

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

Thursday, December 2, 2021

10:00 AM – 2:37 PM

at

**G. Mennen Williams Building, A.G. Auditorium
525 W. Ottawa St.,
Lansing, MI 48933**

MINUTES

PRESENT: Douglas James Clark (attending remotely from Rochester Hills, MI) *(left the meeting at 12:22 PM)*
Juanita Curry (attending remotely from Detroit, MI)
Anthony Eid
Brittni Kellom (attending remotely from Wayne County, MI) *(joined the meeting at 10:07 AM)*
Rhonda Lange (attending remotely from Reed City, MI)
Steven Terry Lett
Cynthia Orton
MC Rothhorn
Rebecca Szetela
Janice Vallette
Erin Wagner (attending remotely from Charlotte, MI)
Richard Weiss
Dustin Joseph Witjes

ABSENT: N/A

OTHERS PRESENT: Suann Hammersmith, Executive Director

Julianne V. Pastula, General Counsel
Edward Woods III, Communications and Outreach Director
Michigan Department of State (“MDOS”) staff
Katherine McKnight, BakerHostetler, Litigation Counsel
Election Data Services (“EDS”) staff via Zoom
Bruce Adelson, Federal Compliance Consulting, Voting
Rights Act Counsel via Zoom
David Fink, Fink Bressack, Local Counsel via Zoom
Nate Fink, Fink Bressack, Local Counsel via Zoom
Kim Brace and John Morgan, EDS via Zoom

CALL TO ORDER AND WELCOME

Commissioner Rothhorn, Vice-Chair, called the meeting of the Michigan Independent Citizens Redistricting Commission (MICRC) to order at 10:00 AM.

ROLL CALL

MDOS staff called roll. A quorum was met.

Commissioner Kellom joined the meeting at 10:07 AM.

Commissioner Witjes left the meeting at 10:57 AM and returned at 10:59 AM.

Commissioner Lett left the meeting at 11:32 AM and returned at 11:37 AM.

Commissioner Rothhorn left the meeting at 11:43 AM and returned at 11:47 AM.

Commissioner Orton left the meeting at 11:49 AM and returned at 11:52 AM.

Commissioner Vallette left the meeting at 11:52 AM and returned at 11:55 AM.

Commissioner Clark left the meeting at 12:22 PM.

ADOPTION OF THE AGENDA

The Commission held a moment of silence for the Oxford High School shooting.

MOTION: Commissioner Szetela, Chair, called for a motion to approve the agenda. **Motion by Commissioner Witjes. Supported by Commissioner Lett. Commissioner Szetela, Chair, held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

PUBLIC COMMENT PERTAINING TO AGENDA TOPICS

Commissioner Szetela, Chair, put the motion "to begin the public comment pertaining to agenda topics portion of the agenda" which was adopted. 30 individuals provided individual public comment: Sarah Howard, Kristal Boyd, Gary Miles, Susan Smith, Cheryl Hayes, Christina Sarazin, Richard Swett, Cynthia Haynes, Tonya Burns, Arthur Woodson, Richard Jones, Elizabeth Sanders, Joan Gustafson, Maria Van Cor, Bernadel Jefferson, Lathan Jefferson, Bill Richardson,

Molly Pitcher, Sheryl Black, Dan Wholihan, David Austin, Susan Andrews, Chris Andrews, Loida Tapia, Oscar Castaneda, Eileen Hayes, Micheal Davis, Kevin Thompson, Jeron Dotson, and Beverly Lewis. 93 individuals provided remote public comment: James Gallant, Anthony S , Bruce Roller, DorothyMunson, Karen Lawrence, Jennifer Austin, KAREN SANTELLI, Molly Morrissey, Claudia Warren, Joan Long, Anna Khreizat, Kenan Kabbani, Naomi Ludman, Mary Murphy, Greg Hodgman, La Cracha Handy, Art Reyes, Sarah Woolsey, Chris Herweyer, Jonathan Flynn, Katie Ellison, Richard Williamson, Meredith Kennedy, Lisa, Cilla Tomas, Mary Murphy, Yolanda Fultz, Louise Gorenflo, Theresa Reid, David Rossiter, Judy Daubenmier, Scott Stensaas, Valerie Lafferty, George Rogers, Susanne Waldrep, Nate Falling, Joel Ombry, Emily Van Ark, Lawrence Rucker, Rebecca Grayson, Susan steigerwalt, Roderick Casey, Jordan Scrimger, Joanne Barhite, Ronald Fox, Tom Weeks, Nomi Joyrich, Max Bultman, Mira Jourdan, Klaas Walhout, Quentin Turner, Suzanne Almeida, Paul Asselin, DeAnn Loll, markp@michiganlcv.org, Sarah Torres, James Hallock, Mike Hinterman, Joel Arnold, Percy Johnson, Denise, Jasmine McKenney, Nicholas O'Keefe, Peter Bhatia, Sonia Schmerl, Dee Jones, Gerrit, Darcy Berwick, Kurtis Fernandez,, Jan Gwasdacus, Doug Floto, Anne Teghtmeyer, Christian Casler, Rae Ann Weymouth, Robert Kennedy, Daniel Hesse, Karen Obits, Kathleen Curell, Dusty Horwitt, Sue Jennings, Donnie Bettes, Ryan Flaherty, Patrick McNeal, Athena McKay, Frank Hawthorne, Sara Holmes, Cristal Rivas, Douglas Helzerman, Aron Duby, Essence Wilson, Carrie Hatcher-Kay, Brian Dickinson, and Micah Perkins.

