

STATE OF MICHIGAN  
COURT OF CLAIMS

DAN RYAN, )  
)  
PAUL DRISCOLL, )  
)  
JOELLEN M. PISARCZYK, and )  
)  
MYRON ZOLKEWSKY, )  
)  
Plaintiffs, )  
)  
v. )  
)  
JOCELYN BENSON, in her official )  
capacity as SECRETARY OF STATE, )  
)  
Defendant. )

RECEIVED  
OCT 05 2020  
COURT OF CLAIMS

Case No. 20-000198 -MZ  
*Murray*  
VERIFIED COMPLAINT FOR  
DECLARATORY AND  
INJUNCTIVE RELIEF

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VERIFIED COMPLAINT FOR IMMEDIATE DECLARATORY  
AND INJUNCTIVE RELIEF

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There is no other pending or resolved civil  
action arising out of the transaction or  
occurrence alleged in the complaint.

SUMMARY OF THIS LAWSUIT

*Michigan's Constitution and Michigan election law guarantee every eligible, registered Michigan voter the right to cast a ballot in elections conducted in conformance with the constitutional guarantee of "equal protection" and the "purity of elections."*

*Michigan elections must be paid for with public funds, not private funds. In other words, Michigan elections are not "for sale" to private interests. The Secretary of State is Michigan's "chief election officer" and shall have "supervisory control over local election officials in" the conduct and administration of Michigan elections. Michigan law does not allow interest groups and wealthy out-of-state donors to fund Michigan elections with private money. The Michigan Constitution and election*

*law protect the integrity of Michigan elections by, among other things, regulating “ballot containers” and protecting the integrity of ballots cast by Michigan voters.*

*Against this background, a progressive organization is funding a get-out-the-vote effort and has paid (or is currently paying) millions of dollars to a select handful of local Michigan election jurisdictions in predominantly Democrat precincts and mandating how these election jurisdictions use these private funds to conduct the 2020 General Election.*

*This is an effort by an outside organization to influence how Michigan officials will conduct the 2020 General Election. These private funds are being used to (among other activities) pay for printing and distributing absentee and mail-in ballots and add drop-boxes for mail-in and absentee ballots in predominantly Democrat precincts, while election jurisdictions that are not predominantly Democrat must fund the conduct of the election using only those public taxpayer funds the jurisdiction is appropriated under Michigan law.*

*Secretary of State Benson, Michigan’s “chief election officer,” has failed to fulfill her duty to prevent this effort by an interest group to use private funds to selectively influence the outcome of the 2020 General Election by increasing the number of ballots cast in only certain urban and predominantly Democrat precincts. Secretary Benson’s failure to fulfill her constitutional and statutory duty favors Democrat partisan interests while denying equal protection to those Michigan citizens who live in non-urban precincts that are not predominantly Democrat.*

*These Michigan citizens ask this Court to order Secretary of State Benson to fulfill her constitutional duty by requiring those election jurisdictions that have been paid these private funds to return the funds, or alternatively, to pay these private funds the local election jurisdictions have received to the Secretary of State and order the Secretary of State to distribute these funds to all Michigan election jurisdictions on an equal, pro rata basis according to the number of registered eligible voters in each Michigan election jurisdiction.*

## PARTIES

### **A. The Plaintiffs are Michigan citizens and eligible voters.**

1. Dan Ryan is a Michigan citizen and a registered and eligible voter residing in Oakland County. Dan Ryan wants to vote in the November 3, 2020 general election and desires to have an opportunity to cast a ballot that is equal to the opportunity provided eligible Michigan voters in other parts of the state.

2. Paul Driscoll is a Michigan citizen and a registered and eligible voter residing in Macomb County. Paul Driscoll wants to vote in the November 3, 2020 general election and desires to have an opportunity to cast a ballot that is equal to the opportunity provided eligible Michigan voters in other parts of the state.

3. Joellen M. Pisarczyk is a Michigan citizen and a registered and eligible voter residing in Livingston County. Joellen M. Pisarczyk wants to vote in the November 3, 2020 general election and desires to have an opportunity to cast a ballot that is equal to the opportunity provided eligible Michigan voters in other parts of the state.

4. Myron Zolkewsky is a Michigan citizen and a registered and eligible voter residing in Oakland County. Myron Zolkewsky wants to vote in the November 3, 2020 general election and desires to have an opportunity to cast a ballot that is equal to the opportunity provided eligible Michigan voters in other parts of the state.

5. The Michigan Constitution guarantees all eligible voters in Michigan (called “electors”), including these citizens, the right to cast a ballot in the upcoming general election. *See* Const. 1963, article II, §1.

**B. The Defendant is Jocelyn Benson, Michigan’s Secretary of State.**

6. Jocelyn Benson is Michigan’s Secretary of State and is the “chief elections officer” responsible for overseeing the conduct of Michigan elections. MCL 168.21 (“The secretary of state shall be the chief election officer of the state and shall have supervisory control over local election officials in the performance of their duties under the provisions of this act.”); 168.31(1)(a) (the “Secretary of State shall ... issue instructions and promulgate rules ... for the conduct of elections and registrations in accordance with the laws of this state”). Local election officials must follow Secretary Benson’s instructions regarding the conduct of elections. Michigan law provides that Secretary Benson “[a]dvice and direct local election officials as to the proper methods of conducting elections.” MCL 168.31(1)(b). *See also Hare v. Berrien Co Bd. of Election*, 129 N.W.2d 864 (Mich. 1964); *Davis v. Secretary of State*, 2020 Mich. App. LEXIS 6128, at \*9 (Mich. Ct. App. Sep. 16, 2020).

7. Secretary Benson is responsible for assuring Michigan’s local election officials conduct elections in a fair, just, and lawful manner. *See* MCL 168.21; 168.31; 168.32. *See also League of Women Voters of Michigan v. Secretary of State*, 2020 Mich. App. LEXIS 709, \*3 (Mich. Ct. App. Jan. 27, 2020); *Citizens Protecting Michigan’s Constitution v. Secretary of State*, 922 N.W.2d 404 (Mich. Ct. App. 2018), *aff’d* 921 N.W.2d 247 (Mich. 2018); *Fitzpatrick v. Secretary of State*, 440 N.W.2d 45 (Mich. Ct. App. 1989).

## **JURISDICTION AND STANDING**

8. The Court of Claims has “exclusive” jurisdiction to “hear and determine any claim or demand, statutory or constitutional,” or any demand for “equitable[ ] or declaratory relief or any demand for an extraordinary writ against the state or any of its departments or officers notwithstanding another law that confers jurisdiction of the case in the circuit court.” MCL 600.6419(1)(a).

9. Because these Michigan voters raise statutory and constitutional claims and ask this Court to order equitable, declaratory, and extraordinary relief against Secretary of State Benson, this Court has exclusive jurisdiction to hear these claims. For the same reason, venue is appropriate in this Court.

10. An actual controversy exists between these Michigan voters and Secretary of State Benson. These Michigan voters have suffered, or will suffer, an irreparable constitutional injury that is the result of Secretary Benson’s failure to exercise her duty to oversee and regulate the conduct of the 2020 general election. Specifically, Secretary Benson has failed to prohibit private interests from paying local election jurisdictions in urban and predominantly Democrat precincts money to conduct the election and directing how the local election officials conduct the general election. The injury to these Michigan voters is real and immediate. Voting in the 2020 general election is already underway. This Court’s decision will redress the violation of these Michigan citizens’ constitutional rights and allow these Michigan voters to participate in a fair and honest election free of improper partisan influence.

## BACKGROUND

**A. Michigan law requires elections to be publicly funded and to be conducted fairly across the state according to established standards set forth in Michigan’s Constitution and election law.**

11. Michigan’s Constitution guarantees all Michigan citizens the right of equal protection, due process, and “the purity of elections.” Const. 1963, art 1, §2; art. II, §4(2) (reprinted in Appendix). Every Michigan citizens who is an “elector ... qualified to vote in any election” is guaranteed the right to cast a ballot. *Id.*

12. Michigan does not allow private individuals or interest groups (no matter their partisan affiliation) to fund the cost of conducting an election. Rather, the cost of conducting an election in Michigan is to be paid with public funds allocated to local election jurisdictions as provided by Michigan law. This includes the cost of printing ballots, buying ballot containers and other election expenses. *See, e.g.*, MCL 168.666, 168.669 (reprinted in Appendix).

13. Michigan’s Constitution and Michigan election law make no provision allowing private partisan or ideologically-oriented organizations to fund or direct the conduct of a Michigan election.

14. Michigan elections are not for sale. That is why Michigan law specifies that the funding and conduct of Michigan elections is governed by the provisions of the Michigan Constitution and Michigan election law and that the cost of conducting an election is to be paid with public funds appropriated according to Michigan law.

15. Secretary Benson violated the Michigan Constitution and Michigan election law (and thereby violated these Michigan voters’ constitutional rights) by

allowing a private outside special-interest organization to pay millions of dollars to predominantly Democrat election jurisdictions to influence the conduct of the 2020 general election and, as a condition of accepting these funds, allowed a private organization to direct how the election jurisdiction spends those funds and conducts the election.

16. By allowing an outside organization with a declared political agenda to selectively and privately fund how election authorities in predominantly Democrat precincts conduct the election, Secretary Benson has diminished the voting rights of one group of Michigan voters (those who live in rural and suburban precincts not receiving private outside funding) and has enhanced the voting rights of another group of Michigan voters (those in urban, progressive, and predominantly Democrat precincts where outside groups pay the election jurisdiction private funds to conduct the election).

17. A private group paying millions of dollars to local election jurisdictions in only predominantly Democrat precincts and directing how those jurisdictions will use these funds to conduct the election (essentially a partisan get-out-the-vote campaign) and directing what the election authorities must do as a consequence of receiving these private funds undermines the integrity and honesty of Michigan elections and undermines public confidence in the fairness and outcome of Michigan elections.

18. The individuals challenging Secretary Benson’s action and inaction are Michigan citizens and are registered and eligible voters from election jurisdictions that did not receive outside private funds.

19. These voters ask this Court to order Michigan Secretary of State Benson to either (a) order all local election jurisdictions that have received these private funds to return the money or (b) pay the funds to Secretary of State Benson and order Secretary Benson to equally distribute the funds to *all* Michigan election jurisdictions on a *pro rata* basis based upon the number of registered voters in each election jurisdiction.

**B. The Center for Tech and Civic Life is a private, partisan organization seeking to fund a “get-out-the-vote” effort in only predominantly Democrat precincts.**

20. The Center for Tech and Civic Life (CTCL) is an entity headquartered at 233 North Michigan Avenue in Chicago, Illinois. CTCL told the Internal Revenue Service in 2018 that the Center had only about a half-million dollars in assets. *See Exhibit 1* (CTCL’s 2018 Form 990). In 2018 CTCL told the Internal Revenue Service that it had “contributions and grants” of about a half-million dollars and paid “Salaries, other compensation” of almost \$900,000. *See id.*

21. The Obama Foundation quoted CTCL director Tiana Epps-Johnson in 2016 as stating, “CTCL provides technology and data to boost voter turnout ....”

**Exhibit 2.**

22. CTCL is the successor to the partisan Democrat organization, the New Organizing Institute (NOI). At the time NOI disbanded and CTCL was formed, NOI

issued a press release announcing that CTCL was being formed to continue the work of NOI. See **Exhibit 3** (*Announcing the Center for Technology and Civic Life*, April 8, 2015).<sup>1</sup> All three of CTCL’s “founders” previously served in leadership roles at NOI, including Tiana Epps-Johnson, the Executive Director of CTCL, who served as the head of NOI’s “election administration department.” See CTCL website at: <https://www.techandcivicliflife.org/our-team/>. The *Washington Post* described NOI as “the left’s think tank for campaign know-how.” **Exhibit 4** (Brian Fung, *Inside the Democratic Party’s Hogwarts for Digital Wizardry*, *The Washington Post*, July 8, 2014).<sup>2</sup> Infamous among NOI’s projects was NOI’s annual “boot camp” for Democrat campaign operatives, which focused on training in “[d]igital strategy, or the use of data, new media and randomized controlled experiments to enhance a campaign’s performance.” *Id.*

23. When NOI ended operations in 2015, NOI announced:

Following their 2014 successes delivering civic information to millions of voters and connecting hundreds of election officials across the country, *NOI’s Election Administration team is transitioning into its own organization, The Center for Technology and Civic Life. ...*

CTCL will continue a number of programs focused on supporting institutions and developing infrastructure for civic participation. *Current NOI programs that are moving to the Center include: The*

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<sup>1</sup> Available at: <http://neworganizing.wellstone.org/2015/04/announcing-the-center-for-technology-and-civic-life/>.

<sup>2</sup> Available at: <https://www.washingtonpost.com/news/the-switch/wp/2014/07/08/inside-the-democratic-partys-hogwarts-for-digital-wizardry/?arc404=true/>

Governance Project ... The Ballot Information Project, [and] ... ELECTricity.

**Exhibit 3** (emphasis added).

NOI also announced:

The Center for Technology and Civic Life is headed by Executive Director Tiana Epps-Johnson, formerly the head of NOI's Election Administration department. Also joining from NOI are co-founders Whitney May, who leads the ELECTricity project, and Donny Bridges, who heads CTCL's civic data programs.

*Id.*

24. CTCL's founders, Epps-Johnson, Bridges, and May, were all employees of, or worked for, NOI as department or project leaders. NOI was a center dedicated to training progressive groups and Democratic campaigns in digital campaign strategies. See **Exhibit 4** (Brian Fung, *Inside the Democratic Party's Hogwarts for Digital Wizardry*, *The Washington Post*, July 8, 2014).<sup>3</sup> NOI's executive director, Ethan Roeder, led the data departments for the Obama presidential campaigns of 2008 and 2012.

25. Funders of CTCL include progressive groups such as the Skoll Foundation, the Democracy Fund, the John S. and James L. Knight Foundation, and the Rockefeller Brothers Foundation. See CTCL website at: <https://www.techandcivicliflife.org/key-funders-and-partners>. CTCL is also associated with Rock the Vote, which despite its non-partisan claims, has regularly featured

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<sup>3</sup> Available at: <https://www.washingtonpost.com/news/the-switch/wp/2014/07/08/inside-the-democratic-partys-hogwarts-for-digital-wizardry/?arc404=true/>

progressive policies in its efforts to turn out pro-Democrat voters. *See* CTCL website at: <https://www.techandciviclelife.org/key-funders-and-partners>. Along with Rock the Vote and The Skoll Foundation, CTCL also lists Facebook as a partner in its efforts. *See id.*

26. CTCL is not a “nonpartisan” organization interested in enhancing voter participation. Rather CTCL is an activist organization seeking to promote the election of Democrat candidates, including Joe Biden and Kamala Harris, and CTCL is managed and operated by former Democrat party operatives who are using the funds to further a Democrat “get-out-the-vote” effort in Democrat precincts.

27. In September CTCL announced that Mark Zuckerberg and his wife, Pricilla Chan, paid \$300 million to CTCL and the affiliated Center for Election Innovation and Research, including “\$250 million to CTCL ... which will regrant funds to local election jurisdictions.” *See Exhibit 5* (CTCL September 1, 2020 press release).

28. CTCL then used these funds to pay local election authorities in predominantly Democrat election jurisdictions to increase the votes cast in urban, historically Democrat jurisdictions.

29. CTCL has paid, and continues to pay, millions of dollars to Michigan election authorities which have a predominantly-Democrat electorate. The funds CTCL has paid to these election officials have been selectively distributed to only election jurisdictions in Democratic precincts. In other words, CTCL selectively pays money to only those Michigan election jurisdictions with a documented history of

casting ballots for Democrat candidates. CTCL paid millions of dollars to election officials in Wayne County-Detroit and the cities of Flint, Ann Arbor, Lansing, East Lansing, Kalamazoo, Muskegon, and Saginaw.<sup>4</sup> *See, infra*, ¶35. All of these are historically Democrat precincts that voted between sixty and ninety percent in favor of Hillary Clinton in the 2016 presidential election. The votes cast in these jurisdictions in the 2016 presidential election are summarized on **Exhibit 6** (table of 2016 presidential election results for CTCL Michigan grant recipients).

30. CTCL says “[e]lection offices [to whom CTCL pays money] can use the funds to cover certain expenses incurred between June 15, 2020 and December 31, 2020.” **Exhibit 7** (CTCL “grant” application instructions).<sup>5</sup>

31. CTCL requires the election officials to whom it gives money to spend that money on specified election activities, including activities to “Expand Voter Education & Outreach Efforts” and “Support Early In-Person Voting and Vote by Mail.” *See* **Exhibit 7** (CTCL grant application instructions).<sup>6</sup> CTCL requires the local election officials CTCL pays to “submit a report that indicates how you spent the grant funds.” *Id.* Thus, a local election authority must now report to, and follow, CTCL’s directions as opposed to the Secretary of State’s directions and Michigan Constitution and law.

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<sup>4</sup> Michigan law provides that elections are conducted by counties, cities, villages, and townships under the supervision of the Michigan Secretary of State. *See* MCL 168.21, 168.31.

<sup>5</sup> Available at: <https://www.techandciviclife.org/our-work/election-officials/grants/>.

<sup>6</sup> Available at: <https://www.techandciviclife.org/our-work/election-officials/grants/>.

32. CTCL says that, in exchange for this money, these election jurisdictions must pay for media campaigns to encourage voters to mail in their ballots, buy and distribute additional ballot drop boxes, and adopt a drive-thru voting program.

33. CTCL seeks to increase unsecured mail-in voting and unverified absentee voting by having local election officials establish illegal ballot drop boxes.

34. Again, the election jurisdictions CTCL has funded have one thing in common: they are all jurisdictions where the voters have historically cast ballots for Democrat candidates. *See Exhibit 6.*

35. CTCL's payment of millions in cash to election jurisdictions in predominantly Democrat precincts is not authorized by federal or state law. CTCL has paid at least \$3,512,000 to Wayne County-Detroit, \$467,625 to the City of Flint, \$417,000 to the City of Ann Arbor, \$443,000 to the City of Lansing, \$433,580 to the City of Muskegon, \$402,878 to the City of Saginaw, \$218,869 to the City of Kalamazoo, and \$8,500 to the City of East Lansing, for a total of at least \$5,903,452.

36. Michigan (like other states) has a profound interest in protecting the integrity of Michigan elections and securing Michigan citizens' ballots. MCL 168.24j provides very specific requirements for a "ballot container" and requires that ballots only be deposited into these approved containers that are sealed and under the

supervision of election officials.<sup>7</sup> The Secretary of State's Manual for Boards of County Canvassers provides an entire chapter governing the requirements for ballot containers. See Appendix.

37. **Exhibit 8** is a photograph of a Ballot Drop Box located in Lansing and a photograph of another Drop Box located at 1150 Giddings Avenue in Grand Rapids.<sup>8</sup>

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<sup>7</sup> MCL 168.24j, requires:

- (1) A ballot container includes a ballot box, transfer case, or other container used to secure ballots, including optical scan ballots and electronic voting systems and data.
- (2) A manufacturer or distributor of ballot containers shall submit a nonmetal ballot container to the secretary of state for approval under the requirements of subsection (3) before the ballot container is sold to a county, city, township, village, or school district for use at an election.
- (3) A ballot container shall not be approved unless it meets both of the following requirements:
  - (a) It is made of metal, plastic, fiberglass, or other material, that provides resistance to tampering.
  - (b) It is capable of being sealed with a metal seal.
- (4) Before June 1 of 2002, and every fourth year after 2002, a county board of canvassers shall examine each ballot container to be used in any election conducted under this act. The board shall designate on the ballot container that the ballot container does or does not meet the requirements under subsection (3). A ballot container that has not been approved by the board shall not be used to store voted ballots.
- (5) A city, village, or township clerk may procure ballot containers as provided in section 669 and as approved under this section.
- (6) A clerk who uses or permits the use of a ballot container that has not been approved under this section is guilty of a misdemeanor.

<sup>8</sup> See **Exhibit 9** (Sarah Lehr, *Lansing, East Lansing Clerks Mail Absentee Ballot Applications to All Registered Voters, Lansing State Journal*, September 11, 2020), available at: <https://www.lansingstatejournal.com/story/news/2020/09/11/some-local-clerks-mailing-av-ballot-applications-all-voters/3458749001>.

These Ballot Drop Boxes do not comply with Michigan law and could result in lawfully cast ballots by Michigan voters being rejected or result in ballots being cast by individuals or organizations not legally entitled to cast a ballot.

38. Election officials may not put privately funded ballot drop-boxes on street corners when these ballot drop-boxes do not comply with the requirements of Michigan law requiring “ballot containers” to be secured and sealed.

39. As noted below, it is improper and illegal for election officials to accept private funds from an organization seeking to influence the election outcome to achieve a partisan agenda and it is improper for Secretary Benson to oversee an election in which a private, partisan, special-interest organization pays private funds to local election officials to conduct the election in a manner the private, partisan organization favors.

40. MCL 168.666 provides, “At each federal, state, district, or county primary or election, the secretary of state shall furnish to each county clerk *at state expense* ... [the following election supplies].”<sup>9</sup> And, MCL 166.669 requires that “[f]or a federal, state, district, or county primary or election, a city or township board of election commissioners shall provide, *at the expense of the respective city or township,*

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*See also Drop Boxes for Absentee Ballots Placed Around City of Grand Rapids*, FOX17 News, available at: <https://www.fox17online.com/news/election-2020/drop-boxes-for-absentee-ballots-placed-around-city-of-grand-rapids>.

<sup>9</sup> Emphasis added.

each of the following (a) For each election precinct, *a ballot container approved under section 24j* to be utilized in the precinct.”<sup>10</sup>

41. The State of Michigan and local election jurisdictions have already adopted a budget to fund the 2020 general election. CTCL’s private funds paid to select predominantly Democrat election jurisdictions circumvent and violate Michigan law.

42. There is no provision in federal law or Michigan law allowing a private organization with a stated partisan purpose (advancing progressive ideology) to pay private funds to local election authorities and direct how the local election officials will conduct the election.

43. The Michigan citizens and voters bringing this case have no other adequate legal or equitable remedy and will be irreparably harmed without the requested relief.

44. Secretary Benson’s actions and her failure to act have undermined the constitutional right of all Michigan voters to participate in fair and lawful elections. These Michigan citizens’ constitutional rights have been violated by Secretary Benson’s failure to prevent an out-of-state special interest organization from selectively paying local election authorities and directing how local election authorities will conduct the 2020 general election.

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<sup>10</sup> Emphasis added.

