UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

PUBLIC INTEREST LEGAL FOUNDATION,

Case No. 19-13638 Hon. David M. Lawson Mag, Judge Michael J. Hluchaniuk

Plaintiff,

V

JANICE M. WINFREY, in her official Capacity as Detroit City Clerk, and GEORGE AZZOUZ, in his official capacity as Director Of Elections for the City of Detroit,

Defendants.

DICKINSON WRIGHT PLLC By: Robert L. Ayers (P75396) ravers@dickinsonwright.com 300 S. Main Street, Suit 300 Ann Arbor, MI 48104 (734) 623-1672 Attorneys for Plaintiff

PUBLIC INTEREST LEGAL FOUNDATION By: Kaylan L. Phillips kphillips@publicinterestlegal.org 32 E. Washington St., Suite 1675 Indianapolis, IN 46204 (317) 203-5599 Attorneys for Plaintiff CITY OF DETROIT LAW DEPARTMENT By: ERIC B. GAABO (P39213) <u>Gaabe@detroitmi.gov</u> Attorneys for Defendants Coleman A. Young Municipal Center 2 Woodward Avenue, 5th Floor Detroit, MI 48226 (313) 237-3052

DEFENDANTS' FIRST AMENDED ANSWER AND AFFIRMATIVE DEFENSES TO COMPLAINT

ANSWER TO COMPLAINT

Defendants, Janice M. Winfrey, in her official capacity as Detroit City

Clerk, and George Azzouz, in his official capacity as Detroit Director of Elections,

answer the Complaint filed by Plaintiff, Public Interest Legal Foundation (PILF"), as follows:

JURISDICTION AND VENUE

1. Defendants admit the allegations contained in paragraph 1.

 In response to paragraph 2, Defendants deny that many of the events or omissions alleged by Plaintiff in its Complaint occurred, because this is untrue.
 However, Defendants do not contest venue in this case.

PARTIES

3. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3, and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs. However, Defendants note that many third parties have characterized Plaintiff not as nonpartisan, but as supporting conservative causes. (See, e.g., SourceWatch article, attached as **Exhibit A**, found at

https://www.sourcewatch.org/index.php?title=Public_Interest_Legal_Foundation; Media Bias/Fact Check article attached as **Exhibit B**, found at <u>https://mediabiasfactcheck.com/public-interest-legal-foundation</u> ("Overall, we rate PILF Right Biased based on story selection that almost always favors the right . . .") 4. Defendants admit the allegations contained in paragraph 4.

5. Defendants admit the allegations contained in paragraph 5.

6. Defendants admit the allegations contained in paragraph 6.

FACTUAL BACKGROUND

7. In response to paragraph 7, Defendants state that Section 8 of the National Voter Registration Act of 1993, including 52 U.S.C. §20507(a)(4), speaks for itself.

8. In response to paragraph 8, Defendants state that Section 8 of the National Voter Registration Act of 1993, including 52 U.S.C. §20507(c)(2)(A) and 20507(b)(1), speaks for itself.

9. In response to paragraph 9, the City admits only that its voter rolls, like the voting rolls of every state and every large municipality in the country, may contain some deceased or otherwise ineligible registrants. Defendants deny the remaining allegations contained in paragraph 9 because they are untrue. In further answer, see Declaration of George Azzouz, attached as **Exhibit K**.

10. Defendants deny the allegations contained in paragraph 10 because they are untrue.

11. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in the first two sentences of paragraph 11,

and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs. Defendants deny the allegations contained in the third sentence of paragraph 11 because they are untrue.

12. Defendants deny the allegations contained in paragraph 12 because they are untrue.

Defendants' Obligation to Conduct List Maintenance.

13. In response to paragraph 13, Defendants state that Plaintiff has accurately quoted from the Michigan Election Officers' Manual, Chapter 1, page 5.

14. In response to paragraph 14, Defendants state that Plaintiff has accurately quoted from MCL §168.509dd.

15. In response to paragraph 15, Defendants state that Plaintiff has accurately quoted from MCL §168.509z.

16. In response to paragraph 16, Defendants state that Plaintiff has accurately quoted from MCL §168.510.

17. In response to paragraph 17, Defendants state that Plaintiff has accurately quoted from MCL §168.515. In further answer, Defendants note that this section does not require that city clerks take any specific actions in order to check the correctness of registration records.

18. In response to paragraph 18, Defendants state that Plaintiff has

accurately quoted from the Michigan Election Officials' Manual.

19. In response to paragraph 19, Defendants state that Plaintiff has accurately quoted from Michigan's State Plan under the Help America Vote Act, 70 Federal Register 69530, 69546 (November 16, 2005).

Evidence of the City of Detroit's Unreasonable List Maintenance Efforts

20. In response to the first sentence of paragraph 20, Defendants admit that the document located at <u>https://detroitmi.gov/document/november-8-2016-official-general-election-results</u> listed 511,786 registered voters. However, this figure included thousands of challenged or inactive voters, and was therefore a misleading number.¹ Moreover, this figure is irrelevant to the issues involved in this case, because as of January 17, 2020, the current Detroit voter roll contained 478,820 registrants (see qualified voter file ("QVF") report showing number of registered Detroit voters, attached as **Exhibit C**) and other names continue to be removed by the City as part of its normal voter list maintenance activities. In response to the second sentence of paragraph 20, Defendants state that the U.S. Census Bureau's 2016 American Community Survey 1-Year Estimate estimated

¹ From 2016 to 2019, the City challenged at least 12,701 registrations. (See Cancellation Countdown/Challenged Voters Report, attached as **Exhibit H**.) Therefore, many of the names Plaintiff identified are or were in the process or being cancelled.

the City of Detroit's citizen, voting age population at 479,267. However,

Defendants deny that this figure was an accurate total of all citizens of voting age in the City at that time, because census resident estimates, particularly in the City of Detroit, are generally recognized to be underrepresentative. See, e.g., "A Census Undercount Likely Cost Detroit \$1.3 Million for Childhood Lead Prevention," Talk Poverty (October 18, 2019), found at

https://talkpoverty.org/2019/10/18/census-undercount-detroit-lead/, attached as

Exhibit D; "Detroit's population expected to be hardest to count in 2020 census

report," The Hill, December 12, 2019, https://thehill.com/homenews/state-

watch/474254-detroits-population-expected-to-be-hardest-to-count-in-2020-

census, attached as Exhibit E; and "Detroit tops list of hard-to-count cities ahead

of 2020 census," NBC News (December 12, 2019),

https://www.nbcnews.com/news/nbcblk/detroit-tops-list-hard-count-cities-ahead-

2020-census-n1100561, attached as Exhibit F.) Defendants deny the allegation

contained in the last sentence of paragraph 20 because it is untrue.² In further

² Commentators and courts have rejected similar arguments alleging that a total of registered voters greater than the census estimate of residents of voting age shows a failure to comply with the NVRA. See, e.g., "Does the U.S. Have Millions More Registered Voters than Eligible Adults?," Snopes.com, <u>https://www.snopes.com/fact-check/us-more-registered-voters-than-adults</u> (attached as Exhibit J); *Bellitto v Snipes*, 935 F.3d 1192 (`11th Cir. 2019).

answer, see Declaration of George Azzouz, attached as Exhibit K.³

21. In response to paragraph 21, Defendants state that Crain's Detroit Business published an article in 2011 relating to voter roll issues. Defendants disputed the accuracy of this article at that time, and continue to do so. In further article, Defendants deny that this article has any relevance to the City's voter rolls and voter list maintenance procedures in 2020.

22. Defendants deny the allegations contained in paragraph 22 because they are untrue.

The Foundation's Efforts to Remedy the Problems on Detroit's Rolls

23. In response to Paragraph 23, Defendants deny that the City's current voter list maintenance practices fail to comply with the NVRA, because this is untrue. In further answer, Defendants state that the NVRA does not require that a

³ In response to Plaintiff's argument that the City's ratio of registered voters compared to residents of voting age is implausibly high, Defendants note that the implementation of the "motor voter" provisions of the NVRA has increased the percentage of residents who are registered to vote by requiring that those applying for drivers' licenses and public assistance be given the opportunity to apply to vote, and that at least two recent changes in Michigan law have likely pushed this percentage higher. First, in Michigan, as of September 2019, all those who apply for a driver's license or personal ID card are *automatically* registered to vote unless they are ineligible or specifically decline to register. See "Secretary Benson announces modernized voter registration on National Voter Registration Day," Michigan.gov, (September 24, 2019), attached as **Exhibit M**. Second, Michigan residents can now register to vote completely on-line. See "Michigan Online Voter Registration," attached as **Exhibit N**.

municipality's voter lists be 100% accurate, and submit that complete accuracy would be impossible to achieve, in light of such things as inaccurate information, delays in receiving information, unreliability of information, limitations in staffing and funding, human error and other factors. In further answer, Defendants are unable to respond to Plaintiff's references to Hercules, Iolaus and "extraordinary measures," because these words and phrases are unreasonably vague and ambiguous.

24. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 24, and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs.

25. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 25, and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs.

26. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 26, and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs.

27. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in the first two sentences of paragraph 27, and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs. In response to the third sentence in this paragraph, Defendants state that the qualified voter file ("QVF") record for a woman named Mamie Jones (**Exhibit I**) does list a birthdate in 1823, but that the record indicates that this woman did not register to vote until 2008, which strongly suggests that the City did not fail to remove a deceased voter born in 1822, but simply typed in the wrong year of birth when she registered to vote in 2008. This also suggests that birthdates of other registered voters whom Plaintiff asserts were born in the nineteenth century may also have been inaccurately entered at the time they registered to vote, and that such voters are not deceased.⁴

28. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in the first two sentences of paragraph 28, and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs. Defendants deny the allegations contained in the third and fourth sentences of paragraph 28 because they are untrue.

29. Defendants deny the allegations contained in paragraph 29 because they are untrue. The City's voter databases do not allow one to enter a birthdate less of an individual less than 17 ½ years old. In further answer, Defendants state that Plaintiff never identified this purportedly underage registered voter.

⁴ In addition, where the State of Michigan does not have a birthdate for many registered voters, it has used a default date of "01/01/1900." This has inflated the number of voters who appear to be older than 100 years old.

30. In response to the first sentence in paragraph 30, Defendants admit that Plaintiff found persons listed on the City's voter rolls with similar names. Defendants deny the allegations contained in the second and third sentences of this paragraph because they are untrue. In further answer, Defendants state that they forwarded Plaintiff's list of alleged duplicate names to the State of Michigan for comparison with its drivers license records, and that the state removed 2,238, or 94%, of the 2,384 names Plaintiff alleged to be duplicates. (See QVF document entitled "Voter Merge Project," attached as **Exhibit G**.) The State removed such names on or prior to December 3, 2019, before Plaintiff filed this suit. In further answer, Defendants state that there is no evidence that any individual has voted multiple times in any given election held in the City of Detroit. (See Declaration of George Azzouz, attached as **Exhibit K**.)

31. In response to paragraph 31, Defendants admit that on or about May 23, 2019, Plaintiff sent Defendant Winfrey the letter attached as Exhibit A to Plaintiff's Complaint, which speaks for itself.

32. In response to paragraph 32, Defendants admit that on or about May 23, 2019, Plaintiff sent Defendant Winfrey the letter attached as Exhibit A to Plaintiff's Complaint, which speaks for itself.

33. In response to paragraph 33, Defendants state that the letter attached as

Exhibit A to Plaintiff's complaint indicates that it was also mailed to the Michigan Secretary of State, but Defendants lack knowledge or information sufficient to form a belief as to whether the letter was mailed to the Michigan Secretary of State, and therefore neither admit nor deny this allegation, leaving Plaintiff to its proofs.

34. In response to paragraph 34, Defendants admit that on or about May 23, 2019, Plaintiff sent Defendant Winfrey the letter attached as Exhibit A to Plaintiff's Complaint, which speaks for itself.

35. Defendants deny the allegations contained in paragraph 35 because they are untrue.

36. In response to paragraph 36, Defendants admit that on or about July 8, 2019, Plaintiff sent Defendant Winfrey the letter attached as Exhibit B to Plaintiff's Complaint, which speaks for itself.

37. In response to paragraph 32, Defendants admit that on or about July 9, 2019, Defendant Azzouz sent Plaintiff the e-mail attached as Exhibit C to Plaintiff's Complaint, which speaks for itself. In further answer, Defendants state that Exhibit C to Plaintiff's complaint confirms that on July 10, 2019, the City mailed to Plaintiff a flash drive containing the information Plaintiff had requested.

38. In response to paragraph 38, Defendants admit that on July 30, 2019, two of Plaintiff's representatives met with Defendant Azzouz and another member

of Defendant Winfrey's staff. In further answer, Defendants state that at that time, the City's representatives explained the processes the City had in place to attempt to identify deceased or otherwise ineligible voters (which are summarized in the Declaration of George Azzouz, attached as **Exhibit K**) and advised Plaintiff that the City would continue to take actions in accordance with its procedures. In further answer, Defendants admit that at that time, a registered voter named Mamie Jones (who registered in 2008) was listed as having a birthdate in 1823 (see **Exhibit I**), but that Ms. Jones' year of birth was most likely entered in error at the time Ms. Jones registered, and that if the City did not have any reliable evidence that Ms. Jones had died, and the City's elections mailings to Ms. Jones were not returned as "undeliverable," Ms. Jones would likely continue to be listed on the City's voter roll.

39. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in the first two sentences of paragraph 39, and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs.

40. In response to paragraph 40, Defendants admit that Plaintiff prepared spreadsheets relating to registrants contained on the City's voting roll, and provided them to the City, with a letter attached to Plaintiff's Complaint as Exhibit D, which speaks for itself.

41. In response to paragraph 41, Defendants admit that Plaintiff compiled a list of names, attached to Plaintiff's Complaint as Exhibit E, which speaks for itself. In further answer, Defendants state that many of those Plaintiffs listed as likely deceased had already been removed from the voter roll, or had been listed as inactive or challenged, and were therefore in the process of being removed from the voter roll. (See Declaration of George Azzouz, attached as **Exhibit K**.) In further answer, Defendants state that the total number of alleged deceased voters on the City's voting roll comprised *just 0.48%* of what Plaintiff claimed was the total number of registered Detroit voters.

42. In response to paragraph 42, Defendants admit that Plaintiff compiled a list of names, attached to Plaintiff's Complaint as Exhibit E, which speaks for itself. In further answer, Defendants state that Plaintiff did not provide the City with either the Social Security Death Index or (with a few exceptions) with copies of the "obituary or other verifiable death records" which allegedly supported its claims.

43. In response to paragraph 43, Defendants admit that Plaintiff compiled a list of names, attached to Plaintiff's Complaint as Exhibit E, which speaks for itself. In further answer, Defendants state that Plaintiff did not provide the City with either the Social Security Death Index or (with a few exceptions) with copies of the "obituary or other verifiable death records" which allegedly supported its claims. 44. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in the first two sentences of paragraph 44, and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs. In further answer, however, Defendants state that, theoretically, any actions are possible, but not necessarily reasonable, if one has unlimited funding, staff, time and resources. In further answer, Defendants state that Plaintiff has accurately quoted from the Michigan Election Officials' Manual.

45. In response to paragraph 45, Defendants admit that they have certain tools available to conduct voter list maintenance, and that they use such tools on a daily basis for such purpose. Defendants deny that that they are failing to reasonably maintain the City of Detroit's voter rolls because this is untrue.

46. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 46, and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs. However, Defendants state that of the 2,503 names of claimed deceased voters listed by Plaintiff, at least 70 had already been removed by the state or the City, and at least 210 were listed as challenged at the time Plaintiff made this claim. (See Declaration of George Azzouz and attachments, attached as **Exhibit K**.)

47. In response to paragraph 47, Defendants admit that Plaintiff compiled

a list of names, attached to Plaintiff's Complaint as Exhibit G, which speaks for itself. In further answer, Defendants state that they forwarded Plaintiff's list of alleged duplicate names to the State of Michigan for comparison with its drivers' license records, and that the State removed 2,238, or 94%, of the 2,384 names Plaintiff alleged to be duplicates. (See QVF document entitled "Voter Merge Project," attached as **Exhibit G**.) The State removed such names on or prior to December 3, 2019, which was before Plaintiff filed this suit. In further answer, Defendants state that there is no evidence that any individual has voted multiple times in any given election held in the City of Detroit. (See Declaration of George Azzouz, attached as **Exhibit K**.) In further answer, Defendants state that the total number of alleged duplicate names on the City's voting roll, 2,384, comprised *just* 0.46% of what Plaintiff claimed was the total number of registered Detroit voters.

48. In response to paragraph 48, Defendants admit that they did not respond to Plaintiff's September 13, 2019 letter prior to receiving an e-mail from Plaintiff on October 10, 2019, but continued their voter list maintenance procedures.

49. In response to paragraph 49, Defendants admit that on October 10, 2019, Plaintiff sent an e-mail to Defendants, attached to Plaintiff's Complaint as Exhibit H, which speaks for itself.

50. In response to paragraph 48, Defendants admit that they did not respond

to Plaintiff's October 10, 2019 e-mail prior to receiving another e-mail from Plaintiff on November 4, 2019, but continued its voter list maintenance procedures.

51. In response to paragraph 41, Defendants admit that on November 4, 2019, Plaintiff sent Defendants an e-mail, attached to Plaintiff's Complaint as part of Exhibit H, which speaks for itself. Defendants further admit that on November 5, 2019, Defendants sent Plaintiff an e-mail, attached to Plaintiff's Complaint as part of Exhibit H, which speaks for itself. In further answer, Defendants admit that on November 11, 2019, Plaintiff sent Defendants an e-mail, attached to Plaintiff's Complaintiff's Complaint as part of Exhibit H, which speaks for itself.

52. In response to paragraph 52, Defendants admit that two of Plaintiff's representatives met with Defendant Azzouz on November 15, 2019, and that Mr. Azzouz informed Plaintiff's representatives that Ms. Winfrey was not available. Defendants lack knowledge or information sufficient to form a belief regarding the distance between Plaintiff's offices and Defendant's offices (which has no relevance to the issues in this case) and therefore neither admits nor denies this allegation, leaving Plaintiff to its proofs.

