

EXHIBIT 2

**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 HELEN BUTLER

DECLARATION

Pursuant to 28 U.S.C. § 1746, I, Helen Butler, declare as follows:

1. I am the Executive Director of the Georgia Coalition for the People's Agenda ("GCPA"), 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. GCPA is a Georgia nonprofit corporation with its principal place of business located in Atlanta, Georgia. The GCPA is a coalition of more than 30 organizations, which collectively have more than 5,000 individual members.
4. The organization encourages voter registration and participation, particularly among Black and other underrepresented communities. The GCPA's support of voting rights is 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.
5. Based upon my many years of experience doing civic engagement and third party 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 and the implementation of it by Defendant Brian Kemp. As a member of the Board of Elections for Morgan County, Georgia, I have also received training about the voter registration process, including the voter registration verification (“exact match”) process by which information is compared against Georgia's Department of Drivers Services (DDS) and Social Security Administration (SSA) databases.

6. Based upon my training and experience, 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.

7. I am also aware that applications may fail the “exact match” process due to minor discrepancies between the information on the form and the information about the applicant on the 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.

8. Sometimes failures to match may occur because a county registrar cannot clearly decipher the handwriting on a registration form and guesses what it says when entering the data into ENET instead of calling the applicant for clarification if a phone number was provided on the registration form.

9. I am also aware that there can be other data entry errors 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 verify 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.

10. Applicants who have attempted to register to vote through the GCPA registration drives have had their applications cancelled or suspended due to Georgia's "exact match" process, including my own nephew, Devin Butler, whose registration application was put into "pending" status because the Fulton County registrar's office misspelled his first name as "Devon" when his registration form information was entered by the registrar's office into the Enet statewide voter registration database.

11. As a result, Devin's Enet record failed to exactly match information

on file with the Social Security Administration and his voter registration application was put into “pending” status with a 26-month cancellation deadline. A true and accurate redacted copy of the letter Devin received from the Fulton County registrar’s office, which was erroneously addressed to “Devon” Butler instead of “Devin” Butler, is attached and incorporated herein by reference as Exhibit 1.

12. The GCPA has worked with other organizations, including ProGeorgia State Table, Inc., (ProGeorgia) the Georgia NAACP, Asian-Americans Advancing Justice-Atlanta (Advancing Justice), and the Georgia Association of Latino Elected Officials (GALEO) to hold voter registration drives, engage in get out the vote efforts in Georgia, and collaborate on events such as those concerning National Voter Registration Day. This work includes collaborating with ProGeorgia and other civic engagement groups to assist new citizens in registering to vote following naturalization ceremonies.

13. When the GCPA participates in voter registration drives to register new citizens following naturalization ceremonies, the GCPA and other civic engagement groups the GCPA collaborates with make 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.

14. I am also aware that 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. 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.

15. I am also aware that even when a voter registration applicant submits a copy of his or her naturalization certificate or other acceptable proof of citizenship with their registration form, he or she may still be inaccurately flagged as a potential non-citizen and subjected to further burdens in order to complete the registration process because the county registrar’s office may not take the time to review the voter’s naturalization certificate or other proof of citizenship submitted

with the application form after the applicant is flagged as a potential non-citizen in the “exact match” process.

16. 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>

17. 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.

18. This process will cause extreme hardships on individuals who may not have the time to travel to the county registrar’s office because of work or other commitments or lacks access to a vehicle or public transportation to get to the

registrar's office and then return to the poll to vote on Election Day.

19. 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 more burden on an applicant inaccurately flagged as a potential non-citizen.

20. Needless to say, 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 like they are trained to review the acceptable forms of photo ID for voting, so that United States citizens are not forced to track down a deputy registrar away from the polling location and then return again to the polling location in order to cast a regular ballot that will count as a vote.

21. The "exact match" registration process and implementation by Defendant Kemp is causing, and will continue to cause, harm to the GCPA's mission of encouraging minority voter registration and participation. The process and its implementation have caused, and will continue to cause GCPA 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.

22. As a result, the GCPA 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.

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

Executed this 17th day of October 2018 at Atlanta, Georgia.

A handwritten signature in black ink, appearing to read "Helen Butler", written over a horizontal line.