## COUNT I

### Secretary Benson violated the Equal Protection Clause of Michigan's Constitution

45. Michigan's Constitution declares that "[n]o person shall be denied the equal protection of the laws ...." Const 1963, art 1, § 2.

46. This clause is coextensive with the United States Constitution's Equal Protection Clause. *Harville v. State Plumbing & Heating* 218 Mich. App. 302, 305-306; 553 N.W.2d 377 (1996). *See also Bush v. Gore*, 531 U.S. 98, 104 (2000) ("Having once granted the right to vote on equal terms, the State may not, by later arbitrary and disparate treatment, value one person's vote over that of another."); *Harper v. Virginia Bd. of Elections*, 383 U.S. 663, 665, (1966) ("Once the franchise is granted to the electorate, lines may not be drawn which are inconsistent with the Equal Protection Clause of the Fourteenth Amendment.")<sup>11</sup>

47. *Young v. Red Clay Consol. Sch. Dist.*, 122 A.3d 784, 858 (Del. Chan. Ct. 2015), demonstrates the dangers of a government scheme to target get-out-the-vote efforts on a favored demographic group. The school district wanted its referendum to pass; so, it targeted parents of school children and adult students for a get-out-to-vote campaign. In *Young*, the court identified the school district's scheme to get-out-the-vote of the parents and adult students as also violating election law. The court held that the school district's improper influence upon a demographic group interfered

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<sup>11</sup> Most United States Supreme Court rulings concerning the right to vote frame the issue in terms of the Equal Protection Clause. Ronald D. Rotunda & John E. Nowak, *Treatise on Constitutional Law: Substance & Procedure* §18.31(a) (2012 & Supp. 2015).

with the “full, fair, and free expression of the popular will ....” *Id.* The court stated that the government conducting the election in a manner that favored one group of voters was equivalent to the government disfavoring another group of voters.

Historically, the law has focused on forms of “improper influence” that have interfered with the voting rights of disfavored demographic groups by dissuading or preventing them from voting through blatant means like fraud, violence, and intimidation.

A government certainly violates the Elections Clause if it skews the outcome of an election in this manner. Parity of reasoning suggests that a government can violate the Elections Clause if it skews the outcome of an election by encouraging and facilitating voting by favored demographic groups. In both situations, the government has diminished the voting rights of one portion of the electorate and enhanced the voting rights of another portion of the electorate. In neither case is the election “free and equal.”

*Id.*

48. The conduct of the election and the allocation of funds necessary to fairly and equally conduct an election must be “apportioned on a population basis.” *Reynolds v. Sims*, 377 U.S. 533, 568 (1964). Michigan’s allocation of funds necessary to conduct the 2020 general election (as governed and overseen by Secretary Benson) is (similar to the apportionment of legislative districts) subject to the federal Equal Protection Clause. *See id.* *See also Wesberry v. Sanders*, 376 U.S. 1 (1964), and *Evenwel v. Abbott*, 136 S.Ct. 1120 (2016). The United States Constitution and Michigan’s Constitution forbid the Secretary of State and local election officials from selectively benefitting one group of Michigan voters (urban voters in predominantly Democrat jurisdictions) over another group of Michigan voters (suburban and rural voters in non-Democrat precincts).

49. These Michigan voters seek declaratory and injunctive relief requiring Secretary Benson to prevent local election jurisdictions from accepting millions of dollars paid by CTCL to tilt the playing field to advance a get-out-the-vote effort in only predominantly Democrat jurisdictions. Alternatively, these Michigan voters ask this Court to order Secretary Benson to direct the local election officials who have received these private funds to remit those funds to Secretary Benson and order Secretary Benson to equally distribute the funds to all Michigan election jurisdictions on a *pro rata* basis according to the number of registered voters in each election jurisdiction.

50. Every Michigan voter enjoys an equal right to participate in the 2020 general election. By allowing a privately-funded organization with an announced partisan agenda to fund public election authorities in get-out-the-vote efforts in only predominantly Democrat precincts, Secretary Benson has violated the Michigan Constitution and Michigan election law. Secretary Benson has diminished the voting rights of one group of Michigan citizens (those who are registered to vote in rural and non-Democrat jurisdictions) and enhanced the voting rights of another group of Michigan voters (those living in urban, progressive, and historically Democrat jurisdictions). This unequal treatment of Michigan voters violates the Michigan Constitution's guarantee of equal protection.

51. Secretary Benson's failure to lawfully oversee this election and specifically allowing an ideologically-driven organization to pay private funds to only election jurisdictions in predominantly Democrat precincts cannot be sustained

under any applicable level of scrutiny from this Court. This scheme that Secretary Benson has allowed severely burdens these Michigan citizens' right to participate in a fair and honest election.

## COUNT II

### **Secretary Benson violated Michigan voters' rights under the Michigan Constitution's "purity of elections" clause.**

52. The Michigan Constitution's "purity of elections" clause states that "the legislature shall enact laws to regulate the time, place and manner of all nominations and elections, to preserve the purity of elections, to preserve the secrecy of the ballot, to guard against abuses of the elective franchise, and to provide for a system of voter registration and absentee voting." Const. 1963, art 2, §4(2).

53. "The phrase 'purity of elections' does not have a single precise meaning. But it unmistakably requires fairness and evenhandedness in the election laws of this state." *Barrow v. Detroit Election Comm.*, 854 N.W.2d 489, 504 (Mich. Ct. App. 2014).

54. The purity of elections clause has been successfully raised in cases, like this one, where state officials favor one group of voters. *See Fleming v. Macomb Cty. Clerk*, 2008 Mich. App. LEXIS 1325, at \*21-24 (Mich. Ct. App. June 26, 2008) ("the purity of elections has been violated in this case because the mailing of absent voter ballot applications to only a select group of eligible absent voters undermines the fairness and evenhandedness of the application of election laws in this state.").

55. The Michigan citizens and voters bringing this action are from precincts that do not have the benefit of private funding paid by CTCL, but instead rely on the

state and local budgets providing taxpayer funds to pay for the cost of conducting the election.

56. By allowing selected predominantly urban and Democrat election jurisdictions to receive and spend millions of dollars of private money to conduct the election while Michigan voters in jurisdictions that are rural and suburban and are not predominantly Democrat do not receive the benefit of these additional recourses, Secretary Benson has diminished the voting rights of one disfavored group of citizens (Michigan voters living in election jurisdictions that are rural and are not predominantly Democrat) and enhanced the access to the ballot for another favored group of voters (those in urban, progressive, and heavily-Democrat jurisdictions). The purity of elections clause forbids Secretary Benson from conducting the election in this manner. Doing so violates Michigan voters' right to equal protection. *See also Bush v. Gore*, 531 U.S. 98, 104 (2000); *Harper v. Virginia Bd. of Elections*, 383 U.S. 663, 665 (1966).

57. Plaintiffs understand that Democrat politicians generally want to see fellow Democrats elected just as Republican politicians want to see Republicans elected. The Plaintiffs understand that Secretary Benson is a Democrat and would prefer to see former Vice-President Biden elected President instead of President Trump being reelected. But Secretary Benson has a higher calling – that of assuring that Michigan's general election is conducted according to the provisions of the Michigan Constitution and Michigan law. Absent this, public confidence in the integrity of the election and the legitimacy of whomever is ultimately declared a

winner in the general election is undermined. *See Carter-Baker Commission Report, Building Confidence in U.S. Elections: Report of the Commission on Federal Election Reform* (September 2005).<sup>12</sup>

58. To be fair and just, Michigan elections must be conducted according to uniform laws and rules that apply equally to all eligible voters and to all election officials, both those from urban and predominantly Democrat jurisdictions as well as to those voters in rural and suburban jurisdictions that are not predominantly Democrat. Secretary of State Benson is charged with the responsibility of assuring Michigan elections are administered equally throughout Michigan. And, when she does not do so, it is the task of this Court to affirm this principle and enjoin conduct of an election that is contrary to the Michigan Constitution and law.

59. Elections are to be paid for with public funds appropriated through the budget process. Elections are not to be paid for with private funds paid by an ideologically-oriented special interest group that, in exchange for paying money to local election jurisdictions, dictates how the money is spent and how the local election officials conduct the election.

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<sup>12</sup> Available at:  
<https://www.legislationline.org/download/id/1472/file/3b50795b2d0374cbef5c29766256.pdf>.

### COUNT III

**Secretary Benson violated Michigan law when she allowed local election jurisdictions to privately fund the election and collect ballots in unauthorized and unsecured ballot containers.**

60. Local election jurisdictions are spending private funds paid to them by CTCL to (among other activities) buy and establish ballot drop boxes (colloquially called “Zuckerberg Boxes”) to collect absentee and mail-in ballots placed in Democrat-majority jurisdictions.

61. These “Zuckerberg Boxes” do not comply with Michigan law. Michigan strictly regulates the requirement of a “ballot container” to prevent the tampering with ballots and to protect the integrity of every ballot lawfully cast by a Michigan voter. *See, supra*, ¶¶36-42.

62. These Zuckerberg ballot drop-boxes do not satisfy the requirements Michigan law demands for a secure ballot container. *See* Secretary of State’s Manual for Boards of County Canvassers chapter VI (Appendix).

63. The “Zuckerberg Boxes” acquired with private funds cannot possibly meet the requirements of MCL 168.24j and, even if they did satisfy the requirements of MCL for a legal “ballot container,” they are being disproportionately placed in Democrat precincts and not made equally available throughout the state.

64. Additionally, the City of Lansing and the City of East Lansing used CTCL money to mail applications for absent voter ballots even when the voter did not request an absentee ballot and despite the fact that the City of Lansing and the City of East Lansing have no legal authority to mail unsolicited absentee ballot

applications to voters who have not requested such an application. *See Exhibit 9* (Sarah Lehr, *Lansing, East Lansing Clerks Mail Absentee Ballot Applications to All Registered Voters, Lansing State Journal*, September 11, 2020).<sup>13</sup> Local election officials may not send out mass absent voter applications. *See Young*, 122 A.3d at 858.

### **PRAYER FOR RELIEF**

These Michigan citizens and voters ask this Court to:

A. Order “a speedy hearing” of this action and “advance it on the calendar” as provided by MCR 2.605(D);

B. Find that Secretary Benson has violated the Michigan Constitution’s Equal Protection Clause and Purity of Elections clause by allowing certain Michigan jurisdictions to accept private funds to pay for the conduct of the general election in only jurisdictions that historically have favored the Democratic Party candidates;

C. Enjoin Secretary Benson from allowing local election jurisdictions to accept private funds from CTCL or any other special interest group;

D. Issue a writ of mandamus ordering Secretary Benson to require that all contributions of private funds received by local election jurisdictions to be returned to the donor, or alternatively, have these private funds paid to the Secretary of State and the Secretary of State distribute these funds on an equal basis to all election

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<sup>13</sup> Available at: <https://www.lansingstatejournal.com/story/news/2020/09/11/some-local-clerks-mailing-av-ballot-applications-all-voters/3458749001>.

jurisdictions in Michigan on a *pro rata* basis by the number of registered voters in each jurisdiction;

E. Award these Michigan citizens the costs, expenses, and expert witness fees they incurred in this action as allowed by law; and

F. Grant such other and further relief as this Court deems just and proper.

Dated: October 5, 2020

Respectfully submitted,

/s/ Mark F. (Thor) Hearne, II  
MARK F. (THOR) HEARNE, II  
#P40231

Stephen S. Davis (*pro hac* pending)

Timothy Belz (*pro hac* pending)

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*Of Counsel*



VERIFICATION

STATE OF MICHIGAN MI )  
COUNTY OF Macomb ) ss

I, Paul Driscoll, being first duly sworn, depose and say that I am a resident of the state of Michigan and duly qualified as a voter in this state. While I may not have personal knowledge of all of the facts recited in this Complaint, the information contained therein has been collected and made available to me by others, and I declare, pursuant to MCR 2.114(B)(2), that the allegations contained in this Complaint are true to the best of my information, knowledge, and belief.

Paul Driscoll

Subscribed and sworn to before me this 2<sup>nd</sup> day of October, 2020.

**FARIS GABRAIL**  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF MACOMB  
My Commission Expires April 21, 2024  
Acting in the County of Macomb

Faris Gabrail  
Notary Public

Macomb County, Michigan

My Commission Expires: 04/21/2024

Acting in Macomb County, Michigan



VERIFICATION

STATE OF MICHIGAN )  
COUNTY OF OAKLAND ) ss

I, MYRON ZOLKEWSKY, being first duly sworn, depose and say that I am a resident of the state of Michigan and duly qualified as a voter in this state. While I may not have personal knowledge of all of the facts recited in this Complaint, the information contained therein has been collected and made available to me by others, and I declare, pursuant to MCR 2.114(B)(2), that the allegations contained in this Complaint are true to the best of my information, knowledge, and belief.

Myron Zolke

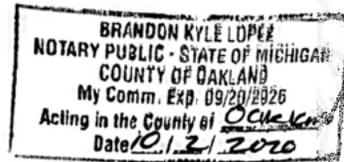
Sub ed and sworn to before me this 2nd day of October, 2020.

Brandon Kyle Lopez  
Notary Public

Oakland County, Michigan

My nmission Expires: 09/20/2026

Ac in Oakland County, Michigan



**VERIFICATION**

STATE OF MICHIGAN )  
COUNTY OF Livingston ) ss

I, Joellen M. Pisarczyk, being first duly sworn, depose and say that I am a resident of the state of Michigan and duly qualified as a voter in this state. While I may not have personal knowledge of all of the facts recited in this Complaint, the information contained therein has been collected and made available to me by others, and I declare, pursuant to MCR 2.114(B)(2), that the allegations contained in this Complaint are true to the best of my information, knowledge, and belief.

Joellen M. Pisarczyk  
Joellen M. Pisarczyk

Subscribed and sworn to before me this 2<sup>nd</sup> day of October, 2020.

Catherine A. Wulff  
Notary Public Catherine A. Wulff  
Livingston County, Michigan

My Commission Expires: 11/11/2026  
Acting in Livingston County, Michigan

CATHERINE A. WULFF  
Notary Public, State of Michigan  
County of Livingston  
My Commission Expires Nov. 11, 2026  
Acting in the County of Livingston

**APPENDIX**

**CONSTITUTION  
OF THE  
STATE OF MICHIGAN  
OF 1963**

**PREAMBLE**

We, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution.

**STATE CONSTITUTION (EXCERPT)  
CONSTITUTION OF MICHIGAN OF 1963  
Article I  
DECLARATION OF RIGHTS**

**§ 1 Political power.**

Sec. 1.

All political power is inherent in the people. Government is instituted for their equal benefit, security and protection.

**§ 2 Equal protection; discrimination.**

Sec. 2.

No person shall be denied the equal protection of the laws; nor shall any person be denied the enjoyment of his civil or political rights or be discriminated against in the exercise thereof because of religion, race, color or national origin. The legislature shall implement this section by appropriate legislation.

**STATE CONSTITUTION (EXCERPT)  
CONSTITUTION OF MICHIGAN OF 1963  
Article II  
ELECTIONS**

**§ 1 Qualifications of electors; residence.**

Sec. 1.

Every citizen of the United States who has attained the age of 21 years, who has resided in this state six months, and who meets the requirements of local residence provided by law, shall be an elector and qualified to vote in any election except as otherwise provided in this constitution. The legislature shall define residence for voting purposes.

**§ 4 Place and manner of elections.**

Sec. 4.

(1) Every citizen of the United States who is an elector qualified to vote in Michigan shall have the following rights:

(a) The right, once registered, to vote a secret ballot in all elections.

(e) The right to register to vote for an election by mailing a completed voter registration application on or before the fifteenth (15th) day before that election to an election official authorized to receive voter registration applications.

(f) The right to register to vote for an election by (1) appearing in person and submitting a completed voter registration application on or before the fifteenth (15th) day before that election to an election official authorized to receive voter registration applications, or (2) beginning on the fourteenth (14th) day before that election and continuing through the day of that election, appearing in person, submitting a completed voter registration application and providing proof of residency to an election official responsible for maintaining custody of the registration file where the person resides, or their deputies. Persons registered in accordance with subsection (1)(f) shall be immediately eligible to receive a regular or absent voter ballot.

(g) The right, once registered, to vote an absent voter ballot without giving a reason, during the forty (40) days before an election, and the right to choose whether the absent voter ballot is applied for, received and submitted in person or by mail. During that time, election officials authorized to issue absent voter ballots shall be available in at least one (1) location to issue and receive absent voter ballots during the election officials' regularly scheduled business hours and for at least eight (8) hours during the Saturday and/or Sunday immediately prior to the election. Those election officials shall have the authority to make absent voter ballots available for voting in person at additional times and places beyond what is required herein.

(h) The right to have the results of statewide elections audited, in such a manner as prescribed by law, to ensure the accuracy and integrity of elections.

All rights set forth in this subsection shall be self-executing. This subsection shall be liberally construed in favor of voters' rights in order to effectuate its purposes. Nothing contained in this subsection shall prevent the legislature from expanding voters' rights beyond what is provided herein. This subsection and any portion hereof shall be severable. If any portion of this subsection is held invalid or unenforceable as to any person or circumstance, that invalidity or unenforceability shall not affect the validity, enforceability, or application of any other portion of this subsection.

(2) Except as otherwise provided in this constitution or in the constitution or laws of the United States the legislature shall enact laws to regulate the time, place and manner of all nominations and elections, to preserve the purity of elections, to preserve the secrecy of the ballot, to guard against abuses of the elective franchise, and to provide for a system of voter registration and absentee voting. No law shall be enacted which permits a candidate in any partisan primary or partisan election to have a ballot designation except when required for identification of candidates for the same office who have the same or similar surnames.

## **MICHIGAN ELECTION LAW**

### **Act 116 of 1954**

AN ACT to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.

## **MICHIGAN ELECTION LAW (EXCERPT)**

### **Act 116 of 1954**

#### **Chapter I**

#### **DEFINITIONS**

### **168.2 Definitions; A to I.**

#### **Sec. 2.**

As used in this act:

- (a) "Absent voter" is a voter who utilizes the process described in section 759.
- (b) "Absent voter ballot" means a ballot that is issued to a voter through the absentee voter process.
- (c) "Ballot container" is defined in section 14a.

**168.10 "Qualified elector" defined.**

Sec. 10.

(1) Except as provided in subsection (2), the term "qualified elector", as used in this act, means a person who possesses the qualifications of an elector as prescribed in section 1 of article II of the state constitution of 1963 and who has resided in the city or township 30 days.

**168.14 Locked and sealed; definition.**

Sec. 14.

The term "locked and sealed", or terms of similar import, when used in this act to refer to locking and sealing of ballot boxes means sealed with a numbered flat metal seal furnished by the election commission and do not mean that a padlock is required.

**168.14a "Ballot container" and "metal seal" or "seal" defined.**

Sec. 14a.

As used in this act:

- (a) "Ballot container" means a container that is used for transporting and storing voted ballots, as described and approved under section 24j.
- (b) "Metal seal" or "seal" means a seal of high tensile strength that is approved by the secretary of state under section 36.

**MICHIGAN ELECTION LAW (EXCERPT)**

**Act 116 of 1954**

**Chapter II.**

**BOARDS OF ELECTION COMMISSIONERS, BOARDS OF CANVASSERS, AND  
CLERKS**

**168.21 Secretary of state; chief election officer, powers and duties.**

Sec. 21.

The secretary of state shall be the chief election officer of the state and shall have supervisory control over local election officials in the performance of their duties under the provisions of this act.

**168.24j Ballot container; examination by board of county canvassers; approval; procurement; use of disapproved container.**

Sec. 24j.

(1) A ballot container includes a ballot box, transfer case, or other container used to secure ballots, including optical scan ballots and electronic voting systems and data.

(2) A manufacturer or distributor of ballot containers shall submit a nonmetal ballot container to the secretary of state for approval under the requirements of subsection (3) before the ballot container is sold to a county, city, township, village, or school district for use at an election.

(3) A ballot container shall not be approved unless it meets both of the following requirements:

(a) It is made of metal, plastic, fiberglass, or other material, that provides resistance to tampering.

(b) It is capable of being sealed with a metal seal.

(4) Before June 1 of 2002, and every fourth year after 2002, a county board of canvassers shall examine each ballot container to be used in any election conducted under this act. The board shall designate on the ballot container that the ballot container does or does not meet the requirements under subsection (3). A ballot container that has not been approved by the board shall not be used to store voted ballots.

(5) A city, village, or township clerk may procure ballot containers as provided in section 669 and as approved under this section.

(6) A clerk who uses or permits the use of a ballot container that has not been approved under this section is guilty of a misdemeanor.

**MICHIGAN ELECTION LAW Act 116 of 1954**  
Chapter III  
**DUTIES OF SECRETARY OF STATE**

**168.31 Secretary of state; duties as to elections; rules.**

Sec. 31.

(1) The secretary of state shall do all of the following:

(a) Subject to subsection (2), issue instructions and promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of elections and registrations in accordance with the laws of this state.

(b) Advise and direct local election officials as to the proper methods of conducting elections.

(c) Publish and furnish for the use in each election precinct before each state primary and election a manual of instructions that includes specific instructions on assisting voters in casting their ballots, directions on the location of voting stations in polling places, procedures and forms for processing challenges, and procedures on prohibiting campaigning in the polling places as prescribed in this act.

(d) Publish indexed pamphlet copies of the registration, primary, and election laws and furnish to the various county, city, township, and village clerks a sufficient number of copies for their own use and to enable them to include 1 copy with the election supplies furnished each precinct board of election inspectors under their respective jurisdictions. The secretary of state may furnish single copies of the publications to organizations or individuals who request the same for purposes of instruction or public reference.

(e) Prescribe and require uniform forms, notices, and supplies the secretary of state considers advisable for use in the conduct of elections and registrations.

(f) Prepare the form of ballot for any proposed amendment to the constitution or proposal under the initiative or referendum provision of the constitution to be submitted to the voters of this state.

(g) Require reports from the local election officials the secretary of state considers necessary.

(h) Investigate, or cause to be investigated by local authorities, the administration of election laws, and report violations of the election laws and regulations to the attorney general or prosecuting attorney, or both, for prosecution.

(i) Publish in the legislative manual the vote for governor and secretary of state by townships and wards and the vote for members of the state legislature cast at the preceding November election, which shall be returned to the secretary of state by the county clerks on or before the first day of December following the election. All clerks shall furnish to the secretary of state, promptly and without compensation, any further information requested of them to be used in the compilation of the legislative manual.

(j) Establish a curriculum for comprehensive training and accreditation of all county, city, township, and village officials who are responsible for conducting elections.

(k) Establish a continuing election education program for all county, city, township, and village clerks.

