



YOU AND THE LAW



Patriot Week Foundation

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TABLE OF CONTENTS

<u>INTRODUCTION</u>	1
<u>THE IMPORTANCE OF CIVIC ENGAGEMENT & INDIVIDUAL RESPONSIBILITY</u>	1
<u>THE DECLARATION OF INDEPENDENCE & FIRST PRINCIPLES</u>	2
<u>THE MICHIGAN & FEDERAL CONSTITUTIONS</u>	5
Predecessors	6
Drafting process	6
Length	7
Ratification	7
Age	8
Preamble	8
Organization of Government and Separation of Powers	9
Legislative Branch	9
Executive Branch	10
Judicial Branch	11
Initiative and Referendum	13
Recalls	14
Local Government	14
Governmental Authority	15
Enumerated Powers & Federalism	15
Finance and Taxation	16
Specific Police Powers	16
Protection of Unalienable Rights	17
Amendments	18
Constitutional Convention	19
Conclusion	19

<u>VOTING</u>	20
<u>CRIMINAL LAW</u>	20
Felonies & Misdemeanors Defined	20
Consequences of Criminal Convictions	21
Tobacco	22
Alcohol	22
Illicit Drugs	23
Marijuana	23
Controlled Substances & Prescription Drugs	25
Sex Crimes	25
Pornography	25
Sexual Misconduct	26
Harassment	28
Theft & Trespass	29
Documents	29
Shoplifting	29
Motor Vehicles	29
Home Invasion	30
Robbery	30
Driving	30
Assault, Domestic Violence, Self Defense, & Weapons	31
Self Defense	31
Assault	31
Weapons	32
<u>CIVIL RIGHTS</u>	33
Employment & Public Accommodations	33
Sexual Harassment	33
College & Undocumented Status	33
<u>FINANCE</u>	34
Loans	34
Credit Cards	34
Contracts	34
Rental Contracts	35
<u>YOU CAN'T AFFORD THIS</u>	36
<u>RESOURCES FOR HELP</u>	39
<u>SOURCES</u>	44
<u>CONTRIBUTORS</u>	45

INTRODUCTION

Congratulations! You are, or becoming ready to become, an adult in the greatest nation in world history. Like it or not, you are responsible and accountable for your actions. In addition, the fate of the nation rests in your hands. You will make a difference - for good or ill. The choice is yours.

The purpose of this work is to give you a “bird’s eye view” of some key topics that you will face as an adult and citizen. Part I addresses the form and spirit of our government, as well as your rights and duties that flow from our free society. Part II addresses some very specific areas of the law that will have a major effect on how you live your life, including crimes, contracts, and civil rights.

“You and the Law” is a vast topic - much bigger than any single publication can fully cover. Although this work is necessarily limited, it should provide you some indispensable guidance on how to live as an engaged, contributing citizen in our constitutional republic.¹

THE IMPORTANCE OF CIVIC ENGAGEMENT & INDIVIDUAL RESPONSIBILITY

In America, we believe that the people should self-govern (i.e., that we are sovereign). We don’t have kings, dictators, military juntas, clerics, or other oppressive regimes lording over us. We believe that each person has a divine spark, and that we can do wonderful things with our potential. We are responsible for our own destiny. That places great responsibility and accountability on each of us to contribute to our society.

Some believe that civic participation is only about voting. Hogwash. Voting is just the beginning. As a truly engaged citizen, you need to understand the Declaration of Independence and the Michigan and federal Constitutions, and then proactively engage in the public sphere through any of a wide array of methods: writing commentaries, assisting political candidates, engaging in ballot proposals, supporting political parties, gathering petitions, speaking on a soapbox, contributing to social media, attending rallies, advocating for policy reforms, marching in parades, and a host of other means. If you are not proactive, others will be. Then your fate will be determined by others - some whom may not have your best interests in mind.

You also need to be a good person for the sake of yourself and your family. At the heart of America is the individual. Although there is no denying that family, nonprofit organizations, businesses, the military, the government, faith, community, groups, and other organizations are vital to the health of our civic society, in the end you must be accountable for your own actions - and following the law. You can move forward by accepting that responsibility and doing the best you can by living up to your potential. You can be a contributing member to society and live a tremendous life. Or you may end up in a cage. Choose the right path.

Noah Webster, the famous publisher of *A Compendious Dictionary of the English Language*, fittingly observed in an article advocating for the adoption of the U.S. Constitution: “in no country, have the body of the people such knowledge of the rights of men and principles of governments. This knowledge, joined with a keen sense of liberty and watchful jealousy, will guard our constitutions, and awaken the people to an instantaneous resistance of encroachments.” In more modern language, we all have a responsibility to safeguard our liberties and freedoms. To do that, we need to understand the Constitution and the criminal law. Unfortunately, that knowledge, keen sense of liberty, and watchful jealousy appear to be disappearing. Time to turn back the tide. Don’t be a victim or let our freedoms slip through your hands. Learn about and protect your freedoms and liberties.

THE DECLARATION OF INDEPENDENCE **& OUR FIRST PRINCIPLES**

To understand our foundations and your vital role in America, we must begin at the beginning. Unlike most countries in world history, America has a definitive birth day - it was born with the approval of a resolution of independence passed by the Second Continental Congress on July 2, 1776. Two days later, the same body passed the Declaration of Independence - explaining to a “candid world” the reasons behind the separation with the British Empire. Perhaps the most eloquent political message ever penned by the hands of men, the second paragraph of the Declaration lays out the First Principles upon which our nation was founded:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are

life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive to these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

These words from the Declaration of Independence were revolutionary in 1776 and remain revolutionary today. They explain the foundational self-evident basic truths - the First Principles - upon which the revolutionary generation united to rebel against the British. Thomas Jefferson, the primary draftsman of the Declaration, noted that the Declaration did not create “any new principles, or new argument” Instead, “it was intended to be an expression of the American mind”

Distilled in more modern language, the First Principles identified in the Declaration justifying the American Revolution and upon which the new nation was built are:

- ☆ **Unalienable rights** (everyone is naturally endowed by their Creator and Nature with certain rights that cannot be taken away by others – that is your rights are not given to you by government, but are born within you and can never be taken away);
- ☆ **Equality** (all persons are created equal and should be treated equally under the law – that is, regardless of differences in race, gender, ethnic group, class, wealth, and mental and physical attributes, we should all be treated the same under the law);
- ☆ **The Social Compact** (governments are instituted by the people and derive their just powers from the consent of the governed – that is, to protect our unalienable rights, we have created governments - and those governments are only legitimate if they represent of the will of the people and protect our unalienable rights);
- ☆ **Limited government** (government is instituted to protect the unalienable rights of the people and should be limited in its authority and power to fulfill that purpose – that is, the government is not all powerful; the government has internal limits on its power (for example, checks and balances,

separation of powers, and federalism) and external limits on its power (for example, voting, criminal due process, and the freedoms of religion, speech, press, and association);

- ☆ **The Rule of Law** (the law governs everyone, including those in government and the people – that is, those in power cannot simply do what they want, but must follow the law - and the people are also bound by the law); and
- ☆ **The Right to Alter or Abolish an Oppressive Government** (the people have the right to reform the government - and even to abolish an oppressive government – that is, if the people are unhappy with the government, they can change it through elections and constitutional amendments, and if there is longstanding oppression, the people can abolish and establish a new government).

They are “principles” because they are, as the dictionary states, “A basic truth, law or assumption . . . A rule or standard . . . Moral or ethical standards or judgment as a whole.”² They are “First” because they “Come[] before all others:” and “Rank[] above all others in importance or quality.”³

There is no question that the Declaration of Independence and Constitution turned upside down the prevailing world order. For nearly all countries and nearly all times, governments were oppressive. The great mass of people did not have rights - they were lucky to have a few privileges dribbled out by their overlords. The people were not citizens, only subjects subservient to the ruling powers. There was no such thing as the Social Compact, just an oppressive government that imposed its will. For the most part, the idea of a government voluntarily limiting its scope of power (including internal and external checks) was rare and fleeting. Likewise, that the rule of law prevailed during most of history is a farce. Instead, rulers did what they wanted and could get away with it based on their personal desires and military might - not the law. And America was the first nation in world history to embrace the idea of reforming government by the consent of the people, or abolishing it when necessary to protect the people’s unalienable rights.

Despite these amazing accomplishments, many attack our Declaration of Independence and Constitution as antiquated, blood stained, elitist, disingenuous instruments of oppression in which they cannot see themselves represented. At the beginning, there was great truth to some of this critique. Undoubtedly, although many in the country were happy and prosperous, at its birth America, for many, was in hypocritical, open violation of these First Principles. Slavery, oppression of women, and discrimination on the basis of race, gender, ethnicity, property ownership, and religion were rampant. We should not gloss over the stains of the past.

On the other hand, those who fought (and continue to fight) for emancipation, woman's suffrage, and civil rights drew upon the wellspring of the First Principles to challenge the hypocrisy. Martin Luther King Jr., Frederick Douglass, Susan B. Anthony, Elizabeth Cady Stanton and many others pointed to the Declaration of Independence and demanded that its eloquent words not be a broken promise. They embraced the Declaration and ensured, with great effort, sacrifice, and controversy, that the country moved decisively in the direction of freedom and equality. Still, the struggle for living up to the ideals of the First Principles is hardly over. Where this journey leads - will in large measure - be determined by you.

THE FEDERAL & MICHIGAN CONSTITUTIONS

Once we won independence, we went about the work of establishing federal and State Constitutions. The Constitutions put into practice the founding First Principles. Because the federal government and each State has a constitution, we all live under two constitutions. Few people understand the U.S. Constitution well, and only a tiny number understand their own State constitution. In fact, that people even think of their State Constitution when they hear the word "Constitution" is highly unlikely.

If you wish to remain free, you must be informed and an active participant in our system of government. And to do that you need to understand both Constitutions. At the very least, you need to understand the basic structure and operations of them. Otherwise, you are throwing away your vote and won't be able to meaningfully be involved in politics. Although they are far from perfect (nothing made by the hands of men and women is), there

are ample opportunities for you to participate in the political process and to fight for your rights. But you can't do that when you are ignorant. Learn about our Constitutions. In fact, since amendments to the State and federal Constitutions are possible, you can even improve them – but only if you defend them.

