



MIKEL HAAS  
Registrar of Voters

# County of San Diego

REGISTRAR OF VOTERS  
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October 23, 2006

Mr. Raymond Lutz  
East County Democratic Club  
PO Box 252  
El Cajon, CA 92022

Dear Mr. Lutz,

I am writing in response to your letter of September 18, 2006 and the two conversations we have had by phone and at the Registrar's office. Although our discussion covered many subjects, your main concern is the use of churches (religious buildings) to house polls on Election Day.

Your letter had three requests:

1. "Please move polling places out of all churches and place them in public places that are funded by the government or in individual's homes. There are plenty of schools in the area that can accommodate the polling places. Plus, it is very educational for kids to witness this process in action and become accustomed to seeing people go to the polls."
2. "To follow up on that request, please provide a list of all polling places that are in churches under your jurisdiction, and indicate which ones are in the sanctuary."
3. "Please provide a formal reply to my complaint about the *Christian Examiner* newspaper, and include what specific steps your office has taken to address this violation."

In selecting poll sites there are three major criteria we use: ADA accessibility, sufficient parking, and location. With one exception, we have no authority to compel any governmental entity, private or public organization, or individual to provide a poll site. The exception is schools.

We try to work with the school districts and generally they are very cooperative in allowing us access to their buildings. However with the primary moving from March to early June, there were many more conflicts with school activities such as final exams and graduation ceremonies. We use schools whenever possible, but in many instances the location of the school is neither within the boundary of the precinct nor within a reasonable proximity.

For the June 2006 election we had to find sites to house 1,646 polls. (We will have 1,650 poll sites for November.) In June, seventy-two percent of the polls were equally divided between schools, residences, and religious institutions. In almost all instances the schools and religious sites met both the ADA and parking requirements. The situation for residences was mixed. In many of the residential areas the residences lacked sufficient parking. Additionally, in the hillier communities in San Diego many residences did not meet ADA requirements.

The last of the three criteria for selecting a poll site is proximity to the boundaries of the precinct. Every effort is made to locate the poll site within the boundaries of the precinct. In many instances we are unable to find a suitable site that is available to us. In those situations, we will look for a site within reasonable distance in an adjoining precinct.

Virtually all churches meet the two primary criteria of accessibility and sufficient parking. If they meet the proximity criterion and there is no other acceptable alternative, they will be used.

The election code is silent about the use of religious buildings as poll sites. This includes the positioning of the precinct within the building. When using a religious facility, we attempt to place the poll in a side room, vestibule, or classroom. In some religious buildings there is no separation between the ceremonial area and the entrance. We attempt to place the poll in the most public area of the facility.

As to your point 2, when you visited the Registrar's office is supplied you with a list of churches being used in the November General Election. Our records do not indicate exactly where in a facility the precinct will be located. As stated above, we attempt to locate it in a public area of the facility.

Your last point was about the "*Christian Examiner*" newspaper and its visibility at the poll site. I am not familiar with the "*Christian Examiner*" and will take your word that it contained candidate advertisements and articles related to political issues. Unfortunately, there is no list of political publications. There are publications that on their face are obviously political, candidate brochures, proposition brochures, signs, and in some cases, newspapers or magazines with visible political articles or ads, but not all.

The Poll Workers are trained to inspect the area around the poll to make sure no political publications are within the polling area. In the case of a publication such as the "*Christian Examiner*", the Poll Workers would have no reason to know it was a political publication. There was nothing visible on the outside of a political nature. It would be only after someone picked up and perused its contents that they would discover some political content.

We have alerted all Poll Workers to be more diligent in examining any publications in the area of the poll. If they find something that appears to be at all political, they are to take mitigating action. Where possible, they will ask the poll owner to remove as much as possible from the poll area. If a voter or any citizen points out a questionable publication, the Poll Worker will take the appropriate action.

I hope the letter and our conversations have answered all of your questions. If you need any additional information, please feel free to contact me.

Respectfully,



Leonard F. Schultz  
Chief Deputy  
County of San Diego  
Registrar of Voters