(l) Establish and require attendance by all new appointed or elected election officials at an initial course of instruction within 6 months before the date of the election.

(m) Establish a comprehensive training curriculum for all precinct inspectors.

(n) Create an election day dispute resolution team that has regional representatives of the department of state, which team shall appear on site, if necessary.

(2) Pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, the secretary of state shall promulgate rules establishing uniform standards for state and local nominating, recall, and ballot question petition signatures. The standards for petition signatures may include, but need not be limited to, standards for all of the following:

(a) Determining the validity of registration of a circulator or individual signing a petition.

(b) Determining the genuineness of the signature of a circulator or individual signing a petition, including digitized signatures.

(c) Proper designation of the place of registration of a circulator or individual signing a petition.

### **168.36 Seal.**

#### **Sec. 36.**

The secretary of state may approve seals to be used for the same purpose as metal seals when required by this act. The secretary of state shall only approve a seal under this section if that seal meets all of the following requirements:

(a) Is designed and manufactured for the purpose of proving authenticity, attesting to accuracy, or closing to outside interference or influence.

(b) Is made out of metal, plastic, fiberglass, or any combination of these materials that would provide resistance to or evidence of a force tending to break the seal.

(c) Contains an embossed or imprinted serial number.

**MICHIGAN ELECTION LAW Act 116 of 1954**  
**POLLING PLACES, EQUIPMENT, SUPPLIES**

**168.662 Designating place of holding election in city, village, or township; polling places; use of publicly owned or controlled buildings; rental or erection of buildings; facilities; central polling places; abolishment; compliance with voting accessibility.**

Sec. 662.

(1) The legislative body in each city, village, and township shall designate and prescribe the place or places of holding an election for a city, village, or township election, and shall provide a suitable polling place in or for each precinct located in the city, village, or township for use at each election. Except as otherwise provided in this section, school buildings, fire stations, police stations, and other publicly owned or controlled buildings shall be used as polling places. If it is not possible or convenient to use a publicly owned or controlled building as a polling place, the legislative body of the city, township, or village may use as a polling place a building owned or controlled by an organization that is exempt from federal income tax as provided by section 501(c) other than 501(c)(4), (5), or (6) of the internal revenue code of 1986, or any successor statute. The legislative body of a city, township, or village shall not designate as a polling place a building that is owned by a person who is a sponsor of a political committee or independent committee. A city, township, or village shall not use as a polling place a building that does not meet the requirements of this section. As used in this subsection, "sponsor of a political committee or independent committee" means a person who is described as being a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224, and includes a subsidiary of a corporation or a local of a labor organization, if the corporation or labor organization is considered a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224.

**168.666 Metal seals; paper seals; blank forms for returns.**

Sec. 666.

At each federal, state, district, or county primary or election, the secretary of state shall furnish to each county clerk at state expense the following items:

(a) Before each primary, general, or special election at which state, district, or county officers are to be nominated or elected, a supply of self-sealing metal seals adapted and suitable for sealing the ballot boxes used at the election. The metal seals shall have the words "State of Michigan" and serial numbers stamped on them. The

secretary of state shall provide a sufficient number of metal seals for each voting precinct within the county at least 30 days before an election.

(b) A substantial supply of red gummed paper seals for use of the precinct boards of election inspectors in sealing the package of ballots and the envelopes containing the tally sheets or poll books and the statement of returns. Each seal shall have inscribed on it the words "Election Seal--State of Michigan" and the date of the primary or election at which it is to be used. A space shall also be provided on the seal in which 2 members of the board of election inspectors shall write their initials after the seal has been applied.

(c) Suitable blank forms for use by the county boards of canvassers in making returns of the canvass required by this act. Each county board of canvassers shall use the forms furnished by the secretary of state in making returns of the canvass.

#### **168.666a Sealing devices for ballot boxes or containers.**

Sec. 666a.

In addition to the supplies furnished under section 666, the secretary of state shall furnish to each county clerk devices to enable ballot boxes or other ballot containers to be sealed easily and securely with self-sealing metal seals.

#### **168.667 Election supplies to be furnished at county expense.**

Sec. 667.

At any federal, state, district or county primary or election, the various boards of county election commissioners shall furnish, *at the expense of their respective counties*, all of the following:

(a) Suitable forms as prescribed by the secretary of state for use by the precinct election inspectors in making returns of any primary or election to the boards of county canvassers. The statement of returns form must also contain a certificate to be subscribed by each member of the precinct election board on a form prescribed by the secretary of state.

(b) Suitable write-in sheets to be used by the election inspectors in recording the names of all write-in candidates.

(c) Self-addressed substantial paper envelopes with gummed flaps to be used by the various boards of precinct election inspectors for sealing the statements of returns, the write-in sheets, poll lists, and a certificate of election inspectors. (emphasis supplied).

**168.668 Delivery of voter registration list, forms, and other supplies.**

Sec. 668.

Before the polls open, the city, township, or village clerk shall deliver to the board of election inspectors of each precinct the voter registration list, the forms for poll lists and returns, and any other supplies necessary to conduct the election.

**168.669 Items to be provided by city or township board of election commissioners.**

Sec. 669.

For a federal, state, district, or county primary or election, a city or township board of election commissioners shall provide, *at the expense of the respective city or township*, each of the following:

(a) For each election precinct, a ballot container approved under section 24j to be utilized in the precinct.

(b) For each polling place, a United States flag and any additional items needed to display the flag. The flag must measure not less than 3 feet wide and 5 feet long. The election inspectors shall ensure that the flag is displayed at or in each polling place during an election. (emphasis supplied).

**168.670 Local primaries and elections; ballots, forms, stationery and supplies.**

Sec. 670.

For all local primaries and elections, the election commissioners of the various cities and townships shall furnish, *at the expense of their respective cities and townships* all ballots, forms, stationery, and supplies required for the proper conduct of primaries and elections. These supplies must conform generally with the supplies furnished for general primaries and elections. (emphasis supplied).

**168.671 Blank forms for returns; seals.**

Sec. 671.

At the time of delivering the official ballots and other election supplies to the township and city clerks or, for city, village, or township elections, to the wards or precincts, a sufficient number of blank forms for use by the election inspectors in making the statement of returns of the election as required by law shall be delivered. At the same time, a sufficient number of seals for the use of the election inspectors in sealing the ballot boxes after the close of the election shall be delivered. A record of

the number of seals delivered to each voting precinct, absent voter counting board, and absent voter counting board precinct shall be recorded and preserved.

**MICHIGAN ELECTION LAW Act 116 of 1954**  
**CONDUCT OF ELECTIONS AND MANNER OF VOTING**

**168.723 Ballot boxes; examination, locking.**

Sec. 723.

Before opening the polls, each ballot box to be used at the election shall be examined by the board of inspectors of election and the contents, if any, removed therefrom; it shall then be locked, and the key thereof delivered to 1 of the inspectors, to be designated by the board. The said box shall not be opened during the election.

**MICHIGAN ELECTION LAW**  
**Act 116 of 1954**

**ABSENT VOTERS**

**168.758a Absent voter ballot for president and vice-president; qualifications.**

Sec. 758a.

(1) A citizen of the United States above the age of 18 years may vote by absent voter ballot for president and vice-president of the United States if he has either of the following qualifications:

(a) He has removed from a place within the United States or its possessions to this state, was qualified to vote for president and vice-president at the time of removal in the place from which he removed but is no longer qualified to vote in that place, produces evidence of these facts, and will have resided in this state for less than 6 months and in a city or township of this state for not less than 30 days next preceding an election at which candidates for president and vice-president are voted for.

(b) If he has removed from this state to another place within the United States or its possessions, was a duly qualified and registered elector in a city or township of this state at the time of removal, and produces evidence that he cannot yet qualify to so vote in his present place of residence.

(2) A citizen qualified to vote for president and vice-president under this act, upon making proper application shall be furnished with an absent voter ballot for president and vice-president only as provided in this act. The ballot shall be a regular paper

ballot for the election but shall be plainly designated, in the manner prescribed by the secretary of state, "president and vice-president only". A vote shall not be counted on such a ballot other than the vote for president and vice-president of the United States.

(3) A person who qualifies to vote for president and vice-president under paragraph (1a) of this section may make application for a presidential ballot by delivering an application in person to the clerk of the city or township of present residence not later than 2 p.m. on the Saturday immediately prior to the election. The application shall contain a certificate of the voting officer of the place of previous residence which shall be completed at the time of filing and shall also contain a statement that the applicant possesses all the qualifications of an elector in Michigan except those relating to residence and that as to residence he will have resided in the state of Michigan for a period of less than 6 months and in the city or township of present residence at least 30 days immediately prior to the election. The application shall be sworn to before the clerk and upon acceptance by the clerk shall serve as a temporary registration which shall be valid for that election only. A temporary registration as herein set forth shall be delivered to the precinct inspectors with the absent voter ballots and shall be returned to the clerk following the election. The form of the combined application-temporary registration shall be prescribed by the secretary of state.

A voter who qualifies to vote for president and vice-president under paragraph (1b) of this section may make application to the city or township clerk of his last place of residence in Michigan not later than 2 p.m. on the Saturday immediately prior to the election, on a form prescribed by the secretary of state, which form shall include a certificate from the voting officer of the place of present residence stating that the applicant cannot qualify to vote because of failure to meet residence requirements. Any such application shall be deemed to be an authorization to, immediately following the election, cancel the registration of the applicant if it is still on the registration records.

### **168.758b Voting by persons confined in jail or prison prohibited.**

Sec. 758b.

A person who, in a court of this or another state or in a federal court, has been legally convicted and sentenced for a crime for which the penalty imposed is confinement in jail or prison shall not vote, offer to vote, attempt to vote, or be permitted to vote at an election while confined.

### **168.759 Application to vote absentee; time; manner; form; availability; signature of applicant; false statement as misdemeanor.**

Sec. 759.

(1) Subject to section 761(3), at any time during the 75 days before a primary or special primary, but not later than 8 p.m. on the day of a primary or special primary, an elector may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township or city in which the elector is registered. The clerk of a city or township shall not send by first-class mail an absent voter ballot to an elector after 5 p.m. on the Friday immediately before the election. In addition, the clerk of a city or township shall not issue an absent voter ballot to a registered elector in that city or township after 4 p.m. on the day before the election. An application received before a primary or special primary may be for either that primary only, or for that primary and the election that follows. An individual may submit a voter registration application and an absent voter ballot application at the same time if applying in person with the clerk or deputy clerk of the city or township in which the individual resides. Immediately after his or her voter registration application and absent voter ballot application are approved by the clerk or deputy clerk, the individual may, subject to the identification requirement in section 761(6), complete an absent voter ballot at the clerk's office.

(2) Except as otherwise provided in subsection (1) and subject to section 761(3), at any time during the 75 days before an election, but not later than 8 p.m. on the day of an election, an elector may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township, city, or village in which the voter is registered. The clerk of a city or township shall not send by first-class mail an absent voter ballot to an elector after 5 p.m. on the Friday immediately before the election. In addition, the clerk of a city or township shall not issue an absent voter ballot to a registered elector in that city or township after 4 p.m. on the day before the election. An individual may submit a voter registration application and an absent voter ballot application at the same time if applying in person with the clerk or deputy clerk of the city or township in which the individual resides. Immediately after his or her voter registration application and absent voter ballot application are approved by the clerk, the individual may, subject to the identification requirement in section 761(6), complete an absent voter ballot at the clerk's office.

(3) An application for an absent voter ballot under this section may be made in any of the following ways:

(a) By a written request signed by the voter.

(b) On an absent voter ballot application form provided for that purpose by the clerk of the city or township.

(c) On a federal postcard application.

(4) An applicant for an absent voter ballot shall sign the application. A clerk or assistant clerk shall not deliver an absent voter ballot to an applicant who does not sign the application. A person shall not be in possession of a signed absent voter ballot

application except for the applicant; a member of the applicant's immediate family; a person residing in the applicant's household; a person whose job normally includes the handling of mail, but only during the course of his or her employment; a registered elector requested by the applicant to return the application; or a clerk, assistant of the clerk, or other authorized election official. A registered elector who is requested by the applicant to return his or her absent voter ballot application shall sign the certificate on the absent voter ballot application.

(5) The clerk of a city or township shall have absent voter ballot application forms available in the clerk's office at all times and shall furnish an absent voter ballot application form to anyone upon a verbal or written request. The absent voter ballot application must be in substantially the following form:

"Application for absent voter ballot for:

The primary or special primary election to be held on \_\_\_\_\_  
(Date).

The election to be held on \_\_\_\_\_ (Date).

(Check applicable election or elections)

I, \_\_\_\_\_, a United States citizen and a qualified and registered elector of the \_\_\_\_\_ precinct of the township of \_\_\_\_\_ or of the \_\_\_\_\_ ward of the city of \_\_\_\_\_, in the county of \_\_\_\_\_ and state of Michigan, apply for an official ballot, or ballots, to be voted by me at the election or elections as requested in this application.

Send absent voter ballot to me at:

.....  
(Street No. or R.R.)

.....  
(Post Office) (State) (Zip Code)

My registered address .....  
(Street No. or R.R.)

.....  
(Post Office) (State) (Zip Code)

Date.....

I certify that I am a United States citizen and that the statements in this absent voter ballot application are true.



mail or with another public postal service, express mail service, parcel post service, or common carrier.

(b) Deliver the application personally to the clerk's office, to the clerk, or to an authorized assistant of the clerk.

(c) In either (a) or (b), a member of the immediate family of the voter including a father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild or a person residing in the voter's household may mail or deliver the application to the clerk for the applicant.

(d) If an applicant cannot return the application in any of the above methods, the applicant may select any registered elector to return the application. The person returning the application must sign and return the certificate at the bottom of the application.

(7) A person who prints and distributes absent voter ballot applications shall print on the application the warning, certificate of authorized registered elector returning absent voter ballot application, and instructions required by this section.

(8) A person who makes a false statement in an absent voter ballot application is guilty of a misdemeanor. A person who forges a signature on an absent voter ballot application is guilty of a felony. A person who is not authorized in this act and who both distributes absent voter ballot applications to absent voters and returns those absent voter ballot applications to a clerk or assistant of the clerk is guilty of a misdemeanor.

**168.761 Absent voter ballots; mailing or delivering to applicant; order of issuance; numbering; return envelope; form; statement; false statement as misdemeanor or felony; presenting of identification for election purposes; affidavit; challenged ballot.**

Sec. 761.

(1) If the clerk of a city or township receives an application for an absent voter ballot from a person registered to vote in that city or township and if the signature on the application agrees with the signature for the person contained in the qualified voter file or on the registration card as required in subsection (2), the clerk immediately upon receipt of the application or, if the application is received before the printing of the absent voter ballots, as soon as the ballots are received by the clerk, shall forward by mail, postage prepaid, or shall deliver personally 1 of the ballots or set of ballots if there is more than 1 kind of ballot to be voted to the applicant. Subject to the identification requirement in subsection (6), absent voter ballots may be delivered to an applicant in person at the office of the clerk.

(2) The qualified voter file must be used to determine the genuineness of a signature on an application for an absent voter ballot. Signature comparisons must be made with the digitized signature in the qualified voter file. If the qualified voter file does not contain a digitized signature of an elector, or is not accessible to the clerk, the city or township clerk shall compare the signature appearing on the application for an absent voter ballot to the signature contained on the master card.

(3) Subject to the identification requirement in subsection (6) and except as otherwise provided in this subsection, a person may apply in person at the clerk's office before 8 p.m. on election day to vote as an absent voter. Only an individual who is not a registered elector, or an individual who is not registered to vote in the city or township in which he or she is registering to vote, and who registers to vote on election day in person with the clerk of the city or township in which the individual resides may apply for and complete an absent voter ballot in person at the clerk's office on election day. In addition, the clerk of a city or township shall not issue an absent voter ballot to a registered elector in that city or township after 4 p.m. on the day before the election. The applicant shall receive his or her absent voter ballot and vote the ballot in the clerk's office. All other absent voter ballots, except ballots delivered pursuant to an emergency absent voter ballot application under section 759b, must be mailed or delivered to the registration address of the applicant unless the application requests delivery to an address outside the city or township or to a hospital or similar institution, in which case the absent voter ballots must be mailed or delivered to the address given in the application. However, a clerk may mail or deliver an absent voter ballot, upon request of the absent voter, to a post office box if the post office box is where the absent voter normally receives personal mail and the absent voter does not receive mail at his or her registration address.

(4) Absent voter ballots must be issued in the same order in which applications are received by the clerk of a city, township, or village, as nearly as may be, and each ballot issued must bear the lowest number of each kind available for this purpose. However, this provision does not prohibit a clerk from immediately issuing an absent voter ballot to an absent voter who applies in person in the clerk's office for absent voter ballots. The clerk shall enclose with the ballot or ballots a return envelope properly addressed to the clerk and bearing upon the back of the envelope a printed statement in substantially the following form:

TO BE COMPLETED

BY THE CLERK

_____	_____
Name of Voter	Street Address or R.R.
_____	_____
City or Township	County

Ward \_\_\_\_\_ Precinct \_\_\_\_\_ Date of Election \_\_\_\_\_

=====

TO BE COMPLETED BY THE ABSENT VOTER

I assert that I am a United States citizen and a qualified and registered elector of the city or township named above. I am voting as an absent voter in conformity with state election law. Unless otherwise indicated below, I personally marked the ballot enclosed in this envelope without exhibiting it to any other person.

I further assert that this absent voter ballot is being returned to the clerk or an assistant of the clerk by me personally; by public postal service, express mail service, parcel post service, or other common carrier; by a member of my immediate family; or by a person residing in my household.

DATE: \_\_\_\_\_ SIGN HERE: X \_\_\_\_\_  
Signature of Absent Voter

The above form must be signed or your vote will not be counted.

AN ABSENT VOTER WHO KNOWINGLY MAKES A FALSE STATEMENT IS GUILTY OF A MISDEMEANOR.

=====

TO BE COMPLETED ONLY IF VOTER IS ASSISTED IN VOTING  
BY ANOTHER PERSON

I assisted the above named absent voter who is disabled or otherwise unable to mark the ballot in marking his or her absent voter ballot pursuant to his or her directions. The absent voter ballot was inserted in the return envelope without being exhibited to any other person.

\_\_\_\_\_  
Signature of Person    Street Address    City or Township  
Assisting Voter        or R.R.

\_\_\_\_\_  
Printed Name of Person Assisting Voter

A PERSON WHO ASSISTS AN ABSENT VOTER AND WHO KNOWINGLY MAKES A FALSE STATEMENT IS GUILTY OF A FELONY.

=====

WARNING

PERSONS WHO CAN LEGALLY BE IN POSSESSION OF AN ABSENT VOTER BALLOT ISSUED TO AN ABSENT VOTER ARE LIMITED TO THE ABSENT VOTER; A PERSON WHO IS A MEMBER OF THE ABSENT VOTER'S IMMEDIATE FAMILY OR RESIDES IN THE ABSENT VOTER'S HOUSEHOLD AND WHO HAS BEEN ASKED BY THE ABSENT VOTER TO RETURN THE BALLOT; A PERSON WHOSE JOB IT IS TO HANDLE MAIL BEFORE, DURING, OR AFTER BEING TRANSPORTED BY A PUBLIC POSTAL SERVICE, EXPRESS MAIL SERVICE, PARCEL POST SERVICE, OR COMMON CARRIER, BUT ONLY DURING THE NORMAL COURSE OF HIS OR HER EMPLOYMENT; AND THE CLERK, ASSISTANTS OF THE CLERK, AND OTHER AUTHORIZED ELECTION OFFICIALS OF THE CITY OR TOWNSHIP. ANY OTHER PERSON IN POSSESSION OF AN ABSENT VOTER BALLOT IS GUILTY OF A FELONY.

(5) An absent voter who knowingly makes a false statement on the absent voter ballot return envelope is guilty of a misdemeanor. A person who assists an absent voter and who knowingly makes a false statement on the absent voter ballot return envelope is guilty of a felony.

(6) If an elector obtains his or her absent voter ballot in person from the clerk of the city or township in which he or she is registered, the clerk of the city or township shall not provide an absent voter ballot to that elector until the elector identifies himself or herself to the clerk by presenting identification for election purposes. If an elector does not have identification for election purposes, the elector may sign an affidavit to that effect before the clerk of the city or township and be allowed to obtain his or her absent voter ballot in person from the clerk. The clerk of the city or township shall indicate to each elector who is registered in that city or township and who obtains his or her absent voter ballot in person from the clerk that the elector may sign an affidavit indicating that the elector does not have identification for election purposes in order to obtain his or her absent voter ballot in person from the clerk. However, if an elector obtains his or her absent voter ballot in person from the clerk and votes by absent voter ballot without providing identification for election purposes required under this subsection, the absent voter ballot of that elector must be prepared as a challenged ballot as provided in section 727 and must be counted as any other ballot is counted unless determined otherwise by a court of law under section 747 or 748 or any other applicable law.

**168.761b Clerk of city or township; office hours immediately before election for receiving absent voter ballots; public notice; additional locations by resolution.**

Sec. 761b.

(1) Beginning January 1, 2019, the clerk of each city or township shall be available in his or her office to issue and receive absent voter ballots for any combination of at least 8 hours on the Saturday or Sunday immediately before election day.

(2) At least 30 days before the date of an election, the clerk of each city or township shall post and notify the secretary of state of the hours that the clerk's office will be open on the Saturday or Sunday, or both, immediately before the election to issue and receive absent voter ballots.

(3) Subject to the requirements for polling places in section 662, upon the approval by resolution of the governing body of a city or township, the clerk of that city or township may specify additional locations and hours that the clerk will be available to issue and receive absent voter ballots. These additional locations must allow challengers as described in section 730.

(4) At least 30 days before the date of an election, the clerk of each city or township shall post and notify the secretary of state, if applicable, concerning the additional locations and hours that the clerk will be available to issue and receive absent voter ballots as provided under subsection (3).

**168.762 Absent voter ballots; failure to receive application.**

Sec. 762.

If from any precinct the township or city clerk does not receive any application for absent voter ballots, the clerk shall deliver the packages of absent voter ballots intact to the chairperson or some member of the board of election inspectors of the precinct before the opening of the polls on election day.

**168.764 Absent voter ballot; instructions.**

Sec. 764.

In addition to the instructions provided to an absent voter under section 764a, the following ballot marking instructions for an absent voter concerning the method of voting shall be included with each absent voter ballot furnished an absent voter:

(a) For a primary election, the ballot marking instructions as provided in section 736b.

(b) For a general election, the ballot marking instructions as provided in section 736c.