To best understand our Constitutions, one interesting and helpful way is to compare and contrast them. Accordingly, this work will review the basic outlines of our Constitutions to highlight their similarities and surprising differences.⁴

Predecessors

The U.S. Constitution was preceded by the Articles of Confederation and Perpetual Union, which was drafted by the Second Continental Congress in 1777 and effective in 1781. The current Michigan Constitution was preceded by the Northwest Ordinance, Michigan Constitution of 1835, Michigan Constitution of 1850, and Michigan Constitution of 1908.

Drafting Process

The U.S. Constitution was drafted at a constitutional convention held in Philadelphia during the summer of 1787. Each state appointed its own delegates. Although there were 55 delegates, each state's delegation counted as only one vote. The majority of each state's delegation would determine the vote of the state (*i.e.*, if a delegation of three members split 2-1 in favor of a measure, that state's single vote would be cast in favor of the measure). George Washington presided over the federal convention.

The current Michigan Constitution was drafted at a constitutional convention held in Lansing from October 1961 to August 1962. The Michigan delegates were elected in a primary election held in July 1961. A delegate was chosen from each of the then-existing 110 state House of Representative districts and 34 state Senate districts. Each delegate voted at the Michigan convention on the principle of one person, one vote. Former American Motors Company president and future governor George Romney (and father of now Senator Mitt Romney) was the chairman of the Michigan Convention.

Length

The U.S. Constitution is 4,543 words. The Michigan Constitution dwarfs the United States document with over 31,000 words.

Ratification

The U.S. Constitution required 9 of the 13 original States to ratify the document before it became effective. Each State held a ratification convention to debate the merits, and each had a separate process for selecting the delegates to the convention. There was a vigorous debate about whether the federal Constitution should be adopted. Approval in several States such as Massachusetts, New York and Virginia, was very close. Those supporting ratification were dubbed the “Federalists,” and those opposed, the “Anti-Federalists.” Both sides wrote voluminously in the papers and pamphlets of the day. The *Federalist Papers* (written by James Madison, Alexander Hamilton, and John Jay) were a series of brilliant newspaper articles published in New York and elsewhere advocating ratification. New Hampshire sealed the deal when it ratified the U.S. Constitution on June 21, 1788. The United States Constitution went into effect in March 1789. Rhode Island delayed its ratification until May 1790.

Adoption of the Michigan Constitution was a much closer call. After a robust campaign, the Michigan Constitution was submitted to a vote of the people of Michigan on April Fool’s Day (April 1), 1963, and adopted by the very slim margin of 810,860 to 803,436. Unlike the U.S. Constitution, at the time of the election, the proposed draft constitution was accompanied at the ballot box with an *Address to the People* that provided commentary about the purpose behind particular provisions of the proposed constitution. In addition, the constitutional convention produced a widely distributed 109-page booklet, “What the Proposed New State Constitution Means to You: A Report to the People of Michigan by Their Elected Delegates to the Constitutional Convention of 1961-62” for consideration by the voters.

Age

The U.S. Constitution was drafted in 1787 and ratified in 1789. The current Michigan Constitution was drafted in 1961 and adopted in 1963.

Preamble

The United States Constitution has a world-famous preamble that explains the reason for the Constitution:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

This Preamble explains the purposes of the Constitution, including improving, securing or ensuring the social compact, justice, peace, common defense, common welfare, and liberty.

The Preamble to the Michigan Constitution of 1963 echoes but materially differs from that of the United States:

We, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution.

As the text reveals, the Michigan Constitution invokes the Creator expressly, declares gratitude, and centers on the “blessings of liberty.” The U.S. Constitution does not expressly invoke God or promulgate gratitude. The Michigan Constitution omits most of the purposes enumerated for the U.S. Constitution other than securing liberty and attempting to provide those blessings to the people and their posterity.

Organization of Government & Separation of Powers

Each Constitution provides for three branches of government: legislative, executive, and judicial.⁵ Article III, Section 2 of the Michigan Constitution specifically provides, “The powers of government are divided into three branches: legislative, executive and judicial. No person exercising powers of one branch shall exercise powers properly belonging to another branch except as expressly provided in this constitution.”

The U.S. Constitution does not have text explaining that it has three branches or a separation of powers - it just does. However, Article 1, Section 6 of the U.S. Constitution prohibits any member of Congress from being appointed to “any civil Office created under the Authority of the United States”

Legislative Branch

Each Constitution provides for a House of Representatives and a Senate.⁶ Under each Constitution, members of the House of Representatives are elected for two-year terms.⁷ United States Senators serve six-year terms and one-third of the Senate is elected during each election cycle (*i.e.*, every two years).⁸ Michigan Senators serve four-year terms and all are elected at once during the same year as the election for the governor.⁹ Michigan legislators can serve a lifetime maximum of three terms (six years total) in the House of Representatives and two terms (eight years total) in the Senate.¹⁰ No term limits exist in the U.S. Constitution.

To be a member of the U.S. House of Representatives, the representative must be at least 25 years old, a citizen of the United States for at least seven years, and an inhabitant of the State in which he is elected.¹¹ The U.S. Constitution does not provide a set number of representatives, only that there must no less than 30,000 citizens represented by each representative.¹² The total number of U.S. representatives is determined by Congress, based proportionally on population – subject to the caveat that each State must have at least one representative.¹³ United States Senators must be at least 30 years old, a citizen for nine years, and a resident of the State he or she represents. United States Senators are elected on a statewide basis, with each State having two senators.¹⁴

In Michigan, “Each senator and representative must be a citizen of the United States, at least 21 years of age, and an elector of the district he represents.”¹⁵ Michigan Senate and House districts are both determined by population.¹⁶ In addition, in Michigan “No person who has been convicted of subversion or who has within the preceding 20 years been convicted of a felony involving a breach of public trust shall be eligible for either house of the legislature.”¹⁷ The U.S. Constitution has no such bar. The legislative process in Michigan is hemmed in by title, object, and other legislative requirements and prohibitions.¹⁸

Executive Branch

The executive power of the United States is vested in the President who is elected pursuant to the electoral college.¹⁹ The electors of each state are chosen by a method of selection determined by the State legislature. Each elector has two votes, one each for President and Vice President (who run as a slate).²⁰ The President and Vice President each serve four-year terms, and are limited to two full terms.²¹ The Vice President also serves as the President of the Senate, and has no vote unless there is a tie.²² No other federal executive offices are addressed in the U.S. Constitution. To be President, a person must be a natural-born citizen, at least 35 years old, and have been a resident in the United States for at least 14 years.²³ The President is, among other things, the commander in chief of the armed forces.²⁴ He or she has the power to grant reprieves and pardons (except for cases of impeachment), make treaties (subject to a two-thirds approval of the Senate), and appoint federal judges (subject to the advice and consent of the Senate).²⁵ He or she has the duty to ensure that the laws are faithfully executed.²⁶

The executive power of the State of Michigan is vested in the Governor.²⁷ The Governor and Lieutenant Governor serve four-year terms, with a maximum of two terms.²⁸ The Governor is elected in the general election of alternate even-numbered years.²⁹ Candidates for Lieutenant Governor are nominated by party conventions.³⁰ “Candidates for Governor and Lieutenant Governor run as a slate.”³¹ The Governor supervises each “principal department ... unless otherwise provided by” the Constitution.³² The Governor is also to “take care that the laws be faithfully executed.”³³ Furthermore, the Michigan Constitution has a negative advice and consent clause – any gubernatorial appointments take effect unless a majority of the State Senate votes to disapprove the appointment.³⁴

The Governor has the authority to remove or suspend “any elective or appointive state officer, except legislative or judicial,” for “gross negligence of duty or for corrupt conduct in office, or for any other misfeasance or malfeasance therein”³⁵ Like the President, the Governor is the commander in chief of the armed forces.³⁶ He or she also has the authority to grant “reprieves, commutations and pardons for all offenses, except in cases of impeachment,” but that power is subject to the procedures and regulations provided by law.³⁷ The Governor has the duty to submit to the Legislature a balanced budget and appropriation bills.³⁸ Like the Vice President, the Lieutenant Governor is President of the Senate, without a vote except in cases of a tie.³⁹ To be Governor or Lieutenant Governor, a person must be 30 years old and have been a voter in the state for the four years “next preceding his election.”⁴⁰ The Attorney General and Secretary of State are likewise elected for four-year terms at the same time as the Governor, with a maximum of two terms.⁴¹ Like the Lieutenant Governor, the Attorney General and Secretary of State are nominated at state party conventions.⁴²

Unlike the U.S. Constitution, the Michigan Constitution addresses in detail the administrative state run by the Governor. For example, there must not be more than “20 principal departments. They shall be grouped as far as practicable according to major purposes.”⁴³ In addition, unless legislatively vetoed, the Governor has full authority to reorganize the executive branch via executive order.⁴⁴

The Michigan Constitution also establishes a statewide elected state board of education;⁴⁵ elected statewide boards for Wayne State University, the University of Michigan, and Michigan State University;⁴⁶ an appointed civil rights commission;⁴⁷ an appointed state transportation commission;⁴⁸ a Michigan nongame fish and wildlife trust fund;⁴⁹ a Michigan game and fish protection fund;⁵⁰ a Michigan conservation and recreation legacy fund;⁵¹ a Michigan veterans trust fund;⁵² and a Michigan natural resources trust fund.⁵³

Judicial Branch

The judicial power of the United States is vested in “one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.”⁵⁴ All federal judges have life terms, subject to being

in “good Behavior.”⁵⁵ The jurisdiction of the federal courts includes all cases arising under the U.S. Constitution, federal law, treaties, foreign relations, admiralty and maritime, and controversies between the States.⁵⁶ The number of Supreme Court Justices is set by Congress.⁵⁷ In fact, all federal courts other than the Supreme Court are creatures of congressional legislation.⁵⁸

Michigan has “one court of justice” that is composed of a Supreme Court, a Court of Appeals, the Circuit Courts, Probate Courts, and other “courts of limited jurisdiction that the legislature may establish by two-thirds vote of the members elected to and serving in each house.”⁵⁹

