

DECLARATION OF DARRYL FAIRCHILD
(pursuant to 28 U.S.C. Section 1776)

My name is Darryl Fairchild and I am over the age of 18 and fully competent to make this declaration. Under penalty of perjury, I declare the following:

Personal Background

1. I was born and raised in Dayton, Ohio.
2. I am a graduate of United Theological Seminary and the University of Cincinnati, and attended the Joint Doctoral Program at the University of Denver and the Iliff School of Theology. I have taught as an instructor at the University of Denver and United Theological Seminary. I am an ordained Elder in the United Methodist Church. I was ordained in 1992 as a deacon, and in 1998 received my full ordination as an elder.
3. I was called to ministry to make a difference in the world. I did not initially envision serving as what many typically consider a “minister,” i.e., someone who spends most of his time in a church building. I see my career and calling about making a difference in the world, whether I am formally a “pastor” or not. It is one thing for clergy to speak about injustice, it’s another for clergy to make tough decisions about how to fight injustice. Ministry and helping the surrounding community are one and the same thing to me, and my goal is to lead the church to become more active in the community.
4. Growing up in Dayton, I experienced mandatory busing when I was in the fifth grade. Because of busing, I had much interaction with children from all walks of life – black and white, rich and poor, city and suburban – and I saw the stark disparities in my community and knew I wanted to make it better, which led me to ministry and community organizing.

5. I have been a community organizer for over a decade. From 2003 to 2007, I was the Executive Director of Greater Dayton Christian Connections (“GDCC”), which founded the Greater Dayton Interfaith Forum. GDCC also coordinated the community’s response to families displaced by Hurricane Katrina, and initiated a ministry for families experiencing homelessness.
6. From 2008 to 2011, I was the community organizer for Vote Dayton, which later became Lift Greater Dayton. Lift Greater Dayton was a non-partisan organization of churches, synagogues, mosques, schools, community centers, and unions that work for justice and a better Greater Dayton. In the United Methodist Church, community based work is considered ministry, and maintains one’s ordination.
7. From June to November 2012, I worked for a congressional candidate as a field coordinator.
8. In January 2013 I started serving as interim pastor at Oldtown United Methodist Church, and in June 2013 I became pastor at Bellbrook United Methodist Church.
9. During all of this experience with community organizing and ministry, I have worked extensively with lower-income populations.
10. I have also worked extensively with persons with disabilities, and I myself have a disability. In 1992, I was involved in a bicycle accident where I broke my back, damaged my spinal cord and became paralyzed.

Get-Out-the-Vote Efforts

11. I believe strongly in getting out the vote, because voting is a sacred act of democracy. For citizens to be fully included in the community they must participate in our

democracy. From my experience, getting people out to vote also increases their community participation generally.

Golden Week

12. Golden Week is especially important, because it is the only time when you can register or update your registration and vote at the same time. From my experience, I know that this week is important for lower-income people who are more transient and thus need to update their registration more frequently. The people I have encountered from lower-income backgrounds also tend to have less education and are not aware that they have to update their registration, or do not know about registration deadlines. Golden Week provides a one-stop shop to take care of any registration issues and vote at the same time.
13. In 2008, we went to at least two feeding programs for people who are poor – House of Bread and St. Paul United Methodist Church – and drove about a dozen people experiencing homelessness to the polls during Golden Week.
14. In 2010, we had about 70 pastors and community leaders, including numerous African-American pastors from the inner city, get together on the first day of Golden Week to raise awareness, and we emphasized the opportunity to register and vote at the same time to many people. I myself voted that day. See the first photo attached to this declaration.
15. We also worked with high schools to identify anyone who was turning 18, and we'd gather them at the Dayton Cultural Center and we would all go over the bridge together to register and vote during Golden Week.
16. In 2010, we took about 25-40 first-time student voters to vote during Golden Week.
17. We took about the same number of first-time voters in 2011.

18. In 2011, we would have numerous waves of people vote together during Golden Week – starting with seniors, then teachers, then firefighters, then labor unions. A big selling point was that people could go and know that their vote counted, and be assured that there were not any confusing registration issues that would prevent their vote from being counted. See the second photo attached to this declaration.

