IV. COUNTY IMPLEMENTATION OF PROOF OF CITIZENSHIP PROVISIONS OF PROPOSITION 200

A. County Procedures for Handling Deficient Voter Registration Applications

525. The Counties reject voter registration forms that do not include proper proof of citizenship under Proposition 200. [Exhibit 521 (Wayman-Trujillo 50-51); Exhibit 502 (Altaha Dep. 12:20-13:19, Jan. 14, 2008 (“Altaha”))]

526. The Counties require re-registration for a person whose voter registration form was rejected for failure to include proper proof of citizenship under Proposition 200. [Exhibit 521 (Wayman-Trujillo 51); Exhibit 502 (Altaha 14); see, e.g., Exhibits 174-178]

527. When a voter registration form is rejected for failing to include proper proof of citizenship under Proposition 200, some Counties mail a letter to the applicant explaining why the application was rejected and instructing the applicant to submit a new registration form with proper proof of citizenship. [Exhibit 521 (Wayman-Trujillo 51-52); Exhibit 502 (Altaha 13)]

528. Maricopa County keeps the rejected registration forms and does not enter information from the forms into VRAZ. [Exhibit 502 (Altaha 13:24-14:6)]

529. Registrants cannot provide proof of citizenship via telephone; the registrant must fill out a new voter registration form and submit the required proof of citizenship. [Exhibit 502 (Altaha 14:15-19, 16:18-23)]

530. Yavapai County does not send any follow-up letters to people whose voter registration applications were rejected for failure include proper proof of citizenship under Proposition 200 and who do not reregister. [Exhibit 521 (Wayman-Trujillo 68)]

531. The Counties are unaware of any federally issued identification that contains a person’s name, address and photograph. [Exhibit 507 (Hansen 41:1-4)]

532. Very few of these rejected voter registration form are cured.
In Maricopa County, if citizenship information is provided after it was left off a registration form, the date of the registration is the date the information is provided, not the date the person submitted the original voter registration form. [Exhibit 513 (Osborne vol. 2 34:20-35:4)]

In Maricopa County, if the individual provides the wrong driver’s license number, the record is suspended, but once he or she provides the correct number, the date of registration becomes the date the initial registration was turned in.

B. The Counties Always Reject Applicants Who Provide a Certificate of Naturalization Number Instead of an Alien Registration Number

The Counties use the “A number” or “Alien registration number” to verify citizenship with the federal government. [Exhibit 517 (Rodriguez vol. 1, 53:12-54:4, 59:21-23, Aug. 8, 2006 (“Rodriguez vol. 1”)); Exhibit 511 (Marin 46:24-47:1); Exhibit 512 (Osborne vol. 1 34:14-24)]

The Counties are aware that there are two numbers on the naturalization certificates, but are inconsistent in their treatment of the numbers. [Exhibit 510 (Johnson 23:25-25:17); Exhibit 178 at 5; Exhibit 509 (Justman Dep. 27:4-28:19), Aug. 1, 2006 (“Justman”); Exhibit 521 (Wayman-Trujillo 39-40)]

In Yavapai County, the only way for a naturalized citizen to find out that in order to register they must provide their “A number,” rather than their certificate of naturalization number, is by calling or appearing in person at the County Recorder’s office. [Exhibit 521 (Wayman-Trujillo 46)]

Pima County’s website only asks for the number on the certificate of naturalization for the voter registration form. [Exhibit 517 (Rodriguez vol. 1 59:2-5) & Exhibit 180]

The Counties do not list the “A number” as an acceptable form of identification on any educational documents they produce for the public. [Apache 2d RFP Response, No. 2; Pima 2d RFP Response No. 2; Pinal 2d RFP Response No. 2; Coconino 2d RFP Response No. 15; Santa Cruz 2d RFP Response No. 2; Yavapi 2d RFP]
Response No. 2] But Maricopa County has requested the “A number” to community
groups. [See p.10 from Maricopa Resp. to Q #13] [Exhibit 181]

538. The Counties reject voter registration forms that provide the
certificate of naturalization number. [Exhibit 517 (Rodriguez vol. 1 at 60:18-22); Exhibit
182 (rejected forms providing naturalization number); Exhibit 507 (Hansen at 29:21-
30:5)]

539. Some Counties will contact those who provide a certificate of
naturalization number and instruct them to provide their alien registration number in
order to register to vote. [Exhibit 517 (Rodriguez, vol. 1 65:9-21); Exhibit 507 (Hansen,
29:21-30:5); Exhibit 512 (Osborne vol. 1 36:2-16)]

540. It takes several weeks after a citizen is naturalized before the federal
government’s database is updated to reflect that the “A number” belongs to a U.S.
citizen. [Exhibit 517 (Rodriguez vol. 1 61:16-62:3); Exhibit 511 (Marin at 51:7-9);
Exhibit 512 (Osborne vol. 1 99:10-19)]

541. If the County Recorder’s staff has seen the registrant’s naturalization
certificate, the certificate number is not confirmed with the federal government. [Exhibit
517 (Rodriguez vol. 1 62:4-62:11); Exhibit 518 (Rodriguez vol. 2, 35:5-12, Jan. 22, 2008
(“Rodriguez vol. 2”)); Exhibit 507 (Hansen 27:13-14); Exhibit 502 (Altaha 21)]

542. The Counties accept a photocopy of a naturalization certificate as
proof of citizenship [Exhibit 517 (Rodriguez vol. 1 63:5-7); Exhibit 505 (Dean-Lytle
Dep. 53:2-6, Jan. 16, 2008) (“Dean-Lytle”); Exhibit 507 (Hansen 27:20-23); Exhibit 509
(Justman at 23:20-23); Exhibit 512 (Osborne vol. 1 39:22-25); Exhibits 183, 184, 185 &
186], but some Counties do not inform the public that they will do so [Apache 2d RFP
Response, No. 3; Pima 2d RFP Response No. 3; Pinal 2d RFP Response No. 3; Coconino
2d RFP Response No. 16; Yavapai 2d RFP Response No. 3; Santa Cruz 2d RFP
Response No. 3; see also Exhibits 187-189 (listing photocopies as acceptable for all
documents except naturalization papers), nor do they educate the public that making such a photocopy is illegal. [Apache 2d RFP Response No. 4; Pima 2d RFP Response, No. 4; Pinal 2d RFP Response No. 4; Coconino 2d RFP Response No. 17; Yavapai 2d RFP Response No. 4; Santa Cruz 2d RFP Response No. 4] [Exhibit190]

543. Some Counties know that it is illegal to copy a naturalization certificate. [Exhibit 517 (Rodriguez vol. 1 64:4-8); Exhibit 511 (Marin 44:13–45:6)]

544. Pinal County has knowledge that naturalized citizens attempting to register to vote were concerned that their naturalization certificate indicated that they could not duplicate or copy it. [Exhibit191]

545. Pinal County notified Joe Kanefield, State Election Director for Arizona, and Craig Stender that registrants who were naturalized U.S. citizens were concerned that the face of their naturalization certificate indicated that they could not copy it. [Exhibit191]

546. The Pima County Recorder’s Office specifically noted in its educational materials that “federal law prohibits making a photocopy of a Naturalization certificate.” [Exhibit107]

547. Private and volunteer voter registration organizations no longer go to naturalization ceremonies in Pima County because they have been persuaded by the County Recorder that they cannot satisfy the requirements for Proposition 200. [Exhibit 518 (Rodriguez vol. 2 32:20-33:25)]

548. The voter registration form provided on many county websites requires the certificate number, and not the “A number,” as proof of citizenship. [See, e.g., Exhibits 192-197, 185] Likewise, many Counties provide lists of documents to prove citizenship with the same mistake. [See, e.g., Exhibits 177-78, 184-85, 187-88, 198-223]
549. The Pima County Recorder’s Office sent letters and posted notice requesting a photocopy of a certificate of naturalization or to provide the “number of certification of naturalization.” This was done even though USCIS could not verify one’s citizenship by certificate of naturalization. [Exhibits 224, 225] The Pima County Recorder’s Office then began to send letters notifying individuals that the office could not process their applications because they were submitted with naturalization certificate numbers. The County notified registrants that they needed to provide their alien registration number or present a copy of their naturalization certificate in order to successfully register. [Exhibit 226]

