

**THE PETITIONERS**  
**MICHIGAN CIVIL RIGHT INITIATIVE**  
**FAILED** BY its OWN ANALYSIS

January 3,2006

The Detroit News  
c/o Mark Hornbeck  
615 W Lafayette Blvd  
Detroit, Michigan 48226

I am one of the third party interveners of the complaint filed in the Court of Appeals, regarding the petitions to eliminate Affirmative Action and one of the essential factors is that there are not enough valid signatures, according to their own statistical analysis.

An explanation of their analysis is attached and according to their calculation and figures they do not have enough valid signature to talk about placing them on the ballot in the November?, 2006 election.

It should be also noted that we have filed a Claim of Appeals to the Michigan Supreme Court on December 13, 2005 and it was returned illegally and refilled December27, 2005.

If you have any questions I will be more than glad to speak with you on this matter, that will affected us all.



Sign Carl Williams 850-0349 or 521-5012  
or Hassan Aleem at 205-4353

## THE PETITIONERS, MICHIGAN CIVIL RIGHT INITIATIVE FAILED BY IT'S OWN ANALYSIS

The third party Interveners has shown the Board of Canvassers, through Secretary of State, Terrie Lynn Land and Chirstopher Thomas that by their own analysis the petitions were insufficient and they have deceived the public again by being disingenuous stating quote "at least 153 of the 195 misrepresentation challenges would have to be accepted to render the petition insufficient." To reach the insufficient threshold (i e, an additional 153 invalid signature) it would be necessary for the board to determine invalid. Needless to say we found  $3,640 - 153 = 3,437$  over and above what required by their own analysis. (See exhibits and E of Response to the Writ Of Mandamus)

In accordance to page 1-2 of Exhibit E the MCRI staff review of initiative petitions they had a total of 364 sheet and each sheet has (10) ten signatures, which is  $364 \times 10 = 3,640$  invalid signatures minus 153 equal 3,437 over and above the threshold of requirement.

The exhibit D of the Response to the Petitioner Writ of Mandamus is the analysis of Detroit City Clerk, Jackie Currie, that demonstrated in 1998 she disqualified the 5,308 out 5,701 petitions for incomplete notarization of the circulators, the circulators affidavits indicates that there are not sufficient valid signatures. The other reason was the initiative petition failed to contain the complete text of the ordinance to be enacted was rejected citing **Beach v City Saline**, 101 Mich App 795,803; 300 NW2d 698,702 (1980) aff'd and lv app den in part 412 Mich ; 316 NW2d 724 (1982). (See exhibit D)

This is why the Secretary of State, Terri Lynn Land is attempting to discredited and have her removed because she know's those petition are invalid and if they go back to Jackie Currie she will comply with statutory and Constitutional requirement disqualify them.

The Board of Canvassers have the true evidence before you now act with your heart and conscious on the true evidence before you for the Citizens of Michigan.

Carl 31

---

Carl Williams  
(313) 521-5012 or 850-0349  
e-mail [CrIWill5@aol.com](mailto:CrIWill5@aol.com)

Hassan Aleem

---

Hassan Aleem  
(313)2054353

Percy Harris Jr

---

Percy  
Harris Jr  
24^259 0860

*Handwritten mark*

STATE OF MICHIGAN

IN THE COURT OF APPEALS

Michigan Civil Rights Initiative  
Appellees/Petitioners/Appellee

State Board of Canvassers  
Defendants/Respondent

Carl Williams, Hassan Aleem, and Percy Harris Jr.  
Third Party Interveners/ Respondents/Appellant

Case No. 264;~~204~~  
~~RECEIVED~~  
~~DEC 17 PM~~  
0

**CLAIM OF APPEAL**

The appellants, Hassan Aleem, Percy Harris, and Carl Williams, claims an appeal from the order entered December 7, 2005, in the Michigan Court of Appeals, from which the appeal is taken from a Three Judge Panel, Presiding Judge, Henry William Saad, Mark J. Cavanagh and Kathleen Jansen. Also a Stay on the order and all further proceeding in this matter.

**STATEMENT OF WHAT ORDER WE ARE APPEALING**

The decision is dearly erroneous and will cause material injustice, conflict with the Supreme Court Rules and precedents a misapplying Court of Appeals Decision.

