

# FREEDOM FROM RELIGION *foundation*

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**SENT VIA U.S. MAIL AND EMAIL**

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Bill Ackerman  
Chairman  
Washington County Election Commission  
280 N. College, Suite 300  
Fayetteville, AR 72701

Dear Chairman Ackerman and Members of the Commission:

I am writing on behalf of the Freedom From Religion Foundation (“FFRF”) to request that Washington County refrain from selecting churches as polling locations and to request that all religious messages be removed from polling places during future elections. We were contacted by a concerned local voter. FFRF is a national nonprofit organization representing nearly 24,000 members across the country including members in Arkansas. FFRF’s 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 a majority of polling places in Washington County are churches. Currently, 16 of the 17 polling places in Fayetteville are churches. We understand churches were specifically used during the September 8th special election, which concerned a referendum on extending civil rights protection to the LGBT community. It is our understanding that some of the churches used as polling places had partisan signage on the premises that had to be passed in order to vote.

As the governmental body charged with selecting polling places in Washington County, we ask that you seriously reconsider selecting area churches for polling places. As our country becomes more religiously diverse, Christian images and iconography 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).

Selecting churches as polling places can serve to unduly influence voters to vote in a particular way that they might not otherwise. This is especially true if the churches themselves are promoting or demonizing a particular side of an issue. Additionally, voters, who may be non-believers or non-Christians, could feel intimidated when they must vote at a church and view Christian messages while voting. It “sends the . . . message to . . . nonadherents ‘that they are outsiders, not full members of the political community, and an accompanying message to

adherents that they are insiders, favored members . . . .” *McCreary County, Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005) (citations omitted).

The Washington County Election Commission has the great responsibility of assuring selecting polling places accessible to the public but which will remain free of intimidation. Given your authority, and the need to protect the fundamental constitutional principle of separation of state and church, FFRF strongly urges you to remove churches as polling places for future elections. There are likely many secular options—like public schools, firehouses, public libraries, or even private businesses—which could accommodate voters and be relied on not to abuse voter trust.

Even if you deem it necessary to select churches or other religious properties as polling locations for future elections, we can certainly agree that it is inappropriate to allow these sites to display patently religious or political messages while acting as a designated polling location. At a minimum, permanent religious displays should be removed or covered while voters are participating in their greatest civic duty and polling workers should be made aware that it is inappropriate to create religious or political signage to be placed in the voting area.

Thank you in advance for your time and attention to this matter.

Sincerely,



Rebecca S. Markert  
Staff Attorney