## **168.764a Instructions for absent voters.**

Sec. 764a.

The following instructions for an absent voter shall be included with each ballot or set of ballots furnished an absent voter:

### INSTRUCTIONS FOR ABSENT VOTERS

Step 1. Enclosed you will find voting instructions as to the method of voting. Read these carefully and then vote the ballot.

Step 2. After voting a ballot, place the ballot in the secrecy sleeve, if any. If a secrecy sleeve is not provided, refold the ballot to conceal your votes.

Step 3. Place the ballot or ballots in the return envelope and securely seal the envelope.

Step 4. Sign and date the return envelope in the place designated. Your signature must appear on the return envelope or the ballot will not be counted. If you are disabled or otherwise unable to mark the ballot and required assistance in voting your absent voter ballot, have the person who assisted you complete the section on the return envelope entitled "TO BE COMPLETED ONLY IF VOTER IS ASSISTED IN VOTING BY ANOTHER PERSON".

Step 5. Deliver the return envelope by 1 of the following methods:

(a) Place the necessary postage upon the return envelope and deposit it in the United States mail or with another public postal service, express mail service, parcel post service, or common carrier.

(b) Deliver the envelope personally to the office of the clerk, to the clerk, or to an authorized assistant of the clerk.

(c) In either (a) or (b), a member of the immediate family of the voter including a father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild or a person residing in the voter's household may mail or deliver a ballot to the clerk for the voter.

(d) You may request by telephone that the clerk who issued the ballot provide assistance in returning the ballot. The clerk is required to provide assistance if you are unable to return your absent voter ballot as specified in (a), (b), or (c) above, if it is before 5 p.m. on the Friday immediately preceding the election, and if you are asking the clerk to pickup the absent voter ballot within the jurisdictional limits of the city, township, or village in which you are registered. Your absent voter ballot will then be picked up by the clerk or an election assistant sent by the clerk. All

persons authorized to pick up absent voter ballots are required to carry credentials issued by the clerk. If using this absent voter ballot return method, do not give your ballot to anyone until you have checked their credentials.

Step 6. The ballot must reach the clerk or an authorized assistant of the clerk before the close of the polls on election day. An absent voter ballot received by the clerk or assistant of the clerk after the close of the polls on election day will not be counted.

WARNING

All of the following actions are violations of the Michigan election law and are illegal in this state:

(1) To vote an absent voter ballot at a meeting or gathering at which other people are voting absent voter ballots.

(2) For a person who is assisting an absent voter in marking the ballot to suggest or in any manner attempt to influence the absent voter on how he or she should vote.

(3) For a person who is present and knows that a person is voting an absent voter ballot to suggest or in any manner attempt to influence the absent voter on how he or she should vote.

(4) For a person other than those listed in these instructions to return, offer to return, agree to return, or solicit to return an absent voter ballot to the clerk.

(5) For a person other than the absent voter; a person listed in these instructions; or a person whose job it is to handle mail before, during, or after being transported by a public postal service, express mail service, parcel post service, or common carrier, but only during the normal course of his or her employment to be in possession of a voted or unvoted absent voter ballot.

**168.764b Delivery and acceptance of absent voter ballots; appointment, oath, credentials, and duties of assistants; collection of absent voter ballots; prohibition; noncompliance.**

Sec. 764b.

(1) An absent voter ballot must be delivered to the clerk only as authorized in the instructions for an absent voter provided in section 764a.

(2) The clerk of a city or township may accept delivery of absent voter ballots at any location in the city or township.

(3) The clerk of a city or township may appoint the number of assistants necessary to accept delivery of absent voter ballots at any location in the city or township. An

appointment as assistant to accept delivery of absent voter ballots must be for 1 election only. An assistant appointed to receive ballots at a location other than the office of the clerk must be furnished credentials of authority by the clerk. If an absent voter's ballot is received by an assistant at any location other than the clerk's office the assistant, upon request, shall exhibit the credentials to the absent voter before the assistant accepts an absent voter ballot. An assistant, before entering upon the discharge of duties, shall take and subscribe to the oath of office as provided in section 1 of article XI of the state constitution of 1963. An assistant shall perform only the duties assigned by the clerk. A person must not be appointed as an assistant to accept delivery of absent voter ballots who is a candidate or a member of the immediate family of a candidate whose name appears on the ballot at that election.

(4) A clerk who receives a request from an absent voter under section 764a for assistance in returning his or her absent voter ballot shall make arrangements to collect the ballot from the voter either personally or by sending an authorized assistant, if all of the following conditions are satisfied:

(a) The clerk's office issued the absent voter ballot to that absent voter.

(b) Upon the clerk's request, the absent voter states that he or she is unable to return the absent voter ballot by the other means specified in instructions (a), (b), or (c) of Step 5 under section 764a.

(c) The absent voter telephones the appropriate clerk for assistance on or before 5 p.m. on the Friday immediately before the election.

(d) The absent voter requests the clerk to pick up the absent voter ballot within the jurisdictional limits of the city or township in which the absent voter is registered.

(5) Notwithstanding subsection (4), a clerk who receives a request from an absent voter under section 764a for assistance in returning his or her absent voter ballot may make arrangements to collect the ballot from the voter either personally or by sending an authorized assistant, if all of the following conditions are satisfied:

(a) The clerk's office issued the absent voter ballot to that absent voter.

(b) Upon the clerk's request, the absent voter states that he or she is unable to return the absent voter ballot by the other means specified in instructions (a), (b), or (c) of Step 5 under section 764a.

(6) The clerk shall maintain a list open to the public that contains the names and addresses of all authorized assistants appointed under this section who are available to collect absent voter ballots on or before election day in that city or township.

(7) An absent voter ballot received by the clerk before the close of the polls on election day must not be invalidated solely because the delivery to the clerk was not in

compliance with section 764a or this section, however the ballot must be considered challenged and must be marked and processed as provided in section 745.

**168.764c Ballot tracker program; tracking absent voter ballots online.**

Sec. 764c.

If a city or township has access to the ballot tracker program provided by this state, the clerk of that city or township shall utilize the ballot tracker program and allow voters to track their absent voter ballots online.

**168.765 Absent voter ballots; safekeeping by clerk; public inspection of applications and lists; delivery to board of election inspectors; voter ballot received after polls closed; information to be posted by clerk.**

Sec. 765.

(1) A clerk who receives an absent voter ballot return envelope containing the marked ballots of an absent voter shall not open that envelope before delivering the envelope to the board of election inspectors as provided in this section. The city or township clerk shall safely keep in his or her office until election day any absent voter ballot return envelopes received by the clerk before election day containing the marked ballots of an absent voter.

(2) Before the opening of the polls on election day or as soon after the opening of the polls as possible, the clerk shall deliver the absent voter ballot return envelopes to the chairperson or other member of the board of election inspectors in the absent voter's precinct, together with the signed absent voter ballot applications received by the clerk from any voters of that precinct and the clerk's list or record kept relative to those absent voters. However, if higher numbered ballots are used under section 717, the clerk shall retain the applications and lists in his or her office and shall keep the applications and lists open to public inspection at all reasonable hours. Absent voter ballots must not be tabulated before the opening of the polls on election day.

(3) The city or township clerk, or authorized designee of the clerk, shall call for and receive absent voter ballots from the post office at which the city or township clerk regularly receives mail addressed to the city or township clerk on election day. Any envelopes containing absent voter ballots that are received from the post office or from voters who voted by absentee ballot in person in the clerk's office on election day must be delivered to the board of election inspectors or, except as otherwise provided in section 764d, the absent voter counting boards to be tabulated.

(4) If a marked absent voter ballot is received by the clerk after the close of the polls, the clerk shall plainly mark the envelope with the time and date of receipt and shall file the envelope in his or her office.

(5) On or before 8 a.m. on election day, the clerk shall post in the clerk's office or otherwise make public the number of absent voter ballots the clerk distributed to absent voters and the number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the clerk before election day and to be delivered to the board of election inspectors or the absent voter counting boards under this act. On or before 9 p.m. on election day, the clerk shall post in the clerk's office or otherwise make public the number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the clerk on election day and delivered to the board of election inspectors, under subsection (3), along with the total number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the clerk both before and on election day and delivered to the board of election inspectors or the absent voter counting boards under this act. As soon as possible after all precincts in the city or township are processed, the clerk shall post in the clerk's office or otherwise make public the number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the election inspectors at the precincts on election day, along with the total number of absent voter ballot return envelopes containing the marked ballots of absent voters received in the city or township for that election. This subsection applies only to elections in which a federal or state office appears on the ballot.

**168.768 Absent voters' ballots; legal vote; deposit of ballot in box, record.**

Sec. 768.

If upon such examination of the envelope containing an absent voter's ballot or ballots, the board of inspectors of election shall determine that such vote is legal, the member of the board receiving ballots at such election shall open the absent voter's envelope, take out the ballot or ballots therein contained and shall, without unfolding such ballot or ballots, detach from each such ballot the perforated numbered corner, and shall deposit each such ballot in the proper ballot box. One of the inspectors of election shall note upon the poll book and list the fact that such voter voted at such election by means of an absent voter's ballot.

**168.769 Absent voter ballots; voting in person; return of ballot; voting in person and absent voter ballot as felony; report.**

Sec. 769.

(1) An absent voter may vote in person within his or her precinct at an election, notwithstanding that he or she applies for an absent voter ballot and the ballot is mailed or otherwise delivered to the absent voter by the clerk. This subsection only applies if the absent voter does not vote the absent voter ballot mailed or otherwise delivered by the clerk.

(2) Before voting in person, except as otherwise provided in this section, the absent voter shall return the absent voter ballot to the board of election inspectors in his or her precinct. If an absent voter ballot is returned under this subsection, the board of election inspectors shall mark it "CANCELED" and place it in the regular box with other canceled ballots.

(3) An absent voter who did not receive an absent voter ballot that he or she applied for or lost or destroyed an absent voter ballot he or she received, and who desires to vote in person in his or her precinct on election day, shall sign an affidavit to that effect before an election inspector and be allowed to vote as otherwise provided in this act. However, a voter being allowed to vote under this subsection is subject to challenge as provided in section 727.

(4) A person who votes at an election both in person and by means of an absent voter ballot or a person who attempts to vote both in person and by means of an absent voter ballot is guilty of a felony.

(5) An election official who becomes aware of a person who votes or attempts to vote both in person and by means of an absent voter ballot shall report that information to the prosecuting attorney for that county and to the secretary of state.

# MANUAL FOR BOARDS OF COUNTY CANVASSERS



MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS  
JUNE 2018

# INTRODUCTION

**INSPECTS BALLOT CONTAINERS:** Every four years the Board is responsible for inspecting all ballot containers used in the county.

This manual outlines the procedures a Board of County Canvassers must follow when fulfilling the above responsibilities.

## CHAPTER 9 - BALLOT CONTAINER INSPECTIONS

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The Board of County Canvassers must complete a countywide ballot container inspection by June 1 of every gubernatorial election year. Ballot container “approved” and “disapproved” stickers are provided through the Department of State’s Bureau of Elections. (MCL 168.24j)

THIS BALLOT CONTAINER HAS BEEN  
**APPROVED UNTIL MAY 31, 2022**

By the \_\_\_\_\_ County Board of Canvassers  
for the storage of ballots in accordance with the provisions  
of Public Act 207 of 2000.

Date \_\_\_\_\_

ED 4 (12/17) Authority Granted By PA 118 of 2004 MICHIGAN DEPT. OF STATE

THIS BALLOT CONTAINER HAS BEEN  
**APPROVED UNTIL MAY 31, 2022**

By the \_\_\_\_\_  
County Board of Canvassers for the storage of ballots in  
accordance with the provisions of Public Act 207 of 2000.  
Michigan Department of State

Date \_\_\_\_\_

ED 4T (06/2013) Authority Granted by PA 118 of 1984

DO NOT REMOVE THIS STICKER FROM THE BALLOT CONTAINER

## NOT APPROVED FOR USE AS A BALLOT CONTAINER

By the \_\_\_\_\_ County Board of Canvassers

Date \_\_\_\_\_

\_\_\_\_\_

EEI-CA (5/06) Authority Granted By P.A. 116 of 1984

MICHIGAN DEPT. OF STATE

All ballot containers owned by the county and the cities and townships located within the county must be included in the inspection. The term "ballot container" is used to mean any containers used to transport and secure optical scan ballots, electronic voting system programs and test data or any other materials which must be retained under security.

Notwithstanding the June 1 deadline for conducting the ballot container inspections, it is important to note that if a city or township conducts an election on the May election date, the ballot containers owned by the jurisdiction must not be inspected until the ballot security period for the May election has elapsed. (The ballot security period elapses 30 days after the election is certified.) As an exception, if the ballots cast at the May election are subject to a vote recount after the election, the county canvassing board may perform the ballot container inspections during the conduct of the recount.

### CONDUCT OF BALLOT CONTAINER INSPECTIONS – CANVASSING BOARD

#### QUORUM REQUIRED:

- At least three members of the Board of County Canvassers must be present during the inspections and approval of the ballot containers used in the county.
- While the Board of County Canvassers may designate assistants to help with the ballot container inspections, the performance of the task cannot be delegated to individuals enlisted to assist with the task. As indicated above, at least three members of the Board of County Canvassers must be present whenever the ballot container inspections are being carried out.

**APPROVAL STICKERS AND TAGS:** An “approved” sticker or tag must be affixed to every ballot container that passes the Board of Canvassers’ inspection.

If the Board of County Canvassers inspects a ballot container that cannot be approved, the Board should place a sticker on the container which states: “NOT APPROVED FOR USE AS A BALLOT CONTAINER.”

### **APPROVAL STANDARDS:**

MCL 168.24j states “(1) A ballot container includes a ballot box, transfer case, or other container used to secure ballots, including optical scan ballots and electronic voting systems and data.”

MCL 168.24j further states “(3) A ballot container shall not be approved unless it meets both of the following requirements:

- (a) It is made of metal, plastic, fiberglass, or other material, that provides resistance to tampering.
- (b) It is capable of being sealed with a metal seal.

A list of ballot containers approved for use by the Bureau of Elections is included at the end of this chapter.

### **DUAL-SIDED BALLOT CONTAINERS – SEALING PROCEDURES:**

#### **Important Policy Regarding Use of “Dual Seal” Ballot Containers**

If any of the local jurisdictions in your county use the “dual seal” ballot containers produced by Business Records Corporation (see illustration below), please alert your canvassing board members and the local clerks who employ the containers that the containers cannot be approved unless:

- the small door is permanently sealed with a state-issued 15 ½ inch Pull Tite seal or a horseshoe and a state-issued metal Globe seal; and
- a completed ballot container tag that documents the serial number appearing on the permanent seal securing the small door, the date the small door was sealed and the individuals who sealed the small door is taped to the inside of the large door.

Small door: permanently seal with a state-issued Pull Tight seal or a horseshoe and a state-issued metal Globe seal.



Large door: tape completed ballot container tag inside large door.

**Important Note Regarding the Approval of Ballot Containers Manufactured by Douglas**

In 2002 all county clerks were alerted that the two ballot containers listed below are not fully “tamper resistant” as required under Michigan election law. Specifically, the sides of the containers can be pushed in to the point where a ballot can be inserted into the container without breaking the seal on the container.

<b>Manufacturer</b>	<b>Model</b>	<b>Description</b>
Douglas	DOSB-3	Square blue metal ballot container.
Douglas	DSN-1	Square silver metal ballot container.

If any of the jurisdictions in your county use the ballot containers referenced above, please alert your canvassing board members and the local clerks who employ the containers that the containers cannot be approved unless they have been modified to ensure that they are fully “tamper resistant.” As explained in the memo distributed on this matter in 2002, the ballot containers can be modified using one of the three methods below:

- Drill holes on each side of the container large enough to affix additional seals. Two additional seals must be used with this solution; all three seals must be recorded in the Poll Book.
- Affix double sided poster board tape to the inside of the lid. The tape should be placed approximately one half inch from the inside container wall. The tape may be purchased from most office supply stores.
- Purchase a “retro fit” kit from the manufacturer or an election supply vendor.

**Ballot Container and Seal Photos Available on Web Site**

Photographs of the ballot containers and seals approved for use in Michigan are available on the Department's Web site [www.Michigan/elections](http://www.Michigan/elections). Click on 1) "Elections in Michigan" 2) "Information for Election Administrators" and 3) "Voting Equipment" (appears on dropdown menu under "Information for Election Administrators"). All seals may be ordered in the [eLearning Center](#).

**Questions and Supply Orders**

If you have any questions or need any additional supplies for the inspection, please do not hesitate to contact this office. Requests for additional supplies should be made through the [eLearning Center](#).

**Election Day Transfer and Ballot Storage Containers**

Item	Manufacturer/ Distributor	Placement of County Board of Canvasser Approval Certificate	Seal Type
<b>Election Day Transfer Containers</b>			
Election Security Chamber bag 19"x13"	Rifkin/ ES&S	Use sticker. Place with container certificate in clear plastic window.	Chamber
Election Security Chamber bag 16"x13"	Rifkin/ ES&S	Use sticker. Place with container certificate in clear plastic window.	Chamber
Expandable Provisional Ballot Chamber bag 16"x13"x2"	Rifkin/ ES&S	Use sticker. Place with container certificate in clear plastic window.	Chamber
Provisional Ballot Chamber bag 22"x19"	Rifkin/ ES&S	Use sticker. Place with container certificate in clear plastic window.	Chamber
Provisional Ballot security Bag 18"x14"	Intab	Use sticker. Place with container certificate in plastic sleeve or attach to the inside of the bag.	Pull Tight Easy-Twist
Handi – Pouch Security Bag 18"x14"	Intab	Use sticker. Place with container certificate in plastic sleeve or attach to the inside of the bag.	Pull Tight Easy-Twist
Election Security Chamber bag 9"x11"	Rifkin/ ES&S	Use sticker. Place with container certificate in clear plastic window.	Chamber
Single Module Transport Chamber bag 8"x10"	Rifkin/ ES&S	Use sticker. Place with container certificate in clear plastic window.	Chamber

Item	Manufacturer/ Distributor	Placement of County Board of Canvasser Approval Certificate	Seal Type
Data Module Transport Chamber bag 10"x12"	Rifkin/ ES&S	Use sticker. Place with container certificate in clear plastic window.	Chamber
Memory Pouch 7"x8.5"	Strayer/ Diebold	Use tag. Attach through zipper guard.	Padlock Easy-Twist Spring Lock
<b>Ballot Containers</b>			
Metal – top load		Use sticker. Attach to any flat surface.	Pull Tight Metal Globe w/ Horseshoe Easy-Twist
Metal – dual seal		Use sticker. Attach to any flat surface.	See note below.
Plastic bin 27"x17"x12.5"		Use sticker. Attach to any flat surface.	Pull Tight Easy-Twist
Collapsible Ballot Storage bag 14"x19"x14"	Rifkin/ MCE	Use sticker or tag. Place sticker with container certificate in plastic sleeve or attach to the inside of the bag.	Pull Tight Easy-Twist
Election Security Chamber bag 14"x19"x14"	Rifkin/ ES&S	Use sticker or tag. Place sticker with container certificate in clear plastic window.	Chamber
Election Security Chamber bag w/Wheels 14"x19"x14"	Rifkin/ ES&S	Use sticker or tag. Place sticker with container certificate in clear plastic window.	Chamber
Election Security Chamber bag	Rifkin/ ES&S	Use sticker or tag. Place sticker with container certificate in clear plastic window.	Chamber
Light Duty Courier Chamber bag 16"x22"x6"	Rifkin/ ES&S	Use sticker or tag. Place sticker with container certificate in clear plastic window.	Chamber
Light Duty Courier Chamber bag 14"x18"x4"	Rifkin/ ES&S	Use sticker or tag. Place sticker with container certificate in clear plastic window.	Chamber
Ballot Transfer Flat bag 12"x19"x10"	Rifkin/ ES&S	Use sticker or tag. Place sticker with container certificate in clear plastic window.	Chamber
Duffle bag 12"x19"x10"	Strayer/ Diebold	Use sticker or tag. Place sticker with container certificate in plastic sleeve or attach to the inside of the bag.	Pull Tight
Titan Security Bag 22"x6"x16"	Intab	Use sticker or tag. Place sticker with container certificate in plastic sleeve or attach to the inside of the bag.	Pull Tight Easy-Twist

Precinct Bag on Wheels 22"x15"x12"	Tutto	Use sticker or tag. Place sticker on one of the plastic windows.	Pull Tight Easy-Twist
Precinct Bag on Wheels 24"x18"x12"	Tutto	Use sticker or tag. Place sticker on one of the plastic windows.	Pull Tight Easy-Twist
Large Collapsible Ballot Container 23"x15"x16"	Election Source	Use tag.	Pull Tight Easy-Twist
Collapsible Ballot Container w/wheels 24"x15"x16"	Election Source	Use tag.	Pull Tight Easy-Twist
EZ Tow Collapsible Bag on Wheels 24"x18"x12"	Election Source	Use tag.	Pull Tight Easy-Twist
Hart Secure Ballot Transport Bag	Hart	Use tag.	Pull Tight Easy-Twist
ES&S DS200 Ballot Tote Bin	ES&S	Use sticker or tag.	Special ES&S Zip Tie Seal

- Note: The small door on the "dual seal" ballot container must be permanently sealed with a 15 ½ inch Pull Tight seal or a horseshoe and a state-issued metal Globe seal. The large door can be sealed with a Padlock seal, a Pull Tight seal, an Easy-Twist seal or a horseshoe and a metal Globe seal.

### Approved Seals



**STATE OF MICHIGAN  
COURT OF CLAIMS**

DAN RYAN,	)	
	)	
PAUL DRISCOLL,	)	
	)	
JOELLEN M. PISARCZYK, and	)	
	)	
MYRON ZOLKEWSKY,	)	
	)	
Plaintiffs,	)	
	)	
Plaintiffs,	)	Case No. 20-_____ - MZ
	)	
v.	)	VERIFIED COMPLAINT FOR
	)	DECLARATORY AND
JOCELYN BENSON, in her official	)	INJUNCTIVE RELIEF
capacity as SECRETARY OF STATE,	)	
	)	
Defendant.	)	

**INDEX OF EXHIBITS**

Exhibit 1	CTCL's 2018 Form 990
Exhibit 2	CTCL provides technology and data to boost voter turnout ....
Exhibit 3	<i>Announcing the Center for Technology and Civic Life, April 8, 2015</i>
Exhibit 4	Brian Fung, <i>Inside the Democratic Party's Hogwarts for Digital Wizardry, The Washington Post, July 8, 2014</i>
Exhibit 5	CTCL September 1, 2020 press release
Exhibit 6	Table of 2016 presidential election results for CTCL Michigan grant recipients
Exhibit 7	CTCL grant application instructions
Exhibit 8	Ballot Drop Box photograph
Exhibit 9	Sarah Lehr, <i>Lansing, East Lansing Clerks Mail Absentee Ballot Applications to All Registered Voters, Lansing State Journal, September 11, 2020</i>

# **EXHIBIT 1**

Form **990**  
Department of the Treasury  
Internal Revenue Service

# Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form as it may be made public

Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for instructions and the latest information.

