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OFFICIAL PRESS STATEMENT

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Michigan, Where Democracy Used to Live!

180 Years ago in his journey across America to report on “Democracy in America”, the great French writer Alexis de Tocqueville said: “there is hardly a political question in the United States that does not sooner or later turn into a judicial one.” Today we face a major judicial question in the history of our democratic republic. This question is rooted in whether or not every citizen of Michigan will be treated fairly, judged equally and allowed the political representation constitutionally guaranteed. We are here today because we in the City of Detroit, along with 2.3 million Michigan voters still say no to the imposition, the forced acceptance, and the unfair application of one man given the authority to decide the fate of hundreds of thousands of Michigan citizens called an Emergency Manager.

Governor Rick Snyder must be held accountable for this great tragedy which has negated Michigan and thus American democracy. His relentless non-positive action is causing a tremendous negative reaction on the part of those who live in the largest city in our state. While it is the City of Detroit today, stay tuned, it will be your city tomorrow.

We file a lawsuit today because we believe that the imposition of an Emergency Manager on the City of Detroit, and other largely populated African American cities around this state, has a disparate impact on voters of color, has a disparate impact on the City of Detroit, is against the home charters of our city and other municipalities, and gives one individual full powers and duties that have been given to duly elected officials with the consent and the will of its citizens. Today 50.4% or half of the state’s African American population is ruled by an unelected Emergency Manager.

We have, however, elected Mayors, City Council persons, County Commissioners and in some cases members of publically governed municipal boards. We further believe that the process of forcing an Emergency Manager on the people of Detroit was flawed and unfair. It was not applied equally in many locations that according to so-called “fiscal health scores” from 0-10 should also have the appointment of an Emergency Manager.

We question the ranking and significant meaning of “fiscal stress” as identified by the State Treasurer and its application in Detroit resulting in the appointment of an Emergency Manager.

This is not the same for Oakland County and its lack of appointment of an Emergency Manager in the the cities of Hazel Park, with a population of 9.8% African American, Pleasant Ridge, with a population of 1.9% African American and Troy, with a population of 4.0% African American. Pontiac, with the population of 52.1% African American, was forced to accept the appointment of an overseer which some call an Emergency Manager. The same pattern of obvious political and economic discrimination has been used in the school districts of Detroit, Highland Park and Ecorse which also have significant African American populations. Van Buren Township with a population of 12.3% African American, and Harper Woods with a population of 45.6% African American had fiscal scores of 6, the same as Pontiac, but have no Emergency Manager.

We in the City of Detroit are entitled to equal protection with equal dignity owed to each voter according to the 14th Amendment of the United States Constitution. We further believe that the Emergency Manager appointment by Governor Rick Snyder, who is the real Emergency Manager, does not weigh each individual voter in each Michigan county the same. This reminds us of what occurred in the State of Florida during which the Supreme Court determined that the voting electorate, regardless of county, must be weighed and treated the same. It is clear to us one cannot value one persons vote in Detroit differently than that of another vote in the city of Grosse point, Grand Rapids, or Lansing, Michigan. Part of the equal protection clause of the 14th Amendment guarantees *“having once granted the right to vote on equal terms, the state may not by later arbitrary and disparate treatment value one persons vote over that of another”*. In other words we are appalled that while other counties and cities have so called poor economic stress records they still have the power to elect their own mayors and city council persons who are charged with the direction of their municipalities. Even former Secretary of Labor Robert Reich during the Clinton administration, now Chancellor’s Professor of Public policy at the University of California at Berkley indicates, *“the right to vote is the guiding principle of our democracy. A community that suffers financial hardship should be allowed to make the difficult decision that hardship necessitates, rather than be subject to unilateral dictate. Self-government does not end when creditors are displeased.”*

The founders of this nation and our democracy did not form America simply on the basis of economic distress. It was formed according to the purveyors of history and based on political duress rooted in the reality that the people declared *“no taxation without representation”*. We seem to have forgotten history, disregarded democracy, and are stepping on the rights of Michigan citizens who are entitled to decide their own political destiny.

For those who believe that we can give up a little democracy today to have a few city services tomorrow please remember that once you give it up it is most difficult to gain it back. We believe in partnerships not a dictatorship. We want to work with the State. We do not want the State to work against us. This is not personally against Kevin Orr. This is against a flawed, unconstitutional and tyrannical process. The State of Michigan ought to be ashamed of itself. This is not worthy of our democracy. This is not worthy of Michigan. This is not what America fights for in trying to establish new democracies all over the world.

We call upon the Court to remember our Constitution and call those who are denying democracy to all of its citizens to stand down. Implore them to work with the people and not to deny or discriminate against the people. There are alternatives to this process. There are ways to generate revenues that have never been discussed for our City. There are models on how to aide

cities in financial distress that have been ignored by the governor of this state and members of the State Legislature. You cannot have a Pure Michigan when you are constantly polluting the state with public policies that destroy the quality of life rather than enhance the quality of our living.

Henry David Thoreau once said, "it is a characteristic of wisdom not to do desperate things." We call upon the Court to help the state use more wisdom and not to continue to do desperate things!

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