The Michigan Supreme Court has seven members, serving eight-year terms with staggered elections.⁶⁰ The Supreme Court is nonpartisan, and “Nominations for justices of the supreme court shall be in a manner prescribed by law.”⁶¹ However, an incumbent may be placed on the ballot simply by filing an affidavit of candidacy.⁶² The Supreme Court chooses its own chief justice, and he or she “shall perform duties required by the court.”⁶³ The Supreme Court must appoint “an administrator of the courts and other assistants of the supreme court as may be necessary to aid in the administration of the courts of this state.”⁶⁴ The Supreme Court possesses supervises the lower courts, and hears appeals as it determines.⁶⁵ The Supreme Court is also in charge of the “practice and procedure in all courts of this state.”⁶⁶ Although originally the Supreme Court did not have “the power to remove a judge,”⁶⁷ it now may do so because of a constitutional amendment that created a judicial tenure commission, and the Court can remove a judge through those proceedings.⁶⁸ Decisions of the Supreme Court, including dissenting Justices, “shall be in writing and shall contain a concise statement of the facts and reasons for each decision and reasons”⁶⁹

The Michigan Court of Appeals has the number of judges as determined by law.⁷⁰ Court of Appeals judges serve six-year terms, elected in staggered terms.⁷¹ They are elected in nonpartisan elections “from districts drawn on county lines and as nearly as possible of equal population”⁷² The jurisdiction of the Court of Appeals is determined by law.⁷³

Circuit Courts are established along county lines, with a minimum of one judge per circuit.⁷⁴ Circuit Courts must conduct sessions at least four times a year, and the number of judges for each circuit is established by law.⁷⁵ Circuit court judges are nominated and elected in staggered (within each circuit) non-partisan elections for six-year terms, and must live in the circuit to which they are elected.⁷⁶ Circuit Courts have “original jurisdiction in all matters not prohibited by law” and “appellate jurisdiction from all inferior courts and tribunals except as otherwise provided by law”⁷⁷ Circuit Courts may also supervise lower courts as empowered by the Supreme Court.⁷⁸

Probate Courts are also established and follow the same elective and qualification procedures as Circuit Court judges.⁷⁹

To serve as a judge at all, an individual must have been admitted to practice law for at least five years, and cannot be elected or appointed after reaching 70 years old.⁸⁰ Judges are also ineligible to be nominated or run for a nonjudicial office until they have been out of a judgeship for at least one year.⁸¹

Initiative & Referendum

The Michigan Constitution provides Michigan voters a direct channel to enact or reject legislation.⁸² The Constitution provides two such channels. First, the “initiative” allows the people to propose laws. Second, the “referendum” allows the people to reject laws passed by the Legislature. Initiatives and referendums require petitions be signed by voters equal to at least 8 percent of the voters for Governor in the last general election.

With regard to an initiative, before going to the people for a vote, the Legislature has 40 session days to approve it. If the Legislature approves the initiative in that time, it comes law and does not go on the ballot. Any initiative that is not approved by the Legislature is sent to the voters on the next general election ballot for approval

or rejection. A majority of voters can approve or reject the initiative. If it is approved, it becomes law. No matter what, however, an initiative cannot be passed that the Michigan Legislature does not have the power to enact.

With regard to a referendum, laws passed by the Legislature can be subject to a vote of the people. Any such laws go before the voters at the next general election, and if a majority of voters reject a law subject to a referendum, it fails to become law. Appropriations bills are exempt from the referendum.

Any law approved via referendum or initiative takes effect without the signature of the Governor. Moreover, they may not be amended unless three-quarters of both the Michigan Senate and Michigan House approve. If two such laws conflict, the one receiving the most votes prevails.

Under the U.S. Constitution, the people are locked out of any direct legislative role - there is no provision for initiative or referendum.

Recalls

The Michigan Constitution provides that Legislature must pass allows allowing elected officers, other than judges of record, to be subject to recall.⁸³ A recall occurs when a majority of voters approve removing an elected official. The filing of a petition of electors of at least 25% of those who voted for the Governor in the last election in the target official's district places the official on the ballot. There is a requirement that the petition provide a "statement of reasons or grounds" for the recall, and whether those reasons or grounds are sufficient cannot be reviewed by the courts.

The U.S. Constitution does not include recalls.

Local Government

The Michigan Constitution addresses the respective powers, immunities, and governance of counties,⁸⁴ townships,⁸⁵ cities⁸⁶ and villages.⁸⁷

The Michigan Constitution is so detailed that it requires that the bridging and damming of “navigable stream[s]” without the permission of supervisors of the local county,⁸⁸ and it permits county intervention in public utility services and rate proceedings.⁸⁹ Likewise, a township is not permitted to grant a public utility franchise “which is not subject to revocation at the will of the township, unless the proposition shall first have been approved by a majority of electors of such township voting thereon at a regular or special election.”⁹⁰

Other than ensuring a republican form of government at the state level,⁹¹ the United States Constitution is utterly silent with regard to local governance.

Governmental Authority

Enumerated Powers & Federalism

In almost all other countries, there is a national government - it has unlimited legislative and executive authority. Regional and local governments only have authority delegated to them by the national one. The United States is the opposite. The United States Constitution vests limited power in the federal government. In particular, the federal government only has authority to act in connection with powers expressly given to it. This doctrine is called “enumerated powers.” If the Constitution does not enumerate that the federal government has a particular power, then it doesn’t. Period.

The doctrine of enumerated powers is obvious by the way the Constitution is drafted, the intentions of the Founding Generation, and, for good measure, is expressly recognized in the 10th Amendment to the U.S. Constitution.

Powers given to the federal government are those required to establish, unify, and defend our country. For example, national defense, international trade, foreign policy, patents, post office, and interstate commerce.⁹²

All powers not given to the federal government are retained by the states. At the heart of the authority of states is the “police power.” The police power is a broad authority of the states to protect the health, safety, and welfare of the people. The police power addresses such areas as marriage, health, disasters and pandemics, family law, most criminal laws, education, transportation, roads, public parks, and management of natural resources.

Finance & Taxation

The federal Constitution simply provides that the United States has the power “To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States” and “To borrow money on the credit of the United States.”⁹³

The Michigan Constitution takes painstaking care to address taxes and fiscal matters. In particular, Article IX, entitled Finance and Taxation, has 43 Sections. Provisions address, among other things, taxes for state expenses,⁹⁴ property taxation,⁹⁵ exemption from taxation for religious and educational nonprofit organizations,⁹⁶ income tax,⁹⁷ sales and use taxes,⁹⁸ fuel taxes,⁹⁹ taxes dedicated to schools,¹⁰⁰ short term state borrowing,¹⁰¹ payments from the State treasury,¹⁰² public financial records,¹⁰³ public pensions,¹⁰⁴ limitations on taxes,¹⁰⁵ limitations on revenue,¹⁰⁶ the creation of the Michigan natural resources trust fund,¹⁰⁷ tobacco taxes,¹⁰⁸ establishment of the Michigan veterans’ trust fund,¹⁰⁹ establishment of the Michigan conservation and recreation legacy fund,¹¹⁰ and the establishment of the Michigan game and fish protection fund.¹¹¹

Specific Police Powers

Education

No powers or duties regarding education are provided in the federal Constitution.

Article VIII of Michigan’s Constitution is dedicated to education. Section 1 of the Article incorporates a key phrase of the Northwest Ordinance: “Religion, morality and knowledge being necessary to good government

and the happiness of mankind, schools and the means of education shall forever be encouraged.” Section 2 requires the Legislature to “maintain and support a system of free public elementary and secondary schools as defined by law,” and specifically provides that each school district shall provide “education to its pupils without discrimination as to religion, creed, race, color or national origin.” That Section also bans direct or indirect financial aid to nonpublic schools. Section 3 creates an 8 member, statewide elected State Board of Education and vests it with “Leadership and general supervision over all public education, including adult education and instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees” Public higher education institutions are established by Section 4, and Section 5 provides for statewide elections for Wayne State University, the University of Michigan, and Michigan State University. The Legislature is mandated to establish and financially support public community and junior colleges.¹¹²

Transportation

The Michigan Constitution provides that the Legislature “may provide for the laying out, construction, improvement and maintenance of highways, bridges, culverts and airports by the state and the bounties and townships thereof; and may authorize counties to take charge and control of any highway within their limits for such purposes.”¹¹³

Protection of Unalienable Rights

With a few exceptions, the federal Constitution’s protection of unalienable rights is found in the Bill of Rights (the first 10 Amendments) and the Reconstruction Amendments (Amendments 13-15). The First Amendment prohibits the establishment of a state church, and guarantees the rights of the free exercise of religion, freedom of speech and press, and the freedoms to assemble and petition the government. The Second Amendment protects the right to bear arms, while the Third Amendment prohibits the quartering of troops. The Fourth - Eighth Amendments mostly protect the rights of criminal defendants or address rights in civil litigation, along with prohibiting the acquisition of property without a public purpose and just compensation. The Thirteenth Amendment bars slavery, the Fourteenth defines citizenship and ensures the States provide equal protection of laws and due process to their citizens, while the 15th Amendment guaranteed the right to vote for all men

regardless of their race. The 19th Amendment provides the right to vote to all women, and the right to vote was expanded to 18 year olds in the 26th Amendment. Article I, Section 9 of the original, unamended Constitution also barred ex post facto laws, bills of attainder, and protected the ancient writ of habeas corpus.

The first Article of the Michigan Constitution is a Declaration of Rights. Section 1 of Article I provides that “All political power is inherent in the people. Government is instituted for their equal benefit, security and protection.” The Declaration of Rights is composed of 27 sections. Many of the sections provide similar or parallel provisions to the federal Bill of Rights and Reconstruction Amendments, including equal protection of the law;¹¹⁴ the right to peaceable assemble and petition the government;¹¹⁵ the protection of the free exercise of religion;¹¹⁶ the freedoms of speech and press;¹¹⁷ the right to bear arms;¹¹⁸ the prohibition of bills of attainder, ex post facto laws, and impairment of contracts;¹¹⁹ and the protection of jury trials.¹²⁰ Others are not found in the federal Constitution, such as the rights of crime victims;¹²¹ the definition of marriage;¹²² the prohibition of affirmative action programs in education;¹²³ and human embryo and embryonic stem cell research.¹²⁴ Michigan did not have to ban slavery since that stain on American history was never present in Michigan.

