

DECLARATION OF CARRIE DAVIS

My name is Carrie Davis 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 the Cleveland, Ohio area. I attended Albion College in Albion, Michigan and graduated with a Bachelor of Arts degree in Philosophy in 1998. After college, I worked for a few years and then enrolled in Case Western Reserve University School of Law. I graduated with my Juris Doctor in 2003.
2. In February of 2012, I joined the League of Women Voters of Ohio (“LWVO”) as Executive Director.
3. LWVO is a membership organization operating within Ohio. LWVO is affiliated with the League of Women Voters of the United States. Currently, LWVO has 31 local Leagues throughout Ohio and over 2300 members, most of whom, on information and belief, are registered voters in Ohio.
4. LWVO is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. LWVO was founded in 1920 by the suffragettes, after the enactment of the Nineteenth Amendment to the U.S. Constitution granting women's suffrage, with the goal to help citizens exercise their right to vote. Over the last 94 years, LWVO has fulfilled this goal by registering new voters, providing nonpartisan voter guides, helping educate citizens about when and how they may cast a ballot, advocating against restrictions on voting, and advocating in favor of positive voting reforms.

5. In recent years, LWVO has spent considerable effort helping voters navigate the ever-changing landscape of voting rules in Ohio and advocating for sensible election administration.
6. LWVO believes that early voting should include a reasonable number of evening and weekend hours and has urged the legislature and Secretary of State to adopt rules that provide voters with these options.
7. Individual League members invest substantial time and effort in voter training and civic engagement activities, including voter registration and get-out-the-vote efforts, including during the early voting period.
8. LWVO and its members strenuously encourage voters to cast a ballot by whatever means each voter should choose, in person or by mail, but those opportunities have been sharply limited by SB 238 and Directive 2014-06.
9. Furthermore, as a result of SB 238 and Directive 2014-06, LWVO and its members will be forced to divert time, money, and resources from their other activities, such as registering voters, sponsoring candidates' forums, and other activities, in order to educate and assist Ohio citizens – many of whom will not understand the changes in voting and who will be burdened by these early voting cutbacks, the vagaries of mailing absentee ballots, and other voting changes.

Voter Education Efforts

10. LWVO with the involvement of our local Leagues engages in voter education efforts, called “voter service,” which take several forms, including voter education drives in the summer and fall, nonpartisan voter guides that we distribute to local libraries,

newspapers, social service agencies, businesses, candidate forums and individuals. Both the state LWVO and its local chapters engage in these efforts.

11. For its voter education efforts, LWVO targets specific groups that are sometimes referred to as the Rising American Electorate. This group includes racial and ethnic minorities, women and youth voters who are 25 years old and under. Many of these individuals tend to be lower-income and working-class. We focus on these groups because they are typically underrepresented in voter registration and turnout. These groups are usually the most negatively affected by changes to voting laws in Ohio.
12. Because the election rules are constantly changing each year, we try to get the most current and accurate information to voters. For instance, in 2012, we used multimedia campaigns, conducted webinars, called voters, dropped literature, took out ads in newspapers, and had online ads to inform people about registration and how to vote. The information often included details about voting times, poll locations, voting procedures and, sometimes, transportation information.
13. We believe it is important to include transportation information on some of our targeted voter education pieces, and we will typically provide bus routes to notify people of how to get to the polling location in their area. We provide this information because we have seen early voting locations move in several areas in the last few years, including in Franklin County and Akron.
14. We also work with local League chapters in counties throughout Ohio on voter information campaigns and conducted several of these campaigns leading up to the election in 2012.

15. In 2012, LWVO worked with the Coalition on Homelessness and Housing in Ohio and Ohio Voice in Franklin County on a campaign using automated calling (“robo-calls”). We targeted typically underrepresented voter populations, low-income individuals, racial and ethnic minorities, and women. The robo-calls informed these people of various election related issues such as, when early voting started, when and where to vote, bus routes to polling locations and information on same-day registration.
16. LWVO also used robo-calls in Summit County in 2012 to alert voters of changes that had occurred to their early voting location, where early voting takes place and how to get there.
17. In Montgomery County in 2012, we focused our efforts on letting people know about precinct consolidation and changes to polling locations. In collaboration with the local League chapter, we made a series of robo-calls providing voters with information about early voting, including hours, locations and bus routes, as well as information about Election Day.
18. In Lucas County in 2012, we placed ads in three weekly newsletters that target ethnic and minority populations. We included information focusing on voter ID and how and where to vote early in-person and on Election Day.
19. In Hamilton County in 2012, we used online ads that detailed the county’s early voting hours. We also partnered with the organization Ohio Votes to help train social service providers on voter registration efforts.

