

The MICRC is disclosing this document pursuant to the Michigan Supreme Court decision in *The Detroit News, Inc. v Independent Citizens Redistricting Commission*, ___ Mich ___ (2021) (Docket No. 163823) mandating the release of both the audio recording of the closed session held on October 27, 2021, and the two (2) underlying memoranda which formed the basis of this closed session.

Michigan Independent Citizens Redistricting Commission

Hybrid Meeting held in-person and via Zoom Webinar due to the ongoing Covid-19 pandemic, pursuant to 2020 PA 254 (MCL 15.263 and 15.263a), and in compliance with Section 6(10) of Article 4 of Michigan's 1963 Constitution

Full agenda, presentations, transcripts, and video recordings are available at

www.michigan.gov/micrc

Wednesday, October 27, 2021

4:05 PM – 5:19 PM

at

Michigan State University Union

49 Abbot Road

East Lansing, MI 48824

CLOSED SESSION MINUTES

PRESENT:

Douglas James Clark

Juanita Curry (attending remotely from Detroit, MI)

Anthony Eid

Brittni Kellom

Rhonda Lange (attending remotely from Reed City, MI)

Steven Terry Lett

Cynthia Orton

MC Rothhorn

Rebecca Szetela

Janice Vallette

Richard Weiss

Dustin Joseph Witjes

Erin Wagner (attending remotely from Charlotte, MI)

ABSENT:

N/A

OTHERS PRESENT: Bruce Adelson, Voting Rights Act Legal Counsel
Julianne V. Pastula, General Counsel
Suann Hammersmith, Executive Director
Edward Woods III, Communications and Outreach Director
Sarah Reinhardt, Michigan Department of State staff
Yvonne Young, Michigan Department of State staff
Michael Brady, Michigan Department of State staff

CALL TO ORDER

Commissioner Szetela, Chair, called the Closed Session of the Michigan Independent Citizens Redistricting Commission (MICRC) to order at 4:05 PM.

ROLL CALL

MDOS staff called roll. A quorum was met.

PERMITTED PURPOSE

The permitted purpose of the closed session was “to consider material exempt from discussion or disclosure by state or federal statute,” as permitted in MCL 15.268(h), specifically Section 13(1)(g) of Michigan’s Freedom of Information Act, which protects the attorney-client privilege.

BUSINESS

The Commission discussed the privileged and confidential memoranda titled *Voting Rights Act* of October 14, 2021, and *The History of Discrimination in the State of Michigan and its Influence on Voting* of October 26, 2021. These memoranda are both attorney-client communications providing legal advice prepared by counsel to the MICRC in regard to the Voting Rights Act and therefore are exempt from disclosure under Section 13(1)(g) of the Michigan Freedom of Information Act, MCL 15.243(1)(g).

ADJOURNMENT

There being no further business, Commissioner Szetela, Chair, called for a motion to adjourn.

MOTION: Adjourn the Meeting. **Motion by Commissioner Lett. Supported by Commissioner Witjes. Commissioner Szetela, Chair, held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

The meeting was adjourned at 5:19 PM.