

# VOICE\*



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## About the ACLU:

The American Civil Liberties Union is our nation's guardian of liberty, working daily in courts, legislatures and communities to defend and preserve the individual rights and liberties that the Constitution and laws of the United States guarantee everyone in this country.

The mission of the ACLU is to preserve all of these protections and guarantees:

- your First Amendment rights - freedom of speech, association and assembly; freedom of the press, and freedom of religion;
- your right to equal protection under the law - equal treatment regardless of race, sex, religion or national origin;
- your right to due process - fair treatment by the government whenever the loss of your liberty or property is at stake;
- your right to privacy - freedom from unwarranted government intrusion into your personal/private affairs;

We work also to extend rights to segments of our population that have traditionally been denied their rights, including Native Americans and other people of color; lesbians, gay men, bisexuals and transgender people; women; mental-health patients; prisoners; people with disabilities; young people and the poor. If the rights of society's most vulnerable members are denied, everybody's rights are imperiled.

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# VOICE

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## Celebrating Student Rights:

### Stand Up and Be Counted!

The United States Constitution is a truly remarkable political and social document. Although most acknowledge the courage it took to sign the Constitution in 1787, it is easy to forget that it still requires courage and determination to defend it. Today we face new threats to our constitutional rights and it is more important now than ever to educate ourselves, our friends, Congress and our president of its meaning and significance.

Each year, public schools and universities across the nation try to do just that by celebrating Constitution Day, our federal government's approach to combating ignorance and apathy regarding our civil liberties. Congress established Constitution Day in 2004, mandating that all publicly funded educational institutions provide a lesson on the Constitution at least one day a year. Constitution Day is a wonderful first step towards fostering the next generation of civil libertarians, but we must all do our part.

We hope this publication will serve as a step by step guide to understanding your rights in a world where technology rules, abuses of power are rampant, and access to information is easier than ever. We hope

this newsletter empowers you to use your voice, share your story, and stand up for your rights.

After all, consider this – in 2006, the Knight Foundation released a report which found among students a growing intolerance of the First Amendment – the percentage of students who said that they believed the Amendment goes too far rose from 35 percent in 2004 to 45 percent in 2006. The report recognized that schools have done a better job of exposing their students to the First Amendment after Constitution Day was established and found that greater exposure to constitutional issues increases a student's appreciation of their rights. However, the study suggests that there is more work to be done.

The Knight Foundation study acts as a useful report card on our efforts. In the four years since the establishment of the federal holiday, great strides have been made – many more students have been exposed to their constitutional rights. However, our work is never over; we must continue to expose ourselves to this bedrock of democracy. In the words of Bob Marley, we must "Get up, stand up! Stand up for your rights!" ■

## Support your rights by joining the ACLU!

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Payment Method: Enclosed is my check (please make checks payable to the ACLU)

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Your check to the ACLU makes you part of the National, Michigan and local organizations, and includes subscriptions to the national and state newsletters. Membership in the ACLU is not tax-deductible.

# Underage Pedestrians Fight Back

## – Law Enforcement Cannot Force Underage Pedestrians to Take Breathalyzers Without a Warrant

Katie Platte was 19 when she and a friend, Ashley Berden, went to a small party in Thomas Township, Mich. in honor of a high school classmate who had enlisted in the Marines and was leaving for Iraq. Alcohol was being served; however, neither Platte, nor Berden were drinking.

Just as the party was winding down, police arrived on the scene. Without a warrant, the police stormed the party and demanded that everyone take a breath test or face jail time. Berden had already left the party, but that didn't stop the police from going to her home at 4:00 a.m. demanding that she too take a breath test. Both friends registered a .00% blood-alcohol level.

"We weren't drinking or causing a problem," said Platte. "You're supposed to be innocent until proven guilty, but in this case, young people were assumed guilty until they proved they're innocent by having to take a Breathalyzer test."

The ACLU of Michigan filed a lawsuit on behalf of Platte, Berden and two Mount Pleasant men, Cullin Stewart and Sam Maness, who were forced to take a breath test by an interagency police task force that referred to itself as the "Party Patrol."