C. The Counties Are Aware That a Driver’s License Is Not Proof of Citizenship, But They Accept them Anyway

550. The Counties requested an opinion from the Attorney General acknowledging that, although the issue date of a driver’s license tells nothing about the citizenship of the driver, the Counties can accept driver’s licenses issued after October 1, 1996 as proof of citizenship because that is what Proposition 200 requires. [Exhibit 517 (Rodriguez vol. I 31:8-17); Exhibit 512 (Osborne vol. I 104:7-21)]

551. No out-of-state driver’s licenses are acceptable as proof of citizenship for registration. [Exhibit 517 (Rodriguez vol. I 38:24-39:1); Exhibit 227 (listing requirements for registration); Exhibit 507 (Hansen 18:21-19:2); Exhibit 512 (Osborne vol. I 24:15-25); Exhibit 511 (Marin 39:10-16); Exhibits 228 & 229; Exhibit 174 at 8]

552. Arizona driver’s licenses with F or W numbers indicated to Yuma County that the driver is in the country legally but is not a citizen. [Exhibit 511 (Marin 69:15-25]

553. Although listed in the statute and publicity pamphlets for Proposition 200, out-of-state driver’s licenses are not accepted as valid identification at the polls. [Exhibit 508 (Hoyos Dep. 22:21-23, Jan. 16, 2006 (“Hoyos”); Exhibit 230]
Maricopa County is aware that there are people who hold driver’s licenses after 1996 that are not citizens. [Exhibit 513 (Osborne vol. 2 42:21)]

D. Counties Are Not Verifying Identification Documents

The Counties do not verify birth certificates or U.S. passports that they receive with voter registrations. [Exhibit 518 (Rodriguez vol. 2 86:23-87:6); Exhibit 505 (Dean-Lytle 50:8-17); Exhibit 513 (Osborne vol. 2 50:10-21); Exhibit 521 (Wayman-Trujillo 63-64); Exhibit 518 (Rodriguez vol. 2 87:7-87:10); Exhibit 505 (Dean-Lytle 50:21-23); Exhibit 513 (Osborne vol. 2 50:22-25)]

Some Counties accept tribal treaty card numbers at face value and do not verify them. [Exhibit 505 (Dean-Lytle 51:5-7); Exhibit 513 (Osborne vol. 2 51:19-22, 97:3-13)]

Some Counties accept tribal enrollment numbers or Certificates of Indian Blood at face value and do not verify them. [Exhibit 510 (Johnson 20:6-21:3); Exhibit 511 (Marin 46:20-23)]

Navajo County might accept a birth certificate from a married woman if some of the fields matched, or it might require a marriage certificate. [Exhibit 509 (Justman 29:18-30:13)] Pima County will accept a birth certificate from a married woman if the parents’ names and state of birth match. [Exhibit 517 (Rodriguez vol. 1 32:3-33:5)] The federal voter registration form, however, does not ask for a parent’s name or state of birth.

Yuma County does not take any steps to verify a Bureau of Indian Affairs card number when it’s filled out on the voter registration form as proof of citizenship. [Exhibit 511 (Marin 46:10-13)]

Yuma County does not verify a tribal treaty card number when it is provided on the voter registration form, even though they are required to do so pursuant to Proposition 200. [Exhibit 511 (Marin 46:16-19)]
E. The Counties Refuse to Accept the Federal Voter Registration Form

561. Some Counties do not make available the federal voter registration form [Exhibit 517 (Rodriguez vol. 1 83:14-84:6); Exhibit 507 (Hansen 35:17-36:9)], and have rejected registrants who used the federal voter registration form or the federal voter postcard to register. [Exhibit 517 (Rodriguez vol. 2 97:22-25, 103:4-9); Exhibits 231 & 232 (rejected forms); Coconino Suppl. Resp. to 2nd RFP, Attach 1 at 37-38 & Attach 2 at 2 (rejected forms); Exhibit 505 (Dean-Lytle 72:8-73:1)]

562. Yuma and Maricopa Counties will reject federal voter registration forms that do not show proof of citizenship. [Exhibit 511 (Marin 62:14-22); Exhibit 513 (Osborne vol. 1 26:2-3)]

F. Native Americans Have Unique Identification Issues

563. The Navajo Nation does not issue anything called a Bureau of Indian Affairs Card Number, a Tribal Treaty Card, or a Tribal Enrollment number. [Exhibit 510 (Johnson 16:22-17:21); Exhibit 507 (Hansen 24:18-25:3)]

564. Coconino County has never seen a Bureau of Indian Affairs Card or a Tribal Treaty Card from any tribe. [Exhibit 507 (Hansen 25:17-26:3); Exhibit 512 (Osborne vol. 1 26:2-3)]

565. Some Native Americans who possess tribal enrollment cards are not born in the United States, such as some members of the Tohono O’odham tribe who were born in Mexico. [Exhibit 517 (Rodriguez vol. 1 41:19-21)]

566. Tribal enrollment numbers do not indicate the tribe to which they apply. [Exhibit 510 (Johnson 21:9-13)]

567. Counties with high populations of Native American citizens, like Apache County, have expressed concerns about the effect of Proposition 200 on Native American voters. [Exhibit 514 (Pew 9-13); Pew Dep. At Exs. 9 & 11; Exhibits 233 & 234]
V. COUNTY USE OF THE FEDERAL SAVE SYSTEM TO VERIFY CITIZENSHIP OF NATURALIZED CITIZENS

A. County Procedures for Using SAVE

568. The certificate of naturalization states that it is punishable by U.S. law to copy, print or photograph the certificate. [Exhibits 235 & 236]

569. Joe Kanefield, State Election Director for Arizona, inquired with the United States Citizenship and Immigration Service (USCIS) office in Phoenix, Arizona on January 12, 2005, as to whether USCIS had a database or program where the government could verify naturalization certificate numbers. [Exhibit 237]

570. In January 2005, Joe Kanefield determined that if USCIS could not verify one’s status by inquiry of their certificate of naturalization number, then presentation of naturalization documents would be necessary. [Exhibit 238]

571. The USCIS Phoenix Office answered Joe Kanefield, State Election Director for Arizona by letter on January 18, 2005 and advised him about the Systematic Alien Verification for Entitlements Program (SAVE). [Exhibit 237]

572. The USCIS Phoenix Office letter described the SAVE program, the costs associated with the program and how a new agency may begin participating in SAVE. The letter also provided the contact information as to who to contact because the SAVE program was not run out of the Phoenix office. [Exhibit 237]

573. On June 9, 2005, all Counties in Arizona were ordered to establish an account with USCIS and sign an MOU to access SAVE. [Exhibit 239]

574. The State of Arizona had knowledge that USCIS did not immediately update their databases after a person has naturalized. [Exhibit 240; Exhibit 241] The VRAZ county advisory committee continued to advise Counties to reject applications despite knowledge that there was delay between the day a person naturalized and the day the information was actually updated into the SAVE system. [Exhibit 240; Exhibit 241]
575. The naturalization certificate number printed at the top of a certificate of naturalization cannot be verified with the SAVE program. [Exhibit 517 (Rodriguez vol. 1 54:7-16, 56:14-23, 59:21-23)]

576. Maricopa County has access to the SAVE VIS database to verify “A numbers,” and occasionally, other Counties without access to SAVE VIS, including Yavapai County, call or email the Maricopa County Recorder’s Office to have them verify A numbers through SAVE VIS. [Exhibit 502 (Altaha 30-31); Exhibit 521 (Wayman-Trujillo 57-58)]

B. CIS testimony re contents and uses of SAVE

577. Gerri Ratliff is Deputy Associate Director of the National Security and Records Verification Directorate of the United States Citizenship and Immigration Services (USCIS). [Exhibit 516 (Ratliff 5:18-21)]

