



# **MOTOR***VOTER***MAYHEM**

**Michigan's** Voter Rolls in Disrepair



# PUBLIC INTEREST

— Legal Foundation —

October 2018

# INTRODUCTION

The federal National Voter Registration Act of 1993 (“NVRA”) mandates that election officials make all of their voter list maintenance records available for public inspection. Over the years, the Public Interest Legal Foundation has investigated several states and jurisdictions across the country for failing to comply with the voter roll accuracy mandates in the law. The Foundation reviewed election records to assess whether election officials are complying with the requirement to maintain accurate lists. This is essential to help minimize the potential for fraud. In these reviews, the Foundation has uncovered thousands of ineligible and inaccurate registrations. We have published reports based on these findings in Pennsylvania; Virginia; New Jersey; and most recently in a report called *Safe Spaces*, based on a sampling of sanctuary jurisdictions, such as Chicago and San Diego.

Every report demonstrably shows:

- Ineligible noncitizens can and do become registered to vote in large numbers across the country.
- These noncitizens often times remain registered to vote for long periods of time, sometimes for decades.
- Noncitizens, in almost all cases, are detected and removed from the voter lists only when they *self-report* and *request to be removed*.

- Many noncitizens do vote when they are registered, despite being ineligible to do so.

The Foundation surveyed more than 30 jurisdictions across Michigan. We examined alien registration and voting as well as obvious defects in the lists of eligible voters. Records made available to the Foundation show that noncitizens are registering to vote in astounding numbers in Michigan and that several jurisdictions have thoroughly obsolete and inaccurate rolls.

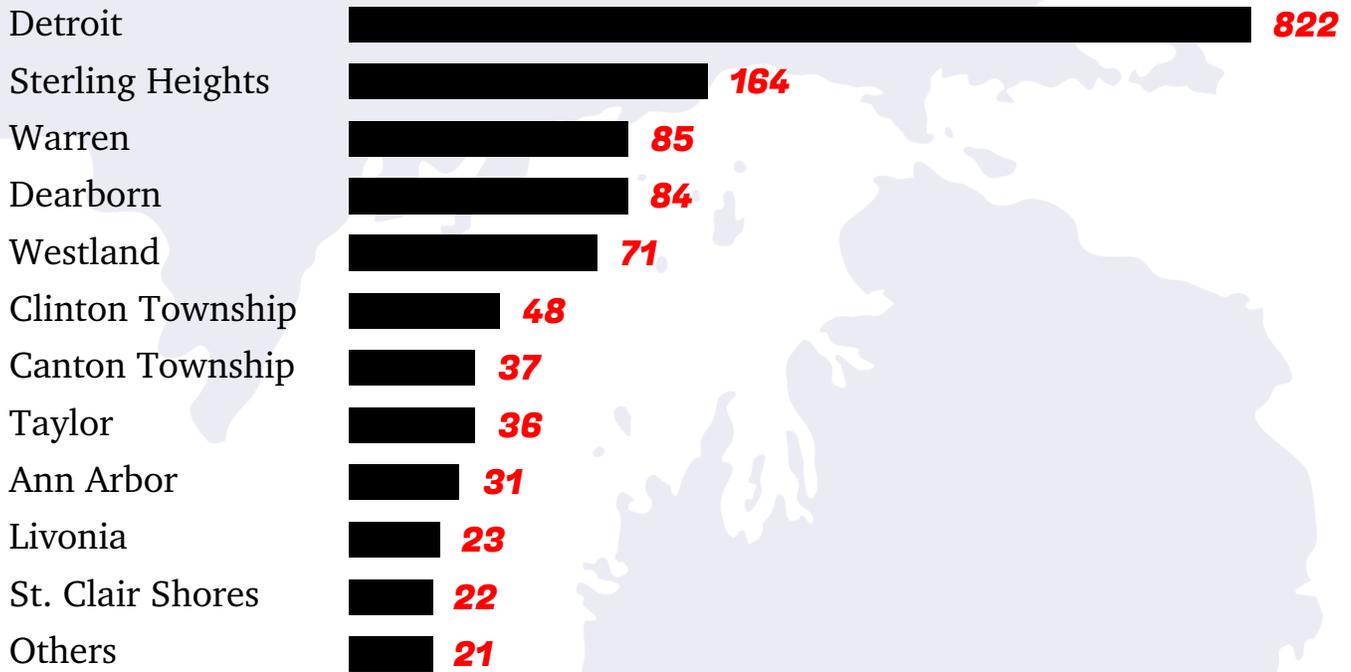
Noncitizens are registering and voting in every state we have examined. Worse, noncitizen registrants most often are not detected and removed from the rolls until they “self-report” that is, when they inform officials that they have been improperly registered. Now, we can add Michigan to the list.





