



STATE OF MICHIGAN  
BUREAU OF ELECTIONS  
LANSING

## Sampling Procedure for Canvassing Petitions

On February 7, 1980, the Board of State Canvassers (BSC) adopted a review and sampling procedure for canvassing petitions seeking an initiative, referendum, or state constitutional amendment.<sup>1</sup> In 1990, the Bureau of Elections (BOE) underwent a review of the process, which was reaffirmed by the BSC.<sup>2</sup> In 2022, the BOE hired an outside firm to further review the statistical methods and processes. That review found that the sampling process was still sound, but several changes could be made to improve efficiency and accuracy.<sup>3</sup> This review was validated by an academic expert at Wayne State University.<sup>4</sup> The improvements recommended in the report include moving the face review process to the sampling stage, utilizing a single-stage sampling method with a larger sample size, eliminating the shuffling of petitions, and utilizing electronic methods to scan and number petitions. The random sampling process will also be implemented for nominating and qualifying petitions submitted by candidates for statewide office.<sup>5</sup> The recommendations are included in the process below, which was approved by the BSC on October 20, 2023.

### Sort

To begin the canvass process, the Bureau of Elections (BOE) will confirm that petition sheets are sorted by the number of signatures on the sheet. Each box will contain sheets with the same number of signatures only. Staff continues to recommend that sponsors sort the petition prior to submission.

### Scanning and counting process

In lieu of hand stamping and counting, the BSC approved an electronic scanning and numbering plan that makes the process more efficient and facilitates the fulfillment of Freedom of Information Act (FOIA) requests of the scanned petition.

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<sup>1</sup> See *Random Sample Signature Canvassing in Michigan*, Michigan Department of State, Department of Statistics and Probability at Michigan State University (1979).

<sup>2</sup> See *Random Sample Signature Canvassing in Michigan*, Michigan Department of State (1990).

<sup>3</sup> See *Recommendations for Random Sampling when Canvassing Signatures*, Rehmann Robson LLC, Grand Rapids, Michigan (2023).

<sup>4</sup> See *Re: Rehmann Recommendations*, Dr. David Merolla, Chair of the Sociology Department at Wayne State University (2023).

<sup>5</sup> This includes candidates for Governor, U.S. Senate, and candidates who are required to submit nominating or qualifying petition signatures for other statewide offices.

- Valid sheets are scanned in batches with other sheets with the number of signatures.
- After scanning, sheets are placed in bundles of 200 to 250 sheets<sup>6</sup> per bundle and placed in clearly marked archive boxes.
- Each scanned file is saved and made available for FOIA requests.
- Each sheet is electronically numbered.
- The number of signatures in the “universe” is determined from the sorting and electronic numbering process. Staff will multiply the number of electronic sheets by the number of signatures on each sheet to compile the total.

## **Sampling process**

Staff begin the single-stage random sampling process. The selection of random signatures is completed utilizing a custom-designed computer program.<sup>7</sup> Sampled sheets are face reviewed for validity, then signatures on valid sheets are compared to the Qualified Voter File (QVF). During that process:

- BOE staff utilize a computer program to identify randomly selected signatures/sheets to review for signature validity.
  - Approximately<sup>8</sup> 750 signatures for statewide candidate petitions and new political party petitions.
  - Approximately<sup>8</sup> 1,000 signatures for initiative and constitutional amendment petitions.
- The program identifies which signatures on the sheets to review.
- The program will include data on how many signatures are included on each sheet, which will prevent “misses” that occurred using the previous program (for example, the old program may have selected a signature on line 8 of a sheet, where that line was blank). Instead of the 8<sup>th</sup> line, the new program would select the 8<sup>th</sup> signature on the sheet and select the 8<sup>th</sup> signature only if there are at least 8 signatures on a sheet. In the event that a “miss” still occurs because a sheet was misfiled due to manual error, that sheet will be replaced in the sample.
- The list of sheets and signatures to be sampled, including the total number of sheets and total number of signatures in the universe, is posted online.
- BOE staff create a .pdf of the sampled sheets from the scanned universe and save that document separately from the scanned universe.
- The sample is made available in paper and electronically for FOIA requests.