The ACLU successfully argued that this practice violated the Fourth Amendment's ban on unlawful searches. The judge reasoned that the breath test was, indeed, a search and the Fourth Amendment ordinarily prohibits searches without search warrants. Today, police cannot force pedestrians under the age of 21 to take a Breathalyzer test without first obtaining a search warrant.

"For years, police officers throughout Michigan have violated the rights of countless college students and others under the age of 21 by forcing them to submit to breathalyzers without a court order," said Kary Moss, Executive Director of the ACLU of Michigan.



If you, or someone you know, has been stopped by the police and forced to take a breath test without a warrant, please contact us at [aclu@aclumich.org](mailto:aclu@aclumich.org). ■

# How to Throw A Police-Free House Party

### Keep the party contained

Try and keep the party on your property, preferably inside. When the overflow of people at a party reaches public places, such as the sidewalk, police tend to get involved. Make sure guests are not on the neighbor's property or in the streets.

### Keep the music at a reasonable volume

Make sure people can reasonably talk above the music and general clatter.

### Don't advertise the party in public spaces, including Facebook

Police aren't concerned with little get-togethers. They are, however, concerned when large indiscriminate parties occur because hosts are less likely to keep track of who's underage and who could be sick or need help. Word of mouth works best for telling friends about parties and keeping them at a reasonable size.

### Don't allow the police into your residence, unless they have a warrant

Police can only enter an apartment or house if they

have a search warrant, an arrest warrant, there is a serious problem (i.e. someone is screaming help) or a tenant/ owner lets them in. When police enter a residence it is most often because someone granted them permission to enter. If they say they have a warrant, make them show it to you. If they don't, speak to the officer(s) outside. It's fine to say, "No officer, I do not consent to you entering my house."

### Don't answer possibly incriminating questions

Sometimes officers will ask questions like, "You're serving alcohol to minors in there aren't you?" Don't lie - just don't answer. It's perfectly all right to say, "I don't feel comfortable answering your questions at this time."

### Be polite and reasonable

Don't give the police a reason to give you more grief than is necessary. If you are polite, non-combative, and appear to be in control of the party, you will have fewer, if any, problems. If you have a housemate that is sober, have them talk to the police.

### Know who's at your party - including their age

Know that signs that say, "You must be 21 to consume alcohol" don't always work. You can either check ID at the keg or at the door. If you check at an entrance, make sure it is the only open entrance and that you turn away people under 21.

### Don't charge for alcohol

It is illegal to sell alcohol unless you have a liquor license. You can purchase the alcohol yourself, with others, or you can ask for voluntary donations. The voluntary donations, however, must not be a necessary requisite for drinking. Needless to say, everyone drinking or purchasing alcohol must be 21.

### Be Proactive

It is your party so do what is necessary. If you see someone has had too much to drink, cut him or her off. Try to monitor your guests for potentially dangerous and destructive behavior. You can offer to call people cabs or walk people home. Help create a fun and safe atmosphere so police have no reason to approach you in the first place. ■

[ to learn more and/or receive action alerts go to [www.aclumich.org](http://www.aclumich.org) ]

## Social Networking Sites: A Privacy

# Disaster Waiting to Happen

Social networking sites are not a new fad. In fact, Facebook has quickly grown into one of the top social networking websites in the world, second only to MySpace. These sites have even garnered the attention of school administrators who are beginning to crack down on such sites on campuses across the country.

Nick Gaddy of Western Washington University learned this the hard way. Like most college students, Gaddy had a Facebook profile where he posted information for friends and fellow students to see. Little did he know that the pictures on his Facebook profile would make him the talk of the campus, get him kicked out of his dorm, and force him to take an alcohol responsibility class.

Gaddy, who was 19 at the time of the incident, posted pictures of track team events, school functions and social gatherings along with pictures taken one afternoon while drinking in the dorms—it was this set of pictures that would change his college career.

"I assumed that what I put on Facebook would remain private since I'm able to choose my friends," Gaddy said. "In reality there really aren't too many protections for content posted on Facebook."

