

STATE OF MICHIGAN



GRETCHEN WHITMER, Governor

MICHIGAN CIVIL RIGHTS COMMISSION

RESOLUTION

RESOLUTION IN SUPPORT OF VOTING RIGHTS

WHEREAS, among developed countries the United States of America has one of the lowest voter turnout rates with almost 25 percent of eligible voters not being registered, with the State of Michigan having a documented historic low voter turnout; *and*

WHEREAS, the right of a people to determine their destiny through a political arrangement that respects, protects and elevates the right of individuals to participate in collective decision making is a universal right embraced and employed by numerous countries and enshrined as a pillar of human rights in Article 21 of the United Nations' *Universal Declaration of Human Rights*; *and*

WHEREAS, the fundamental basis of the United States of America's representative democracy is the right of citizens to participate in the operation and function of government at the local, state and national level primarily through the exercise of their right to vote; *and*

WHEREAS, the right to vote being originally granted to white male property owners at the founding of the United States of America, with incremental and sustained gains in the expansion of the right to vote being achieved by other populations and demographics as a result of decades of unrelenting pursuit, and collective and individual struggle and sacrifice; *and*

WHEREAS, the right to vote was granted to male citizens of African descent 82 years after adoption of the *United States Constitution* on June 21, 1788, with passage of the 15th Amendment to the *United States Constitution* on February 3, 1870, which right was immediately thwarted by 95 years of structural, organized and systemic efforts of racists citizens, politicians and institutions of government, through laws such as poll taxes, grandfather clauses, literacy tests, property tests

and gerrymandering in addition to racially motivated acts of physical violence, intimidation, mayhem, murder and other illicit means to prevent and dilute the vote of citizens of African descent, necessitating the *Voting Rights Act of 1965*; and

WHEREAS, the right to vote was granted to women citizens with passage of the *19th Amendment* to the *United States Constitution* on August 18, 1920, 132 years after the *United States Constitution* granted white males the right to vote, and as a result of decades of women pursuing the right to vote through protest, struggle and suffering the indignities consequential to structural and persistent male supremacy; and

WHEREAS, the right to vote was granted to Native Americans on June 2, 1924 with passage of the *Indian Citizenship Act*, 136 years after the United States Constitution granted white males the right to vote, as a result of concerted advocacy, struggle and suffering the indifference of politicians; and

WHEREAS, the right to gain citizenship, denied to Chinese immigrants and American born Chinese by the passage of the 1882 *Chinese Exclusion Act*, resulted in Chinese born Americans being prevented from acquiring the right to vote until its repeal 61 years later in 1943; and

WHEREAS, the citizens of Washington, D.C. then being significantly non-white citizens and primarily those of African descent, were granted the right to vote in presidential elections on March 29, 1961 with passage of the *23rd Amendment* to the *United States Constitution*, 173 years after the *United States Constitution* granted the right to vote to white male citizens; and

WHEREAS, assessments of poll taxes were prohibited in federal elections on January 23, 1964, with passage of the *24th Amendment* to the *United States Constitution*, 176 years after the creation of the *United States Constitution* and 94 years after male descendants of African were afforded the right to vote and to whom the taxes would significantly impact; and

WHEREAS, the arc of voting rights in the United States has gradually, but steadily been in the direction of inclusion and expansion since passage of the *15th Amendment*, with the support of both republican and democratic national political leadership as evidenced by the ratification of the *26th Amendment* on June 1, 1971, which lowered the voting age to 18 years; amendment to the *Voting Right Act* on August 6, 1975 requiring that districts containing significant numbers of non-English-speaking voters provide those voters with instructions and assistance in voting and registering; passage of the *Voting Accessibility for the Elderly and Handicapped Act* on September 28, 1984 requiring polling locations in federal elections be accessible for the elderly and individuals with disabilities and alternative means of voting be provided where assessable locations are unavailable; passage of the *National Voter Registration Act* of 1993 on May 20, 1993, which requires, among other things, that state motor vehicle agencies provide opportunities for voter registration, States offer mail-in voter registration applications, States provide voter registration opportunities at certain State and local office; passage of the *Help America Vote Act* on October 29, 2002 which made broad and systemic reforms to the national voting processes; and

WHEREAS, the citizens of the state of Michigan have expressed their unequivocal commitment to the principle of democratic rule and overwhelmingly affirmed the essential role of voting in the democratic process by passage of *Proposition 3* on November 6, 2018, thereby amending the *Michigan Constitution* to add several voting policies, including but not limited to: No-excuse absentee voting; straight ticket voting; right to use secret ballot; right to register to vote by mail; ability to register to vote at the poll on election day; and automatic voter registration; *and*