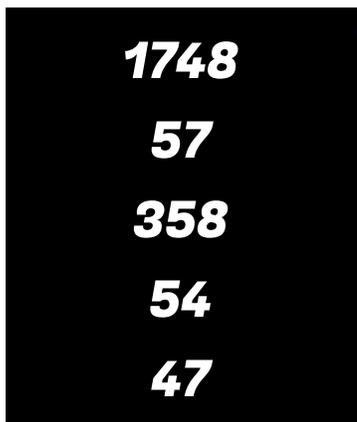
# SUMMARY OF FINDINGS

## NONCITIZENS REMOVED FROM THE ROLLS



**TOTAL: 1444**

### DUPLICATES



**2264**

Detroit  
Livonia  
Flint  
Grand Rapids  
Dearborn

**TOTAL**

### 105+ AGE



**1514**

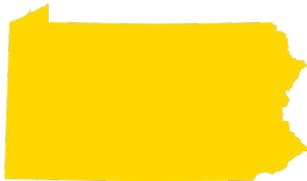
# PRIOR FINDINGS ACROSS THE USA

- In 2016, we reported that the city of Philadelphia had cancelled 86 registrations between 2013 and 2015 for lack of citizenship. Of those 86 cancelled registrants, 40 had voted in at least one election before they self-reported their ineligibility.



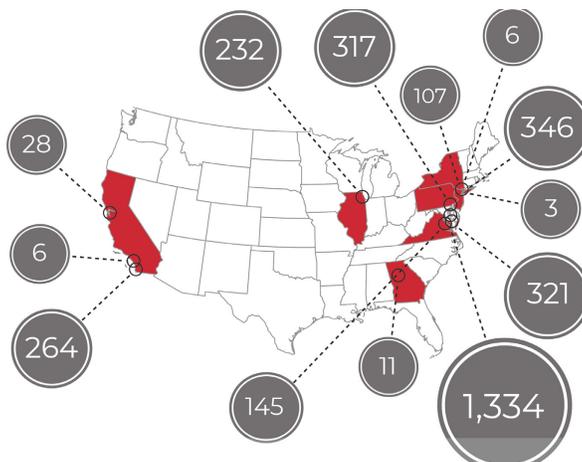
- In 2017, we expanded our Virginia research to show that unacceptable numbers of “declared non-citizen” removals had been made by the Commonwealth since 2011 for citizenship issues.

- Also in 2017, we released a study of New Jersey, where we discovered 1,069 noncitizens in the voter registration system across 11 counties. Of those, 37% had cast at least one ballot before removal from the rolls.



- In 2018, we released a report detailing how a so-called “glitch” in Pennsylvania’s motor voter system was allowing noncitizens to register. The report revealed 139 noncitizen cancellations since 2006 in Allegheny County. 27% had cast a ballot.

- Most recently, we conducted research into noncitizen registration cancellations in “sanctuary” jurisdictions across the country. We discovered 3,120 registrations cancelled for citizenship defects in parts of just seven states.





# WHAT ARE MOTOR VOTERS?

The problem of noncitizens registering to vote and then voting can be traced directly to flaws in the NVRA, signed into law by President Clinton in 1993. One of the goals of the legislation was to increase the rate of registration of eligible voters and thus increase participation in elections.<sup>1</sup>

The 1993 bill was branded as “Motor Voter” to highlight the requirement that any individual who applies for a state driver’s license must be offered an opportunity to register to vote.<sup>2</sup> But the law is silent on whether documentary proof of citizenship should be required at registration. Instead, the law provides that the states “may require only the minimum amount of information necessary to . . . enable State election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process.”<sup>3</sup>

Left-wing advocacy groups have sued states around the country for supposedly failing to make sufficient efforts to comply with the law and make voter registration available. As a result, driver’s licensing departments have sometimes turned a blind eye toward registrants who are admittedly not citizens.

Here is a snapshot from the top of the federal voter registration form:

**Voter Registration A**  
Before completing this form, review the General, Appl

Are you a citizen of the United States of America?  Yes  No

Consequently, all that is required to “prove” citizenship status for federal elections in all states is to check a box attesting to citizenship. It is nothing more than an honor system on an application form. If a noncitizen checks “Yes” attesting to citizenship and signs the form, even by mistake, he is simply enrolled without any verification.

We have found that noncitizens get on the rolls because registration is essentially forced upon them. We have seen in other states that noncitizens become registered even if they check the box that they are not citizens.<sup>4</sup> Some aliens even unknowingly register.

This honor system has proven to be a complete failure. It has resulted in corruption of the voter rolls and the registration of thousands upon thousands of ineligible noncitizens.

But the NVRA does not just require that people who go to license branches be given voter registration applications—it also mandates that election officials make reasonable efforts to keep their rolls accurate and current.<sup>5</sup>

Yet, time and again, the Foundation has discovered that reasonable maintenance is not happening across the country. Instead, rolls persist in a state of disrepair. In some cases, the rolls are bloated to impossible levels, with more registrants than eligible residents. In other cases, the rolls are filled with clear duplicate or long-deceased voters.