OMB No 1545-0047  
**2018**  
Open to Public Inspection

**A For the 2019 calendar year, or tax year beginning 02-01-2018, and ending 01-31-2019**

- B** Check if applicable:  
 Address change  
 Name change  
 Initial return  
 Final return/terminated  
 Amended return  
 Application pending

**C** Name of organization  
THE CENTER FOR TECHNOLOGY AND CIVIC LIFE

Doing business as

Number and street (or P O box if mail is not delivered to street address) Room/suite  
233 N MICHIGAN AVE NO 1800

City or town, state or province, country, and ZIP or foreign postal code  
CHICAGO, IL 60601

**D** Employer identification number  
47-2158694

**E** Telephone number  
(650) 796-4695

**G** Gross receipts \$ 1,414,981

**F** Name and address of principal officer  
TIANA EPPS-JOHNSON  
233 N MICHIGAN AVE NO 1800  
CHICAGO, IL 60601

**H(a)** Is this a group return for subordinates?  Yes  No  
**H(b)** Are all subordinates included?  Yes  No  
If "No," attach a list (see instructions)  
**H(c)** Group exemption number ▶

**I** Tax-exempt status  501(c)(3)  501(c) ( ) ◀ (insert no )  4947(a)(1) or  527

**J** Website: ▶ HTTP //WWW TECHANDCIVICLIFE ORG/

**K** Form of organization  Corporation  Trust  Association  Other ▶

**L** Year of formation 2014

**M** State of legal domicile IL

**Part I Summary**

**1** Briefly describe the organization's mission or most significant activities  
INCREASE CIVIC PARTICIPATION BY MODERNIZING ENGAGEMENT BETWEEN LOCAL GOV AND THE PEOPLE THEY SERVE

**2** Check this box  if the organization discontinued its operations or disposed of more than 25% of its net assets

<b>3</b> Number of voting members of the governing body (Part VI, line 1a)	5
<b>4</b> Number of independent voting members of the governing body (Part VI, line 1b)	4
<b>5</b> Total number of individuals employed in calendar year 2018 (Part V, line 2a)	17
<b>6</b> Total number of volunteers (estimate if necessary)	4
<b>7a</b> Total unrelated business revenue from Part VIII, column (C), line 12	0
<b>7b</b> Net unrelated business taxable income from Form 990-T, line 34	0

	Prior Year	Current Year
<b>8</b> Contributions and grants (Part VIII, line 1h)	738,060	560,319
<b>9</b> Program service revenue (Part VIII, line 2g)	304,459	854,088
<b>10</b> Investment income (Part VIII, column (A), lines 3, 4, and 7d)	19	19
<b>11</b> Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	1,596	555
<b>12</b> Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	1,044,134	1,414,981
<b>13</b> Grants and similar amounts paid (Part IX, column (A), lines 1-3)	0	0
<b>14</b> Benefits paid to or for members (Part IX, column (A), line 4)	0	0
<b>15</b> Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	671,076	863,673
<b>16a</b> Professional fundraising fees (Part IX, column (A), line 11e)	0	0
<b>b</b> Total fundraising expenses (Part IX, column (D), line 25) ▶ 21,097		
<b>17</b> Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)	170,501	255,957
<b>18</b> Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)	841,577	1,119,630
<b>19</b> Revenue less expenses Subtract line 18 from line 12	202,557	295,351

	Beginning of Current Year	End of Year
<b>20</b> Total assets (Part X, line 16)	795,279	1,163,841
<b>21</b> Total liabilities (Part X, line 26)	61,760	134,971
<b>22</b> Net assets or fund balances Subtract line 21 from line 20	733,519	1,028,870

**Part II Signature Block**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge

**Sign Here**

Signature of officer: \*\*\*\*\* Date: 2019-08-28

TIANA EPPS-JOHNSON PRESIDENT  
Type or print name and title

**Paid Preparer Use Only**

Print/Type preparer's name: Preparer's signature: Date: Check  if self-employed PTIN: P00595460

Firm's name ▶ WARADY & DAVIS LLP Firm's EIN ▶ 36-2170602

Firm's address ▶ 1717 DEERFIELD RD SUITE 3005 DEERFIELD, IL 60015 Phone no (847) 267-9600

**Part III Statement of Program Service Accomplishments**

Check if Schedule O contains a response or note to any line in this Part III

**1** Briefly describe the organization's mission

THE CENTER'S MISSION IS TO INCREASE CIVIC PARTICIPATION BY MODERNIZING ENGAGEMENT BETWEEN LOCAL GOVERNMENT AND THE PEOPLE THEY SERVE WE DO THIS BY (1) EDUCATING THE PUBLIC ABOUT GOVERNMENT AND DEMOCRACY IN THE UNITED STATES AND (2) EDUCATING LOCAL GOVERNMENT AGENCIES ABOUT SKILLS AND STRATEGIES TO BETTER ENGAGE THEIR POPULATIONS

**2** Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ?  Yes  No

If "Yes," describe these new services on Schedule O

**3** Did the organization cease conducting, or make significant changes in how it conducts, any program services?  Yes  No

If "Yes," describe these changes on Schedule O

**4** Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

**4a** (Code ) (Expenses \$ 628,474 including grants of \$ ) (Revenue \$ 721,557 )  
See Additional Data

**4b** (Code ) (Expenses \$ 297,868 including grants of \$ ) (Revenue \$ 132,531 )  
See Additional Data

**4c** (Code ) (Expenses \$ including grants of \$ ) (Revenue \$ )

**4d** Other program services (Describe in Schedule O )  
(Expenses \$ including grants of \$ ) (Revenue \$ **EXHIBIT 1**)

**4e** Total program service expenses ▶ 926,342

Part IV Checklist of Required Schedules

Table with 3 columns: Question ID, Question Text, and Yes/No response columns. Rows include questions 1 through 22 regarding organizational requirements and reporting.

EXHIBIT 1

Part IV Checklist of Required Schedules (continued)

Table with 3 columns: Question, Yes, No. Rows 23-38 covering various organizational requirements and schedules.

Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V [ ]

Table with 3 columns: Question, Yes, No. Rows 1a-1c regarding Form 1096, Forms W-2G, and gaming winnings.

EXHIBIT 1

<b>2a</b> Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return . . . . .		<b>2a</b>	17		
<b>b</b> If at least one is reported on line 2a, did the organization file all required federal employment tax returns? <b>Note.</b> If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions)		<b>2b</b>		Yes	
<b>3a</b> Did the organization have unrelated business gross income of \$1,000 or more during the year? . . . . .		<b>3a</b>			No
<b>b</b> If "Yes," has it filed a Form 990-T for this year? <i>If "No" to line 3b, provide an explanation in Schedule O . . . . .</i>		<b>3b</b>			
<b>4a</b> At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)? . . . . .		<b>4a</b>			No
<b>b</b> If "Yes," enter the name of the foreign country ▶ _____ See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR)					
<b>5a</b> Was the organization a party to a prohibited tax shelter transaction at any time during the tax year? . . . . .		<b>5a</b>			No
<b>b</b> Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?		<b>5b</b>			No
<b>c</b> If "Yes," to line 5a or 5b, did the organization file Form 8886-T? . . . . .		<b>5c</b>			
<b>6a</b> Does the organization have annual gross receipts that are normally greater than \$100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions? . . . . .		<b>6a</b>			No
<b>b</b> If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible? . . . . .		<b>6b</b>			
<b>7 Organizations that may receive deductible contributions under section 170(c).</b>					
<b>a</b> Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods and services provided to the payor? . . . . .		<b>7a</b>			No
<b>b</b> If "Yes," did the organization notify the donor of the value of the goods or services provided? . . . . .		<b>7b</b>			
<b>c</b> Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282? . . . . .		<b>7c</b>			No
<b>d</b> If "Yes," indicate the number of Forms 8282 filed during the year . . . . .		<b>7d</b>			
<b>e</b> Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?		<b>7e</b>			No
<b>f</b> Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract? . . . . .		<b>7f</b>			No
<b>g</b> If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required? . . . . .		<b>7g</b>			
<b>h</b> If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C? . . . . .		<b>7h</b>			
<b>8 Sponsoring organizations maintaining donor advised funds.</b> Did a donor advised fund maintained by the sponsoring organization have excess business holdings at any time during the year? . . . . .					
		<b>8</b>			
<b>9a</b> Did the sponsoring organization make any taxable distributions under section 4966? . . . . .		<b>9a</b>			
<b>b</b> Did the sponsoring organization make a distribution to a donor, donor advisor, or related person? . . . . .		<b>9b</b>			
<b>10 Section 501(c)(7) organizations.</b> Enter					
<b>a</b> Initiation fees and capital contributions included on Part VIII, line 12 . . . . .		<b>10a</b>			
<b>b</b> Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities		<b>10b</b>			
<b>11 Section 501(c)(12) organizations.</b> Enter					
<b>a</b> Gross income from members or shareholders . . . . .		<b>11a</b>			
<b>b</b> Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them ) . . . . .		<b>11b</b>			
<b>12a Section 4947(a)(1) non-exempt charitable trusts.</b> Is the organization filing Form 990 in lieu of Form 1041?					
<b>b</b> If "Yes," enter the amount of tax-exempt interest received or accrued during the year		<b>12b</b>			
<b>13 Section 501(c)(29) qualified nonprofit health insurance issuers.</b>					
<b>a</b> Is the organization licensed to issue qualified health plans in more than one state? <b>Note.</b> See the instructions for additional information the organization must report on Schedule O		<b>13a</b>			
<b>b</b> Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans . . . . .		<b>13b</b>			
<b>c</b> Enter the amount of reserves on hand . . . . .		<b>13c</b>			
<b>14a</b> Did the organization receive any payments for indoor tanning services during the tax year? . . . . .		<b>14a</b>			No
<b>b</b> If "Yes," has it filed a Form 720 to report these payments? <i>If "No," provide an explanation in Schedule O . . . . .</i>		<b>14b</b>			
<b>15</b> Is the organization subject to the section 4960 tax on payment(s) of more than \$1,000,000 in remuneration or excess parachute payment(s) during the year? If "Yes," see instructions and file Form 4720, Schedule N . . . . .		<b>15</b>			No
<b>16</b> Is the organization an educational institution subject to the section 4968 excise tax on net investment income? If "Yes," complete Form 4720, Schedule O . . . . .		<b>16</b>			No

EXHIBIT 15

Part VI Governance, Management, and Disclosure For each "Yes" response to lines 2 through 7b below, and for a "No" response to lines 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O See instructions Check if Schedule O contains a response or note to any line in this Part VI



Section A. Governing Body and Management

Table with 3 columns: Question, Yes, No. Rows include: 1a Enter the number of voting members of the governing body at the end of the tax year (5); 1b Enter the number of voting members included in line 1a, above, who are independent (4); 2 Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee? (No); 3 Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person? (No); 4 Did the organization make any significant changes to its governing documents since the prior Form 990 was filed? (No); 5 Did the organization become aware during the year of a significant diversion of the organization's assets? (No); 6 Did the organization have members or stockholders? (No); 7a Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body? (No); 7b Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body? (No); 8 Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following: 8a The governing body? (Yes); 8b Each committee with authority to act on behalf of the governing body? (No); 9 Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O (No).

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

Table with 3 columns: Question, Yes, No. Rows include: 10a Did the organization have local chapters, branches, or affiliates? (No); 10b If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?; 11a Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form? (Yes); 11b Describe in Schedule O the process, if any, used by the organization to review this Form 990; 12a Did the organization have a written conflict of interest policy? If "No," go to line 13 (Yes); 12b Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts? (Yes); 12c Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this was done (Yes); 13 Did the organization have a written whistleblower policy? (Yes); 14 Did the organization have a written document retention and destruction policy? (No); 15 Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision? 15a The organization's CEO, Executive Director, or top management official (Yes); 15b Other officers or key employees of the organization (No); 16a Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year? (No); 16b If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?

Section C. Disclosure

Table with 3 columns: Question, Yes, No. Rows include: 17 List the States with which a copy of this Form 990 is required to be filed (IL); 18 Section 6104 requires an organization to make its Form 1023 (or 1024-A if applicable), 990, and 990-T (501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply: Own website, Another's website, Upon request (checked), Other (explain in Schedule O); 19 Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year; 20 State the name, address, and telephone number of the person who possesses the organization's books and records (TIANA EPPS-JOHNSON 233 N MICHIGAN AVE NO 1800 CHICAGO, IL 60601 (650) 796-4695).

EXHIBIT 1





Part VIII Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII

Table with 5 columns: (A) Total revenue, (B) Related or exempt function revenue, (C) Unrelated business revenue, (D) Revenue excluded from tax under sections 512 - 514. Rows include 1a-1f (Contributions, Gifts, Grants) and 1g-1h (Total).

Table for Program Service Revenue with columns for Business Code and revenue amounts. Rows include 2a-2f and 2g Total.

Main revenue table with 5 columns: (A) Total revenue, (B) Related or exempt function revenue, (C) Unrelated business revenue, (D) Revenue excluded from tax under sections 512 - 514. Rows include 3-12 covering Investment income, Rental income, Fundraising events, Gaming activities, and Inventory sales.

EXHIBIT 1

**Part IX Statement of Functional Expenses**

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response or note to any line in this Part IX

<b>Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.</b>	<b>(A)</b> Total expenses	<b>(B)</b> Program service expenses	<b>(C)</b> Management and general expenses	<b>(D)</b> Fundraising expenses
<b>1</b> Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21.				
<b>2</b> Grants and other assistance to domestic individuals. See Part IV, line 22.				
<b>3</b> Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, line 15 and 16.				
<b>4</b> Benefits paid to or for members.				
<b>5</b> Compensation of current officers, directors, trustees, and key employees . . . . .	102,513	65,235	27,492	9,786
<b>6</b> Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B) . . . . .				
<b>7</b> Other salaries and wages	638,569	589,866	41,008	7,695
<b>8</b> Pension plan accruals and contributions (include section 401 (k) and 403(b) employer contributions) . . . . .				
<b>9</b> Other employee benefits . . . . .	61,525	55,782	4,696	1,047
<b>10</b> Payroll taxes . . . . .	61,066	54,130	5,558	1,378
<b>11</b> Fees for services (non-employees)				
<b>a</b> Management . . . . .				
<b>b</b> Legal . . . . .	9,174		9,174	
<b>c</b> Accounting . . . . .	11,360		11,360	
<b>d</b> Lobbying . . . . .				
<b>e</b> Professional fundraising services. See Part IV, line 17.				
<b>f</b> Investment management fees . . . . .				
<b>g</b> Other (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O)	20,042	4,851	15,191	
<b>12</b> Advertising and promotion . . . . .	817	540	277	
<b>13</b> Office expenses . . . . .	3,212	238	2,974	
<b>14</b> Information technology . . . . .	2,847	1,427	1,420	
<b>15</b> Royalties . . . . .				
<b>16</b> Occupancy . . . . .	55,032	50,237	3,619	1,176
<b>17</b> Travel . . . . .	58,657	38,595	20,062	
<b>18</b> Payments of travel or entertainment expenses for any federal, state, or local public officials . . . . .				
<b>19</b> Conferences, conventions, and meetings . . . . .	7,417	2,995	4,422	
<b>20</b> Interest . . . . .				
<b>21</b> Payments to affiliates . . . . .				
<b>22</b> Depreciation, depletion, and amortization . . . . .	7,407	7,347	45	15
<b>23</b> Insurance . . . . .	6,540	1,818	4,722	
<b>24</b> Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)				
<b>a</b> DATA SUBSCRIPTIONS	52,332	52,332		
<b>b</b> TRAINING AND STAFF DEVELOPMENT	16,949	949	16,000	
<b>c</b> BAD DEBT	3,900		3,900	
<b>d</b> MISCELLANEOUS	271		271	
<b>e</b> All other expenses				
<b>25</b> Total functional expenses. Add lines 1 through 24e	1,119,630	926,342	172,191	21,097
<b>26</b> Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input type="checkbox"/> if following SOP 98-2 (ASC 958-720)			<b>EXHIBIT 1</b>	

**Part X Balance Sheet**

Check if Schedule O contains a response or note to any line in this Part IX

		(A) Beginning of year		(B) End of year
<b>Assets</b>	<b>1</b> Cash—non-interest-bearing . . . . .	359,049	<b>1</b>	767,112
	<b>2</b> Savings and temporary cash investments . . . . .	63,053	<b>2</b>	63,072
	<b>3</b> Pledges and grants receivable, net . . . . .	252,400	<b>3</b>	150,000
	<b>4</b> Accounts receivable, net . . . . .	86,006	<b>4</b>	151,051
	<b>5</b> Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees Complete Part II of Schedule L . . . . .		<b>5</b>	
	<b>6</b> Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees' beneficiary organizations (see instructions) Complete Part II of Schedule L . . . . .		<b>6</b>	
	<b>7</b> Notes and loans receivable, net . . . . .		<b>7</b>	
	<b>8</b> Inventories for sale or use . . . . .		<b>8</b>	
	<b>9</b> Prepaid expenses and deferred charges . . . . .	3,925	<b>9</b>	4,016
	<b>10a</b> Land, buildings, and equipment cost or other basis Complete Part VI of Schedule D	<b>10a</b> 4,448		
	<b>b</b> Less accumulated depreciation	<b>10b</b> 1,284	2,751	<b>10c</b> 3,164
	<b>11</b> Investments—publicly traded securities . . . . .		<b>11</b>	
	<b>12</b> Investments—other securities See Part IV, line 11 . . . . .		<b>12</b>	
	<b>13</b> Investments—program-related See Part IV, line 11 . . . . .		<b>13</b>	
	<b>14</b> Intangible assets . . . . .	22,957	<b>14</b>	16,238
	<b>15</b> Other assets See Part IV, line 11 . . . . .	5,138	<b>15</b>	9,188
<b>16 Total assets.</b> Add lines 1 through 15 (must equal line 34) . . . . .	795,279	<b>16</b>	1,163,841	
<b>Liabilities</b>	<b>17</b> Accounts payable and accrued expenses . . . . .	58,623	<b>17</b>	79,392
	<b>18</b> Grants payable . . . . .		<b>18</b>	
	<b>19</b> Deferred revenue . . . . .	3,137	<b>19</b>	55,579
	<b>20</b> Tax-exempt bond liabilities . . . . .		<b>20</b>	
	<b>21</b> Escrow or custodial account liability Complete Part IV of Schedule D		<b>21</b>	
	<b>22</b> Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons Complete Part II of Schedule L . . . . .		<b>22</b>	
	<b>23</b> Secured mortgages and notes payable to unrelated third parties . . . . .		<b>23</b>	
	<b>24</b> Unsecured notes and loans payable to unrelated third parties . . . . .		<b>24</b>	
	<b>25</b> Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17 - 24) Complete Part X of Schedule D		<b>25</b>	
	<b>26 Total liabilities.</b> Add lines 17 through 25 . . . . .	61,760	<b>26</b>	134,971
<b>Net Assets or Fund Balances</b>	<b>Organizations that follow SFAS 117 (ASC 958), check here <input checked="" type="checkbox"/> and complete lines 27 through 29, and lines 33 and 34.</b>			
	<b>27</b> Unrestricted net assets	709,869	<b>27</b>	1,025,627
	<b>28</b> Temporarily restricted net assets . . . . .	23,650	<b>28</b>	3,243
	<b>29</b> Permanently restricted net assets		<b>29</b>	
	<b>Organizations that do not follow SFAS 117 (ASC 958), check here <input type="checkbox"/> and complete lines 30 through 34.</b>			
	<b>30</b> Capital stock or trust principal, or current funds . . . . .		<b>30</b>	
	<b>31</b> Paid-in or capital surplus, or land, building or equipment fund . . . . .		<b>31</b>	
	<b>32</b> Retained earnings, endowment, accumulated income, or other funds		<b>32</b>	
<b>33</b> Total net assets or fund balances . . . . .	733,519	<b>33</b>	1,028,870	
<b>34</b> Total liabilities and net assets/fund balances . . . . .	795,279	<b>34</b>	1,163,841	

**EXHIBIT 1**

**Part XI Reconciliation of Net Assets**

Check if Schedule O contains a response or note to any line in this Part XI

<b>1</b>	Total revenue (must equal Part VIII, column (A), line 12)	<b>1</b>	1,414,981
<b>2</b>	Total expenses (must equal Part IX, column (A), line 25)	<b>2</b>	1,119,630
<b>3</b>	Revenue less expenses Subtract line 2 from line 1	<b>3</b>	295,351
<b>4</b>	Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))	<b>4</b>	733,519
<b>5</b>	Net unrealized gains (losses) on investments	<b>5</b>	
<b>6</b>	Donated services and use of facilities	<b>6</b>	
<b>7</b>	Investment expenses	<b>7</b>	
<b>8</b>	Prior period adjustments	<b>8</b>	
<b>9</b>	Other changes in net assets or fund balances (explain in Schedule O)	<b>9</b>	0
<b>10</b>	Net assets or fund balances at end of year Combine lines 3 through 9 (must equal Part X, line 33, column (B))	<b>10</b>	1,028,870

**Part XII Financial Statements and Reporting**

Check if Schedule O contains a response or note to any line in this Part XII

- 1** Accounting method used to prepare the Form 990  Cash  Accrual  Other \_\_\_\_\_  
If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O
- 2a** Were the organization's financial statements compiled or reviewed by an independent accountant?  
If 'Yes,' check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both  
 Separate basis  Consolidated basis  Both consolidated and separate basis
- b** Were the organization's financial statements audited by an independent accountant?  
If 'Yes,' check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both  
 Separate basis  Consolidated basis  Both consolidated and separate basis
- c** If "Yes," to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?  
If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O
- 3a** As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?
- b** If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits

	Yes	No
<b>2a</b>		No
<b>2b</b>	Yes	
<b>2c</b>	Yes	
<b>3a</b>		No
<b>3b</b>		

EXHIBIT 1

## Additional Data

**Software ID:**

**Software Version:**

**EIN:** 47-2158694

**Name:** THE CENTER FOR TECHNOLOGY AND CIVIC LIFE

Form 990 (2018)

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### Form 990, Part III, Line 4a:

THE CENTER EDUCATES THE PUBLIC ABOUT GOVERNMENT AND DEMOCRACY IN THE UNITED STATES, FOCUSING PARTICULARLY ON LOCAL GOVERNMENT. THE CENTER DOES THIS BY AGGREGATING AND DISSEMINATING DETAILED INFORMATION ABOUT GOVERNMENT, CANDIDATES FOR OFFICE, ELECTED OFFICIALS, AND VOTING IN THE UNITED STATES IN EASILY ACCESSIBLE "DATASETS." THESE DATASETS INCLUDE INFORMATION THAT HELP THE GENERAL PUBLIC FIND BASIC INFORMATION, INCLUDING WHAT IS ON THEIR BALLOT AND WHO REPRESENTS THEM. THESE DATASETS ARE FREELY AND UNIVERSALLY AVAILABLE TO THE PUBLIC.

