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## **Federal Judge Schedules Court Hearing in AFLC’s Challenge to Michigan Election Law that Discriminates against Religion**

Detroit, Michigan (October 24, 2012) — Federal Judge Gerald E. Rosen, Chief Judge of the U.S. District Court for the Eastern District of Michigan, has ordered a hearing for next Tuesday (October 30) in the American Freedom Law Center’s (AFLC) constitutional challenge to 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.” A violation of this criminal law subjects the offender to a fine or imprisonment. The lawsuit was brought on behalf of Pastor Levon Yuille, the pastor of The Bible Church in Ypsilanti, Michigan. Pastor Yuille is also the National Director of the National Black Pro-life Congress, the former Chairman of the Michigan Black Republican Council of Southern Michigan, and the host of *Joshua Trail*, a popular Christian radio talk show.

Yesterday, AFLC filed an emergency motion for a temporary restraining order, requesting that the court immediately enjoin the enforcement of this provision of the election law prior to the upcoming presidential election. In his order, Judge Rosen directed the government defendants in the lawsuit – the Michigan Attorney General and the Washtenaw County Prosecuting Attorney – to appear at next Tuesday’s hearing and be prepared to “show cause why the Court should not grant Plaintiff’s motion for a Temporary Restraining Order/Preliminary Injunction.” The judge’s order also requires the government to “show cause, in writing,” by this Friday (October 26), “why the Court should not grant” AFLC’s motion.

At issue 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 argued in AFLC’s motion for the temporary restraining order, “In light of the upcoming presidential election scheduled for November 6, 2012, Pastor Yuille wants to profess his sincerely held religious beliefs and advise voters, particularly those voters who are members of his church, to vote consistent with God’s Word so as to avoid religious disapproval and suffering separation from the body of Christ. Consequently, Pastor Yuille seeks to engage in religious speech for the purpose of influencing voters at this upcoming election. However, Pastor Yuille is prohibited from doing so under MCL § 168.931(1)(e).”

AFLC Co-Founder and Senior Counsel Robert Muise, commented, “This Michigan criminal law plainly violates Pastor Yuille’s rights to freedom of speech and the free exercise of religion under the First Amendment, and it deprives him and other similarly situated persons of faith the equal protection of the law guaranteed by the Fourteenth Amendment. We will be interested to see this Friday how the government intends to defend this blatantly unconstitutional law.” AFLC Co-Founder and Senior Counsel David Yerushalmi echoed Muise’s comments, “How is the government going to defend the indefensible? If this criminal law remains on the books in Michigan, then the First Amendment is dead letter law.”

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](http://www.americanfreedomlawcenter.org).

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