578. Gerri Ratliff described the Systematic Alien Verification for Entitlements Program (SAVE) as a program that allows certain government agencies to verify the noncitizen or naturalized status of benefit applicants. [Exhibit 516 (Ratliff 12:1-8)]

579. The SAVE program runs a database called the Verification Information System (VIS). VIS is not a primary source database. It is comprised of nightly uploads of information from primary source databases. The primary databases are in the USCIS Central Index System, which is referred to as CIS. [Exhibit 516 (Ratliff 14:8-17)]

580. The VIS database does not contain all of the information about a particular alien that would be found in the Central Index System. [Exhibit 516 (Ratliff 16:18-20)]

581. The VIS database also does not contain an alien’s status history. The database only contains current status information. [Exhibit 516 (Ratliff 18:19-20)]
The Web 1 access method in SAVE, which is used by Counties in Arizona, only allows queries by A numbers. The query cannot be made by a Certificate of Naturalization number. [Exhibit 516 (Ratliff 19:16-19 & 44:2-4)]

The SAVE Program, unlike the E-Verify Program, cannot verify U.S.-born citizens. [Exhibit 516 (Ratliff 20:10-12)]

The SAVE Program and the E-Verify Program do not always access the same data. [Exhibit 516 (Ratliff 28:12-18)]

The SAVE Program is used primarily to verify noncitizen eligibility for public benefits. [Exhibit 516 (Ratliff 20:17-20)]

The SAVE Program was created in response to the congressional enactment of the Immigration Reform and Control Act and the Personal Responsibility and Work Opportunity Act, and specifically for the requirement that the Department of Homeland Security (DHS) establish a system for verifying immigration status of noncitizen applicants for and recipients of certain types of federally funded benefits. [Exhibit 516 (Ratliff 21:20-22:13)]

Relatively few verifications in the SAVE Program are conducted to determine U.S. citizenship. [Exhibit 516 (Ratliff 23:18-21)]

Only the State of Arizona uses the SAVE Program to verify U.S. citizenship for voter registration purposes. [Exhibit 516 (Ratliff 24:1-3)]

In order for a government agency to be authorized to use the SAVE Program, it needs to sign a Memorandum of Understanding (MOU). [Exhibit 516 (Ratliff 25:7-10)]

The SAVE Program does not allow someone to see or access information about the number of the Certificate of Naturalization for a naturalized citizen. [Exhibit 516 (Ratliff 32:14)]
592. The USCIS form entitled “G-845S” is a non-electronic verification request form that is used by agencies to verify information about certain noncitizens and naturalized citizens who are applying for a benefit as defined and applicable in the context of that user. [Exhibit 516 (Ratliff 34:13-20)]

593. The G-845S form does not list any possible response that would indicate the person is a naturalized citizen. [Exhibit 516 (Ratliff 35:13-21)]

594. It is a legal requirement that a SAVE Program user have an MOU with the federal government. [Exhibit 516 (Ratliff 36:12-15)]

595. The MOU serves to protect from the misuse or improper sharing of private information. [Exhibit 516 (Ratliff 37:4-7)]

596. A separate MOU would have to be entered into with each county in Arizona. It would be a violation of the federal rules if a county were to use the SAVE Program without an MOU. [Exhibit 516 (Ratliff 37:8-19)]

597. Every person who has permission to access the SAVE Program is given a password, and if someone were to share their login or password with someone else, it would violate the MOU. [Exhibit 516 (Ratliff 45:1-5)]

598. If there is a non-responsive query in the SAVE Program, the user can follow through and request additional verification. Then the user would have to wait until DHS conducted a manual search for verification purposes. [Exhibit 516 (Ratliff 54:7-14)]

599. The cost of a query in the SAVE Program is approximately 26 cents for a query that resolves instantly. It is an additional 26 cents for a query that has to go to a secondary step. [Exhibit 516 (Ratliff 58:8-18)]

600. When a person takes the oath of citizenship, that information is updated by a person in the local district USCIS office. The updated information would be entered into the CLAIMS 4 database, which updates the CIS database. How quickly the
CIS database receives this information is a direct function of how quickly the local office can update the system in CLAIMS 4. The CIS database receives nightly uploads from CLAIMS 4. [Exhibit 516 (Ratliff 62:1-63:16)]

601. As of April 17, 2008 there were only four Arizona Counties that entered into an MOU to use the SAVE Program. There were four additional Counties that previously had an MOU but they recently self-terminated. [Exhibit 516 (Ratliff 66:20-67:1)]

602. The Counties of La Paz, Yavapai, Navajo, Coconino and Pinal have never run a query in the SAVE Program. [Exhibit 516 (Ratliff 67:18-68:3)]

603. Maricopa County was the first county to enter into an MOU on March 15, 2005. [Exhibit 516 (Ratliff 72:12-16)]

604. The “A number” is a number that USCIS assigns to a person at certain steps, such as when an individual files an application for immigration benefits many years ahead of the time of filing for naturalization. [Exhibit 516 (Ratliff 72:20-73:2)]

605. An A number stays with an individual throughout his relationship with USCIS. When one becomes naturalized, the naturalization certificate will have a new number printed on it, and that is different from an A number. [Exhibit 516 (Ratliff 73:3-7)]

606. The naturalization certificate number is used to track certificates, which are secured documents. DHS uses this number to track certificates carefully for antifraud purposes, for inventory control, and so that certificates are not disappearing and being sold. [Exhibit 516 (Ratliff 73:8-14)]

607. The naturalization certificate states that it is a violation of law to photocopy or duplicate the certificate. [Exhibit 516 (Ratliff 81:16-19)]
608. An individual is supposed to relinquish his green card when he naturalizes and it is possible that a naturalized citizen will not be in possession of his A number. [Exhibit 516 (Ratliff 83:4-6 & 83:17-20)]

609. After someone has been naturalized, there is no legal duty to continue notifying USCIS of one’s address. [Exhibit 516 (Ratliff 87:4-9)]

610. There is no legal requirement for a naturalized citizen to carry documentary proof of naturalization. [Exhibit 516 (Ratliff 87:10-15)]

611. USCIS has no interest in an individual once that person has naturalized. [Exhibit 516 (Ratliff 88:6-12)]

612. If an “A file” is at one location and an entitlement is granted at another location, United States Customs & Immigration Service (“USCIS”) Records Services will send the file to the requesting office. [Exhibit 515 (Quinn 20: 5-12)]

613. Once an individual has naturalized, the information will be updated by a person in the local field office. The field office will “close the ceremony” or update the new information in the CLAIMS 4 database. Subsequently, that information is input into the Central Index System database. [Exhibit 515 (Quinn 34:5-11)]

614. Individuals must relinquish their green card when they naturalize. [Exhibit 515 (Quinn 40:9-15)]

615. Once an adjudicator updates the new information and closes out the file, there is no further action for the individual who naturalized. The file is sent to National Archives location. [Exhibit 515 (Quinn 45:7-12)]

616. Files housed at the National Archives remain for seventy five years and subsequently get destroyed. [Exhibit 515 (Quinn 45:21-46:7)]

617. If a person applied for a replacement of his naturalization certificate, the original “A file” needs to be retrieved from the location were the file was retired. [Exhibit 515 (Quinn 46:8-10)]
618. Some places take as long as six months to issue a replacement of a naturalization certificate. [Exhibit 515 (Quinn 47:4-11)]

619. There are different National Archives locations. The bulk of the files are in Lee’s Summit, Missouri, but there are some files in Maryland, Washington, and California. [Exhibit 515 (Quinn 47:16-48:2)]

620. Some “A files” cannot be retrieved from their archives because USCIS cannot find them. [Exhibit 515 (Quinn 50:4-7)]

621. The “A number” is no longer necessary for a federal purpose after a person naturalizes. [Exhibit 515 (Quinn 51:18-20)]

622. The A number was not always in use. Before the inception of the Central Index System database that was created in 1975, “certificate numbers” or “C numbers” were issued and used to track individuals. [Exhibit 515 (Quinn 53:21-54:8)]

623. Older certificates of naturalization do not have an A-number on the face of the certificate. [Exhibit 515 (Quinn 56:11-15)]

