

## Terri Lynn Land's Post Card Voter Purge Effort

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1. initial post by Matt Ferguson on MichiganLiberal.Com
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What is Terri Land (R) doing now? (posted on MichiganLiberal.Com)

by: [matt](#)

Thu Jul 13, 2006 at 12:58:39 PM EDT

Did you get a postcard this week from the state Bureau of Elections? I did. (two actually - one addressed to me and one addressed to some guy who apparently used to live here) Here's what it looks like:

[see <http://www.michiganliberal.com/showDiary.do?diaryId=5993> for picture of the card]

I threw the card addressed to me away and stuck the other one on the side of the mailbox and didn't give it any more thought - until this morning, when I got this in my inbox from my ex-boss Mark Grebner:

Matt -

Have you just received a postcard (see above) from Terry, babbling about her new website, Michigan.gov/vote? No actual content to the card, and no plausible reason for mailing it, unless she's trying to invoke MCL 168.509, which involves "reliable information" that a voter has moved, which requires the entire process be completed at least 90 days before the November election, or by August 10. If you get one, notice the barcode above the address. It's not a postal code, but your QVF ID#, apparently printed to make it easy to process the postcards returned by the USPS. Also notice the "Return Service Requested" endorsement, which means that none of them will be forwarded - they're automatically returned to the Secretary of State, with whatever information the Post Office has. I don't know the scope of the mailing yet, but everybody I've asked in the Lansing area has reported receiving it. There's no legal authority for sending them out, and lots of legal hoops to jump through before anybody could be removed from the voter rolls, but it looks exactly like some GOP-inspired scheme. Absolutely no mention of the postcard mailing on the SOS website, and no mention in any newspaper, as far as I can see. And I'm sure it's not in her budget. If it's statewide to the entire QVF - which is possible, but unknown - the cost would have been very close to \$2 million, with likely followup costs running at least another \$1 million.

Just figured I should tip you off, so you could start poking around for info.

-mg

So the Bureau of Elections (run by Secretary of State Terri Lynn Land [R]) sent these things out to everybody less than four months before the election with no realistic hope of deleting people whose cards are returned within the next month or so (as the law prescribes). They have no realistic chance of doing this because in order to knock someone off the Qualified Voter File, you're required to deal with the local clerks and they have to do a bunch of stuff (jump through hoops, as Mark says).

So how is this a "GOP-inspired scheme"? Well, apparently all of these cards that are returned to the Elections Bureau are public record. That means the Republicans (or anybody) could get them - through FOIA or otherwise - for very little cost and use them to clean up their list. And if nobody on our side had noticed what was going on, they would have been able to get a an exclusive and newly-cleaned list, courtesy of the taxpayers.

If this is the case, sorry, Amway brigade, the jig is now up.

As they say on Fox News and all of those other hairdo channels, this is a "developing story." There are probably other permutations here that haven't been exposed yet. If you know of one, please leave it in the comments. When Mark wakes up, perhaps he'll have some things to add/correct.

Stay tuned...

UPDATE by Matt:

In the comments, Grebner notes that the mailing does indeed appear to be statewide and...

...it seems possible that the real motive may have been to provide a list of voters to challenge if they show up at the polls, which will give the Republicans something to do on election day.

For extra credit, please write an essay explaining how an unnecessary mailing at public expense is related to the Republican mantras of fighting waste and minimizing government.

Any takers? Still would really like to know where the money came from to fund this weird excursion.

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Update from Mark Grebner...

by: [matt](#)

Fri Jul 14, 2006 at 14:18:53 PM EDT

Mark Grebner gives us some VERY interesting tidbits in his latest comment attached to [yesterday's post](#) on Terri Land's statewide mailing. They deserve to be up top:

I just got off the phone with (state elections director) Chris Thomas, who made it clear that he wanted to answer EVERY question fully and completely. Yes, they DO read Matt's blog. And here - in brief - are the answers, some of them surprising.

