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AFLC Files Federal Lawsuit Challenging Michigan Election Law that Discriminates Against Religion

Ann Arbor, Michigan (October 22, 2012) — Today, a prominent Christian pastor in Michigan filed a federal civil rights lawsuit in the U.S. District Court in Detroit, challenging a provision of Michigan’s election law that prohibits religious leaders from “influencing a voter at an election” by advising the voter “under pain of religious disapproval.” Anyone who violates this criminal law is subject to a fine or imprisonment.

The lawsuit was brought by the American Freedom Law Center (AFLC), a national, nonprofit Judeo-Christian law firm, on behalf of Dr. Levon Yuille, the pastor of The Bible Church, which is located in Ypsilanti, Michigan. Pastor Yuille is also the National Director of the National Black Pro-life Congress and the former Chairman of the Michigan Black Republican Council of Southern Michigan. Pastor Yuille also hosts *Joshua Trail*, a popular Christian radio talk show that airs in Michigan and elsewhere.

Robert Muise, AFLC Co-Founder and Senior Counsel, commented: “In light of the upcoming presidential election, Pastor Yuille is compelled by his sincerely held religious beliefs to influence voters to vote consistent with their Christian faith and to advise and inform them that to do otherwise is contrary to God’s Word. Pastor Yuille’s right to do so is clearly protected by the First Amendment and cannot be punished by this criminal law.”

David Yerushalmi, AFLC Co-Founder and Senior Counsel, added, “This criminal statute is a direct attack against religion and those who profess sincerely held religious beliefs. To exclude people of faith from having any influence in our electoral process is not only shameful, it is blatantly unconstitutional.”

At issue in the lawsuit is § 168.931(1)(e) of the Michigan Compiled Laws (MCL), which states, “A priest, pastor, curate, or other officer of a religious society shall not for the purpose of influencing a voter at an election, impose or threaten to impose upon the voter a penalty of

excommunication, dismissal, or expulsion, or command or advise the voter, under pain of religious disapproval.” Anyone who violates this statute “is guilty of a misdemeanor.”

As alleged in the lawsuit, “Pursuant to his sincerely held religious beliefs, Pastor Yuille advises voters, including those voters who are members of his church, that to vote for a candidate that publicly supports abortion and gay marriage, such as President Barack Obama, is to act contrary to God’s Word, it is a grave sin, it is looked upon with religious disapproval, and it could endanger their soul and separate them from the body of Christ.” The lawsuit further alleges, “By professing his sincerely held religious beliefs and advising voters pursuant to these beliefs, Pastor Yuille is violating MCL § 168.931(1)(e) and is thus subject to criminal prosecution.” The lawsuit claims that this criminal law violates Pastor Yuille’s rights to freedom of speech and the free exercise of religion protected by the First Amendment, and it violates the Equal Protection Clause of the Fourteenth Amendment by discriminating against religion.

Pastor Yuille is seeking a declaration from the court that the law is unconstitutional and an injunction prohibiting its enforcement. The Michigan Attorney General and the Washtenaw County Prosecuting Attorney are named as defendants in their official capacities.

The *American Freedom Law Center* is a Judeo-Christian law firm that fights for faith and freedom. It accomplishes its mission through litigation, public policy initiatives, and related activities. It does not charge for its services. The Law Center is supported by contributions from individuals, corporations, and foundations, and is recognized by the IRS as a section 501(c)(3) organization. Visit us at www.americanfreedomlawcenter.org.

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