624. If an individual only has a C number, he would likely not be found in the Central Index System. [Exhibit 515 (Quinn 56:16-20)]

625. If a person was naturalized in 1960 for instance, it is likely he or she would not be found in the Central Index System. [Exhibit 515 (Quinn 64:9-16)]

626. The files with a C number are maintained on microfiche and microfilm. One would have to search the old archived records and research using various criteria to find the C number for a particular naturalized citizen. [Exhibit 515 (Quinn 62:1-63:9)]

627. The A number and the Certificate of Naturalization number are separate and distinct numbers. [Exhibit 515 (Quinn 74:3-6)]
628. The Government Printing Office has language on the certificate of naturalization stating that the certificate cannot be reproduced. [Exhibit 515 (Quinn 75:20-22)]

629. The only way the Central Index System will show one’s citizenship will be if a person affirmatively applies for a certificate of citizenship. [Exhibit 515 (Quinn 88:1-8)]

VI. STATE IMPLEMENTATION OF VOTER IDENTIFICATION PROVISIONS OF PROPOSITION 200

A. Procedure for Proof of Identification at the Polls

630. In order to vote a regular ballot with only a photo identification, the voter must present an identification issued by Arizona’s Motor Vehicle Department. [Exhibit 512 (Osborne vol. 1 50:5-12)]

631. The Maricopa County Elections Director admitted that the system of identification and determining who receives a conditional provisional ballot and who receives a regular provisional ballot is confusing. [Exhibit 512 (Osborne vol. 1 81:16; Exhibits 242 & 243)]

632. Originally, the Secretary of State’s office planned to deny a provisional ballot to a voter who did not present sufficient identification at the polls. The Attorney General’s office advised them that such a procedure was a denial of the voters’ fundamental right to vote. [Exhibits 244 & 245] The Counties strenuously objected to the Secretary of State’s original plan because they believed it would disenfranchise voters. [See Exhibits 246 & 247]

B. Special Procedures for Native Americans

633. Some of the Counties strongly objected to the Secretary of State’s decision not to allow Tribal Enrollment Cards as sufficient identification at the polls which would require a voter showing that card at the polling place to fill out a provisional ballot. [Exhibit 248]
C. The Counties Objected to the Secretary of State’s Excessively Restrictive Regulations

634. Some of the Counties strenuously objected to the Secretary of State’s office actions in making changes to the polling place identification procedures, which were rushed and did not allow sufficient time for the County Recorders to review and comment on the proposals, nor for the County Boards of Supervisors to comply with Arizona’s Open Meetings Law to conduct a public session regarding the proposals. [Exhibit 249]

635. Some Counties also objected to the Secretary’s of State’s decisions on the polling place procedures as they relate to voter identification because the Secretary of State was imposing restrictions that were not required by law and was thus exceeding her constitutional authority. [Exhibit 249]

636. Some Counties objected to the non-photo identification restrictions because some voters, including the elderly and students, would be unlikely to have an approved form of identification even though they were qualified to vote. [Exhibits 246, 250, 249 & 251]

637. The United States Election Assistance Commission staunchly disagreed with Arizona’s original position that voters who lacked the requisite identification could not receive a provisional ballot. [Exhibit 252]

638. Some Counties objected to any limitation on the kinds of identification that would be accepted at polling places because the statutory language did not put any such limitations on the identification, and thus the Counties believed that the Secretary of State should not impose additional restrictions. [Exhibit 253 at p. 4]

639. The Counties believed that the Secretary of State’s polling place plan would disenfranchise numerous voters. [Exhibit 249]
Some of the Counties also believed that the Secretary of State’s polling place plan would have disparate impact on many demographic groups, including Native American and rural voters. [Exhibits 249 & 254]

Some Counties were concerned that the Secretary of State’s requirement that an identification card “appear” to match the voter would lead to the partisan disenfranchisement of voters. [Exhibit 255]

Many of the Counties’ concerns were never addressed by the Secretary of State, even though it is the Counties who run the elections and have to implement the procedures. [Exhibits 248-249, 251, 256-257]

VII. COUNTY IMPLEMENTATION OF VOTER IDENTIFICATION PROVISIONS OF PROPOSITION 200

A. County Procedures for Voter Identification at the Polls

Voters must provide identification at the polls that match their name and address on the Signature Roster. [Exhibit 258 at p. 23; Exhibit 259 at p. 21; Exhibits 260, 261, 262, 263, 264 & 265] These voters follow the Standard Voting Procedure. [Exhibit 258 at p. 23; Exhibit 259 at p. 21; see Exhibits 266 & 267 (pamphlets regarding how the voting system works), 517 (bilingual presentation regarding identification at the polls)]

The voter I.D. clerks determine whether a voter will receive a regular, a provisional, or a conditional provisional ballot. [Exhibit 508 (Hoyos 20)]

Voters who do not have sufficient voter identification to meet the requirements of Proposition 200 are provided a “conditional provisional” ballot. [Exhibit 508 (Hoyos 12-14); see Exhibits 268, 269 & 270 at p. 27] Voters who have sufficient identification but have another issue with their qualification to vote at the polling place, such as their name not appearing on the Signature Roster or if the voter previously received a vote-by-mail ballot, are provided a “provisional” ballot. [See Exhibit 271]
However, Yavapai County’s website states that voters without sufficient identification do not receive a ballot at all. [Exhibits 272 & 273]

646. Voters whose name and/or address on their identification does not match the name and/or address on the Signature Roster must vote a provisional ballot. [Exhibit 258 at p. 25; Exhibit 259 at pp. 21 & 29; Exhibit 270 at 26; Exhibit 274 at p. 22]

647. Voters whose names appear on the Signature Roster but who do not have sufficient identification required by Proposition 200 must vote a conditional provisional ballot. [Exhibit 258 at p. 25; Exhibit 259 at p. 21]

648. Voters who fill out a provisional or conditional provisional ballot are supposed be provided a receipt from the polling place that explains why they had to fill out a provisional, rather than a standard, ballot. [Exhibits 275, 276 & 270 at 27]

649. When a voter receives a provisional ballot, he must fill out and sign a “Provisional Ballot Envelope” in which he places his completed ballot. [Exhibit 269] The Provisional Ballot Envelopes were developed by each County according to the Secretary of State’s guidelines. [Exhibit 277]

650. After placing his completed ballot in the Provisional Ballot Envelope, the voter places the envelope in the “Emergency Storage Bin.” [Exhibit 269]

651. Persons who are not allowed to cast their ballot at the polls, but instead receive conditional provisional ballots because they do not have the identification required by Proposition 200, must return to the County Recorder’s Office or another place designated by the County Recorder to show identification for that ballot to be counted. [Exhibit 514 (Pew 27); SOS Elections Procedures Manual; Exhibit 278]

652. Voters who fill out a conditional provisional ballot are supposed to be provided a list of the locations that will accept the voters’ identification. [Exhibit 258 at p. 28; Exhibit 259 at p. 29; Exhibit 270 at 27]
653. For a primary election, voters who filled out a conditional provisional ballot must return to a designated location to show identification within three days of the election. [Exhibit 258 at p. 25; Exhibit 259 at p. 23] This timeframe requires voters who work during the day to take time off from work to bring their identification to another location. The law does not require employers to provide their employees with time off to do so.