53. In response to paragraph 53, Defendants admit that at the November 15, 2019 meeting, Defendant Azzouz informed Plaintiff's representatives that Defendants had forwarded Plaintiff's spreadsheet of what it characterized as likely duplicate registrations to Michigan Secretary of State's office, but denies the remaining allegation contained in this paragraph because it is untrue. In further answer, Defendants state that they forwarded Plaintiff's list of claimed duplicate registrations to the Michigan Secretary of State, because the voter list is a State of Michigan document, and the State would be in the best position to determine which names and addresses corresponded with the State's driver's license information, which was deemed to be the most current and accurate information regarding registered voters. In further answer, Defendants state that the State removed 2,238, or 94%, of the 2,384 names Plaintiff alleged to be duplicates. (See QVF document entitled Voter Merge Project, attached as **Exhibit G**.) The State removed such names on or prior to December 3, 2019, which was before Plaintiff filed this suit.

54. In response to paragraph 54, Defendants deny that Mr. Azzouz stated that the City had taken no action would take no action in regard to the spreadsheet of persons Plaintiff claimed were likely deceased. In further answer, Defendants stated that they forwarded Plaintiff's (inaccurate) list of claimed deceased Detroit registrants to the State of Michigan, for comparison with its records, which included data from the Social Security Death Index (SSDI). In further answer, Defendants state that they had previously informed Plaintiff that if mailings to the allegedly deceased voters were returned as undeliverable, the City would put such persons on

a challenged list, and that the State would remove them if they had not voted in two federal elections. In further answer, Defendants admit that Defendant Azzouz informed Plaintiff that he would speak with Defendant Winfrey regarding other actions the City might take, and that Defendants did not correspond further with Plaintiff until Plaintiff filed this lawsuit on December 10, 2019.

55. In response to paragraph 55, Defendants admit that on November 22, 2019, Plaintiff sent Defendants a letter, attached to Plaintiff's Complaint as Exhibit I, which speaks for itself. In further answer, Defendants admit that they did not respond to Plaintiff's November 22, 2019 letter before Plaintiff filed this lawsuit on December 10, 2019.

56. Defendants deny the allegations contained in paragraph 56 because they are untrue. (See Declaration of George Azzouz, attached as **Exhibit K**.) In further answer, Defendants state that from January 2019 to November 2019, before Plaintiff filed its suit, the City cancelled 785 voting records, and sent confirmation letters to 617 others, beginning the cancellation process. The state of Michigan also cancelled thousands of Detroit voting registrations during this period. (See statistical summaries attached as **Exhibit L**.)

57. In response to the first sentence of paragraph 57, Defendants lack knowledge or information sufficient to form a belief regarding what time and

financial resources Plaintiff spent, or whether Plaintiff's effort was to "improve" voter rolls in the City of Detroit, or for some other purpose, and the City therefore neither admits nor denies such allegations, leaving Plaintiff to its proofs. Defendant denies the allegations contained in the second sentence of paragraph 57 because they are untrue.

58. Defendants lack knowledge or information sufficient to form a belief as the truth of the allegations contained in paragraph 58, and therefore neither admit nor deny such allegations, leaving Plaintiff to its proofs.

59. In response to paragraph 59, Defendants admit that Plaintiff prepared the report referred to in 2018, which speaks for itself. However, Defendants dispute the relevance or accuracy of this document.

60. Defendants deny the allegations contained in paragraph 60 because they are untrue.

COUNT I (Violation of the NVRA: Failure to Conduct List Maintenance)

61. Defendants restate their answers to paragraphs 1 through 60.

62. Defendants deny the allegations contained in paragraph 62 because they are untrue.

63. Defendants deny the allegations contained in paragraph 63 because they are untrue.

64. Defendants deny the allegations contained in paragraph 64 because they are untrue.

65. Defendants deny the allegations contained in paragraph 65 because they are untrue.

66. Defendants deny the allegations contained in paragraph 66 because they are untrue.

PRAYER FOR RELIEF

Wherefore, Defendants request that this Honorable Court dismiss all of Plaintiffs' claims with prejudice, award Defendants their costs and reasonable attorney fees, and grant Defendants such additional relief as the Court deems appropriate.

AFFIRMATIVE DEFENSES

Defendants, Janice M. Winfrey and George Azzouz, assert the following Affirmative Defenses to the claims made against them in Plaintiffs' complaint:

- 1. Plaintiff has failed to state claims upon which relief can be granted.
- 2. Plaintiff was not deprived of any right, privilege or immunity secured

to it under the United States Constitution or the laws of the United States.

Defendant City did not have or otherwise adopt any customs, policies and/or procedures which caused or otherwise were the moving force behind any constitutional violations alleged in Plaintiffs' complaint, nor did any such alleged customs, policies and/or procedures originate from a decision maker with final policy making authority. Further, Defendants did not ratify, accept and/otherwise condone any constitutional violations alleged in Plaintiffs' complaint. Finally, none of the defendants acted with deliberate indifference as to known or obvious consequences with respect to the activities alleged in Plaintiffs' complaint and/or as to any constitutional violations, nor is there any widespread practice of constitutional violations and/or failure to take corrective action regarding the same.

3. All or some of Plaintiff's claims are moot.

4. Plaintiff is not entitled to injunctive relief because, among other reasons, it cannot show that it is substantially likely to prevail on the legal merits of its claims, that it has or will suffer irreparable harm, or that legal remedies are or will be inadequate, or that granting injunctive relief would be in the public interest.

Defendants reserve the right to add additional Affirmative Defenses to Plaintiffs' Complaint as the existence of such defenses is discovered through the course of discovery or otherwise.

<u>/S/ Eric B. Gaabo (P39213)</u> gaabe@detroitmi.gov Attorney for Defendants City of Detroit Law Department 2 Woodward Avenue, Suite 500 Detroit, MI 48226 (313) 237-3052

Dated: February 10, 2020

CERTIFICATE OF SERVICE:

DEFENDANTS' AMENDED ANSWER AND AFFIRMATIVE DEFENSES TO PLAINTIFFS' COMPLAINT

I state that on February 10, 2020, I filed Defendants' Amended Answer and Affirmative Defenses to Plaintiff's Complaint electronically with the U.S. District Court for the Eastern District of Michigan in this matter, which will forward this document to all counsel of record through its e-filing system.

> <u>/S/ Eric B. Gaabo</u> Eric B. Gaabo (P39213) gaabe@detroitmi.gov Assistant Corporation Counsel Attorney for Defendants Coleman A. Young Municipal Center 2 Woodward Avenue, 5th Floor Detroit, MI 48226 (313) 237-3052

Dated: February 10, 2020

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- E. "Detroit's population expected to be hardest to count in 2020 census report," The Hill, December 12, 2019, https://thehill.com/homenews/statewatch/474254-detroits-population-expected-to-be-hardest-to-count-in-2020census
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N. Michigan Online Voter Registration

Public Interest Legal Foundation

The **Public Interest Legal Foundation** (PILF) is an Indianapolis based "public interest law firm dedicated entirely to election integrity." Since its founding in 2012, the firm has submitted amicus curiae briefings and litigated on election arguing to fight what it sees as "lawlessness in American elections."^[1]

The firm is run by J. Christian Adams, who serves as its president and general counsel. Under his leadership, the group has been focused on the threat of "voter fraud," something most scholars in the field dispute being as widespread of an issue as Adams and the Public Interest Legal Foundation claim it to be. [2][3]

PILF, which claims to be nonpartisan a nonprofit, was formerly known as the "Act Right Legal Foundation,"^[4]. <u>Brian Brown</u> is the former Chair of the Board for PILF as well as the Chairman and Founder of <u>Act Right</u> -- a conservative action website for giving donations to right-wing candidates and cause.^{[5][6]} While PLIF was the "Act Right Legal Foundation" it gave grants to conservative causes.

The Public Interest Legal Foundation is a former "associate member" of the State Policy Network

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News and Controversies

Efforts to "Purge" Voter Rolls

PILF, alongside Judicial Watch, the American Civil Rights Union (ACRU), and <u>True the Vote</u> sent "menacing" letters to 248 local election officials across the United States.^{[7][8]} The letter, using the PILF letterhead and its "nonpartisan, nonprofit, public-interest" label, "notify" recipients that based on PILF research their "jurisdiction is in apparent violation of Section 8 of the National Voter Registration Act."^[9]

According to The Brennan Center, "PILF uses an unreliable and inaccurate assessment of voter registration rates" to claim that the recipients of the letters have a higher number of voters than it does members of the voting eligible population. The Brennan Center continues to assert that it "falsely claims these high registration rates alone provide strong evidence that a jurisdiction is not fulfilling its obligation to maintain accurate voter registration databases." After laying out a proposal to address their concerns, PILF has threatened litigation if they suggestions are not followed. "PILF'S letter is part of a larger concerted effort to remove voters from registration lists and further its false and baseless claim that there is widespread voter fraud across the country" according to the Brennan Center.^[10]

PILF was criticized as encouraging these purges for partisan Republican gains.^[8]

Lawsuit over "Falsely Mislabeling" Individuals

Four individuals initiated a lawsuit against PILF and J. Christian Adams in April of 2018 claiming that they had been "recklessly" listed as labeled as former-voters who had been removed from the rolls as non-citizens on the PILF "Alien Invasion" report. The plaintiffs had their names addresses, phone numbers and Social Security numbers listed in the report. The four people say that they "have a legitimate concern regarding harassment and physical safety" as a result of online responses to the report. They are suing on the grounds of defamation and allege that PILF violated the Voting Rights Act and the Ku Klux Klan Act.^[11]

Ties to the Kobach "Election Integrity" Commission

J. Christian Adams was a member of President Donald Trump's "election integrity commission."^[12] It purported to "study the registration and voting processes used in Federal elections." According to *the Guardian*, the commission was "formed in response to the president's unfounded claim that up to 5 [million] illegal votes were cast in the 2016 election."^[12] At the announcement of said commission, Vice President <u>Mike Pence promised that "this bipartisan group will perform a truly nonpartisan service to the American people." *The Washington Post* characterized those remarks as "all well and good" until Pence introduced the co-chair of the commission, <u>Kris Kobach</u>. Which was, "a bit like a wolf standing up and giving a speech about how predators and prey will work together to establish peace on the prairie, and then introducing his vice chair, a bobcat." The commission was sharply criticized for Pence's characterization of the commission's lack of "preconceived notions or preordained results."^[13]</u>

When Trump appointed PLIF's J. Christian Adams to the commission, *the Guardian* noted his record as a litigant and activist against racial minority groups.^[12]

"Alien Invasion" Research Paper

In 2016 report PILF put out in collaboration with the <u>Virginia Voters Alliance</u>, it alleges that there were "1046 aliens who registered to vote illegally" in Virginia and that the National Voter Rights Act has "increased the number of ineligible voters on state voter rolls." ^[14]

This report was criticized by election officials and scholars who said that the methodology of the report was flawed. Providers of the election data to PILF allege that the firm was purposefully misusing it. According to *Mother Jones*, "a likelier explanation for many of the discrepancies may be simple human error in checking the wrong box on a form at the Department of Motor Vehicles."^[15] A federal judge called PILF's methodology "misleading."^[16]

In an overarching report on claims of illegal immigrants voting, the Brennan Center at New York University School of Law, found no indication of widespread voter fraud, which went along with the "wide consensus among scholars, journalists and election administrators: voter fraud of any kind, including noncitizen voting, is rare."^[17]

Core Finacials

2016^[18]

- Total Revenue: \$6,592,870
- Total Expenses: \$6,963,067
- Net Assets: \$941,389

2015^[19]

- Total Revenue: \$561,867
- Total Expenses: \$761,741
- Net Assets: \$381,278

2014^[20]

- Total Revenue: \$1,914,588
- Total Expenses: \$1,775,147
- Net Assets: \$679,382

Grants Distributed

- Susan B. Anthony List: \$709,470
- National Org. for Marriage: 27,128 (grant listed in the form of "non-cash assistance")

2013^[6]:

- Total Revenue: \$1,669,539
- Total Expenses: \$1,218,054
- Net Assets: \$539,942

Grants Distributed

- Susan B. Anthony List: \$180,424
- Charitable Allies: \$132,424 (grant listed in the form of "non-cash assistance")
- National Organization for Marriage: \$37,575 (grant listed in the form of "non-cash assistance")

- National Org. for Marriage Ed Fund: \$5,169 (grant listed in the form of "non-cash assistance")
- Family PAC: \$8,288 (grant listed in the form of "non-cash assistance")
- ActRight Education Trust Fund: \$21,217 (grant listed in the form of "non-cash assistance")

2012^[21]:

- Total Revenue: \$1,255,825
- Total Expenses: \$1,168,959
- Net Assets: \$86,866

Grants Distributed

Susan B. Anthony List: \$336,249

Personnel

Staff

- Kaylan L. Phiilips, chief litgation counsel
- Joseph A. Vanderhulst
- Noel H. Johnson
- J. Christian Adams, president, general counsel

Board of Directors

According to the PILF 2016 990 form^[18]

- Brian Brown, director
- William Davis, director
- Hans von Spakovsky, director^[22]
- Dr. John Eastman, director
- Cleta Mitchell, chairman
- Neil Corkery, treasurer
- J. Christian Adams, president, general counsel
- Shawna L. Powell, secretary

Contact Information

Public Interest Legal Foundation

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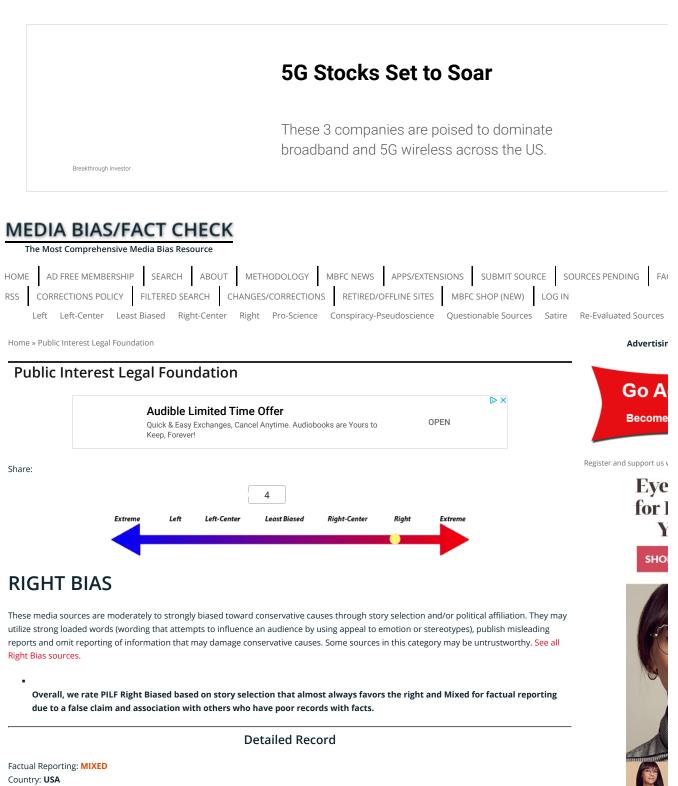
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World Press Freedom Rank: USA 45/180

History

Founded in 2012, Public Interest Legal Foundation (PILF) is a public interest law firm dedicated entirely to election integrity. According to their about page "The Foundation exists to assist states and others to aid the cause of election integrity and fight against lawlessness in American elections. Drawing on numerous experts in the field, the Foundation seeks to protect the right to vote and preserve the Constitutional framework of American electrosex

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FEATURE

A Census Undercount Likely Cost Detroit \$1.3 Million for Childhood Lead Prevention

October 18, 2019 | Danielle McLean 🈏

Case 2:19-cv-13638-DML-MJH ECF No. 17-5 filed 02/10/20 PageID.350 Page 2 of 12

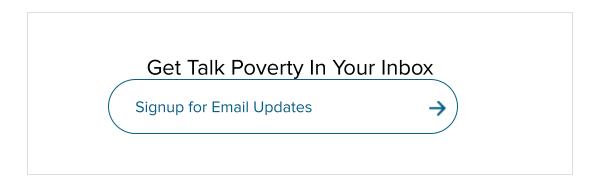


(Photo by Patrick Gorski/NurPhoto via Getty Images)

In 2017 — four years after the start of the Flint water crisis — health department officials found <u>dangerously high</u> levels of lead in the blood of <u>more than 1,600 children</u> under the age of six in Detroit. That's more than the number of students who attend <u>an average American high school</u>. Lead poisoning <u>causes</u> developmental delays, learning difficulties, weight loss, vomiting, hearing loss, and seizures, among a host of other side effects.

That year, the city applied for a \$1.34 million U.S. Centers for Disease Control and Prevention grant that would have allowed the city to hire more health department staff focused on assisting the city's ongoing efforts in preventing childhood lead poisoning. The grant would have funded city officials to test more young children for lead poisoning and collect better data that would allow them to identify the most at-risk kids. Just months after applying, the city was denied. But the reason had nothing to do with public health. As the CDC explained, the 2010 U.S. Census counted Detroit's population at 713,777, which was shy of the grant's 750,000 minimum population requirement. The CDC said in a statement that it does not advance grant applications that don't meet eligibility criteria requirements for further review.

The lost opportunity underscores the importance of having an accurate count of all people living in the United States during the constitutionallymandated decennial Census. The count factors into how billions of federal dollars are distributed throughout the country. The number of people in your city can determine eligibility for resources needed to address lead, fix up roads, or improve schools.



It is unclear whether Detroit's 2010 population was undercounted by exactly 36,223 people, the number of residents by which the city fell short of the lead prevention grant's threshold. But there is a lot of evidence that Detroit's Census population in 2010 was less than the number of people actually living in the city, and it's probable that it would have reached 750,000 with a more accurate count. Undercounts are typical for large cities with a large number of hard-to-count populations such as renters or immigrants. In Detroit, only 64 percent of households responded to the Census, according to Victoria Kovari, the executive director of the city's 2020 Census campaign. In total, about 220,000 people did not send in the forms. The Census Bureau was able to track down information about some of those households after workers spoke to residents at their doors, as well as landlords, neighbors, or even the mailman.

