

FREEDOM FROM RELIGION *foundation*

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

April 4, 2011

**SENT VIA FAX AND U.S. MAIL
(410) 741-0043**

Derma Malden
Postmaster
United States Postal Service
5471 Southern Maryland Blvd
Lothian, MD 20711

Re: Rapture Flyers Displayed in Post Office

Dear Postmaster:

I am writing on behalf of a concerned Lothian resident and taxpayer, and other Maryland members of the Freedom From Religion Foundation (FFRF), to alert you to a violation of postal regulations and the U.S. Constitution. FFRF is a national nonprofit organization representing over 16,000 members across the country, including nearly 300 in Maryland. Our purpose is to protect the constitutional principle of separation between state and church.

It is our information and understanding that religious flyers are displayed at the Lothian Maryland location. The flyer appears to be on blue 8 ½ x 14 paper, folded into 8 panels, several copies of which are stacked on the counter. The headline reads, "God Gives Another Infallible Proof that Assures the Rapture Will Occur May 21, 2011." These flyers are in clear view of all passersby.

This display violates post office regulations and the U.S. Constitution and must be removed immediately.

United States postal regulations prohibit the display of flyers on postal property. POM § 124.55 states that no flyers may be deposited on counters or other interior public areas on postal premises. This section goes on to state that private businesses and nonprofit organizations may not post or display advertisement in Post Offices lobbies or other posting space. POM §124.55(a)

Furthermore, displaying this flyer containing a religious message violates the First Amendment to the United States Constitution. "The defining principle of Establishment Clause jurisprudence is that 'First Amendment mandates government neutrality between religion and religion, and between religion and nonreligion.' " *McCreary County v.*

ACLU, 545 U.S. 844, 860 (2005) (quoting *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968)). By displaying this flyer on its counters, the Lothian Maryland post office branch is illegally demonstrating a preference for religion, specifically Christianity.

We ask that you immediately remove the stack of flyers from postal property. We further request that you inform us in writing of the steps you are taking to remedy this situation.

Sincerely,

Rebecca S Markert / sas

Rebecca S. Markert
Staff Attorney