A full inventory of live and written public comment is available at www.michigan.gov/micrc.

RECESS

At 12:22 PM, Commissioner Szetela, Chair, put the motion “to recess for 33 minutes until 12:55 PM” which was adopted.

CALL TO ORDER

Commissioner Szetela, Chair, called the meeting of the Michigan Independent Citizens Redistricting Commission back to order at 1:03 PM.

PRESENT: Juanita Curry (attending remotely from Detroit, MI)
Anthony Eid
Brittni Kellom (attending remotely from Wayne County, MI)
Rhonda Lange (attending remotely from Reed City, MI)
Steven Terry Lett

Cynthia Orton
MC Rothhorn
Rebecca Szetela
Janice Vallette
Erin Wagner (attending remotely from Charlotte, MI)
Richard Weiss
Dustin Joseph Witjes

ABSENT: Douglas James Clark

UNFINISHED BUSINESS

- a. Updated Budget Projections. Executive Director Hammersmith provided updates to the proposed budget.

MOTION: Postpone the Discussion to the Next Meeting on December 16th. **Motion by Commissioner Lett. Supported by Commissioner Orton. Commissioner Szetela, Chair, held a vote by show of hands. MOTION APPROVED.**

Voting No: Commissioner Lange

NEW BUSINESS

- a. Attorney-Client Privilege, Attorney General Opinion, and Appointment of a Committee to Review Legal Decisions and Positions. The Commission and its legal team held a discussion on attorney-client privilege, the Attorney General opinion, proposed committee, and releasing privileged and confidential memoranda to the public 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.

MOTION: Release the Two Privileged and Confidential Memoranda to the Public. **Motion by Commissioner Witjes. Supported by Commissioner Vallette. Commissioner Szetela, Chair, held a vote by roll call. MOTION FAILED 5-7.**

Voting Yes: Commissioners Lett, Szetela, Wagner, Eid, Lange

Voting No: Commissioners Orton, Rothhorn, Vallette, Weiss, Witjes, Curry, Kellom

MOTION: Release the Audio of the Closed Session on October 27th, 2021. **Motion by Commissioner Witjes. Supported by Commissioner Vallette. Commissioner Szetela, Chair, held a vote by roll call. MOTION FAILED 4-8.**

Voting Yes: Commissioners Szetela, Wagner, Eid, Lange

Voting No: Commissioners Orton, Rothhorn, Vallette, Weiss, Witjes, Curry, Kellom, Lett

MOTION: Establish a Committee to Review Legal Decisions and Positions. **Motion by Commissioner Lett. Supported by Commissioner Szetela. Debate conducted.**

MOTION: End Debate on Establishing a Committee to Review Legal Decisions and Positions. **Motion by Commissioner Eid. Supported by Commissioner Lange. Commissioner Szetela, Chair, held a vote by show of hands. MOTION UNANIMOUSLY APPROVED.**

PENDING MOTION: Establish a Committee to Review Legal Decisions and Positions. **Motion by Commissioner Lett. Supported by Commissioner Szetela. Commissioner Szetela, Chair, held a vote by roll call. MOTION FAILED 1-11.**

Voting Yes: Commissioners Lett

Voting No: Commissioners Rothhorn, Szetela, Vallette, Wagner, Weiss, Witjes, Curry, Eid, Kellom, Lange, Orton

- b. Location, Date and Time for end-of-December Meetings(s). Director Woods III requested the Commission to schedule its end-of-December meeting on December 28th, 29th and 30th at the Cadillac Room in Lansing, MI.

MOTION: Host the End-of-December Meeting beginning at 10 AM on December 28th, 29th and 30th at The Cadillac Room in Lansing. **Motion by Commissioner Witjes. Supported by Commissioner Rothhorn. Commissioner Szetela, Chair, held a vote by roll call. MOTION UNANIMOUSLY APPROVED.**

APPROVAL OF MINUTES

MOTION: Commissioner Szetela, Chair, called for a motion to approve the meeting minutes from November 18th. **Motion by Commissioner Szetela. Supported by Commissioner Witjes.**

**Commissioner Szetela, Chair, held a vote by show of hands.
MOTION UNANIMOUSLY APPROVED.**

ADJOURNMENT

**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 2:37 PM.