But, according to the Census Bureau, <u>26,585 people were never counted</u>, and instead represented an estimated number of people living in uncounted units, which the federal agency calculated based on a formula that includes comparable household sizes for the specific neighborhood. It is likely that the Census Bureau was off on its estimates and that the actual number was higher.

The populations in Detroit that the Census was unable to collect any information for and forced to guess about include people living in gated communities or renters such as young people and small, low-income families living in multifamily apartment buildings, Kovari said.

Kovari said it was too tough to tell whether there was an undercount, but based on the high number of people that the Census Bureau had to make a guess about, the count was likely not accurate. "It's clear that renters in multi-family housing were not counted," Kovari said. "I would go as far as to say we did not get an accurate count in those areas."

For a city like Detroit, which filed for municipal bankruptcy just six years ago, those federal funds that were denied because of a likely undercount could have been critical, said Lyke Thompson, director of Wayne State University's Center for Urban Studies, who studies lead poisoning in Michigan.

While childhood lead poisoning in Detroit has <u>improved in recent years</u>, its rates still surpass those in nearby Flint. In 2016, city officials found that <u>8.8</u> <u>percent of tested kids</u> under the age of six were positive for lead poisoning, compared to 1.8 percent of kids in Genesee County, which encompasses Flint, according to the Detroit News. The elevated levels were higher in the city's poorer neighborhoods, including one zip code that encompasses the Atkinson Avenue Historic District and Yates Park, in which 22 percent of 686 kids tested positive.

A lot of the city's childhood lead poisoning problems stem from <u>aging</u> <u>infrastructure</u> that makes the water undrinkable and the city's aging housing stock, <u>often located in poorer neighborhoods</u>, with lead paintcovered interior and exterior walls. Children in those neighborhoods are exposed to chippings and dust that come from the walls and breathe in exposed lead after nearby homes are demolished <u>without following</u> environmental remediation standards.

"\$1.3 million would go a long way for [city officials] to get to the houses, to measure the blood levels in those houses and to provide case management and other services to those families. They simply lose that through this process," Thompson said. "Detroit has some of the highest percentages of children with lead poisoning of any major city in the country so they really do need the support."

Other cities likely experienced similar lost opportunities. The U.S. Department of Health and Human Services relies on population data when distributing nearly \$3 billion each year in funding and reimbursements of five of its grant programs, including Medicaid, the Children's Health Insurance Program, a foster care program, an adoption assistance program, and a child care and development fund program, a <u>2018 report from</u> <u>George Washington University's Institute of Public Policy</u> found. Those researchers <u>identified 37 states</u> that may have lost out on millions of dollars in federal funding in fiscal year 2015 if their populations were undercounted by 1 percent during the 2010 Census. This includes Texas by \$291.9 million, Pennsylvania by \$221.7 million, Florida by \$177.8 million, Ohio by \$139 million, Illinois by \$122.2 million, and Michigan by \$94.2 million.

In most cases, it is impossible to tell which communities may have lost out on federal funds because of a Census undercount due to the fact that there are many overlapping programs with different complex funding formulas that take into account statistics beyond population size, such as the age and income of an area, according to another <u>recent report</u> from George Washington University's Institute of Public Policy.

But what is clear is that undercounts do occur throughout the United States, <u>disproportionately impacting the</u> <u>black population</u>.

According to the <u>Census Bureau's</u> <u>own 2014 analysis</u>, nearly 1 million children — 4.6 percent of all kids under the age of five in the U.S. — were not represented in the 2010 count. Children who are Latinx or black were undercounted Many Detroiters had no interest in being counted and the city never worked to convince them otherwise.

– Kurt Metzger

at higher rates than white children. Such undercounts are due to children who have complex living situations, such as splitting time living between parents who do not live together, or who come from families that are considered hard-to-count, such as those who live in high-poverty neighborhoods or rental housing, according to the website <u>FiveThirtyEight</u>. "The undercount of children under age five in the decennial census, and in surveys like the American Community Survey (ACS), is real and growing," the 2014 Census Bureau report read. "This is not a new problem and has been present in decennial censuses for many decades. The differential undercount of this population across geography and demographics makes this a larger problem for some racial and ethnic groups and some parts of the country."

It is reasonable to conclude that Detroit's undercount was larger than the national average. The city's population of children under five is <u>higher than</u> <u>the national average</u> and, according to research conducted by the City University of New York, <u>several of its neighborhoods</u> are considered among the hardest to count in the country.

In fact, the city's population meets the very definition of hard-to-count: Areas in which less than 73 percent of its residents responded to the bureau's first attempt to reach them.

Hard-to-count communities often include young children, racial and ethnic minorities, non-English speakers, low-income people, people who are disabled, people who are experiencing homelessness, and people who do not live in traditional housing, according to Ron Jarmin, deputy director of the U.S. Census Bureau.

Detroit has a poverty rate of 37.9 percent, 85 percent of its population are considered ethnic minorities, more than 10 percent of its population uses a language other than English at home, and 20 percent of its population is disabled, according to <u>Census Bureau data</u>.

To complicate matters, <u>one in five Detroiters</u> is evicted each year, a problem which, according to Pulitzer Prize winning author Matthew Desmond, <u>disproportionately impacts black women</u>, which would also lead to an undercount.

Lastly, the 2008 economic recession, which crashed the city's economy, may have also played a part, according to Kurt Metzger, a demographer and Michigan mayor who started the local data organization, Data Driven Detroit. In 2010, city leaders, he said, were trying to address Detroit's <u>high</u> <u>unemployment</u> rate, <u>foreclosure crisis</u>, and <u>plummeting housing values</u> as residents were underwater on mortgages and land contracts, so they were not thinking about the Census.

Metzger expected an undercount, but the end result was much worse than he anticipated, he said.

"While I have no exact undercount in mind, I was floored when I heard the 2010 count. I knew there was going to be a significant pop loss even without an undercount, but was expecting something closer to 775,000," Metzger said in an email.

"The undercount was the reason for not qualifying for the grant. Many Detroiters had no interest in being counted and the city never worked to convince them otherwise," he added.

The Trump administration is going to make this bad situation worse. It tried to include a citizenship question in the Census, a move that would have caused an undercount of <u>at least 9 million people</u>, since non-citizens and households or families with non-citizen members would fear retribution from the government if they answered. <u>The Supreme Court ruled</u> that the

Trump administration could not include the question unless it changed its justification for adding it, which they claimed was to better enforce the Voting Rights Act.

The Trump administration shortly after <u>dropped the question</u>, but is still providing an inadequate supply of resources needed to ensure an accurate count. The NAACP <u>filed a lawsuit last year</u> against the Census Bureau and the Trump administration, claiming that their lack of preparedness for the 2020 Census violated the U.S. Constitution, since the government is required to conduct a full head count of everyone living in the country.

The civil rights organization claimed the Census Bureau was under-funded and under-prepared, hiring fewer people to knock on doors and count people that did not self-respond, and opening half the number of field offices throughout the country. Those cuts are being made while the Census Bureau rolls out, for the first time, an Internet-based survey response system.

There are widespread cybersecurity concerns related to allowing people to respond to the survey digitally, and such techniques could affect responses from communities with limited Internet access, which are often areas with a <u>high population of people of color</u> who are considered hard-to-count.

The Census Bureau in a statement defended its 2020 count efforts. According to the bureau, the agency is planning the most robust marketing and outreach plan in the agency's history: It will spend \$500 million on marketing, up from \$376 million in 2010, advertise in "many different languages," and is designing a "robust" outreach plan and hiring locally to engage with communities and reach hard-to-count populations. The bureau also said that households in areas where Internet is unreliable will receive a paper questionnaire on the first mailing and all households that do not respond, regardless of the area, will receive a paper questionnaire on the fourth mailing. It added that people can respond in 12 different languages other than English over the phone or through the Internet, and enumerators will have 59 different non-English language guides among other ways of reaching out to non-English speakers.

But such threats to the accuracy of the count are real, according to Kelly Percival, a counsel at the Brennan Center for Justice's Democracy Program.

"The 2020 Census is facing a lot of threats. A lot we have seen in past Censuses and a lot is unique for 2020," said Percival.

"These are having a snowball effect and they could lead to an undercount in certain communities," Percival added. "This will translate into less political power and less funding for those that need it... I think it's an attempt to politicize the census which is not what the census is about."

A relatively small lead prevention grant can go a long way and help a lot of children. According to Detroit officials, the 2017 grant would have enabled the city to increase the number of children under six years old who are tested for lead by 20 percent, allowed the city to collect better data so it could identify higher-risk populations, improved lead exposure outreach and education for those higher-risk populations, and better identified kids who have been exposed so they could be connected with services. It would have also provided new training for public health professionals, the lead prevention workforce, and other stakeholders who are on the front lines of the fight.

Ask the city, though, and losing out on the grant was no big deal. While, "Federal dollars will certainly assist the Department in coordinating lead related activities," the city is doing just fine addressing the problem without it, according to city spokesperson Tamekia Nixon.

"After we didn't receive the 2017 grant, the Detroit Health Department pursued other funding streams to allow us to provide the same scope of service intended in the grant, albeit to a somewhat lesser degree. However, at this time we are not able to quantify the exact difference in numbers," Nixon wrote in a statement.

The 2020 Census is facing a lot of threats. – Kelly Percival Last week, the city received a \$9.7 million grant from the U.S. Department of Housing and Urban Development to assess 120 housing units and address lead hazards in 450 homes throughout the city for low-income families

with young children, among other functions.

However, the primary function of the grant is for lead abatement, not surveillance of lead poisoning, like the CDC grant would have provided, and it will not solve the issue, said Thompson. Federal funds for such prevention efforts is crucial, he said.

"It's really hard for the Health Department to get to even a fraction of the houses and really work with the families and they lost support to do that," Thompson said.

Members of Detroit's Health Department spoke to TalkPoverty on background but referred questions to the city's communications department before going on the record. The city's communications department gave TalkPoverty basic information about its lead program after more than a week of requests, but gave vague answers about whether losing out on the CDC funds hurt the city's lead prevention efforts in any way. At times, Nixon told TalkPoverty to "file a FOIA" (Freedom of Information Act request) for such information.

It is unclear why the city downplayed the importance of missing out on the federal grant. However, after being denied the CDC grant, the city's former Health Department Executive Director, Joneigh Khaldun, in a July 10, 2017 appeal of the federal agency's decision, characterized the federal funds as a "severe need."

"Addressing lead exposure remains a critical need given the history of Detroit as a large industrial community and the subsequent ubiquity and permeation of lead in our neighborhoods," Khaldun said.

As American cities like Detroit scrap for federal funding to address very important issues facing their communities and their residents, an accurate count in 2020 is crucial.

TAGS <u>CENSUS</u> <u>CHILD POVERTY</u> <u>CHILD WELFARE</u> <u>LEAD</u>

FIRST PERSON



Detroit's population expected the hardest to count in 2020 censu report

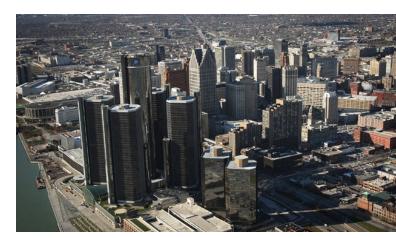
BY JOHN BOWDEN - 12/12/19 10:19 AM EST

43 SHARES

Just In...

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Detroit's population is expected to be the hardest for U.S. census workers to count accurately.

Census officials told <u>The Associated Press</u> that more than 8 in 10 city residents live in neighborhoods considered "hard to count," due in part to a high number of abandoned or dilapidated buildings.

Detroit's response levels were lower than the national response rate in 2010: 64 percent of city residents answered questions in the last census, while the national response that year was 74 percent, the AP noted.

One local group working to connect residents with census workers reportedly estimated that each of Detroit's 220,000 residents in households that did not respond to the census cost the city between \$2,000 and \$5,000.

"You just can't walk and knock on somebody's door, now," one resident said of barriers facing census workers, according to the AP. "You've got to find somebody in the neighborhood that the people trust. Not strangers. They're scared of strangers."

A researcher at the Urban Institute added that census observers "know we are going to have an undercount among the black population," a particular problem for Detroit, where the African American population represents 80 percent of the total.

Senate Democrats launch investigation

into Trump tax law regulations

FINANCE-2M 45S AGO

Cities, states sue over planned Trump cuts to food stamps STATE WATCH- 8M 145 AGO

Former insurance executive: 'Medicare for all' would eliminate jobs that are 'not needed' RISING- 14M 225 AGO

Senate GOP's campaign arm hauls in \$70 million in 2019

CAMPAIGN-23M 30S AGO

Schumer doesn't rule out calling Parnas to testify in impeachment trial

SENATE- 26M 22S AGO

Spotify unveils playlists for pets TECHNOLOGY- 27M 6S AGO

GOP group launches ad campaign urging senators to call witnesses at impeachment trial SENATE- 27M 26S AGO

FBI announces new policy to give election officials 'timely' notification of cyber breaches

Case 2:19-cv-13638-DML-MJH ECF No. 17-6 filed 02/10/20 PageID.362 Page 2 of 2

CYBERSECURITY-28M 34S AGO

VIEW ALL

Thirty percent of households also lack a reliable internet connection, hampering efforts to provide hard-to-reach residents the ability to answer questions remotely, the AP noted.

"Everybody else outside of us gets help before we do," another resident said of the census, according to the news service. "I don't blame nobody if they don't want to participate, or if they don't want to help, or if they don't want to say nothing no more. They're tired of speaking their mind."

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Almost 80 percent of Detroit is African American, and observers "know we are going to have an undercount among the black population."



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DETROIT – When the U.S. Census Bureau starts counting people next year in Detroit, obstacles are bound to arise: The city has tens of thousands of vacant houses, sparse internet access and high poverty – factors that will make it the toughest community to tally.

Other Rust Belt towns that have lost population and cities in the Sun Belt with large numbers of immigrants and transplants will pose similar challenges in the coast-to-coast headcount, an Associated Press analysis of government data found. Nationwide, about a quarter of the population lives in hard-to-count neighborhoods, including a majority of people in Atlanta, Cleveland, Dallas, Los Angeles, Milwaukee, Memphis, Tennessee, and Fresno, California.

Obtaining an accurate count is critical because the census determines the allocation of \$1.5 trillion in federal spending and decides which states gain or lose congressional seats.

"There is nothing more important, no higher priority, than reaching the hard to count," Census Bureau Director Steven Dillingham told lawmakers last summer.

Detroit's recent resurgence has led to refurbished downtown buildings, new boutique hotels and an invigorated arts community. But the renaissance has done little for some residents who live in persistent poverty and harbor lingering mistrust after decades of racial upheaval. The many empty homes are relics of the mass exodus that began in the 1950s and sent Detroit's population plummeting from about 1.8 million to 670,000.

About 86 percent of Detroit's population lives in hard-to-count neighborhoods, by far the largest proportion of any major U.S. city, the AP analysis found.

Annette Brock, who lives northeast of downtown, said some residents see no connection between answering questions from the government and improving their lives.

"Everybody else outside of us gets help before we do," Brock said. "I don't blame nobody if they don't want to participate, or if they don't want to help, or if they don't want to say nothing no more. They're tired of speaking their mind."

Nationwide, the Census Bureau predicts a 60.5. percent response rate.

About 70 percent of Detroit residents turned in their 2000 Census forms. That figure fell to 64 percent a decade later, when the national rate was 74 percent.

In 2010, 220,000 Detroit residents were living in households that did not fill out questionnaires, costing the city \$2,000 to \$5,000 annually for every uncounted person, said Victoria Kovari, executive director of Detroit's 2020 Census Campaign.

To get those numbers back up, city census teams have knocked on nearly 130,000 doors in neighborhoods that were under-counted in the last census and spoken with more than 26,000 people. But Kovari is still concerned. For the first time, the Census Bureau would like respondents to answer questions online, but the agency estimates that 30 percent of Detroit households lack regular connection to the internet, roughly double the national percentage.

The Census Bureau sends workers to homes that don't respond. In Detroit, that means knocking on the doors of vacant houses and others where residents may not answer.

Almost 80 percent of Detroit is African American, and observers "know we are going to have an undercount among the black population," said Diana Elliott, an Urban Institute researcher who co-wrote a <u>report</u> last summer that estimated anywhere from 900,000 to 4 million people could be missed.

"That puts Detroit at greater risk just because of the demographics," Elliott said.

Researchers have learned that Latinos, African Americans, non-English-speaking immigrants and children under 5 are the hardest to count, along with tribal members, nontraditional families and people with informal living arrangements.

Experts say the Trump administration's effort to put a citizenship question on the questionnaire may scare off immigrants who live here illegally and others. Although the effort failed, opponents of the question say damage has already been done.

California and New Mexico have some of the nation's largest concentrations of Latinos. In those states, over 40 percent of the population lives in hard-to-count neighborhoods.

By contrast, Vermont, Maine and West Virginia have some of the highest concentrations of white residents and older people, who are more likely to fill out census forms. There, less than 5 percent of the population lives in hard-to-count neighborhoods.

To tout the importance of the 2020 census, California is spending an estimated \$187 million on advertising and events and recruiting neighborhood leaders to encourage

participation. California census officials have hired liaisons whose sole focus is 15 specific hard-to-count groups, including farm workers, the homeless and people without broadband subscriptions.

"You really have to understand the structural barriers that exist," said Ditas Katague, director of the California Complete Count-Census 2020 Office.

Gathering accurate population data in Detroit can be daunting because of its size and the emptiness of some neighborhoods. The city was almost bursting its limits through the 1950s, until good-paying auto and other manufacturing jobs allowed a burgeoning white middle class to find bigger homes and better schools in the suburbs. Years of housing discrimination made it harder for the city's black residents to leave.

Tensions between Detroit's black residents and its mostly white police department exploded in a riot in 1967, scarring the landscape and driving more white flight.