# OUR TRIP INTO THE MICHIGAN ROLLS

Voter fraud deniers like the Brennan Center insist that noncitizen registration and voting is rare or non-existent.<sup>6</sup> Others have reported that changes have been made to take care of the issue of noncitizen registration, claiming that it is “no longer an issue.”<sup>7</sup>

They are wrong. The facts are clear: noncitizens are registered to vote in Michigan and throughout the country, by the thousands at a minimum. They also vote. Whether they were registered by accident, were part of a criminal design, or merely vote in ignorance of the illegality is entirely beside the point. Only Americans should be electing American leaders.

Michigan provides another example of the ease with which noncitizens can register. Furthermore, Michigan illustrates the difficulty faced by election officials in detecting and removing noncitizens from the voter rolls. Michigan Secretary of State Ruth Johnson has worked to maintain the rolls since coming into office in 2011. Her efforts are laudable. But they also clearly illuminate the defects in the system created by Motor Voter.

In 2012, Johnson’s office conducted a review of available records to catalog noncitizens on the rolls. Using the limited data available (only about 19 percent of complete citizenship data), the office discovered

roughly 1,000 noncitizens.<sup>8</sup> Notices were sent to approximately 600 potential noncitizens in 2013, requesting that they prove citizenship or request removal from the rolls.<sup>9</sup> Not surprisingly, many responded and asked to be removed. According to the Secretary, 54 of that small sample identified in 2013 had a voting history reflecting 95 votes.<sup>10</sup> At the time, the Secretary referred 10 of these ineligible voters to the Michigan Attorney General for prosecution.<sup>11</sup> Secretary Johnson has asked federal officials to provide citizenship data to states so that they can do their job to keep the rolls clean. Such efforts would also help protect noncitizens from needing to request removals if they find themselves on the rolls because of Motor Voter.



The Foundation encourages all election officials to seek access to federal citizenship data as part of our recommended best practices for voter list maintenance in accordance with the NVRA.<sup>12</sup> Unfortunately, federal officials do not make federal citizenship data easily available to state and local election officials so that they can find and remove ineligible registrations. Moreover, election officials must follow careful procedures to ensure that eligible registrants are not removed incorrectly.



## **OUR TRIP CONTINUES...**

With each release in our series of reports on this issue, it becomes clearer that noncitizen registration and voting is a nationwide problem. It is also clear that there has been no mobilization of tools to combat it. Worse still, well-funded organizations continue to deny it is happening. They are yet another example of the modern incarnation of “flat-earthers.”

Our research also uncovered that the rolls in many Michigan jurisdictions are in a state of disrepair. Some have implausible registration rates. Others are full of duplicates and likely deceased voters with implausible birth years. Of course, some jurisdictions in Michigan are struggling economically and have declining populations. Our research demonstrates that the current directives and tools under the NVRA are impairing the statute’s goal of ensuring accurate and current rolls across the country.

In some states, incidents of noncitizen registration and removal remain a mystery. Through our research, we have found examples of voter registration applications that clearly state the applicant is not a citizen, but they are registered nonetheless. It appears some states have no procedures in place to properly process ineligible applications. Other states do not track the reason for a cancellation of a registration, such as for citizenship.

Simply, we do not know the extent of the problem in part because nobody is asking the proper questions.

According to procedures put in place by Secretary Johnson since 2011, Michigan jurisdictions track lack of citizenship cancellations and track applications that are received through Motor Voter where an individual has marked either that they are not a citizen or they have left the checkboxes blank.<sup>13</sup> These data are critical pieces of information for discovering the extent of noncitizen registration problems.

Based on the data we reviewed, it is undeniable that aliens complete voter registration applications. Recall that voter registration is offered to anyone who applies for a driver’s license. States that have shown any laxity in doing so have been threatened with lawsuits by some of the same organizations who deny that alien voting occurs. If an individual checks “No” on the citizenship checkbox when applying, according to Michigan procedures they are marked in the statewide system as “Reject – Citizenship.” The individual receives a “Rejection Notice.”<sup>14</sup>

If an applicant for a driver’s license *is already registered* to vote, however, and replies on the updated voter registration form that they are not a citizen, then the registration is cancelled and marked as “Cancel – Citizenship.”<sup>15</sup>

As in all the jurisdictions we have reviewed, these registrations are only caught as a result of aliens answering the citizenship question truthfully. It remains an ineffective honor system. The dishonest or uninformed remain undetected.

# MICHIGAN ALIEN CASE STUDIES

Public records reveal aliens are registering to vote in Michigan. The following are a few examples of the many instances of alien registration that we found. Unlike most states, under Michigan law local cities and townships maintain the rolls, instead of counties. Our summary covers select jurisdictions with noncitizen removals from 2011 to present.

## **NONCITIZEN VOTER REGISTRATION CANCELLATIONS**

According to Michigan voter registration procedures, an active registration is marked “Cancel – Citizenship” in the computerized statewide system when a currently registered voter later indicates they are not a citizen. Election officials learn about these registrations in two ways: either through a subsequent Motor Voter registration application or through an independent communication to election officials self-reporting the registrant’s alien status.

