

MICHIGAN STATE HEARING

**Wayne State University Law School
Detroit, Michigan
January 9, 2014**

GUEST COMMISSIONERS

Jocelyn Benson, Dean, Wayne State University School of Law	Ellen Katz, Professor, University of Michigan Law School
Harold Hood, retired Judge, Michigan Court of Appeals	Marilyn Kelly, retired Justice, Michigan Supreme Court

PANELISTS

Jan BenDor, State Coordinator, Michigan Election Reform Alliance	Gloria Mills, National Action Network
Jesse Buchsbaum, Chair, University of Michigan Voice your Vote	Eva Packard, Voter Service Chairman, League of Women Voters Michigan
Sharon Dolente, Director, Michigan Election Coalition	Rich Robinson, Executive Director, Michigan Campaign Finance Network
Rachid Elabed, Advocacy and Civic Engagement Specialist, Arab Community Center for Economic and Social Services Michigan	Chris Rodriguez, Director of Governmental Affairs and Media Relations, Michigan Protection and Advocacy Service
Dan Korobkin, Deputy Legal Director, ACLU of Michigan	Todd Schmitz, Macomb County Deputy Clerk
Melanie McElroy, Executive Director, Common Cause Michigan	Khalilah Spencer, Chair, Legal Redress Committee, Michigan NAACP
	Theresa Tran, Board President, Asian and Pacific Islander American Vote Michigan

PUBLIC TESTIMONY

Anita Belle, former mayoral candidate, Detroit	Catherine Montgomery
Michael-David BenDor	Tijuana Morris, former candidate, Detroit Police Commissioner Board
Melissa Brown	Matt Robb
Valerie Glenn, Michigan Democratic Party	Jean Vortkamp, former mayoral candidate, Detroit
Richard Hairston	D. Etta Wilcoxon
Monique McCormick	

WRITTEN TESTIMONY

Deborah Stewart Anderson
William Rittenberg

SUPPORTING ORGANIZATIONS (NOT EXHAUSTIVE)

APIA Vote - Michigan	Michigan Department of Civil Rights
Common Cause Michigan	Michigan Election Reform Alliance
D. Augustus Straker Bar Association	National Action Network
Jaffe Raitt Heuer & Weiss	Sierra Club Michigan
League of Women Voters of Michigan	

MICHIGAN STATE HEARING HIGHLIGHTS

On January 9, 2014, approximately 75 voters, activists and voting rights advocates gathered at Wayne State University Law School in Detroit, Mich. to share their experiences of the voting challenges they continue to face in Michigan at a hearing convened by the Lawyers' Committee for Civil Rights Under Law. Witnesses testified about numerous issues creating barriers to equal participation in the democratic process in Michigan, including the attempted closure of a Secretary of State branch office in Buena Vista Township and allegations that the city of Hamtramck failed to comply with its language assistance requirements under Section 203 of the Voting Rights Act.

I. Attempted Closure of Secretary of State Branch Office in Buena Vista Charter Township

Dan Korobkin of the American Civil Liberties Union of Michigan and Khalilah Spencer of the Michigan State Conference of the National Association for the Advancement of Colored People both testified about the attempt in 2007 to close a Secretary of State branch office in Buena Vista Township. African Americans constitute the majority in Buena Vista Township, and the municipality was required to obtain preclearance of voting changes under Section 5 of the Voting Rights Act prior to the decision in *Shelby County v. Holder*.¹ The branch office provides a place where citizens register to vote and obtain a photo ID, which is required for voting in Michigan. The next closest branch office is more than 90 minutes away. After local organizations in Michigan wrote to the United States Department of Justice (DOJ) about the proposed closure of the branch office, the DOJ wrote a letter to state officials indicating that the office could not be legally closed due to the impact on minority voters.²

¹ See, *United States Census Bureau's State and County Quickfacts for Buena Vista, Mich.*: <http://quickfacts.census.gov/qfd/states/26/2611555.html> and *DOJ list of preclearance jurisdictions prior to Shelby*: http://www.justice.gov/crt/about/vot/sec_5/covered.php

² See, *DOJ's Dec. 26, 2007 determination letter*: http://www.justice.gov/crt/records/vot/obj_letters/letters/MI/L_071226.pdf

II. Language Assistance in Hamtramck

In October 2011, based on population figures from the 2010 census, the City of Hamtramck became covered by the language assistance provisions of Section 203 of Voting Rights Act.³ Section 203 requires that minority language voting materials be provided in communities in which greater than five percent of the voting-age population is a language minority. Hamtramck is required to provide voting materials in Bengali under Section 203. According to Theresa Tran of Asian & Pacific Islander American Vote-Michigan (APIA Vote), during the November 2012 general election, an APIA Vote investigation showed that many poll sites failed to provide Bengali ballots, make translated materials available or provide interpreters, as required by Section 203.⁴ Tran indicated that, in one case, the translated sign displayed next to the voter bill of rights had nothing to do with voter rights at all. Tran also stated that poll workers complained that voting machine scanners would not read the translated Bengali ballots because duplicated ballot numbers on the English and the Bengali ballots made it seem as though Bengali voters had already cast votes, causing significant confusion.

³ See, Bureau of Census, *Voting Rights Act Amendments of 2006, Determinations under Section 203* http://www.census.gov/rdo/pdf/2011_26293.pdf

⁴ "Final Report on Section 203 Efforts in Michigan." APIA Vote MI