The 1973 election of Coleman A. Young as the city's first black mayor was a milestone in Detroit's rise as a city dominated by African Americans. But soon many in the black middle class also sought better homes, schools and safety in the suburbs.

In the late 2000s, the national housing crisis and economic downturn fell hardest on the Motor City. Foreclosures abounded. Three of every 10 adults was jobless and <u>about 4 of</u> <u>every 10 people lived in</u> poverty. Thousands more left the city, and the population dropped by 2010 to 713,000.

In 2013, Detroit became the largest city in the U.S. to file for bankruptcy. When it emerged the following year, it was able to wipe out or restructure about \$7 billion in debt, sparking a turnaround that helped fuel a massive demolition program. Since 2014, about 19,000 vacant houses have been razed, mostly with federal dollars.

Still, current Postal Service estimates show nearly 60,000 vacant units in Detroit.

Mayor Mike Duggan's office has recruited volunteers and groups to go into neighborhoods to speak to friends and churches to explain why census participation is important and to dispel fears.

"You just can't walk and knock on somebody's door, now," said Charles Jones Jr., who also lives northeast of downtown. "You've got to find somebody in the neighborhood that the people trust. Not strangers. They're scared of strangers." Edith Floyd understands why being counted matters. Working in a community garden, the 70-year-old digs up dirt for composting and makes winter preparations for greens and other crops still in the ground. A cold, stiff breeze blows across scores of vacant lots, broken by the few homes that have withstood time and busy bulldozers leveling vacant structures.

"We need all the money we can get for the city and for ourselves," Floyd said. "There's very few people over here, and everybody counts. Everybody needs to participate."

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Case 2:19-cv-13638-DML-MJH ECF No. 17-8 filed 02/10/20 MERGE VOTER PROJECT 12-03-2019

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GRAND TOTAL 2,238 MISC* DECEASED, ONLY 1 CARD CANCELLED

CANCELLATION COUNTDOWN/ CHALLENGED VOTERS REPORT MICHIGAN QUALIFIED VOTER'S FILE (REFRESH)

- 2012 525
- 2013 782
- 2014 392
- 2015 1,914
- 2016 8,787
- 2017 5,373
- 2018 3,646
- 2019 3,682

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Case 2:19-cv-13638-DML-MJH ECF No. 17-10 filed 02/10/20 PageID.371 Page 1 of 1

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Fact Checks > Politics

Does the U.S. Have Millions More Registered Voters Than Eligible Adults?

A persistent claim about widespread voter fraud is based on problematic tallies of registered and eligible voters.

BETHANIA PALMA

PUBLISHED 9 APRIL 2018 UPDATED 10 APRIL 2018



Image via <u>3dfoto / Shutterstock.com</u>

Claim

The U.S. has several million more registered voters than eligible, voting-age adults.



What's True

Estimates of voter rolls in the counties of some states, including California, tally more registered voters than eligible adults.

What's False

Such estimates do not encompass the entire U.S., are based on questionable methodologies, and may include voters who are listed on state rolls as "inactive."

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Origin

In mid-April 2018, a months-old claim that the U.S. had 3.5 million more registered voters than "live adults" reappeared on social media. That claim appears to have originated with a National Review **article** of 11 August 2017 that built on information compiled by Judicial Watch's Election Integrity Project:

Some 3.5 million more people are registered to vote in the U.S. than are alive among America's adult citizens. Such staggering inaccuracy is an engraved invitation to voter fraud.

The Election Integrity Project of Judicial Watch — a Washington-based legal-watchdog group — analyzed data from the U.S. Census Bureau's 2011–2015 American Community Survey and last month's statistics from the federal Election Assistance Commission. The latter included figures provided by 38 states. According to Judicial Watch, eleven states gave the EAC insufficient or questionable information. Pennsylvania's legitimate numbers place it just below the over-registration threshold.

My tabulation of Judicial Watch's state-by-state results yielded 462 counties where the registration rate exceeded 100 percent. There were 3,551,760 more people registered to vote than adult U.S. citizens who inhabit these counties.

These 462 counties (18.5 percent of the 2,500 studied) exhibit this ghost-voter problem. These range from 101 percent registration in Delaware's New Castle County to New Mexico's Harding County, where there are 62 percent more registered voters than living, breathing adult citizens — or a 162 percent registration rate.

Even if these numbers are assumed to be accurate, presenting them as definitively demonstrating that "some 3.5 million more people are registered to vote in the U.S. than are alive among America's adult citizens" is a questionable and problematic claim, given that the information was compiled from only 462 counties in 38 states, yet the entire U.S. comprises over 3,000 counties in fifty states. Many of those other counties might well have substantially fewer registered voters on their rolls than adult residents who are eligible to vote.

Another major issue with such a claim is the potential inclusion of "inactive" voters among the tallies of registered voters, a matter that was publicized in a 1 August 2017 **letter** Judicial Watch sent to California Secretary of State Alex Padilla threatening to sue unless the state and eleven of its counties produced voter records to them. According to Judicial Watch, their own analysis of U.S. Census data and voter registration records indicated those eleven counties included numbers of registered voters exceeding the numbers of adults eligible to vote in those counties.

In December 2017, Judicial Watch <u>made good</u> on their threat, initiating <u>litigation</u> that is currently in progress in U.S. District Court, Central District of California. The lawsuit accuses California and multiple jurisdictions of violating the National Voter Registration Act of 1993 (NVRA) by failing to maintain updated voter registration rolls. Stories based on Judicial Watch's letter initially made Internet waves in late summer 2017 via right-leaning **blogs** and Kremlin propaganda **networks**. In April 2018, another version of the claim went viral in the form of an **editorial** published months ago by the financial publication *Investors Business Daily*:

California, for instance, has 11 counties with more registered voters than actual voters. Perhaps not surprisingly — it is deep-Blue State California, after all -10 of those counties voted heavily for Hillary Clinton.

Los Angeles County, whose more than 10 million people make it the nation's most populous county, had 12% more registered voters than live ones, some 707,475 votes. That's a huge number of possible votes in an election.

But, Murdock notes, "California's San Diego County earns the enchilada grande. Its 138% registration translates into 810,966 ghost voters."



t information to imply widespread voter fraud was taking place, an ularly **invoked** by President Donald Trump.

news organizations have already pointed out, the accusation of ularities in California rests on the manner in which Judicial Watch ers, combining active and inactive voters on a county-by-county



Judicial Watch's claim rests on its inclusion of "inactive voters" – people who have been removed from active rolls after a mail ballot, voter guide or other official document was returned as undeliverable – usually as a result of moving. They aren't reflected in turnout tallies or signature-gathering requirements, don't receive election materials, and are ignored by campaigns.

Inactive voters nevertheless underline Judicial Watch's math suggesting that Los Angeles County has a registration rate of 112 percent, for example, or Stanislaus County has a registration rate of 102 percent. The letter cites a "failure to maintain accurate, up-to-date voter registration lists."

Bob Popper, director of Judicial Watch's election integrity project, said California has failed to report its inactive voter data to the federal government as required by the National Voter Registration Act. Counties should be doing more to cull their inactive voter lists, he said.

"What we identified is a red flag, a sign of smoke," he said, saying people could be voting multiple times or in more than one state.

In fact, California did report the data. Its inactive voter tally of 5,065,746 at the time of last fall's election is part of the <u>most recent election administration and voting</u> <u>survey</u> published by the federal Election Assistance Commission.

The consideration of inactive voters is a key issue here. Judicial Watch maintains that registrations listed on state rolls as "inactive" are "vulnerable to abuse" by "voters who plan to fraudulently double-vote in two different jurisdictions on the same election day," or by third parties "because a voter who has moved to a different state is unlikely to monitor the use of or communications concerning an old registration."

However, California's National Voter Registration Act (NVRA) **regulations** state that although inactive voters remain on the rolls as registered voters who are eligible to vote, they do not receive "mailed election materials" (including mail-in ballots) and must "confirm residency at the polling place" in person in order to vote — standards that would severely limit or eliminate double-voting or the ability of third parties to fraudulently use inactive registrations to cast ballots:

"Inactive voters" are defined as registered voters who have been sent a Section 8 notice and have failed to respond. In California, this includes voters for whom the post office has returned a [Voter Notification Card] because the voter has moved. What is important to keep in mind is that **"inactive" voters under the California Elections Code and the NVRA are registered voters, eligible to vote in an election, provided the voter confirms residency at the polling place. Under California law, however, voters in the Inactive Voter File are not mailed election materials**, and are not taken into consideration in determining the number of signatures required for qualification of candidates or ballot measures, precinct size, or other election administration processes.

The California Secretary of State's office confirmed to us directly that "the only way for inactive voters to obtain a ballot is for them to request a ballot in person at either a county elections office or at a polling location."

Kristen Clarke, president and executive director of the Lawyer's Committee for Civil Rights Under Law, told us efforts such as the one undertaken by Judicial Watch and a similar one undertaken by another non-profit, the Public Interest Legal Foundation (PILF), are not meant to strengthen election systems but rather to bully election officials into purging voter rolls, in contrast to both the spirit and letter of federal election laws.

Often, she said, such figures produced by the likes of Judicial Watch and PILF fail to account for things such as active military members or students attending university away from their home jurisdictions that may affect figures and numbers in different ways:

It's not just Judicial Watch. PILF **used** these inaccurate figures to target 248 local jurisdictions levying the claim they have more registered voters on the roles *[sic]* than eligible people. Then we have the president who with great frequency repeats similar numbers.

What we're seeing is a campaign to create public hysteria about voter fraud. We know these figures are wrong and these efforts are aimed a voter suppression.

Clarke added that U.S. census data is not a reliable measure of eligible voting population, and that

inactive voters can only be removed from rolls under specific circumstances, as noted in a **memo** sent from her organization to the 248 jurisdictions targeted by PILF:

Using an unreliable and inaccurate assessment of voter registration rates, PILF wrongly asserts that the jurisdictions it has targeted have more voters on the rolls than eligible residents. It then falsely claims these high registration rates alone provide strong evidence that a jurisdiction is not fulfilling its obligation to maintain accurate voter rolls.

United States Census data, which PILF apparently relies on to estimate the eligible voting population, is neither designed to measure eligible voters nor does in fact do so. Population for Census purposes is not the same as eligible population for voting purposes. For example, students, service members and others are eligible to vote in jurisdictions where they currently live, even if the Census may count them as part of the population in other areas.

The figures PILF relies on to estimate registration rates fare no better. These reflect only the high-water mark rates at "book closing," the period immediately before an election when there are typically large numbers of new registrants, and when election officials are restricted from removing people from the rolls.

Even if a jurisdiction had more registered voters on its rolls than eligible population, there are many reasons why this might be proper and, indeed, evidence of compliance with the law. For example, when a registrant is thought to have changed residence, the law explicitly prohibits the removal of the voter's name from the rolls unless either the voter has confirmed the change in writing or a sufficient waiting period has elapsed. A state complying with this requirement, then, will necessarily have ineligible voters on the rolls for a limited period of time. Likewise, in the three months prior to any federal election, states must halt most of their voter-removal efforts. At the same time, as the election approaches, new voters are registering in high numbers. This, too, will result in high registration rates when they are evaluated close to a federal election.

[...]

PILF's allegations of poor list maintenance in hundreds of jurisdictions around the country is baseless. Jurisdictions are not required under the NVRA or any other federal statute to take the actions PILF urges. Indeed, hasty and ill-considered list-maintenance programs are more likely to give rise to violations of the NVRA, and could put voters at risk of improper removal and, ultimately, disenfranchisement.

When all of California (rather than eleven select counties) is taken into account, the figures offered in a 2 January 2018 **report** issued by the Secretary of State's office list more than 25 million adults eligible to vote residing in California, but fewer than 19 million registered voters. The state would have to encompass more than *6 million* "ghost voters" on its rolls for the number of registered voters to exceed the number of eligible adults.

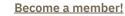
Moreover, in the 2016 presidential election, Democratic candidate Hillary Clinton won the state of California by more than **3.4 million** votes over her closest competitor, Republican Donald Trump. Virtually every single one of the claimed 3.5 million "ghost voters" in the entire U.S. would have had to come to California and cast fraudulent votes in order to be responsible for that outcome.

The trope that upwards of 3 million people voted illegally in the 2016 presidential election is so persistent that it resulted in a now-defunct voter fraud commission, which was quietly **<u>disbanded</u>** in January 2018 without presenting any evidence of widespread voter fraud.

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10 April 2018: We modified the claim and rating sections of this page to better explicate multiple related but distinct aspects of the issue.

LAST UPDATED 10 APRIL 2018

PUBLISHED 9 APRIL 2018

B BETHANIA PALMA

FILED UNDE <u>JUDICIAL</u> R <u>WATCH.</u> PUBLIC INTEREST LEGAL FOUNDATION,

VOTER FRAUD

SOURCE

Editors' Picks



<u>Facebook Removes Deceptive BL Network</u> <u>Following Snopes' Reporting</u>

After three months of ignoring Snopes' request for comment on the inauthentic behavior of the media outlet The BL, Facebook has removed The BL's pages and groups from the platform.

Did the KKK March With a Trump-Pence Sign?

This photograph is not all you need to know before you vote in 2020.

<u>No, U.S. Rep. Ilhan Omar Didn't Give</u> <u>'Treasonous' Military Advice to Iran</u>

<u>An article by the anti-Muslim activist Robert Spencer prompted</u> <u>threats and incitements of violence and murder against the Minnesota</u> <u>congresswoman in January 2020.</u>

Did Fox News Change Its Accreditation from 'News' to 'Entertainment'?

<u>There's a lot to unfold in this meme, including the fact that Fox News</u> (and CNN and MSNBC) are not "accredited news stations" to begin with.

<u>Does This Video Show the Drone Strike That</u> <u>Killed Soleimani?</u>

Iran Gen. Qassem Soleimani was killed by a U.S. drone strike in Baghdad on Jan. 3, 2020.

Case 2:19-cv-13638-DML-MJH ECF No. 17-11 filed 02/10/20 PageID.381 Page 10 of 10



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Sections What's New Hot 50 Fact Checks News Randomizer Coming Soon NEW Membership Discourse On The Issues

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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

PUBLIC INTEREST LEGAL FOUNDATION,

Plaintiff,

V

JANICE M. WINFREY, in her official Capacity as Detroit City Clerk, and GEORGE AZZOUZ, in his official capacity as Director Of Elections for the City of Detroit,

Defendants.

DICKINSON WRIGHT PLLC By: Robert L. Ayers (P75396) ravers@dickinsonwright.com 300 S. Main Street, Suit 300 Ann Arbor, MI 48104 (734) 623-1672 Attorneys for Plaintiff

PUBLIC INTEREST LEGAL FOUNDATION By: Kaylan L. Phillips kphillips@publicinterestlegal.org 32 E. Washington St., Suite 1675 Indianapolis, IN 46204 (317) 203-5599 Attorneys for Plaintiff Case No. 19-13638 Hon. David M. Lawson Mag, Judge Michael J. Hluchaniuk

CITY OF DETROIT LAW DEPARTMENT By: ERIC B. GAABO (P39213) <u>Gaabe@detroitmi.gov</u> Attorneys for Defendants Coleman A. Young Municipal Center 2 Woodward Avenue, 5th Floor Detroit, MI 48226 (313) 237-3052

DECLARATION OF GEORGE AZZOUZ

I, George Azzouz, declare the following:

- 1. I make this Affidavit from my personal knowledge, and from a review of documents within my possession and control.
- 2. I am currently employed as the Director of Elections for the City of Detroit ("the City") and have held this position since January, 2019.

- 3. The Detroit City Code, Section 3-104, provides that "Under the direction of the City Clerk and in accordance with general policies of the Election Commission, the Director shall supervise, plan and monitor all activities and operations incidental to the conduct of elections and voter registration."
- 4. Section 8 of the National Voter Registration Act of 1993 ("NVRA"), 52 U.S.C. §20507(a)(4), requires elections officials to make a "reasonable" effort to remove the names of ineligible voters from their voter rolls because of (A) the death of the registrant; or (B) a change in the residence of the registrant. To ensure that properly registered voters are not improperly removed from voting rolls, the NVRA contains many restrictions on the manner in which such removals or cancellations are carried out.
- 5. The City of Detroit's voter roll is part of the Qualified Voter File ("QVF") database, which is maintained by the State of Michigan. While the City of Detroit makes additions, cancellations and other changes to its voter roll on daily basis, since the NVRA (which required state governments to offer voting registration to any eligible person who applies for or renews a driver's license or applies for public assistance) went into effect in 1995, most of the changes to the City's voter roll have been made by the State of Michigan, rather than the City of Detroit. For example, the 11 months preceding in 2019 preceding Plaintiff's filing of its complaint, 92% of Detroit voter applications submitted were done so at Michigan Secretary of State offices.
- 6. To discover and remove the names of registered voters who have died, the City reviews local obituaries, which are automatically sent to the City via e-mail on a daily basis. (See example attached as **Attachment 1**.) The City also reviews all death certificates filed with Wayne County every month. In addition, the Michigan Secretary of State regularly receives a data file of all deceased individuals from the federal Social Security Administration, known as the Social Security Death Index ("SSDI") and cancels those records of deceased voters in the state Qualified Voter File ("QVF"), which includes the City of Detroit's voter roll, and then notifies the City of such changes.

(See e-mail from Michigan Bureau of Elections, attached as Attachment 2.)