If a noncitizen fills out a voter registration during a Motor Voter transaction, such as at a license branch or other social service agency, and checks that they are not a citizen, they will receive a “Notice of Rejection” and their status in the system will be reflected as “Reject – Citizenship.” It is important to remember that Motor Voter did not stop at just licensing branches. The federal law mandates that registration be offered at a wide variety of social service agencies such as welfare offices and in some states, drug treatment facilities.

## **DETROIT**



According to the U.S. Census Bureau, Detroit has a voting-age population of 511,090 people.<sup>16</sup> Of this population, 489,335 are citizens, leaving 21,755 voting age noncitizens. Despite this relatively low noncitizen population 822 registrations have been cancelled for lack of citizenship since 2011.

**822** – this number is among the highest we have ever seen from a single jurisdiction in the country.

Unlike in other jurisdictions we have examined, election officials in Michigan complied with our inspection requests under the NVRA.

In Pennsylvania and Virginia, officials refused to comply.

We were forced to bring litigation in federal court to obtain the requested records there.

# MICHIGAN CASE STUDIES *cont...*

This is also the largest amount we uncovered of any jurisdiction in Michigan. The fact that it was the largest number was expected given that Detroit is Michigan's largest voter registration jurisdiction. What was unexpected, however, was the number of removals given the relatively low noncitizen proportion in the population.

The Foundation continues to investigate whether this speaks to poor record keeping by these jurisdictions or a problem directly related to how Michigan implements Motor Voter.

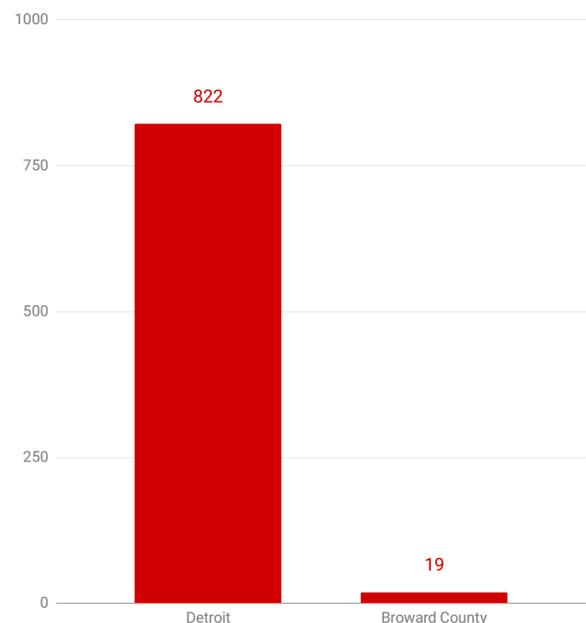
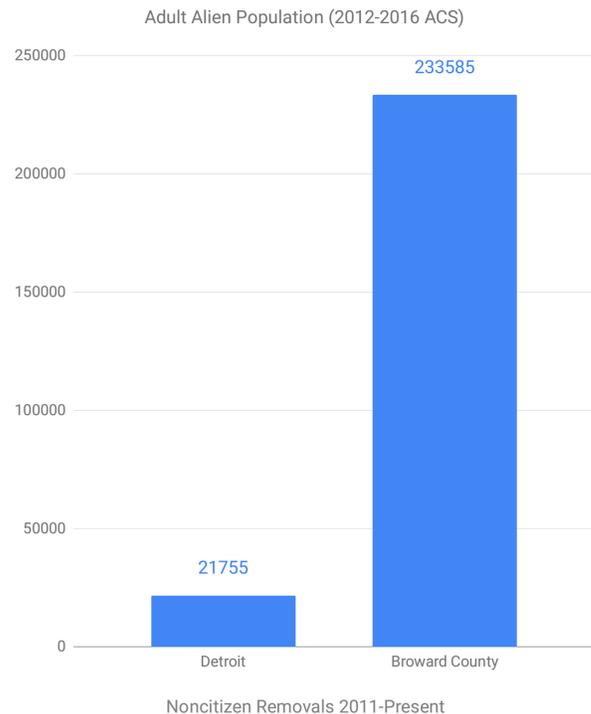
**822**  
**NONCITIZENS REMOVED FROM THE ROLLS IN THE CITY OF DETROIT SINCE 2011**

These numbers say more about other jurisdictions than they do about Michigan. There are other cities in the country with far higher noncitizen populations that have virtually no noncitizen cancellations.

According to the same census data, for example, Broward County, Florida, has a voting-age population of 1,461,232. Of this population, 233,585 are noncitizens.

Yet, despite having a noncitizen population more than **10 times** the size of that of Detroit, Broward County removed **just 19 noncitizens** from its rolls **in the same time period** that Detroit removed 822.<sup>17</sup>

Other examples include New York City, which disclosed just 6 noncitizen removals from 2015 to present, despite having an estimated adult noncitizen population of 1,333,281.<sup>18</sup>



# MICHIGAN CASE STUDIES cont...

## STERLING HEIGHTS

The City of Sterling Heights has 85,123 total registered voters according to the most recent data received from the City. U.S. Census Bureau data shows an adult noncitizen population of 11,679. 164 registrations were cancelled from 2011-present for noncitizenship. Many of these had persisted on the rolls for years.



