

Notice of Election Law and Community Oversight

May this letter serve as notice of community oversight of the 2022 elections. As a citizen of Michigan and this municipality, I am exercising my constitutional duty to Governmental oversight.

Article 1 Section 1 of the Michigan Constitution states: All political power is inherent in the people. Government is instituted for their equal benefit, security and protection.

It has come to our attention that on August 22, 2022, the State Bureau of Elections issued a statement to all clerks calling for the destruction of poll book data and tabulator flash drives in wake of the August primary election. This action is in direct violation of Federal Election Law. The intent of this letter is to formally request that if any such order should be given regarding the November 8th election, your office fulfills its sworn duty in the protection of these records. The vast majority of this municipality supports the rule of law; thus, we will support you in any lawful action taken to resist an unlawful directive. Should your office fail to protect those you have sworn to protect, know it is our intention to pursue all lawful measures to ensure Federal and State laws are followed. Please see the Federal Law Prohibiting Destruction of Election Records below:

USC Title 52 Section 20701, 20702

§20701. Retention and preservation of records and papers by officers of elections; deposit with custodian; penalty for violation

Every officer of election shall retain and preserve, for a period of twenty-two months from the date of any general, special, or primary election of which candidates for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico are voted for, all records and papers which come into his possession relating to any application, registration, payment of poll tax, or other act requisite to voting in such election, except that, when required by law, such records and papers may be delivered to another officer of election and except that, if a State or the Commonwealth of Puerto Rico designates a custodian to retain and preserve these records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

§20702. Theft, destruction, concealment, mutilation, or alteration of records or papers; penalties

Any person, whether or not an officer of election or custodian, who willfully steals, destroys, conceals, mutilates, or alters any record or paper required by section 20701 of this title to be retained and preserved shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

State Law Prohibiting Destruction of Records: [MCL 41.65](#) and [168.811](#)

A copy of this letter has also been supplied to the County Sheriff as a matter of record. We look forward to working with you to ensure safe, fair and lawful elections and election record retention. We will be following up with your office as things progress. Thank you for your service.

Sincerely,