



House Elections and Ethics

House Bill 4134

Position: Opposed

February 9, 2021

The ACLU of Michigan has concerns regarding the provision of House Bill 4134 that would allow precincts to increase in size from 2,999 registered electors to 5,000 registered electors.

We understand there may be good reason for precinct size to eventually change as a result of an increase in absentee voting under Proposal 3, but we believe a change of this size should be the result of a meaningful evaluation of what the impact of our new laws are on voting lines, absent a pandemic, and then the response can be measured accordingly.

Precinct consolidation has the potential to increase lines. Michigan had some of the longest lines in the country in 2012 and 2016. In 2018, we saw many cities and townships across the state with lines over forty-five minutes to two-plus hours¹. With the passage of Proposal 3, we have potentially made some progress on this front for future, statewide elections.

To illustrate our concern that a 5,000 elector precinct could potentially lead to long lines, we submit an accompanying analysis on the next page.

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¹ Grosse Pointe Park, Plymouth Township, Southfield, Green Oak Twp., West Bloomfield, Peninsula Twp., Commerce Twp., Dearborn Heights, Ann Arbor, Union Twp., Troy, Brownstown Twp., Grand Rapids, Detroit



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In our calculations, three precinct sizes are used below -- 1,500, 2,999 & 5,000. The assumption is a 65% total turnout. By varying the % of mail ballots, the impact on election day voting in a polling place is shown. Current statewide mail ballot % in a November general election is 27% (Of course, some communities do have higher rates than others). For comparison, we also used 40% and 60% mail ballot usage.

Studies have shown that voters take 7 - 10 minutes at the voting station to mark their ballots. Assuming 7 minutes, each voting station could accommodate 8.5 voters per hour or 111 voters over the 13-hour day. The bare minimum number of voting stations is included.

1,500 is a typical precinct size today. Even though 2,999 is the upper limit there are few precincts approaching that limit. $1,500 \times .65 = 975$ total turnout.

27% = 263 mail ballots, 712 polling place ballots; 55 per hour; 6 voting stations
40% = 390 mail ballots; 585 polling place ballots; 45 per hour; 5 voting stations
60% = 585 mail ballots; 390 polling place ballots; 30 per hour; 4 voting stations

2,999 precinct size is upper limit under current law. $2,999 \times .65 = 1,949$ total turnout.

27% = 526 mail ballots; 1,423 polling place ballots; 109 per hour; 13 voting stations
40% = 780 mail ballots; 1,169 polling place ballots; 90 per hour; 11 voting stations
60% = 1,169 mail ballots; 780 polling place ballots; 60 per hour; 7 voting stations

5,000 precinct size is the upper limit in the bill. $5000 \times .65 = 3,250$ turnout

27% = 878 mail ballots; 2372 polling place ballots; 182 per hour; 21 voting stations
40% = 1,300 mail ballots; 1,950 polling place ballots; 150 per hour; 18 voting stations
60% = 1,950 mail ballots; 1,300 polling place ballots; 100 per hour; 12 voting stations

Concerns based on these calculations:

- Voters do not uniformly appear in equal hourly increments over 13 hours. If the opening rush is not handled within the first couple hours, a bottleneck would occur and recovering from large lines throughout and after the end of the day can be difficult or impossible.
- We are concerned the 5,000-size precinct at 27% and 40% mail ballots is going to be a problem. Because it takes at least 1 to 2 minutes to check-in a voter. At 60% mail ballots, two election pollbooks (EPB) would barely do the job of processing 100 voters. The question is whether at this bare minimum, a precinct could avoid the initial bottleneck and the workers catch up. Note that the current maximum 2,999 at the current 27% projects 109 voters per hour, which is very close the 100 voters per hour under the 5,000-size precinct with 60% mail ballots.
- A 5,000 precinct with 27% or 40% mail ballot will require a large number of voting stations. For precincts not properly following best practices, in the first few hours of voting an additional line could occur in order to gain access to a voting station. When there is a line for voting stations, the check-in line could get backed up as well.