**164 NONCITIZEN REMOVALS**

### CASE STUDY 1: A. GORZYNSKI

Mr. Gorzynski initially registered to vote in 2003. He updated his address on file in 2008 and then again in 2013, each time at a driver's license branch.

Description	Date / Time	User Code
INTERMEDIATE MOVE(10/03/2013) TO (STERLING HEIGHTS CITY)	10/07/2013 2:02:19 PM	EAST OAKLAND COUNTY PLUS BRANCH (175)
INTERMEDIATE MOVE(04/09/2008) TO (STERLING HEIGHTS CITY)	04/11/2008 2:02:53 PM	SW MACOMB COUNTY PLUS BRANCH (158)
INTERMEDIATE MOVE(02/28/2008) TO (STERLING HEIGHTS CITY)	02/28/2008 2:02:20 PM	SW MACOMB COUNTY PLUS BRANCH (158)
HISTORY STARTED WITH A REG. DATE OF 11/12/2002 FOR [REDACTED] GORZYNSKI OF [REDACTED] (STERLING HEIGHTS CITY) WITH A STATUS OF ACTIVE	01/12/2003 8:50:50 PM	STATE

It was not until 2015 that he was removed thanks to a letter from a USCIS field director informing the clerk that Mr. Gorzynski is not a citizen and should never have been registered in the first place. He did not vote during his stay on the rolls.

Name: GORZYNSKI, [REDACTED]  
DOB: [REDACTED]  
USCIS file: [REDACTED]  
Residence: [REDACTED]

This person should never have been registered as a voter in the State of Michigan, as he has never been a citizen of the United States. It is requested that you provide USCIS with a copy of the voter change history and a copy of his master card. Please include evidence of whether the subject has voted or not. These items of evidence will be considered along with documentation that the alien has already submitted to USCIS. Please respond to the attention of the Fraud Detection & National Security Unit officer at the address shown above. I thank you in advance for your anticipated cooperation in this matter.

# MICHIGAN CASE STUDIES cont...

## CASE STUDY 2: A.V. SAVINA

In May 2015, Ms. Savina went to the clerk's office and asked to be removed because she was not a citizen.

██████████ Savina appeared at the City of Sterling Heights Clerk's Office on Friday, May 15, 2015 requesting to be deregistered from the City's voting files as she is not a citizen of the United States. She showed proof of identity by providing a current State of Michigan driver's license.

This was not the first time Ms. Savina has had to ask to be taken off the rolls because of Motor Voter. She had made her way onto the voter roll *twice* through Motor Voter transactions. First she was registered when she got her driver's license in Sterling Heights in 2007. This registration was cancelled in 2010 for noncitizenship. But then when she updated her license upon moving to Auburn Hills in 2012, she was registered to vote again.

██████████ SAVINA		██████████ SAVINA		
Description	Date / Time	Description	Date / Time	User Code
STATUS CHANGED TO REJECTED - CITIZENSHIP	03/24/2010 12:19:51 PM	STATUS CHANGED TO REJECTED - CITIZENSHIP	05/15/2015 10:57:49 AM	LISA @ STERLING HEIGHTS CITY (7646)
REGISTERED(01/22/2007) AS A ██████████ SAVINA AT ██████████ (STERLING HEIGHTS CITY)	01/24/2007 7:35:18 PM	LONG MOVE(11/02/2010) TO ██████████ (STERLING HEIGHTS CITY)	11/12/2010 2:06:25 PM	BAM WEB TRANSACTION 830 BRANCH (830)
		LONG MOVE(10/28/2013) TO ██████████	10/28/2013 2:01:03 PM	BAM WEB TRANSACTION 830 BRANCH (830)
		STATUS CHANGED TO CHALLENGED - RESIDENCY	03/12/2013 8:59:59 AM	ADMIN @ AUBURN HILLS CITY (04108)
		STATUS CHANGED TO VERIFY - CONFIRM ADDRESS	10/06/2012 9:48:13 AM	KNOWAK @ AUBURN HILLS CITY (04108)
		REGISTERED(10/06/2012) AS ANASTASIA VICTOROVNA SAVINA AT ██████████ (AUBURN HILLS CITY)	07/10/2012 2:16:11 PM	LANSING RENEWAL BY MAIL BRANCH (207)
<b>Total</b>	<b>2</b>	<b>Total</b>	<b>6</b>	

Voter was previously rejected for citizenship March 24, 2010. See attached

## CASE STUDY 3: UNINTENTIONAL REGISTRATIONS

Other noncitizens persisted on the rolls for over a decade before requesting removal, usually through the immigration process. Some indicated that they never had any intention of registering and have no recollection of filling out any paperwork.

recently brought to my attention that she may have registered to vote in the state of Michigan. According to Ms. Morgowicz, she did not have any intention of registering to vote and does not recall signing any papers. A search on the Michigan Votes Voter Information Center website states that Ms. Morgowicz is a registered voter. This potentially has negative consequences for her immigration case. As

# MICHIGAN CASE STUDIES cont...

## WARREN

Warren is the third largest city in Michigan and the largest Detroit suburb. Still an automotive center, the city has faced a steadily declining population and a growing crime rate.