One of Gaddy's friends alerted his resident advisor to the photos as a clear violation of "residence policies" and the law.

This example is not unusual. School administrators, police officials and even

potential employers are increasingly using Facebook and other social networking sites to target students for behaviors ranging from lax moral standards to criminal acts.

According to Matthew J. Hodge of the Southern Illinois University Law Journal police at George Washington University, Northern Kentucky University, and the University of Kentucky have

charged students with violations for underage drinking and noise violations linked to photos posted online or messages announcing parties as well as for non-criminal activity, such as criticism of their teachers or fellow students.

While most students believe in some subjective level

of privacy, there is no reasonable expectation of privacy so long as the administrators can easily see what students post on these sites.

"The fact is that students have the same expectation of privacy for pictures and other content posted on Facebook as they have if they were posting a picture on a lamppost - that is, basically none," said Noam Biale, a privacy expert at the ACLU. This is because information on sites such as Myspace and Facebook is out there to be seen by a large audience, not just friends and classmates. This makes information on social networking sites different than a photo album in one's home or one's MP3 player.

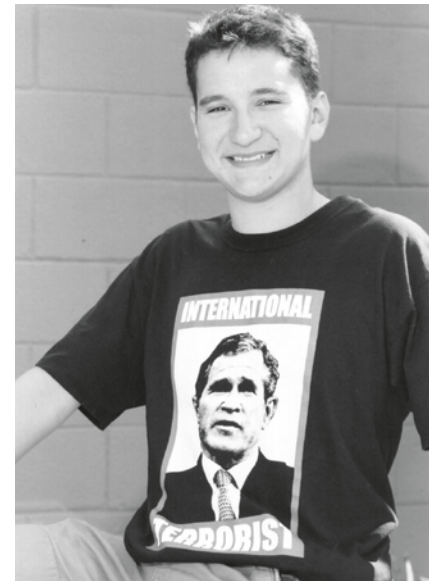
"I would say to the students of America, if you are going to engage in illegal activity, leave the camera at home. Keep the memories in your brain instead. Your school has no way of getting it out of there...yet," Biale said. ■



## Students Uncensored

### Student's Political Speech Defended

Bretton Barber was a junior at Dearborn High School, when he wore a t-shirt to school, which displayed a photograph of George W. Bush with the caption: "International Terrorist."



Although the t-shirt did not disrupt school activities, the principal sent Bretton home and told him not to wear the shirt to school again. After the school district denied the ACLU's request to allow him to return to school wearing the shirt, the ACLU filed a lawsuit arguing that Bretton has a First Amendment right to express his political views. Shortly after, a judge ruled that Bretton has a right to wear the shirt because the message on the shirt is protected speech. ■

### Students Punished for Distributing Underground Newspaper



Two juniors at South Lyon High School, Josh Woodcock and Dan Schaefer, wrote and published a newspaper at home called The First Amendment. The articles addressed a wide variety of school issues and were, at times, critical of the school administration. When Josh and Dan attempted to

distribute the underground newspaper at school, they were suspended for five days. The ACLU filed a federal lawsuit on the students' behalf, arguing that they have a First Amendment right to distribute the newspaper as long as it was not substantial disruption. The case was settled when the school agreed to adopt new rules permitting the distribution of underground newspapers and rescinded the students' suspensions. ■

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# Music Piracy Crackdown

## Nets Students

Like many college students, Adam Hunt downloaded music in his dorm room for free, but unlike most college students, Hunt got caught and was sued by the Record Industry Association of America.

The RIAA sued Hunt for illegally downloading music from his dorm room at Northern Illinois University. Hunt's university, like most universities, disclosed his IP address to the RIAA. An IP address is a way to identify the computer or device that someone is using by a set of 32 numbers, each specific to one machine.

"There are lots of reasons why people need anonymity online and why it should not be so easy to lose," said Christopher Hansen, a senior litigation attorney at the ACLU national office. "If the recording industry can uncover your identity simply by claiming that a copyright violation has occurred, then the Chinese government can use the same tool to find out the name of a dissident, and a batterer can use it to find out the address of a domestic violence shelter."