Sunday Voting

19. In 2008, at least two Sundays were available for voting in Montgomery County. The lines were very long on the last Sunday in 2008, when a very high number of African Americans turned out to vote.
20. In 2010, I recall there being multiple Sundays again in Montgomery County. That year, I worked with about 20 African-American churches in Dayton to arrange for transportation to take people to the polls after Sunday service. Churches contributed vans or caravans of cars. I recall that we helped at least a few hundred voters get to the polls on all the available Sundays.
21. In 2012 I did not participate directly in helping with Sunday voting because of my involvement in the congressional campaign. That year during Golden Week, there was a significant advertising program on the public transportation bus telling people that they could register and vote at the same time.
22. From my extensive experience working with people from lower-income backgrounds, I know that multiple Sundays are important. People who use those Sundays often have irregular working hours, and sometimes have to work on that Sunday. Lower-income people I have come across have less stable and more unpredictable lives. When you are

living with limited means, you don't have the same luxuries of how you use your time and the resources to deploy and do different things.

23. Based on my own personal experience and experience working with people with disabilities and helping organizations institute best practices to accommodate people with disabilities, I know that multiple Sundays are also important for people with disabilities. There are some days when a person with a disability wakes up and doesn't have the energy to move, or there might be something else wrong physically. So for people who can only vote on Sundays, they need multiple Sundays in case something goes wrong on that day.

Evening Voting

24. In 2010 and 2011, we strongly emphasized evening voting, because Montgomery County did not give us very many evening hours in those years. The one night that they did give us evening voting was on the last day of Golden Week, when the office was open until 9 p.m.
25. We specifically organized around the evening hours on that one day. We focused on first-time young voters, because on that day, right after school, there was enough time to bring them together and teach them about voting, after which we would go with them to the Board of Elections and have them register and vote together collectively. If the office were not open until 9 p.m., we would not have been able to do that.
26. We also worked through many African-American churches to communicate and emphasize to people that people who work during the day time can vote in the evenings. It was important to do this because we knew that there were many lower-income individuals who would not be able to vote during the day.

27. I have had a close working relationship with the Montgomery County Board of Elections. In 2010, I called the BOE ahead of time to let them know that about 250 people would show up on that one evening at the end of Golden Week. The BOE accommodated my request by making sure there was enough staff to process all the voters.

28. I frequently call the BOE in advance whenever I know that there will be a large number of voters arriving at the office. From my experience in calling the BOE, I know that I can always reach them when I call them after hours during the early voting period even when no early voting is available in the evenings, because they are still working there processing absentee ballot requests.

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29. Many of the people from lower-income backgrounds that I've worked with do not trust voting by mail. Even organizers do not encourage it because it is a multi-step process where you must find postage, mail-in an absentee ballot request, then find postage again, and mail in the absentee ballot. Lower-income people with less educational attainment are often living chaotic lives and are often unable to understand this process.

30. Having uniformity of hours across elections helps people develop a habit of voting and prevents voters from being confused. For instance, because Montgomery County BOE regularly sent out absentee ballot applications, many people started expecting that mailing to come in every future election, as a reminder to go vote. When that practice stopped, people were confused.

31. More early voting hours helps relieve congestion on Election Day. Because of the success and popularity of early voting, in 2006 and 2009, Montgomery County BOE consolidated the number of precincts and voting locations (588 precincts to 360; 352 voting locations

to 176). From 2004, there has been a 39% reduction in the number of precincts. I know from speaking with Montgomery County elections officials that this saved a substantial amount of money, and allowed them to afford e-readers.

32. Because one purpose of early voting hours is to reduce congestion, I can see how as a general matter fewer hours may be necessary in a non-presidential election, because unfortunately there is lower voter turnout that year, so there is less need to reduce congestion.
33. However, having set early voting hours on many evenings and Sundays is important for lower income voters who are only able to vote during those times, and those voters need those hours regardless of whether the election is a presidential or non-presidential election.
34. Certainly early in-person voting was extremely important in the 2011 general election, when Ohioans successfully repealed SB 5, which would have limited collective bargaining for public employees in the state. As described above, the one evening at the end of Golden Week that year was very important in helping many first-time and lower-income voters cast a ballot.
35. In that important non-presidential election year, the Montgomery County Board of Election had a 2-2 tie vote on whether to allow weekday evening voting on all weekdays and voting on all Saturdays and Sundays in the early voting period. We asked Secretary Husted to break the tie in favor of these hours, because we had commitments from over 20 congregations who were prepared to assist voters to vote early, and because many of those voters were unable to vote in person during regular weekday hours due to work commitments, transportation issues, or other responsibilities. We pointed out that Butler

County had four Saturdays available and Greene County had three Saturdays available, both counties which bordered Montgomery and had fewer registered voters. Secretary Husted broke the tie vote in favor of rejecting those hours. That year, there were zero weekends available for early voting, and no weekday evening hours except for the last day of the registration period.

Executed on June 19, 2014.



Darryl Fairchild

