

EXHIBIT 3

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

GEORGIA COALITION FOR THE
PEOPLES' AGENDA, INC., as an
organization; et al.,

Plaintiffs,

v.

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

Defendant.

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

DECLARATION OF STEPHANIE CHO

Pursuant to 28 U.S.C. § 1746, I, Stephanie Cho, hereby declare as follows:

1. My name is Stephanie Cho. I reside in Gwinnett County, Georgia, and I am currently registered to vote in Georgia. I have personal knowledge of the matters set forth herein and would testify to the same if called to do so in a court of law.
2. Since January 2016, I have been the Executive Director of Asian Americans Advancing Justice-Atlanta ("Advancing Justice-Atlanta").
3. Advancing Justice-Atlanta is a non-partisan, non-profit organization located in Norcross, Georgia. Our mission is to protect and promote the civil rights of Asian Americans and Pacific Islanders ("AAPIs") and other immigrant

and refugee communities in Georgia through public policy, legal services, civic engagement, and impact litigation. On an annual basis, our work reaches approximately 10,000 directly, and many more through extensive media coverage.

4. Georgia's AAPI population makes up about 3.3% of the state's total population, and Gwinnett County is home to the largest AAPI community, where nearly 12% of the total population is AAPI.
5. Despite this, AAPIs in Georgia remain underrepresented in the electorate. To that end, Advancing Justice-Atlanta has been heavily involved in helping our historically disenfranchised communities be a part of the civic process in Georgia since our founding in 2010. Our civic engagement efforts include assistance with voter registration, voter education, and get out the vote ("GOTV") activities with a particular focus on AAPI voters, including newly naturalized citizens. We help voters with registering to vote at various community events and places of worship, including naturalization ceremonies, community markets, festivals, churches, and mosques.
6. In 2014, we helped more than 6,400 new voters in Georgia register to vote. In 2016, we assisted over 6,500 people register to vote. Since 2012, we have been leading a multi-ethnic coalition of organizations whose core mission to civically engage underrepresented communities. This coalition has collectively helped over 3,500 new voters register, most of them AAPI

or Latino, to vote in this year alone.

7. Since 2015, Advancing Justice-Atlanta has also been part of a coalition of organizations coordinated by the ProGeorgia State Table that assists new Americans register to vote at naturalization ceremonies in Georgia. These naturalization ceremonies occur almost weekly, and collectively, our coalition has helped almost 7,000 newly naturalized citizens with their voter registration applications in 2018 alone. When we assist with voter registration at these ceremonies, we advise applicants to include a copy of their naturalization certificate as proof of citizenship with their voter registration application.
8. As a result of my civic engagement work, I am aware of Georgia's stringent "exact match" voter registration verification system that was enacted into law by HB 268. My understanding of the "exact match" voter registration protocol is that it requires information on a voter registration application to exactly match information contained in the Georgia Department of Drivers Services (DDS) database or in the Social Security Administration's HAVV database (SSA HAVV), including the person's first, last, and middle name and citizenship status.
9. I understand that if an applicant's name or citizenship status does not exactly match the applicant's information in the DDS or SSA database, applicants are notified that their voter registration applications are "pending" and advised to

contact the county registrar. The applicant then has a period of 26 months to address the mismatch. If the applicant does not do so, then the voter registration application will be cancelled.

10. I further understand that the notice letters that are sent out to applicants who fail the matching process are in the English language only (except for in Gwinnett County, where letters are also required to be sent in Spanish). The notice is not provided to applicants in any Asian languages.
11. According to the United States Census, approximately 41.2% of AAPI adults and 25% of AAPI youth are Limited English Proficient (“LEP”), which is traditionally defined as speaking English less than “very well.” And 18.8% of AAPI voting age residents in Georgia speak English “not well” or “not at all.” Specifically, in Georgia, approximately 63% of the Korean American community is LEP. Because a significant percentage of AAPI Georgians are LEP, it is foreseeable that many will likely encounter difficulty comprehending the English only non-match notification letters and may not understand the urgency of addressing the issue before their voter registration application is cancelled.
12. In addition, since the letters notifying applicants about a mismatch with the Social Security Administration’s database do not provide applicants with any information identifying the specific data fields on their application that failed to match the SSA data, applicants have no way of determining why they failed

the matching process. As a result, an applicant may supply the exact same information on a subsequent application and fail the verification process again. Navigating this process is even more burdensome when it impacts LEP applicants who are likely to have difficulty understanding the notification letters and may not understand what they need to do to successfully complete the application process.