Amendments

To amend the U.S. Constitution, two-thirds of both houses of Congress must submit a proposal to the states, and three-quarters of the States must approve it.¹²⁵ Approximately 12,000 amendments have been proposed in Congress, and only 33 have gone to the States for consideration.¹²⁶ The U.S. Constitution has been successfully amended 27 times. Such amendments include the Bill of Rights,¹²⁷ the prohibition of slavery,¹²⁸ establishing equal protection and due process for all people against the States,¹²⁹ voting rights for African-Americans and women,¹³⁰ authorizing an income tax,¹³¹ altering United States Senate elections,¹³² and modifying presidential elections and succession procedures.¹³³

To amend the Michigan Constitution, citizens can propose an amendment via a ballot initiative when at least 10 percent of the total vote cast for all candidates for governor at the last preceding election sign a petition.¹³⁴

The Legislature can also propose an amendment if two-thirds of both houses vote to do so.¹³⁵ In either case, an amendment is approved by a majority vote of the people in a statewide election.¹³⁶ There have been 31 proposed amendments via ballot initiatives, and 43 via legislative resolutions.¹³⁷ Of those, 32 amendments have been approved and 42 rejected.¹³⁸ Approved amendments include establishing the Judicial Tenure Commission,¹³⁹ the creation of the State Officers Compensation Commission,¹⁴⁰ addressing the filling of judicial vacancies,¹⁴¹ prohibiting public funds to aid nonpublic schools and students,¹⁴² and authorizing lotteries.¹⁴³ Rejected amendments included attempts to lower the voting age to 18 (twice),¹⁴⁴ permitting a graduated income tax,¹⁴⁵ and permitting election of members of the Legislature to another State office during their term of office.¹⁴⁶

Constitutional Convention

A new U.S. constitutional convention can be called “on the Application of the Legislatures of two thirds of the several States,” and a new constitution may be adopted when three-quarters of the states approve the new constitution (either by constitutional conventions or by the state legislatures, as determined by Congress).¹⁴⁷ No successful movement to call for a convention has yet occurred, although a movement called the “Convention of the States” has obtained applications from 15 states (i.e., both houses of the State legislatures have approved it), with partial success in 8 others (one house has approved it), calling for a convention that would “limit the power and jurisdiction of the federal government, impose fiscal restraints, and place term limits on federal officials.”¹⁴⁸

The question of whether Michigan should hold a new constitutional convention is placed on the ballot every 16 years (beginning in 1978).¹⁴⁹ If a majority of voters agree, a constitutional convention will be held subject to certain procedures set forth in the current Constitution.¹⁵⁰ This process has yet to result in a call for a new convention since the enactment of the 1963 Constitution.

Conclusion

The differences between our two Constitutions are quite intense – revealing the origins and philosophies undergirding each. For example, the Michigan Constitution provides for direct action by the people in modifying

their fundamental charter and laws, while the federal Constitution has no such mechanisms. The voters of the State of Michigan directly elect all nearly all state constitutional officers, while the federal system provides direct elections only of the Congress. Indeed, federal judges are appointed and have life tenure; Michigan judges are directly elected and may not run for re-election after the age of 70. Other than judges of record, all elected officials can be recalled in Michigan - not so in the federal system. Understanding their differences gives us a deeper appreciation for the value they provide and any potential imperfections. Simply put, the U.S. and Michigan Constitutions have a profound impact on our daily lives, significantly differ in scope and detail, and are well worth learning if we intend to preserve our liberties and freedoms.

VOTING

- How to register (**Michigan.gov/vote**)
 - Step 1: Check Eligibility
 - You must be a U.S. Citizen, at least 18 years old, a Michigan resident, and a resident of the city where you are registering to vote.
 - Step 2: Fill out an application and submit the application to the city clerk.
 - Step 3: The clerk will process your application and you will be registered.
 - The State of Michigan website will tell you where you can go to cast your vote.
 - Absentee ballots can be found at **Michigan.gov/vote**.

CRIMINAL LAW

Felonies and Misdemeanors Defined

Felony - A felony is a crime for which the offender may be punished by imprisonment for more than 1 year (or an offense expressly designated by law to be a felony). (MCL 28.241a(f))

Misdemeanor - A misdemeanor is a crime or a violation of an order, rule, or regulation of a state agency that is punishable by imprisonment for no more than a year or a criminal fine. A misdemeanor may also be a violation of a local ordinance that substantially corresponds to state law and that is not a civil infraction. (MCL 28.241a(j))

Consequences of Criminal Convictions

State Consequences

1. You cannot vote while you are incarcerated for a crime. (MCL 168.758b)
2. If you are convicted of a felony, you lose your right to serve on a jury. (MCL 600.1307a(e))
 - a. However, Michigan can restore your right to serve on a jury after your entire sentence is served and completed.
3. Public office
 - a. If you are convicted of an “infamous crime,” or any offensive involving a violation of an oath office, you will be removed from any public office you hold. (MCL 201.3(5))
 - b. You commit a felony if you are convicted of bribery involving your office, and you will never be eligible for public office, public trust or appointment. (MCL 750.118)
 - c. If you are a city officer convicted of a felony, official misconduct, willful neglect of duty, extortion, or habituate drunkenness, you will be removed from the position and ineligible for election or appointment for three years after your removal. (MCL 168.327)
 - d. If you are convicted of subversion or a felony involving a breach of public trust, you are not eligible for a position in either house of the legislature for 20 years after your conviction. (Michigan Constitution of 1963, Article 4 Section 7)

Federal Consequences

1. If you are convicted of a felony, you cannot serve on a federal grand jury unless your civil rights are restored. (28 U.S.C. 1865(b)(5))
2. If you are convicted of treason, you cannot hold any office under the United States. (18 U.S.C. 1505(a))
3. If you are convicted of a felony, you may not be able to enlist in the military. (Title 32, Part 66 of Code of Federal Regulations)
4. If you are convicted of bribery, you will be disqualified from federal office. (18 U.S.C. 2381)
5. If you are an immigrant in the United States with a visa, a conviction for certain crimes involving immorality and drug offenses may result in your visa being revoked and subsequent deportation from the United States. (8 U.S.C. 1182(a)(2))

Other Potential Consequences

1. Difficulty finding a job.
2. Difficulty finding housing.
3. Financial difficulty (i.e. taking out a loan, opening a checking or savings account).
4. Potential traveling obstacles (i.e. may not be eligible for a passport).

Tobacco

Possession or Use as a Minor (MCL 722.642)

- If you are under 18, you commit a misdemeanor by possessing, attempting to possess, attempting to purchase or using tobacco products.
 - This crime is punishable by a fine up to \$50, health programming, and community service.
- You commit a misdemeanor by using another's ID or a fake ID to obtain tobacco.
 - This crime is punishable by a fine up to \$50 and 40 hours of community service.

Selling or Giving Tobacco to a Minor (MCL 722.641)

- You commit a misdemeanor if you sell, give, or provide a tobacco product or vapor product/alternative nicotine product to anyone under 18.
 - This crime is punishable by a fine up to \$100 for a first offense. Subsequent offenses can result in a fine up to \$2,500.

Alcohol

Minor in Possession of Alcohol (MIP) (MCL 436.1703)

- If you are under the age of 21, you violate the law by consuming, possessing, purchasing or attempting to purchase alcohol
 - A first-time violation of this law is considered a civil infraction and you can face a fine up to \$100.
 - Your second violation of this law is a misdemeanor, and you can face a fine up to \$200 and up to 30 days in jail.
 - Your third or subsequent offense is a misdemeanor that is punishable by up to 60 days in jail and/or a fine up to \$500.
- If you are under 21 years old, a police officer may request a breathalyzer test from you when there is reasonable cause to believe you have consumed alcohol. The test may not be administered without your consent; however, the officer may seek out a court order to do so.

Supplying Alcohol to a Minor (MCL 436.1701)

- You commit a misdemeanor if you purchase alcohol for individuals under 21 years old.
 - This crime is punishable by a fine up to \$1,000 and up to 60 days in jail.

Fake Identification (MCL 436.1703)

- You commit a misdemeanor if you give anyone under the age of 18 a fake ID, or if you use a fake ID to purchase alcohol if you are under 21.
 - This crime is punishable by up to 93 days in jail and/or a fine up to \$100.

Operating While Intoxicated (OWI) (MCL 257.625)

- You commit a crime if you operate a motor vehicle while intoxicated (under the influence of alcohol or drugs) on any space accessible to motor vehicles, in public or generally accessible areas.
 - Your first OWI offense is a misdemeanor, which is punishable by 360 hours of community service, imprisonment up to 93 days, and a fine up to \$500.
 - If you have one prior OWI conviction within the previous 7 years, a second conviction is a misdemeanor that is punishable by up to a year in jail and/or a \$200 - \$1,000 fine.
 - If you have two prior OWI convictions, a third OWI conviction is a felony that is punishable by up to 5 years in prison and a fine up to \$5,000.
 - The average total cost a defendant convicted of an OWI pays ranges from \$8,500 to \$11,000.

Good Samaritan Law/Medical Amnesty/Free Exercise of Religion (MCL 436.1703)

- If you are under the age of 21, and you voluntarily seek medical treatment or observation after consuming alcohol, are accompanying another minor who has consumed alcohol and is voluntarily presenting themselves for treatment or observation, or if you seek the assistance of police officers or emergency medical services with legitimate health care concerns, you will NOT be charged for underage drinking.
- A minor may consume sacramental wine in connection with religious services at a church, synagogue, or a temple.

