

May 29, 2020

LWV of Michigan and LWV of Detroit Join Voter Purge Case

Leagues stand ready to defend voters against unjust purges

DETROIT—Today, a federal judge granted a motion to intervene to the League of Women Voters of Michigan and Detroit in *Public Interest Legal Foundation v Winfrey*, which seeks to force the City of Detroit to conduct an aggressive purge, based on questionable and unsubstantiated data, that would likely result in eligible voters being thrown off the City's voter registration rolls.

"The League of Women Voters of Michigan is pleased to be accepted as interveners in this lawsuit," said **Christina Schlitt**, President of the League of Women Voters of Michigan. "The League has spent the last century promoting and protecting the right to register and vote by educating, assisting, and registering voters in Detroit and throughout Michigan. We are proud to defend Michigan voters against unjust and flawed purge practices."

The Indiana-based Public Interest Law Foundation has repeatedly sought to pressure election administrators around the country to conduct aggressive purges of their voter rolls, pointing to alleged inaccuracies as justification. Indeed, the court recognized that "the same plaintiff has initiated or is in the process of initiating multiple lawsuits in various courts around the state raising essentially identical claims attempting to coerce municipalities to purge their voter rolls." In this case, the organization alleges without adequate substantiation that Detroit has failed to make "reasonable" efforts, as required by the National Voter Registration Act of 1993, to remove ineligible voters from its rolls, such as voters who have died or changed address.

"The Detroit League is proud to join this case in our role to defend the rights of eligible Detroit citizens to register and vote," said **Rhonda Craig**, President of the Detroit League of Women Voters. "We believe that voter rolls should undergo regular maintenance, but not at the expense of eligible voters."

The League argues that Detroit's list maintenance efforts are reasonable and, therefore, compliant with federal law. These efforts include methodical processes for investigating apparent inaccuracies on the rolls and safeguards to ensure that eligible voters are not improperly removed. Were Detroit to purge its lists based on the Public Interest Legal Foundation's unvetted, unsubstantiated claims of errors, it would risk removing voters with similar names, on the unwarranted assumption that they are the same person, and allegedly "deceased" voters who are in fact alive, based on typographical errors. Such a purge would risk sweeping up eligible voters.

"The court made the right call," said Myrna Pérez, director of the Brennan Center's Voting Rights and Elections Program. "An organization with a history of meddling in voting rights is trying to bully Detroit into adopting an aggressive and unwarranted purge that could kick eligible voters off the rolls. As parties to the case, we can now fight to ensure that doesn't happen."

The League argues that federal law does not require that election administrators conduct voter purges based on unsubstantiated and unsolicited data presented by third parties such as the Public Interest Legal Foundation; that the City already meets the requirements of federal law in its list maintenance practices and should not be compelled to go beyond those requirements; and that the purge practices sought by the foundation threaten the voting rights of Detroit and Michigan citizens and the integrity of election administration statewide.

The League is represented in this case by the Brennan Center for Justice at NYU School of Law, Paul, Weiss, Rifkind, Wharton & Garrison LLP, and Butzel Long. Due to the COVID19 virus executive orders to “shelter in home,” the judge did not hear oral arguments but relied on the written arguments submitted.

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