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EXHIBIT 1

**Form 990, Part III, Line 4b:**

**EXHIBIT 1**

THE CENTER'S GOVERNMENT SERVICES PROGRAM EDUCATES GOVERNMENT AGENCIES ABOUT THE SKILLS, STRATEGIES, AND TOOLS TO ENGAGE THEIR CITIZENS THIS IS ACCOMPLISHED THROUGH (1) WRITTEN AND MULTIMEDIA MATERIALS AND (2) IN-PERSON TRAINING SEMINARS FOR LOCAL GOVERNMENT AGENCIES

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**SCHEDULE A**  
**(Form 990 or 990-EZ)**

**Public Charity Status and Public Support**  
Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.  
▶ Attach to Form 990 or Form 990-EZ.  
▶ Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for the latest information.

OMB No 1545-0047

**2018**

**Open to Public Inspection**

Department of the Treasury  
Internal Revenue Service

**Name of the organization**  
THE CENTER FOR TECHNOLOGY AND CIVIC LIFE

**Employer identification number**  
47-2158694

**Part I Reason for Public Charity Status** (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is (For lines 1 through 12, check only one box.)

- 1  A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i)**.
- 2  A school described in **section 170(b)(1)(A)(ii)**. (Attach Schedule E (Form 990 or 990-EZ) )
- 3  A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii)**.
- 4  A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii)**. Enter the hospital's name, city, and state \_\_\_\_\_
- 5  An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv)**. (Complete Part II )
- 6  A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v)**.
- 7  An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi)**. (Complete Part II )
- 8  A community trust described in **section 170(b)(1)(A)(vi)** (Complete Part II )
- 9  An agricultural research organization described in **170(b)(1)(A)(ix)** operated in conjunction with a land-grant college or university or a non-land grant college of agriculture See instructions Enter the name, city, and state of the college or university \_\_\_\_\_
- 10  An organization that normally receives (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975 See **section 509(a)(2)**. (Complete Part III )
- 11  An organization organized and operated exclusively to test for public safety See **section 509(a)(4)**.
- 12  An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2)**. See **section 509(a)(3)**. Check the box in lines 12a through 12d that describes the type of supporting organization and complete lines 12e, 12f, and 12g
  - a  **Type I.** A supporting organization operated, supervised, or controlled by its supported organization(s), typically by giving the supported organization(s) the power to regularly appoint or elect a majority of the directors or trustees of the supporting organization **You must complete Part IV, Sections A and B.**
  - b  **Type II.** A supporting organization supervised or controlled in connection with its supported organization(s), by having control or management of the supporting organization vested in the same persons that control or manage the supported organization(s) **You must complete Part IV, Sections A and C.**
  - c  **Type III functionally integrated.** A supporting organization operated in connection with, and functionally integrated with, its supported organization(s) (see instructions) **You must complete Part IV, Sections A, D, and E.**
  - d  **Type III non-functionally integrated.** A supporting organization operated in connection with its supported organization(s) that is not functionally integrated The organization generally must satisfy a distribution requirement and an attentiveness requirement (see instructions) **You must complete Part IV, Sections A and D, and Part V.**
  - e  Check this box if the organization received a written determination from the IRS that it is a Type I, Type II, Type III functionally integrated, or Type III non-functionally integrated supporting organization
  - f Enter the number of supported organizations \_\_\_\_\_
  - g Provide the following information about the supported organization(s)

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1- 10 above (see instructions))	(iv) Is the organization listed in your governing document?		(v) Amount of monetary support (see instructions)	(vi) Amount of other support (see instructions)
			Yes	No		
<b>Total</b>						

EXHIBIT 1

**Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv), 170(b)(1)(A)(vi), and 170(b)(1)(A)(ix)**

(Complete only if you checked the box on line 5, 7, 8, or 9 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

**Section A. Public Support**

	Calendar year (or fiscal year beginning in) ▶	(a) 2014	(b) 2015	(c) 2016	(d) 2017	(e) 2018	(f) Total
<b>1</b>	Gifts, grants, contributions, and membership fees received (Do not include any "unusual grant.")		666,904	272,161	738,060	560,319	2,237,444
<b>2</b>	Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
<b>3</b>	The value of services or facilities furnished by a governmental unit to the organization without charge						
<b>4</b>	<b>Total.</b> Add lines 1 through 3		666,904	272,161	738,060	560,319	2,237,444
<b>5</b>	The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						1,947,767
<b>6</b>	<b>Public support.</b> Subtract line 5 from line 4						289,677

**Section B. Total Support**

	Calendar year (or fiscal year beginning in) ▶	(a) 2014	(b) 2015	(c) 2016	(d) 2017	(e) 2018	(f) Total
<b>7</b>	Amounts from line 4		666,904	272,161	738,060	560,319	2,237,444
<b>8</b>	Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources		7	19	19	19	64
<b>9</b>	Net income from unrelated business activities, whether or not the business is regularly carried on						
<b>10</b>	Other income Do not include gain or loss from the sale of capital assets (Explain in Part VI.)				1,596	555	2,151
<b>11</b>	<b>Total support.</b> Add lines 7 through 10						2,239,659
<b>12</b>	Gross receipts from related activities, etc. (see instructions)					<b>12</b>	2,204,246

**13 First five years.** If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and **stop here** . . . . .

**Section C. Computation of Public Support Percentage**

<b>14</b>	Public support percentage for 2018 (line 6, column (f) divided by line 11, column (f))	<b>14</b>	
<b>15</b>	Public support percentage for 2017 Schedule A, Part II, line 14	<b>15</b>	

**16a 33 1/3% support test—2018.** If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and **stop here.** The organization qualifies as a publicly supported organization

**b 33 1/3% support test—2017.** If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and **stop here.** The organization qualifies as a publicly supported organization

**17a 10%-facts-and-circumstances test—2018.** If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and **stop here.** Explain in Part VI how the organization meets the "facts-and-circumstances" test The organization qualifies as a publicly supported organization

**b 10%-facts-and-circumstances test—2017.** If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and **stop here.** Explain in Part VI how the organization meets the "facts-and-circumstances" test The organization qualifies as a publicly supported organization

**18 Private foundation.** If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions

EXHIBIT 1

**Part III Support Schedule for Organizations Described in Section 509(a)(2)**

(Complete only if you checked the box on line 10 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

**Section A. Public Support**

Calendar year (or fiscal year beginning in) ►		(a) 2014	(b) 2015	(c) 2016	(d) 2017	(e) 2018	(f) Total
<b>1</b>	Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants.")						
<b>2</b>	Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose						
<b>3</b>	Gross receipts from activities that are not an unrelated trade or business under section 513						
<b>4</b>	Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
<b>5</b>	The value of services or facilities furnished by a governmental unit to the organization without charge						
<b>6</b>	<b>Total.</b> Add lines 1 through 5						
<b>7a</b>	Amounts included on lines 1, 2, and 3 received from disqualified persons						
<b>b</b>	Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year						
<b>c</b>	Add lines 7a and 7b						
<b>8</b>	<b>Public support.</b> (Subtract line 7c from line 6)						

**Section B. Total Support**

Calendar year (or fiscal year beginning in) ►		(a) 2014	(b) 2015	(c) 2016	(d) 2017	(e) 2018	(f) Total
<b>9</b>	Amounts from line 6						
<b>10a</b>	Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
<b>b</b>	Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975						
<b>c</b>	Add lines 10a and 10b						
<b>11</b>	Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on						
<b>12</b>	Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.)						
<b>13</b>	<b>Total support.</b> (Add lines 9, 10c, 11, and 12.)						

**14 First five years.** If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and **stop here** ►

**Section C. Computation of Public Support Percentage**

<b>15</b>	Public support percentage for 2018 (line 8, column (f) divided by line 13, column (f))	<b>15</b>	
<b>16</b>	Public support percentage from 2017 Schedule A, Part III, line 15	<b>16</b>	

**Section D. Computation of Investment Income Percentage**

<b>17</b>	Investment income percentage for <b>2018</b> (line 10c, column (f) divided by line 13, column (f))	<b>17</b>	
<b>18</b>	Investment income percentage from <b>2017</b> Schedule A, Part III, line 17	<b>18</b>	

**19a 33 1/3% support tests—2018.** If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization ►

**b 33 1/3% support tests—2017.** If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3% and line 18 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization ►

**20 Private foundation.** If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions ►

**Part IV Supporting Organizations**

(Complete only if you checked a box on line 12 of Part I. If you checked 12a of Part I, complete Sections A and B. If you checked 12b of Part I, complete Sections A and C. If you checked 12c of Part I, complete Sections A, D, and E. If you checked 12d of Part I, complete Sections A and D, and complete Part V.)

**Section A. All Supporting Organizations**

		Yes	No
<b>1</b>	Are all of the organization's supported organizations listed by name in the organization's governing documents? <i>If "No," describe in Part VI how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain.</i>		
<b>2</b>	Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? <i>If "Yes," explain in Part VI how the organization determined that the supported organization was described in section 509(a)(1) or (2).</i>		
<b>3a</b>	Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? <i>If "Yes," answer (b) and (c) below.</i>		
<b>b</b>	Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(2)? <i>If "Yes," describe in Part VI when and how the organization made the determination.</i>		
<b>c</b>	Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? <i>If "Yes," explain in Part VI what controls the organization put in place to ensure such use.</i>		
<b>4a</b>	Was any supported organization not organized in the United States ("foreign supported organization")? <i>If "Yes" and if you checked 12a or 12b in Part I, answer (b) and (c) below.</i>		
<b>b</b>	Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? <i>If "Yes," describe in Part VI how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations.</i>		
<b>c</b>	Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? <i>If "Yes," explain in Part VI what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes.</i>		
<b>5a</b>	Did the organization add, substitute, or remove any supported organizations during the tax year? <i>If "Yes," answer (b) and (c) below (if applicable). Also, provide detail in Part VI, including (i) the names and EIN numbers of the supported organizations added, substituted, or removed, (ii) the reasons for each such action, (iii) the authority under the organization's organizing document authorizing such action, and (iv) how the action was accomplished (such as by amendment to the organizing document).</i>		
<b>b</b>	<b>Type I or Type II only.</b> Was any added or substituted supported organization part of a class already designated in the organization's organizing document?		
<b>c</b>	<b>Substitutions only.</b> Was the substitution the result of an event beyond the organization's control?		
<b>6</b>	Did the organization provide support (whether in the form of grants or the provision of services or facilities) to anyone other than (i) its supported organizations, (ii) individuals that are part of the charitable class benefited by one or more of its supported organizations, or (iii) other supporting organizations that also support or benefit one or more of the filing organization's supported organizations? <i>If "Yes," provide detail in Part VI.</i>		
<b>7</b>	Did the organization provide a grant, loan, compensation, or other similar payment to a substantial contributor (defined in section 4958(c)(3)(C)), a family member of a substantial contributor, or a 35% controlled entity with regard to a substantial contributor? <i>If "Yes," complete Part I of Schedule L (Form 990 or 990-EZ).</i>		
<b>8</b>	Did the organization make a loan to a disqualified person (as defined in section 4958) not described in line 7? <i>If "Yes," complete Part I of Schedule L (Form 990 or 990-EZ).</i>		
<b>9a</b>	Was the organization controlled directly or indirectly at any time during the tax year by one or more disqualified persons as defined in section 4946 (other than foundation managers and organizations described in section 509(a)(1) or (2))? <i>If "Yes," provide detail in Part VI.</i>		
<b>b</b>	Did one or more disqualified persons (as defined in line 9a) hold a controlling interest in any entity in which the supporting organization had an interest? <i>If "Yes," provide detail in Part VI.</i>		
<b>c</b>	Did a disqualified person (as defined in line 9a) have an ownership interest in, or derive any personal benefit from, assets in which the supporting organization also had an interest? <i>If "Yes," provide detail in Part VI.</i>		
<b>10a</b>	Was the organization subject to the excess business holdings rules of section 4943 because of section 4943(f) (regarding certain Type II supporting organizations, and all Type III non-functionally integrated supporting organizations)? <i>If "Yes," answer line 10b below.</i>		
<b>b</b>	Did the organization have any excess business holdings in the tax year? <i>(Use Schedule C, Form 4720, to determine whether the organization had excess business holdings.)</i>		

EXHIBIT

**Part IV Supporting Organizations** (continued)

		Yes	No
<b>11</b>	Has the organization accepted a gift or contribution from any of the following persons?		
<b>a</b>	A person who directly or indirectly controls, either alone or together with persons described in (b) and (c) below, the governing body of a supported organization?		
<b>b</b>	A family member of a person described in (a) above?		
<b>c</b>	A 35% controlled entity of a person described in (a) or (b) above? <i>If "Yes" to a, b, or c, provide detail in Part VI</i>		

**Section B. Type I Supporting Organizations**

		Yes	No
<b>1</b>	Did the directors, trustees, or membership of one or more supported organizations have the power to regularly appoint or elect at least a majority of the organization's directors or trustees at all times during the tax year? <i>If "No," describe in Part VI how the supported organization(s) effectively operated, supervised, or controlled the organization's activities. If the organization had more than one supported organization, describe how the powers to appoint and/or remove directors or trustees were allocated among the supported organizations and what conditions or restrictions, if any, applied to such powers during the tax year.</i>		
<b>2</b>	Did the organization operate for the benefit of any supported organization other than the supported organization(s) that operated, supervised, or controlled the supporting organization? <i>If "Yes," explain in Part VI how providing such benefit carried out the purposes of the supported organization(s) that operated, supervised or controlled the supporting organization.</i>		

**Section C. Type II Supporting Organizations**

		Yes	No
<b>1</b>	Were a majority of the organization's directors or trustees during the tax year also a majority of the directors or trustees of each of the organization's supported organization(s)? <i>If "No," describe in Part VI how control or management of the supporting organization was vested in the same persons that controlled or managed the supported organization(s).</i>		

**Section D. All Type III Supporting Organizations**

		Yes	No
<b>1</b>	Did the organization provide to each of its supported organizations, by the last day of the fifth month of the organization's tax year, (i) a written notice describing the type and amount of support provided during the prior tax year, (ii) a copy of the Form 990 that was most recently filed as of the date of notification, and (iii) copies of the organization's governing documents in effect on the date of notification, to the extent not previously provided?		
<b>2</b>	Were any of the organization's officers, directors, or trustees either (i) appointed or elected by the supported organization (s) or (ii) serving on the governing body of a supported organization? <i>If "No," explain in Part VI how the organization maintained a close and continuous working relationship with the supported organization(s).</i>		
<b>3</b>	By reason of the relationship described in (2), did the organization's supported organizations have a significant voice in the organization's investment policies and in directing the use of the organization's income or assets at all times during the tax year? <i>If "Yes," describe in Part VI the role the organization's supported organizations played in this regard.</i>		

**Section E. Type III Functionally-Integrated Supporting Organizations**

- 1** Check the box next to the method that the organization used to satisfy the Integral Part Test during the year (**see instructions**)
- a**  The organization satisfied the Activities Test. Complete **line 2** below.
  - b**  The organization is the parent of each of its supported organizations. Complete **line 3** below.
  - c**  The organization supported a governmental entity. Describe in **Part VI** how you supported a governmental entity (see instructions).

		Yes	No
<b>2</b>	<b>Activities Test. Answer (a) and (b) below.</b>		
<b>a</b>	Did substantially all of the organization's activities during the tax year directly further the exempt purposes of the supported organization(s) to which the organization was responsive? <i>If "Yes," then in Part VI identify those supported organizations and explain how these activities directly furthered their exempt purposes, how the organization was responsive to those supported organizations, and how the organization determined that these activities constituted substantially all of its activities.</i>		
<b>b</b>	Did the activities described in (a) constitute activities that, but for the organization's involvement, one or more of the organization's supported organization(s) would have been engaged in? <i>If "Yes," explain in Part VI the reasons for the organization's position that its supported organization(s) would have engaged in these activities but for the organization's involvement.</i>		
<b>3</b>	<b>Parent of Supported Organizations. Answer (a) and (b) below.</b>		
<b>a</b>	Did the organization have the power to regularly appoint or elect a majority of the officers, directors, or trustees of each of the supported organizations? <i>Provide details in Part VI.</i>		
<b>b</b>	Did the organization exercise a substantial degree of direction over the policies, programs and activities of each of its supported organizations? <i>If "Yes," describe in Part VI the role played by the organization in this regard.</i>		

**EXHIBIT 1**

**Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations**

- 1**  Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (explain in Part VI) **See instructions.** All other Type III non-functionally integrated supporting organizations must complete Sections A through E

<b>Section A - Adjusted Net Income</b>		(A) Prior Year	(B) Current Year (optional)
<b>1</b>	Net short-term capital gain	<b>1</b>	
<b>2</b>	Recoveries of prior-year distributions	<b>2</b>	
<b>3</b>	Other gross income (see instructions)	<b>3</b>	
<b>4</b>	Add lines 1 through 3	<b>4</b>	
<b>5</b>	Depreciation and depletion	<b>5</b>	
<b>6</b>	Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions)	<b>6</b>	
<b>7</b>	Other expenses (see instructions)	<b>7</b>	
<b>8</b>	<b>Adjusted Net Income</b> (subtract lines 5, 6 and 7 from line 4)	<b>8</b>	
<b>Section B - Minimum Asset Amount</b>		(A) Prior Year	(B) Current Year (optional)
<b>1</b>	Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year)	<b>1</b>	
<b>a</b>	Average monthly value of securities	<b>1a</b>	
<b>b</b>	Average monthly cash balances	<b>1b</b>	
<b>c</b>	Fair market value of other non-exempt-use assets	<b>1c</b>	
<b>d</b>	<b>Total</b> (add lines 1a, 1b, and 1c)	<b>1d</b>	
<b>e</b>	<b>Discount</b> claimed for blockage or other factors (explain in detail in Part VI)		
<b>2</b>	Acquisition indebtedness applicable to non-exempt use assets	<b>2</b>	
<b>3</b>	Subtract line 2 from line 1d	<b>3</b>	
<b>4</b>	Cash deemed held for exempt use Enter 1-1/2% of line 3 (for greater amount, see instructions)	<b>4</b>	
<b>5</b>	Net value of non-exempt-use assets (subtract line 4 from line 3)	<b>5</b>	
<b>6</b>	Multiply line 5 by .035	<b>6</b>	
<b>7</b>	Recoveries of prior-year distributions	<b>7</b>	
<b>8</b>	<b>Minimum Asset Amount</b> (add line 7 to line 6)	<b>8</b>	
<b>Section C - Distributable Amount</b>			Current Year
<b>1</b>	Adjusted net income for prior year (from Section A, line 8, Column A)	<b>1</b>	
<b>2</b>	Enter 85% of line 1	<b>2</b>	
<b>3</b>	Minimum asset amount for prior year (from Section B, line 8, Column A)	<b>3</b>	
<b>4</b>	Enter greater of line 2 or line 3	<b>4</b>	
<b>5</b>	Income tax imposed in prior year	<b>5</b>	
<b>6</b>	<b>Distributable Amount.</b> Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions)	<b>6</b>	
<b>7</b>	<input type="checkbox"/> Check here if the current year is the organization's first as a non-functionally-integrated Type III supporting organization (see instructions)		

EXHIBIT 1

**Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations (continued)**

<b>Section D - Distributions</b>	<b>Current Year</b>
<b>1</b> Amounts paid to supported organizations to accomplish exempt purposes	
<b>2</b> Amounts paid to perform activity that directly furthers exempt purposes of supported organizations, in excess of income from activity	
<b>3</b> Administrative expenses paid to accomplish exempt purposes of supported organizations	
<b>4</b> Amounts paid to acquire exempt-use assets	
<b>5</b> Qualified set-aside amounts (prior IRS approval required)	
<b>6</b> Other distributions (describe in <b>Part VI</b> ) See instructions	
<b>7 Total annual distributions.</b> Add lines 1 through 6	
<b>8</b> Distributions to attentive supported organizations to which the organization is responsive (provide details in <b>Part VI</b> ) See instructions	
<b>9</b> Distributable amount for 2018 from Section C, line 6	
<b>10</b> Line 8 amount divided by Line 9 amount	

<b>Section E - Distribution Allocations (see instructions)</b>	<b>(i) Excess Distributions</b>	<b>(ii) Underdistributions Pre-2018</b>	<b>(iii) Distributable Amount for 2018</b>
<b>1</b> Distributable amount for 2018 from Section C, line 6			
<b>2</b> Underdistributions, if any, for years prior to 2018 (reasonable cause required-- explain in Part VI) See instructions			
<b>3</b> Excess distributions carryover, if any, to 2018			
<b>a</b> From 2013. . . . .			
<b>b</b> From 2014. . . . .			
<b>c</b> From 2015. . . . .			
<b>d</b> From 2016. . . . .			
<b>e</b> From 2017. . . . .			
<b>f Total</b> of lines 3a through e			
<b>g</b> Applied to underdistributions of prior years			
<b>h</b> Applied to 2018 distributable amount			
<b>i</b> Carryover from 2013 not applied (see instructions)			
<b>j</b> Remainder Subtract lines 3g, 3h, and 3i from 3f			
<b>4</b> Distributions for 2018 from Section D, line 7			
\$			
<b>a</b> Applied to underdistributions of prior years			
<b>b</b> Applied to 2018 distributable amount			
<b>c</b> Remainder Subtract lines 4a and 4b from 4			
<b>5</b> Remaining underdistributions for years prior to 2018, if any Subtract lines 3g and 4a from line 2 If the amount is greater than zero, explain in Part VI See instructions			
<b>6</b> Remaining underdistributions for 2018 Subtract lines 3h and 4b from line 1 If the amount is greater than zero, explain in Part VI See instructions			
<b>7 Excess distributions carryover to 2019.</b> Add lines 3j and 4c			
<b>8</b> Breakdown of line 7			
<b>a</b> Excess from 2014. . . . .			
<b>b</b> Excess from 2015. . . . .			
<b>c</b> Excess from 2016. . . . .			
<b>d</b> Excess from 2017. . . . .			
<b>e</b> Excess from 2018. . . . .			