13. AAPI applicants also face additional challenges in trying to navigate Georgia's voter registration verification process because of data entry errors by election staff when information from a registration form is first entered into the state's voter registration system. In particular, matching problems are likely to occur because applicants from traditional Asian backgrounds often use their surnames first. For example, if an applicant's westernized name is, "Chan Woo, U," an applicant using a more traditional Korean name format would be written as, "Woo Chan." Because the last names and first names are flipped, applicants from traditional Asian communities will often fail an "exact match" with DDS or SSA records when their voter registration information is compared against these databases.
14. Additional problems with Georgia's "exact match" verification process can arise when an election staff member encounters an Asian name on an application that is unfamiliar to that person and enters the data incorrectly into the registration system. In addition, an election staff member may not be a

proficient typist and could make other mistakes when entering the data into the system by transposing letters, omitting hyphens and other punctuation, or misinterprets an applicant's handwriting on a form.

15. For example, an applicant's name may appear accurately on the registration form as, "Mun Hee Kim." If the election office staff member enters the data into the voter registration system as, "Munhee Kim," Georgia's "exact match" process will cause the application not to be verified simply because the space was omitted between "Mun" and "Hee." This could also occur when the data is entered incorrectly into the DDS and SSA databases, even if the election office staff member enters the name accurately at the front end.
16. A matching problem also arises when a resident of Georgia obtains a driver's license before they become a naturalized citizen. If the person later becomes a naturalized citizen and applies to vote, the DDS match will indicate that the applicant's DDS record shows the applicant as a non-citizen. My understanding is that this happens even when applicants include a copy of their naturalization certificate as proof of citizenship with their registration applications.
17. Naturalized citizens, particularly applicants who are LEP, are likely to have difficulty understanding how they could have successfully navigated the complicated naturalization process only to be told in a letter from their county elections office that they have been identified as a non-citizen in the State's

DDS records. Not only is this process unduly burdening the right of eligible Georgians to register and vote, but the notification letters could be interpreted as a governmental investigation of the applicants' citizenship status that may lead some applicants not to respond to the notification letters out of fear of sanctions or deportation.

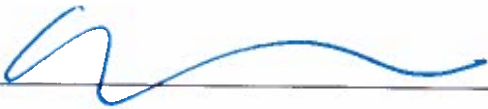
18. These applicants must also be faced with undergoing the steps necessary to cure the matching problem, which is a more burdensome process than the process available to applicants who mismatch on information unrelated to citizenship. Specifically, applicants who are incorrectly flagged as non-citizens must present proof of citizenship specifically to a *deputy registrar*. My understanding is that many poll workers are not deputy registrars and that a deputy registrar is not guaranteed to be present at every polling location during early voting or on Election Day.
19. Since I have become aware of this process, Advancing Justice-Atlanta staff have been dedicating time and resources to identifying members of our communities and that we may have helped with voter registration that are now in "pending" status because of a mismatch. We are particularly concerned about those newly naturalized citizens who may have incorrectly been flagged as a non-citizen since they are at greater risk of not being able to vote if they are unable to resolve the issue on or before Election Day.
20. Advancing Justice-Atlanta will now have to divert substantial time and

resources from other programs to resolve these issues and try to help ensure that “pending” applicants are able to cure their mismatches. This will involve at minimum, considerable staff time, volunteer time, and phone banking. We will also need to devote resources to educating potentially affected community members in language. These resources can and should have been devoted to other Advancing Justice-Atlanta programs and activities.

21. Even when time and resources are diverted from other activities, I believe that Advancing Justice-Atlanta will not be able to ensure that everyone affected by Georgia's matching process will be properly registered to vote in time for this upcoming election.

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

Executed this 17 day of October, 2018, in Norcross, Georgia.



Stephanie Cho