

**City of Detroit**  
DEPARTMENT OF ELECTIONS

GEORGE C. AZZOUZ,  
*Director*

JANICE M. WINFREY, *City Clerk*  
*Chairperson, Election Commission*

GINA C. AVERY-WALKER,  
*Deputy Director*

September 21, 2020

Michigan House of Representatives, Chair  
Elections and Ethics Committee  
Post Office Box 30014  
Lansing, Michigan 48909-7514

**Emailed and Mailed: September 21, 2020**

Dear Representative Calley:

Senate Bill 757 is a step in the right direction. I am not opposing the bill; however, I am seeking clarification and amendment to ensure absent voter ballots are properly processed. We have had a positive conversation with Senator Ruth Johnson about the content of the amendment below and hope that the Committee members will likewise find the amendment beneficial to election officials.

The City of Detroit has an enormous task ahead processing and tabulating between 180,000 and 200,000 absent voter ballots in November. This volume is unique in Michigan as no other jurisdiction approaches this number of absent voter ballots. Participating in the Bill's pre-processing will require us on the Monday to bring in 100s of workers, who will turn around and report back to work Tuesday morning. This effort would be counter productive and culminate in challenges to our processing if the Bill is not clarified.

It is unfathomable that any municipal clerk would open ballot return envelopes and separate the ballot from the return envelope without first marking the voter's name or ballot number on the Absent Voter Poll List and verifying the ballot number on the ballots stub matches the ballot number on the ballot return envelope. Skipping these steps could threaten the accuracy and balancing of an absent voter counting board.

My staff operates the Absent Voter Counting Boards with many partisan challengers present. It is imperative that there be no question about the legal process before it begins. Their role is to observe processes and raise questions if they appear different from the election law. It is important to include the relevant pre-processing activities in subsection (6) of the Bill.

Senate Bill 757 only permits clerks to "perform certain absent voter ballot pre-processing activities as **described in this subsection.**" (Page 5, line 11). The activities described in subsection (6) are:

- Authorized to **open absent voter ballot return envelopes** on the day before election day and not authorized to remove the absent voter ballot from the absent voter ballot security sleeve (called a 'secrecy envelope' in the Bill).
- If a ballot is found not to be in a secrecy sleeve, insert the ballot into a secrecy sleeve.

These activities are not the first steps in processing absent voter ballots. The normal processing steps are:

1. Confirm that the 'clerk record area' on the ballot return envelope is complete, indicating that the signature has been verified. If it is not complete, the ballot return envelope is returned to the clerk.
2. Mark the voter's name on the Absent Voter Poll List. This confirms the Absent Voter Counting Board received the ballot and is necessary to balance the precinct after all ballots are tabulated.
3. **Open the ballot return envelope.**
4. Verify the ballot number on the stub attached to the ballot agrees with the number on the ballot return envelope label. This verifies that the ballot issued is the ballot returned. The ballot should never be separated from the return envelope before the ballot number is verified.

Subsection (6) of the Bill is written to specifically state and limit the processing steps that are permitted on the Monday before Election Day. Many clerks need this extra time and clearly no one intends to place them in the position of performing activities that could be considered contrary law.

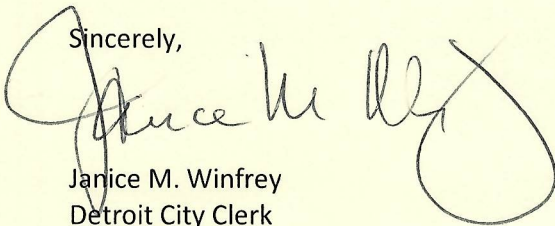
The following amendment rewrites the sentence beginning on Page 6, line 7:

After providing written notice to the secretary of state in compliance with this subsection, a city or township clerk, or his or her authorized designee, **on the day before election day** is only authorized to **verify the clerk's record area is completed, mark the voter's name or ballot number on the Absent Voter Poll List**, open absent voter ballot return envelopes ~~on the day before election day~~ and **verify the ballot number on the ballot stub agrees with the ballot number on the ballot return envelope label. The clerk, or his or her authorized designee**, is not authorized to remove absent voter ballots from the absent voter ballot secrecy envelopes.

This amendment will remove any question about the authorized pre-processing activities and appears to be in keeping with the intent of the Bill sponsor.

My staff and I are available to answer any questions you may have about this proposal. Thank you in advance for considering this amendment. I can be reached at 313-876-0880.

Sincerely,

A handwritten signature in black ink, appearing to read "Janice M. Winfrey", written over a printed name and title.

Janice M. Winfrey  
Detroit City Clerk

C: Vanessa Guerra, Minority-Vice Chair