654. If a voter returns to a polling place on election day after having previously voted a conditional provisional ballot because the voter did not originally have sufficient identification, the voter must fill out a Proof of Identification form, which is then placed in the provisional ballot box. The voter is not permitted to retrieve their conditional provisional ballot and cast it on election day. [Exhibit 258 at p. 30; Exhibit 259 at p. 31]

655. If a voter who filled out a conditional provisional ballot does not return to show sufficient identification, his or her ballot is not counted. [Exhibit 270 at p. 28]

656. The Counties determine what locations will be used to verify identification for voters who filled out conditional provisional ballots, and the Counties determine who will be allowed to verify the voters’ identification and whether political party representatives will be involved. [Exhibit 270 at p. 29; Exhibits 279 & 280]

657. Some Counties do not perform any background checks of poll workers who are charged with reviewing identification documents at the polls, and therefore do not fully protect voters from identity theft and other potential security risks. [Exhibit 508 (Hoyos 37); Exhibit 521 (Wayman-Trujillo 91); see also Exhibits 256 (email regarding need to address identify theft issues in polling place procedures) & 250]

658. County election officials have had to inform voters whom they know personally that they cannot vote because they lack the identification required by
Proposition 200 and have expressed concerns that poll workers will be asked to review identification from voters who they know personally. [Exhibit 508 (Hoyos 38); Exhibits 281, 282 & 283]

659. For voters who elect to vote early by mail, THE Counties use a signature verification process that is sufficient to verify the voter’s identification. [Exhibit 508 (Hoyos 43); Exhibit 512 (Osborne vol. 1 51:23-52:9); Exhibit 521 (Wayman-Trujillo 110)] No identification is required for those early voters. [Exhibit 284 at 5]

660. Voters who received a vote-by-mail ballot can drop off their completed ballots at any polling place and do not have to show identification at the poll. [Exhibit 258 at p. 26; Exhibit 259 at p. 27]

661. For voters who elect to vote early in person, the Counties do not require the voters to present identification, but do verify the voter’s signature. [Exhibit 285 at p. 3]

B. County Efforts in Community Education for Providing Identification at the Polls

662. In some instances, the Counties only mailed out educational material about the new voter identification requirements of Proposition 200 to the public one time; the mailings were a costly effort for some Counties. [Exhibit 508 (Hoyos at 26-27)]

663. Some Counties do not have any information posted on their websites about the voter identification requirements of Proposition 200. [Exhibit 508 (Hoyos at 33)]

664. Some Counties’ websites include information about voting without listing the proof of citizenship requirements. [Exhibit 286]
665. Some Counties have not done any outreach in Spanish-language media outlets or other events regarding the voter identification requirements of Proposition 200. [Exhibit 508 (Hoyos 33)]

666. After the implementation of Proposition 200, a few Counties have provided registered voters with documents that the county will accept as a valid form of identification for voting at the polls because there is a concern that some voters will not have the identification documents required by Proposition 200. [Exhibit 508 (Hoyos 27-29); Exhibit 514 (Pew 21-22); Exhibit 521 (Wayman-Trujillo 106-107); see Exhibit 287 at p. 2; 288, 289 & 290] Pinal County, for example, distributes “sample ballots” prior to every federal, state and county election at a cost of approximately $70,000 to $80,000 per distribution. [Exhibit 508 (Hoyos 41-42)]; other Counties do not provide voters with official mailers that can be used as a form of identification at the polls. [Exhibit 519 (Exhibit 519 (Stallworth 32))]

667. Some “official election mail” from the Counties cannot be used as identification because it is mailed to households, and therefore does not have the voter’s name. [Exhibit 289]

668. Of the fifteen Counties in Arizona, only a few Counties provide official mailers to registered voters that can constitute one of the two forms of non-photo identification required to vote under Proposition 200. [Exhibit 508 (Hoyos 59)]

669. In some Counties, funds to pay for the cost of producing and distributing mailers and documents such as “sample ballots” and other forms of “official election” mail that are accepted as one form of identification for voting at the polls have not been budgeted for future elections. [Exhibit 508 (Hoyos 41); Exhibit 521 (Wayman-Trujillo 108-109)]
670. After the implementation of Proposition 200, some Counties did not have the funding to adequately communicate information about the new identification requirements for voting to the public. [Exhibit 514 (Pew 10)]

671. The Counties are not required to send out election mail that can be used as proof of identification at the polls. [Exhibit 514 (Pew 23:4-24:18); Exhibit 507 (Hansen 38:3-5), 56:4-9, 57:10-11; Exhibit 508 (Hoyos 54:15-55:23); Exhibit 504 (Dastrup 10:7-12); Exhibit 512 (Osborne vol. 1 63:1-3); Exhibit 521 (Wayman-Trujillo 106-107); Exhibits 291 & 292]

672. Maricopa County is considering eliminating mailers for the November 2008 elections to address budget issues. [Exhibit 513 (Osborne vol. 2 83:25-84:11)]

C. The Counties Vary in Their Approaches to Forms of Identification That Are Accepted

673. After and because of the implementation of Proposition 200, some Counties do not accept valid out-of-state driver’s licenses as sufficient identification for voting at the polls. [Exhibit 508 (Hoyos 22-23); Exhibit 519 (Stallworth 20)] However, Yavapai County does accept valid out-of-state driver’s licenses as sufficient identification for voting at the polls. [Exhibit 521 (Wayman-Trujillo 127-128)] Mohave County would give a conditional provisional ballot to a voter with only an out-of-state driver’s license. [Exhibit 293]

674. The Counties do not accept passports or military identification cards for identification at the polls. [Exhibit 285 at p. 4 & Exhibit 294]

675. For proof of identification at the polls, Apache County accepts documents that are not listed in the statute as long as the documents have the voter’s name and address. [Exhibit 514 (Pew 19:8-22); Exhibit 295 at 4]
676. Apache County will issue provisional ballots for people with a photo identification with no address. [Exhibit 514 (Pew 28:20-29:9)] Coconino County would issue such a voter a conditional provisional ballot. [Exhibit 507 (Hansen 84:17-85:1)] Maricopa County would issue a conditional provisional ballot if the voter had nothing else, but a provisional ballot if he produced a utility bill. [Exhibit 512 (Osborne vol. 1 83:10-14)]

677. Coconino and Mohave Counties will not accept two utility bills from the same company. [Exhibit 507 (Hansen 41:20-24); Exhibit 293] Apache County would call the County Attorney’s office for guidance on this issue. [Exhibit 514 (Pew 29:14-25)] It is the policy of Maricopa County to accept them. [Exhibit 512 (Osborne vol. 1 54:21-55:6, 83:15-18)]

678. Apache County will issue conditional provisional ballots to someone with two non-photo forms of identification that show a wrong address. [Exhibit 514 (Pew 30:24-31:6)] Coconino and Mohave Counties would issue such a voter a provisional ballot. [Exhibit 507 (Hansen 85:14-18), Exhibit 293]

679. Coconino County will not accept statements from financial institutions other than banks. [Exhibit 507 (Hansen at 42:20-23)] Navajo County would leave it up to the poll worker to determine if the identification were reliable. [Exhibit 504 (Dastrup Dep. 19:24-20:8), Aug. 1, 2006 (“Dastrup”)]

680. Coconino County does not take credit card bills as proof of identification. [Exhibit 507 (Hansen 81:22)] Apache County does. [Exhibit 514 (Pew 19:18-22)] Navajo County does not know. [Exhibit 504 (Dastrup 19:19-21)]

681. Apache and Maricopa Counties will take bills from Internet Service Providers and satellite TV companies. [Exhibit 514 (Pew at 19:8-14); Exhibit 512 (Osborne vol. 1 at 52:19-53:23)] Navajo County will take satellite TV bills. [Exhibit 504 (Dastrup 17:19-21)]
Individual poll workers make the decision as to what forms of identification are reliable, leaving the implementation of the provisions to the whims of the workers, which leads to inconsistency across the Counties. [Exhibit 504 (Dastrup 18:6-22)] Maricopa County has “zero level of confidence” that all election boardworkers would come to the same decision regarding when a particular identification was acceptable and when it would require voting a conditional provisional ballot. [Exhibit 512 (Osborne vol. 1 87:11-19)]

Even though the Counties have discretion to allow additional forms of identification, some Counties have chosen not to exercise that discretion and have limited the identification they accept to those listed in the Secretary of State’s Elections Manual. [Exhibit 296]

D. Detrimental Effects of Proposition 200 on the Counties

Prior to the implementation of Proposition 200, registered voters could enter a polling place run by their county, announce their name, sign in, and proceed to get a ballot. [Exhibit 508 (Hoyos 9-10)]

After and because of the implementation of Proposition 200, Counties have had to develop methods by which to review the forms of identification in the possession of voters at the polling place in order to determine whether voters are eligible to vote. [Exhibit 508 (Hoyos 9-10)]

