

Ballot mailings OK, says court

Judge dismisses suit by state GOP

MACOMB COUNTY

By STEVE NEAVLING
FREE PRESS STAFF WRITER

It is unclear whether Macomb County officials will formally adopt a policy of consistently sending unsolicited absentee ballots to its senior residents.

But they now legally have a right to do so.

A ruling last week affirmed the effort to increase voter turnout among senior citizens — and the push appeared to have worked.

Absentee votes among seniors rose 25% in the November 2006 election compared with four years earlier, records show.

At issue, though, was whether the ballots should have been sent if the residents hadn't requested them.

Circuit Court Judge David Viviano said the mailings weren't a problem.

He dismissed a lawsuit last week by the Michigan Republican Party, which claimed county clerks cannot send out unsolicited absentee ballot applications to residents older than 60.

"This is a victory for senior citizens," said Macomb County Clerk Carmella Sabaugh, a Democrat, who sent out the mailings.

It is not unusual for the ballots to be sent without a request.

Oakland County Clerk Ruth Johnson said all her townships and cities already do so.

But Wayne County Clerk Cathy Garrett said she's holding off, adding that the Macomb County decision doesn't affect residents in her community because it is a different jurisdiction. She's awaiting a ruling from the Michigan Court of Appeals after a Wayne County judge said last year that unsolicited mass absentee ballot mailings were illegal.

"I'm hoping this will set a positive precedence" statewide, Garrett said of the court of appeals case.

In Macomb, Republicans filed the lawsuit against Sabaugh, accusing her of political motives because seniors have a long history of voting Democratic in the county. They also represent more than a third of all voters.

The mass mailings came as Sabaugh challenged Terri Lynn Land in the election for secretary of state. Sabaugh lost.

The Michigan Republican Party didn't return calls for comment.

Contact STEVE NEAVLING at
586-469-4935.