

FILED ENTERED  
LOGGED RECEIVED  
★ MAY 24 2006 ★



06-CV-00726-LTR

BY CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

MAY 24 2006

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

WASHINGTON ASSOCIATION OF CHURCHES, as an organization and representative of its members; WASHINGTON ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW (ACORN), as an organization and representative of its members; ORGANIZATION OF CHINESE-AMERICANS OF GREATER SEATTLE, as an organization and representative of its members; CHINESE INFORMATION & SERVICE CENTER, as an organization and representative of its clients; FILIPINO AMERICAN POLITICAL ACTION GROUP OF WASHINGTON, as an organization and representative of its members; KOREAN AMERICAN VOTERS ALLIANCE, as an organization and representative of its members; SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU) - LOCAL 775, as an organization and representative of its members; and WASHINGTON CITIZEN ACTION, as an organization and representative of its members,

Plaintiffs,

vs.

SAM REED, in his official capacity as Secretary of State for the State of Washington,

Defendant.

NO. CV06-0726 RSM

DECLARATION OF  
ALARIC BIEN IN SUPPORT  
OF PLAINTIFFS' MOTION  
FOR A PRELIMINARY  
INJUNCTION

HILLIS CLARK MARTIN &  
PETERSON, P. S.

500 Galland Building, 1221 Second Ave  
Seattle WA 98101-2925  
206.623.1745; fax 206.623.7789

ORIGINAL

1 Pursuant to 28 U.S.C. § 1746, I, Alaric Bien, hereby declare as follows:

2 1. My name is Alaric Bien. I reside in King County, and I am currently  
3 registered to vote in Washington State.

4 2. Since 2001, I have been the Executive Director of the Chinese Information  
5 and Service Center ("CISC"), a Seattle-based organization devoted to creating opportunities  
6 for Chinese-American immigrants and their families to succeed.

7 3. The CISC is a Plaintiff in this matter. This declaration is based on personal  
8 knowledge, except where otherwise noted.

9 4. The CISC was founded in 1972 as a volunteer organization, and has now  
10 grown to a staff of 35 full-time-equivalent employees, who speak 9 dialects of Chinese,  
11 Vietnamese, Cambodian, Malay, and English. The CISC provides approximately 5700  
12 clients per year with cultural orientation, job training, senior day care, English instruction,  
13 youth activities, and other direct-service assistance on a broad range of issues of importance  
14 to the Chinese-American and broader Asian-American community.

15 5. The CISC also advocates on behalf of our clients and the broader Chinese-  
16 American community, with elected officials and with the general public. We actively  
17 engage in many issues of interest to our clients. Among these issues are concerns involving  
18 voting rights – in particular, voting issues of concern to minority language communities,  
19 such as compliance with section 203 of the Voting Rights Act.

20 6. Involvement in public policy formation and advocacy is central to our service  
21 to our clients and the broader Chinese-American community. It is critical to these advocacy  
22 efforts that members of our community be recognized as active constituents of their elected  
23 officials. Voter registration is a crucial component of this process.

24  
25  
26  
27  
28  
*Declaration of Alaric Bien CV06-0726 -  
Page 2 of 7*

HILLIS CLARK MARTIN &  
PETERSON, P.S.

500 Galland Building, 1221 Second Ave  
Seattle WA 98101-2925  
206.623.1745; fax 206.623.7786

1           7.     We regularly strive to ensure that as many eligible clients as possible are  
2 registered to vote.

3           8.     This year, as in the past, we plan to encourage clients and members of the  
4 Chinese-American community to register to vote. We will sponsor community education  
5 sessions, educating members of the community about the importance of registration and  
6 about how and where to register. We will also provide direct service to clients who need  
7 assistance in the registration process. In the past, we have received grants specifically  
8 earmarked for voter education and voter registration to support this activity.

9           9.     Many of our clients face particular difficulties in voter registration. For  
10 example, many of the clients with whom we work have only limited English proficiency,  
11 and have difficulty with official forms. They are not easily able to respond to government  
12 notices or forms, and turn to us for help. Indeed, one of our core services is to help clients  
13 respond to mail that looks official, that they may not adequately understand without  
14 assistance.

15           10.    Moreover, approximately 3200 of our clients are senior citizens. Many of  
16 these clients do not have driver's licenses.

