

## Pledge of Allegiance to the Highway Sign

**Scene I:** City Hall, Leavenworth, Washington w/ with Ms. Cougar, Mr. Baldwin, Mr. Schmidt, and Mr. Erickson.

Cougar: "Before beginning today's hearing, please stand for the Pledge of Allegiance".

All: "I pledge allegiance to the Highway Sign, the Glorious Highway Sign of the City of Leavenworth, and to the Bavarian Village which must always prevail, even to the extent that...Free Speech should fail."

Cougar: "Hello, my name is Ronnie Cougar and I am Leavenworth's Community Service Dictator and this is Bill Bald One, Leavenworth's Code Enforcement Executioner".

Baldwin: "That's Baldwin."

Cougar: "Grrrr."

Baldwin jumps

Schmidt: "I'm especially glad to meet you, Ms. Cougar ... you are one fine feline"

Cougar: "Puurrrrrrh".

Baldwin: "Fe-line...she-line...more like a she-lion!"

Cougar: "Grrrr."

Baldwin jumps

Cougar: "Mr. Schmidt, you may begin."

Schmidt: "Hello, I am with the local community group, Beerfest Bavarians, and we desire to erect a 100-foot German maypole in town."

Baldwin: "You don't look any too German".

Schmidt (putting on his hat): "Ohhhh, so sorry".

Baldwin: "Much better....one hundred feet; that is a mighty tall pole...what is the matter with our 30-foot maypole used during Maifest?"

Schmidt: "A shorter maypole is not desirable; an authentic Bavarian Maypole is 100-125 feet in height".

Schmidt (pulling out a picture of the maypole): "This Maypole is essentially a 100-foot flagpole, but is more colorful and describes Leavenworth's history".

Baldwin: "I see".

Cougar: "Beerfest Bavarians, you have our blessings to erect your 100' Maypole; heck, we'll even provide you the location for it in our downtown central park; after all, we love all things Bavarian."

Schmidt: "Wonderbar... It'll be a towering testament to the devotion of Leavenworth's citizens to its Bavarian character".

Cougar: "Next..."

Erickson: "Hello, my name is Matt Erickson and I plan to erect a large American flag on an 80' flagpole on my property in Leavenworth."

Cougar: "A large American flag... in Leavenworth...oh my! No...I forbid you from putting up a flag any larger than 6 X 10-foot and a flagpole over 35-foot."

Erickson: "Why"?

Cougar: "Because there's the difficulty of: it's an American flag and you can't Bavarianize an American flag. Besides, some people may find it offensive".

Erickson: "Offensive? How could that be...? How could you restrict a proud American flag?"

Cougar "We restricted the heights of highway signs a few years ago and this is no different".

Erickson: "No different...you don't see a difference...between an American flag and... a... highway sign? I guess that partially explains why you pledge your allegiance to a highway sign."

Cougar: "Besides, we want to eliminate visual clutter".

Erickson: "Offensive?...Visual clutter?... an American flag, you've got to be kidding...?"

Cougar: "Kidding? No, we don't kid around about our Bavarian theme. We love festival flags, but we cannot possibly let a large American flag conflict with or overwhelm our Old World Bavarian Design theme, upon which our economic health depends."

Erickson: "As the American flag symbolizes the principles upon which this country was founded, surely you have to consider that many people will be upset."

Cougar: "Nonsense... most will never know, fewer will care, and barely anyone will take the time or effort to do anything about it".

Baldwin: "Perhaps...we should come up with a more-plausible excuse... yes...we will tell people we are restricting flags and flagpoles for public **safety**".

Cougar: "We're done here; the city council will enact a flag ordinance immediately."

Erickson: "Perhaps ...I will get help..."

**Scene II:** City Hall with Cougar, Baldwin and Captain Liberty.

Baldwin: "Who are you?"

Captain Liberty: "Captain Liberty, Protector of the Stars and Stripes."

Cougar: "Why are you wearing an American Flag, isn't that disrespectful"?

Captain Liberty: "Not when citizens cannot freely fly an American flag; when they must first obtain a government permit to display Old Glory. So, what are you now going to do now, regulate my clothing?"

Cougar: "Clothing isn't unsafe."

Captain Liberty: "Even these tights?"

Cougar (annoyed): "Just why are you here?"