Because Arizona is a covered jurisdiction under the Voting Rights Act, the Counties were required to submit their new polling place procedures to the Department of Justice for preclearance. [Exhibits 297 (Pima County submission) & 298(Cochise County submission)]

After and because of the implementation of Proposition 200, the Counties have had to reconfigure their polling places to include voter identification
stations, where voters have their identifications checked by voter “I.D. clerks” before they are allowed to cast their ballots. [Exhibit 508 (Hoyos 9-11)]

688. After and because of the implementation of Proposition 200, the Counties have had to reconfigure their polling places to include provisional ballot stations, where voters who cannot present the forms of identification required by Proposition 200 are referred. [Exhibit 508 (Hoyos 12)]

689. The Counties are responsible for hiring the additional poll workers that are required at the polls due to Proposition 200. [Exhibit 508 (Hoyos 10); Exhibit 250]

690. Yavapai County has had poll workers quit and had a harder time recruiting poll workers as a result of the enactment of Proposition 200. [Exhibit 521 (Wayman-Trujillo 90-91); Exhibit 299]

691. After and because of the implementation of Proposition 200, voters who have been told that they may only receive a provisional ballot or a conditional provisional ballot have raised objections and have been upset that they cannot cast their ballots. [Exhibit 508 (Hoyos 16-17)]

692. Prior to the implementation of Proposition 200, there was no ballot that a voter was offered that would require the voter to return to the polling place with additional documentation to satisfy an identification requirement before he or she could cast his or her vote. [Exhibit 508 (Hoyos 17-18)]

E. Native American Voter Identification Issues

693. An elector who identifies himself or herself as a member of a federally recognized Native American tribe, who does not have one form of identification with the name, address, and photograph of the elector or two of the approved forms of identification with the name and address of the elector, may present one form of tribal identification bearing only the voter’s name. The Native American voter will then be
allowed to vote a provisional ballot. [Exhibit 300 at 3; 301, 302] Such voters are
provided a provisional ballot and are not required to return with additional identification.
[Exhibit 303 at p. 3; Exhibit 274 at p. 29]

694. Native American voters are more likely to vote at polling places in
person than by mail because they require language assistance that they do not get through
the mail. [Exhibit 514 (Pew 12-13); Exhibit 304] Ballots are not printed in the Navajo
language. [Exhibit 514 (Pew 13); Exhibit 304]

695. Although Arizona’s procedures provide that one form of acceptable
identification is a “form of tribal identification,” poll workers are not provided with a list
of all federally recognized tribes in the United States. [Exhibit 514 (Pew 15)]

696. Maricopa County is not aware of any tribal identification cards that
include the individual’s address. [Exhibit 512 (Osborne vol. 1 49:8-13)]

697. In the Counties with high populations of Native American voters,
voters may travel over fifty miles to polling places; those without sufficient identification
will nevertheless be turned away at the polls. [Exhibit 514 (Pew 11); Exhibit 304] In
Apache County, at least one voter returned home four times during an election to try and
bring the forms of identification required by Proposition 200, but ultimately was not able
to cast a ballot. [Exhibit 514 (Pew 32-33)]

698. Some Counties urged the Department of Justice to deny preclearance
for the Secretary of State’s proposal to use conditional provisional ballots because the
procedures would disenfranchise many Native American voters. [Exhibits 304, 305 &
306]

699. Indian Census Cards are only issued to Native American citizens who
belong to federally recognized tribes, and as such, they show that the holder is a U.S.
citizen, but they do not contain the holder’s address, and accordingly are unacceptable for
identification at the polling place. [Exhibit 257]
700. Many Native American communities are very rural and spread out, making it very difficult for a voter who filled out a conditional provisional ballot to return on election day or later with additional identification. The Counties urged the Secretary of State to take these issues into consideration when issuing the polling place procedures, but she refused. [Exhibits 304, 249, 251, 307 & 308]

701. Secretary of State Jan Brewer insisted that on the most restrictive implementation of Proposition 200 in terms of both the voter registration and voter identification requirements in light of guidance and caution from the Election Assistance Commission. [Exhibits 309, 310, 311, 1 & 312-317]

702. Before the passage and implementation of Proposition 200, the Secretary of State believed that the “strong desire to remain in the United States and fear of deportation outweigh [noncitizen’s] desire to deliberately register to vote before obtaining citizenship. Those who are in the county illegally are especially fearful of registering their names and addresses with a government agency for fear of detection and deportation.” [Exhibit 318]

703. Some county officials voiced an awareness that Hispanics may be less likely to cure a conditional provisional ballot. [Exhibit 319]

704. Members of the public have voiced their opposition to the voting requirements of Proposition 200. [Exhibit 320]

705. Arizona Secretary of State Jan Brewer disagreed with the counsel of Arizona Attorney General Terry Goddard and sought to implement Proposition 200 with a requirement that voters without the proper identification not be given a ballot of any kind. [Exhibit 321]

706. On February 4, 2005 Arizona Attorney General Terry Goddard issued an Opinion that held that “the number of a driver or nonoperating identification
license issued in Arizona after October 1, 1996, is satisfactory evidence of United States
citizenship to vote.” [Exhibit 169]

707. The Arizona Attorney General based his February 4, 2005 Opinion
on a literal interpretation of Proposition 200. [Exhibit 169]

708. On February 4, 2005 Arizona Secretary of State Jan Brewer wrote to
Arizona Attorney General Terry Goddard to seek his approval on a change to the manual
for election day procedures which contained revisions made to conform with the
requirements of Proposition 200. [Exhibit 322]

709. On February 9, 2005 Arizona Attorney General Terry Goddard
responded to Secretary of State Jan Brewer’s February 4, 2005 letter and stated that he
did not believe the proposed identification at the polls requirements under Proposition
200 could meet its burden under Section 5 of the Voting Rights Act that it would not
have a retrogressive effect on minority voters. Specifically, he explained that many
minority voters may not have the necessary documents to receive a ballot under the
proposed provisions. He insisted that the State must allow voters who do not have the
necessary identification to cast provisional ballots. [Exhibit 322]

VIII. IMPACT OF PROPOSITION 200 ON THE AGGREGATE OF
REGISTRANTS AND VOTERS

A. Proof of Citizenship is not Universally held in Arizona

710. Some Native American tribes, such as the Tohono O’odham, do not
issue birth certificates. [Exhibit 517 (Rodriguez vol. 1 41:21-22)]

711. Some Native American tribal members, such as members of the
Tohono O’odham Nation, do not have addresses, making it difficult for them to provide
identification that includes their address. [Exhibit 517 (Rodriguez vol. 1 70:6-70:8,
71:13-15)]
712. Older Navajos are likely to have been born at home, and thus lack birth certificates and in many cases do not know the actual date of their birth. [Exhibit 507 (Hansen 23:8-18); Exhibit 323]

713. There are U.S. citizens who cannot satisfy the Proposition 200 requirements. Such individuals include Native Americans and others born in jurisdictions that cannot provide them with a birth certificate (including the mother of Pima County Recorder Ann Rodriguez) [Exhibit 517 (Rodriguez vol. 1 at 89:4-90:20)], and people who were adopted whose original birth certificate is sealed [Exhibit 518 (Rodriguez vol. 2 at 121:10-13)], and Native Americans such as Navajos with a cultural belief that photographs are taboo. [Exhibit 510 (Johnson at 32:7-10)]

714. University students living in university housing on a temporary basis have difficulty meeting Proposition 200 requirements when they maintain their driver’s license at their permanent home address. [Exhibit 517 (Rodriguez vol. 1 97:25-98:10) (discussing U of A); Exhibit 507 (Hansen at 62:1-10 (discussing NAU)); see Exhibit 324; Exhibits 325, 326 & 327]

715. A number of Native Americans have difficulty meeting Proposition 200 identification requirements because they either have no electricity or live in large households where the utility bills come in someone else’s name, and they lack photo identification because of the cultural belief that photographs of people are taboo. [Exhibit 510 (Johnson 32:3-33:2); Exhibit 507 (Hansen 59:6-25); Exhibits 304, 326 & 305]

716. Native Americans living on tribal lands are not assessed property taxes and thus do not have property tax statements they can use as identification. [Exhibit 507 (Hansen 46:3-6); Exhibit 304]

717. The Hopi and Havasupai tribes do not issue tribal identification that contains a name, address, and photograph. [Exhibit 507 (Hansen 39:21-25, 40:8-12)]
718. Older voters who do not drive and no longer have bills in their own names have been unable to satisfy Proposition 200 identification requirements. [Exhibit 507 (Hansen 65:4-16)] Several Counties were concerned that older voters, particularly those in nursing homes, lacked the necessary identification and would be prevented from voting. [Exhibits 233, 327, 328, 329, 326 & 305]

719. Major pockets of the Tucson Latino community require bus service because large numbers of people do not have cars, and thus they have a very difficult time obtaining the proof necessary to vote. [Exhibit 517 (Rodriguez vol. 1 108:2-10) (referring to study by Pima County Association of Governments)]

B. Voter Identification and Proof of Citizenship Cost Money to Obtain

720.