Illicit Drugs

Marijuana

Prohibited Use of Marijuana¹ (MCL 333.27954, 333.27965)²

- You commit a civil infraction if you do any of the any following acts:
 - Using marijuana as an adult in public is a civil infraction punishable by a fine up to \$100.
 - Cultivating marijuana in your home where it is visible to others standing in a public place or possessing more than 2.5 ounces in your home without the excess being properly stored and kept away from others is a civil infraction punishable by a fine up to \$100.
 - If you are at least 21 years old and possess, cultivate, or deliver as a gift, twice the allowed amount of marijuana, then you could face a civil infraction punishable by a fine up to \$500.
 - A second violation is a civil infraction punishable by a fine up to \$1,000.
 - A third or subsequent violation is a misdemeanor punishable by a fine up to \$2,000.
- You commit a crime if you do any following acts:
 - Possessing marijuana if you are under 21 years old.
 - Growing or processing marijuana in a visible, unlocked location.
 - Using or consuming marijuana as a passenger in a motor vehicle.
 - Giving or selling marijuana to anyone under 21 years old.

¹ This work has chosen to use the colloquial spelling of marijuana, however, the Michigan legislature refers to it as marihuana. There is no substantive difference between the two spellings.

² Possessing, manufacturing and distributing marijuana is still illegal under federal law.

- Possessing or consuming marijuana on elementary, middle and/or high school grounds (private or public).
- Growing or possessing more than two times the legal amount of marijuana.
- Operating a motor vehicle while using marijuana or while under the influence of marijuana.
 - Similar to operating a motor-vehicle while under the influence of alcohol, operating a motor vehicle while under the influence of marijuana is punishable by a fine up to \$500 and 93 days in jail for your first offense.
- An employer is not required to permit or accommodate marijuana use on the job or the employer's premises. Likewise, an employer may base its employment decisions based on marijuana use.

Recreational Use of Marijuana (MCL 333.27955)

- Under Michigan law, if you are at least 21 years old, you may purchase, possess, use, consume, and transport up to 2.5 ounces of marijuana. Up to 2.5 ounces of marijuana can also be given to another individual who is 21 years or older as long as you do not receive payment and the transaction is not promoted in public.
 - Note: There cannot be more than 15 grams of marijuana in the form of a concentrate.
- You may also possess, store, and process up to 10 ounces of marijuana within your legal residence if you are 21 or older. However, you cannot grow more than 12 marijuana plants at one time.
- Federal law still criminalizes possession, use, distribution and sale of marijuana. (21 USC 811)

Medical Use of Marijuana (MCL 333.26421 *et seq.*)

- Under very limited circumstances, under Michigan law you can grow, distribute, and use marijuana for medical purposes.
 - If you are a qualifying patient that has been diagnosed by a physician, you may possess up to 2.5 ounces of marijuana and usable marijuana equivalents.
 - A patient must always be able to present his or her registry identification card and government-issued ID.
 - If you have a primary caregiver, you and your caregiver may keep up to 12 marijuana plants in an enclosed, locked facility.
- As a qualifying patient you are still not allowed to do the following:
 - Use or possess marijuana on primary or secondary school property.
 - Smoke marijuana on public transportation or in public places.
 - Operate any type of motor-vehicle while under the influence of marijuana.
- As a qualifying patient or registered primary caregiver, selling marijuana to someone who is not allowed the medical use of marijuana is a crime.
 - This is a felony punishable by up to 2 years in prison and/or a fine up to \$2,000. Additionally, your registry identification card will be revoked.
- Federal law still criminalizes possession, use, distribution and sale of medical marijuana. (21 USC 811)

Controlled Substances & Prescription Drugs

Possession Controlled Substances (Cocaine, Heroin, Fentanyl, Methamphetamine, Ecstasy) & Prescription Drugs (MCL 333.7403)

- You commit a crime if you knowingly possess a controlled substance³ or prescription drugs not prescribed to you by a doctor. The consequences for illegally possessing a controlled substance are numerous. Depending on the type of drug (i.e., the schedule of the drug) and the amount, your punishment could range from a term of probation to life imprisonment and fines from \$2,000 - \$1,000,000.

Manufacture and Delivery Controlled Substances (Cocaine, Heroin, Fentanyl, Methamphetamine, Ecstasy) & Prescription Drugs (MCL 333.7401)

- You commit a felony if you manufacture, create, deliver, or possess with the intent to deliver to another a controlled substance or prescription drugs illegally. The consequences for such felonies are numerous. Depending on the type of drug (i.e., the schedule of the drug) and the amount, your punishment could range from probation to life in imprisonment and fines from \$1,000 - \$1,000,000.

Sex Crimes

Pornography

Non-Consensual Pornography (MCL 750.145e)

- Often referred to as revenge porn, you commit a crime if you intentionally distribute any sexually explicit visual material of another person with the intent to threaten, coerce, or intimidate him or her if the person is at least 18 years old. Non-consensual pornography includes posting sexually explicit visual material that identifies the individual in it, or posting additional information identifying the individual.
 - Non-consensual pornography is a misdemeanor and is punishable by a fine up to \$500 and up to 93 days in jail for a first-time offense.

³ A controlled substance is a drug or chemical which the manufacture, possession, or use is regulated by the federal government. Controlled substances are divided into five different schedules/categories:

1. Schedule I: Substances in this schedule have no currently accepted medical use in the United States, a lack of accepted safety for use under medical supervision, and a high potential for abuse. (Examples: Heroin, LSD, Ecstasy, Marijuana)
2. Schedule II: Substances in this schedule have a high potential for abuse which may lead to severe psychological or physical dependence. (Examples: Morphine, Opium, Codeine, Adderall, Hydrocodone)
3. Schedule III: Substances in this schedule have a potential for abuse less than substances in Schedules I or II and abuse may lead to moderate or low physical dependence or high psychological dependence. (Examples: Ketamine, Anabolic Steroids)
4. Schedule IV: Substances in this schedule have a low potential for abuse relative to substances in Schedule III. (Examples: Xanax, Valium)
5. Schedule V: Substances in this schedule have a low potential for abuse relative to substances listed in Schedule IV and consist primarily of preparations containing limited quantities of certain narcotics. (Examples: Robatussin and other cough medicine containing codeine)

Child Pornography (MCL 750.145c)

- You commit a felony if you possess, create, or help to create child (under the age of 18) pornography or coercing anyone under the age of 18 to create child pornography. Child pornography includes any visuals of a “child sexually abusive activity” such as sexual intercourse, erotic fondling, masturbation, passive sexual involvement, sexual excitement, or erotic nudity.
- For example, if you send via text message or Snapchat explicit images of an individual under the age of 18 sent, that constitutes child pornography.
 - Child pornography is a felony punishable by imprisonment for up to 20 years and/or a fine up to \$100,000.

Sexual Misconduct

Sex with a Minor & the Age of Consent (MCL 750.502b-e)

- Any type of sexual intercourse or contact must always be consensual. For someone to give consent, the person must be at least 16 years old, not have any mental illness or be incapacitated/unconscious, and not be intoxicated against their will.
- Regardless of your age, you commit a crime by engaging in sexual intercourse or contact with a person under the age of 16.
- A person’s voluntary intoxication is not a defense for being unaware of a lack of consent.
- The age of consent goes up to 18 years old if the perpetrator is an authority figure like a teacher.

Criminal Sexual Conduct (CSC) (MCL 750.502b-e)

- You can be charged with four different degrees of Criminal Sexual Conduct.
- Note: “Sexual penetration” includes sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person’s body.
- Note: “Sexual contact” includes intentionally touching a victim’s or perpetrator’s intimate parts or intentionally touching the clothing covering those areas.

1st Degree CSC (MCL 750.520b)

- You commit criminal sexual conduct in the first degree if you engage in sexual penetration with another AND *any* of the following circumstances exist:
 - The victim is under 13 years of age.
 - The sexual penetration occurs while committing another felony.
 - The victim is mentally incapable or physically helpless.
 - The perpetrator is in possession of a weapon.
 - The perpetrator causes injury to the victim when he/she uses force or coercion to cause penetration.
 - Incest.
 - The perpetrator is a member of the same household as the victim.
 - The perpetrator is in a position of authority over the victim and used the authority to coerce the victim to submit.

- The perpetrator is a school employee, the victim is a student, and the perpetrator uses his or her school status to gain access to the victim.
- 1st degree CSC is a felony punishable by a lifetime electronic monitoring tether, sex-offender registration, and imprisonment for up to life without parole.

2nd Degree CSC (MCL 750.520c)

- You commit criminal conduct in the second degree if you engage in sexual contact with another person AND *any* of the following circumstances exist:
 - The victim is under 13 years old.
 - The contact occurs during the commission of another felony.
 - The perpetrator is armed with a weapon.
 - The perpetrator causes injury to the victim when he/she uses force or coercion to make the contact.
 - The victim is mentally incapable or physically helpless.
 - Incest.
 - The perpetrator is a member of the same household as the victim.
 - The perpetrator is in a position of authority over the victim and used the authority to coerce the victim to submit.
 - The perpetrator is a school employee, the victim is a student, and the perpetrator uses his or her school status to gain access to the victim.
- 2nd degree CSC is a felony punishable by imprisonment for up to 15 years and the perpetrator may be subject to lifetime electronic monitoring tether and sex offender registration.

3rd Degree CSC (MCL 750.520d)

- You commit criminal sexual conduct in the third degree if you engage in sexual penetration with another person AND *any* of the following circumstances exist:
 - The victim is at least 13 years old but younger than 16 years old.
 - Force or coercion is used to accomplish the sexual penetration.
 - The victim is mentally incapable, mentally incapacitated, or physically helpless.
 - Incest.
 - The perpetrator is in a position of authority over the victim and used the authority to coerce the victim to submit.
 - The perpetrator is a school employee, the victim is a student, and the perpetrator uses his or her school status to gain access to the victim.
 - The actor is a mental health professional and the sexual contact occurs during or within 2 years after the period in which the victim is his or her client or patient.
- 3rd degree CSC is a felony punishable by an electronic monitoring tether, sex-offender registration, and imprisonment for up to 15 years.

4th Degree CSC (MCL 750.520e)

- You commit criminal sexual conduct in the fourth degree if you engage in sexual contact AND *any* of the following circumstances exist:
 - You use force or coercion.

- The victim is incapacity.
- The victim is at least 13 years old but less than 16, and you are at 5 or more years older than the victim.
- You use surprise or concealment to engage in the sexual contact.
- The victim is mentally incapable, mentally incapacitated, or physically helpless.
- Incest.
- The perpetrator is in a position of authority over the victim and used the authority to coerce the victim to submit.
- The perpetrator is a school employee, the victim is a student, and the perpetrator uses his or her school status to gain access to the victim.
- 4th degree CSC is a misdemeanor punishable by an electronic monitoring tether, sex-offender registration, and imprisonment for up to 2 years and/or a fine up to \$500.

