

MICHIGAN



"PROTECTING THE RIGHTS OF  
PERSONS WITH DISABILITIES"

Elmer L. Cerano, *Executive Director*

**PROTECTION & ADVOCACY  
SERVICE, INC.**

Kathy McGeathy  
**President**  
Flint

September 1, 2009

Tom Landry  
**1st Vice President**  
Highland

Jacqueline Beaudry  
City Clerk

Kate Pew Wolters  
**2nd Vice President**  
Grand Rapids

100 N. Fifth Avenue PO Box 8647  
Ann Arbor, MI 48107-8647

Ronald D. Bush, II  
**Secretary**  
Detroit

Dear Ms. Beaudry,

Mark Lezotte  
**Treasurer**  
Detroit

Michigan Protection and Advocacy Service is the independent agency designated by the Governor of the State of Michigan to advocate and protect the legal rights of people with disabilities. It is the goal of our agency that every eligible resident of this state receive the same access to the polls and the enjoyment of his/her right to vote as does any other voter.

Pamela Bellamy, Ph.D.  
**Immediate Past President**  
Lansing

Since the passage of the *Help America Vote Act* of 2002, great strides have been taken to assure that all voters have equal access to the electoral process. However, while much progress has been made, some voters still face barriers at the polls in the form of physical inaccessibility, lack of accessible voting methods, and discrimination from poll workers.

Sheila Faunce  
**Director Emeritus**  
East Lansing

In 2005, you reported to the Bureau of Elections that many of your locations were inaccessible, and yet today continue to use them as polling locations. Last week you verbally agreed to an MPAS staff member that many are still being used, despite accessibility concerns.

Robert W. Ryan  
**Director Emeritus**  
Lansing

We wish to remind you of your obligations under Title II of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. §§12131-12134, Section 504 of the Rehabilitation Act of 1973 ("RA"), 29 U.S.C. §794, the Help America Vote Act of 2002 ("HAVA"), 42 U.S.C. 15301-15545 and state law (MCL §168.662(5)) (together "the Acts"), to ensure that polling places within your jurisdictions are accessible to voters with disabilities.

Frederick A. Swegles  
**Director Emeritus**  
Port Huron

Mark Brewer, Esq.  
Mt. Clemens

Donna DePalma  
Pinckney

Michelle Huerta  
Livonia

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Susan L. Odgers, Ph.D., ABD  
Traverse City

Stoney Polman  
Lansing

Ernest A. Reynolds  
Roscommon

Frederick F. (Rick) Swegles, Esq.  
Port Huron

**Livonia Office:**  
Livonia Corporate Towers  
29200 Vassar Blvd., Suite 200 Livonia, MI 48152-2116  
248.473.2990  
1.800.414.3956 (Toll Free)  
248.473.4104 (Fax)

**Main Office:**  
4095 Legacy Parkway, Suite 500 Lansing, MI 48911-4263  
517.487.1755 (Voice or TTY)  
800.288.5923 (Information and Referral)  
517.487.0827 (Fax)

**Marquette Office:**  
129 W. Baraga Ave., Suite A - Marquette, MI 49855-4944  
906.228.5910  
866.928.5910 (Toll Free)  
906.228.9148 (Fax)

**MPAS web site: [www.mpas.org](http://www.mpas.org)**

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We have been notified that you have not used the HAVA grant money awarded nearly 2 years ago. Additionally, the Bureau of Elections will not award any additional funds to the city until this has been resolved prior to **September 30, 2009**.

Please respond to MPAS by **September 15, 2009** as to what steps will be taken to utilize these funds. Please contact our office at 1.800.288.5923 and ask to speak with Andrea Rizzor to discuss the matter further.

It would be unfortunate to require Ann Arbor residents to pay for improvements that would have been funded by the federal government. We can wait no longer for this to become a priority and will therefore take the necessary steps to ensure compliance if acceleration is not observed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elmer L. Cerano', written in a cursive style.

Elmer L. Cerano  
Executive Director

cc: John Hieftje  
Matthew V. Horning  
Sabra Briere  
Sandi Smith  
Stephen Rapundalo  
Tony Derezinski  
Leigh Greden  
Christopher Taylor  
Marcia Higgins  
Margie Teall  
Mike Anglin  
Carsten Hohnke