Hunt's case is just one of thousands around the country. Hunt was forced to settle to the tune of \$3,500 so as to avoid a costly, drawn out court battle. In 2007 alone, at least 500 students paid settlements to avoid lawsuits.

"I feel as if the RIAA targets a younger, more defenseless audience," said Hunt. "They take a handful of students from each school, destroy their lives, and make examples of them to deter other students."

The RIAA has been sending pre-litigation letters and subpoenaing students that illegally download music on college campuses using the Digital Millennium Copyright Act (DMCA), which forces universities to reveal their students' identities.

Unlike a usual subpoena, which requires the filing of a case and some evidence to support the case, under the DMCA, a subpoena may be issued by a court clerk even if a case has not been filed or evidence submitted, said David Plotkin of the Boston law firm Prince, Lobel, Glovsky & Tye.

"It's just ridiculous. The only reason students are being attacked and not adults, who also pirate music, is because the RIAA can search schools IP addresses easily," said Plotkin "College students live and function in such close proximity and they become easy and appealing targets."



What's more, Aden Fine, a staff attorney at the ACLU national office said, "the DMCA is totally lacking in procedural protections" making it "an invitation to mistake and misuse."

"We're not saying the recording industry shouldn't go after file sharers," added Fine. "Only that they must do so in a way that's fair."

Some state and federal courts have realized that anonymity is important; however, in October 2007 a court awarded the RIAA \$222,000 when Jammie Thomas, a single mother of two, was found liable for copyright infringement in the nation's first file-sharing case to go before a jury. The amount came out to be \$9,250 for each of 24 pirated songs.

"It's important to remember that anyone engaged in music theft is at risk for a lawsuit," said Cary Sherman, President of the RIAA. "That said, the piracy habits of college students remain especially and disproportionately problematic. According to some recent surveys, more than half of the nation's college students frequently download music and movies illegally from unlicensed P2P networks. That's a statistic we just cannot ignore."

Typically, pre-litigation letters are sent to universities who then have the right to forward them to students or withhold them. This occurs before subpoenas are ever sent, which increases the likelihood for mistakes and misuse. Most universities forward the letters to students so they have an opportunity to settle their case, avoiding pricy attorney fees and drawn out court battles. This, however, is a sticky predicament for most students since they haven't actually been charged with a crime.

"To be blunt," Hunt said, "students download music because no one can afford to pay \$20 for eleven songs on a CD, several of which they don't even want. Downloading music has, in fact, turned me on to new music for the first time in a while. I can find bands and songs that aren't available in stores, which is a plus for smaller and lesser-known artists. Once I know of them, I am more likely to purchase tickets to a concert, merchandise or even a CD."

It doesn't appear that the RIAA is listening to students like Hunt. The litany of letters appears to be uninterrupted- at least for the time being. ■

## Michigan Universities Bow to Pressure from the Record Industry

Michigan universities are not immune from the Record Industry Association of America's massive crackdown on music piracy taking place on college campuses.

In just one month last year, the RIAA sent 25 letters to Central Michigan University and 23 letters to the University of Michigan. The letters asked universities to contact the students, and tell them that they were being prosecuted for illegally downloading music. These two universities received the most letters in the state and only a handful of universities in the nation received more.

While most colleges and universities in the state of Michigan have created anti-piracy policies, which strongly discourage students from downloading, there are no actual consequences if students are caught. Wayne State, Eastern, Western, and Northern Michigan Universities all share similar policies. For instance, Wayne State University's official stance on downloading and file sharing is:

"Users are responsible for making use of software and other information technology resources in accordance with copyright and licensing restrictions and applicable University policies. Using information technology resources in a manner violating these protections, or furthering the unauthorized use or sale of protected intellectual property, is prohibited."

However, after receiving hundreds of letters in the 2006-2007 school year, the administration at the University of Michigan decided that something needed to be done. They have developed a program called Be Aware You're Uploading. The program is an automatic system that notifies the individual uploading files on the university network when a peer-to-peer file is uploaded. Although the system does not look at the content of the file, it does notify the university that a file has been illegally uploaded.