Uniformity Across Elections

20. LWVO believes and has seen that ever-changing hours and rules for the various types of elections cause problems. Whether a gubernatorial, presidential or off-year election,

when voters go to vote they expect the rules to be the same. Only election officials view different types of elections as being different; voters do not. Every year, people are constantly asking us about the changing voting hours and whether they have weekend voting or evening voting because the rules are always changing. These changing hours are frustrating to voters because they receive a calendar of days and times to vote one year, and that same calendar is not good for the next year. Sometimes it even changes between the primary and general election in the same year. Voters rely on voting at a certain time, be it after church on Sunday or in the evening after work, but when they can't use those times they did before, they become confused and frustrated.

21. It isn't just the constantly changing hours that people complain about or question. For instance, in 2012 the Secretary of State sent absentee ballot applications to all registered voters; previously counties had sent out the applications. There was confusion among some voters in urban counties, including Franklin and Cuyahoga Counties, and they wanted to know if the applications from the Secretary of State were legitimate.
22. There was also a lot of voter confusion in 2013, when absentee ballot applications were not sent statewide as they had been in 2012. During the entire months of September and October, our phones were ringing off the hook. People wanted to know why they had not received their ballot application.
23. In my experience, voters need consistency to take the guesswork out of voting. We can tell people what the early voting hours are but that could change. The Secretary of State could issue a new directive or a court could rule, with the result that between now and Election Day things can change. This has been true the last few years, and it is because the rules are always changing that LWVO must constantly change the information we

provide to voters. Because of these constantly changing rules we don't do large print runs anymore, and we tend to use more electronic publications.

Same-Day Registration

24. LWVO supports same-day registration, where a person can register and vote on the same-day because the system should be structured to maximize participation among eligible voters. Anyone who is an eligible voter should be able to vote. It is my understanding that same-day registration works very effectively and is one of the biggest boosts to voter participation, especially among lower-income voters.
25. Since Ohio has the earliest deadline for voter registration allowed by law, many people we interact with don't realize until it's too late that they aren't registered or their registration isn't updated. From our experience, same-day registration helps to remove barriers for voters caused by the early registration deadline and to make every eligible voter able to vote.
26. Same-day registration is also very important to people who move frequently, including individuals with lower income or people experiencing homelessness. In Ohio, individuals must update their registration when they move. If someone moves and doesn't update their registration, they are at risk of being disenfranchised. This is particularly true in areas with high foreclosure rates. We've encountered people who were forced to move and thought they could vote but could not cast a regular ballot because they had not updated their registration. Their only option was a provisional ballot, which often requires additional hoops to jump through in order for it to be counted. Same-day registration can reduce these instances, improve access to voting, and boost voter turnout.

Transportation

27. Many working-class people in Ohio rely on public transportation because they don't have a car, don't have a reliable car, or they have a car shared by the whole family. These people can experience difficulties in getting to polling locations to vote because using public transportation can take quite a while and is a real time commitment. From what I have heard, this time commitment is usually compounded with other concerns working-class people face and manage daily, including family obligations, work and health care.
28. Taking public transportation to the polls has its own challenges. People will need to find a time to get off work and get themselves to the polls using the correct bus routes to get to the right polling location. We have heard that people encounter different and difficult situations using public transportation, including the need to take transfers or, if the polling location is in a remote location, extra routes. I've heard that one trip to and from the polls using public transportation can take several hours, and that does not include the time spent standing in line. These situations are why we put information about public transportation in some of our voter education materials.
29. I have heard about other ways people are able to get to the polls including rides from churches in programs called Souls to the Polls. These programs involve African-American churches driving congregants to the polls on Sunday after church services. I've heard and believe these programs are a great benefit to the congregants because it is a convenient method to get people, including those who are elderly or who may have transportation issues, to the polls. Though I have not personally been involved with Souls to the Polls, I am well aware that Souls to the Polls has become a community institution and cultural tradition across the state with African-American communities and people expect it each year.

Vote by Mail

30. While many voters like and use vote by mail, I have heard many reasons why other voters do not want to vote by mail. Some people do not trust the mail to get their ballot to the proper place. Some take pride in going to the booth and pulling the lever. Some use voting as a family experience and vote with family members of different generations. Also, for some, as in the African-American community, it is a cultural tradition because it is a right that was fought hard for and they want to experience it in person.
31. Senate Bill 205 (“SB 205”) also adds problems to voting by mail. It creates confusion because it only permits the Secretary of State to send out ballots if funded by the Ohio General Assembly, so there is no guarantee that it will happen each year. It also prohibits pre-paid postage for ballots, which could be heavy and require more than one stamp. The biggest problem with SB 205 is that it requires all fields on the ballot envelope to be “complete” in order to be processed and counted. However, nowhere is there a definition of completeness.

