

## NEWS RELEASE

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### **Michigan Agrees to stop Unlawful Voter-Purge Programs**

*Agreement follows lawsuit by ACLU, Advancement Project, and USSA*

DETROIT – The state of Michigan has agreed to stop two voter-purge programs that unlawfully disfranchised thousands of Michigan voters in violation of federal law. The settlement agreement resolves a lawsuit filed in September 2008 by Advancement Project, the American Civil Liberties Union, the ACLU of Michigan and the law firm of Pepper Hamilton LLP on behalf of the United States Student Association Foundation (USSAF), ACLU of Michigan and Michigan State Conference of the NAACP.

“This is a true victory for Michigan voters,” said Bradley Heard, a senior attorney with Advancement Project. “Voter-removal procedures like those at issue in this lawsuit, which allow eligible and registered voters to be suddenly stricken from the rolls without notice, are bad for democracy. We are happy that the state of Michigan finally agreed to right these wrongful practices.”

Michigan’s voter-purge programs disfranchised Michigan voters with out-of-state driver’s licenses or voter-identification records associated with incorrect mailing addresses.

In October 2008, the U.S. District Court in Detroit found that the voter-removal programs likely violated the National Voter Registration Act of 1993 (NVRA). The court issued a preliminary block on a Michigan law requiring local clerks to nullify the registrations of newly-registered voters whenever their voter-identification cards were returned by the U.S. Post Office as undeliverable. Today’s settlement agreement permanently ends that practice as well as the practice of purging voters from the rolls who obtained out-of-state driver’s licenses without proof that the voter changed residence for voting.

The NVRA permits voters to remain on the voter rolls for at least two federal general election cycles after voter-registration cards are returned as undeliverable. The NVRA also requires that before states purge voters who obtain out-of-state driver’s licenses, states must verify that voters actually changed voting residence.

“The affirmative steps Michigan is taking will help restore confidence in an electoral process badly damaged by misguided practices that would have shut out lawful voters from the democratic process,” said Meredith Bell-Platts, an attorney with the ACLU Voting Rights Project. “The people of Michigan can now be assured that their votes will be counted regardless of whether the postal service could match your street address or when and where you got a driver’s license.”

Michigan’s voter-removal programs had a particularly detrimental impact on students and minority and low-income communities. These populations tend to be more transient and to live in multi-family housing or in dormitory settings where mail can be unreliable and unpredictable. Students often have driver's licenses from different states than where their colleges are located.

“This ruling ensures that, despite the transient lifestyle of college students, they will continue to have an influential voice in the electoral process,” said Gregory Cendana, President of USSAF.

“Students and communities of color shouldn’t have their right to vote taken away because they didn’t receive their mail or have out-of-state driver’s licenses,” said Kary Moss, Executive Director of the ACLU of Michigan. “We are relieved that Michigan has agreed to take steps to make sure all Michigan voters can make their votes count and their voices heard.”

“The resolution of this lawsuit in advance of the 2010 elections will help to eliminate a great deal of voter confusion, particularly in communities of color,” said Yvonne White, President of the NAACP Michigan State Conference. “Since our founding, we have constantly worked with our members and coalition partners to fight barriers to voting. We are very proud to have helped facilitate this important settlement agreement that ends the disfranchisement of thousands of our members and Michigan citizens.”

Attorneys on the case are Heard of Advancement Project, Bell-Platts of the ACLU Voting Rights Project, Moss, Dan Korobkin and Michael Steinberg of the ACLU of Michigan, and Matthew J. Lund, Mary K. Deon and Deborah Kovsky-Apap of Pepper Hamilton LLP.

Legal documents in this case are available at: [www.aclu.org/voting-rights/united-states-student-association-foundation-et-al-v-land-et-al](http://www.aclu.org/voting-rights/united-states-student-association-foundation-et-al-v-land-et-al)

More information on the ACLU Voting Rights Project is available at: [www.votingrights.org](http://www.votingrights.org)

More information on Advancement Project is available at: [www.advancementproject.org](http://www.advancementproject.org)

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*The United States Student Association, the country's oldest and largest student-led organization, represents over 4.5 million students at over 400 campuses across the nation. We work to develop current and future leaders and amplify the student voice at the local, state, and national levels by mobilizing grassroots power to win concrete victories on student issues.*

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