Captain Liberty: "A caped-crusader is needed in Leavenworth just to fly the Stars and Stripes".

Baldwin: "You should know that we acted to keep people safe".

Captain Liberty: "The initial draft of Leavenworth's new flag code stated that it would be adopted 'to ensure conformance with the Old World Bavarian Theme'."

Baldwin: "We enacted the flag ordinance to protect the public".

Captain Liberty: "The only 'Particular concern' acknowledged by the City Council was of 'applicants using *flags*...in a manner which would overwhelm the Bavarian Theme'. If safety had truly been your objective, *flags* would not have even been mentioned."

Baldwin: "You're talking logic...we rely on power, fear and intimidation".

Captain Liberty: "When a person complies with the Building and Construction Codes you've referenced within your new Flag Code, the results should be a flagpole that is considered safe?"

Baldwin: "That's correct, sir, yes."

Captain Liberty: "If you look at the Building code's cross references for poles, calculations are included for flagpoles up to and over 300' in height. So, those calculations can be used to design a 300' flagpole that will be safe, correct?"

Baldwin: "I would say that's a safe assumption, yes, sir".

Captain Liberty: "A 'safe' assumption, perhaps, but 'safety' clearly was not the reason Leavenworth restricted flagpole heights to 35 and 50', was it?"

Baldwin: "aaaaaah...I take the Fifth".

Captain Liberty: "At least you understand part of the Constitution, Bald One".

Baldwin (mumbling): "It's... Baldwin".

Captain Liberty: "Given that Leavenworth's new Flag ordinance requires a building permit to erect a flag of any size, has anybody applied for a permit?"

Baldwin: "Yes. There has been one application—the local Senior Center proposed to fly a small American flag on a 27' flagpole."

Baldwin: "I required the applicant to have the flagpole professionally designed and engineered to assure proper grounding, strength, wind resistance, seismic loads, and other relevant engineering requirements and, of course, pay our hefty permit fees."

Captain Liberty: "And the result?"

Baldwin: "I must say...those old geezers didn't know what had hit them. They dropped their plans to fly Old Glory like a hot potato. Wouldn't you say, Dictator Cougar, that we have been quite successful at keeping the Stars and Stripes from overwhelming our Old World Bavarian Design theme?"

Cougar: "Puurrrrrfectly, Executioner Bald One".

Captain Liberty: "So, no new American flags have been erected in Leavenworth since the 2004 flag moratorium".

Baldwin: "Not a single one".

Captain Liberty: "How sad, Bald One...a citizen cannot even fly the primary symbol of American freedom without first obtaining a government permit."

Baldwin: "It's Baldwin! Prepare to meet your maker, Flag Boy" (as Baldwin stands up).

Cougar: "Billy Goat Baldwin, sit down!"

Baldwin (rears up and rams Captain Liberty in the belly, bounces off the belly and falls back to the floor) "I think I'm seeing stars."

Captain Liberty: "Just let me add a few stripes, and my job's done."

**Final Scene:** Ben and Matt in Matt's office.

Erickson: "Hello and thank you for watching this video. My name is Matt Erickson, and I am the Founder and President of Foundation For Liberty".

Ballard: "And my name is Ben Ballard, and I am Chairman of the Board of the Foundation For Liberty".

Erickson: "The ending to this story is not yet written. Please consider recommending this video to others to help build pressure against Leavenworth's shameful attempt to curtail Free Speech and negate private property".

Ballard: "Please also consider supporting the Foundation financially. We have been attempting to erect a proud American flag for 4 years and have already spent many tens of thousands of dollars in legal fees. The equivalent of a \$5 video rental fee or a \$10 movie ticket could help make a significant difference in our ability to prevail in our lawsuit against the City's flag ordinance. Donations may be securely sent by Credit Card or Paypal on our website, [www.FoundationForLiberty.org](http://www.FoundationForLiberty.org)".

Erickson: "Should anyone wish to send a larger donation, rest assured that the Foundation For Liberty is a tax-exempt, non-profit 501(c)(3) foundation and your contributions are tax-deductable to the maximum extent provided by law."

Ballard: "Please see our website for further information, including Leavenworth's flag code, staff reports, court documents, and contact information for both the Foundation For Liberty and the City of Leavenworth, Washington."

Erickson: "May long wave the Star Spangled Banner over the Land of the Free and Home of the Brave."