

September 15, 2020

Michael J. Shirkey
Senate Majority Leader
S-102 Capitol Building
Lansing, MI 48933

Lee Chatfield
Speaker of the House
Room 164 Capitol Building
Lansing, MI 48933

Dear Majority Leader Shirkey and Speaker Chatfield,

As local and county clerks from across the state of Michigan, our most important responsibility is ensuring that elections in our state are conducted in a safe, secure, and reliable manner. Our collective staffs and poll workers labor tirelessly to achieve this goal because we know that well-run elections are absolutely critical for the voters and candidates of Michigan. They are, without exaggeration, the foundation on which an effective government and our democracy itself are built.

We write to you because we fear that Michigan's clerks are being placed into a situation this November that is a recipe for disaster. The challenges are entirely foreseeable—a never-before-seen volume of absent voter ballots, which are enormously time intensive to process; staffing and training challenges due to the continued prevalence of the coronavirus; and outdated restrictions that the Michigan legislature places on the clerks of our state.

As any clerk in the state can attest, processing an absent voter ballot is far more time-intensive than recording an in-person vote. After comparing the signature on the return envelope to the voter's signature on record, clerks then contact voters if necessary to confirm that a signature is theirs. Then, we must open the outer mailing envelope, then the inner secrecy sleeve, and remove, unfold, sort, and flatten the ballot found inside. Only at that point can we begin to scan the ballots, often limited by machines that can process only three or four ballots per minute. At each of these stages, important verification and safeguard processes improve the security and reliability of our system, but add still more to the workload. The tallying, or counting, is only the final step in the process—and can be safely held in the process while the other time-consuming steps move forward.

The time demands of processing absent voter ballots already stretched many of Michigan's clerks thin in the August primary. And the general election will be significantly higher volume.

The data and the results are in: Working under Michigan law's current restrictions, clerks faced extraordinary adversity. The more than 1.6 million absent voter ballots we received, processed, and counted during the August primary elections surpassed the previous record set in November 2016 by 25 percent. In some of our localities, the disparity was even greater. Livonia, for example, saw 4.6 times more absent voter ballots this August than it did in November 2016.

Some of our jurisdictions were not able to finish counting absent voter ballots and submit results until 1 a.m., 2 a.m., or even 7 a.m. on Wednesday morning. Mandating this state of affairs through statutory restrictions is not just cruel to the workers who dedicate their time to our most sacred democratic

process—it is a threat to the public’s faith in the security and accuracy of our elections. Reports of fatigued poll workers working 18 straight hours or more at an absent voter counting board or precinct will not promote the public’s trust in our election process. One clerk even reported working 30 hours during the August primary. While these extreme numbers are a testament to our clerks’ and poll workers’ commitment to our democracy, they are the result of a policy failure. This November promises to place clerks in a dramatically worse position. The aforementioned challenges occurred with 1.6 million absent voter ballots. The most recent projections estimate that in November we will see double that number—well over 3 million absent voter ballots.

We worry that if the legislature fails to lift its restrictions on local clerks, significant delays or other problems will ensue this November. We do not want Michigan and Michigan leaders to be known historically as the ones who failed to avoid a preventable election mess. Our state is better than that.

Already, Michigan stands apart as an outlier in blocking its clerks from pre-processing absent voter ballots before Election Day. Thirty-six out of 50 states lack the restriction found in Michigan law. Florida, whose handling of absentee ballots has been praised by everyone from President Trump to the leader of Florida’s Democratic Party, allows local election officials to start processing mailed absentee ballots 22 days before Election Day. Nearby Minnesota allows ballot envelopes to be opened seven days before Election Day, and our neighbors in Ohio also lack a prohibition on pre-processing before Election Day. Arizona allows election officials to get started 14 days before Election Day.

We are not asking to count and tally ballots before Election Day, simply to be allowed to complete the time-intensive steps before counting, like opening envelopes and sorting and flattening ballots. While we all share a commitment to a secure election, concerns that this reform could somehow lead to vote totals emerging before Election Day are simply misplaced and ill-informed. The reforms we request would not even permit a vote count to be created before Election Day, much less for them to be shared surreptitiously. Legislative reform allowing clerks to take the time they need is an essential pre-condition for the November election to be as safe, secure, and reliable as all of us want.

Majority Leader Shirkey and Speaker Chatfield, you are the two individuals with the power to fix this issue before it becomes a deeply regrettable problem in November.

While even one day of pre-processing before Election Day would provide some help, many clerks are busy preparing for the logistics of the next day’s in-person voting. We believe that allowing clerks to have seven days of pre-processing before Election Day is the wisest policy and would give overwhelmed jurisdictions the ability to conduct the election in the most safe and secure manner possible. Fortunately, bipartisan legislation to give clerks more time stands ready for you to move in both the House of Representatives and the Senate.

As the signers of this letter indicate, giving clerks the time they need is not a partisan issue. It should not be a controversial proposition, either, just a matter of common sense. We urge you to bring this legislation to a vote early in the September legislative session and see to it that dearly needed reform passes the legislature with sufficient time to be implemented before November.

Signed,

Tina Barton (City of Rochester Hills)
Chris Swope (City of Lansing)

Justin Roebuck (Ottawa County)
Barb Byrum (Ingham County)

Michelle Anzaldi (Pittsfield Charter Township)
Debbie Binder (West Bloomfield Township)
Aileen Dickson (City of Troy)
Susan Heath (City of Coldwater)
Larry Kestenbaum (Washtenaw County)
Kim Markee (Waterford Township)
Kim Meltzer (Clinton Township)
Susan Nash (City of Livonia)
Ute O'Connor (Grosse Ile Township)
Jan Roncelli (Bloomfield Township)
Cheryl Rottman (City of Madison Heights)
Pam Smith (City of Farmington Hills)
Sharon Tischler (Southfield Township)