First, "one" of the main purposes of the mailing was to troll for data. Chris - toeing the company line - insisted that "the educational component was important too" but pretty quickly cut to the chase.

Second, they intend to completely ignore the role set out for local Clerks in Michigan law, and just run the program themselves. This is mainly a reaction to the lack of cooperation they've gotten from local Clerks. Chris's claim was that Federal law supersedes the provisions of State law. I don't believe that (we're both attorneys) but since the Republicans control the courts, I suppose their version might prove triumphant, if the question is ever litigated.

Third, all the data from the returns is public, although Chris seemed taken aback by my desire for my employees to actually handle the hundreds of thousands of cards that will come back. He had thought I'd be happy with a CD at the end of the process.

Fourth, they're going to ignore the postal "endorsements" on each returned piece of the reason for the return. They'll treat all returned pieces identically. This strikes me as illegal, since they plan to act under MCL 168.509AA which requires "reliable information" that the person has moved out of the municipality. As I've explained to Chris, I think they should break out certain returned cards for separate treatment, which he doesn't currently plan to do.

For example, if a postcard is marked "mail cannot be delivered due to unleashed dog" - which is a real endorsement - I don't see how you infer that somebody has moved away.

Finally, and most interestingly, they've given up taking any action before November's election. Total surrender. They'll send out a forwardable letter asking people to respond, but regardless of what they get back, they will leave people on the rolls for this November. I'm certain that wasn't the original plan, but as Emily Latella would say, "Never mind."

Huh. Apparently the Secretary of State has decided to just ignore Michigan law. Perhaps this is our version of George Bush's "unitary executive" theory? Gee, maybe the Governor could start doing that too! Just send the Legislature home. We don't need them anymore. Could be fun, yes? Seriously, thanks again, Mark, for the update. We'll look forward to sifting through all of those cards. BTW, I wonder how the local clerks will feel when they learn their authority is about to be taken away through administrative diktat.

[matt](#) :: [Update from Grebner...](#)

Tags: [AAA-News](#) , [Secretary of State](#), ([All Tags](#))

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very very strange, ([0.00 / 0](#))

i hope whoever runs mrs. waters campaign knows what they are doing...

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by: [Jon Koller](#) @ [Fri Jul 14, 2006 at 15:00:57 PM EDT](#)

[ [Reply](#) ]

Use of the compiled information by Republican poll challengers ([4.00 / 1](#))

I should make explicit that there's nothing to stop the Michigan Republican Party from obtaining Land's file of returned postcards, printing up lists of names by precinct, and sending their zealots to the polls on Election Day to challenge anybody whose name appears.

If that happens, it will mean a few percent of all voters will be required to produce ID or else cast a challenged ballot, with the requirement of providing ID the next day.

I don't see exactly what the point of this exercise would be, since so few votes would be at stake. But I've always wondered about the point of their sitting at the polls waiting year after year. Now, at least, they can check every incoming voter against the printout, and once in a while shout "STOP! FRAUD!". I've returned my personal postcard to the Secretary of State, crossing out my name and writing "Return to Sender". Perfectly legal. It doesn't suggest I've moved away, or that my registration is in any way defective. But I look forward, on Election Day, to their trying to claim they have information that I'm a fraudster.

I encourage everybody who's game, to return their cards as well, just so we can keep track of their movements.

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by: [Grebner](#) @ [Fri Jul 14, 2006 at 18:22:16 PM EDT](#)

[ [Reply](#) ]

That's not very smart

Sp while you are having your constitutional argument and challenging the challengers...how many other Democrats will have to stand in line behind you waiting to vote.

Challenging is more then preventing voters from voting...it's about causing long lines in heavy Democratic precincts.

You want to do something constructive, get the SOS to release the post offices reasons for returns so that we can show that the cause was insufficient to challenge.

