

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG

October 20, 2016

**SENT VIA FAX & U.S. MAIL
(561) 656-6287**

Susan Bucher
Supervisor of Elections
Palm Beach County
240 S. Military Trl.
West Palm Beach, FL 33415

Re: Houses of Worship as Polling Places

Dear Ms. Bucher:

I am writing on behalf of the Freedom From Religion Foundation (“FFRF”) to request that Palm Beach County refrain from selecting houses of worship as polling locations. We were contacted by a concerned resident. FFRF is a national nonprofit organization representing over 23,500 members across the country including over 1,200 in Florida. FFRF’s dual purposes are to protect the constitutional principle of separation between state and church and to educate the public on matters relating to nontheism.

It is our understanding that earlier this year, you selected the Islamic Center of Boca Raton as a polling location for the upcoming election. Our complainant informs us that after citizens’ complaints about the selection, you changed the site. We understand many people expressed concerns and felt uneasy about casting their vote in a mosque. It was also reported that you received threats of protest on Election Day outside this location. We further understand that the county uses numerous Christian churches and Jewish synagogues as polling locations. To our knowledge, those venues were not changed.

As the governmental body charged with selecting polling places in your county, we ask that you seriously reconsider selecting *any houses of worship* for polling places. The debacle over the selection of the Islamic Center of Boca Raton showed precisely why this practice is unwise.

Many of the concerns expressed to you over the summer regarding the mosque are the same ones FFRF receives from freethinkers and nonbelievers who are forced to vote in churches. They feel uneasy entering a church to cast their ballot. There are many reasons for this. These days, the Latin cross and pictures of Jesus, predominant representations of Christianity, are increasingly seen by many as symbols of political intimidation. Furthermore, there have been numerous cases across the country of churches exploiting their position as polling sites to promote their churches or causes (i.e., handing out literature on the church, signing up voters to participate in bible studies,

and posting antiabortion signs near voting booths which could impact elections or referenda).

Moving the polling location from the mosque while simultaneously keeping other churches and synagogues also unlawfully shows preference for Christianity and Judaism over all other religions and nonreligion. This violates the Establishment Clause of the U.S. Constitution, because it sends a “message to members of the audience who are nonadherents ‘that they are outsiders, not full members of the political community and an accompanying message to adherents that they are insiders, favored members of the political community.’” *Santa Fe*, 530 U.S. at 309-10 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)).

The Supervisor of Elections has the great responsibility of assuring compliance with election laws and selecting polling places accessible to the public but which will remain free of intimidation and voter discomfort. Given your authority, and the need to protect the fundamental constitutional principle of separation of state and church, FFRF strongly urges you to remove all houses of worship as polling places for future elections.

We are sure there are many secular options—perhaps public schools, firehouses, public libraries, or even private businesses—which could accommodate voters and be relied on not to abuse voter trust.

Thank you in advance for your time and attention to this matter. We would appreciate a response in writing regarding our concerns so we may notify our complainant.

Sincerely,



Rebecca S. Markert
Staff Attorney