721. USCIS Form N-565 is the application an individual would submit in order to request a replacement of their naturalization certificate. The application fee is $380.00. [Exhibit 330]

C. Thousands of Arizonans Have Been Unable to Register to Vote

722. Since the passage of Proposition 200, over 35,000 voter registration applications have been rejected due to the documentary proof of citizenship requirements. [Exhibits 332 & 332]

723. In Maricopa County in 2005, thirty-five percent of new voter registrations were rejected for insufficient proof of citizenship. That amounts to 11,197 potential voters. [Exhibit 333]

724. In Maricopa County in 2006, seventeen percent of new voter registrations were rejected for insufficient proof of citizenship. That amounts to 6,686 potential voters. [Exhibit 333]
725. In Maricopa County in 2007, twenty-four percent of new voter registrations were rejected for insufficient proof of citizenship. That amounts to 9,044 potential voters. [Exhibit 333]

726. In the first week of January 2008, in Maricopa County, eighteen percent of new voter registrations were rejected for insufficient proof of citizenship. That amounts to 108 potential voters. [Exhibit 333]

727. From January 24, 2005 to mid-2006, Apache County rejected 132 of 3,333 voter registration forms for failure to provide proof of citizenship, despite believing that the prospective voters were citizens. [Exhibit 510 (Johnson 13:22-14:16)]

728. From January 24, 2005 to mid-2006, Coconino County rejected 494 voter registration forms for failure to provide proof of citizenship. [Exhibit 507 (Hansen 15:25-16:8)]

729. From January 24, 2005 to mid-2006, Navajo County rejected 175 of 3,935 voter registration forms for failure to provide proof of citizenship. [Exhibit 509 (Justman 14:10-17)]

730. From December 1, 2007 to February 14, 2008, Coconino County rejected ninety-one people for failing to prove citizenship, sixty-one of which provided the requested partial Social Security number. [Exhibit 324, Attach 1, p. 1; Attach 2, p. 1; Attach 3, p. 1]

731. County elections officials believe that U.S. citizens are disenfranchised by Proposition 200’s requirements. [Exhibit 514 (Pew 12:1-8); Exhibit 507 (Hansen 35:11-16)]

732. From January 24, 2005 to July 13, 2006 the Maricopa County Recorder received 118,209 voter registration forms through the mail or over the counter, and 15,090 were rejected for failure to provide proof of citizenship. [Exhibit 512 (Osborne vol. 1 21:12-19)]
D. Thousands of Conditional Provisional Ballots Were Never Counted

734. The voter identification requirements of Proposition 200 resulted in thousands of uncounted conditional provisional ballots throughout Arizona. [Exhibits 333 & 334]

735. In some Counties, there is no record of how many qualified voters had to cast a conditional provisional ballot and had to return to show their identification in order to vote because some Counties do not record such events if the voter returned with the required identification on the same day. [Exhibit 508 (Hoyos 62-63, 78)]

736. Because of the identification requirements of Proposition 200, a number of voters received conditional provisional ballots instead of being allowed to vote, and many never provided the identification required by Proposition 200 and thus their votes were not counted. [Exhibit 508 (Hoyos 81)]

737. In the 2006 primary and general elections, only one in thirty voters required to cast conditional provisional ballots in Pinal County returned with proper identification within the required time period. [Exhibit 508 (Hoyos 47:22-24)] All of the other ballots were never counted.

738. In the November 2006 election in Maricopa County, 1,301 of 2,275 conditional provisional ballot voters did not return. [Exhibit 513 (Osborne at vol. 2 75:9-21)] All of the other ballots were never counted.

739. In the March and May 2007 elections in Maricopa County, only thirty-five percent of voters who cast conditional provisional ballots returned with proper identification. [Exhibit 512 (Osborne vol. 1 76:20-22)]

740. Maricopa County anticipates 5,000 to 6,000 conditional provisional ballots will be cast in the 2008 general election. [Exhibit 512 (Osborne vol. 1 68:17-22)]
Employers are not required to give employees time off for a trip to a county office to provide verification for their conditional provisional ballot. [Exhibit 512 (Osborne vol. 1 73:16-19)]

It would be very difficult for Maricopa County to handle the verification process if everyone who voted a conditional provisional ballot came back to verify their ballot. [Exhibit 512 (Osborne vol. 1 74:8-75:6)]

In Pinal County alone, there were forty voters in the 2006 general election who were given conditional provisional ballots and whose ballots were never counted because they did not have the identification required by Proposition 200. [Exhibit 508 (Hoyos Dep. at Ex. 11)]

In Yuma County alone, there were forty-five voters in the 2006 general election who were given conditional provisional ballots and whose ballots were never counted because they did not have the identification required by Proposition 200. [Exhibit 519 (Stallworth Dep. at Ex. D)]

Yuma County reported over fifty-three uncounted conditional provisional ballots in select elections between May 2006 and May 2007. [Exhibits 335 & 336]

Disparate racial impact of voter identification

Maricopa County Federal Compliance Office Tammy Patrick reported that Hispanic voters cast seventeen percent of the uncounted conditional provisional ballots in the county’s 2008 Presidential Preference Election. [Exhibit 337]

People in each county left their polling place without casting a ballot with a total of 2422. [Exhibit 338]

State of Arizona Registration Report indicated a total of 489,490 inactive voters for April 2007. [Exhibit 339]
750. State of Arizona Registration Report indicated a total of 2,609,585 active voters in April 2007. [Exhibit 591]


754. Greenlee County NVRA Statistic Report for the period of 7/1/06 – 7/3/07 with a total of 405. [Exhibit 345]


756. Letter from Stacey Stanton to Bill Richards providing information about Arizona driver license and identification card statistics. [Exhibit 347]

757. News release from the Georgia Secretary of State states: “Demographic analysis shows that registered voters lacking a driver’s license or state-issued Georgia ID card are disproportionately elderly and minority” [Exhibit 348]

758. Results of the voter turnout on Indian Reservations for the November 2, 2004 General Election in Coconino County with a county total of 73.04%. [Exhibit 349]

759. Since Arizona passed Proposition 200 there have been and will continue to be ballots that go uncounted because the voters were unable to fulfill the identification requirements [Exhibits 350-374]

760. Candace Owens, Coconino County Recorder and Election Official, explains how a discrepancy was caused when the two Tonalea voting precincts; Tonalea North and Tonalea South were given the wrong ballots. [Exhibit 375; Exhibit 376 states:
“My observation of the meaning of ‘residence’ to a Navajo voter is that of their parents’ or clan and is the location of their chapter membership, not their mailing or actual current residence. As a result, the voter registration records of their residence are not the same as the documents they present for identification. Therefore, they are unable to present proper identification and cannot vote”

761. Ballots not counted for reasons other than lack of citizenship proof show more ballots not being counted for address problems [Exhibit 377]

762. Some people who were once rejected have since re-registered and are now registered. [Exhibit 378]

763. Registrations received by several sources with a total of 5,763 new registrations through January 24, 2005 – July 17, 2006. [Exhibit 379]

764. During the registration period of January 25, 2005 through April 22, 2005, Yavapai County had a total of 821 registered active voters. [Exhibit 380]

765. On August 6, 2005, Judy Allen-Wise from the Registrar of Voter of Yavapai County, wrote to State Senator Bennett and voiced her disapproval of voter Id requirements of Prop 200. [Exhibit 381].