### *Face review of sampled sheets:*

- The sampled sheets are face reviewed to determine if a circulator error or

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<sup>6</sup> Dependent on sheet thickness and archive box capacity.

<sup>7</sup> As of November 2023, the Bureau is engaged in the state procurement process to acquire this program, and the selected vendor will be publicly disclosed.

<sup>8</sup> The number is approximate because the program will adjust the sample size to achieve the desired error rate.

problem with the sheet invalidates the entire sheet of signatures. Reviewers check sampled sheets for all the following:

- Confirm the sheet is for the correct petition drive.
  - Confirm that one or both paid/volunteer boxes are checked at the top of the sheet.
  - Determine if the county line is filled in with a valid county name.
  - Check the date of signing to determine if the sheet was signed during the BSC-approved circulation period and on or before the circulator signature. Check the circulator box for their signatures, date, address and if they are out of state and checked the out of state box.
  - Examine the sheet to determine if the sheet is damaged to the point where mandatory elements or signatures are missing, covered, or compromised.
  - Determine if stickers or ink are covering mandatory elements of the petition.
- Sampled signatures on invalid sheets are considered invalid signatures and will not be pulled from the sample or the universe.

#### *Review of sampled signatures:*

- Sampled signatures on valid sheets are examined to confirm:
  - The signatory is a person registered to vote in Michigan.
  - The signature on the petition sheet matches the signature contained in the QVF.
  - The entry does not contain another fatal defect (See error codes for full list of fatal defects.)
  - The sampled signatures are accompanied by valid addresses.
  - The township or city in the city/township column is located in the county listed on the sheet.
  - The signers have provided a residential address, rather than a P.O. Box.
- Signatures found to be invalid are reviewed a second time by another BOE staff member to confirm the signature is invalid.
- Signatures challenged during the challenge period are reviewed by BOE staff.<sup>9</sup>
- The validity and error codes are recorded within the Qualified Voter File petition module. The final report is made available through FOIA.

## **Staff report**

- Staff tally the number of valid/invalid sheets and valid/invalid signatures in the sample.

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<sup>9</sup> Under the Board's current practice, challenges are due 10 business days after the release of the sample and rebuttals are due as soon as possible after challenges are received. Bureau staff expect that with time saved under the new procedure, more time can be made available for challenges and rebuttals. The Bureau will recommend any changes to these periods to the Board during its review of the first petition under the new procedure.

- Staff draft a staff report for the Board of State Canvassers with statistical analysis and make a recommendation whether to approve or deny the petition for placement on the ballot.

## **Public access during sampling procedure**

Bureau staff take several steps to make information available to petition sponsors and challengers, and the general public, during the sampling procedure.

- Bureau staff post on the BSC website, as soon as it is available:
  - The randomly generated list of sheets and signatures to be sampled, including any sheets replaced in the sample.
  - The total number of sheets and signatures submitted and in the universe.
  - The staff report, including the Board-approved statistical analysis.
- Bureau staff make additional documents available to sponsors, challengers, and the general public through FOIA:
  - Electronic copy of scanned petition sheets of entire submission.
  - Electronic copy of scanned petition sheets in sample.
  - Inspection of original petition sheets and/or independent scan of original petition sheets.
    - Note: these requests will incur a higher fee than a copy of the electronic copies scanned by Bureau staff, and these requests will not be fulfilled until after the Bureau has completed its scan of petition sheets.
  - Final Report generated by QVF petition module used to review sampled signatures and/or challenged signatures.
    - Note: preliminary reports that are still subject to BOE staff review will not be made available while the review process is ongoing.
- Bureau staff will facilitate communication with petition sponsors and challengers:
  - Bureau staff encourage sponsors and challengers to copy their counterparts regarding petition challenges and related communications. If they do not, staff will forward challenges and responses as soon as possible.
  - Absent unforeseen circumstances, Bureau staff will respond to all calls or correspondence from petition sponsors or challengers regarding a pending petition by the end of the next business day after receipt. If a call or correspondence requires legal or lengthy review, the initial response might not include a substantive response to the inquiry.