



06-CV-00726-BCST

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CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY [Signature] DEPUTY

MAY 24 2006

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

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 VICTOR KING IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

HILLIS CLARK MARTIN & PETERSON, P.S.

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Declaration of Victor King In Support of Plaintiffs' Motion For a Preliminary Injunction (CV06-0726)-Page 1 of 7

ORIGINAL

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

2 1. My name is Victor King. I was born in Hong Kong, and immigrated to the
3 U.S. in 1983. I reside in King County, and I am currently registered to vote in Washington
4 State.

5 2. Since January 2006, I have been the President of the Organization of Chinese
6 Americans – Greater Seattle Chapter (“OCA-GS”), a Seattle-based organization dedicated to
7 advancing the social, political, and economic well-being of Chinese Americans and other
8 Asian Pacific Americans in the Pacific Northwest.

9 3. OCA-GS is a Plaintiff in this matter. This declaration is based on personal
10 knowledge, except where otherwise noted.

11 4. OCA-GS, founded in 1995, has become one of the leading chapters of the
12 national Organization of Chinese Americans (“OCA”), a nonpartisan nonprofit organization
13 founded in 1973. OCA represents over 3,000 members and affiliates.

14 5. OCA-GS represents approximately 200 dues-paying members in the Greater
15 Seattle area. We operate mostly using volunteer time, with 1 part-time paid staff member.

16 6. OCA-GS advocates on behalf of our members and the broader Asian Pacific
17 American community, with elected officials and with the general public. We actively
18 engage in many issues of interest to our clients. Among these issues are concerns involving
19 voting rights – in particular, voting issues of concern to minority language communities,
20 such as multilingual assistance available on touchscreen voting machines, and the
21 implementation and reauthorization of section 203 of the Voting Rights Act.

22 7. Involvement in public policy formation and advocacy is central to our utility
23 to our members and to the broader Chinese American and Asian Pacific American
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1 communities. It is critical to these advocacy efforts that members of our community be
2 recognized as active constituents of their elected officials. Voter registration is a crucial
3 component of this process.

4 8. We regularly strive to ensure that as many eligible members as possible are
5 registered to vote.

6
7 9. This year, as in the past, we plan to encourage our members and members of
8 the Chinese American and Asian Pacific American communities in the Pacific Northwest to
9 register to vote. We will hold seminars to inform the community, educating attendees about
10 the importance of registration and about how and where to register. We will also conduct
11 some direct registration of citizens – both members of OCA-GS and non-members – and we
12 will also support the efforts of partners and other affiliated organizations to assist with voter
13 registration in Asian Pacific American communities.

14
15 10. Many of the members of our community face particular difficulties in voter
16 registration. For example, many Asian Pacific American citizens with whom we work have
17 only limited English proficiency, and have difficulty with official forms.

18
19 11. OCA-GS is familiar with many common errors and inconsistencies in
20 databases containing Chinese names. For example, prominent Chinese NBA basketball
21 player Yao Ming is often described, in publications and broadcasts and other
22 communications, as “Mr. Ming” – even though “Ming” is his given name, not his surname.
23 Errors like these, in which the given name and surname are swapped, are especially common
24 within the Chinese American community.

25
26 12. I have reviewed RCW 29A.08.107. I understand that, pursuant to state law,
27 Washington State voters will not be registered to vote if the names, identifying numbers, and
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1 other personal information on a voter registration form are not able to be matched with data
2 maintained by the State Department of Licensing or the U.S. Social Security Administration.
3 I understand that "matching" is an unreliable process. It is my firm belief that the risk of
4 disenfranchising eligible members as a result of unreliable "matching" procedures is too
5 high.
6

7 13. It is my firm belief that eligible members who attempt to register in 2006 will
8 not be registered to vote because the Secretary of State is unable to "match" information on
9 their voter registration forms.
10

11 14. When the information on the voter registration forms of our members is not
12 "matched," we will have to divert substantial time and resources from other programs to
13 attempting to resolve the "matching" problem on our members' behalf. In order to ensure
14 that eligible members of the Asian Pacific American communities who wish to register are
15 actually registered, we will have to devote additional resources to proactive education and
16 outreach concerning voter registration to these communities, as well as to assisting
17 individual would-be voters. These resources would otherwise be earmarked for activities
18 unrelated to voter registration.
19

20 15. Even when this time and resources are diverted from other activities to
21 address the consequences of the "match" process, it is my firm belief that the OCA-GS will
22 not be able to ensure that members who attempt to register in 2006 with OCA-GS
23 encouragement or assistance will be registered to vote by the end of the year.
24

25 16. I believe that Washington State's refusal to register eligible citizens for
26 whom the Secretary of State is unable to "match" information to other government databases
27 will result in the disenfranchisement of members whom the OCA-GS encourages and assists
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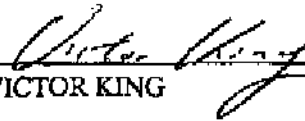
1 to register to vote. Many of these members will be directly harmed by the
2 disenfranchisement. Moreover, this disenfranchisement will impede the OCA-GS's ability
3 to fulfill its organizational purposes, will frustrate its organizational goals and its efforts to
4 advocate on its members' behalf and on behalf of the Chinese American and Asian Pacific
5 American communities, and will render OCA-GS staff time and resources spent on voter
6 registration useless.
7

8 17. If Washington State is not enjoined from refusing to register voters whose
9 information cannot be "matched," OCA-GS members will suffer harm, and the OCA-GS
10 will suffer harm, as the voters of this state are disenfranchised. For this reason, we
11 respectfully request that this court grant the relief we so urgently need.
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I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct, and that this Declaration was executed on May 24, 2006 in Seattle, Washington.


VICTOR KING

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CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2006, I ~~electronically~~ filed this *Declaration of Victor King* 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 24th day of May, 2006 at Seattle, Washington.

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

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