Early In-Person Voting

32. Early in-person voting has been hugely popular, and it continues to grow in use since it was passed in 2005 and went into effect in 2006. In the 2006 election, not many people used early in-person voting because they did not know about it. However, in 2008, there was a huge growth in early in-person voting in urban areas, where it had been publicized as an option. The 2012 election was the first time absentee ballot applications were sent statewide and that uniform early in-person voting hours were required in all counties; after talking with voters, we heard that early voting swept like wildfire in popularity in all counties, particularly among working-class voters, because of its flexibility.

33. Early in-person voting has become so popular over the years that it has caused election officials to plan differently. Because many people vote before Election Day, we have seen counties pushing to change the number of machines they are required by law to have at polling places on Election Day. We have also seen that, due to early voting, counties do not need as many precincts on Election Day and are consolidating precincts. From what we've seen, these changes can benefit Boards of Elections and save them money and resources.
34. People want to vote early and like voting on the weekends because, for many people, weekends are the only time they can vote in person. The election in 2008 was the first presidential election year that we had Sundays, and many people loved having the option to vote on Sundays, which was the best time for them. A lot of people took advantage of the full varieties of voting in 2008. In 2010, people had become acclimated to voting early and came to expect it. After the restoration of weekend voting during the three days before the election in 2012, we heard about and saw via social media sites very long lines at polling locations on those days. We heard about particularly long lines in urban counties including Cuyahoga, Franklin and Hamilton Counties.
35. LWVO does not believe two Saturdays and four hours on one Sunday for weekend voting is enough. Without additional early voting days and with only business hours, I fear that once again, as in 2012, we will have very, very long lines on those few weekend hours offered.
36. No one likes waiting in line because it can cause frustration, aggravation and inconvenience. However, from what we have heard, long lines especially present challenges to voters that rely on others for transportation, voters who have physical health

problems or infirmities, individuals with disabilities, and people with family responsibilities or young children and no childcare arrangements.

Affects of Cutbacks to Early In-Person Voting on Working-Class People

37. The cuts to early in-person voting, especially the cuts to evening hours, impact working-class people. If someone works 9pm to 5pm or longer hours, it will be very difficult for them to find the time to vote. If someone has a busy work schedule, hourly or shift work, it is very hard to get time off. From my experience and what I have heard, working-class voters are already facing other challenges to going to vote including finding transportation to the polling location or arranging for childcare or eldercare.
38. It is very important to have early in-person voting hours outside of typical business hours because not everyone has the opportunity to vote during that time. This is especially true for working-class people who may not have a flexible schedule or don't want to use vacation time. Having time outside business hours makes it easier for workers to vote when convenient for them.
39. Having a wide range of times to vote that includes evening hours and multiple Sundays removes barriers from working-class people to vote. We know from experience that even if a particular time works for someone, something unexpected can come up, which is why multiple opportunities are needed. So for example, for someone who can only practically vote on Sunday, if there is only one Sunday and something comes up, that person's ability to vote may be jeopardized..

Affects of Cutbacks to Early In-Person Voting on People with Lower Education

40. People with lower education are negatively impacted by the changes to hours for early in-person voting. The information about the changes to election laws is usually not

broadcasted and most people, including those with lower education, may not hear about it. Around the state, it varies whether information about voting times or places is shared with voters. Some counties provide information to voters, but others don't.

41. People with lower education are the most impacted because these changes are not advertised. Secretary of State Husted may issue a press release about new election rules, but the average person is not going to read it. Not everyone lives and breathes election law and not everyone reads the newspaper. This information is usually not placed on billboards, busses or even local radio stations. Also, rules on elections could change very quickly with a court ruling or a new directive. However, not everyone is able to educate themselves on these ever-changing rules, and many voters won't know that things have changed. These changing hours and rules are another barrier to voting, and our concern is that the more barriers that are thrown in the way, the more voters will say it's too hard for me to vote.

Affects of Cutbacks to Early In-Person Voting on Women

42. Women are going to be affected negatively by cuts to early in-person voting. Women are more likely to have caretaker responsibilities for their families, including child or elderly care, while trying to earn a living, which already makes voting difficult. Without more available non-traditional times to vote, voting opportunities for women, particularly those who are single heads of households, are greatly reduced.

Effects of Cutbacks to Early In-Person Voting on African-American Communities

43. The cutbacks to early in-person voting will be felt hard in the African-American population. There tends to be a higher concentration of African Americans in more highly-populated urban areas, and since there is only one early voting polling place

allowed per county, they will have to filter through one site. Therefore, there will probably be more lines.

44. Limiting early in-person voting to one Sunday affects the African-American community.

Sunday voting has become a cultural tradition across the state within African-American communities. These programs provided people that have transportation issues, the opportunity to be driven to the polls after church services. Without more than one Sunday, persons who participate in the program conducted by their church will probably see more lines at polling locations.

I declare under penalty of perjury that the forgoing is true and correct. Executed on June 24, 2014.



Carrie Davis