The city has 97,650 total registered voters according to the information received in 2018. According to the U.S. Census Bureau, the total citizen voting-age population is 98,279. The adult noncitizen population is estimated at 5,921.

**85 noncitizen cancellations** were made from 2011 to present.

## WESTLAND

The City of Westland has had a steadily declining population for many years. The 2010 census counted a population of 84,094, while the 2017 population estimate is 81,747. The U.S. Census Bureau puts the citizen voting-age population at 63,071. The adult noncitizen population from the same survey is just 2,413.

Despite its small size, **71 registrations were cancelled** from 2011 to present for noncitizenship. In one example the individual had registered in 1998 and was not removed until 2015.

An additional 42 were “rejected” based on their applications.

## CLINTON TOWNSHIP

Clinton Township cancelled **48 registrations for lack of citizenship**. A further 40 were rejected as applications for lack of citizenship. The township has an adult noncitizen population of 2,297 according to the U.S. Census Bureau.

## DEARBORN

The birthplace of Henry Ford and the global headquarters for the company that bears his name, the City of Dearborn is known for its diversity and large Middle Eastern population.

The city has 60,923 total registered voters according to information we received in 2018. The total adult citizen population is estimated at 59,501 according to the U.S. Census Bureau. The adult noncitizen population is estimated at 7,996.

**84 noncitizen cancellations** were recorded from 2011 to present.



# MICHIGAN CASE STUDIES *cont...*

## **BASIC INACCURACIES AND OTHER CONCERNS**

### **APPARENT DUPLICATES AND TRIPLICATES**

The Foundation also embarked on a careful study to discern the number of apparent duplicate (and triplicate) registrations in several jurisdictions. Case-by-case analysis allows researchers to categorize each kind of duplication, thereby identifying specific failures when voter data enters the registry. These are most often the result of mistakes made by new and existing voters and are compounded by clerical errors in election administration offices. For example, some systems will automatically assume that “John Public” and “John Q. Public” are different people, even if their addresses, dates of birth, and all other biographical information match—thereby generating a second registration. This can even happen in triplicate. Detroit ranks at the top for most errors by a large margin. Based on a review of a sampling of jurisdictions, we discovered the following types of duplications:

**Married/Maiden Name Confusion:** Just as it sounds, this flaw occurs when people attempt to update their existing registration with a new last name, yet the voter system creates a second record. The registrations are identical other than having a different last name.

**Middle Name Duplication:** When one record includes a middle name and another does

not, duplication can occur. Or one registration has a middle initial and the other has a full middle name starting with the same initial. The registrations are otherwise identical.

**Standard Duplication:** These are present when typographical errors (such as one letter difference) or no apparent mistake has occurred, yet the registrant still maintains two unique records.

**Gender:** Data suggests that when John Smith registers as male and subsequently marks female, the voter system believes these are two unique registrants. We discovered registrations that are identical other than having different genders.

**Date of Birth Confusion:** Many records matched along all data points, yet show dates of birth less than a year apart.

**Triplicates:** Record triplicates can occur with any combination of the above errors. This often affects people who vary their surnames with hyphens over time.

### **IMPLAUSIBLE BIRTH YEARS**



Several jurisdictions present “Year of Birth” within their respective segments of the statewide voter file that are highly implausible based on average human lifespans. The

# MICHIGAN CASE STUDIES cont...

Foundation highlighted records belonging to those registrants aged 105 or more. Some *show birth years in the 19th Century*.

## PLACEHOLDER REGISTRATION DATE

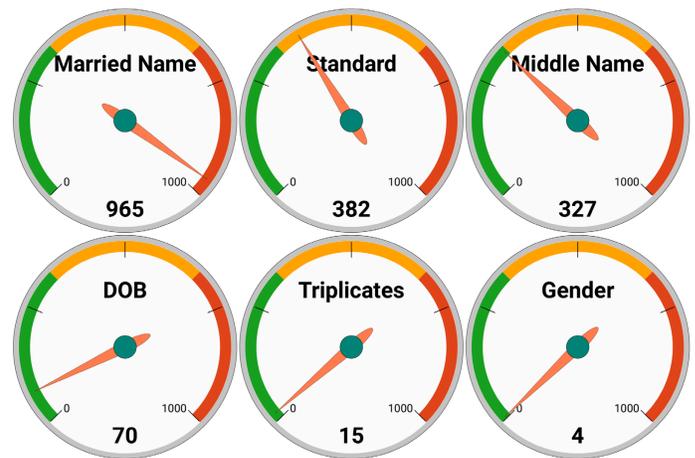


It is quite common to witness “placeholder” data in bulk voter records with apparently standardized entries. This typically occurs in birth date fields where significantly older registrants were not initially required to provide such information to register to vote. Several jurisdictions in Michigan, however, exhibit placeholders within the date of registration fields—essentially meaning their true dates of registration are apparently unknown.