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by: [Nazgul35](#) @ [Fri Jul 14, 2006 at 20:43:21 PM EDT](#)

[ [Parent](#) ]

You're over-reacting

No Constitutional argument. Republican challenger pops up and yells - "HE'S A FRAUD!". The election workers look at him in amazement - they know me of course. I pull out my drivers license.

The precinct chairperson looks at it and tells the worker to issue me a ballot. I vote.

There are lots of problems in my precinct, with MSU students who have moved six times since they registered, especially in Presidential election years. But my little problem will be handled in 5 minutes or less, and won't even hold up the line.

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by: [Grebner](#) @ [Fri Jul 14, 2006 at 21:47:00 PM EDT](#)

[ [Parent](#) ]

but you are encouraging everyone to do this  
Multiple out your challenge times thousands of voters.  
Someone is over reacting, but it isn't me...  
The simple solution is to be prepared for any nonsense.  
This means to have poll challengers at every....every precinct each with a list of names and why their card came back.  
Also, have lawyers ready...  
Also, be sure to let the person vote but put it in the challenged category.  
ANYTHING that ties up the voting lines will impact turnout!

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by: [Nazgul35](#) @ [Sat Jul 15, 2006 at 12:15:36 PM EDT](#)  
[ [Parent](#) ]

Rethug challengers  
in the '05 Detroit election were a dress rehearsal for '06.  
I agree with you completely. I we need to be prepared in every precinct.  
Democracy should begin at home. -- Alice Paul, 1919

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by: [Cordelia Lear](#) @ [Sat Jul 15, 2006 at 14:39:19 PM EDT](#)  
[ [Parent](#) ]

Suppress the Vote  
If they can't kick voters off the rolls this cycle, they will at least use this process to slow down the vote and create long, lines, harassment, anger, and confusion and heavily Democratic polling places.  
Also, if this was all about education, why didn't the postcard inform voters that the michigan.gov/vote has information about how to cast an absentee ballot?  
My card will be returned as well with a message on both sides:  
"TERRI LYNN LAND WASTES TAXPAYER DOLLARS"

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by: [DemWave](#) @ [Sat Jul 15, 2006 at 10:03:14 AM EDT](#)  
[ [Parent](#) ]

Who pays? ([0.00 / 0](#))  
How did they come up with the money to do this? Could they just "scrape up" a potential 3 million bucks for something they aren't even going to "take action on"?

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by: [wizardkitten](#) @ [Fri Jul 14, 2006 at 19:53:59 PM EDT](#)  
[ [Reply](#) ]

Has Chris Thomas Lost His Integrity or Was He Hammered Into Going Along with This "Vote Integrity" Project? ([0.00 / 0](#))  
There was a story circulating about Chris Thomas talking about retiring after having a contentious dust up with the Secretary of State's Chief of Staff and Republican Apparatchik Brian DeBano. Brian served in various Executive Office capacities for John Engler and now lives next door to Chief Unjustice Taylor. This was probably the issue. Chris publicly opposed past efforts of the Republican party to intimidate and suppress votes in urban areas through various "voter integrity" projects. This is a brilliant ploy because Republican challengers just need to slow the vote up in urban areas to cost the statewide Democrats thousands of votes. The Secretary may have been put way out on a very thin limb by her masters, DeVos and Anus, however as there is some very serious legal problems with this action. The Secretary does not go the bathroom or a meeting without putting out a press release so the fact that she ordered this done in a stealth manner without any publicity is very telling. What could be real fun is to see how much AG Cox was consulted and if he will chose to defend her.

