



STATE OF MICHIGAN  
 JOCELYN BENSON, SECRETARY OF STATE  
 DEPARTMENT OF STATE  
 LANSING

June 15, 2020

**STAFF REPORT:**  
**MICHIGAN VALUES LIFE  
 INITIATIVE PETITION**

**SPONSOR:** Michigan Values Life, 2340 Porter Street S.W., Grand Rapids, Michigan 49509.

**DATE OF FILING:** December 23, 2019.

**NUMBER OF VALID SIGNATURES REQUIRED:** 340,047 signatures.

**TOTAL FILING:** 69,094 sheets containing 380,070 signatures.<sup>1</sup>

*Included in sample: 67,744 sheets containing 373,062 signatures (“the universe”).*

*Excluded from sample: 1,351 sheets containing 7,018 signatures.*

	<u>Sheets</u>	<u>Signatures</u>
Torn, mutilated, or damaged sheets	1,126	6,428
Defective circulator certificate (i.e., omitted or incorrect date, failure of out-of-state circulator to check box)	69	316
Jurisdiction errors (i.e., invalid jurisdiction entry by circulator or every signer on sheet)	156	274
<b>TOTAL:</b>	<b>1,351</b>	<b>7,018</b>

The two-stage sampling process was selected for the canvass of this petition. Under the Board’s established procedures, a small sample is drawn at the first stage of approximately 500 signatures, and the result of that sample determines whether there is a sufficient level of confidence in the result to immediately recommend certification or the denial of certification. If the result of the small sample indicates a close call, a second random sample must be taken to provide a result with the maximum confidence level that can be obtained.

Here, the first-stage signature sample was drawn from the universe of 373,062 signatures gathered on 67,744 sheets.

<sup>1</sup> The total number of signatures filed represents a cushion of 9.7% over the minimum number required. Once wholly invalid sheets were excluded from the universe, the sponsor needed to attain a signature validity rate of at least 93% for staff to recommend immediate certification of the petition (i.e., 465/500), or an 89.8% validity rate to land in the “sample more signatures” range (i.e., 449/500). The validity rate found in this sample is 89.2% (446/500).

**NUMBER OF SAMPLED SIGNATURES:** 500 signatures.

**SAMPLE RESULT:** 446 valid signatures; 54 invalid signatures.

<b>Valid signatures:</b>	
Registered signers; signatures verified	446
<b>Invalid signatures:</b>	
Signatures determined invalid due to signer’s registration status	22
Duplicate signatures <sup>2,3</sup>	20
Jurisdiction errors (no city in county known by name given by signer, jurisdiction given by signer does not align with address)	8
Signature errors (missing or printed signatures, non-matching signatures)	2
Date errors (incorrect or omitted date, signature dated after circulator’s signature)	2
<b>Total</b>	<hr/> 500

A challenge was timely filed on June 1, 2020 by Coalition to Protect Access to Care, alleging the sample contained 65 invalid signatures. Of these, staff rejected 20 of the challenges; 24 challenges overlapped determinations of invalidity made by staff; and 22 challenges were accepted. On June 8, 2020, the Coalition to Protect Access to Care submitted supplemental information regarding a newly discovered alleged duplicate signature.<sup>4</sup> Based on the Board’s past practice, staff confirmed the existence of the duplicate signature and included it in the “duplicate signatures” tally above for the Board’s consideration.

The June 1 challenge also alleges that the petition’s title is “patently inaccurate and misleading” and violates the title-object clause of Const. 1963, Art. IV sec. 24. Staff makes no recommendation regarding these legal arguments given the result of the signature sample.

Michigan Values Life attempted to rebut 8 challenged signatures and 1 sampled signature that was not challenged; staff accepted 2 rebuttals and coded these signatures as valid.

**FINAL RESULT OF SIGNATURE SAMPLE:**

<u>Number of valid signatures</u>	<u>Formula Result</u>	<u>Sample Result</u>
465 or more	Certify	
449 – 464	Sample more signatures	
<b>448 or fewer</b>	<b>Deny certification</b>	<b>446 signatures</b>

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<sup>2</sup> A duplicate signature is found to exist when the same individual is found to have signed two (or more) petition sheets, each entry appears on its face to be valid, and the signatures match. Here, 20 sampled signatures were confirmed by staff to be duplicates of signatures in the universe.

<sup>3</sup> Included in the tally of invalid duplicate signatures for the Board’s consideration is one that was identified by the challenger (and confirmed by staff) on June 8, 2020, 7 days after the challenge deadline elapsed.

<sup>4</sup> In 2014, the Board accepted a supplemental challenge that was filed 12 days after the challenge deadline elapsed (Raise Michigan). The legal basis for the Board’s prior action is MCL 168.552(9) which provides, “[b]efore making a final determination, the board of state canvassers may consider any deficiency found on the face of the petition that does not require verification against data maintained in the qualified voter file or in the voter registration files maintained by a city or township clerk.” This provision creates a limited exception to the challenge deadline and authorizes the Board to consider information that is completely restricted to the four corners of the petition; duplicate signatures satisfy the “four corners” condition.

**ESTIMATED NUMBER OF VALID SIGNATURES CONTAINED ON PETITION:** Based on the results of the random sample, it is estimated that the petition contains 332,771 valid signatures (at a confidence level of 92.74%),<sup>5</sup> a shortage of 7,276 signatures.

**STAFF RECOMMENDATION:** Staff recommends that the Board **deny certification** of this petition.

Note that while the information provided in this staff report is current as of this writing, additional information may be submitted by the petition sponsor or challenger after the date of publication.

This staff report is being published on June 15, 2020, three business days prior to the June 18, 2020 meeting at which the Board of State Canvassers will consider the sufficiency of the Michigan Values Life petition in accordance with MCL 168.476(3) (“At least 2 business days before the board of state canvassers meets to make a final determination on challenges to and sufficiency of a petition, the bureau of elections shall make public its staff report concerning disposition of challenges filed against the petition.”).

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<sup>5</sup> The formula result confidence level is 0.0726, meaning there is a 7.26% chance that the petition contains sufficient signatures. In other words, there is a 92.74% probability that denying certification is the correct result.