- 7. In addition, when any City mailing to a registered voter is returned as undeliverable, the City sends another letter of inquiry to the voter. (See example attached as Attachment 3.) If that letter is also returned, the City places the person in a "challenged" status, and if the person does not vote in the next two federal elections, the Michigan Secretary of State automatically cancels these records in the QVF and notifies the City electronically of the changes.
- 8. When the City discovers what appears to be a duplicate name on its voter list, the City sends the information to the state of Michigan, which reviews the information and compares the names against the State's drivers' license information, then makes any changes to the voter roll (which is a state-created database) and informs the City of the change through the QVF.
- 9. On or about May 23, 2019, Plaintiff, the Public Interest Legal Foundation ("PILF"), sent a letter to Janice Winfrey, the Detroit City Clerk, which is attached to Plaintiff's Complaint as Exhibit A.
- 10. Plaintiff's May 23, 2019 letter alleged that the City of Detroit was "not making a reasonable effort to remove the names of deceased registrants, as required by the [National Voter Registration Act] NVRA," and not doing an adequate job checking for existing registrations and/or not cancelling previous registrations when found."
- 11. In its May 23, 2019 letter, Plaintiff claimed that the City's rate of registered voters, as compared to the number of voting-age Detroit residents, was "implausible," because as of November 6, 2016, the City had 511,786 registrants, and according to a 2016 U.S. Census Bureau population estimate, the City had only 479,267 voting-age residents. Plaintiff's statistics were inaccurate. As of May 2019, the City's voter roll, as confirmed by checking the QVF, contained approximately 477,000 residents. While U.S. Census estimates of the City of Detroit's population are generally considered to be underrepresentative, the 2017 Census estimate for the City estimated the Detroit citizen voting-age population to be 484,251 (see

Attachment 4), which was greater than the most recent total of Detroit registered voters.

- 12. Plaintiff also requested multiple categories of detailed information relating to the City of Detroit's voter registration roll dating back to 2014.
- 13. Because the information Plaintiff demanded was onerous, the City requested assistance from the State of Michigan. The State of Michigan compiled the information and provided it to the City, and the City mailed this information to Plaintiff on a flash drive on or about July 10, 2019. (See Exhibit C to Plaintiff's Complaint.)
- 14. After reviewing the information provided, Plaintiff sent the City a letter dated September 13, 2019 (attached as Exhibit D to the present Complaint), alleging that the City had 2,513 registrants on its voter roll (out of approximately half a million entries) whom Plaintiff alleged were deceased.
- 15. Plaintiff's allegations were inaccurate. In fact, the documentation provided to Plaintiff in July 2019 showed that at least 70 of those allegedly active voters Plaintiff claimed were deceased had already been removed from the voter rolls as deceased. (See list attached as **Attachment 5**.)
- Plaintiff's claim was also misleading, because as of July 2019, at least 210 of the voters who Plaintiff claimed were deceased had actually been placed in a "challenged" status, which meant that the process had begun to have them removed from the voter roll if they did not vote in the next 2 federal elections. (See list attached as Attachment 6.) (Both the City and the State of Michigan have continued to place others on the Detroit voter roll on a challenged status since that time.)
- 17. Although Plaintiff claimed that its list of deceased individuals was based on information from the Social Security Death Index ("DDDI") or an obituary, Plaintiff did not share this documentation with the City, with the exception of a handful of instances.

- 18. The City forwarded Plaintiff's list of allegedly deceased voters to the State of Michigan, to comp are with its records. The State discovered that in many cases, discrepancies between the information contained in the SSDI and in the QVF has made it difficult to confirm the deaths of the voters at issue. However, the State is continuing its investigation, and is cancelling voters as deceased as it deems appropriate.
- 19. In its September 13, 2019 letter, Plaintiff also claimed that the City voter roll had 2,384 likely duplicate entries (again, out of a list of approximately half a million entries).
- 20. Following the City's receipt of this information, the City, consistent with its established practice, forwarded the list of alleged duplicate names to the State of Michigan. The State, after reviewing the list, removed 94% of the claimed duplicate entries. (See Attachment 7.) These state actions took place prior to Plaintiff's filing of the present lawsuit on December 10, 2019.
- 21. In its letters to the City, Plaintiff claimed that the City's voter roll contained the name of woman named "Mamie Marie Jones," who was born on *October 26, 1823*, and therefore could not still be alive. However, the City's investigation showed that this voter had not registered to vote until 2008 (see Attachment 8), and also found a previously-cancelled registration record for a "Mamie Marie Jones," with a birthdate of *October 26, 1983*. In other words, it appears that Ms. Jones was born *in 1983, not 1823*, but that when she registered to vote in 2008, whoever typed in her year of birth made a typographical error. Given that the City's voter roll contains nearly a half million voters, it would not be unexpected to find other data entry errors, made either by the State of Michigan or by the City.
- 22. Plaintiff has also claimed that it had discovered the name of an individual registered to vote before attaining the age of 17 ½, but Plaintiff did not provide this name to the City. However, the QVF system does not allow one to enter a birthdate for a newly-registered voter that is less than 17 ½ years old. The system will reject the filing in such case.

- 23. Since this lawsuit was filed, the City has continued its file maintenance procedures and continued to attempt to identify and remove erroneous registrations. For example,
 - On December 17, 2019, the City contacted the United States Post Office and inquired whether it had a database of deceased persons who formerly resided in the City of Detroit. The Post Office responded on December 20, 2019 that it did not maintain such a list. (See letters attached as **Attachment 9**.)
 - Although the City had been receiving and reviewing copies of all death certificates issued by the County of Wayne, the City asked Wayne County to again review its records to determine if it had death certificates of any of the people shown on Plaintiff's list of claimed deceased voters. In January and February 2020, Wayne County provided the City with death certificates of 99 individuals (shown in Attachment 10) contained on Plaintiff's original list of claimed deceased voters, which the City has removed from its voter roll, along with hundreds of others the City has removed from its voter roll in the normal course of its procedures. Wayne County is continuing to search for death certificates for other individuals shown on Plaintiff's list of claimed deceased voters, and will provide these, together with more recent death certificates, as time goes on. Upon receipt of both recent and older death certificates from Wayne County, and comparison with its records. the City will continue to remove deceased voters from its voter roll.
 - The City has also continued to follow up with the State of Michigan regarding the names of voters on the City's voter roll whom Plaintiff claims are deceased.
- 24. The City of Detroit Elections Department does not have the staff or the resources to conduct an independent investigation of every person listed on its voter list, which, as of February 5, 2020, contained 479,689 registrants, and changes daily. However, the City has been taking measures it deems reasonable, given its resources, to maintain the accuracy of its voter roll, and will continue to do so in the future.

25. The City is unaware of any person voting in any state, local or federal election held in the City who has done so fraudulently.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 2/10/2020

Janice Hardnett

From:
Sent:
To:
Subject:

Legacy.com < no-reply@legacy.com > Monday, January 27, 2020 10:12 AM Janice Hardnett Detroit Free Press obituaries for 1/27/2020

Detroit Free Press

Powered by Legacy.com

9 Reasons Not to Consider Annuities in 2020

Buying an annuity might seem like a safe option for your retirement, but what are you leaving on the table? If you have a \$500K portfolio and own an annuity, you have a lot at stake.

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Jordan Joyce Gayle (Lello) Pizzurro

Jordan Joyce Gayle (Lello) Pizzurro Jordan Joyce Gayle (Lello) Pizzurro died peacefully on Jan. 23, 2020. Born Aug. 15, 1938 in Highland Park, MI,

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Contstance "Connie" Borkin

Contstance "Connie" Borkin Beloved wife of the late Morris Borkin. Dear mother of Gail (Daniel) Borkin-Jones and Michael Borkin. Loving grandmother

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Robert E. Lewis Sr.

Robert E. Lewis Sr. Warren - Robert E. Lewis Sr., age 91, passed away January 24, 2020. Robert was the beloved husband of Elaine for 68 years.

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Mario Viscosi

Mario Viscosi North Port, FL - Mario Viscosi, 82, of North Port, FL, passed away on January 20th, from complications of a prolonged battle with

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Angela N. Cavis

Angela N. Cavis Kimball Twp. 85, 24-Jan, Jowett Port Huron Funeral Home.

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Case 2:19-cv-13638-DML-MJH ECEZMOUZBEC2ARA ARD 2/10/20 PageID.391 Page 10 of 27 ATTACHMENT 2

From: Sent: To: Subject: Clone, Rachel (MDOS) <cloner1@michigan.gov> Monday, February 10, 2020 8:32 AM Eric Gaabo [EXTERNAL] SSDI and Voter Reg Maintenance

Mr. Gaabo,

To answer your earlier question regarding the Social Security Death Index and its role in voter registration file maintenance, I can confirm that the MI Secretary of State receives this data and through a comparison process updates records as deceased within the driver and State Personal ID file. Through an automated process, this information interfaces with the Qualified Voter File in order to cancel corresponding voter registrations.

Additionally, Michigan is a member of the Electronic Registration Information Center (ERIC), a multi-state, data-sharing partnership which also uses the Social Security Death Index among other reliable data sources and a secure data-matching tool to aide in voter file maintenance.

Rachel Clone (517) 335-2793 Data Analytics & Support Unit Manager MI Dept. of State, Bureau of Elections

ATTENTION: This email was sent from an external source. Please be extra cautious when opening attachments or clicking links.

Case 2:19-cv-13638-DML-MDH+1-IIII0FINDI-1-17HII2-11-61H2b-1020/120120 PageID.392 Page 11 of 27

AZZOUZ DECLARATION ATTACHMENT 3

JANICE M. WINFREY, Chairperson City Election Commission 2978 W. Grand Boulevard Detroit, Michigan 48202-3007

FIRST CLASS PERMIT NO. 25395 DETROIT, MI

POSTAGE WILL BE PAID BY THE ADDRESSEE

BUSINESS REPLY MAIL

NO POSTAGE NECESSARY IF MAILED IN THE IN THE STATES

CITY ELECTION COMMISSION 2978 W. Grand Boulevard Detroit, Michigan 48202-3007

FIRST CLASS MAIL U.S. POSTAGE PAID POST CARD RATE DETROIT, MICH. PERMIT NO. 2970

(Name of Voter)		
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(Address)		
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(City)	(State)	(Zip)

Case 2:19-cv-13638-DML-MJH ECF No. 17-12 filed 02/10/20 Page NOTICE OF CHANGE OF ADDRESS

(Move Made Within Jurisdiction)

WE HAVE BEEN ADVISED THAT YOU HAVE PERMANENTLY CHANGED YOUR ADDRESS IN THE CITY OF DETROIT TO ANOTHER LOCATION WITHIN THIS JURISDICTION.

- This change has been recorded to your voter registration record. You will receive a
 new Voter Identification Card by mail, which lists your new polling place. Detach,
 complete and return the reply card at the bottom as soon as possible even if this
 notice was mailed to your correct current address.
- If this card is not returned, affirmation of your current address may be required at the polls on election day.

QUESTIONS? CALL (313) 876-0190

NOTICE OF CANCELLATION

(Move Made To Another Jurisdiction)

THE VOTER REGISTRATION YOU CURRENTLY HOLD IN THE CITY OF DETROIT MAY BE CANCELLED AS WE HAVE BEEN ADVISED THAT YOU ARE NO LONGER A RESIDENT OF THIS JURISDICTION

IF YOU HAVE PERMANENTLY MOVED TO AN ADDRESS OUTSIDE OF THIS JURISDICTION

- Detach, complete, and return the reply card at the bottom to confirm your address as soon as possible.
- Please note that in order to vote, you must register with the clerk of the jurisdiction where you now reside.

IF YOU HAVE NOT PERMANENTLY MOVED TO AN ADDRESS OUTSIDE OF THIS JURISDICTION AND YOU WISH TO REMAIN REGISTERED

- Detach, complete, and return the reply card at the bottom to correct our information as soon as possible.
- If this card is not returned, you may be asked to confirm your address at the polls on election day.
- If this card is not returned and you do not vote by the second November general election following this notice, your voter registration will be cancelled.

QUESTIONS? CALL (313) 876-0190

RESPONSE CARD

FULL NAME (Print or Type) // DATE OF BIRTH () TELEPHONE NUMBER	MICHIGAN DRIVER'S LICENSE NUMBER OR STATE-ISSUED PERSONAL IDENTIFICATION NUMBER
I CURRENTLY RESIDE AT:	

AZZOUZ DECLARATION Case 2:19-cv-13638-DML-MJH ECATIOACHIMELOT 4iled 02/10/20 PageID.394 Page 13 of 27



As of July 1, 2019 data.census.gov is now the primary way to access Census Bureau data, including the latest releases from the 2018 American Community Survey and 2017 Economic Census and the upcoming 2020 Census and more. American FactFinder will be decomissioned in 2020.

Read more about the Census Bureau's transition to data.census.gov .

B29001

CITIZEN, VOTING-AGE POPULATION BY AGE Universe: Citizens 18 years and over 2017 American Community Survey 1-Year Estimates

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Technical Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

		Detroit city, W	ayne County, Michigan	Detroit city, Michigan			
1		Estimate	Margin of Error	Estimate	Margin of Error		
5	Total:	484,251	+/-4,807	484,251	+/-4,807		
of 5	18 to 29 years	124,686	+/-3,964	124,686	+/-3,964		
0	30 to 44 years	109,545	+/-2,844	109,545	+/-2,844		
	45 to 64 years	156,820	+/-3,598	156,820	+/-3,598		
	65 years and over	93,200	+/-2,632	93,200	+/-2,632		

Source: U.S. Census Bureau, 2017 American Community Survey 1-Year Estimates

Explanation of Symbols:

An '**' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.

An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution. An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution. An '***' entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.

An '*****' entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.

An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.

An '(X)' means that the estimate is not applicable or not available.

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling

error is not represented in these tables.

While the 2017 American Community Survey (ACS) data generally reflect the July 2015 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas, in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineations due to differences in the effective dates of the geographic entities.

Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Case 2:19-cv-13638-DML-MJH ECTORE 2/042/10/20 PageID.396 Page 15 of 27 ATTACHMENT 5