Furthermore, Michigan State University and Saginaw Valley State University have partnered with Rukus.com, an online music downloading site to provide a "legal" way to download music.

"Two-thirds of our bandwidth was being used to download music; it was more cost effective to provide a legal way for students to download music," said Ken Schindler, Director of Information Technology Services.

Rukus allows students to download music for thirty days, and at the end of those thirty days you can either renew the song, or get rid of it. Also, for a modest fee, students can also download movies to their computer. ■

# Religious Liberty on Campus:

The First Amendment to the U.S. Constitution says that every person in the United States has the right to practice his or her religion, or no religion at all. Many students are unaware of their rights on campus and, what's worst; they feel that schools have become religion-free zones. This is patently untrue. You have every right to practice your religion so long as it does not disrupt other students' ability to learn.

The First Amendment specifically states, the U.S. government can make "no law respecting an establishment of religion or prohibiting the free exercise thereof..." The two clauses, the Establishment Clause and the Free Exercise Clause, both affect your religious freedoms.

"Religion is such an important part of our lives and is a purely personal decision," said Lauren Smith of the Americans United for Separation of Church and State. "Government should have no say in such personal matters."

Since public schools are state institutions, the Establishment Clause precludes them from supporting or advocating any religion. Teachers may teach about religion objectively but may not endorse any particular doctrine. Theology courses must be strictly informative; religious texts must be taught as a work of literature, not as the literal word of God.

In fact, the study of religion is an important part of any civic education. The Supreme Court has repeatedly noted, "it might well be said that one's education is not complete without a study of comparative religion, or the history of religion and its relationship to the advancement of civilization." History, literature, music, and art are all subjects deeply rooted in religion and an open dialogue on religion and its implications in these areas does not violate the Establishment Clause.

"Religion has opened doors for me," says Michelle Baumgartner, a member of Campus Crusade for Christ at Northern Michigan University. "I've grown as a person. I've gained confidence, identity and purpose all as a result of being able to practice my faith while at school."

Students are guaranteed the right to practice whichever religion they so choose, or no religion at all. Because the Establishment Clause does not apply to private speech, students have the right to read Bibles or other scriptures, pray before tests, say grace before meals, and discuss religion with other willing students. In the classroom, students have the right to pray so long as their teacher is not actively engaging them. In non-classroom settings, students are allowed to practice their

religion however they choose, subject to the same rules of order that apply to other forms of speech and expression.

Further, schools may not allow secular clubs to distribute literature and hold meetings while at the same time preclude religious clubs from doing the same. Students have the right to distribute religious literature to classmates so long as the

distribution accords with the same restrictions imposed on all non-school literature.

Moreover, student groups and clubs must be permitted to meet and have equal access to campus facilities, including computers to announce their meetings and rooms to hold their meetings, subject to the same restrictions imposed on other non-curricular clubs.

As Supreme Court Justice Anthony Kennedy said in a June 1992 opinion, "The First Amendment's Religion Clauses mean that religious beliefs and religious expressions are too precious to be either proscribed or prescribed by the State."

**Students are guaranteed the right to practice whichever religion they so choose, or no religion at all.**

## Fighting for Faith and Freedom



### Valedictorian's Religious Liberty Defended

Abbey Moler was the valedictorian of her class at Utica High School. She and other high achieving students were profiled in a section of the school yearbook in which they were able to submit "words of wisdom" to pass on to other students. However, when the yearbook was published, Abbey's entry was omitted because it contained a passage from the Bible. The ACLU agreed to represent Abbey because once the school gave her a forum for speech; it could not constitutionally suppress her expression simply because it was religious in nature. After the ACLU intervened, the district agreed to change its policy, provide in-service training to teachers on religious freedom issues and place a sticker in the yearbooks on file containing Abbey's advice. ■

### Religious Discrimination Against Sikh College Student

Sukhpreet Garcha was a student at Wayne State University when campus police approached him for wearing a Kirpan, or a ceremonial sword in sheath. As an observant Sikh, he is required to wear a Kirpan as a reminder of his solemn duty to help the needy and work for justice for all.