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by: [williamsman](#) @ [Fri Jul 14, 2006 at 20:00:05 PM EDT](#)  
[ [Reply](#) ]

FIOA the Returned Postcards And Exercise Your Right to Examine Them Mr. Grebner ([0.00 / 0](#))

I just read some of the earlier postings on this issue and I see Chris Thomas was taken aback by the idea of Mr. Grebner wanting his employees to handle the returned postcards. Under FIOA Mr. Grebner would have a right to examine the cards. The FIOA should probably not be limited to just the Secretary of State as other departments or agencies may actually have possession of the cards and would be bound to respond to such a FIOA before turning them over to the Secretary. Just an idea on a very hot evening.

by: [williamsman @ Fri Jul 14, 2006 at 20:09:15 PM EDT](#)

[ [Reply](#) ]

FOIA for all Dem precinct workers ([4.00 / 1](#))

Simple solution here is to use the Freedom of Information Act to request the list of voter is each precinct of the state that have been shown to be questionable by this mailing. Then give them to the Democratic precinct workers, especially in Rethug precincts on the West Side, mine for example, so they can challenge any Rethug voter whose card was returned to the Sec of State. In areas were we are in the minority we actually need to use the Rethug methods and try to limit the number of Rethugs who get to vote by these challenges or by making the lines so slow that some of the Rethugs decide to go home instead of voting. We need to get them by using the same tactics that they have used so effectively to suppress the progressive vote.

by: [Ken-the-Troll @ Sat Jul 15, 2006 at 01:56:17 AM EDT](#)

[ [Reply](#) ]

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Date: Sun, 16 Jul 2006 15:00:17 -0400

To: Jan BenDor <[jan@bendor.org](mailto:jan@bendor.org)>

From: William Rittenberg <[rittenbe@mail.msu.edu](mailto:rittenbe@mail.msu.edu)>

Subject: Re: MERC-Council: Local clerks losing power? Not yet. But maybe soon.

At 12:47 PM 7/16/2006, you wrote:

The SOS currently does not have the authority to cancel a voter's registration except when that person changes his or her address at an SOS branch. This issue was addressed last fall, when the SOS initially announced they were going to "assist" local jurisdictions with "cleaning up" their voter registration data. Fearing an illegal purge, Florida-style, many of us raised alarms, and Mark Brewer publicly objected to the project. The response of the SOS was to "clarify" that they were offering assistance using HAVA grant money, to local clerks to send out new voter ID cards (the return of which would cause the voter to be coded "verify" but not cancelled).

I am an accredited election administrator and a certified trainer for election inspectors, and have attended an endless number (seemingly, because they have been so boring) of trainings on election law and the QVF system. The management of local voter registration data is still very much in the hands of local clerks. I have met many of them ( in all there are about 1200 township clerks and 400 city/village clerks) and find most to be amazingly committed to the cause of clean elections and the right to vote, despite increasing problems created by bad legislation and unfunded mandates. By and large, we owe the integrity of our voting system in Michigan to the diversity of local control, although from time to time there are incompetent or dishonest people who violate their oath of office.

What I fear is the continuing power grab by Land's buddy, Chris Ward, R-Brighton Twp., who heads the House Cte. on Govt. and is now Majority Leader. He is on a mission from God to deprive Democrats, women, gays, public school teachers, and minorities of their right to vote. He was the main mover of the ghastly Election Con package, the horrible photo ID and "early voting" bills, and the request to the State Supreme Court for an "advisory opinion" that threatens to open the door to overturning former AG Kelley's decision that photo IDs are unconstitutional.

Ward is an unapologetic member of the extreme religious right, as well as the male chauvinist society, and he made it very clear to me that he intends to police my polling place, my bedroom, my local government authority, and anything else he can get his self-righteous hands on. He and his pal Sen. Bev Hammerstrom were behind the move to stop local governments from providing partner benefits, and active in the persecution of teachers with "criminal backgrounds." Ward will lie about anything and everything in order to justify his mission, because in his cosmology the means justify the ends. On election issues, he gets a pass from the media, because he was formerly--briefly--a township clerk. However, from talking to him, and to one of his former staff members, I have to conclude that he left the hard work of election administration to the women in his office and learned very little about how things really work.