17           11.    Because one of our functions is to assist new immigrants with the  
18 naturalization process, approximately 80 of our clients are newly naturalized. Many of these  
19 newly naturalized clients are senior citizens as well.

20           12.    I am familiar with many common errors and inconsistencies in databases  
21 containing Chinese names. For example, women from mainland China frequently use their  
22 maiden name for some purposes, their married name for others, and a hyphenated version of  
23 these names for yet other purposes; such women may not consider one particular surname to

1 be an exclusive legal name for all situations. Moreover, transliterated compound first names  
2 such as "Mei Ling" may be presented differently; women from Taiwan often present this  
3 name as "Mei-ling," while women from mainland China often present the name as  
4 "Meiling." I have seen names with similar structures represented in many different ways on  
5 government systems such as health care databases – for example, as "Mei-ling," "Meiling,"  
6 "Mei-Ling," and "Mei Ling." In this way, one individual may be represented inconsistently  
7 on two different systems.  
8

9 13. I have reviewed RCW 29A.08.107. I understand that, pursuant to state law,  
10 Washington State voters will not be registered to vote if the names, identifying numbers, and  
11 other personal information on a voter registration form are not able to be matched with data  
12 maintained by the State Department of Licensing or the U.S. Social Security Administration.  
13 I understand that "matching" is an unreliable process. It is my firm belief that the risk of  
14 disenfranchising eligible clients as a result of unreliable "matching" procedures is too high.  
15

16 14. It is my firm belief that many eligible clients who attempt to register in 2006  
17 will not be registered to vote because the Secretary of State is unable to "match" information  
18 on their voter registration forms.  
19

20 15. The CISC's primary mission is to provide direct services to its clients. When  
21 client information on voter registration forms is not "matched," we will have to divert  
22 substantial staff time and resources from other programs to attempting to resolve the  
23 "matching" problem on our clients' behalf. In order to ensure that eligible clients who wish  
24 to register are actually registered, we will have to devote additional resources to proactive  
25 education and outreach concerning voter registration to our client community, as well as to  
26  
27  
28

1 individual client service. These resources would otherwise be earmarked for activities  
2 unrelated to voter registration.

3 16. Even when this time and resources are diverted from other activities to  
4 address the consequences of the "match" process, it is my firm belief that the CISC will not  
5 be able to ensure that many clients who attempt to register in 2006 with CISC assistance will  
6 be registered to vote by the end of the year.  
7

8 17. I believe that Washington State's refusal to register eligible citizens for  
9 whom the Secretary of State is unable to "match" information to other government databases  
10 will result in the disenfranchisement of many clients whom the CISC encourages and assists  
11 to register to vote. Many of these clients will be directly harmed by the disenfranchisement.  
12 Moreover, this disenfranchisement will impede the CISC's ability to fulfill its organizational  
13 purposes, will frustrate its organizational goals and its efforts to advocate on its clients'  
14 behalf, and will render CISC staff time and resources spent on voter registration useless.  
15

16 18. If Washington State is not enjoined from refusing to register voters whose  
17 information cannot be "matched," CISC clients will suffer harm, and the CISC will suffer  
18 harm, as the voters of this state are disenfranchised. For this reason, we respectfully request  
19 that this court grant the relief we so urgently need.  
20  
21


22 //  
23 //  
24 //  
25 //  
26 //  
27 //

28

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

Dated: Seattle, WA

May 10, 2006

  
\_\_\_\_\_  
Alaric Bicen

**CERTIFICATE OF SERVICE**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I hereby certify that on May 24, 2006, I ~~electronically~~ filed this *Declaration of Alaric Bien* with the Clerk of the Court using the ~~CM/ECF system~~ which will send notification of such filing to the following:

N/A

and I hereby certify that I have sent for service via hand delivered by legal messenger to be served on May 25, 2006 this document to the following non CM/ECF participants:

Sam Reed, Secretary of State, State of Washington  
Legislative Building  
Olympia, WA 98504-0220

Rob McKenna, Attorney General for the State of Washington  
Office of the Attorney General  
1125 Washington Street SE  
Olympia, WA 98504-0100

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 24<sup>th</sup> day of May, 2006 at Seattle, Washington.

*/s/ Sarah A. Dunne H. Sarah A. Dunne*  
Sarah A. Dunne, WSBA #34869

#330300 99732-002 72v0011.doc 5/24/06