

Michigan Election Reform Alliance.Org
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Content

New MERA Council

Action on Postcard Purge/Cancellation Countdown Cte. Report

Upcoming Council Meetings

New MERA Council

At the annual meeting on June 1, the governing Council was renewed and two new members were welcomed: Peggy Rabhi from Ann Arbor and Will Tyler White from Okemos. The current council and leadership assignments are listed on the web site [here](#).

Action on Postcard Purge/Cancellation Countdown Cte. Report

After many months of difficult and very careful work, the Cancellation Countdown Committee has put together an interim report of their findings to date in the investigation of the postcard purge of Michigan voter registrations conducted by the Bureau of Elections beginning in July 2006. At the annual meeting, the Council accepted the report and agreed on a plan of action to share the report with allies, take additional steps in the investigation, seek additional volunteer assistance, and ultimately to present the report and related testimony to a committee of the Michigan legislature.

Kudos are due to Bill Rittenberg and Nancy Bedel, the committee cochairs, for sticking with a arduous task and bring the work to a presentable state. Karen Wellman also helped with the work in the early stages.

Background and Conclusions

The postcard purge began when the Bureau of Elections (BoE) mailed hundreds of thousands of postcards to voters listed in the state database of registered voters, called the Qualified Voter File (QVF). The postcards were not forwardable, but were returned if not delivered for *any* reason. The returned cards became the main basis on which the BoE placed voters in a new category in the QVF created for this purpose, called "Cancellation Countdown." The BoE appears to have used this addition to the database software to go around the authority of local clerks over removal of voters from the file. MERA's Committee believes the Cancellation Countdown is set to automatically remove any voter placed in this category from the QVF after the November 2008 election, if the voter has not voted since July 2006 and has not reregistered.

The Interim Report of the MERA Cancellation Countdown Committee will be made public on the web site soon after MERA has finished compiling the extensive documentation and footnotes. Below are the main conclusions. Please note that

permission to quote from or otherwise publish this material is not granted until MERA has released to the press its own statement on these matters.

Michigan law gives local clerks authority and responsibility for managing Michigan's voter lists in their jurisdictions (**N5**). Our investigation so far has determined that the initiation of the July 2006 postcard purge by the MI SOS and BE is an unprecedented event in the history of Michigan election administration. In initiating and conducting this purge, the BE took over many traditional local clerk functions of voter list management. In so doing, the BE has also greatly reduced the transparency of the purge process, excluding clerks from the traditional information they have about purges in their jurisdiction along with the ability to check the accuracy of dropping their voters from the QVF. It seems possible that the BE's exclusion of local clerk participation in the purge might have violated some provisions of Michigan law. Whether this is the case would have to be decided in the courts.

Regarding federal law, the Bureau of Elections has asserted repeatedly in its communications to local clerks and federal HAVA administrators that the postcard purge was designed and is being conducted strictly in keeping with the provisions of NVRA. The Committee has indeed found many respects in which the purge has been conducted in keeping with NVRA. We do feel, however, that the fact that the Bureau did not scan about half of the returned postcards may represent a violation of the NVRA requirement that purges be conducted in a "uniform" manner. We presently do not feel we have positive evidence of other possible violations of NVRA, and we are actively seeking information and analyzing data that would rule out their occurrence.

Volunteers Needed

The MERA Cancellation Countdown Cte. is looking for an experienced computer programmer to assist its investigation into the modification of QVF database software that created the "Cancellation Countdown."

The Committee also needs many volunteers to assist with research on information available to local clerks that may help to quantify the possible effects of the postcard purge. Areas where we have or may have cooperation from local clerks to conduct this research include Ann Arbor, East Lansing, Meridian Twp. and Flint.

To volunteer, please contact the Countdown Cte.:

ccc@michiganelectionreformalliance.org

An Opportunity with the Michigan Legislature

On Tues. May 27, MERA Legislative Coordinator Phil Shepard attended a hearing held by the Subcommittee on Investigation of the Michigan House Appropriations Committee. While sparsely attended and short, the hearing was remarkable in that the Chair, Rep. Cushingberry, expressed a strong interest in looking into any use of governmental systems to suppress voters. When they learned that MERA has been investigating a serious matter of this sort, both the Chair and others present urged MERA to share what it has learned with the Committee on Investigations. Accordingly, MERA Council has adopted a plan to request, with support from our allies, a hearing on the Countdown investigation as soon as possible.

When such a hearing has been scheduled, MERA will issue a press release and notify the Newsletter list. The event and all related materials will also be highlighted on the web site.

Upcoming Council Meetings

June 14, 9 a.m. - tentative, for Council phone conference on proposed draft audit legislation for Michigan

July 27, Noon - 3 p.m. at Urban Options in East Lansing. Council Meeting