EXHIBIT 1

## Additional Data

**Software ID:**

**Software Version:**

**EIN:** 47-2158694

**Name:** THE CENTER FOR TECHNOLOGY AND CIVIC LIFE

**Part VI Supplemental Information.** Provide the explanations required by Part II, line 10, Part II, line 17a or 17b, Part III, line 12, Part IV, Section A, lines 1, 2, 3b, 3c, 4b, 4c, 5a, 6, 9a, 9b, 9c, 11a, 11b, and 11c, Part IV, Section B, lines 1 and 2, Part IV, Section C, line 1, Part IV, Section D, lines 2 and 3, Part IV, Section E, lines 1c, 2a, 2b, 3a and 3b, Part V, line 1, Part V, Section B, line 1e, Part V Section D, lines 5, 6, and 8, and Part V, Section E, lines 2, 5, and 6 Also complete this part for any additional information (See instructions)

**Facts And Circumstances Test**

**EXHIBIT 1**

**SCHEDULE D**  
(Form 990)  
  
Department of the Treasury  
Internal Revenue Service

**Supplemental Financial Statements**  
**► Complete if the organization answered "Yes," on Form 990, Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b.**  
**► Attach to Form 990.**  
**► Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for the latest information.**

OMB No 1545-0047  
**2018**  
**Open to Public Inspection**

**Name of the organization**  
THE CENTER FOR TECHNOLOGY AND CIVIC LIFE

**Employer identification number**  
47-2158694

**Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.**  
Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

	(a) Donor advised funds	(b) Funds and other accounts
<b>1</b> Total number at end of year		
<b>2</b> Aggregate value of contributions to (during year)		
<b>3</b> Aggregate value of grants from (during year)		
<b>4</b> Aggregate value at end of year		
<b>5</b> Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>6</b> Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**Part II Conservation Easements.** Complete if the organization answered "Yes" on Form 990, Part IV, line 7.

**1** Purpose(s) of conservation easements held by the organization (check all that apply)

Preservation of land for public use (e g , recreation or education)       Preservation of an historically important land area

Protection of natural habitat       Preservation of a certified historic structure

Preservation of open space

**2** Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year

	Held at the End of the Year	
<b>a</b> Total number of conservation easements	<b>2a</b>	
<b>b</b> Total acreage restricted by conservation easements	<b>2b</b>	
<b>c</b> Number of conservation easements on a certified historic structure included in (a)	<b>2c</b>	
<b>d</b> Number of conservation easements included in (c) acquired after 7/25/06, and not on a historic structure listed in the National Register	<b>2d</b>	

**3** Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year ► \_\_\_\_\_

**4** Number of states where property subject to conservation easement is located ► \_\_\_\_\_

**5** Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds?  Yes  No

**6** Staff and volunteer hours devoted to monitoring, inspecting, handling of violations, and enforcing conservation easements during the year ► \_\_\_\_\_

**7** Amount of expenses incurred in monitoring, inspecting, handling of violations, and enforcing conservation easements during the year ► \$ \_\_\_\_\_

**8** Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)?  Yes  No

**9** In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements

**Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.**  
Complete if the organization answered "Yes" on Form 990, Part IV, line 8.

**1a** If the organization elected, as permitted under SFAS 116 (ASC 958), not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIII, the text of the footnote to its financial statements that describes these items

**b** If the organization elected, as permitted under SFAS 116 (ASC 958), to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items

**(i)** Revenue included on Form 990, Part VIII, line 1 ► \$ \_\_\_\_\_

**(ii)** Assets included in Form 990, Part X ► \$ \_\_\_\_\_

**2** If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 (ASC 958) relating to these items

**a** Revenue included on Form 990, Part VIII, line 1 ► ~~EXHIBIT 1~~ \_\_\_\_\_

**b** Assets included in Form 990, Part X ► \$ \_\_\_\_\_

**Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets** *(continued)*

- 3** Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply)
- a**  Public exhibition
  - b**  Scholarly research
  - c**  Preservation for future generations
  - d**  Loan or exchange programs
  - e**  Other
- 4** Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII
- 5** During the year, did the organization solicit or receive donations of art, historical treasures or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection?  Yes  No

**Part IV Escrow and Custodial Arrangements.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

- 1a** Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X?  Yes  No
- b** If "Yes," explain the arrangement in Part XIII and complete the following table
- |  | Amount |
|--|--------|
| <b>c</b> Beginning balance             |        |
| <b>d</b> Additions during the year     |        |
| <b>e</b> Distributions during the year |        |
| <b>f</b> Ending balance                |        |
- 2a** Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability? . . .  Yes  No
- b** If "Yes," explain the arrangement in Part XIII Check here if the explanation has been provided in Part XIII . . . .

**Part V Endowment Funds.** Complete if the organization answered "Yes" on Form 990, Part IV, line 10.

	(a) Current year	(b) Prior year	(c) Two years back	(d) Three years back	(e) Four years back
<b>1a</b> Beginning of year balance . . . . .					
<b>b</b> Contributions . . . . .					
<b>c</b> Net investment earnings, gains, and losses					
<b>d</b> Grants or scholarships . . . . .					
<b>e</b> Other expenditures for facilities and programs . . . . .					
<b>f</b> Administrative expenses . . . . .					
<b>g</b> End of year balance . . . . .					

- 2** Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as
- a** Board designated or quasi-endowment ▶
  - b** Permanent endowment ▶
  - c** Temporarily restricted endowment ▶
- The percentages on lines 2a, 2b, and 2c should equal 100%
- 3a** Are there endowment funds not in the possession of the organization that are held and administered for the organization by
- |  |     |    |
|--|-----|----|
| <b>(i)</b> unrelated organizations . . . . .   | Yes | No |
| <b>(ii)</b> related organizations . . . . .  |     |    |
| <b>b</b> If "Yes" on 3a(ii), are the related organizations listed as required on Schedule R? . . . . . |     |    |
- 4** Describe in Part XIII the intended uses of the organization's endowment funds

**Part VI Land, Buildings, and Equipment.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 11a. See Form 990, Part X, line 10.

Description of property	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
<b>1a</b> Land . . . . .				
<b>b</b> Buildings . . . . .				
<b>c</b> Leasehold improvements				
<b>d</b> Equipment . . . . .		4,448	1,284	3,164
<b>e</b> Other . . . . .				
<b>Total.</b> Add lines 1a through 1e (Column (d) must equal Form 990, Part X, column (B), line 10(c)) . . . ▶				3,164

**EXHIBIT 1**

**Part VII Investments—Other Securities.** Complete if the organization answered "Yes" on Form 990, Part IV, line 11b. See Form 990, Part X, line 12.

(a) Description of security or category (including name of security)	(b) Book value	(c) Method of valuation Cost or end-of-year market value
(1) Financial derivatives . . . . .		
(2) Closely-held equity interests . . . . .		
(3) Other _____		
(A)		
(B)		
(C)		
(D)		
(E)		
(F)		
(G)		
(H)		
<b>Total.</b> (Column (b) must equal Form 990, Part X, col (B) line 12 )		

**Part VIII Investments—Program Related.** Complete if the organization answered "Yes" on Form 990, Part IV, line 11c. See Form 990, Part X, line 13.

(a) Description of investment	(b) Book value	(c) Method of valuation Cost or end-of-year market value
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		
(8)		
(9)		
<b>Total.</b> (Column (b) must equal Form 990, Part X, col (B) line 13 )		

**Part IX Other Assets.** Complete if the organization answered "Yes" on Form 990, Part IV, line 11d. See Form 990, Part X, line 15

(a) Description	(b) Book value
(1)	
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
<b>Total.</b> (Column (b) must equal Form 990, Part X, col (B) line 15 )	

**Part X Other Liabilities.** Complete if the organization answered "Yes" on Form 990, Part IV, line 11e or 11f. See Form 990, Part X, line 25.

(a) Description of liability	(b) Book value
<b>1.</b> (1) Federal income taxes	
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
<b>Total.</b> (Column (b) must equal Form 990, Part X, col (B) line 25 )	

**2.** Liability for uncertain tax positions In Part XIII, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48 (ASC 740) Check here if the text of the footnote has been provided in Part XIII

EXHIBIT 1





**Additional Data**

**Software ID:**  
**Software Version:**  
**EIN:** 47-2158694  
**Name:** THE CENTER FOR TECHNOLOGY AND CIVIC LIFE

**Supplemental Information**

Return Reference	Explanation
PART X, LINE 2	THE CENTER FOLLOWS THE GUIDANCE IN THE FASB CODIFICATION TOPIC RELATED TO UNCERTAINTY IN INCOME TAXES WHICH PRESCRIBES A COMPREHENSIVE MODEL FOR RECOGNIZING, MEASURING, PRESENTING AND DISCLOSING IN THE FINANCIAL STATEMENTS UNCERTAIN TAX POSITIONS THAT THE CENTER HAS TAKEN OR EXPECTS TO TAKE IN ITS TAX RETURNS UNDER THE GUIDANCE, THE CENTER MAY RECOGNIZE THE TAX BENEFIT FROM AN UNCERTAIN TAX POSITION ONLY IF IT IS "MORE LIKELY THAN NOT" THAT IT IS SUSTAINABLE, BASED ON ITS TECHNICAL MERITS THE TAX BENEFITS RECOGNIZED IN THE FINANCIAL STATEMENTS FROM SUCH A POSITION SHOULD BE MEASURED BASED ON THE LARGEST BENEFIT THAT HAS A GREATER THAN 50% LIKELIHOOD OF BEING REALIZED UPON ULTIMATE SETTLEMENT WITH A TAXING AUTHORITY HAVING FULL KNOWLEDGE OF ALL RELEVANT INFORMATION THE CENTER BELIEVES THAT IT HAS APPROPRIATE SUPPORT FOR THE POSITIONS TAKEN ON ITS RETURNS

EXHIBIT 1

**SCHEDULE O**  
(Form 990 or 990-EZ)**Supplemental Information to Form 990 or 990-EZ**

Complete to provide information for responses to specific questions on Form 990 or 990-EZ or to provide any additional information.

▶ Attach to Form 990 or 990-EZ.

▶ Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for the latest information.

**Open to Public Inspection**

Department of the Treasury

Name of the organization

THE CENTER FOR TECHNOLOGY AND CIVIC LIFE

Employer identification number

47-2158694

**990 Schedule O, Supplemental Information**

Return Reference	Explanation
FORM 990, PART VI, SECTION A, LINE 8B	THERE ARE NO COMMITTEES WITH THE AUTHORITY TO ACT ON BEHALF OF THE GOVERNING BODY  EXHIBIT 1

# 990 Schedule O, Supplemental Information

Return Reference	Explanation
FORM 990, PART VI, SECTION B, LINE 11B	THE 990 IS PROVIDED TO THE ENTIRE BOARD OF DIRECTORS AND IS REVIEWED AND APPROVED BY THE PRESIDENT AND EXECUTIVE DIRECTOR  <b>EXHIBIT 1</b>

**990 Schedule O, Supplemental Information**

<b>Return Reference</b>	<b>Explanation</b>
FORM 990, PART VI, SECTION B, LINE 12C	THE CENTER'S BOARD REVIEWS THE POLICY ANNUALLY, REQUIRES ANNUAL DISCLOSURES OF CONFLICTS OF INTEREST, AND REQUIRES EACH MEMBER TO SIGN AN AGREEMENT THAT INCLUDES A REQUIREMENT FOR BOARD MEMBERS TO UPDATE THE BOARD IF THERE ARE ANY CHANGES TO THE ANNUAL DISCLOSURE AS THOSE CHANGES ARISE. THE CENTER'S STAFF HANDBOOK CONTAINS A POLICY WHEREBY EMPLOYEES ARE TO DISCLOSE ANY POTENTIAL CONFLICT OF INTEREST TO THEIR MANAGERS AS THEY ARISE.

# 990 Schedule O, Supplemental Information

Return Reference	Explanation
FORM 990, PART VI, SECTION B, LINE 15A	IRS FORMS 990 OF ORGANIZATIONS WITH SIMILAR STAFF SIZE, MISSION, AND BUDGET WERE COMPILED AS COMPARABILITY DATA BY THE BOARD THE EXECUTIVE DIRECTOR, WHO ALSO SERVES ON THE BOARD, ABSTAINED FROM VOTES AND DISCUSSION ON SALARY DETERMINATION THE PROCESS WAS DOCUMENTED IN THE BOARD MEETING MINUTES THERE ARE NO OTHER COMPENSATED OFFICERS OR KEY EMPLOYEES

EXHIBIT 1

# 990 Schedule O, Supplemental Information

Return Reference	Explanation
FORM 990, PART VI, SECTION C, LINE 19	THE GOVERNING DOCUMENTS, CONFLICT OF INTEREST POLICY AND FINANCIAL STATEMENTS OF THE CENTER ARE MADE AVAILABLE TO THE PUBLIC UPON REQUEST  EXHIBIT 1

**990 Schedule O, Supplemental Information**

<b>Return Reference</b>	<b>Explanation</b>
FORM 990, PART XII, LINE 1	THE PROFESS HAS NOT CHANGED FROM THE PRIOR YEAR  <b>EXHIBIT 1</b>

# **EXHIBIT 2**



Tiana Epps-Johnson

Center for Technology and Civic Life, Chicago, IL

## **Improving voter turnout by training elections officials to communicate with voters and providing elections information through digital platforms**

### **The Problem:**

U.S. voter turnout is lower than in most developed countries, with fewer than 60% of adults casting a ballot in 2016. Nonvoters are younger, more racially diverse, lower-income, and less educated than their voting counterparts, and their absence at the polls keeps government from representing the whole nation. Suppression is one cause of the problem, but so are outdated elections offices that are ill-equipped to communicate with voters and elections information that is difficult for voters to access.

### **The Approach:**

**The Center for Technology and Civic Life** (CTCL) provides technology and data to boost voter turnout in two ways: 1) Government Services: **CTCL** trains local elections officials to run more modern, inclusive elections, providing toolkits, trainings, and a professional network to help them to make websites more accessible, to engage on social media, and to collect and use elections data to help voters. 2) Civic Data: **CTCL** collects and standardizes messy data about voting and government to help civic tech groups and companies build user-friendly tools. So far, it has trained 3,000-plus elections officials in districts representing tens of millions of rural, urban, and suburban voters. In 2016, its data powered both Google and Facebook's main ballot information tools, reaching as many as 65 million voters.

### **My civic hero:**

My grandma Rose

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### **Updates**

**Face to Face with the Fellows: Tiana Epps-Johnson**

MEET NEDGINE PAUL DEROLY  
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# **EXHIBIT 3**



(1)

**MENU**

## [Announcing the Center for Technology and Civic Life](#) [\(/2015/04/announcing-the-center-for-technology-and-civic-life/\)](#)

*Published [April 8, 2015](#)*

Following their 2014 successes delivering civic information to millions of voters and connecting hundreds of election officials across the country, NOI's Election Administration team is transitioning into its own organization, [The Center for Technology and Civic Life](#) (<http://www.techandcivicliflife.org/>).

The Center for Technology and Civic Life (CTCL) is non-partisan, non-profit organization focused on increasing civic participation by modernizing engagement between local government and the people they serve. CTCL focuses its efforts in three main areas:

- Training local government on how to use technology to enhance the civic livelihood of their communities;
- Developing free/low-cost tools for government where there are clear needs; and
- Aggregating civic data sets and developing infrastructure that enables the flow of information and

interactions between government and the people they are serving.

CTCL will continue a number of programs focused on supporting institutions and developing infrastructure for civic participation. Current NOI programs that are moving to the Center include:

- The Governance Project, which provides a standardized dataset of federal, state, and local elected officials nationwide. This data also includes website, social media, and contact information for these officials, and is tied to political geography through Open Civic Data Identifiers.
- The Ballot Information Project, which aggregates and standardizes candidate & referenda information of a similar scope for major elections. Both the Governance Project and Ballot Information Project datasets are open-source and are available for free via the Google Civic Information API, where they've been accessed over 50 million times since 2012.
- ELECTricity, which connects local election administrators from across the country, helps build and share resources that improve elections. In addition to its training and collaboration components, in 2014 ELECTricity launched a pilot program that helps under-resourced election offices build websites. The websites are carefully designed so voters can easily find the information they are looking for most, and the user-friendly and free platform allows election administrators to maintain their own websites.

The Center for Technology and Civic Life is headed by Executive Director Tiana Epps-Johnson, formerly the head of NOI's Election Administration department. Also joining from NOI are co-founders Whitney May, who leads the ELECTricity project, and Donny Bridges, who heads CTCL's civic data programs.

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Published by: [Ethan Roeder \(/author/ethan/\)](/author/ethan/)      Posted in: [Latest News \(/category/news/\)](/category/news/)

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# **EXHIBIT 4**

## The Switch

# Inside the Democratic party's Hogwarts for digital wizardry

[+ Add to list](#)By [Brian Fung](#)

July 8, 2014

Joe Biden has said a lot of strange things in his time. For the loose-lipped vice president, however, even this was a new one.

"Trust me," he told voters last month. "You don't want a Death Eater like Malfoy as your congressman."

Biden's remarks came near the feverish end of a heated Democratic primary battle whose candidates included, among others, the son of an impoverished government bureaucrat, a professor of transfiguration and a groundskeeper who's half-giant by birth. The winner would go on to confront Slytherin incumbent Draco Malfoy in a race to represent the state of Columbia's 22nd district.

You may already be guessing that the primary was a fiction, perhaps J.K. Rowling's stab at a "West Wing"-themed reboot of the Harry Potter franchise. You're right, of course: The 22nd district of Columbia doesn't exist. Hermione Granger never wound up endorsing Neville Longbottom — and neither did Biden, for that matter.

But with the real midterms fast approaching, Democrats are eager to put more people in the field who've been trained in the latest campaigning techniques. That means [spreading some of the technological lessons](#) of the

2012 presidential election down to smaller state and local races. It means giving people who've never seen a line of HTML the power to write their own. And it means applying the pressure of an actual campaign to be sure those skills stick.

Hence the wargame for Columbia 22. Established by the New Organizing Institute — the left's think tank for campaign know-how — the annual exercise introduces dozens of recruits to what's now a standard feature of 21st-century politics: Digital strategy, or the use of data, new media and randomized controlled experiments to enhance a campaign's performance.

Data science can help juice donor giving, enhance the reach of viral ads and videos, and help eliminate waste and uncertainty. Other aspects of it help improve the interactions between voters and door-to-door volunteers, helping campaigns identify who's susceptible to further messaging, and what kind. Both conservatives and liberals have been vastly upping their investments in political technology ever since President Obama's reelection campaign introduced data-driven politics to the general public three years ago. Now, as Republicans have made [strides of their own](#) in Moneyballing politics, Democrats are seeking to maintain their edge. That contest is taking place largely in the background, but it's taken on added urgency with November — and, depressingly, 2016 — looming.

Every night for a week last month, teams of budding progressive activists stayed up past the witching hour to digest the complex lessons that, famously, helped put President Obama in the White House for a second term. Many had never written a line of HTML before in their lives. Soon they were cranking out e-mails to "voters" — a group of some 600 practicing political strategists — coding Web sites for their fictional candidates and responding to negative attacks from Draco Malfoy. A liberal's rendition of "Defense Against the Dark Arts," you could say.

The hands-on work is just the most visible part of what the New Organizing Institute, or NOI, claims it does with its annual boot camp. Beyond giving rookies a set of basic skills, the crash course helps develop a wider talent and knowledge infrastructure that many Democrats credit when discussing their technological gains of the last few electoral cycles.

Graduates of NOI's boot camp are everywhere (even Australia), subtly influencing the tone and the strategy of hundreds of campaigns and nonprofits at every scale. Lessons they learn in the field get fed back into NOI's pipeline, creating a cycle of learning and self-improvement that affects the wider party.

Political technology tends to make the most difference on the margins: Getting a few more people to share a candidate's Facebook status, or increasing donor rates by just a few percent. But in the aggregate, all that nudging can add up.

When George Zimmerman was acquitted by a jury in the Trayvon Martin case last year, Steven Pargett had already packed his bags to come to Washington. Pargett, a communications director for a Florida nonprofit, was bound for D.C. to attend NOI's seventh annual boot camp. But when the court's decision came down, Pargett sprung into action, putting off his new media training for a year. Reflecting recently, Pargett said staying behind to organize protests around the verdict was still the right call. But he wished he'd had the benefit of knowing then the skills he's learned now — from how to craft action-driving messages to running controlled experiments with his organization's list of 18,000 registered e-mail addresses.

"That would've led to us having better conversations with our supporters," he said. "We would've raised more money. It would've made such a huge

difference."

At boot camp last month, Pargett and his teammates began each day with an in-person crash course on the left's latest tactics and techniques. Many had been honed and tested under real-world conditions in the 2008, 2010 and 2012 elections. Over time, as political technology has gotten more complex, so have the classes. It used to be, for instance, that testing an e-mail meant tweaking a subject line before sending each version to a small subset of voters — an attempt to see which subject line was better at getting people to open the correspondence. Then the winning subject line would be used in the mass mailing to a wider audience.

Even in the last few years, however, testing has become a multivariate process, said Matt Compton, digital director for the Democratic National Committee.

"Now we're talking about testing multiple drafts against each other," he said. "Some of them may be image-based, testing various senders against each other, testing various packets within the e-mail and doing all of that within one single test ... The tools have given us much more capacity to do more sophisticated testing."

Practitioners like Compton dropped by boot camp to explain to trainees how all these tactics worked — but on at least one occasion, they were interrupted by actual politics.

The day NOI taught its campers about e-mail happened to be the same day as former House Majority Leader Eric Cantor's stunning loss against primary challenger David Brat in Virginia. As news of the upset spread, NOI's training room turned into a real-life campaign war-room as officials for various organizations scrambled for the doors.

"For a moment, I was like, 'This is going to ruin everything,'" said NOI training manager Bridget Todd. "But then I was like, 'Wait, this is actually a great lesson boot campers are seeing.' That visual of folks checking their phone and rushing into the nearest office? It's good."

Pretty soon, the boot campers themselves were putting what they'd learned to use. Their task: Deploy digital tactics to sell Hagrid, Professor McGonagall and a range of other characters to a group of critical experts who weren't afraid to give occasionally biting feedback on their performance.

