

MICHIGAN DEMS AND THE OBAMA CAMPAIGN SUE FOR FORECLOSURE-RELATED VOTE-CAGING

The Michigan Democratic Party and the Obama campaign just finished a conference call announcing that they will sue the Republican Party for its plans to conduct vote-caging operations this fall, based partly on using lists of people in foreclosure to challenge peoples' right to vote (here is Time's recording of the call). They are seeking an injunction to prevent the GOP from engaging in these activities this year.

The move arose out of a Michigan Messenger story last week which quoted a county party chair, on the record, as saying he planned to use foreclosure lists as a basis for vote-caging.

The chairman of the Republican Party in Macomb County, Michigan, a key swing county in a key swing state, is planning to use a list of foreclosed homes to block people from voting in the upcoming election as part of the state GOP's effort to challenge some voters on Election Day.

"We will have a list of foreclosed homes and will make sure people aren't voting from those addresses," party chairman James Carabelli told Michigan Messenger in a telephone interview earlier this week. He said the local party wanted to make sure that proper electoral procedures were followed.

State election rules allow parties to assign "election challengers" to polls to monitor the election. In addition to observing the poll workers, these volunteers can challenge the eligibility of any voter provided they "have a good

reason to believe” that the person is not eligible to vote. One allowable reason is that the person is not a “true resident of the city or township.”

The Michigan Republicans’ planned use of foreclosure lists is apparently an attempt to challenge ineligible voters as not being “true residents.”

When asked whether they had more evidence that the GOP planned to engage in this kind of voter-caging this year, MDP Chair Mark Brewer and Obama Campaign General Counsel Bob Bauer referred to the changing story among different members of the MI GOP—that stop short of real denials, of similar statements coming from an OH county chair, and of a former MI Republican Counsel, Eric Doster, admitting the party did plan on doing vote caging, though perhaps using returned mail.

The campaign explained the goals of their suit this way:

The complaint filed today seeks declaratory and injunctive relief to challenge the “lose your home, lose your vote” vote-suppression program adopted by the Macomb County Republican Party, in concert with the Michigan Republican Party and the Republican National Committee, as well as unnamed Defendants who will implement the scheme at polling places in Macomb County and throughout the State. This “lose your home, lose your vote” program is part of a broader scheme – misnamed an “election integrity” program – to harass voters and suppress the vote throughout the State of Michigan in the upcoming election on November 4.

Here’s a copy of the complaint.

One more thing: Someone asked about the potential scope of this practice. Mark Brewer

noted that in July there were 11,000 homes in MI alone that were considered to be in foreclosure. Brewer also pointed out that many of the people on these lists in MI were still in their homes. So when you consider the possibility they'll use foreclosure lists going back some time, you see how many people in MI this could affect.

I'll update this story with more details shortly.

For the moment, though, know that the MDP and the Obama campaign are treating GOP plans for vote-caging as a "national and systematic program" that they will fight seriously.