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1231 H	LICNA.	EL2ABETH			BUDGETH			DECEMBED		DETROIT	68221	2800-02-81	2018-11-06		12			2229-06-05 08.06.09	*	2229-06-08 08:06:09	×
1107 M	ROSELLA	MODE	2824		MAKE		1834-30-17 CANCELLED	DECEMBED	2005 LILAND ST APT 222	DETROIT	44227	3083-08-03	2018-11-06		IS SHORT MOVE	2017-01-09		2229-00-08 08 05 44	*	2229-00-08 08:05:44	¥.
1131 3	JANTS.			200-20-20 ILANEA			1830-06-18 CANCELLED	DECEMBED	MINE PUSCHER ST TRADE INFORMATION	DETROIT	60214	286-013 300-0-0	2010-11-01			2017-05-35	LACK OF VOTING ACTIV	2017-01-01 10-08 26	-	2017-01-31 18-48 16	
1182 0	WILLIAM		2824	2230-32-06 WILLIAM			1999-OP-14 CANCELLED	DECEMBER	2007 MORT/REST	DETROIT	01219	200-0-11	2010-09-05		-			2013-03-20-03-31-64	-	2010-00-20 00 81-00	*
1198 0	wasay			2000-30-30 WESLEY		PERKY	1938-OP-14 CANCELLED	DECEMBED	6558 BARLAN ST	DETROIT	48210	2000-07-00	2010-11-02		1 NEW REGISTRATION	2010-06-00		2013-05-11 14:06.88	*	2213-05-11 14:06.88	×
1242 6	8,/14		2825	2007-12-08 RUTH			1925-12-18 CANCELLED	DECEMBED		DETROIT	48210	2800-02-01	2012-11-06		1			2029-20-23 28:00-22	*	2229-30-23 12:06:07	×
1275 86 5	BERTAN THE ME			2008-01-11 BERTHA			1825-30-25 CANCELLED	DECEMBED	1888 MDCHESTER DR	WEST BLOOMPIELD		2014-09-20 3704-09-20	2012-11-06		1 LONG MOVE	2016-02-19		2239-07-11 16:08:36	*	2239-07-11 36:06:36	¥.
1278 5	THELMS.		2825	200-20 0 146JAA 200-20 MARGARET			1925-05-30 CANCILLID 1925-06-05 CANCILLID	DECEMBE		DETROIT	0010	200-0-04	2018-11-06 2018-11-06		LI INTERMEDIATEMONT			2229-06-08 08.06.09	1	2229-06-08 08.06.09	1
1208 M	EXX E			2020-22-22 83/8			1923-OF-OR CANCELLED	DECEMBER	20201 FURNISHED AFTING			202-0-16	2019 12:08		1	200-0-02		2010-05-06 16:05 81	-	2010-01-06 16 06 11	
1838 18	MARION		2926	2020-30-30 MARION			1929-30-28 CANCELLED	DECEMBED	83 80 POV37	HEHLANDPARK	48223	2009-12-20	2012-11-06		4 NEW REGISTRATION	2008-09-22		2229-09-06-08-29-28	*	2229-09-06-08-29-38	¥
1546 #	AANE		2826	2007-00-13 ANNIE	L .		1939-11-13 CANCELLED	DECEMBED		DETROIT	48202	2008-05-19	2010-11-02		2 MERGED	3009-12-03		2018-20-07 16:05:58	*	2213-20-07 16:05 58	¥ .
1986 14	BERTHA MARCARET	1745	2525	2000-20-20 BERTHA	ENGL.		1926-06-22 CANCELLED	DECEMBED	2726 EAM-LAST ST	DETROIT	4206	180-0-01 300-02-01	2010-11-08		7			2019-00-16/01 81:40	1	2029-00-36 (5.81.40) 2019-02-36 (5.82.36	Y
100 M	DAAC .			200-20-20 IMAG			100-0-11 CANCILLID 100-0-11 CANCILLID	DECEMBER		CON STREET	0217	2027-00-05			INTERMEDIATE MONT	2007-09-06		2010-02-10/05 10:30	-	2012-20-00 16 14 02	
100 10	AMOND			200-32-32 ALMOND			1829-09-14 CANCELLED	DECEMBER	2280 NORTHUNE RD	18/1.08		200-0-12			NEW REGISTRATION	2009-09-12		2020-02-29 10:10:20	-	2018-01-27 10:00:20	,
1000 10	MURANNE	LOUISE			LOUISE		1929-12-14 CANCELLED	DECEMBED	13515 (JENE ST	DETROIT	48218	2800-02-81	2019-11-06					2229-05-06-08-06-01	*	2229-05-06-08-06-01	¥
1406 C	CATHERINE			200-11-06 CRTHERINE			1926-09-05 CANCILLID	DECEMBED		DETROIT		300-12-04	2017-11-07		13			2229-09-20-28-36-14	*	2019-05-20 08 36 14	Y
1407 1	WILLIAM		2826	2008-09-29 WILLIAM			1836-10-06 CANCELLED	DECEMBED	JUST DORMAN ST	SAINT CLAR SHORES DEARDORN HEIGHTS		1960-07-25 3700-07-77	2018-03-08		18	100.00.00		2236-05-05-05-12-20	*	2234-05-05-05-82-30	¥
163 0	CRADA		2828		G NUT		1838-08-18 CANCILLID	DECEMBER	STREET, NOVERPOLIS ST	DEARBORN HEIGHTS	48125 68228	2006-05-27	2010-11-02 2010-11-02		1 LONG MOVE			2213-06-08 10:03:51	-	2013-06-08 16:03 31 2017-12-29 28:62:00	Y Y
1617 V	P UDA		2827	2020-00-27 LIDIA			1827-09-15 CANCELLED	DECEMBER	GARLING OF APTN2CE	DETROIT		200-0-27			NEW REGISTRATION	2010-00-27 2017-00-10	LACK OF VOTING ACTIV	2029-00-11 06 10:02	-	2029-00-11 06 10:02	,
1000 1	MATRICE		2827	1800-03-05 BEA7RICE			1927-12-05 CANCELLED	DECEMBED	29104 EURIKA SP	DETROIT	48234	2022-09-05			NEW REGISTRATION	2012-02-06		2210-06-30 16 07.23	*	2210-06-30 16:07.15	¥
102 5	MATTIE	JEWEL	2827		JEANS.		1827-10-18 CANCELLED	DECEMBED		DETROIT	48221	2800-02-01	2019-11-06		17			2229-05-02-05-35-56	*	2229-05-02-05-31-56	¥ .
1547 10	ROLLMARY	11110-0174	2528	200-10-10 KOMMAY 200-10-10 MAY	B. CONTRACTOR		1928-09-17 CANCILLID 1928-09-02 CANCILLID	DECEMBE	1170 TAMANGROWS # # #20	NORTON SHORES		2009-09-23	2017-09-02		8 MERCED	2005-05-19		2018-02-12 14:08-47	*	2218-02-12 16-03-07	¥
1837 1	MUNY	ELECTRONIC ST		200-20-20 MARY 200-20-20 MADRID	LUXARTS		1929-09-21 CANCILLID	DECEMBE	2002 ROSELAWN ST 2003 PROVIDENT	DETROIT	48221 68214	2009-00-23	2009-11-03		ANN REGITATION			2015-12-14 16:06:46	1	2013-12-14 16:06:46 2013-06:20 16:05:20	·
14/1 10	ROUND -		1010		40		1929-12-17 CANCILLID	DECEMBER	ROON HELINDALE ST	NOVER 1	020	280-0-02	2010-11-02		1	200-0721		2011-07-28 (0.86.16		2011-07-28 (0.86.14	-
1841 37	ROBERT	LEE	2829		48		1829-00-25 CANCELLED	DECEMBED	2018 AVERILLS CIR.	TRAVERSE CITY		2877-12-24						2009-08-13 05 41 20	÷	2009-08-13 05 41 20	÷.
1866 V	011.0	MORE	2829		1012		1829-EP-27 CANCELLED	DECEMBED	1860 DWYER 17	DETROIT		3009-09-10			LONG MOVE	3009-02-10		2012-09-12 16 15:08	*	2011-09-12 16 15 08	Y
1683 167	WILLS	100070	2829	1998-01-27 WILLIS	IN A NOTES		1939-06-30 CANCILLID 1939-12-05 CANCILLID	DECEMBED	1500 W7 MLERD APT712	DETROIT	40215 60227	200°-05-05 2009-05-02	2010-13-08 2010-13-08		13 INTERMEDIATEMONT	2007-00-05 2017-11-30	CLERK SENT NOTICE TO 1	2229-00-01 08.3837 2229-01-02 01.3336	1	2029-00-01-08-38-57 2029-05-02-05-35-56	Y
1711 400	POLICIE BOSCOR	PROVIDEN		1995-02-02 PROCES	PRANALAS		188-06-01 CANCELLED	DECEMBER		CALIFICATION CONTRACT		20070702	2007-0208		LOND MOUNT	101.0.01		2230-09-02 36:06:22		2210-09-02 16:09:22	-
1212 1	100		2992	200-22-22 800			1980-08-17 CANCELLED	DECEMBER	ROOT LOTHING IT	DETROIT	0220	201-0-0	2010-09-09		2 NEW REGISTRATION	2021-02-03		2010-12-22 10 35 48	-	2010-12-22 10 35 48	,
1768 8	CU#76	188	2892		100		1980-05-08 CANCELLED	DECEMBED	15624 LENE ST	DETROIT	48218	2009-12-20	2019-11-06		12 NEW REGISTRATION	2008-09-20		2229-00-01-08.38.37	*	2229-00-01-08.8837	¥
1821 16	BLA.	MINE			hdia.			DECEMBED		DETROIT		2800-00-01	2012-11-06		8			2229-05-06-08-06-05	*	2229-05-06-28-06-01	×
1841 M	PAGENE		2885	2000-00-00 PAULINE 1800-00-05 ROBERT			1811-08-18 CANCILLID 1881-08-08 CANCILLID	DECEMBE	28264 BESINCHEST	WARRIN BOACHER	4013	2009-12-08 2009-12-08	2012 13-08		LONG MOVE	2009-02-08		2013-01-09-05-38-58 2019-11-27-06-87-30	1	2013-01-09-25-38-58 2029-11-27-06-87-30	Y
100 1	VELAN	100	2005		40		1981-06-08 CANCELLED 1982-06-27 CANCELLED	DECEMBED	KOLD KINEKITEW K725 KINEKINGOD: AFT 129		00221	280-0-16	2013-11-08 2019-11-09		;	2010-02-28	CLERK SENT NOTICE TO 1		-	2020-11-27-06 87-50 2020-00-22-08-05-65	-
1861 N	JUNN		2885	2000-20-20 (BAN			1981-11-20 CANCELLED	DECEMBED	2006 AAIRAAX ST	SOUTHPIELD	4075	2000-09-17	2012-11-06		3 LONG MOVE	2000-09-18		2013-06-27 05 81-40	*	2013-06-27 05 81-40	¥
1887 15	MARKE			2020-20-20 MAKE			1981-OP-OS CANCELLED	DECEMBED	3335 CURVELAND & APT 209			2000-00-06					LACK OF VOTING ACTIV		*	2213-05-11 05 85 15	¥ .
1898 8	GERTRUDE		2882	2020-30-30 GERTRUDE			1982-OP-29 CANCELLED	DECEMBE		DETROIT	48213	2009-08-27				2009-02-28		2030-06-14 16 12 02	*	2233-06-14 14 12 52	Y
1906 0	LOGAN	LEMAN	2882		LIMAN SR		1982-07-27 CANCILLID 1982-08-31 CANCILLID	DECEMBED	400 KINES PLACE D APT 4225	DETROIT		2007-05-28 2008-05-23	2010-11-02 2018-11-06		1 SHORT MOVE		LACK OF VOTING ACTIV	2229-00-22 08:05:45 2229-00-08 08:05:45	1	2229-00-22 08:05:45 2229-00-08 08:05:44	Y
1998 08	OWNER		2012	2008-08-27 CHARLES			1982-08-17 CANCILLIED	DECEMBER	1728 KIOHMIN KD	SMITHS CREEK	0074	200-09-07						2012-02-02-06-06-06-06	÷	2020-11-21 10:06:10	-
2224	MANGE		2153	182-CD-CD PRANE			1983-13-25 CANCELLED	DECEMBER	2300 W K MUL ND	DETROIT	0223	202-0-0	2012 13-06		1 MIN REGISTRATION	2012-12-01		2223-08-09 16:08 29	÷	2223-08-09 16:08:29	-
2017 10	GMAD!		2953	2020-20-20 GMA/2Y			1983-11-29 CANCELLED	DECEMBED	40KE KENDALL SP	DETROIT	4218	2009-12-80	2013-08-05		3 NEW REGISTRATION	2009-02-02		2010-07-31 16:07-18	*	2010-07-31 16:07-18	*
2029 8	OWNER		2853	2000-30-30 CHESTER			1988-05-16 CANCELLED	DECEMBED	26827 BLTMORE ST	DETROIT	48215	2000-08-03	2009-11-01		2 NEW REGISTRATION	2000-09-08		2030-08-36 16 11 30	*	2232-08-26 16 11 32	Ψ.
2067 0	ESTELA INVAL		2854	2001-22-09 EITELA			1980-07-28 CANCELLED	DECEMBED	4753 CROILING BLVD	DETROIT	60214	288-01-08	2019-11-05		4	101.00.00		2213-08-09 16:08:31 2229-08-08:08:05.65	1	2013-08-09 16:08:51 2023-08-08 08:05:46	Y
	1000E		2004	200-22-23 JAME 200-22-23 JAME	1410		1984-00-17 CANCILLID 1988-00-14 CANCILLID	DECEMBE	1281 BILVIDERE ST	DETROIT	00114	202-0-15	2018-11-08		12 1.000 mc/VE	AA71818		2229-05-13 08.06.13		2229-06-08 08:05:44 2229-05-13 08:06:25	
2100 1	8504516	MODE	2014		10152		1980-08-05 CANCILLID	DECEMBER	17EN NORTHANN 17	DETROIT	0223	160-0-11	2012 11:06					2221-01-2028-36.36	÷	2221-01-20 28 36 34	-
2128 1	NANCY	MUNIE	2854	2000-30-30 NANCY	MARKE.		1990-06-25 CANCELLED	DECEMBED	6842 ABNOTON AVE	DETROIT	48228	2023-08-03	2019-11-08		3 INTERMEDIATEMONT	2013-07-16		2229-00-08 08 05-66	*	2229-00-08 08:05:44	×
21.38 M	STRUCK	MIC			MAKE		1980-09-22 CANCILLID	DECEMBED		DETROIT		2999-08-03	2018-11-06					2229-05-13 08:06:15	*	2229-05-18 08:06:15	T .
2129 A	1048	EDW/MD	2884	200-10-09 (OHN	EDWARD		1980-11-12 CANCILLID	DECEMBE	9932 HAMTWELLST	DETROIT	68227	1900-00-01	2018-11-06		15			2229-05-06-08-06-01	*	2229-05-06-08-06-01	T .

Case 2:19-cv-13638-DML-MJH ECAZIOU27DECLAMENTION/10/20 PageID.397 Page 16 of 27 ATTACHMENT 6

