

ASSOCIATION OF COMMUNITY
ORGANIZATIONS FOR REFORM
NOW, ET AL

Plaintiffs,

v.

DEBORAH E. SCOTT in her official
capacity as Director of Missouri
Department of Social Services, Et Al

CIVIL ACTION NO.

**DECLARATION OF
JEFF ORDOWER**

Pursuant to 28 U.S.C. § 1746, Jeff Ordower declares as follows:

1. I am Missouri State Head Organizer for the Association of Community Organizations for Reform Now ("ACORN") located at 4304 Manchester Avenue, St. Louis, MO 63110. I submit this declaration in support of Plaintiffs' motion for preliminary injunction in the above-captioned action.
2. ACORN is a not-for-profit organization, incorporated in Arkansas with Missouri-based offices in Kansas City and St. Louis.
3. ACORN is the nation's largest community organization of low and moderate-income families, working together for social justice and stronger communities. Since 1970, ACORN has grown to more than 175,000 member families, organized in 850 member chapters in 75 cities across the United States and other countries, including more than 13,396 members in its two Missouri chapters.
4. ACORN members participate in local meetings, actively work on public policy campaigns, and elect their own leaders from their neighborhoods.

5. ACORN's membership includes persons who are eligible for public assistance and eligible to vote but are unregistered or need to update their registrations because they have moved.
6. As a means of building stronger communities, ACORN has been a strong advocate for voter participation. More registered voters in a community served by ACORN means that ACORN can encourage more people to vote on Election Day and generate a higher amount of voters, all of which strengthens the community. Members of ACORN who are registered to vote have an interest in other members of their community being registered to vote.
7. Although ACORN encourages its members to register to vote, not all of its members are registered. As members of an organization devoted to organizing low and moderate-income families, many of ACORN's members receive public assistance and would benefit from being offered the opportunity to register to vote at the time they conduct transactions with DSS.
8. ACORN has members who have applied for public assistance and were not registered to vote or who have moved since registering to vote and have not updated their voter registration addresses, but who would update their voter registration address if given that opportunity by Department of Social Services ("DSS") offices.
9. I understand that pursuant to section 7 of the National Voter Registration Act of 1993 ("NVRA") all offices in Missouri that provide public assistance, such as offices of the DSS, are required to offer the opportunity to register to vote to those conducting transactions with the public assistance agency. Such transactions

include applying or recertifying eligibility for public assistance benefits or changing their addresses of record with the agency.

Continuing Failure to Comply with the NVRA

10. Within the past year ACORN has conducted spot interviews of individuals exiting Missouri DSS offices which have revealed that virtually none of the clients interviewed who were conducting transactions that triggered the NVRA's voter registration requirements were asked whether they would like to register to vote.

Effect on ACORN's Mission

11. ACORN has had to expend funds to register members who were not offered the opportunity to register when conducting transactions with DSS offices.
12. ACORN seeks to increase political participation in the communities it serves. As part of those efforts ACORN regularly conducts voter registration drives in St Louis Metro Area, Kansas City, and Springfield, Missouri. Because DSS offices are not complying with the NVRA, ACORN and its members must divert and devote a significant portion of their limited time and resources to conducting voter registration outreach to the clients of Missouri public assistance agencies who should be offered the opportunity to register by DSS offices as the NVRA requires.
13. Those voter registration efforts specifically include, among other things, collecting voter registration applications outside of DSS offices from individuals who were not offered the opportunity to register to vote or to update their voter registration information during visits to the offices.

14. ACORN has spent hundreds of thousands of dollars on voter registration activities in the state of Missouri. ACORN employees or volunteers have participated in voter registration efforts outside of public assistance agencies because Defendants have failed to provide the required voter registration opportunities.
15. ACORN would not have spent time, money and resources attempting to register to vote individuals leaving DSS offices had those offices offered the individuals conducting transactions the opportunity to register to vote or update their voter registration information during their visits to the DSS offices.

Harm to ACORN

16. The continuing failure of the DSS offices to offer voter registration as required by the NVRA has hampered and impeded ACORN's mission, required ACORN to expend resources it would not otherwise have expended, and diverted resources needed for community organizations, issues campaigns, and other programs for full achievement of its goals.

Harm to ACORN's Members

17. Because of the continuing failure of the DSS offices to offer voter registration as required by the NVRA, ACORN's members who conduct transactions with the DSS are not being advised that they are able to register to vote at that time. Consequently, ACORN members are being deprived of the opportunity to register to vote as required by Section 7 of the NVRA, thus depriving them of exercising their rights to vote and of a voice in government.

18. ACORN has members in Kansas City and St. Louis Missouri that are eligible for public assistance benefits, visited DSS offices, were not offered the opportunity to register and are not registered at their current address.
19. ACORN has members in Kansas City and St Louis Missouri that are eligible for and/or receive public assistance benefits, will seek to apply for, recertify or change their address for the benefits by visiting public assistance agencies and will not be registered at their contemporary address.

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

Executed on this 21 day of April, 2008
DATE MONTH



Jeff Ordower