

**RESOLUTION OF THE DETROIT CITY COUNCIL OPPOSING THE PORTIONS OF THE PROPOSED SENATE ELECTION BILLS PACKAGE (MICHIGAN SENATE BILLS 273 THROUGH 311) THAT, IF ADOPTED, WOULD RESTRICT ACCESS TO VOTING FOR ALL MICHIGAN VOTERS**

**By Detroit City Council President Brenda Jones**

**WHEREAS**, Michigan’s November 2020 statewide election, which included the presidential election, was the object of numerous audits and unsuccessful court challenges, all leading to the same conclusion – it was one of the most secure and inclusive elections in Michigan history; and

**WHEREAS**, A record number of citizens of all party affiliations as well as independents participated in the election, despite the extreme adversity presented by conducting an election in the midst of a global pandemic. It is estimated that approximately 3.3 million absentee ballots were cast in Michigan out of approximately 5.5 million total votes; and

**WHEREAS**, Michigan’s citizens acted to expand access to absentee voting by adopting a 2018 ballot initiative, which amended the Michigan Constitution to allow no reason absentee voting, as well as automatic voter registration and same day voter registration. Significantly, the initiative passed by a two-to-one margin; and

**WHEREAS**, In 2018, Michigan voters also adopted a Constitutional amendment to establish a commission of citizens with exclusive authority to adopt district boundaries for the Michigan Senate, Michigan House of Representatives and U.S. Congress, every 10 years – further demonstrating the desire of citizens to level the partisan playing field. The redistricting commission, whose work has been delayed by the census, will complete its work in the next year; and

**WHEREAS**, On March 24, 2021, several state senators introduced a package of thirty-nine (39) proposed bills, now pending in the Senate Committee on Elections, addressing perceived insufficiencies in the state’s election process. In effect, however, the proposed legislation is not a “fix” – unless the “problem” to be remedied is too many Michigan citizens being able to vote. There simply has been no evidence presented of security failures or wrongdoing with respect to Michigan’s current election process. The bills’ subject matter includes, but is not limited to, the following: absentee voting provisions, ballot drop boxes, voter identification requirements, polling place challengers, election administration rules, and video surveillance of vote counting; and

**WHEREAS**, Rather than improving the elections system, several of the pending bills will have a serious negative impact on Michigan voters, and particularly on citizens of the City of Detroit. For example, *Senate Bill 273* proposes to regulate ballot drop boxes by requiring unduly restrictive, unrealistic, and unfunded security protocols. The bill requires that all such boxes be approved by both the Secretary of State and the board of county canvassers for the county in which located, including existing boxes; if not, they must be removed. Beginning in June 2022, specific video recording, motion detecting, and lighting must be in place – adding to the ever increasing surveillance culture in Michigan, rather than ensuring the privacy of the voting

process. Similar privacy issues apply to *SB 275*. Boxes will be required to be specifically labelled, and only certain employees permitted to collect the ballots; a “chain of custody” log will be required – complicating factors to address heretofore nonexistent problems; and

**WHEREAS**, *Senate Bill 276* gives poll challengers and poll watchers the opportunity to videotape and photograph activities at the precincts and absentee counting boards while votes are being tabulated. Not only does this bill jeopardize the constitutional right of casting a secret ballot, but it also invites hostile and chaotic conditions at the precinct and the absentee counting boards by encouraging intimidation of election works and observers; and

**WHEREAS**, *Senate Bill 284* prohibits the State or a local unit of government from accepting a grant from an individual or entity to be used for election related equipment or activity, including advertising, voter information, registration materials, etc., even if the state fails to adequately fund the election. This proposal eliminates the grants and other financial support relied upon by many financially strapped local governments and is written in broad enough terms to prohibit donations of food and other in-kind items. It unnecessarily punishes all jurisdictions; and

**WHEREAS**, *Senate Bill 285* severely restricts access to absentee ballots/voting by mail by requiring an applicant for a ballot to present either a voter registration card or a copy of the voter’s identification with the application. Otherwise, the voter can only be issued a provisional ballot. This requirement also applies to deployed members of the uniformed services, including those serving overseas. This added requirement would duplicate existing processes, potentially cause a breach of identity by requiring that personal information be sent through the mail, and could delay election results; and

**WHEREAS**, *Senate Bill 286* prohibits the use of drop boxes on Election Day and after 5 p.m. on the evening before Election Day – when the boxes have been observed to be heavily relied upon by voters. This restriction, or any such restriction, would work to the detriment of Detroiters and all voters statewide, regardless of their political leanings; and

**WHEREAS**, *Senate Bill 287* prohibits the Secretary of State from providing funding to or reimbursing a city for prepaid postage on absentee ballot envelopes, as well as prohibiting a city or township from providing same. Providing postage for return of absentee ballot return enhances security and ensures proper return of ballots and is an issue of local concern; and

**WHEREAS**, *Senate Bill 294* requires that there be no more than two election inspectors from one political party for every one inspector from the other party. This would be impossible to achieve in Detroit and other municipalities – as acknowledged in current law – and would also lead to attempts to throw out votes in precincts where the standard is not met; and

**WHEREAS**, *Senate Bill 300*, offering early voting on one day only, is a disingenuous effort to offer electors a new option to vote. If early voting is an authentic attempt to offer a viable choice to electors, the Legislature should provide 7 days of early voting; if this is not possible then 3-4 days should be the alternate. Otherwise, throughout the day, long lines will exist, which will discourage the use of early voting and may discourage electors from returning a second time on Election Day.

**WHEREAS**, *Senate Bill 303* bans the current practice of allowing a voter without identification from signing a sworn affidavit to access a ballot. Rather, in such circumstances, a voter would be provided with a provisional ballot only; and

**WHEREAS**, *Senate Bill 310* is among the most egregious of the proposed “reforms”. It proposes to prohibit sending an absentee ballot **application** to an elector unless that elector first requests it. However, the bill goes further, prohibiting even a direct link to an absent voter application on the Secretary of State’s website. At a time in history when most necessary government forms are readily accessible online, this prohibition is intentionally regressive and will serve to suppress access to the ballot box by voters in Detroit and across the state; and

**WHEREAS**, Considered individually, or as a whole, these proposed bills serve no apparent purpose other than the obvious, *i.e.*, the disenfranchisement of Black and Brown communities in particular, as well as all historically disadvantaged members of our community – just as the needle was beginning to move in the other direction. However, their effect of many of them, if adopted, will be to suppress **all** votes, regardless of party affiliation or ethnicity; and

**WHEREAS**, Detroiters and all Michigan citizens believe that living under a democracy is our fundamental right. Our right to vote is the bedrock of our democracy. Despite the continued cries of the (unproven) need for “reform”, these bills reform nothing. Rather, they serve to silence our city and others like Detroit. They will not make our elections safer and more secure. They will only shut the door in the faces of the citizenry in a manner not seen since the days of Jim Crow. **NOW THEREFORE, BE IT**

**RESOLVED**, In the interest of promoting much needed access to civic engagement for the citizens of the city of Detroit and the entire state of Michigan, the Detroit City Council strongly urges the Michigan Legislature to reject the portions of this thirty-nine (39) Bill package, now pending before the Senate Committee on Elections, that propose new and expanded restrictions on voting access. **BE IT FINALLY**

**RESOLVED**, The Detroit City Clerk is directed to send copies of this resolution to the Detroit delegation of the Michigan Legislature, the Michigan Senate Committee on Elections, the Michigan House Committee on Elections and Ethics, Mayor Mike Duggan, the City of Detroit’s Lansing lobbyist, and Governor Gretchen Whitmer.