A notice is attached and application

Carl Williams (313) 521-5012  
10112 Somerset  
Detroit. Michigan 48224

Hassan Aleem 205-4353  
2440 Taylor  
Detroit, Michigan 48206

*Handwritten signature*  
Percy Harris Jr. 648 259 0860  
1516 Engteewood  
Royal Oak, Michigan 48073

i §  
" >  
-

Date: December

# Exhibit



# E

STATE OF MICHIGAN  
LAND, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

July 13, 2005

## STAFF REVIEW OF INITIATIVE PETITION

**SPONSOR:** Michigan Civil Rights Initiative Committee, P.O. Box 1398, Southgate, Michigan 48195

**DATE OF FILING:** January 6, 2005.

**NUMBER OF VALID SIGNATURES REQUIRED:** 317,757 signatures.

**TOTAL FILING:** 70,569 sheets containing 508,159 signatures.

### SIGNATURE SAMPLE

**NOT INCLUDED IN SAMPLE:** 364 sheets; 2,189 signatures.

	<u>Sheets</u>	<u>Signatures</u>
Circulator certificate defective:	133	852
County of circulation entry defective:	108	158
All signatures on sheet defective:	10	9
Signatures dated more than 180 days prior to filing:	113	1,770
	364	2,189

**INCLUDED IN SAMPLE:** 70,205 sheets containing 505,970 signatures.

**SAMPLE SIZE:** 500 signatures.

**SAMPLE RESULT:** 450 valid signatures; 50 invalid signatures.

### Valid signatures

Registered signers: 450

### Invalid signatures

Facially defective signatures: 12

Signatures determined invalid due to signer's registration status: 38

**Total** 500

## ANALYSIS OF SAMPLE RESULT

The signature validity standards employed by staff when sampling the petition were consistent with established law and current Board practices and policies; no new signature validity standards were employed.

Forty-two (42) signatures identified in the challenge filed against the petition are among the 50 signatures determined invalid *in* the sample.

The estimated number of valid signatures which appear on the petition as determined under the sampling process is 455,373. (See attached "Results from MCKJ Petition.") Based on the standard procedures traditionally employed to sample petitions, the sample data demonstrates that the petition is sufficient.

### SUMMARY OF *CHALLENGE* DATA

The challenge is unique as it heavily relies on the alleged "misrepresentation of the petition" by petition circulators while collecting signatures from Michigan voters. Misrepresentation of a petition has not been presented to the Board as the critical issue associated with the sufficiency of an initiative petition. The staff report reaches no conclusions on the legal authority of the Board to consider misrepresentation as a basis for finding petition signatures invalid. The following summary is the result of an analysis of the challenge documents and is intended to advise the Board on the categories of challenges that would have to be accepted in order to determine the petition invalid. A more detailed analysis follows the summary.

- A total of 325 signatures are identified in the challenge. After processing the challenge, staff identified 42 invalid signatures as referenced above and 88 challenges that are unacceptable. The reasons for determining the 88 challenges unacceptable are detailed in the accompanying documentation.
- The remaining 195 challenges involve issues related to the alleged "misrepresentation" of the petition and remain unresolved at this date,
- Had the sample revealed that the number of valid signatures was 297 or less, the petition would be insufficient. At least 153 of the 195 misrepresentation challenges would have to be accepted to render the petition insufficient.
- To reach the insufficiency threshold (i.e., an additional 153 invalid signatures) it would be necessary for the Board to determine invalid:
  - 3 signatures challenged on the basis of "misrepresentation" which are supported by a personalized statement;

32 signatures challenged on the basis of "misrepresentation" which are supported by a form statement executed by the signer;

10 signatures challenged on the basis of "misrepresentation" which are supported by a statement executed by the circulator;

36 signatures challenged on the basis of "misrepresentation" which are supported by a statement executed by a person who claims that he or she interviewed the signer by phone; and

at least 72 signatures challenged by implication. The signatures challenged by implication are not supported by a statement executed by either the signer or the circulator. To reach 72 invalid signatures in this category, the Board must determine invalid:

- 1) 38 signatures collected by circulators who *other signers* alleged misrepresented the petition; and
- 2) at least 34 signatures collected by circulators who are alleged to have misrepresented the petition according to persons who claim to have conducted phone interviews with *other signers* who interacted with the circulator.