Harassment

Cyberbullying & Harassment (MCL 750.411x)

- You commit a crime if you engage in cyberbullying or post anything threatening about another person on the internet. Cyberbullying includes sending threatening messages or posting statements that are meant to place a person in fear of bodily harm.
 - You could face up to 93 days in jail and/or a fine up to \$500 for the first offense.
 - You could face up to 1 year in jail and/or a \$5,000 fine for subsequent offenses.
 - Cyberbullying that involves a continued pattern of harassing or intimidating behavior and causes serious injury to the victim is guilty of a felony punishable by imprisonment for up to 5 years and/or a fine of not more than \$5,000.00.
 - Cyberbullying that involves a continued pattern of harassing or intimidating behavior and causes the death of the victim is guilty of a felony punishable by imprisonment up to 10 years and/or a fine of not more than \$10,000.00.

Stalking (MCL 750.411h)

- You commit a crime if you stalk a person using repeated or continued harassment that would cause someone to feel terrorized, frightened, intimidated, threatened, or harassed.
 - If you are found guilty of stalking, you could face up to 1-year imprisonment and/or a fine up to \$1,000.
 - If the victim is younger than 18 years of age and you are 5 years older, then stalking is a felony punishable by up to 5 years in prison and/or a fine up to \$10,000

Theft & Trespass

Documents

Writing Checks without Sufficient Funds (MCL 750.131)

- You commit a crime by intentionally writing checks knowing that you do not have sufficient funds in or credit with the bank to pay the check.
 - If the check that you write is for less than \$100, then you could face a fine up to \$500 and/or 93 days in jail.
 - As the amount of the check and/or convictions goes up, the punishment becomes more severe, up to 2 years of incarceration and/or a \$2000 fine (or three times the value of the check, whichever is greater).

Uttering and Publishing (MCL 750.248, 750.249)

- You commit a felony if you forge or alter a check or other financial/legal instrument with the intent to defraud or injure another person.
 - This felony is punishable by up to 14 years in prison.

Shoplifting

Retail Fraud (MCL 750.356c-d)

- You commit a crime if you steal items for sale from a store, misrepresent the price of a good with the intent to pay less than the full price, or attempt to return goods that are not paid.
 - If the price of the goods or the difference between the original price and altered price is less than \$200, you are guilty of a misdemeanor punishable by up to 93 days in jail and/or a fine up to \$500 or 3 times the price of the goods, whichever is greater.
 - As the price of the goods and the number of convictions goes up, the punishment becomes more severe.

Motor Vehicles

Larceny of a Motor Vehicle (MCL 750.356a)

- You commit a crime if you enter or break into a motor vehicle, house trailer, trailer, or semitrailer to steal or unlawfully remove property.
 - If the value of the property is less than \$200, you are guilty of a misdemeanor punishable by imprisonment up to 93 days or a fine up to \$500 or 3 times the value of the property, whichever is greater.
- You commit a crime if you steal or unlawfully remove or take any wheel, tire, air bag, catalytic converter, radio, stereo, clock, telephone, computer, or other electronic device in or on any motor vehicle, house trailer, trailer, or semitrailer.
 - This crime is a felony punishable by imprisonment for up to 5 years and/or a fine up to \$10,000.

Home Invasion

Home Invasion (750.110a)

- You commit a crime if you break into or enter a house or a structure attached to a house (for example, a garage) without permission with intent to commit a felony, larceny, or assault in that house.
 - It is a felony in the first degree if you enter the house or attached structure when armed with a dangerous weapon or while people are in the house and is punishable by up to 20 years in prison and/or a fine up to \$5,000.
 - It is a felony in the second degree if you enter the house or attached structure without permission with intent to commit a felony, larceny, or assault in that house, and is punishable by up to 15 years in prison and/or a fine up to \$3,000.
 - It is a felony in the third degree if you enter the house or attached structure without permission with intent to commit a misdemeanor or when a person is in the house and you have been ordered by the court to stay away from that person, and is punishable by up to 5 years in prison and/or a fine up to \$2,000.

Robbery

Unarmed Robbery (MCL 750.530)

- You commit a felony if you use force or threaten to use force (without a weapon) to steal money or other property from another person.
 - Unarmed robbery is a felony punishable by up to 15 years in prison.

Armed Robbery (MCL 750.529)

- You commit a felony if you use a dangerous weapon or threaten to use a dangerous weapon to steal money or other property from another person.
 - Robbing another person with a dangerous weapon is a felony punishable by up to life in prison; and requires a minimum of 2 years of incarceration if a victim suffers an aggravated assault or serious injury.

Driving

Reckless Driving (MCL 257.626)

- You commit a crime if you operate a motor vehicle in any public place (i.e. parking lot, frozen lake, or road) in a reckless manner.
 - is a misdemeanor which is punishable by up to 93 days in jail and/or a fine up to \$500.

Texting while driving (MCL 257.602b)

- You commit a civil infraction if you use a phone in your hand or lap to read, type, or compose a text or while driving.
 - For a first offense, punishment includes a fine up to \$100.
 - For a second or subsequent offense, punishment includes a fine up to \$200.

Assault, Domestic Violence, Self Defense, & Weapons

Self Defense

- You are allowed to use reasonable and necessary force to protect yourself or another from an attacker.
- However, once such force is no longer necessary or reasonable, you may be considered the aggressor and you can be charged with assault.

Assault

Assault or Assault and Battery (MCL 750.81)

- You commit a crime if you threaten to make or actually making harmful or offensive contact (not in self-defense) with another.
 - Assault or assault and battery is a misdemeanor punishable by up to 93 days in jail and/or a fine up to \$500.

Domestic Violence (MCL 750.82)

- You commit a crime by committing an assault or assault and battery on your spouse or former spouse, someone you dated, the parent of your child, or a current or former resident of your household.
 - Domestic violence is a misdemeanor punishable by up to 93 days in jail and/or a fine up to \$500.
 - A second offense is a misdemeanor punishable by imprisonment up to 1 year and/or \$1,000 fine.
 - A third offense is felony punishable by up to 5 years in prison and/or a fine of not more than \$5,000.00.

Assaulting a Pregnant Person (MCL 750.82)

- You commit a crime by committing an assault or assault and battery on a person you know is pregnant.
 - This crime is a misdemeanor punishable by up to 93 days in jail and/or a fine up to \$500.
 - A second offense is a misdemeanor punishable by imprisonment up to 1 year and/or \$1,000 fine.
 - A third offense is felony punishable by up to 5 years in prison and/or a fine of not more than \$5,000.00.

Felonious Assault (MCL 750.82(1))

- You commit a crime if you assault another person with a gun, knife, iron bar, club, brass knuckles, or other dangerous weapon (without intending to commit murder or to inflict great bodily harm less than murder).
 - Felonious assault is a felony punishable by up to 4 years in prison and/or a fine up to \$2,000.
 - Felonious assault in a weapon free zone is a felony punishable by up to 4 years in prison and/or a fine of up to \$6,000.

Assault with Intent to do Great Bodily Harm Less Than Murder (MCL 750.84)

- You commit a crime if you assault another person with an intent to cause great bodily harm less than murder or by strangling or suffocating that victim.

- “Great Bodily Harm” means any physical injury that could seriously harm the health or function of the body.
- "Strangulation or Suffocation" means intentionally impeding normal breathing by applying pressure on the throat or neck or by blocking the nose or mouth of another person.
- This type of assault is a felony that is punishable by up to 10 years in prison and/or a fine up to \$5,000

Weapons

Tasers/Stun gun (MCL 750.224a)

- Possession of a taser or stun gun is only legal if you have a concealed pistol license (you must be at least 21 years old to obtain a concealed pistol license), a law enforcement officer, or similar individual.
 - Illegal possession of a taser/stun gun is a felony punishable by up to 4 years in prison and/or a fine up to \$2,000.

Guns, Knives, and Similar Weapons (MCL 750.226)

- You commit a crime if you carry a pistol, gun, dagger, razor, stiletto, or knife with a blade over 3 inches in length if you intend to use the weapon unlawfully against another person.
 - Carrying a knife with a blade over three inches or any other type of stabbing instrument with intent to use it against another person is a felony punishable by up to 5 years in prison and/or a fine up to \$2,500.
- You may not possess a pocketknife that opens with the push of a button or other mechanical feature (i.e., a switchblade).
 - The sale or possession of a switchblade-type pocketknife is a misdemeanor punishable by imprisonment for up to 1 year in jail and/or a fine up to \$300.

Pepper Spray/Mace (MCL 750.224d)

- Pepper Spray is legal to use for self-defense.
 - However, if you use pepper spray in a manner not for self-defense, you have committed a misdemeanor punishable by up to 2 years in incarceration and/or a fine up to \$2,000.

Guns and Weapons (MCL 3.111, 28.422)

- You must be at least 18 years old to purchase rifles or shotguns.
- You must be at least 21 years old to purchase a pistol and must have the following:
 - Purchasing license or a Concealed Pistol License.
 - A Concealed Pistol License to carry a pistol in a concealed manner.

Illegally Carrying a Concealed Weapon (MCL 750.227)

- You commit a crime by carrying a pistol concealed on your person or (whether concealed or otherwise) in a vehicle operated or occupied by the person, without a Concealed Pistol License.
- You commit a crime by carrying a dagger, dirk, stiletto, a double-edged non-folding stabbing instrument of any length, or any other dangerous weapon, concealed on your person or (whether concealed or otherwise) in a vehicle operated or occupied by the person.

- However, you are allowed to carry any of the concealed weapons listed above in your own home, on your own land, or in your place of business.
- A violation of this law is a felony punishable by up to 5 years in prison and/or a fine up to \$2,500.

Felony Firearm (MCL 750.227b)

- You commit a crime if you possess a firearm while committing or attempting to commit a felony.
 - This felony is punishable by an additional 2 years of incarceration in prison that you will serve before you begin your sentence for the other felony conviction.