The name "boot camp" is not undeserved. Students received their hands-on assignments each day at around dinnertime (after having already spent the day learning); few finished before 2 a.m. At that hour, relationships grew tense. One trainee, a programmer and immigrant activist named Erick Garcia, joked that there were times he wanted to kill his teammates. Others were forced to unlearn old habits, much to their chagrin.

"I thought I knew everything about writing," said Eartha Terrell, who worked on Hagrid's campaign. "When I got here, I was stripped of that ego pretty quickly."

The feedback from real-world strategists wasn't random; many, including the trainers, are themselves boot camp alumni. Boot campers have gone on to some of the most prominent left-leaning organizations in the country — such as AFL-CIO, Greenpeace and Planned Parenthood, not to mention the White House and political firms like Blue State Digital.

From perches like these, the boot camp graduates often hold two interrelated jobs: To win, and to discover new political tactics in the course of doing so.

These dual activities aren't taking place in a vacuum; Republicans are working quickly to make up for a technological shortfall that emerged during the 2012 campaign. In recent months, the GOP has debuted a set of data and analytics tools for statewide campaigns in preparation for this year's midterm elections. An early taste of the technology came in March when Republicans performed what they called a "live-fire test" in Florida. The test seemed to work, giving David Jolly [a somewhat surprising win](#) over Democrat Alex Sink. The district in question had broken for Obama in both 2008 and 2012, leading many to expect a similar outcome this time. No dice.

For the left, boot camp isn't just about teaching newbies the basics; it's about staying a few steps ahead of the Republicans and preventing more races from turning out like Sink and Jolly's. They might hang onto that technological lead for a while, according to University of Virginia political scientist Larry Sabato. But probably not forever.

"Mobilization begets countermobilization," Sabato said in an interview.

"It's a fundamental principle of politics. The leadership in campaign technology often moves back and forth between the parties, often depending on which party is more desperate."

The big challenge for Democrats now, Sabato added, is in figuring out how to mobilize voters for an off-year election. Turnout, it turns out, is [a longstanding puzzle](#) when it comes to midterms. If Democrats can't close the turnout gap, they'll be likely to lose ground in Congress come November.

To help forestall that outcome, the left has been [pushing its lessons about data and analytics](#) all the way down to mayoral candidates and county council races.

This is also where boot camp alumni come in. In addition to those who take positions at high-profile political organizations, many more spread to smaller advocacy groups and campaigns. Beyond their day jobs, these digitally savvy individuals act as informal listening posts for NOI: What a same-sex marriage advocate learns in one state about tactics and technology will ultimately benefit climate activists in Vermont, and vice versa.

Boot camp has even gone global. Tabatha Fulker is an Australian organizer who came to NOI with an eye toward starting a version of boot camp back home. Australians understand that that political technology is the future, Fulker told me — but they don't know how to put it into practice. And the fancy technology and data science won't help anyone if it's too complicated to learn.

"Excel bores us all to tears and it's intimidating," said Fulker. "Unless you know how to do it, you kind of sit there and pretend. But we walked into that session and there were two people wearing party hats off the side of their heads, and they made it fun."

The fact that each year's mock election is based on its own theme helps. In past years, the candidates running for Columbia's 22nd district have taken the shape of Muppets, characters from '90s television shows and superheroes.

Personality and community, Fulker and others said, is boot camp's secret sauce. It's the foundation for a much larger network of liberals than boot camp itself can reasonably hope to train. Whereas an organization's loyalty might otherwise end at its own front door or its state boundary, NOI's created a self-sustaining organism that ties activists and organizers into a more cohesive crowd that evolves over time.

Other organizations on the left have done this kind of work before. The Analyst Institute is a low-profile clearinghouse for campaign know-how with a similar bent for data and rigorous testing. But its research is mostly secret, as are its members and relationships. AI's Web site is a barebones destination with little in the way of introductory information. Although AI was thought to have [worked closely with the Obama campaign team](#), it wouldn't acknowledge doing so. Where NOI's general approach might be described as crowdsourcing, AI has adopted a brain-trust strategy to developing new tactics. In many ways, the Analyst Institute is more of a foil to NOI than anything else.

All that was pretty far from the minds of boot campers' after six days of campaigning. In a last-minute effort to secure uncast ballots, candidates blasted a final plea to their supporters to get out the vote.

"Tell your friends, family and even the ghouls living in your attic to get out to vote today," Luna Lovegood's digital directors wrote. Professor McGonagall announced an eleventh-hour endorsement by the Working Families Party. Joe Biden exhorted his followers to kick Death Eaters out of Congress.

By the time polls closed, it was clear who was going to represent Democrats against the Slytherin machine: [Lee Jordan](#), the Gryffindor Quidditch commentator who was also, it turned out, an advocate for immigrants and house elves. This race was over. But the real race — the Muggle elections — has only just begun.

 **1 Comment**

# **EXHIBIT 5**



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## **PRISCILLA CHAN AND MARK ZUCKERBERG COMMIT \$300 MILLION DONATION TO PROMOTE SAFE AND RELIABLE VOTING DURING COVID-19 PANDEMIC**

*September 1, 2020*

WASHINGTON, DC -- The Center for Tech and Civic Life (CTCL) and The Center for Election Innovation & Research (CEIR) announced today that Priscilla Chan and Mark Zuckerberg have committed \$300 million to promote safe and reliable voting in states and localities during the COVID-19 pandemic.

Chan and Zuckerberg have committed \$250 million to CTCL, a nonprofit, nonpartisan organization dedicated to creating a more engaged democracy, which will regrant funds to local election jurisdictions across the country to help ensure that they have the staffing, training, and equipment necessary so that this November every eligible voter can participate in a safe and timely way and that their vote is counted.

Chan and Zuckerberg have also committed \$50 million to CEIR, a nonprofit, nonpartisan organization whose mission is to assist state and local election officials to ensure elections are secure, voters have confidence in election outcomes, and democracy thrives as civic engagement grows.

"We all depend on election officials to provide safe and secure voting options to the public. Unfortunately, election departments face unprecedented challenges in 2020 due to COVID-19," said Tiana Epps-Johnson, Executive Director of Center for Tech and Civic Life. "This expansion of our COVID-19 Response Grant program provides our country's election officials and poll workers with the critical resources they need to safely serve every voter."

"State election officials are facing unprecedented challenges during this election season. The COVID-19 pandemic is resulting in election options and procedures different than voters have ever seen, while the threat of disinformation could greatly diminish voters' confidence in democratic process," said David Becker, Executive Director of The Center for Election Innovation & Research. "This donation will greatly assist election officials as they seek to inform voters about their voting options and any changes, educate them about how they can successfully ensure their ballot is received and counted, and bolster transparency and legitimacy."

"Due to the unprecedented challenges COVID-19 will have on voting across the country, election officials are working around the clock to make sure that every voter has the ability to participate safely and have their vote counted," said Priscilla Chan and Mark Zuckerberg. "Many counties and states are strapped financially and working to determine how to staff and fund

operations that will allow for ballots to be cast and counted in a timely way. These donations will help to provide local and state officials across the country with the resources, training and infrastructure necessary to ensure that every voter who intends to cast a ballot is able to, and ultimately, to preserve the integrity of our elections.”

“As 150 million Americans vote during a global pandemic, there are a lot of things that are going to be different than previous elections,” said Jocelyn Benson, Michigan Secretary of State. “This grant will be of tremendous assistance as we work to get the word out to voters, and help them plan for a successful voting experience.”

“In a time when so much is changing around us, Americans need to know now more than ever how to make their voice heard in this fall’s election,” said Frank LaRose, Ohio Secretary of State. “That requires getting them the information they need from trusted sources, and these dollars are going to go a long way to making that happen.”

“This investment is critical for election departments, whether they are large, small, urban, or rural. CTCL works with, and understands, jurisdictions of all types, and the COVID-19 response grant program is another example of their developing plans that meet election officials’ most urgent needs,” said Pam Anderson, Executive Director of the Colorado County Clerks Association.

## **BACKGROUND ON THE CTCL DONATION FOR LOCAL JURISDICTIONS**

The \$250 million CTCL donation will be used specifically to support a variety of efforts by local jurisdictions to expand voter access, including:

- Poll worker recruitment, hazard pay, and training
- Polling place rental
- Temporary staffing support
- Drive-through voting
- Equipment to process ballots and applications
- Personal protective equipment (PPE) for poll workers
- Nonpartisan voter education from cities and counties

Launched in 2015, CTCL is focused on connecting Americans with the information they need to become and remain civically engaged and ensure that U.S. elections are more professional, inclusive, and secure by educating voters and supporting local election administration. CTCL works to collect and standardize the information that all eligible citizens need to be able to vote and to ensure that local election officials have the tools and trainings they need to conduct more trustworthy, inclusive elections, and troubleshoot problems ahead of Election Day.

This new donation will allow CTCL to scale its efforts to support election infrastructure and local election officials nationwide. CTCL will issue an open call to local election officials in all states, offering support on the initiatives listed above to help ensure Americans across the country can rely on a strong electoral system this November and know that their votes will be counted. Efforts will be made to ensure that a diverse set of counties are included: urban, suburban, exurban and rural. Jurisdictions that apply will be awarded funding based on their population.

Additionally, in states where CTCL is already active, funds will be allocated at the county and municipality level to support work already in progress. This encompasses urban and rural counties in every corner of America. The list of counties and states will grow across the country as other counties and municipalities apply for assistance.

### **BACKGROUND ON THE CEIR DONATION FOR STATES AND LOCALITIES**

CEIR was founded by David Becker in 2016, after working for two decades in elections, leading Pew's efforts to improve elections, and serving as a voting rights attorney in the Justice Department under both Democratic and Republican administrations. CEIR has a proven track record of working in a nonpartisan manner with election officials from around the country and from both sides of the aisle, building voter trust and confidence, increasing voter participation, and improving the efficiency of election administration.

CEIR has worked for years to combat the threat of foreign interference that seeks to further divide our nation and depress citizen engagement, and strengthen election infrastructure against potential attacks. As the pandemic further challenges voter confidence and engagement, CEIR has been working with election officials of both parties to engage in more effective civic outreach to adapt processes to our new reality, combat disinformation, and inform voters of their options to vote this fall and changes from previous elections.

This donation will enable CEIR to further scale up this work, helping election officials across the nation reach their voters with critical information about voter registration, mail voting, early voting, polling locations and hours, and the vote-counting process to make participating in this election convenient and secure for all eligible voters.

###

# **EXHIBIT 6**

## Michigan CTCL Grant Recipient Jurisdiction 2016 Presidential Election Results

Election Office	Total Vote for Donald Trump	Total Vote for Hillary Clinton	Clinton Vote Percentage
City of Detroit <sup>1</sup>	7,682	234,871	96.8%
City of Flint <sup>2</sup>	4,685	27,774	85.6%
City of Ann Arbor <sup>3</sup>	7,269	51,092	87.5%
City of Saginaw <sup>4</sup>	3,704	13,536	78.5%
City of Kalamazoo <sup>5</sup>	6,522	21,728	76.9%
City of East Lansing <sup>6</sup>	4,147	13,073	75.9%
City of Lansing <sup>7</sup>	11,219	32,716	74.5%
City of Muskegon <sup>8</sup>	3,372	8,933	72.6%
TOTAL	48,600	403,723	89.3%

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<sup>1</sup> Wayne County website Nov. 2016 election results, available at:  
<https://www.waynecounty.com/elected/clerk/november-8-2016-general.aspx>.

<sup>2</sup> Genesee County website Nov. 2016 election results, available at:  
[https://www.gc4me.com/departments/county\\_clerks1/docs/Elections/201611/16NOVGEN.Fed.State.pdf](https://www.gc4me.com/departments/county_clerks1/docs/Elections/201611/16NOVGEN.Fed.State.pdf).

<sup>3</sup> Washtenaw County website Nov. 2016 election results, available at:  
<https://electionresults.ewashtenaw.org/electionreporting/nov2016/canvassreport530.html>.

<sup>4</sup> Saginaw County website Nov. 2016 election results, available at:  
<https://www.saginawcounty.com/Elections/Election%20Results/2016/2016%20November%20General%20Election%20-%20Precinct%20Report.pdf>.

<sup>5</sup> Kalamazoo County Nov. 2016 election canvass report.

<sup>6</sup> Ingham County website Nov. 2016 election results, available at:  
<https://cl.ingham.org/Portals/CL2/election%20night/Nov%20Election%20Results/1.htm>.

<sup>7</sup> *Id.*

<sup>8</sup> Muskegon County website Nov. 2016 election results, available at:  
[https://www.co.muskegon.mi.us/DocumentCenter/View/9370/2016-11-08\\_Precinct\\_Results](https://www.co.muskegon.mi.us/DocumentCenter/View/9370/2016-11-08_Precinct_Results).

# **EXHIBIT 7**



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## COVID-19 RESPONSE GRANTS

We provide funding to U.S. local election offices to help ensure they have the critical resources they need to safely serve every voter in 2020.

The Center for Tech and Civic Life (CTCL) is excited to expand our COVID-19 Response Grant program to all U.S. local election jurisdictions. Backed by a generous \$250M contribution, CTCL will

provide grants to local election jurisdictions across the country to help ensure you have the staffing, training, and equipment necessary so this November every eligible voter can participate in a safe and timely way and have their vote counted.

**APPLY FOR A COVID-19 GRANT**

As of October 1, over 1,700 election offices have applied for a CTCL COVID-19 Response grant. Because the grant program has been so well received, we are extending the application deadline. All U.S. local election offices that have not previously applied are invited to apply by Thursday, October 15th.

Questions about the COVID-19 grant application or process? Email us at [help@techandciviclife.org](mailto:help@techandciviclife.org).

If you have questions about implementing public health measures, scaling absentee ballot processing, or educating voters, please visit CTCL's new [Election Resources for Safe Elections](#) website, a collection of free and easy to use resources devoted to helping you navigate today's election challenges.

**Why is CTCL providing grants to election offices?**



**Who is providing the grant?**



**Who do I reach out to with questions about the grant program?**



## **What kind of election expenses do the grant funds cover? —**

Election offices can use the funds to cover certain 2020 expenses incurred between June 15, 2020 and December 31, 2020. These include, but are not limited to, the costs associated with the safe administration of the following examples of election responsibilities.

### **Ensure Safe, Efficient Election Day Administration**

- Maintain open in-person polling places on Election Day
- Procure Personal Protective Equipment (PPE) and personal disinfectant to protect election officials and voters from COVID-19
- Support and expand drive-thru voting, including purchase of additional signage, tents, traffic control, walkie-talkies, and safety measures

### **Expand Voter Education & Outreach Efforts**

- Publish reminders for voters to verify and update their address, or other voter registration information, prior to the election
- Educate voters on safe voting policies and procedures

### **Launch Poll Worker Recruitment, Training & Safety Efforts**

- Recruit and hire a sufficient number of poll workers and inspectors to ensure polling places are properly staffed, utilizing hazard pay where required

- Provide voting facilities with funds to compensate for increased site cleaning and sanitization costs
- Deliver updated training for current and new poll workers administering elections in the midst of pandemic

### **Support Early In-Person Voting and Vote by Mail**

- Expand or maintain the number of in-person early voting sites
- Deploy additional staff and/or technology improvements to expedite and improve mail ballot processing

**How do I know that my office is eligible to receive a grant? +**

**How much money is my office eligible to apply for? +**

**Is this a matching funds grant? +**

**What if I share election responsibilities with another local government office? +**

**What information does my office need to provide in the grant application? +**

**Who should submit the application for my election office? +**

**When can I submit my application? +**

## When will my office receive the grant? +

## Will the grant be mailed via check or transferred via wire? +

## What reporting is required? —

You will be required to submit a report that indicates how you spent the grant funds. The report will be in a format that should not be overly burdensome.

## When do I report how my office spent the funds? —

You'll need to submit your grant report by January 31, 2021.



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Sign up for our email of election administration best practices, ELECTricity.

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# **EXHIBIT 8**

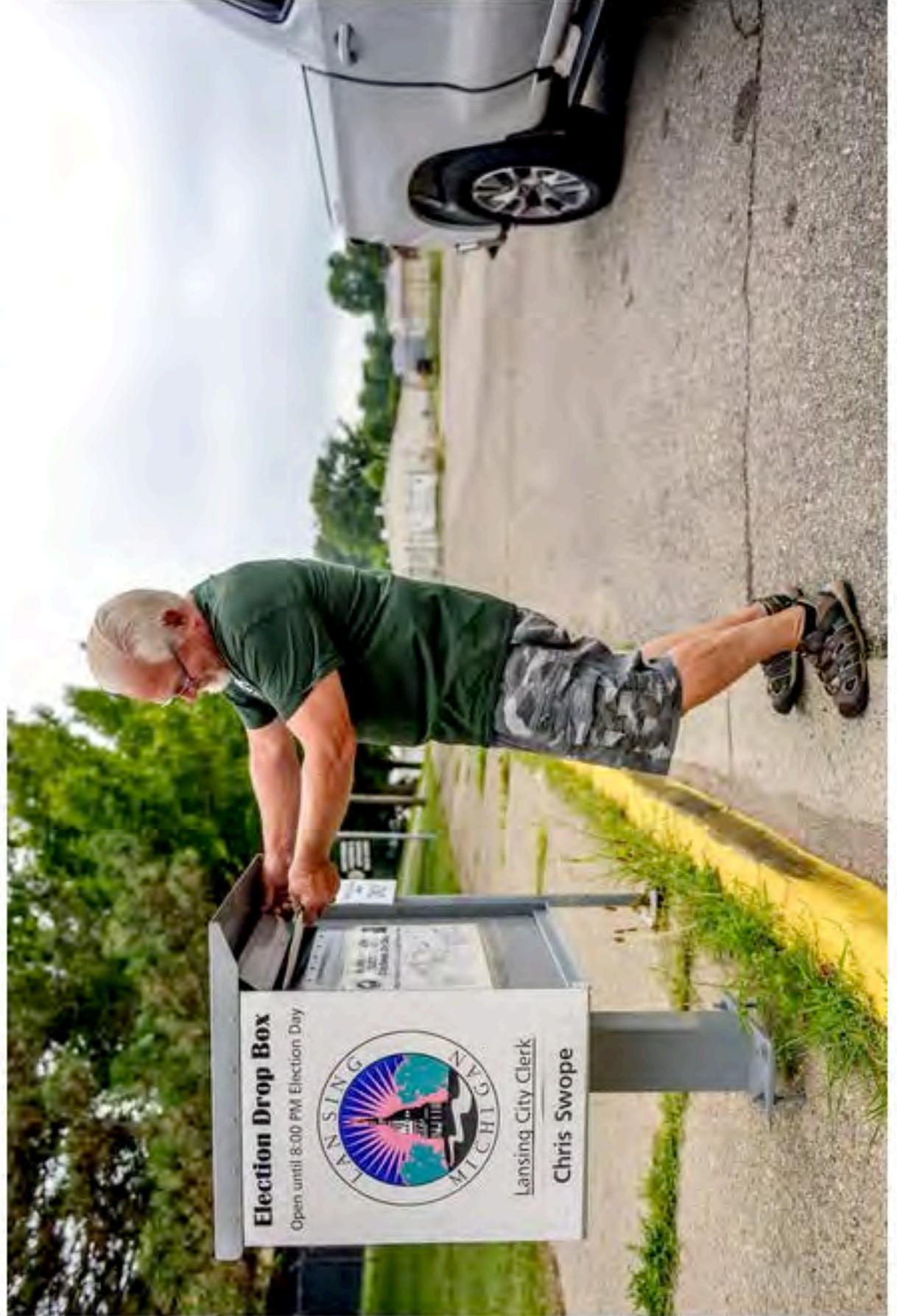


EXHIBIT 8

Joe Cantin returns his absentee ballot to a drop box outside the Lansing City Clerk's Election Unit on Monday, Aug. 3, 2020, in Lansing. *Nick King/Lansing State Journal*

# **EXHIBIT 9**

## NEWS

# Lansing, East Lansing clerks mail absentee ballot applications to all registered voters

**Sarah Lehr** Lansing State Journal

Published 7:56 a.m. ET Sep. 11, 2020

East Lansing and Lansing are mailing absentee ballot applications to all registered voters before November's election, meaning tens of thousands more people in the two cities will get the applications this year without having to request them.

Clerks say the move will promote alternatives to in-person voting at a time when people may not want to risk COVID-19 exposure at the polls.

A 2018 amendment to the state's constitution expanded voting rights by making it possible for Michiganders to vote absentee without citing a specific reason for doing so, such as being out of town on Election Day.

People can request absentee ballots by mail or in-person at their local clerk's office. And Lansing and East Lansing have permanent absentee voter lists, allowing people to sign up for absentee voter applications to be mailed to their houses before every election.

**Related:** Michigan sets record for number of absentee ballot requests for Nov. election

But, for the first time East Lansing mailed the applications to about 16,000 registered voters who are not on the permanent list and who have not specifically requested an application.

Lansing's mailing list targeted more than 60,000 people who hadn't yet asked for applications. The capital city first began mailing the applications to all registered voters prior to August 2020 primary.

Lansing and East Lansing received \$15,600 and \$8,500 respectively from the Center for Tech and Civic Life, a center-left nonprofit focused on increasing voter participation, for the mailings. Each city mailed the latest round of applications late last week.

**Michigan leaders warn:** Voting twice is a felony, even if Trump suggests it

"We hope that this brings attention to the process so people know they have the right to vote absentee if they choose," East Lansing Clerk Jennifer Shuster said.

In contrast, Meridian Township the third largest municipality in Ingham County after Lansing and East Lansing, is not doing a mass mailing of the applications to all registered voters.

"We feel confident that everyone who wants to vote absentee will be able to vote absentee with plenty of time to spare," Township Clerk Brett Dreyfus said, adding that Meridian's permanent absentee voter list has grown to more than 15,000 people.

**More:** Voting by absentee ballot in Michigan is easy. We're here to walk you through it.

People across Michigan will get another reminder to vote this fall from Secretary of State Jocelyn Benson, who used \$1.4 million in federal funding to send postcards to more than 4.4 million registered voters. The postcards explain how Michiganders can request absentee ballots online or in-person at a clerk's office.

Benson drew ire from President Donald Trump this summer when she used federal funding to send absentee ballot applications to millions of registered Michigan voters before the primary.

**Related:** Lansing expanding drop-off sites for absentee ballots

In a tweet, President Donald Trump falsely called Benson's actions illegal and referred incorrectly to the documents as absentee ballots. They were ballot applications rather than the ballots themselves.

For the general election, local clerks can begin mailing ballots or providing them in person on Sept. 24. Completed absentee ballots must be received via mail, drop box or in-person at a clerk's office by 8 p.m. Nov. 3 to be counted.

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