It merits observation that any determination that signatures challenged by "implication" are invalid would necessarily be premised on three assumptions 1) that the circulator misrepresented the petition to every signer he or she encountered 2) that every signer who interacted with the circulator did not understand the purpose of the petition and 3) that every individual who signed the petition at the request of the circulator would wish to have their signature determined invalid.

**KEY TO ACCOMPANYING CHALLENGE DOCUMENTATION AND  
"MISREPRESENTATION" CLAIMS**

<i>-- Challenge Status --</i>				
Categories	Unresolved	Rejected	Overlap	Total
A- Alleged misrepresentation of petition	68	7	1	76
C - Alleged deception: circulator statements	4	0	0	4
D~ Invalid date	0	0	2	2
F- Alleged forgery or fraud	0	6	0	6
H - Alleged invalid or nonexistent address	0	1	1	2
I- Alleged illegible or incomplete information	0	3	1	4
R- Registration status challenges	0	30	13	43
Z - Alleged circulator deception	90	29	6	125
Signatures subjected to multiple challenges	33	12	18	63
	195	88	42	325

**"MISREPRESENTATION" CLAIMS;** The signatures challenged on the basis of "misrepresentation" are reflected in the above chart as described below;

In 3 instances, the voter drafted and executed a personalized statement which alleges misrepresentation (all 3 are included under category "A").

In 32 instances, the voter executed a form statement supplied by the petition opponents which alleges misrepresentation (29 are included under category "A"; 3 are included under "Multiple" - the last category on the chart).

In 19 instances, the circulator who collected the signature executed a statement which alleges misrepresentation (4 are included under category- "C"; 6 are included under "Multiple" - the

last category on the chart. In 3 cases, the signers also executed form statements; in 1 case, a person who claims to have interviewed the signer by phone executed a statement).

in 36 instances, someone who claims to have interviewed the signer by phone executed a statement which alleges that the petition was misrepresented to the signer (all 36 are included under category "A").

In 114 instances, no statement was executed by the signer or the circulator. Instead, the signature was challenged because it was followed by a circulator alleged to have deceived other signers included in the sample (90 are included under category "Z"; 24 are included under "Multiple" - the last category on the chart). Of the 114 signatures challenged on this basis, 38 of the challenges are based on form statements executed by other signers; 73 of the challenges are based on statements executed by persons who claim to have interviewed other signers by phone; and 3 of the challenges are based on personalized statements executed by other signers.

# Exhibit City of Detroit

OFFICE OF THE CITY CLERK

D

vefnon

JGC«i L Cuff\*

March 11, 1998

Community Coalition  
P.O. Box 14691 Detroit,  
Michigan 48214

**Re: Petition Filed March 2, 1998**

Gentlepeople:

On March 2, 1998, your organization filed the above-referenced petition purporting to contain valid signatures of registered and qualified electors of the City of Detroit. Based upon my canvass of this petition and upon the advice of legal counsel, I am unable to certify this petition for the following reasons:

Although it does not appear from the face of the petition filed that this petition was intended as a voter initiative, in order to insure that the right of franchise enjoyed by your organization was not in any way prejudiced, I have canvassed the petition you filed in the same manner as an initiative petition.

Even if considered an initiative petition, the petition which you filed cannot be certified, regardless of the number of valid signatures obtained because it is not in proper form. Most importantly the petition does not "set forth in full the measure to be initiated . . ." as required by Section 12-102 of the 1997 Detroit City charter In Beach v City of Saline, 101 Mich App 795, 803; 300 NW2d 698, 702 (1980), affd and Iv app den in part 412 Mich 729; 316 NW2d 724 (1982), the Michigan Court of Appeals affirmed the rejection of an initiative petition which did "not contain the text of any proposed ordinance." Just as an initiative petition which failed to contain the complete text of the ordinance to be enacted was rejected in Beach, so to must the petition filed by your organization be rejected

In addition to the failure to set forth in full the measure to be initiated, even if considered an initiative petition, the petition filed by your organization contains several other defects in its form. While some of these deficiencies, when taken alone, might not be of the magnitude to require the rejection of the petition filed by your organization, when taken together, they are of sufficient magnitude that this petition cannot be certified. Herp v Lansing City Clerk, 164 Mich App 150; 416 I NW2d 367 (1987), Iv den 429 Mich 899 (1988).

