defending the image and history of Serra and criticizing those who defaced the statues.

These responses have galvanized Indigenous scholars who want the Catholic Church to fully admit to a history of colonialism that led to the loss of culture and land among the Native community.