



FREEDOM FROM RELIGION FOUNDATION

P.O. Box 750 • Madison WI 53701 • (608) 256-8900 • www.ffrf.org

January 8, 2009

Ms. Sara May-Silfee
Director, Voter Registration/Elections
Monroe County Administrative Offices
One Quaker Plaza Rm 105
Stroudsburg PA 18360-2170

COPY

Dear Ms. May-Silfee:

I am writing on behalf of a concerned area resident and voter, who alerted the Freedom From Religion Foundation (FFRF) to a serious state/church concern, which occurred on November 4, 2008. FFRF is a nationwide nonprofit organization with over 13,000 members, including over 450 members in Pennsylvania, whose purpose is to protect the constitutional principle of separation of state and church.

It is our information and understanding that Shawnee Tabernacle was used as a polling place on November 4, 2008. Shawnee Tabernacle is a non-denominational Christian Church located at 16 Carriage Square in Tobyhanna, Pennsylvania. Our complainant informs us that members, volunteers or employees of the church were present during voting hours and were assembling bags of religious materials promoting near the polling site at the church visible to voters. These bags were then distributed to voters as they were entering or exiting the polling place. These bags contained religious literature including a "Welcome" pamphlet that listed worship services and prayer meetings; a magazine entitled, "PoconoParent," which describes a charter school opened and run by Pastor Dennis Bloom (the magazine includes patently religious statements such as "God doesn't require us to succeed. He only requires us to try" and "We are God's workmanship."); and an invitation to Thanksgiving dinner sponsored by Shawnee Tabernacle (including an excerpt from the Bible: "For the Lamb which is in the midst of the throne shall feed them, and shall lead them unto living fountains of waters: and God shall wipe away all tears from their eyes." Revelations 7:17). Copies of these materials are included for your review. Furthermore, our complainant stated that religious materials were displayed inside the registration area and between the polling booths.

As you are likely aware, Pennsylvania state law limits the persons and activities permitted inside or near polling places. First, Pennsylvania election law specifies that anyone— other than voters, people lawfully assisting voters, election officers, clerks, machine inspectors, overseers, watchers and police called to the polling place

to preserve the peace— must remain at least ten feet away from the polling place. *See* PA Stat. Ann. § 3060 (a,d)(2007). Second, the law limits the activities that can take place inside the polling place, such as electioneering. *See* PA Stat. Ann. § 3060 (d)(2007). Finally, the law states that no unauthorized written or printed materials may be posted within the polling place. *See* PA Stat. Ann. § 3060 (c)(2007).

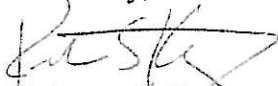
Shawnee Tabernacle volunteers, employees or and/or members violated the law when they had an assembly line to put together and distribute religious materials to voters at the polling site. These people were not authorized persons under the statute permitted to be inside the polling location. Shawnee Tabernacle also impermissibly allowed religious materials to be displayed inside the polling place. Persons in the course of voting could not miss seeing the religious postings. Therefore, FFRF asks that you commence an investigation into these allegations to determine whether Pennsylvania law was violated by these actions. Specifically, FFRF would like to know who authorized Shawnee Tabernacle, which clearly exploited its position as a polling place in order to advertise itself and distribute proselytizing materials, to allow persons not in the course of voting in the polling site to assemble the materials. Further, FFRF would like to know who authorized the distribution of religious materials to voters.

Finally, as the Director for the Board of Elections in Monroe County, you are charged with the great responsibility of assuring compliance with these laws and selecting polling places accessible to the public but which will remain free of intimidation. Certainly, voters, who may be non-believers or non-Christians, could feel intimidated by this proselytizing assault at their designated polling location. Given your authority, and the need to protect the fundamental constitutional principle of separation of state and church, FFRF strongly urges you to remove Shawnee Tabernacle as a polling place for future elections. This will send a clear message that such abuses are not tolerated in Monroe County.

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 request that you respond in writing at your earliest convenience so that we may notify our complainant of what actions you are taking to remedy this violation.

Sincerely,



Rebecca S. Kratz
Staff Attorney

Enclosures