# the Freedom to Believe or Not

# Students Uncensored



Despite his polite explanation, the police told him that if he did not remove it, he would be arrested. He was then charged with violating the city's knife ordinance. The ordinance bans knives more than three inches long, but made numerous exceptions for those who used knives for "work, trade, business, sport or recreation." However, the ordinance made no religious

exceptions. The ACLU filed a friend-of-the-court brief on behalf of Sukhpreet arguing that the city must accommodate his religious beliefs and dismiss the case. Later, a Detroit judge ruled that the police violated Sukhpreet's rights and dismissed the case. ■

## Government Interference with Hanukkah on CMU Campus

In December 2004, Central Michigan University officials seized a student's Hanukkah candles from his dormitory room. Although the university allowed students to smoke in this particular dorm, it claimed that the Hanukkah candles posed a fire hazard. The ACLU wrote a letter to the University arguing that it violated students' religious freedom to accommodate students' desire to smoke, but not to accommodate students' religious use of celebratory candles. The letter stated that there were other ways to address safety concerns – such as requiring that students remain in the room and that they place candles on a fireproof surface – without banning religious candles altogether. Soon after the letter was sent, CMU changed its policy. ■



## Devout Student Suspended for Long Hair

Claudius Benson, was a ninth grader at Old Redford Academy, a public charter school in Detroit. He and his mother maintain a sincerely held religious belief based on a verse in Leviticus that he is forbidden to cut his hair. Despite the religious basis for his long hair, ORA suspended him and referred him for expulsion for violating its "closely cropped" hair policy. The ACLU filed a lawsuit against ORA for violating Claudius' right to religious freedom under the Michigan and U.S. Constitutions and the Michigan Civil Rights Act. The lawsuit was settled after the court issued an order to reinstate Claudius, and the ORA Board of Directors voted to approve a resolution to grant Claudius a religious accommodation. ■

## Wiccan Student Wins Right to Wear Pentagram

When Wiccan honor student Crystal Seifferly was told she couldn't wear a pentagram to school she fought back and won. Lincoln Park High School administrators adopted an anti-gang and cult dress code policy that prohibited Crystal from wearing her pentagram, a symbol of her religious affiliation. With the assistance of the ACLU, Crystal sued her high school in federal court for a violation of her First Amendment rights. In the settlement, the high school agreed to revise its policy by removing "Pagans" and "Witches" from their undesirable groups list and agreed to permit the wearing of pentagrams as religious jewelry by students. ■

(continued from page 4)



## Student Newspaper Censored

As a Utica High School student, Katy Dean enjoyed serving as the managing editor for her school-sponsored newspaper, the Arrow. For one issue, Katy wrote an article about a lawsuit filed against Utica Community Schools. Although the subject of the article was approved by a faculty advisor, the principal prohibited it from being published. The ACLU argued in court on behalf of Katy that the principal censored her article only because it could embarrass the district and that school administrators cannot censor school-sponsored student newspapers where there is no legitimate educational reason for doing so. The judge ruled in favor of Katy and ordered the school district to publish the article with an explanation that it was unconstitutionally censored. ■

# Your Voting Rights: A Quick Guide to Voting In Michigan

The American Civil Liberties Union doesn't endorse or oppose any candidate or party, but we believe that no civil right is more important in our democracy than the right to vote.

The following is designed to help you protect your own right to vote. Keep it handy, and take it with you to the polls on Election Day.

## WHO CAN VOTE

### Can I vote in Michigan?

You can vote in an election if you're registered to vote at least 30 days prior to the election.

You can register if you meet all of the following qualifications: (1) you're a U.S. citizen; (2) you're a Michigan resident; (3) you'll be at least 18 years old on Election Day; and (4) you're not incarcerated on Election Day after a conviction for a misdemeanor or felony.

### What if I'm a student?

You can register to vote at whatever address you regard as your primary legal residence. This can be your school address or your home address – even if you're an out-of-state student at a Michigan college or University.

