

FREEDOM FROM RELIGION *foundation*

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February 2, 2016

SENT VIA EMAIL AND HAND DELIVERY
mpllibraryboard@madisonpubliclibrary.org

Ms. Tracy Kuczenski
President
Madison Public Library Board of Directors
201 W. Mifflin St.
Madison, WI 53703

Re: Proposal to close library for Dalai Lama event

Dear President Kuczenski and Board members:

I am writing on behalf of the Freedom From Religion Foundation regarding a proposal to close the Madison Public Library for a private event in March. FFRF is a Madison-based national nonprofit organization that works to protect the constitutional principle of separation between state and church. FFRF has more than 23,000 members across the country, with more than 1,300 in Wisconsin, including many served by Madison libraries.

It is our information and understanding that the Board of Directors will consider a proposal at its February 4 meeting to close the Central Library on Tuesday, March 8, for the purposes of holding a private event for the Dalai Lama in March. We write to express concerns that granting this proposal would raise the appearance of government-religion entanglement, and also would be a disservice to the local community.

Because the government must remain neutral on matters of religion, the library may not give preferential treatment to a religious leader.

If the Dalai Lama is renting the library for the event, the Board must require payment equal to what it would charge anyone else to rent the entire library for the same amount of time. If the library does not allow other groups to rent the entire library, it is unconstitutional to make an exception for a religious leader's private event. The library may not extend any benefits to the Dalai Lama that would not be given to a nonreligious visitor.

Additional concerns arise if the entity sponsoring the event will charge admission. Library rental rates are low because they are taxpayer-subsidized.

If there is admission charged, it can be argued that the library (and therefore the public) is subsidizing a religious leader's event, creating an additional layer of entanglement.

If the Dalai Lama is not renting the library, it is difficult to understand how closing the library for a private event benefits the public. Unless the library ordinarily closes entirely on a weekday for private events, the library closure for the Dalai Lama gives favored treatment to the religious leader. This is problematic because the library would appear to favor the Dalai Lama over nonreligious visitors.

Aside from the First Amendment concerns, closing the central library for a private event is a dubious decision. Madison taxpayers finance the library so that its services will remain available to the public, not to provide a venue to visiting celebrities to hold private events. Many homeless Madison residents rely on the library for shelter on a daily basis. Closing the library benefits the private event's attendees at the expense of everyone else, which is not in the spirit of a public library.

Employees would also be penalized. It is our information and understanding that library staff would be forced to use up a vacation day, unless they are fortunate enough to hold a position that could conceivably permit them to work from home, or find alternate placement at another library branch. The library should not personally penalize staff to accommodate a high-security-risk visit from a religious figure. Clearly, the reshuffling will be confusing and waste personal hours. Even if staff are given a paid holiday, taxpayer resources are wasted by paying public employees not to work. Finally, downtown library patrons will be denied services the public pays for.

If the Board decides to grant this proposal, FFRF would like to know the nature of the event, how the event will be funded, whether there will be an admission fee, and how the library will avoid the concerns raised in this letter. Thank you for your consideration to this matter.

Sincerely,



Ryan D. Jayne
Diane Uhl Legal Fellow
Freedom From Religion Foundation