

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

VIRGINIA STATE CONFERENCE ON BEHALF OF
THE NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE
BRANCHES, as an organization and
representative of its members; KING SALIM
KHALFANI, WALTER T. KENNEY, and RACHEL
ACHEE,

Plaintiffs,

Case No. 2:08CV508

TIMOTHY M. KAINE, Governor of the
Commonwealth of Virginia; JEAN CUNNINGHAM,
Chairman, Virginia State Board of Elections; HAROLD PYON,
Vice Chair, Virginia State Board of Elections; NANCY
RODRIGUES, Secretary, Virginia State Board of Elections;
GEORGE WILLIAM THOMAS, Chairman, City of Richmond
Electoral Board; CECILIA DABNEY, Vice Chairman, City
of Richmond Electoral Board; DOROTHY DOCKERY,
Secretary, City of Richmond Electoral Board; J. KIRK
SHOWALTER, City of Richmond General Registrar; JAMES
H. HINSHAW, Chairman, City of Norfolk Electoral Board;
TED MAROULIS, Vice Chairman, City of Norfolk Electoral
Board; W. DONALD BROWN, Secretary, City of Norfolk
Electoral Board; ELISA LONG, City of Norfolk General
Registrar; J.A.G. PARRISH, Chairman, City of Virginia
Beach Electoral Board; TIM BARROW, Vice Chairman,
City of Virginia Beach Electoral Board; SHIRLEY
MULDERRIG, Secretary, City of Virginia Beach Electoral
Board; and EDITH HARRINGTON, City of Virginia Beach
General Registrar; in their official capacities,

Defendants.

DECLARATION OF KING SALIM KHALFANI

I, KING SALIM KHALFANI DECLARE:

1. I am a citizen of the United States, over the age of eighteen. I am a resident of the Commonwealth of Virginia, residing at 1100 Ridgecliff Drive, Richmond, VA 23224. I submit this declaration in support of Plaintiff's motion for a preliminary injunction.
2. I have been a member of the National Association for the Advancement of Colored People ("NAACP") for eighteen (18) years.
3. I currently serve as the Executive Director of the Virginia State Conference NAACP, a position I have held since 1998.
4. The Virginia State Conference NAACP's principal place of business is 1214 W. Graham Road, Richmond, Virginia, 23220.
5. The Virginia State Conference NAACP serves as the coordinating body for over one hundred (100) adult branches, college chapters, and youth councils. Our membership stands at approximately 16,000 with some of our largest units located in Richmond, Norfolk, and Virginia Beach.
6. Members of the Virginia State Conference NAACP include citizens of the Commonwealth, of all races, nationalities, and ethnicities, who live and vote throughout the various counties of the state, including in Richmond, Norfolk, and Virginia Beach.
7. Consistent with the mission of the national office of the NAACP, the mission of the Virginia State Conference NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and social discrimination. Our vision is to ensure a society in which all

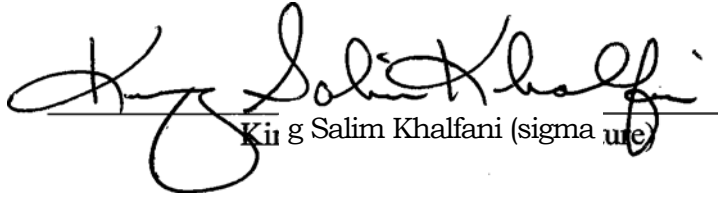
individuals have equal rights and opportunities and live free of discrimination and hatred.

8. The Virginia State Conference NAACP is proud to be the vanguard for ensuring the voting rights of the citizens of Commonwealth since 1935, including specifically African-American citizens. As part of our work to protect voters and their rights, we educate the public about its rights under Federal and state law, monitor elections, provide access to and staff voter protection hotlines, and advocate on behalf of voters.
9. In this election cycle, unlike any other time, members of the organization and the general public with whom we come in contact have expressed an overwhelming interest in participating in the upcoming November 4, 2008 Presidential election.
10. In all of my years *as* Executive Director of the Virginia State Conference NAACP, I have never witnessed this level of enthusiasm for an election. The level of interest has been incredible.
11. Throughout the months of August and October, 2008 we have held various state-wide seminars with our members during which voting, voting rights, and participation in the upcoming Presidential election were discussed. A representative of the Virginia State Board of Elections ("SBE") attended these seminars.
12. During the state-wide seminars, various members expressed concerns to the SBE representative about long lines at the polls due to an inadequate number of voting machines. On virtually every occasion, the SBE representative acknowledged that the lines would, in fact, be long.

13. This concern was raised repeatedly, and, in my estimation, the SBE representative acknowledged no less than fifty (50) times that the lines at the polls in November would be very long.
14. I am very concerned that long lines at the polls on Election Day will serve as a barrier to voting for many of our members, who are not able to wait or choose not to wait.
15. Failure to provide adequate resources for the administration of the November 4, 2008 Presidential election will not only serve as a voting barrier to our members, it will also severely set back the voter education and engagement work we have engaged in since 1935.
16. As the head of an organization that advocates for voting rights and access to the ballot box, I do not want to see my members' voting rights abridged or my members disenfranchised.
17. Inadequate Election Day resources that lead to long lines which may, in turn, present barriers to voting, will cause our members irremediable harm because not only are they likely to become disillusioned with the electoral process, they will literally be disenfranchised.
18. I believe it is critical for the state to equip each polling site so to meet the needs of all voters.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October P., 2008.


King Salim Khalfani (sigma ute)


DECLARATION OF WALTER T. KENNEY, SR. I,

WALTER T. KENNEY, SR., DECLARE:

1. I am an African-American citizen of the United States. I have been a registered voter since I became eligible to vote at age eighteen (18).
2. I am seventy-seven (77) years old and currently reside at 1614 Bryan Street in Richmond, VA.
3. I served as Mayor of Richmond from July 1, 1990 until June 30, 1994.
4. I intend to vote in-person in the upcoming presidential election on November 4, 2008 at my polling place located at 2302 Carmine Street in Richmond, VA.
5. I have voted in every election since I registered to vote at age eighteen (18).
However, if I were faced with a long line on Election Day, I would not be able to wait in line for a long period of time.
6. I will be unable to wait in a long line at night because I have a physical condition that does not allow me to stand in one place for a long period of time. I have a bad hip and walk with a cane. As the weather gets cooler, this condition worsens.
7. If I was unable to vote in the November 4, 2008 Presidential Election I would be very disappointed. I take the voting process very seriously. I have been voting all my life and want to continue to vote for the rest of my life. As a former mayor, I have always been very politically active and want to remain so as a retiree as much as possible by casting my vote. I do not want a physical condition and my older age to cause me to lose my right to vote.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 27, 2008.


Walter T. Kenney, Sr. (signature)