

# PUBLIC INTEREST

— LEGAL FOUNDATION —

VIA EMAIL

April 15, 2020

Jocelyn Benson  
Adam Fracassi  
Secretary of State  
Richard H. Austin Building  
430 W. Allegan, 4th Floor  
Lansing, MI 48933  
[Secretary@michigan.gov](mailto:Secretary@michigan.gov)  
[FracassiA@michigan.gov](mailto:FracassiA@michigan.gov)

## RE: National Voter Registration Act Request

Dear Secretary Benson and Mr. Fracassi:

On March 5, 2020, we sent you a request to inspect records concerning your voter list maintenance activities pursuant to the National Voter Registration Act. 52 U.S.C. § 20507(i)(1). We intended to inspect those records on March 13, 2020. On March 12, 2020, we received an email from Mr. Fracassi stating that your office would “not be able to make records available” for our intended visit and that he would provide us with a “written response by March 26, 2020.” As of this writing, we have not received a response from your office.

Additionally, as you know, we planned to send a representative to inspect the requested records in person. After you told us that you would not allow inspection to take place on March 13, we were willing to accommodate a mutually convenient alternative date. However, given the lack of response from your office and the rapid escalation of the COVID-19 situation, **we request that you provide the requested records electronically.** As you know, both Michigan and Indiana, along with most of the states in the country, have declared states of emergency. The global pandemic has affected our ability to safely travel just as it has likely affected your ability to allow in-person inspection.

**Please provide the records by April 22, 2020.** You already know that federal law gives the public a right to review these documents and allows us to bring a civil action in federal court if the documents are not provided. 52 U.S.C. § 20510(b).

Thank you for your consideration,

Sincerely,



Logan Churchwell  
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Public Interest Legal Foundation  
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