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EM REPEAL EFFORT SEEKS DAY IN COURT

Statewide coalition requests State Court of Appeals reverse undemocratic and illegal decision by Board of Canvassers

Detroit – The Stand Up for Democracy coalition filed a writ of mandamus today with the Michigan State Court of Appeals, seeking to force the Secretary of State to place the repeal of the emergency manager law on the November ballot.

Last Thursday, the State Board of Canvassers failed to certify over 200,000 petition signatures that were collected in accordance with state elections law. The only basis offered for rejection of the petition was a claim that one font size in the petition was too small—a claim that was not only contested by expert witnesses, but also irrelevant to the requirement that petitions’ format be only “substantially as provided” by law.

“Ignoring the sworn testimony, ignoring its own staff recommendation, and in cavalier defiance of a quarter of a million Michigan voters, the Board of Canvassers voted …to withhold certification of the petitions for the November 6, 2012 general election ballot,” the filing read. “This was a breach of the Board of Canvassers’ clear legal duty.” The 2-2 vote was along straight party lines, with both Republican members of the Board voting No.

The filing explained, “This is really what the instant case comes down to. Plaintiffs’ expert, through testimony and a Printer’s Affidavit verifies **that the font is 14 point bold type**. The Challenge states it believes it is still too small, though this claim was roundly dismantled by expert testimony at the hearing.”

News that the challenger’s printer’s affidavit may be perjury is no surprise. No experts testified in person at the hearing in support of claims that the font size on the petition was incorrect. The entire affair calls into question whether the challenger affidavits **are little more than pieces of paper signed by “ghost” printers.**

Citizens from around the state of Michigan continue to express outrage in the wake of that despicable decision by republicans at the State Board of Canvassers meeting. Expert testimony, physical evidence and scientific evaluation proved the petition to repeal emergency managers was, is and remains in compliance with the legal font-size as required by law.

If the Court of Appeals rules that the challenge was invalid—and therefore that the Board of Canvassers exceeded its authority by rejecting the petition—repeal of the Emergency Manager law will go on the November ballot. Once on the ballot, the law will be immediately suspended until the election.

Stand Up for Democracy is a coalition of individuals and organizations that formed to collect voter signatures to place repeal of Emergency Manager Law on the November 2012 general election ballot. The group exceeded the 161,305 valid signatures needed by more than 40,000. For more information go to www.standup4democracy.com or call 1-866-306-5168 to volunteer.

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