## DETROIT

Detroit’s voter rolls are among the worst in the United States. They have problems far beyond the hundreds of noncitizens that managed to register to vote in the Motor City. We found nearly 2,000 duplicate and even *triplicate* registrations. There are even active registrations in Detroit with birth years from the *1800s*. In Detroit, 1,748 individuals are currently registered to vote twice under different variations of their own names at the exact same address. Another 15 registrants exist in triplicate form.

## DETROIT DUPLICATE GAUGE:



Detroit also has large numbers of implausibly old registrants. In total, **1,244 records** are listed with years of birth indicating ages of **105 and older**. Detroit’s own registration records show the oldest active registrant was **born in 1823**, 14 years before Michigan was admitted to the Union as the 26th state.

The registration marked as 1823 appears to have registered to vote in 2008. That means officials recently accepted this preposterous birthdate as valid, or, are failing in a basic data entry task. Neither option is good.

There are 19 other registrants purportedly born in the Nineteenth Century in the city, according to current data. Detroit accounts for 73 percent of all Wayne County registrants aged 105 and older. Naturally, these implausible dates are likely attributable to clerical errors (or pranks gone unnoticed—based on several related observations). While officials may have an excuse why this is happening—it is just as easy to detect them over the years and fix the troubled records.

# MICHIGAN CASE STUDIES cont...

Detroit also presents many thousands of instances where *placeholder dates of registration* were recorded in lieu of actual dates. A total of 13,677 voter registrants do not have typical dates of registration. While this may seem like an administrative response to incomplete information, it invites duplicate registrations because including accurate dates of registration is important to detecting duplicates.

## LIVONIA

Even smaller jurisdictions show problems with duplications, such as the Detroit suburb of Livonia, which has 75,279 total registered voters. There, a total of 57 individuals have duplicate registrations. Another 35 registrants were flagged for statistically implausible birth years indicating they are 105 years or older.

According to the data, Livonia shows 4,135 examples of placeholder dates of registration.

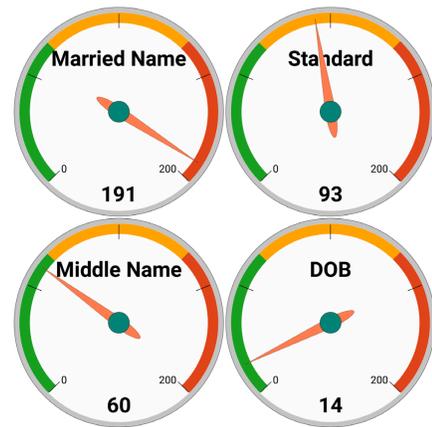
### LIVONIA DUPLICATE GAUGE:



## FLINT

Flint voter rolls are also in a state of disrepair. Flint has 358 cases of registrant duplication due to a variety of causes. There are even 2 examples of voter triplicates.

### FLINT DUPLICATE GAUGE:



Flint, now notorious for a public water system crisis, also demonstrates dozens of registrants with birth dates in the 1800's—50 to be exact. The majority have "1850" listed as the birthyear, which appears to be another example of placeholder data practices for year of birth. A total of 202 registrants in Flint are listed as being aged 105 years or older.

Flint also apparently uses placeholder data for dates of registration. The Foundation identified 73 such cases.

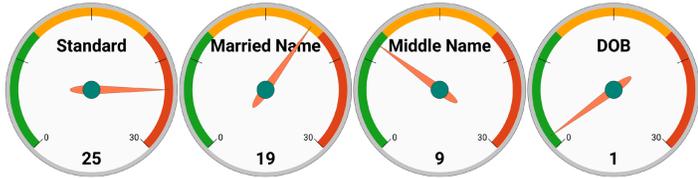


# MICHIGAN CASE STUDIES *cont...*

## **GRAND RAPIDS**

The Kent County seat has at least 54 duplicate registrations. Two registrants were flagged for statistically implausible birth years indicating they are 105 years or older.

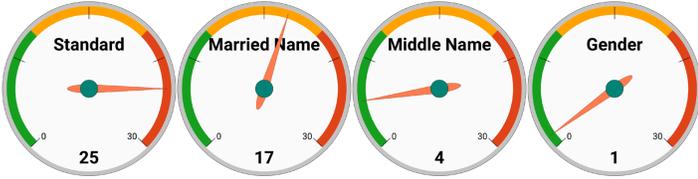
### **GRAND RAPIDS DUPLICATE GAUGE:**



## **DEARBORN**

The birthplace of auto-industry pioneer Henry Ford produced 47 apparent duplicates along with 31 registrants who are 105 years of age or older.

### **DEARBORN DUPLICATES GAUGE:**



The total number of ineligible noncitizen registrations in Michigan is undoubtedly far higher than what these records show. Based on our research, it is highly likely that many go undetected and remain active on the voter rolls. Remember, our research has shown that almost all registrants removed for citizenship defects were self-reported aliens. Michigan, like most other states, does nothing proactive to ensure that registrants are actually citizens at the time of registration. Nor does Michigan conduct regular programs to detect and remove ineligible noncitizen registrants after they are registered. The aliens we know about who registered in Michigan were discovered by happenstance or self-reporting, not by active research systems currently in place. Noncitizens are able to register in the first place because Motor Voter provides an invitation.





