

EXHIBIT 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

GEORGIA COALITION FOR THE PEOPLES' AGENDA, INC., as an organization; ASIAN AMERICANS ADVANCING JUSTICE-ATLANTA, INC., as an organization; GEORGIA STATE CONFERENCE OF THE NAACP, as an organization; NEW GEORGIA PROJECT, INC., as an organization; GEORGIA ASSOCIATION OF LATINO ELECTED OFFICIALS, INC., as an organization; PROGEORGIA STATE TABLE, INC., as an organization; JOSEPH AND EVELYN LOWERY INSTITUTE FOR JUSTICE AND HUMAN RIGHT, INC., as an organization; and COMMON CAUSE, as an organization;

Plaintiffs,

v.

BRIAN KEMP, in his official capacity as Secretary of State for the State of Georgia,

Defendant.

Civil Action
Case No. 1:18-cv-04727-ELR

**EXPEDITED TREATMENT
REQUESTED**

DECLARATION OF PHYLLIS BLAKE

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I, Phyllis Blake, acting in accordance with 28 U.S.C. § 1746, does hereby declare and say:

1. I am the President of the Georgia State Conference of the NAACP (GA NAACP), over 18 years of age and am competent to make this declaration.

2. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.

3. The NAACP was founded on February 12, 1909, and is “the oldest, largest and most widely recognized grassroots-based civil rights organization.”¹

4. The GA NAACP, a state conference of the NAACP, is the oldest and one of the largest, most significant organizations promoting and protecting the civil rights of African Americans and other racial and ethnic minorities in Georgia.

5. The GA NAACP currently has more than 8,000 members.

6. The GA NAACP is a non-partisan, interracial, nonprofit membership organization with a mission is to “eliminate racial discrimination through democratic processes and ensure the equal political, educational, social, and economic rights of all persons, in particular African-Americans.” Protecting

and promoting the voting rights of all persons, including African Americans, is essential to this mission.

7. The GA NAACP has worked together with other organizations, including the Georgia Coalition for the People's Agenda (GCPA), Georgia Association of Latino Elected Officials (GALEO), Asian-Americans Advancing Justice-Atlanta (Advancing Justice), and other civic engagement groups to hold voter registration drives and get out the vote efforts, such as National Voter Registration Day.

8. The GA NAACP encourages voter registration and participation, particularly among Black and other underrepresented communities. In fact, voter empowerment and voting rights are central to its mission. The organization has committed, and continues to commit, time and resources to conducting voter registration drives, voter education, voter ID assistance, "Souls to the Polls" and other get out the vote ("GOTV") efforts in Georgia that seek to encourage voter participation.

9. Based upon my experience doing civic engagement and voter registration work in Georgia, I am familiar with Georgia's "exact match" voter registration process that was codified into state law as a result of the enactment of HB 268 in 2017 and the implementation of it by Defendant

Brian Kemp.

10. I understand that voter registration applications may fail the “exact match” process if identifying information on the application does not exactly match the information on the DDS and SSA databases.

11. I am also aware that applications may fail the “exact match” process due to minor discrepancies between the information on the registration form and the information about the applicant on the Georgia DDS or SSA databases, such as when an applicant uses a hyphen or other punctuation in their name on the form, but the DDS or SSA database information omits the hyphen or other punctuation. Failures to match may also occur when applicants use an abbreviated version of their names, i.e., Tom versus Thomas, or when a woman registers to vote using her married name and the database records still show her maiden name.

12. I am also aware that no-matches may occur if data entry errors are made when county registrars enter the applicants' data into the statewide voter registration system (ENET). In that event, when the information is matched against the DDS or SSA database, the applicant will fail to match because of the clerical error. I am also aware that the DDS and SSA databases may also have incorrect data as a result of clerical errors when the information was entered into the databases.

13. As part of its voter empowerment and voter registration initiatives, the GA NAACP has conducted voter registration drives on its own and in cooperation with other civic engagement and civil rights organizations in Georgia.

14. I am informed and believe and thereon allege that it is likely that GA NAACP members and other persons who have registered to vote through GA NAACP registration drives and voter participation initiatives have had their voter registration applications put into pending status as a result of the “exact match” process under HB 268 and its implementation by Defendant Kemp.

15. The GA NAACP has also worked with other organizations, including ProGeorgia State Table, Inc., (ProGeorgia), to assist new citizens in registering to vote following naturalization ceremonies.