CIVIL RIGHTS

Employment and Public Accommodations

Civil Rights - *Elliott-Larsen Civil Rights Act* (Public Act 453 of 1976, as amended (MCL 37.2101 *et seq.* and the Michigan Civil Rights Commission)

- Discrimination in employment, education, housing and other real estate, public accommodations, and public services is prohibited.
- Discrimination on the basis of religion, race, color, national origin, arrest record, genetic information, sex, age, height, weight, familial status and disability is prohibited.
- The Michigan Department of Civil Rights has the authority to accept complaints of discrimination.
- To legally discriminate on the basis of disability must be related to the person's ability to perform on the job or use facilities which cannot be reasonably altered.

Sexual Harassment

Sexual Harassment - *Elliott-Larsen Civil Rights Act* (Public Act 453 of 1976, as amended (MCL 37.2101 *et seq.* and the Michigan Civil Rights Commission)

- You may not make unwelcome sexual advances, requests for sexual favors, other verbal or physical conduct, or communication of a sexual nature that is used as a term or condition to obtain employment, public accommodations or public services, education, or housing.
- A victim of sexual harassment may file a civil suit against a perpetrator.

College & Undocumented Status

Undocumented College Students - *The Family Educational Rights & Privacy Act of 1974 (FERPA)* (20 USC §1232g)

- A public school is not allowed to disclose a student's immigration status to other entities.
- Public schools should not ask, and students are not obligated to give, their immigration status.

- Publicly funded schools may not discriminate or restrict a student's access on the basis of national origin, race, or sex.
- Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE) consider schools a "sensitive location" and will not usually attempt apprehensions or enforcement actions in these areas (unless special circumstances arise).

FINANCE

Loans

- Research the different types of loans available for buying a home, for college, and other purposes before entering into any type of loan agreement. Federal student loans, for example, do not need to be paid back until after you are no longer enrolled in college or have dropped below half-time enrollment. All loans are different, however, so it is very important to do research on your own and talk to the lender about what is required from you.
- Link: <https://studentaid.ed.gov/sa/>

Credit Cards

- Not paying off your credit card can lead to bad credit.
- When you have bad credit:
 - Obtaining approval for a loan can be difficult.
 - Creditors may charge higher rates or put more restrictions on loans.
 - You may have difficulty renting an apartment because landlords will conduct background/credit checks.
 - You may have trouble obtaining a job because employers conduct background checks.
 - You may have difficulty entering into a cell-phone contract.
 - Bad credit can lead to receiving higher insurance premiums.
 - In general, your credit will be checked when you sign any contract that would require you to make monthly payments. The worse your credit, the more likely someone will decline to contract with you or make you pay more.
 - <https://www.moneycrashers.com/bad-credit-score-negative-effects>

Contracts

- Contracts can be written or oral/verbal,
 - Examples of contracts that generally must be in writing:
 - Sale of goods over \$500
 - Sale of land
 - Lease lasting a year or more

- Contract that will last longer than a year
 - TIP: It is always better to write out a contract
- In general, to constitute a contract there must be:
 - An offer by one party to do something
 - Acceptance of that offer by a second party
 - Consideration must be given
 - Consideration is what one party will obtain from the other party for performing their duties in a contract (i.e., money to be paid for a service).
- When a contract is formed, each party has a right and a duty.
- Generally, if one of the parties fails to perform his/her duty when the time comes for performance, that party has “breached” his/her contract and the other party may sue that party for damages (i.e., monetary compensation).

Rental Contracts

Michigan Truth in Renting Act (MCL 554.633) - prohibited lease terms

A rental agreement cannot:

- Waive a tenant’s rights to the landlord providing a livable residence.
- Waive a tenant’s right to their security deposit.
- Discriminate based on religion, race, color, national origin, arrest record, genetic information, sex, age, height, weight, marital status and disability.
- Allow a landlord to take a security interest in a tenant’s personal property to assure payment.
- Permit a landlord to alter a lease agreement without the consent of the tenant.

YOU CAN'T AFFORD THIS

The following are examples of how a criminal defendant might be treated in Michigan's criminal justice system:⁴

Uttering and Publishing

- ☆ Crime: Nina was walking to her car after shopping at a grocery store when a man approached her and said he needed help depositing two checks worth a total of \$1,026.57. The unnamed man told Nina that she could have a \$300 cut of the money if she helped him out. Then the man asked Nina to get in his car, where his friend Tony was in the driver's seat. Tony drove Nina to a bank where she got out and deposited the first check worth \$600. Upon arriving to the second bank, the police were alerted that someone with the same name as Nina had cashed a fraudulent check earlier that day. When the police showed up at the second bank, they arrested Nina.
- ☆ Sentence: Nina was convicted of uttering and publishing and received 2 years of probation only because she had no priors on her record.
- ☆ Costs: \$130 in crime victim rights fees (CVR) + \$68 in state costs + \$60 in DNA testing fee + \$300 attorney fees + \$180 in probation supervision fees + restitution (in the amount of the check cashed, \$600) = at least \$1,338.

Larceny from a motor vehicle

- ☆ Crime: Jack and his friends were walking to the convenience store. On the way Jack noticed a Mercedes parked on the street. Jack pulled on the door handle to see if the car was unlocked and the door opened. He entered the car and stole a \$2,090 Louis Vuitton purse, \$143 Ray-Bans, and \$50 cash.
- ☆ Sentence: Jack was convicted of larceny from a motor vehicle and received 2 years probation, 30 days in jail, and alcohol and drug testing.
- ☆ Costs: \$130 in CVR + \$68 in state costs + \$60 in DNA testing fee + \$300 attorney fees + \$240 probation supervision fees + restitution (\$2283 paid to the victim) = at least \$3,081.

Home Invasion

- ☆ Crime: While walking by a house at night, Damien observed that the garage door of the house was left open. He snuck into the garage while the owners were home and asleep. He stole a \$219 lawn mower and a \$179 bike.
- ☆ Sentence: Damien was convicted of Home Invasion 1st Degree (because the garage is attached, and the owners were home) - he was sentenced to 18 months - 25 years in prison.
- ☆ Costs: \$130 in CVR + \$68 in state costs + \$60 in DNA testing fees + \$400 attorney fees + restitution (\$398 paid to the victim) = at least \$1,056.

Retail Fraud

⁴ The scenarios are not based on any actual cases. The real life consequences of criminal conduct vary depending on the crime, victim, prior criminal history, and innumerable other variables - but none of them are good!

- ☆ Crime: Maja was caught at a Walmart trying to return non-purchased goods (a \$78 Google home mini speaker, \$39.99 Roku, and a \$56.59 Life proof FRE iPhone 6 case).
- ☆ Sentence: Maja was convicted of retail fraud and received 3 years probation, 60 days in jail, and an order to complete a residential substance abuse treatment program.
- ☆ Costs: \$130 in CVR + \$68 in state costs + \$350 attorney fees + \$360 probation supervision fees + restitution (\$174.58 paid to the victim) = at least \$1,082.58.

Assault with intent for great bodily harm

- ☆ Crime: Chad, who is an amateur MMA fighter, got into a bar fight with his classmate Dimitrius over a foosball disagreement while drunk. Chad really wanted to hurt Dimitrius and show off his fighting skills, so he punched Dimitrius and broke his nose.
- ☆ Sentence: Chad was convicted of assault with intent for great bodily harm less than murder, and received 9 months in jail and a 3-year probation term, including anger management, and alcohol and drug testing.
- ☆ Costs: \$130 in CVR + \$68 in state costs + \$60 in DNA testing fees + \$425 attorney fees + \$360 probation supervision fees + restitution (full amount of victim's medical expenses for a broken nose, \$1,500) = at least \$2,543.

Criminal Sexual Conduct

- ☆ Crime: Mira was standing by the beer table at a house party waiting for her friend to return from the bathroom when Eric came over and started pestering her with questions. Mira tried to politely avoid conversation with Eric, but when she turned away, he grabbed her by the waist and pulled her closer to him. Mira started yelling at Eric, then he reached his hand up her skirt. Another girl at the party saw what was happening and came to the aid of Mira, helping her escape.
- ☆ Sentence: Eric was convicted of a CSC 4th (because she is over the age of 18). He was sentenced to a mandatory 5-year probation term; 6 months in jail; mandatory sex offender registration; mandatory sex offender treatment.
- ☆ Costs: \$130 in CVR + \$68 in state costs + \$60 in DNA testing + \$300 attorney fees + \$600 probation supervision fees = at least \$1,158.

Possession of Controlled Substances

- ☆ Crime: Jane was driving at night and drove through a stop sign. Jane was pulled over by K9 Officer Smiley. Due to Jane's odd response to his questions, Officer Smiley walked his K9, Rufus, around Jane's car. Rufus alerted Officer Smiley to drugs in the car. Upon a search of the vehicle, Officer Smiley found a cellophane bag of 5 grams of heroin, a metal spoon, and a syringe in the center console.
- ☆ Sentence: Jane was convicted of possession of a controlled substance and was sentenced to 90 days in jail; a 3-year probation term including residential substance abuse treatment after jail; and her license was suspended for 1 year.
- ☆ Costs: \$130 in CVR + \$68 in state costs + \$500 attorney fees + \$360 probation supervision fees = at least \$1,058.

Gun Charges

- ☆ Crime: Kenneth opened his dad's gun safe and decided to take one of his pistols to show off to his friends. Later, during a traffic stop, the police found the gun in the glovebox.

- ☆ Sentence: Kenneth was convicted of concealed carrying of a weapon and received a 2-year probation and no jail term.
- ☆ Costs: \$130 in CVR + \$68 state costs + \$60 in DNA testing fees + \$300 attorney fees + \$240 probation supervision fees = at least \$798.

Armed Robbery

- ☆ Crime: Luke robbed a convenience store with a pistol openly displayed in his belt and stole \$300 from the register.
- ☆ Crime: Courtney was the getaway driver for Luke.
- ☆ Sentence: Luke and Courtney were each sentenced to a minimum of 5 years in prison with a maximum of 50 years. Luke also received an additional mandatory sentence of 2 years for a felony firearm conviction because he used a gun while committing the felony, which will be served before the 5 - 50 years sentence.
- ☆ Costs Per Person: \$130 in CVR + \$68 state costs + \$60 in DNA testing fees + \$500 attorney fees + restitution (\$300 paid to the victim, split between the two perpetrators) = at least \$908 per person.