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8MMA 2002-30-30 8MMA MUTCN 2002 1980-03-05 MUTCN	380-05-05 VERIFY 38 380-05-05 VERIFY	CONFIRMATION & 2400 KINTON ST. DETROIT CONFIRMATION & 9988 ABRICON AVE. DETROIT CONFIRMATION & 9988 ABRICON AVE. DETROIT	4026 300 40 10 4027 300 40 11 4028 309 40 41		2019-05-29 CLERK SIRVE NOTICE TO 1 2029-05-29 32-64.56 Y 2022-09-07 LACK OF VOTING ACTIV 1897-30-80 26 25 35 38 Y	2019-01-29 10:46.86 Y 1997-10-80 10:15:18 Y 2019-01-36 10:26:12 Y
BIN 2002 1999-09-01 BIN MINIK 2002 1902-01-01 MINIK	2800-06-05 VERIFY 2800-05-05 VERIFY	CONFIRMATION & 1282 MONICA 17 DETROIT CONFIRMATION & 888 ROSELAWN 17 DETROIT	4218 2999-10-01 4204 2900-00-11		2012-09-07 LACK OF VOTING ACTIV 2019-09-36 12 20 21 2019-09-09 CLERK SINT NOTICE TO 1 2224-09-09 12 45:40 Y	2230-08-09 12-48-60 1
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MATRICE 2014 1020-05-05 MATRICE WILLE L 2016 2020-25-20 WILLE	1854-08-08 VERP	COMPRESENTION & 2522 PISCHER ST DETROIT COMPRESENTION & 3282 LINWCOO ST DETROIT	4014 1900-01-01 4029 1900-01-01		2022-08-07 LACK OF VOTING ACTIV 1997-03-80 LASK 08 Y	1997-10-80 14 58 08 Y
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AND - ADI ADI ADI ADI - - ADI - ADI ADI - - - ADI - - ADI ADI -	* 2007-00-20 VERIEFY H 2002-07-00 VERIEFY N VERIEFY 10 VERIEFY	CONVENIENCE N. 1027 FISCHER DETROIT CONVENIENCE 3.003 LEUNEST AFT DIS CONVENIENCE 3.003 LEUNEST DETROIT	4273 100 % /i 4213 106 % 20 4237 224 % 00 4238 100 % 1 4239 100 % 1 4239 100 % 1 4237 100 % 1 4237 100 % 1		VERNMENT NUMBER AND	2029-01-23 03 45 45 4 2027-06-11 22 08 49 Y 1897-26-27 22 38 47 Y 2029-05-23 22 37.46 Y
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JAMAN 8 2017 IND-03-01 JAMAN MAXAMO 2017 2020-33-10 MAXAMO	8 2007-05-25 VERIFY 2007-05-05 VERIFY	COMPANIES AND A SEE MANOR ST. DETROIT COMPANIES ON & 2528 PRODUMINO ST. DETROIT	8004 200-00-01 8009 200-00-01		Image: Second state	1847-35-33 (20,000) Y 1848-74-24 23,2349 Y 1828-74-74 23,2349 Y 1828-74-769 38,2756 Y 2028-67-09 38,2756 Y 1828-69-34 (20,000) Y 1828-69-34 (20,000) Y 1828-69-34 (20,000) Y 1828-69-34 (20,000) Y 2020-69-22 (20,000) Y 2020-69-22 (20,000) Y 2020-69-22 (20,000) Y 2020-69-22 (20,000) Y
2796L G 2018 2000-00-00 EPHIL GANYA 2018 1800-00-00 EPHIL MARY N 2018 1800-00-00 ERNINA	0 2002-00-28 VERFY 2002-12-28 VERFY	COMPREMENTION & 2008 SCHAPPER HWY DETROIT COMPREMENTION & 622 RELYCORE IT DETROIT	40111 200-00-01 40104 200-00-01 40104 200-00-01		2004-08-08 CLERK SENT NOTICE TO 1 2014-08-08 10 14/55 Y 2012-09-07 LAACK OF VOTING ACTIV 2008-03-03 13 81-68 Y 2012-09-07 LAACK OF VOTING ACTIV 2008-03-03 13 81-68 Y	2010-08-08 10 16 53 Y 1998-08-16 18 18 46 Y
A = 2019 IND-01-01 MARK EDAA 2019 IND-01-01 EDAA 002002A E 999-0-1-0 499-0-1-1	n 3009-32-00 100077 2009-00-00 100077	CONFIGURATION STREET DEFICIT CONFIGURATION STREET DEFICIT	4011 200-0-11 4011 200-0-11		442-09-07 LACK CH VOTING ACTIV 1088-05-03 13.02.28 Y 2023-09-07 LACK CH VOTING ACTIV 1020-0-03 13.02.28 Y 2023-09-07 LACK CH VOTING ACTIV 1020-0-02.08 JULK Y 2020-04-07 LACK CH VOTING ACTIV 1020-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0	2009-05-22 08-28-05 Y
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			and an of the second		9 2021-09-07 LALKC 011 VIDIMERAL TO 2020 64/21 LALKK 011 146287 MIDHE 2021-09-07 LALKC 011 VIDIMERAL TO 2020 64/21 LALKK 011 146287 MIDHE 2021-09-07 LALKC 011 VIDIMERAL TO 2020 64/21 LALKK 011 2021-09-07 LALKC 011 VIDIMERAL TO 2020 64/21 LALKK 011 LALKC 011 VIDIMERAL TO 2020 64/21 LALKK 011 2021-09-07 LALKC 011 VIDIMERAL TO 2020 64/21 LALKK 011 LALKC 011 VIDIMERAL TO 2020 64/21 LALKK 011 2021-09-07 LALKC 011 VIDIMERAL TO 2010 64/21 LALKK 011 LALKC 011 VIDIMERAL TO 2010 64/21 LALKK 011	2012-08-1408-6232 V 1997-29-30 2012-1808 V 1997-29-30 2012-1808 V 1998-62-36 2012-182-68 V 2098-62-93 2014-2019 V 2099-62-93 2014-2019 V 2099-62-93 2014-2019 V 2019-62-93 2014-2019 V 2019-70-700 V 2019-70-700 V 2019-700 V 2019-700 V 2019-700 V 2019-700 V 2
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CLEO 2822 1900-03-01 CLEO MLDHED 2822 2020-30-30 MLDHED	1922-07-05 VIRIPY 1922-12-18 VIRIPY	COMPARATION & BRIZ HOLCOMEST DETROIT COMPARATION & STUD PRELAND ST DETROIT	40254 2100-00-01 40205 2100-00-01	2009 13-08	2022-09-07 LACK OF VOTING ACTIV 2022-06-29 20 35/027 V 2 2026-09-27 CLERK SINT NOTICE TO 1 2026-09-27 26 35/027 V	2012-06-29 33 55 07 Y 2013-05-17 15 55 47 Y
Maile 100 200-30 Market 128 200 200 200 128 200 200 200 14 Mark 200 200 200 15 Mark 200 200 200 16 Mark 200 200 200 17 200 200 200 200 18 200 200 200 200 19 200 200 200 200 10 200 200 200 200 10 200 200 200 200 10 200 200 200 200 10 200 200 200 200 10 200 200 200 200 10 200 200 200 200 10 200 200 200 200 10 200 200 200 200	2822-08-30 VERIFY 2822-08-36 VERIFY	COMPRESSION & 20100 PROFESSION ST. DETROIT COMPRESSION & 20160 PROFESSION DIT. DETROIT	400 100 11 4221 400 10 11 4221 400 10 11 4221 400 10 11 4221 400 10 11 4221 100 11 11 4221 100 11 11 4231 100 11 11 4232 100 11 11 4232 100 11 11 4233 100 11 11 4234 100 11 11 4234 100 11 11 4234 100 11 11		2004-02-21 CLERK 589/1 N2TC1 T01 2234-02-23 26 13-26 Y 2022-08-07 Interview resources across 2026-02-27 22 22-66 Y	2000-66-29 30 56.07 ¥ 2016-66-71 75 55.56 ¥ 2017-66-71 75 55.56 ¥ 2017-66-75 55.56 \$
5 WANDA 2022 1002-02-17 WANDA SCHUPY 2022 1002-02-05 SCHUP	WINDU 21:02:02 WINDU 20:00:02:02 WINDU 20:00:02:02 WINDU 21:00:02:02 WINDU 21:00:02:02	COMPRESENTION & SING ALIGUMS ST. DETROIT COMPRESENTION & STRD CAMMON BLVD. DETROIT	60228 2980-00-08 60206 2980-00-01		2012-08-07 LACK 07 VOTING ACTIV 2018-03-18-08 21 2012-08-07 LACK 07 VOTING ACTIV 2018-03-18-08-03.18	1997-03-80 15 14 18 Y 2009-05-13 08 40 39 Y
INALIY A 2022 INCODEL STARIY INFZ 2022 INCODEL STARIY MARY 2022 INCODEL STARIY	A SE2-OP-C VERIFY SE2-OP-C VERIFY	CONFIRMATION & 2042 S MANUELST DETROIT CONFIRMATION & 7128 MALIEST DETROIT CONFIRMATION & 2022 MALIEST DETROIT	6217 100-00-01 6211 100-00-01 6211 100-00-01		2021-08-07 LACK DEVICING ACTIV 1889-03-98 28:22-23 2 2022-08-07 LACK DEVICING ACTIV 1889-03-98 28:22-23 2 2022-08-07 LACK DEVICING ACTIV 1889-03-98 28:32 28:33 2	1997-00-00 15-22-00 V 1998-00-06 18-26-35 V
BENNER 2021-22-09 BENNER BANKER 2021 2021-22-09 BENNER	2823-02-02 V88/PF 2823-02-02 V88/PF	COMPRESSION & EXECUTION OF EXCLUSION OF THE COMPRESSION & LTD & TYPE COMPRESSION & LTD & TYPE COMPRESSION OF THE COMPRESSION OF	6213 202-0-08 6212 200-0-01		INTERMEDIATEMENT 2023-08-08 2029-05-23 CLERK SIRVENDECK TO 1 2029-05-34-08/02.08 Y	2019-01-34 08:00.48 Y
NUTE 202-20-20 MADE NOME? 2021 2020-20-20 MADE	1823-12-08 VERIFY 1823-08-23 VERIFY	CONFIRMENTION & 3227 MANUREY ST. DETROIT CONFIRMENTION & 28882 SAN JAIN DR. DETROIT	42218 2160-00-11 42221 2160-00-11	2019-11-02		2029-02-08-08-08-08-08 2029-09-02-08-07-88 Y 2027-02-29-08-17-36 Y 2029-09-80-28-02-99 Y
WILE M 2011 180-03-05 WILLE ANNE 2011 180-03-05 ANNE	M 2023-20-07 VERIFY 2023-22-07 VERIFY	COMPARENTIAN & 202 LINUE ST DETROIT	4218 280 00 00 11 4218 280 00 11		2022-09-07 LACK CF V07196-ACTIV 1989-09-06-18.27.57 Y 2022-09-07 LACK CF V07196-ACTIV 1989-09-06-18.27.57 Y	1998-00-16 18 17.57 Y 2001-05-07-08-42.58 Y
ANNIE 2101 1800-51-62 ANNIE MARY A. 2101 200-50-30 MARY EDMA 2101 200-50-30 MARY MANUE 2101 200-50-30 SINA MANUE 1011 200-60-40 SINAMO EDMAND C 2101 200-604 SINAMO	A 2023-0-00 VERY 1023-00-00 VERY	Commencione Sector	4218 200 % 11 4218 200 % 11 4219 200 % 11 4218 200 % 11 4234 200 % 11 4235 200 % 11 4236 200 % 11 4237 200 % 11 4238 200 % 10 4234 200 % 10		2010-02-22 CLARK SIRVE NOTICE TO 1 2020-02-22 20 12.41 Y 2022-08-07 LACK OF VOTING ACTIV 2023-12-08 20.42.48 Y	2021-05-07-08.42.58 Y 2021-02-22.20.12.41 Y 2021-12-08.20.42.48 Y
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Barry Barry Barry Barry Barry Norm N Norm Norm Norm Norm Norm Norm Norm Norm Norm Norm Norm Norm </td <td>100-11-14 VINITY M 100-0-11 VINITY</td> <td>COMPRESENTION & 2023/EVENT ST DETROIT</td> <td>4023 100-00-01 4024 100-00-01</td> <td>2010-08-08 2010-08-06</td> <td>1 SHORT MOVE 2013-08-18 2013-09-01 2015-09-01 2015-09 1 2012-09-07 HAVY NEW WARK AVAIL 2015-09-01 2015-09 7</td> <td>1117-06 31 31.03.17 Y</td>	100-11-14 VINITY M 100-0-11 VINITY	COMPRESENTION & 2023/EVENT ST DETROIT	4023 100-00-01 4024 100-00-01	2010-08-08 2010-08-06	1 SHORT MOVE 2013-08-18 2013-09-01 2015-09-01 2015-09 1 2012-09-07 HAVY NEW WARK AVAIL 2015-09-01 2015-09 7	1117-06 31 31.03.17 Y
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ANNE F 2024 280-02-02 ANNE MITTY J 2024 2807-02-34 MITTY	P 2820-06-28 VERPY 2 2820-12-26 VERPY	COMPARATION 5 718 VARIO ST DETROIT COMPARATION 5 633 HENRY ST 8 8-18 DETROIT	60213 2100-02-01 60201 2107-02-06		2012-09-07 LACK 09 VOTING ACTIV 2019-09-01 32 38:27 Y 2012-09-07 LACK 09 VOTING ACTIV 2019-09-01 93:08:56:06 Y	2008-06-02 33 28 27 Y 2008-05-29 28 54 56 5
MANON BILL INCOLOUL MANON MANCES BILL 2020-20-20 PRANCES	202-0-21 VIEW	COMPRESERVICE STAGE ADDRESS T	40271 100-00-01 40208 100-00-01		2022-08-07 LACK CH VOTING ACTIV 2020-08-08 10 2819 V 2027-08-10 LACK CH VOTING ACTIV 2020-08-08 10 2819 V	2010-00-08 15 28 59 V 2010-01-13 16 27.80 V
DONS M 280 280-0-05 DONS DONEL L 280 280-0-05 DONS	M 200-0-10 VERIFY	COMPRESERVICE & 2020 MATCH 10 10 DETROIT COMPRESERVICE & 2020 MATCH 10 11 DETROIT	6229 290-02-01 6229 290-02-01		2012-08-07 LACK 0F VOTING ACTIV 1987-2013 (2.0.2.1) 2012-08-07 LACK 0F VOTING ACTIV 1987-2013 (2.0.1)	1897-10-80 16 18 18 19 1897-10-80 16 18 18 19 1897-10-80 16 18 18 19
LIFTON 2804 180-05-05 CIFTON LISTON 2804 187-05-06 LISTON	1880-00-16 VERIFY 1880-20-01 VERIFY	CONFIRMATION & 1939 WISCONSW 17 DETROIT CONFIRMATION & 2021 CLOVER WISCONST DETROIT	4218 2900-00-01 4218 2979-00-17		2022-08-07 LACK 04 VOTING ACTIV 1997-03-80 201866 Y 2022-08-07 LACK 04 VOTING ACTIV 1997-03-80 201866 Y	1897-10-30 15 18:06 Y 2013-12-08 15 38:06 Y
ANGRL L 2020 2020-20-20 ANGRL ANTHUR 5 2020 1980-02-02 ANTHUR	L 2000-12-28 VERPY 5 2000-06-26 VERPY	CONFIRMENTION & 26/2 MARPION ST DETROIT CONFIRMENTION & RED CENTRAL ST DETROIT	4016 2000-00-01 40209 2000-00-01		2012-08-07 LACK 0F VOTING ACTIV 2018-06-00 32 28:56 Y 2012-08-07 LACK 0F VOTING ACTIV 1899-08-29 28 25:56 Y	2009-00-33 32,2854 Y 1899-08-29 33 15.14 Y
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AZZOUZ BECLANA AGONDML-MJH ECF No. 17-12 filed 02/10/20 PageID.398 Page 17 of 27 MERGE VOTER PROJECT 12-03-2019 **ATTACHMENT 7**

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MERGE VOTER PROJECT 12-03-2019

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24	5	1	4	0
22	4	0	4	4
34	0	0	0	0
28	4		0	2
34	0	0	0	0
30	0	0	1	3
26	0	1	1	6
20	2	6	0	6
28	1	3	0	2
30	0	0	2	2
30	0	2	2	0
24	3	0	5	2
28	0	2	0	4
28	1	3	0	2
28	2	0	0	4
16	7	0	7	4
TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
1818	103	52	96	169

GRAND TOTAL 2,238 MISC* DECEASED, ONLY 1 CARD CANCELLED

Case 2:19-cv-13638-DML-MJH ECF No. 17-12 filed 02/10/20 PageID.400 Page 19 of 27 AZZOUZ DECLARATION ATTACHMENT 8

P - # C Login Login Voter Sea. Login gvf.sos.st. Voter R_ - I Search Re. I P * https://pd.sos.state.mi.us/Voter/Edit7id=4858540 s • □ • · + • Page • Safety • Tools • ● • s a. * = REQUIRED JONES, MAMIE MARIE J520580585826 DETROIT MI, 48226 VOTER DETAILS VOTER NTH ADDR MAILING ADDR DISTRICT STATUS HISTORY INSPECTOR *REGISTRATION DATE VOTER ID CCD IVE STATUS: CHALLENGE 09/03/2008 NONE N 韻 COUNTY: WAYNE MIDDLE NAME LAST NAME FIRST NAME NAME SUFFIX *GENDER JURISDICTION: DETROIT CITY FEMALE MARIE ~ JONES MAMIE V PRECINCT: FORMER NAME DATE OF BIRTH 06144 TIPPINS 10/26/1823 = WARD: NONE HOUSE NUMBER PREFIX STREET NAME TYPE S SFX RES EXT H SFX SCHOOL DISTRICT: DETROIT COMMUNITY SCHOOL DISTRICT POLLING LOCATION: POST OFFICE CITY STATE ZIPCODE RIVERFRONT APTS DETROIT MI 48226 250 RIVERFRONT DR DETROIT, MI 48226 LAST 4 PHONE NUMBER **ID CONFIRMED** PERM AV OPERATOR: CONFIRMED v HENRYJ22000 ENTRY DATE: DIGITAL SIGNATURE UOCAVA STATUS 9/10/2008 EFFECTIVE THROUGH: NON-UOCAVA 🗸 PRIMARY SECONDARY UOCAVA STATUS DATE ^ T 40 1/17/2020 4 O (2) e 巪 O Type here to search **1** --0

Case 20.02 DECI69RADIADNMJH ECE No. 17-12_filed 02/10/20 PageID.401 Page 20 of 27 **ATTACHMENT 9**

City of Betroit

DEPARTMENT OF ELECTIONS

GEORGE C. AZZOUZ.

Director

JANICE M. WINFREY, City Clerk Chairperson, Election Commission GINA C. AVERY-WALKER, Deputy Director

December 17, 2019

Mr. Derron M. Bray, Postmaster United States Post Office-Detroit 1401 West Fort Street Detroit, Michigan 48233

Dear Postmaster Bray:

As a part of our standard voter file maintenance operating procedures, we routinely purge our Qualified Voter Registration File, containing Detroit residents that are deceased.

The Qualified Voter File has voter records dating back to the 1800s and 1900s, of which we cannot confirm their existence. Therefore, we are inquiring, if the United States Post Office, maintains a database of deceased persons who resided in the City of Detroit. As such, we are formally making a request to obtain access to any records or electronic database files that may assist us in maintaining our voter registration files.

Should you have any questions, please do not hesitate to contact me. Thank you for your consideration of this request.

Sincerely,

Janice M. Winfrey City Clerk & Chairperson of the **Detroit Election Commission**

Cc: Brenda Jones, Council President Lawrence Garcia, Corporation Counsel George Azzouz, Director of Elections

POSTMASTER DETROIT POST OFFICE UNITED STATES POSTAL SERVICE

December 20, 2019

Janice M. Winfrey, City Clerk City of Detroit- Department of Elections 2978 W. Grand Blvd. Detroit, MI 48202-3007

Dear City Clerk Janice Winfrey,

I am in receipt of the letter that you sent to my office, which was received on Tuesday, December 17, 2019 regarding a database of deceased persons whom resided in the City of Detroit.

The USPS does not maintain a deceased customer file or database. Please see the excerpt below regarding the deceased and the determination for that mail classification:

In accordance to USPS policy and procedures:

Carrier Endorsed Mail: This includes mail that may be undeliverable for any one of the following reasons as well as other appropriate carrier endorsement from DMM 507.1.4.1:

 Deceased (DEC). This endorsement is used only when it is known that the addressee is deceased and the mail is not properly deliverable to another person. This endorsements must be made personally by the delivering employee, and under no circumstances may it be rubber stamped. Mail addresses In Care of another must me marked to indicate which person is deceased.

Once that mail piece is endorsed by the letter carrier as "deceased" that mail is sent to our Computerized Forwarding System (CFS) for processing the record of deceased, and is not associated with the name/address and is not recorded in a permanent file. Furthermore, if a Change of Address (COA) is submitted for the deceased customer by Power of Attorney, Family or Trust for a new valid address, as a result the COA is not recorded as deceased but as a valid COA.

If you have any additional questions or concerns, please do not hesitate to contact me.

Thank You,

unon M. Bray

Derron Bray Postmaster Detroit Post Office

1401 W FORT ST RM 1008 DETROIT, MI 48233-9998 313-228-8611 FAX: 313-226-8005 Case 2:19-cv-13638-DML-MJH ECF No. 17-12 filed 02/10/20 PageID.403 Page 22 of 27

AZZOUZ DECLARATION ATTACHMENT 10

LIST OF ADDITIONAL DECEASED VOTER CANCELLATIONS BASED ON SUPPLEMENTAL PROVISION OF DEATH CERTIFICATES FROM WAYNE COUNTY

	Name	Date of Birth	Date of Cancellation
1	B utter , Alexander	01-01-00	01-14-20
2	B aba , Irma	01-01-00	01-14-20
3	B oo , Sophie	01-01-00	01-14-20
4	Den , Gordon	01-01-00	01-14-20
5	D , Lenore	01-01-00	01-14-20
6	E u , Lillian	01-01-00	01-14-20
7	F , Lizzie	01-01-00	01-14-20
8	G ue , Lillian	01-01-00	01-14-20
9	G , Earnest	01-01-00	01-14-20
10	H , Annie Belle	01-01-00	01-14-20
11	J., Irene	01-01-00	01-14-20
12	, Jane L.	01-01-00	01-14-20
13	R , Eugene	01-01-00	01-14-20
14	R , Willie	01-01-00	01-14-20
15	S , Pearl K.	01-01-00	01-14-20
16	S , Frances	01-01-00	01-14-20
17	Va , F.	01-01-00	01-14-20
18	Y , Claus	01-01-00	01-14-20

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Case 2:19-cv-13638-DML-MJH ECF No. 17-12 filed 02/10/20 PageID.404 Page 23 of 27

	Name	Date of Birth	Date of Cancellation
1.	A , Demetra	06-18-12	
2.	C urrent , John	03-09-09	
3.	C, Martha	07-07-06	
4.	D, John	03-18-12	
5.	D, Otis	12-13-09	
6.	G , Leona	09-28-06	
7.	G , Lydia	08-09-12	
8.	G , Carrie	01-03-11	
9.	H H , Johnnie	10-11-28	
10.	H , Ernestine	08-16-13	
11.	H H , Helen	09-09-19	
12.	H , Loretta	11-05-12	
13.	Jo gen , William	08-28-10	
14.	K , Lillie	01-05-12	
15.	L , Olive	07-02-10	
16.	, Bessie	01-14-09	
17.	M , Edith	10-26-10	
18.	N o , Viola	05-27-02	
19.	S oo , John	02-01-11	
20.	S ee , Lena	07-02-12	
21.	S , Susie	09-20-10	

Case 2:19-cv-13638-DML-MJH ECF No. 17-12 filed 02/10/20 PageID.405 Page 24 of 27

	Name	Date of Birth	Date of Cancellation
22.	W Bessie	01-08-10	
23.	W , Helen	09-01-11	
24.	W , Katherine	09-05-11	
25.	, Mary	03-22-04	
26.	, Robert	01-07-13	
27.	G ura , Edna	04-30-12	
28.	W , Miner	08-01-13	
29.	B aba , Ivory	09-08-19	
30.	B urne , John	06-28-04	
31.	Description, Stanley	04-23-18	
32.	E ntropy , Mary	01-14-25	
33.	D und , Henry	05-20-24	
34.	G und , Lola	08-12-16	
35.	G , Dennis Sr.	07-29-11	
36.	H ur , Virginia	03-02-09	
37.	Journey, Katherine	09-04-06	
38.	Man, Ruben Sr.	10-07-12	
39.	J, Milton Jr.	04-10-16	
40.	K o , Rosa	03-25-05	
41.	P Bertha	10-17-05	
42.	Performent, Fred	05-13-17	