# **CONCLUSIONS AND SOLUTIONS**

## **CONCLUSIONS**

**1** Noncitizen applications and cancellations are occurring in sizeable numbers in Michigan and those in the media who say this does not happen are plainly wrong.

**2** Michigan utilizes procedures to screen and track noncitizen registration attempts when the registrant admits they are not a citizen on the voter registration application.

**3** Michigan's procedures, however, are dependent on the integrity of applicants filling out the citizenship verification accurately and honestly. As we have seen in our previous reports, many noncitizens slip through the Motor Voter cracks and become registered. The ultimate number of noncitizens who simply check "Yes" and have become registered remains unknowable. The checkbox system is a demonstrable failure.

**4** Many Michigan jurisdictions appear to be conducting no self-examinations of voter roll data as we were able to detect extensive duplicate voter registrations and wholly implausible registration data.

## **SOLUTIONS**

**1** Election officials should adopt procedures to actively monitor applications received from noncitizens and to accurately report noncitizen cancellations and voting, so that the extent of the problem can be cataloged more fully for the public and policy makers.

**2** The registration process must be changed. The checkbox honor system used by most states is a failure and facilitates registration by ineligible voters. All states should require voter applicants to provide documentary proof of citizenship at the time of registration.

**3** States must do more than passively track the checkbox in order to remove noncitizen registrations. They should be using their REAL ID databases, E-Verify, as well as databases such as SAVE to help proactively identify noncitizens.

**4** The U.S. Department of Homeland Security should open new information-sharing channels between agencies to include Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), Citizenship and Immigration Services (USCIS) and Homeland Security Investigations (HSI) with state and local election officials to more easily identify noncitizens coming into contact with the federal immigration system.

# CONCLUSIONS AND SOLUTIONS

**5** Election officials of all jurisdictions should always seize opportunities to better educate the public on issues related to voter eligibility and election integrity. Too many legal permanent residents thought they could vote and did so. The public must also be better informed of the limited role motor vehicle departments play in keeping voter records reliable. The offices are not arbiters of voter eligibility and simply pass along the data they are given.

**6** Officials should review/revise duplicate detection and avoidance procedures on record. The statewide voter database designer should also be requested to make improvements to system logic to curtail obviously avoidable duplications.

## Endnotes

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1. 52 U.S.C. sec. 20501(b)(1).
2. 52 U.S.C. sec. 20504.
3. 52 U.S.C. sec. 20504(c)(B).
4. For example, PILF, Garden State Gotcha: How Opponents of Citizenship Verification for Voting Are Putting New Jersey's Noncitizens at Risk of Deportation (2017) ([https://publicinterestlegal.org/files/Garden-State-Gotcha\\_PILF.pdf](https://publicinterestlegal.org/files/Garden-State-Gotcha_PILF.pdf)).
5. 52 U.S.C. sec. 20507 et seq.
6. <https://www.brennancenter.org/blog/actual-true-and-provable-facts-about-non-citizen-voting>.
7. <https://www.detroitnews.com/story/news/politics/2016/10/27/michs-elections-designer-easy-path-fraud/92869002/>.
8. <https://www.michigan.gov/sos/0,4670,7-127--286465--,00.html>.
9. <https://www.michigan.gov/sos/0,4670,7-127--317582--rss,00.html>.
10. <https://www.michigan.gov/sos/0,4670,7-127--286465--,00.html>.
11. <https://www.michigan.gov/sos/0,4670,7-127--317582--rss,00.html>.
12. PILF, List Maintenance Best Practices for Achieving Integrity in Voter Registration (2017) (<https://publicinterestlegal.org/files/PILF-best-practices-report-FINAL.pdf>).
13. [https://www.michigan.gov/documents/sos/II\\_Voter\\_Registration\\_265983\\_7.pdf](https://www.michigan.gov/documents/sos/II_Voter_Registration_265983_7.pdf) at Page 12.
14. [https://www.michigan.gov/documents/sos/II\\_Voter\\_Registration\\_265983\\_7.pdf](https://www.michigan.gov/documents/sos/II_Voter_Registration_265983_7.pdf) at Page 12.
15. [https://www.michigan.gov/documents/sos/II\\_Voter\\_Registration\\_265983\\_7.pdf](https://www.michigan.gov/documents/sos/II_Voter_Registration_265983_7.pdf) at Page 22.
16. 2012-2016 5-year American Community Survey Demographic and Housing Estimates data used for all population figures throughout the report, available at <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>.
17. Broward County Certifications of List Maintenance 2011-present.
18. PILF, Safe Spaces: How Sanctuary Cities Are Giving Cover to Noncitizens on the Voter Rolls (2018) (<https://publicinterestlegal.org/blog/safe-spaces-how-sanctuary-cities-are-giving-cover-to-noncitizens-on-the-voter-rolls/>).

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