Helen Butler

IMPORTANT VOTER REGISTRATION INFORMATION
FROM FULTON COUNTY

April 19, 2018

REGISTRATION #: [REDACTED]
DEVON A BUTLER

[REDACTED]
ALPHARETTA GA 30022

Dear Applicant:

The FULTON COUNTY BOARD OF REGISTRARS recently received your voter registration application.

The information you provided on your voter registration application is matched to information with the Social Security Administration (SSA) for verification purposes. This process is required by state and federal law.

Your information did not exactly match the records at SSA. Your application therefore remains in pending status. While in pending status, you are still able to vote by showing proper identification (ID) at your polling place, but you should immediately take the below steps to resolve this issue in order to improve your voting experience.

IF YOU DO NOT FINALIZE YOUR APPLICATION AS DESCRIBED IN THIS LETTER WITHIN 26 MONTHS, YOUR APPLICATION WILL BE REJECTED AND YOU WILL BE REQUIRED TO SUBMIT A NEW APPLICATION.

You can finalize your application now by clearly printing the requested information below directly on this letter, signing this letter, and returning it to this office. We recommend that you also provide a copy (or image file, if you email it) of ANY one (1) of the six (6) forms of ID described on the second page in order to more quickly process your application. We will then try to match the new information you provide with the DDS and/or SSA databases to resolve your application.

NOTE: You must supply a Georgia driver's license number or an identification card number issued by the Georgia Department of Driver Services, if you have one. If you do not have a Georgia driver's license or identification card, you must supply the last four digits of your Social Security number. If you do not have a Social Security number, please write "None" in the boxes.

Please note that when providing the information below, it is important that you provide your full first name (i.e., Thomas rather than Tom) and full last name(s), including hyphenated or multiple last names. If your name contains a hyphen or other punctuation, please be sure to include that punctuation in the spaces below.

Personal information such as the month and day of your date of birth, driver's license number, and Social Security number is kept confidential and protected under state law. By providing correct information, you may avoid the possibility of a mismatch with other voter information within the statewide voter registration system. Your cooperation assures the accuracy of the registration process for all voters in Georgia.

PLEASE FILL IN BELOW:

LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER: _____

FULL FIRST NAME: _____

FULL LAST NAME: _____

DATE OF BIRTH : _____

GEORGIA DRIVER'S LICENSE OR GEORGIA IDENTIFICATION CARD NUMBER: _____

Date	Signature of Applicant	Signature of Person Assisting Illiterate or Disabled Applicant (if applicable)

You may return the required information by personal delivery, mail, email as an attachment, or facsimile to the following address, fax or email addresses:

FULTON COUNTY VOTER REGISTRATION
130 PEACHTREE STREET 2186
SW
ATLANTA GA 30303-3460
404 - 612 - 3816 (Phone)
404 - 612 - 3697 (Fax)
ELECTIONS.VOTERREGISTRATION@FULTONCOUNTYGA.GOV

While your application is in pending status, you are still able to vote by absentee ballot, during early voting, or on Election Day if you show a form of ID listed below when you go to vote or when you request an absentee ballot:

- (1) A Georgia driver's license (including an expired Georgia driver's license);
- (2) Any valid state or federal government issued photo ID, including:
 - a. free Georgia voter identification card issued by your county's registrars;
 - b. Georgia State ID issued by the Georgia Department of Driver Services (DDS);
 - c. valid student ID card issued by a Georgia public college, university or technical school;
 - d. A valid out-of-state driver's license;
 - e. public transit issued photo ID card; and
 - f. any other federal or state agency or government issued photo ID card.
- (3) A valid United States passport;
- (4) A valid employee photo identification card issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state;
- (5) A valid United States military photo identification card; or,
- (6) A valid tribal photo identification card.

Once you show ANY one (1) of the six (6) IDs listed above at your polling place or early voting site, cast a ballot and receive credit for voting, your application will be changed from pending to active status.

Your Polling Place is:

PRECINCT NAME: JC19
POLLING PLACE: JOHNS CREEK ENVIRONMENTAL CAMPUS
8100 HOLCOMB BRIDGE RD
ALPHARETTA GA 30022

Thank you for your interest in voting and elections in Georgia.

Sincerely,

PAMELA COMAN
 REGISTRATION MANAGER