The value of being a good citizen = PRICELESS

RESOURCES FOR HELP

Substance Abuse Resources

- Center for Substance Abuse Treatment
 - 1-800-662-4357
 - Substance Abuse and Mental Health Services Administration
 - www.samhsa.gov/about-us/who-we-are/offices-centers/csat
- National Institute on Drug Abuse
 - <https://www.drugabuse.gov/publications/principles-drug-addiction-treatment-research-based-guide-third-edition/resources>
- Addiction Center
 - <https://www.addictioncenter.com/rehabs/>
 - Locate a rehabilitation center near you.

Cyberbullying and Harassment

- Stop bullying
 - <https://www.stopbullying.gov/get-help-now/index.html>
- Defeat the Label - organization to end bullying
 - 248-962-DTL1 (3851)
 - info@defeatthelabel.com
 - <http://defeatthelabel.com/>
- Interventions and local resources
 - <https://becauseofyou.org/resources/>
 - Be Strong Mobile App
 - The Trevor Support Center
 - Crisis Text Line: 741741
 - Call TEEN Line: 1-855-201-2121

Sexual Assault and Sexual Harassment

- National Sexual Assault Hotline
 - 800-656-4673 24/7 hotline
 - <https://www.rainn.org>
- Men Can Stop Rape
 - <https://mcsr.org/our-vision>
 - Male allies for females of abuse and assault
- Men Stopping Rape
 - <http://www.men-stopping-rape.org>
 - Helping to stop male violence against women and men
- Michigan Department of Health and Human Services - Sexual Violence Prevention
 - https://www.michigan.gov/mdhhs/0,5885,7-339-71548_54879-51184--,00.html

Crime, Stalking, and/or Domestic Violence Victims Resources

- Division of Victim Services
 - Comprehensive services for victims including: injury compensation, counseling, etc.
 - 1-517-373-7373 to learn more about the DVS
 - 1-877-251-7373 assistance
- Safe Horizon
 - Crime Victim Hotline
 - 1-866-689-4357
 - Domestic Violence Hotline
 - 1-800-621-4673
 - <https://www.safehorizon.org/get-help/stalking/#our-programs/>
- The National Domestic Violence Hotline
 - 1-800-799-7233
 - <https://www.thehotline.org/is-this-abuse/abuse-defined/>
- Michigan Department of Health and Human Services - Victim Services
 - https://www.michigan.gov/mdhhs/0,5885,7-339-71548_54783_54853---,00.html
- National Human Trafficking Hotline
 - <https://humantraffickinghotline.org>
 - 1-888-373-7888

Child Abuse and Neglect

- Michigan Department of Health and Human Services - Abuse and Neglect
 - 1-855-444-3911
 - https://www.michigan.gov/mdhhs/0,5885,7-339-73971_7119-21208--,00.html

Emergency Services

- Call 911 on any phone in case of a serious emergency.

Other Resources

- Suicide Prevention Hotline
 - 1-800-273-8255
 - www.suicidepreventionlifeline.org

¹ This work is not intended to replace legal advice.

² Webster's II, New Riverside University Dictionary, Houghton Mifflin Company, Boston Massachusetts (1998), p. 935.

³ Webster's II, New Riverside University Dictionary, Houghton Mifflin Company, Boston Massachusetts (1998), p. 481.

⁴ By necessity of space and time, will not delve into the wonderful commentary that this comparison might yield.

⁵ United States Constitution, Articles I-III; Mich Const 1963, Articles IV-VI.

⁶ United States Constitution, Article I, Sections 1-3; Mich Const 1963, Article IV, Sections 1-3.

⁷ United States Constitution, Article I, Section 2; Mich Const 1963, Article IV, Section 3.

⁸ Article I, Section 3.

⁹ Article IV, Section 2.

¹⁰ Article VI, Section 54.

¹¹ Article I, Section 2.

¹² *Id.*

¹³ *Id.*

¹⁴ Article I, Section 3.

¹⁵ Article IV, Section 7.

¹⁶ Article IV, Sections 2-3.

¹⁷ Article VI, Section 7.

¹⁸ Article IV, Sections 24-26.

¹⁹ Article II, Section 1.

²⁰ Article II, Sections 1 and Amendment XII.

²¹ Article II, Section 1 and Amendment XXII.

²² Article I, Section 3.

²³ Article II, Section 1.

²⁴ Article II, Section 2.

²⁵ *Id.*

²⁶ Article II, Section 3.

²⁷ Article 5, Section 1.

²⁸ Article 5, Section 21.

²⁹ Article 5, Section 21.

³⁰ Article 5, Section 21.

³¹ Article 5, Section 21.

³² Article 5, Section 8.

³³ Article 5 Section 8.

³⁴ Article 5, Section 6.

³⁵ Article 5, Section 8.

³⁶ Article 5, Section 12.

³⁷ Article 5, Section 14.

³⁸ Article V, Section 18.

³⁹ Article V, Section 25.

⁴⁰ Article V, Section 22.

⁴¹ Article V, Section 21.

⁴² Article V, Section 21.

⁴³ Article 5, Section 2.

⁴⁴ Article 5, Section 2.

⁴⁵ Article VIII, Section 3.

⁴⁶ Article VIII, Section 5.

⁴⁷ Article V, Section 29.

⁴⁸ Article V, Section 28.

⁴⁹ Article IX, Section 42.

⁵⁰ Article IX, Section 41.

⁵¹ Article IX, Section 40.

⁵² Article IX, Sections 37-39.
⁵³ Article IX, Section 35.
⁵⁴ Article III, Section 1.
⁵⁵ Article III, Section 1
⁵⁶ Article III, Section 2.
⁵⁷ Article III, Section 1.
⁵⁸ Article III, Section 1.
⁵⁹ Article VI, Section 1.
⁶⁰ Article VI, Section 2.
⁶¹ Article VI, Section 2.
⁶² Article VI, Section 2.
⁶³ Article VI, Section 3.
⁶⁴ Article VI, Section 3.
⁶⁵ Article VI, Section 4.
⁶⁶ Article VI, Section 5.
⁶⁷ Article VI, Section 4.
⁶⁸ Article VI, Section 30.
⁶⁹ Article VI, Section 6.
⁷⁰ Article VI, Section 8.
⁷¹ Article VI, Section 9.
⁷² Article VI, Section 8.
⁷³ Article VI, Section 10.
⁷⁴ Article VI, Section 11.
⁷⁵ Article VI, Section 11.
⁷⁶ Article VI, Section 12.
⁷⁷ Article VI, Section 13.
⁷⁸ Article VI, Section 13.
⁷⁹ Article VI, Section 15.
⁸⁰ Article VI, Section 19.
⁸¹ Article II, Section 8.
⁸² Article II, Section 9.
⁸³ Article VI, Section 20.
⁸⁴ Mich Const 1963, Article VII, Sections 1-4.
⁸⁵ Mich Const 1963, Art VII, Sections 14, 17-18, 20, 24.
⁸⁶ Mich Const 1963, Art VII, Sections 21-24.
⁸⁷ Mich Const 1963, Art VII, Sections 21-23.
⁸⁸ Mich Const 1963, Art VII, Section 12.
⁸⁹ Mich Const 1963, Art VII, Section 15.
⁹⁰ Mich Const 1963, Art VII, Section 19.
⁹¹ Art IV, Section 4.
⁹² Article I, Section 8.
⁹³ Article I, Section 8.
⁹⁴ Article IX, Section 1.
⁹⁵ Article IX, Section 2.
⁹⁶ Article IX, Section 5.
⁹⁷ Article IX, section 7.
⁹⁸ Article IX, section 8.
⁹⁹ Article IX, section 9.
¹⁰⁰ Article IX, Section 11
¹⁰¹ Article IX, Section 14
¹⁰² Article IX, Section 17.
¹⁰³ Article IX, Section 23.

104 Article IX, Section 24.
105 Article IX, Sections 26.
106 Article IX, Section 27.
107 Article IX, Section 35.
108 Article IX, Section 36.
109 Article IX, Section 37.
110 Article IX, Section 40.
111 Article IX, Section 41.
112 Mich Const 1963, Art XI, Section 7.
113 Mich Const 1963, Art VII, Section 16.
114 Article I, Section 2.
115 Article I, Section 3.
116 Article I, Section 4
117 Article I, Section 5.
118 Article I, Section 6.
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120 Article I, Section 14.
121 Article I, Section 24.
122 Article I, Section 25.
123 Article I, Section 26.
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125 Article V.
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127 Amendments I-X.
128 Amendment XIII.
129 Amendment XIV.
130 Amendments XV and XIX.
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133 Amendments XII, XX, XXII, XXV.
134 Article XII, Section 2.
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136 Article XII, Section 1-2.
137 State of Michigan, Bureau of Elections, Initiatives and Referendums Under the Constitution of the State of Michigan of 1963.
138 *Id.*
139 Article 6, Section 30.
140 Article 4, Section 12.
141 Article VI, Sections 20, 22-24.
142 Article VIII, Section 2.
143 Article IV, Section 41.
144 Senate Joint Resolution "A," P.A. 1966, p. 678; House Joint Resolution "A," P.A. 1970, p. 690.
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146 Senate Joint Resolution "Q," P.A. 1968, p. 708.
147 Article V.
148 Convention of the States, <https://conventionofstates.com/#whyCallCos>.
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Patriot Lessons: American History & Civics Podcast

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The Introduction and Our Foundations Section by Judge Michael Warren.

The Vital Laws section based in significant part on the last edition of the *You and the Law, State Bar of Michigan* by the Public Outreach Committee and Michigan Lawyers Auxiliary (8th Edition, 2008), and updated by Colleen Jones, Thomas Goers, and Kristen Harvey. Edited by Judge Warren.

Resources for Help by Colleen Jones, Thomas Goers, and Kristen Harvey. Edited by Judge Warren.

Formatting and graphic design by Lindsey Ackerman.

Special thanks to Michigan Supreme Court Chief Justice Bridget Mary McCormack for her support of this project.

Published Law Day (May 1), 2020 based on research throughout 2019.



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