If you're an in-state student, Michigan law requires the address on your voter registration card to match the address on your driver's license or personal identification card. The Secretary of State will automatically change your Michigan driver's license address to match the address entered on your voter registration form and send you a sticker for the back of your license to reflect the new address. If you later move or decide to designate another address as your primary legal residence, you can do so for free by simply sending in a change-of-address form available at <http://www.michigan.gov.sos>.

If you have questions about whether to vote on campus or at home, and how to do it, see "Student Voting Made Easy" at <http://www.aclumich.org/studentvoting>.

### What if I've been convicted of a crime?

If you were convicted of a misdemeanor or felony in Michigan, you can vote if you're not currently incarcerated. Your right to vote is automatically restored when you're released from incarceration.

You can also vote by absentee ballot if you're in jail awaiting trial or arraignment and are not serving a sentence.

## REGISTRATION

### How do I know if I'm registered and where I vote?

You can check your registration status and voting location at <http://www.Michigan.gov/vote>, or by calling your local city or township clerk.

## VOTING ABSENTEE

### Am I eligible to vote absentee?

Maybe. You can vote by absentee ballot before Election Day if you're registered to vote and you meet any of the following conditions: (1) you're disabled; (2) your religion prevents you from voting at the polls, (3) you're a poll worker away from your regular polling place; (4) you're at least 60 years old; (5) you'll be out of your city or township on Election Day, and (6) you're in jail awaiting arraignment or trial.

### How do I get an absentee ballot?

You have to submit an application for an absentee ballot, and your application must be received no later than 2 p.m. the Saturday before the election.

You can get an application at your clerk's office or you can download one by going to <http://www.Michigan.gov/vote> and clicking on "Absentee Voting."

If you're a first-time Michigan voter who registered by mail or through a voter-registration drive, you have to submit your application in person at the clerk's office unless you're over 60, disabled, or an overseas voter. Other voters can submit their application by mail or by hand.

If you have a last-minute emergency that will prevent you from voting at the polls on Election Day, you can request an emergency absentee ballot until 4 p.m. on Election Day. Contact your city or township clerk for more information.

Don't forget to confirm your registration and polling place before Election Day at <http://www.michigan.gov/vote>.

### What's the deadline for returning my absentee ballot?

To be counted, your absentee ballot must be received by your clerk's office no later than 8 pm on Election Day.

## PHOTO ID

### Does the new Michigan law require me to show photo ID to vote?

No. The new Michigan law says you can vote by either (1) showing a photo ID, or (2) signing an affidavit form stating that you don't have photo ID with you.

The accepted forms of photo ID under this new law include a Michigan driver's license or personal ID card, a driver's license from another state, a passport, a federal or military ID with a photo, a student ID with a photo, or a tribal ID with a photo.

### What if I don't own a photo ID or don't bring it with me to the polls?

Just ask the poll worker for the affidavit for voters who don't have ID. You have the right to cast a regular ballot without ID if you sign this form.

### Do I have to show ID if this is my first time voting in Michigan?

Possibly. If you're a first-time voter in Michigan, federal law may require you to show some form of identification, but only if (1) you registered to vote by mail or registration drive without filling in the section of the form asking for your driver's license number, personal ID number or last 4 digits of your social security number, (2) you didn't provide some other form of identification when you registered, and (3) you're not disabled, over 60, or an overseas voter.

If the first-time-voter ID requirements apply to you, you can show either a photo ID or another accepted document such as a current utility bill, bank statement, paycheck stub, government check, or any other government document that shows your name and address.

If you aren't able to show any of these documents, you still have the right to cast a "provisional ballot." That ballot won't be counted, however, unless you bring ID to your clerk's office before the close of business 6 days after the election. If you have time and have ID at home or work, it's usually better to get your ID and return to the polls to cast a regular ballot.

## PROBLEMS AT THE POLLS?

Call the Election Protection Hotline 1-866-OUR-VOTE. [www.aclumich.org/studentvoting](http://www.aclumich.org/studentvoting)