WHEREAS, some recent political efforts and initiatives throughout the United States and Michigan have ostensibly challenged historical gains made to expand voter rights to more citizens and efforts made to increase policies and practices that facilitate a less burdensome process for exercising the right to vote; *and*

WHEREAS, the Michigan Civil Right Commission is a constitutionally established public body invested by the Michigan Constitution with the responsibility and authority “to investigate alleged discrimination against any person because of religion, race, color or national origin in the enjoyment of the civil rights guaranteed by law and by [the Michigan] constitution, and to secure the equal protection of such civil rights without such discrimination.” *Mich. Const. Art. 5, Sec. 29*; *and*

WHEREAS, the right to vote being a fundamental civil right, the Michigan Civil Rights Commission has a constitutional duty to assure that efforts within the State of Michigan intended to impact voting polices, practices and laws do so in a manner that does not discriminate against persons based on race, color, religion, national origin, genetic information, sex, age, marital status, height, weight, arrest record, and physical and mental disability and that the Michigan Civil Rights Commission has an equally important affirmative duty to facilitate, encourage, promote and recommend laws, policies and practices that expand voter participation and remove unnecessary barriers to the exercise of the right to vote; *and*

WHEREAS, in consideration of recent national and local activity, the Michigan Civil Rights Commission has made voting rights a priority focus consistent with its constitutional mandate to “secure the equal protection of such civil rights without discrimination” and investigate all acts of discrimination in violation of such civil rights, and in furtherance thereof has established a Committee on Voting Rights; *and*

WHEREAS, that the Michigan Civil Rights Commission resolved to support the enactment of the “For the People Act of 2021”, designed to protect and strengthen the voting rights of United States citizens, and provide the unfettered and unencumbered access to the ballot that is guaranteed by the Constitutions of the United States and State of Michigan, and requested that the United States Senate pass the bill with all due haste; *and*

WHEREAS, the Michigan Civil Rights Commission is certain that the strength of a democracy is not measured in the longevity of its reign but in the prevalence of educated voters and their abiding

commitment to secure the franchise, undiluted and easily exercised, for those in whose hands the right to vote may serve as a tool to forge a future that embodies the best of an enlightened and compassionate humanity; and that being the longest enduring modern representative democracy and a leading example and proponent of democratic rights, the United States of America has an unquestionable obligation to increase and not retreat from the expansion and protection of voting rights; *and*

THEREFORE, BE IT RESOLVED, that the Michigan Civil Rights Commission strongly encourages the executive and legislative branches of the State of Michigan and the United States to solemnly heed and respectfully honor the innumerable sacrifices, hard fought gains, and deep aspirations of citizens for participation in their government, evidenced by our unique state and federal historic voting rights efforts, as they draft, propose, deliberate and vote on voting rights legislation; and that they responsibly exercise their office and powers inherent therein to continue the expansion of voting rights, improved voter education and increased voter participation for the benefit of all citizen and their posterity; *and*

BE IT FURTHER RESOLVED, that the Michigan Civil Rights Commission supports federal and state of Michigan policies, practices, initiatives and laws that would allow for:

- Early voting;
- Increased access to and utilization of absentee ballots;
- Streamlined processes that allow for identification of voters;
- Alternative and responsible means of election funding that increase voter participation;
- Increased integrity in post-election audits;
- Any other measures whose purpose and effect is to preserve the integrity and expansion of the right to vote; *and*

BE IT FURTHER RESOLVED that the Michigan Civil Rights Commission directs the Michigan Department of Civil Rights to:

- Coordinate with other state agencies to make voter registration information accessible to all classes protected under the Elliott-Larsen Civil Rights Act and Persons with Disabilities Civil Rights Act;
- Conduct voter education at events and through the use of social media;
- Facilitate forums to promote voter engagement;
- Work in coalition with non-partisan voter advocacy groups to empower voters and increase voter participation in elections;
- Take other actions consistent with the Michigan Civil Rights Commission constitutional mandate regarding civil rights as it relates to voting; *and*

BE IT FURTHER RESOLVED that this resolution is effective immediately upon adoption;
and

BE IT FINALLY RESOLVED, that this resolution be forwarded to Governor Gretchen Whitmer, the Speaker of the Michigan House of Representatives and the President of the Michigan Senate.



Passed on Monday the 23rd day of May 2022, by the
MICHIGAN CIVIL RIGHTS COMMISSION

Commissioner Portia Roberson, Chair
Commissioner Anupama Korsaraju

Commissioner Gloria E. Lara
Commissioner Richard Corriveau