Case 2:19-cv-13638-DML-MJH ECF No. 17-12 filed 02/10/20 PageID.406 Page 25 of 27

	Name	Date of Birth	Date of Cancellation
43.	P , Odella	07-21-08	
44.	P, Angie	06-25-05	
45.	P opula , Ossie	08-20-00	
46.	Restance, Frank	06-07-04	
47.	S , Clotelle	03-04-04	
48.	C , Willie	01-04-14	
49.	D und , Warren	07-11-21	
50.	D under , Ruth	05-14-22	
51.	A James	11-17-18	
52.	G , Annie	12-27-07	
53.	H und , Tommy	12-15-20	
54.	Hi , Louis	09-12-24	
55.	, Amelia	09-01-13	
56.	K , Frank	12-03-01	
57.	L , Nathan	11-04-12	
58.	Men, Bertha	11-18-23	
59.	T , Kathleen	03-24-06	
60.	W , Eddie	02-15-10	
61.	W , Dan	01-24-12	
62.	U , Hattie	06-02-08	
63.	N , Seabrone	07-23-10	

Case 2:19-cv-13638-DML-MJH ECF No. 17-12 filed 02/10/20 PageID.407 Page 26 of 27

	Name	Date of Birth	Date of Cancellation
64.	M, Nannie	03-12-08	
65.	Mary, Mary	06-15-95	
66.	, Earl	03-26-29	
67.	J , Arthur	09-03-21	
68.	J J James	03-10-14	
69.	E, Dave	05-11-23	
70.	Received, Leona	10-10-10	
71.	N um , Helen	11-23-12	
72.	M , Eva	01-07-07	
73.	M John	01-14-08	
74.	P , Andrew	12-02-30	
75.	S , Willie	07-20-03	
76.	L , Frank	11-11-23	
77.	H H , James	12-12-20	
78.	, Emma	04-30-02	
79.	H H , George	05-14-05	
80.	L , Kanie	06-20-14	
81.	L, Dollie	10-13-17	

Case 2:19-cv-13638-DML-MJH ECF No. 17-12 filed 02/10/20 PageID.408 Page 27 of 27

SUMMARY OF EAC STATISTICS (JANUARY 2019 TO NOVEMBER 2019)

	Cancellations by Detroit Elections Department	Confirmation letters sent by Detroit Elections Department to Begin Challenge Process
Jan 2019	351	136
Feb 2019	88	45
March 2019	63	44
April 2019	57	8
May 2019	52	3
June	14	197
July 2019	23	177
Aug 2019	21	3
Sept 2019	15	3
Oct 2019	76	1
Nov 2019	<u>25</u>	0
TOTALS	785	617

Case 2:19-cv-13638-DML-MJH ECF No. 17-13 filed 02/10/20 PageID.410 Page 2 of 12

2/14/2019

EAC STATISTICS FOR PERIOD 01/01/2019 THROUGH 01/31/2019

1

COUNTY:

WAYNE

JURISDICTION:

DETROIT CITY

	Applications Submitted	New Valid Applications	Duplicates	Cancellations	Confirmations Sent	Confirmations Returned
ARMED FORCES RECRUITING OFFICES	0	0	0	1	0	0
CLERKS OFFICE AND OTHER	111	41	3	351	136	0
FEDERAL POST CARD APPLICATION	0	0	0	1 .	0	0
MAIL REGISTRATION	277	44	4	56	196	0
SOS BRANCH OFFICES	5374	1879	536	1943	3	0
SOS RENEWAL BY MAIL PROGRAM	21	1	0	0	0	0
VR AGENCIES SERVING DISABLED PERSONS	1	0	0	1	0	0
VR DESIGNATED STATE AGENCIES	7	0	1	1	0	0
VR PUBLIC ASSISTANCE AGENCIES	1	0	0	1	0	0
Total(Juris)	5792	1965	544	2355	335	0
Total(County)	5792	1965	544	2355	335	0
Grand Total	5792	1965	544	2355	335	0

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FOR PERIOD 02/01/2019 THROUGH 02/28/2019 EAC STATISTICS

COUNTY:

WAYNE

JURISDICTION:	DETROIT CITY				*	
	Applications Submitted	New Valid Annlications	Dunlicates	Concollections		Confirmatio
CLERKS OFFICE AND OTHER	96	63	6	Caucenauous 88	Conurmations Sent 45	Keturaed 0
FEDERAL POST CARD APPLICATION	0	0	0	0		0
MAIL REGISTRATION	129	14	0	21	351	0
SOS BRANCH OFFICES	5672	1808	532	1838	8	C
SOS RENEWAL BY MAIL PROGRAM	27	0	0	0	0	
VR DESIGNATED STATE AGENCIES	11	0	0	. 0	0	
VR PUBLIC ASSISTANCE AGENCIES	2	0	0	2		
Total(Juris)	5937	1885	538	1949	400	
Total(County)	5937	1885	538	1949	400	0
Grand Total	5937	1885	538	1949	400	.0

ECF No 17-13 filed 02/10/20 PageID.411 Case 2:19-cv-13688-DML-MJH Page 3 of 12

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FOR PERIOD 03/01/2019 THROUGH 03/31/2019 EAC STATISTICS

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COUNTY:

WAYNE

JURISDICTION:	DETROIT CITY					19-0
	Applications Submitted	New Valid Applications		:		Confirmations.
CLERKS OFFICE AND OTHER	83	47	Duphcates 0	Cancellations 63	Confirmations Sent	Returned 5
MAIL REGISTRATION	145	41	c	40 10		8-∎ ⊃
SOS BRANCH OFFICES	6571	0111		10	137	0 0
VP ACPNNIES SEDUCIDE VIE	*700	1117	616	2205	2	L-1
PERSONS	2	0	0	5	0	VJ⊦ ○
VR DESIGNATED STATE AGENCIES						1
	4	0	0	0	O	C
VR PUBLIC ASSISTANCE AGENCIES	ŝ	0	0	6		
Total(Juris)	6761	0100				0 0
	TOO	6417	010	2291	183	0.
10tai(County)	6761	2199	616	2291	183	17
Grand Total	6761	2100	212			>
	4	CT77	010	1677	183	3
						f

Case 2:19-cv-1_3688-DM_-MJH ECF No. 17-13 filed 02/10/20 PageID.412

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5/15/2019

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EAC STATISTICS ERIOD 04/01/2019 THROTICH 04/3

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FOR PERIOD 04/01/2019 THROUGH 04/30/2019

COUNTY:

JURISDICTION:

DETROIT CITY

WAYNE

Amilanticus					
Submitted	New Valid Applications	Dunlicates	Cancellations	2 	Confirm
316	156	1	57	CONTINUATIONS SENT	Retur
241	119	C	c	> +	
0101		>		۲	0
5848	2072	580	2056	C	C
10	0	C	c	> <	
		> -	5	0	D
2	0	0	2	C	
6410				>	
041/	7947	581	2124	6	С
6417	2347	581	0104	c	
		100	4777	y	Ċ
6417	2347	581	2124	6	C
					>
0400 10 2 6417 6417 6417		2012 0 0 2347 2347 2347 2347		580 0 581 581 581 581	580 0 581 581 581 581

Case 2:19-cv-13638-DML-MJH ECF No. 17-13 filed 02/10/20 PageID.413

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FOR PERIOD 05/01/2019 THROUGH 05/31/2019 EAC STATISTICS

COUNTY:

JURISDICTION:

DETROIT CITY

WAYNE

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	Applications Submitted	New Valid Annlingfions	D12-24-2	e F		Confirmations
CLERKS OFFICE AND OTHER	308	118	Dupucates 0	Cancellations 52	Confirmations Sent	Returned
MAIL REGISTRATION	283	109		35		
SUS BRANCH DEFICES	T C V L			2		•
CONTRACT OF LICES	1000	2029	537	2001	0	0
SOS RENEWAL BY MAIL PROGRAM	2	0	0	0	0	
VR PUBLIC ASSISTANCE ACENCIES	Ţ					
	1	0	0	P4	0	0
Total(Juris)	6195	2256	538	2079		
Total(County)	6105	1.00				
	CETO	9677	538	2079	3	0
Grand Total	6195	2256	\$38	0206	¢	
				6107	n .	>
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FOR PERIOD 06/01/2019 THROUGH 06/30/2019 EAC STATISTICS

COUNTY:

JURISDICTION:

DETROIT CITY

WAYNE

v-1,36	38	-Wr	∕IL-	۰M,	JH	1 6	:C		NO.	. 17	(-1	13	t
Confirmations 1-A		0			0	0		0			0	0	
Confirmations Sent	197				0	0.		0	1.99	100	661	199	
Cancellations	14	15	1191		1	1		-1	1223	1773		1223	
Duplicates	0	0	305		>	0		0	305	305		305	
New Valid Applications	0	0	1494	C	>	0		0	1494	1494		1494	
Applications Submitted	75	241	3783	2		T		1	4103	4103	0017	4103	
CTERKS OFFICE AND OTTIND	WITT DECISION LOCAL PARTY OF THE PARTY	MALL REGISTRATION	SOS BRANCH OFFICES	SOS RENEWAL BY MAIL PROGRAM	VR AGENCIES SEDVINC DIGADI ED	PERSONS	VR PUBLIC ASSISTANCE ACENCIES	CHINE A CONTRACT AND	Total(Juris)	Total(County)	Grand Total		

Case 2:19-cv-13638-DML-MJH ECF No. 17-13 filed 02/10/20 PageID.415

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EAC STATISTICS RIOD 07/01/2019 THEOLICH 07/23

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FOR PERIOD 07/01/2019 THROUGH 07/31/2019

COUNTY:

JURISDICTION:

DETROIT CITY

WAYNE

	Applications	New Valid				Confirmation
CLERKS OFFICE AND OTHER	141	Applications	Duplicates	Cancellations	Confirmations Sent	Returned
MAIL REGISTRATION		>	n	23	177	0
	3/4	0	0	88	574	
SOS BRANCH OFFICES	5649	2289	497	0100		>
SOS RENEWAL BY MAIL PROCRAM		~	174	0417	0	0
	T	0	0	Ţ	O	
VR AGENCIES SERVING DISABLED PERSONS	2	0	0	2	0	
VR PUBLIC ASSETANCE ACENCIES						
CITICATION AND A REPLACE AGENING	ŝ	0	0	6	0	
Total(Juris)	6170	22,89	407	2150		
Total(Conntv)				C1 C 7	10/	0
	01/0	2289	497	2315	751	
Grand Total	6170	2289	407	3120		
				C1C7	10/	0

Case 2:19-cv-13688-DML-MJH ECF No. 17-13 filed 02/10/20 PageID.416

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FOR PERIOD 08/01/2019 THROUGH 08/31/2019 EAC STATISTICS

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COUNTY:

WAYNE

JURISDICTION:	DETROIT CITY					•
	Applications Submitted	New Valid Applications	Dunlicates	Cancellatione		Confirma
CLERKS OFFICE AND OTHER	129	0	0	21	Commanons Sent	Keturn 0
MAIL REGISTRATION	340	0	0	15	352	C
SOS BRANCH OFFICES	5950	2343	534	2344	0	
VR AGENCIES SERVING DISABLED PERSONS	5	0	0	5	0	0
VR PUBLIC ASSISTANCE AGENCIES	1	0	0	1	0	
Total(Juris)	6422	2343	534	2383	355	
Total(County)	6422	2343	534	2383	355	
Grand Total	6422	2343	534	2383	355	

11/26/2019

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EAC STATISTICS

FOR PERIOD 09/01/2019 THROUGH 09/30/2019

COUNTY:

JURISDICTION:

DETROIT CITY

WAYNE

	Applications	New Valid				Confirmations
CLERKS OFFICE AND OTHER	supatived 83	Applications 0	Duplicates	Cancellations	Confirmations Sent	Returned
FEDERAL POST CARD APPLICATION			>	CI	3	о С
	7	0	0	F1	0	
NIALL REGISTRATION	318	0	0	43	CC1	1L- - (
SOS BRANCH OFFICES	6640	1040	Y	F	C71	0
VD ACTENCIPE CERTING DISC.		1240	150	2199	0	0
PERSONS	5	0	0	2	0	0
V/D D/101 TC + CCIERTAN A TC + CCIERTAN						-C
VALUELLASSISTANCE AGENCIES	2	0	0	6	0	
Total(Juris)	7055	1010			>	
	CCU/	3421	531	2262	126	D.
Total(County)	7055	3421	531	7767	102	
Grand Total	4 1 1			1011	071	-1
	CCU/	3421	531	2262	126	0

Case 2:19-cv-13638-DML-MDH ECF No. 17-13 filed 02/10/20 PageID.418 Page 10 of 12

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EAC STATISTICS FOR PERIOD 10/01/2019 THROUGH 10/31/2019

COUNTY:

JURISDICTION:

DETROIT CITY

WAYNE

	Applications Submitted	New Valid	:			Confirmation
CLERKS OFFICE AND OTHER	217	Applications	Duplicates	Cancellations	Confirmations Sent	Returned
	117	D	0	76	1	0
MAIL REGISTRATION	1000	0	C	128	c	
SOS BRANCH OFFICES	7010	00.00		DCT	7	0
	/ 040	3962	611	2212	0	-
VR PUBLIC ASSISTANCE AGENCIES	-				2	>
	7	0	0	r(0	C
l otal(Juris)	9066	3962	611	LC/ C		
Total(Connetro)	-		110	1747	τŋ	0
(Anno-)imo y	9066	3962	611	7,427	6	
Grand Total	2200				0	>
	2000	3962	611	2427	ŝ	0

Case 2:19-cv-13638-DML-MJH ECF No. 17-13 filed 02/10/20 PageID.419

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12/12/2019

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EAC STATISTICS FOR PERIOD 11/01/2019 THROUGH 11/30/2019

COUNTY:

JURISDICTION:

DETROIT CITY

WAYNE

Confirmations	Returned			Ð	0	C	,	0	0	c		>	
	Contirmations Sent	è c		0	0	2		0	4	4	V		
: F	Cancellations 25	38			1570	0	c	r	1636	1636	1636		
Dunktoot	Dupucaucs 0	0	0		461	0		0	461	461	461	461	
New Valid Ambrations	()	0	0	0100	0005	. 0			3050	3050	3050		
Applications Submitted	163	240	2	5755	CC1C	4	6		6167	6167	6167		
	CLERKS OFFICE AND OTHER	MAIL REGISTRATION	MVIC	SOS BRANCH OFFICES		OUS KENEWAL BY MAIL PROGRAM	VR PUBLIC ASSISTANCE AGENCIES	Total(Juris)		Total(County)	Grand Total		

Case 2:19-cv-13638-DML-MJH ECF No. 17-13 filed 02/10/20 PageID.420 Page 12 of 12



SOM

Secretary Benson announces modernized voter registration on National Voter Registration Day

SEPTEMBER 24, 2019

Automatic, online processes to increase access to democracy

ELECTION NEWS

LANSING – Secretary of State Jocelyn Benson today announced that automatic voter registration officially has launched in Michigan and online voter registration will be available following the November 2019 election.

Automatic voter registration requires Secretary of State branch office staff to ensure that when Michigan citizens apply for or update their driver's license or personal ID cards, they automatically are registered to vote unless they are ineligible or don't want to be registered.

"Making voter registration automatic for eligible citizens means more Michigan residents will have access to participating in our democracy," Benson said. "I look forward to this both strengthening our democracy and ultimately helping transactions move more quickly in branch offices by eliminating extra paperwork."

Michigan began implementing automatic voter registration for driver's license and personal ID transactions in person and online Sept. 9. The Department of State will be adding automatic voter registration for mail-based transactions in the coming months. Following the November 2019 election, the department also will launch an online portal for eligible citizens to register to vote at any time.

Preliminary data suggests automatic voter registration already is increasing voter registration in Michigan. Through the first two weeks of implementation, Michigan processed 46,527 registration transactions, an average of 4,653 per business day. By comparison, in the first two full weeks of September 2017, Michigan processed 40,022 transactions, or about 4,002 per business day.

The data is preliminary and includes only weekday transactions completed at branch offices and online; the Department of State will be releasing additional data reports after fuller data analysis can be conducted.

In the November 2018 election, Michigan voters overwhelmingly approved the Promote the Vote constitutional amendment, which contained measures to make voting more accessible and secure, including a provision that requires the automatic registration of citizens to vote at branch offices unless the citizen declines.

Driver's license and personal ID card applications now have an "opt-out" box, which an eligible applicant must check if he or she doesn't want to be registered to vote. As with the prior voter registration system at Secretary of State offices, only U.S. citizens are permitted to register.

Michigan joins 17 other states and the District of Columbia in enacting automatic voter registration to modernize their elections systems.

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For media questions, contact Communications Director Shawn Starkey at 517-335-3264 or StarkeyS@Michigan.gov

We welcome questions and comments at the Contact the Secretary of State page.

Customers may call the Department of State Information Center to speak to a customer-service representative at 888-SOS-MICH (767-6424).



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Michigan Voter Information Center

Department of State

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Michigan Online Voter Registration Registered Michigan Voters 7,632,127 Personal Start Qualifications Information Address Finish \mathbf{O} \mathbf{O} \mathbf{O} \mathbf{O} Welcome to the Michigan Online Voter Registration System You can use this program to register to vote and update your voter registration address in Michigan. To use this website, you need to have a valid Michigan driver's license or state ID. If you don't have one, find out how to register to vote by going to Registering To Vote (http://www.michigan.gov/sos/0,1607,7-127-1633 8716 8726 47669-175878--,00.html). We have a few questions to ask before we begin. Required fields are marked with an asterisk * (required). * Driver's License Address Have you updated your driver's license or state ID address with the Secretary of State within the last 10 days? * Duplicate Driver's License Have you applied for a duplicate driver's license or state ID today? Continue SOS Home (http://www.michigan.gov/sos)

FAQ (https://www.michigan.gov/sos/0,4670,7-127-5647_12539---,00.html)

Forms (http://www.michigan.gov/sos/0,1607,7-127-1640_11777---,00.html)

Contact the Secretary of State (http://www.michigan.gov//sos/0,4670,7-127--25634--,00.html)

FOIA (http://www.michigan.gov/sos/0,4670,7-127--357908--,00.html)

ADA (http://www.michigan.gov/adaform)

State Web Sites (http://www.michigan.gov/sos/0,1607,7-127----A,00.html)
Policies (https://www.michigan.gov/policies)