16. When the GA NAACP participates in voter registration drives to register new citizens following naturalization ceremonies, the organization makes it a practice to recommend that new citizens include a copy of their naturalization certificate with the voter registration application in a proactive effort to avoid having those individuals inaccurately flagged as non-citizens because the “exact match” process relies upon outdated citizenship information on file with the GA DDS. In fact, we have copiers available during the voter

registration events following the naturalization ceremonies to facilitate this process.

17. I am also aware that as a result of the “exact match” voter registration process resulting from the enactment of HB 268 and its implementation by Secretary Kemp, voter registration information in Georgia is compared against Georgia DDS citizenship data and that this process can inaccurately flag United States citizens as potential non-citizens because Georgia DDS records are not automatically updated when an individual, who previously obtained a driver’s license as a legal resident (i.e., green card holder), subsequently becomes a naturalized citizen.

18. When such an individual registers to vote after becoming a United States citizen, he or she may be still listed as a non-citizen in the DDS database, resulting in the application being placed into “pending” status and inaccurately flagging the applicant as a potential non-citizen.

19. I am aware that this can occur even when voter registration applicants submit copies of their naturalization certificates with their registration form. When that occurs, and a United States citizen is inaccurately flagged as a potential non-citizen, they are likely to face unnecessary, burdensome hurdles in completing the registration process so that they can vote a regular ballot that will

count as a vote.

20. For example, according to page 42 of the 2018 Georgia Poll Worker Manual issued by Defendant Kemp's office, individuals who are flagged as potential non-citizens, and appear to vote in person on Election Day, are required to produce an acceptable form of documentary proof of citizenship to a poll worker who has been sworn as *deputy registrar*, rather than an ordinary poll worker, in order to be able to cast a regular ballot if the poll worker cannot obtain verification of the individual's citizenship from the county registrar. See, <https://georgiapollworkers.sos.ga.gov/Shared%20Documents/Georgia%20Poll%20Worker%20Training%20Manual.pdf>

21. Since deputy registrars are not present in all polling sites, this process will require a voter on Election Day to bring documentary proof of citizenship to a deputy registrar at another location, such as the county registrar's office, and then return to his or her polling location in order to cast a regular ballot if no deputy registrar is present at the poll.

22. In large or rural counties, the distance between the voter's poll location and the county registrar's office may be significant and the voter may face substantial traffic delays traveling between the polling site, the registrar's office and back to the polling site.

23. This process will cause extreme hardships on individuals who may not have the time to travel from the poll site to the county registrar's office and back again to the poll site because of work or other commitments or for individuals who lack access to a vehicle or public transportation.

24. If the individual does not have the ability to travel to a different location where a deputy registrar is present and then return to his or her polling site to cast a ballot, he or she may cast a provisional ballot. However, the provisional ballot will only count as a vote if the individual returns to the registrar's office within three days of the election and produces satisfactory documentary proof of citizenship to a deputy registrar, placing an additional and otherwise unnecessary burden on an applicant inaccurately flagged as a potential non-citizen by a process that relies upon outdated citizenship information.

25. This process is unduly burdensome and entirely unwarranted since poll workers can and should be able to review the acceptable forms of documentary proof of citizenship at the polls, just as they are trained to review the acceptable forms of photo ID for voting. United States citizens should not be forced to track down a deputy registrar on Election Day in order to cast a regular ballot that will count as a vote when poll workers already present at the polling stations are able to review these documents.

26. The “exact match” registration process codified by the enactment of HB 268 and its implementation by Defendant Kemp is causing, and will continue to cause, harm to the GA NAACP’s mission of encouraging minority voter registration and participation.

27. The exact match process and its implementation have caused, and will continue to cause the GA NAACP to divert a portion of its financial and other organizational resources to educating voters about the “exact match” process and assisting potential voters whose applications have been put into “pending” status and are subject to automatic cancellation as a result of the enactment of HB 268 and its implementation by Defendant Kemp.

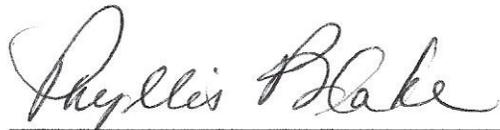
28. As a result, the GA NAACP has, and will continue to have, fewer resources to dedicate to its other organizational activities, including voter registration drives and GOTV efforts while the “exact match” process and implementation by Defendant Kemp remain in effect.

29. I declare under penalty of perjury that the foregoing is true and

correct under penalty of perjury.

Executed this 18 day of October 2018 at Atlanta,

Georgia.

A handwritten signature in cursive script that reads "Phyllis Blake". The signature is written in black ink and is positioned above a horizontal line.

Phyllis Blake, President
Georgia State Conference of the NAACP

¹ <http://www.naacp.org/oldest-and-boldest/>