If considered an initiative petition, the petition filed by your organization lacks a proper /heading identifying the petition as an initiative and lacks a statement in the petition advising that petition seeks to put a question before the electorate. Finally and importantly, the petition filed by your organization does not contain the warning to petition signers required by Section 482 of the Michigan Election Law MCL 168 482.

Community Coalition  
March 11, 1998 Page 2

In addition to the review of the form of this petition, I have completed a canvass of the petition's signatures and the circulators' affidavits. (A copy of my report on the canvass of signatures is attached to this letter.) For the reasons stated in the attached report, even if the defects in the form of this petition were not present, it is my determination that there are not sufficient valid signatures to certify this measure to the Detroit City Council.

In conclusion, the petition filed by your organization is not in proper form and cannot be certified by this office. In addition, my canvass of the signatures affixed to this petition and the circulators' affidavits indicates that there are not sufficient valid signatures to certify this petition to the Detroit City Council. However, even if additional valid signatures were obtained, the defects in the form of this petition cannot be cured and would remain. Therefore, I have been advised by legal counsel not to accept the filing of any additional signatures to this petition.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "L. Currie".

L. Currie  
Detroit City Clerk

Attachment

\*^ \* •» r- vv f\*\*TWVMIV  
DEPARTMENT OF ELECTIONS

GLORIA C. WILLIAMS. *Director*

JACKIE L. CURRIE. *C/ty Derfc*  
2973 W. Grand Siva.  
Detroit, Michigan 48202-3069  
876-0190 F\*x 876-0053

ISA AZZOUZ. *Assistant Director*

March 10, 1998

**TO: Jackie L. Currie, City Clerk**

FROM: Isa Azzouz, Deputy Director of Elections

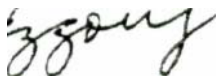
RB: Summary of Petitions Canvass - Amending Ordinance 17-97  
Sections 18-13-1,2,4,7,8 - Community Coalition Petitions

The canvass of the above petitions which were submitted March 2, 1998 was completed on March 10, 1998. The result of our findings is as follows:

Valid Signatures Required	<b>4,982</b>
Total Names Submitted Less	7,075 - 667 Sheets
Disqualified Names (See Attached)	- 5,701 1,374
Valid Signatures	1,095
Invalid Signatures	279

Determination: Insufficient Valid Signatures Submitted.  
Additional 3,887 Signatures Needed.

DEPARTMENT OF ELECTIONS



Isa Azzouz  
Deputy Director of Elections

**. CALEGORIES OF DISQUALFIED NAMES;**

Incomplete Notarization of Circulator	5,308
» -i Notary Stamp, Hissing Signature and Date	~ 3,929
Notary Stomp, Signature, no Date	" 1.379
Invalidated by City Clerk	146
Circulator Address Missing	23
Circulator Date Missing	76
Circulator Signed 2-9-98, Notary Signed 1-9-98	12
Circulator Signed 1-11-98, all Signers Signed 1-12-98	12
Circulator Signed 1-6-97 (over six months)	12
Circulator Signed 12-28-97, Notary Signed 12-12-97	11
Date Changed in Body	12
Same Handwriting	36
Notary Notarized Own Signature	13
Incomplete Information in Body, etc.	40

**TOTAL 5,701**

January 3, 2005

Detroit News

C/o Mark Hornbeck

615 W Lafayette Blvd

Detroit, Michigan 48226

Pre: our conversation early today I didn't want to try to send it altogether, so here is the other half because there was too much information to try to send it at one time.

This our original complaint before going to court and some fact that have taken place that everyone seem to want to ignore, however, after the supreme court step in it will end this nightmare.

Thank you again for your time.

Carl Williams

313-850-0349

CrWill5@aol.com