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Lawsuit: Detroit has thousands of dead people on voter lists

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A public interest group has sued the city of Detroit in federal court, claiming it has thousands of dead people on its voter lists and even more duplicate names of registered voters — problems the group fears could lead to voter fraud in the upcoming presidential election.

The lawsuit, however, does not claim that someone living ever actually tried to vote as a deceased voter in Detroit. Nor does it allege that any voter fraud has actually occurred in Detroit, a majority-black Democratic stronghold that played pivotal roles in the last two elections, one way or another, and is expected to do so again in 2020.

The lawsuit cites the 2016 election, but it raises no issues of actual fraud. Rather, it claims that the city isn't properly cleaning its voter registration records, as required by law, but instead allows the rolls to be replete with typos, dead people, duplicate registrations and mistakes about gender and birth: One Detroit voter is listed as being born in 1823 — 14 years before Michigan was annexed into the Union.

The lawsuit was filed by the Indianapolis-based Public Interest Legal Foundation, which calls itself a nonpartisan group but is known for championing conservative causes, filing voter-fraud lawsuits and promoting purges that critics say would remove eligible voters from the rolls. In 2017, the group published a report called “Alien Invasion,” claiming 5,000-plus noncitizens were registered to vote in Virginia, and that about 1,800 of them had cast ballots at some point. Virginia election officials, voters and academic experts disputed the findings.

The group's president is Christian Adams, a member of President Donald Trump's election integrity commission who has spent years fighting to clean up voter rolls in what critics and election officials have said harms minority communities.

This week, Adam's focus turned to Detroit.

According to his group's lawsuit, here are some of the alleged mistakes found on Detroit's voter rolls, as flagged by the Public Interest Legal Foundation:

- Detroit has 2,503 dead people on its voter rolls. They are listed as 85-plus-year-olds.
- Detroit has 4,788 voters that were flagged for duplicate, triplicate concerns.
- Detroit has 511,786 registered voters, but only 479,267 adults designated as eligible to vote. That means it has more registered voters than citizens of voting age.
- 16,465 registered voters in Detroit were missing actual dates of registration.

"The city government's nonchalant attitude toward addressing evidence of dead and duplicate registrations exposes yet another vulnerability in our voting systems as our nation works to improve election security before November 2020," Adams said in a statement.

He added: "Making a federal case out of this was necessary, and I hope we can achieve a resolution before the polls open."

City officials were not readily available for comment. The lawsuit names Detroit City Clerk Janice Winfrey and Director of Elections George Azzouz as defendants. As of noon Wednesday, neither were available for comment.

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Detroit has long been considered a key stronghold for Democrats, though low voter turnout in the city was a key factor in Hillary Clinton's narrow loss in Michigan to President Donald Trump. She lost the whole state to Trump by about 10,000 votes, with low voter turnout in Detroit proving costly: 41,000 fewer Detroiters went to the polls that year.

According to the lawsuit, the foundation started studying Detroit's voter maintenance efforts in 2017, and eventually purchased the state of Michigan's entire voter roll. It compared voter registration lists against federal death records. It sampled all active registered voters 85 years or older, and found that more than 2,500 of those voters were

listed in the Social Security Death Index with corresponding death records and/or obituaries.

The Foundation also compiled a list of voters who managed to become registered to vote two and even three times with matching or substantially similar names and other biographical information within the same addresses. The end result?

The foundation flagged 4,788 registration files representing people who had registered to vote two and even three times. This list included examples of married/maiden name conflicts, typographical errors, and conflicting gender designations.

Another 16,400 registrants were flagged because, the lawsuit claims, officials did not demonstrate when they actually became registered to vote.

On May 23, the foundation sent a letter to Winfrey, notifying her that the city of Detroit was in violation of the National Voter Registration Act of 1993, which requires officials to make "reasonable efforts" to remove the names of ineligible voters from the official lists. The letter also threatened a lawsuit.

The city never responded, the suit claims.

On July 8, the foundation sent another letter to Winfrey, informing her that "Detroit is engaged in ongoing violations of the NVRA and Michigan law." It also said that it planned to visit her office on July 30.

The next day, an election official, Azzouz, responded by email, stating his office has "been gathering data" for the foundation's review, and confirmed the group's July visit.

On July 30, two representatives with the foundation drove to Detroit, met with Azzouz and a member of Winfrey's staff. During that meeting, the suit says, Azzouz admitted that a person who was supposedly born in 1823 was still registered to vote in Detroit, but he "didn't commit to taking any remedial action."

The foundation claims this is not a new problem. For example, in 2018, it released a report titled "Motor City Mayhem" that claimed "noncitizens were caught within Michigan's voter registration process — particularly in the Detroit metro area." But no actual fraud was documented.

Public Interest Legal Foundation identifies itself as a "public interest law firm dedicated to election integrity" and aims to help "fight against lawlessness in American elections." It

was formerly known as the "Act Right Legal Foundation," a conservative action website for giving donations to right-wing candidates and causes.

Over the years, the foundation has drawn scrutiny by election officials and fact-finding groups, including Politifact, a fact-checking organization with the Poynter Institute that poked holes in a voter-fraud claim brought by the foundation in Georgia.

The group had claimed that Bryan County had corrupted voter rolls because it had more voters registered than the eligible population. Politifact said there was "no evidence" of corruption.

"The group took a number that reflected an effort to keep the voter rolls current and used it to cast the county in a bad light," Politifact stated. "The foundation used data selectively and ignored ongoing efforts to clean up the voter rolls to reach an exaggerated conclusion. We rate this claim False."

Read the lawsuit:

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