



STATE OF MICHIGAN  
 JOCELYN BENSON, SECRETARY OF STATE  
 DEPARTMENT OF STATE  
 LANSING

April 19, 2021

**STAFF REPORT:**  
**UNLOCK MICHIGAN INITIATIVE PETITION**

**SPONSOR:** Unlock Michigan, 2145 Commons Parkway, Okemos, Michigan 48864.

**DATE OF FILING:** October 2, 2020.

**NUMBER OF VALID SIGNATURES REQUIRED:** 340,047 signatures.

**TOTAL FILING:** 82,739 sheets containing 538,345 signatures.

*Included in sample: 82,391 sheets containing 536,731 signatures (“the universe”).  
 Excluded from sample: 348 sheets containing 1,614 signatures.*

	<u>Sheets</u>	<u>Signatures</u>
Defective circulator certificate (i.e., omitted or incorrect date, failure of out-of-state circulator to check box, incomplete address)	159	1,103
Jurisdiction errors (i.e., county of circulation does not align with signer entries, invalid jurisdiction entry by circulator or every signer on sheet)	148	323
Signer errors made by every signer on sheet (i.e., all signers entered date of birth or other incorrect date)	17	18
Miscellaneous (torn or mutilated sheets, etc.)	24	170
<b>TOTAL:</b>	<b>348</b>	<b>1,614</b>

The two-stage sampling process was selected for the canvass of this petition. Under the Board’s established procedures, a small sample is drawn at the first stage of approximately 500 signatures, and the result of that sample determines whether there is a sufficient level of confidence in the result to immediately recommend certification or the denial of certification. If the result of the small sample indicates a close call, a second random sample must be taken to provide a result with the maximum confidence level that can be obtained.

Here, the first-stage sample of 506 signatures was drawn from the universe of 536,731 signatures gathered on 82,391 sheets.

**NUMBER OF SAMPLED SIGNATURES:** 506 signatures.

**SAMPLE RESULT:** 434 valid signatures; 72 invalid signatures.

<b>Valid signatures:</b>	
Registered signers; signatures verified	434
<b>Invalid signatures:</b>	
Signatures determined invalid due to signer’s registration status	51
Signer address errors (jurisdiction name does not align with county of circulation, address omitted, street address given by signer does not align with jurisdiction where registered or mailing jurisdiction, or dual jurisdiction entry)	18
Signer date errors (incorrect or omitted date)	3
<b>Total:</b>	<hr/> 506

Two challenges were timely filed on April 9 alleging the Unlock Michigan petition form suffers from formatting defects and contains insufficient signatures. Keep Michigan Safe filed a challenge identifying 178 signatures it claims are invalid, alleging the Board’s petition and signature review procedures were not properly promulgated under the Administrative Procedures Act, and arguing the petition summary and heading are defective. On April 14, Keep Michigan Safe filed suit in the Court of Claims against the Board and the Secretary of State on similar grounds. *Keep Michigan Safe v Board of State Canvassers, et al.*, Court of Claims Dkt. No. 21-000071-MZ. The second challenge, filed by Steven C. Liedel, alleges the entire petition is fatally flawed due to formatting defects.

With respect to claims that the petition summary is confusing or misleading, MCL 168.482b(1) provides, “The board of state canvassers may not consider a challenge to the sufficiency of a submitted petition on the basis of the summary being misleading or deceptive if that summary was approved before circulation of the petition.” The wording of the Unlock Michigan petition summary was unanimously approved by the Board on [July 6, 2020](#), the same date the balance of the petition was approved as to form.

Keep Michigan Safe challenged 168 signatures<sup>1</sup> and BOE staff rejected 110 of these challenges; 57 challenges overlapped determinations of invalidity made by staff; and 1 challenge was accepted.

Unlock Michigan attempted to rehabilitate 64 challenged signatures; staff rejected 11 of the rebuttal attempts, accepted 1, and the remainder overlapped determinations of validity made by staff.

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<sup>1</sup> Not included in the total number of challenged signatures are 11 sampled signatures that are alleged to have a duplicate in the universe, due to the challenger’s failure to identify the alleged universe duplicates by page and line number.

**FINAL RESULT OF SIGNATURE SAMPLE:**

<u>Number of valid signatures</u>	<u>Formula Result</u>	<u>Sample Result</u>
<b>338 or more</b>	<b>Certify</b>	<b>434 valid signatures</b>
305 – 337	Sample more signatures	
304 or fewer	Deny certification	

**ESTIMATED NUMBER OF VALID SIGNATURES CONTAINED ON PETITION:** Based on the result of the random sample, it is estimated that the petition contains 460,358 valid signatures (at a confidence level of 100 percent<sup>2</sup>), a surplus of 120,311 signatures over the minimum number required by Article II, Section 9 of the Michigan Constitution.

**STAFF RECOMMENDATION:** Staff recommends that the Board **certify** the petition contains a sufficient number of valid signatures.

Note that while the information provided in this staff report is current as of this writing, additional information may be submitted by the petition sponsor or challenger after the date of publication.

This staff report is being published on April 19, 2021, three business days prior to the April 22, 2021 meeting at which the Board of State Canvassers will consider the sufficiency of the Unlock Michigan petition in accordance with MCL 168.476(3) (“At least 2 business days before the board of state canvassers meets to make a final determination on challenges to and sufficiency of a petition, the bureau of elections shall make public its staff report concerning disposition of challenges filed against the petition.”).

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<sup>2</sup> A 100 percent confidence level means that there is a 100 percent chance that drawing a different sample would produce the same result.