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June 2, 2015

Attorney Rebecca S. Market  
Freedom from Religion Foundation  
P.O. Box 750  
Madison WI 53701

Dear Attorney Market:

Your letter of May 19 to Library Director Greg Mickells has been forwarded to me. I have discussed this matter with Mr. Mickells and I have concluded that the Library closing on April 5th was done for secular reasons. The reasons for the closing included the difficulty in scheduling employees on that date, as well as the expectation that there would be greatly reduced visits from patrons on that date. The Library's current budget only allows for them to be open on Sundays in alignment with the Metro Madison School District's schedule. At present, the Library can only afford to offer this seasonal service at three of their locations

Therefore it is extremely important to the Library that if their patronage will be greatly reduced that their stewardship reflect this issue by closing on that date. Scheduling of staff for this date is also a challenge due to other factors such as Spring Break for schools where staff members and their families will schedule vacation and other activities.

Even with the libraries closed on this one day, it was also brought to my attention that the library's online services are still available during this time. Download of electronic resources including e-books, access to informational databases, and the ability to reserve materials for pick up the next day are all still available.

The difficulties the Library faced in scheduling employees and the expected reduced patronage were legitimate reasons for the closing. The benefits of staying open were outweighed by the costs. The Library saved the money that would have been spent on wages at a time when it was unlikely that the Library would have had a lot of patrons. The library's actions were consistent with the holding in Bridenbach v. O'Bannon 185 F.3d 796 (7th Cir. 1999), where the State of Indiana's

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recognition of a Christian holiday as a legal holiday did not violate the establishment clause, because the holiday was based on secular justifications.

Even though I believe that the Library's decision was legitimate, I have asked the Library staff to discuss and carefully consider your concerns. The calendar has not been finalized for 2016, and this matter may need to be discussed at a meeting of the Library Board. The Madison Public Library is a nonpartisan and nonsectarian entity and it is a core value that the Library is welcoming to all and is a place where ideas may be freely discussed and disseminated.

Sincerely,

A handwritten signature in blue ink that reads "Steve Brist". The signature is written in a cursive style.

Steve Brist  
Assistant City Attorney

cc: Greg Mickells, Library Director