766. There was a total of 25 Accepted Provisional Ballot Statistics and two rejected for the City of Somerton on March 13, 2007. On May 15, 2007, there was 20 total accepted Provisional Ballots and six rejected. [Exhibit 382].

767. Tammy Patrick indicated that since the passage of Prop 200 the Maricopa County has been forced to reject voter registration applicants because they fail to produce the necessary documentary proof. [Exhibit 383].

768. In a cursory analysis of Maricopa County of Conditional Provisional ballots, it was found that 55% of Conditional Provisional Ballots were unresolved and never processed. [Exhibit 384].
769. Voters over 65 who did not have sufficient ID predominately did not return – 82%. [Exhibit 385].

770. On June 21, 2005, Amy Putman sent Tammy Patrick an table indicating that 46% of new registrants are rejected for insufficient proof of citizenship. [Exhibits 386, 387].

771. On May 17, 2006 there was a total of 108 Conditional Ballots. [Exhibit 388].

772. On March 15, 2006 there are total of 177 Conditional Provisional Ballots. [Exhibit 389].

773. Fourteen percent of all voter registration forms received from the inception of Prop 200 citizenship requirements on January 24, 2005 through March 31, 2006 have been rejected for lack of citizenship documentation. [Exhibits 390, 391].

774. The number of total unresolved conditional ballots increased from 55% to 65% in Maricopa County. [Exhibit 392].

775. In the 2006 General Election there was a total of 2275 Conditional Provisional Ballots. [Exhibit 393].

776. November 1, 2006, the number of people who were not allowed to vote in Coconino County was 91 due to identification problems. [Exhibits 394-395].

777. In April 28, 2005 in Coconino County, there were a total of 131 rejected Voter Registration Forms. [Exhibit 396].

778. The number of total unresolved conditional ballots increased from 55% to 65% in Maricopa County. [Exhibit 397].

779. There were 130 Conditional Provisional Ballots the Spring 2006 in Maricopa County. [Exhibit 398].

780. Tammy Patrick of Maricopa County acknowledged high rejection rate because of the Prop 200 documentary proof of citizenship requirement to vote. She
attempted to reconcile the statute demand for the certification of naturalization number
with the fact that the certificate number cannot be verified. [Exhibit 399].

781. In November 2002, the U.S Census Bureau reported that Arizona had
a 50.8 percent voter registration. [Exhibit 400].

782. In November 2000, the U.S Census Bureau reported that Arizona had
a 53.3 percent voter registration. [Exhibit 401].

783. In November 1998, the U.S Census Bureau reported that Arizona had
a 51.1 percent voter registration. [Exhibit 402].

784. In November 1990, the U.S Census Bureau reported that Arizona had
a 56.3 percent voter registration. [Exhibit 403].

785. In November 1980, the U.S Census Bureau reported that Arizona had
a 58.7 percent voter registration. [Exhibit 404].

786. In November 1982, the U.S Census Bureau reported that Arizona had
a 53.8 percent voter registration. [Exhibit 405].

787. In November 1984, the U.S Census Bureau reported that the
Southern region of the United States had a 66.9 percent voter registration. [Exhibit 406].

788. In November 1986, the U.S Census Bureau reported that the Arizona
had a 57.3 percent voter registration. [Exhibit 407].

789. In November 1994, the U.S Census Bureau reported that the Arizona
had a 56.6 percent voter registration. [Exhibit 408].

790. In November 1998, the U.S Census Bureau reported that the Arizona
had a 51.1 percent voter registration. [Exhibit 409].

791. In November 1996, the U.S Census Bureau reported that the Arizona
had a 58.5 percent voter registration. [Exhibit 410].

792. In November 2004, the U.S Census Bureau reported that the Arizona
had a 60.3 percent voter registration. [Exhibit 411].
793. In October 2006, the Federal Highway Administration issued Highway Statistics of 2005, that the ratio of licensed driver’s and private and commercial motor vehicles registered is 1.0. [Exhibit 412].

794. There was 739 Conditional Provisional ballots not counted and 158 Counted Conditional Provisional ballots. [Exhibit 413].

795. As of 2005, Arizona had a population of 5,939,292. 28% of the population is Hispanic. [Exhibit 414]

796. There are many fees associated with obtaining certain documents. [Exhibit 415]

797. Excerpt from the Arizona Notary Public Reference Manual regarding fees a notary may charge. [Exhibit 416]

798. Arizona and other states in the United States charge fees for obtaining a birth certificate. [Exhibits 417; 418; 419]

799. The total charge as of August 2006 for obtaining a passport is $97.00. [Exhibit 420]

800. The fees for an Arizona driver’s license vary depending upon the age of the applicant. [Exhibit 421]

801. There is a $4.00 charge for obtaining a replacement or duplicate driver license or identification card in Arizona. [Exhibits 421; 422]

802. William A. Richards, Senior Litigation Counsel of the Attorney General provides the total of Arizona registered voters listed on the database maintained by the Arizona SOS as of July 25, 2006: 2,972,214 compared with 2,597,619 as the total number of registered voters for which the database reflects an identification number from an Arizona driver’s license or non-operating Arizona identification card. [Exhibit 423]
Prop 200 has prompted many people to voice their opinions regarding the difficulties arising as a direct result of the new voting and registration laws. [Exhibits 424-432; 433; 434]

Arizona’s AZ Voter Roll has the capability of keeping tallies of many different types of information for each month out of the year. [Exhibit 435]

Arizona Department of Transportation has many guidelines regarding who may be issued an Arizona driver’s license. [Exhibits 436-438]

IX. IMPACT OF PROPOSITION 200 ON INDIVIDUAL VOTER REGISTRANTS AND VOTERS

A. The Proof of Citizenship Requirements Has Had a Negative Impact on Voters

Applicants obtained voter registration materials at the United States Post Office and Motor Vehicle Division [Exhibit 536 (Higuera Dec ¶ 5); Exhibit 544 (Quintero Dec ¶¶ 5-6), Exhibit 553 (Valencia Dec ¶ 4)].

Many applicants filled out the voter registration forms, which did not ask for additional proof of citizenship, and mailed them to the County Recorder’s Office [Exhibit 536 (Higuera Dec ¶ 5); Exhibit 544 (Quintero Dec ¶¶ 5-6); Exhibit 529 (Fitzpatrick Dec ¶ 6)].

Some applicants filled in their Alien Registration Number in place of their Certificate of Naturalization Number on the registration forms [Exhibit 553 (Valencia Dec ¶¶ 5-6)]. However, other applicants filled in their Certificate of Naturalization Number. [Luna Dec ¶ 4]

Applicants received a letter from the Maricopa County Recorder’s Office informing them that their voter registration forms would not be accepted until they provided proof of citizenship [Exhibit 536 (Higuera Dec ¶ 6); Exhibit 544 (Quintero Dec ¶ 7); Exhibit 553 (Valencia Dec ¶ 7); Exhibit 529 (Fitzpatrick Dec ¶ 7), Luna Dec ¶ 5].
810. In order to register to vote, applicants had to present documents to the Maricopa County Recorder’s Office in order to establish proof of citizenship. [Exhibit 536 (Higuera Dec ¶ 8); Exhibit 544 (Quintero Dec ¶ 9); Exhibit 529 (Fitzpatrick Dec ¶ 7)].

811. Receiving these rejection letters makes some Latino residents of Arizona reluctant to re-register [Exhibit 536 (Higuera Dec ¶ 9); Exhibit 544 (Quintero Dec ¶ 9); Exhibit 553 (Valencia Dec ¶ 2)].

812. Having to provide documents to prove citizenship makes some Latino applicants feel so discriminated against that they do not send proof of citizenship in order to complete the registration process [Exhibit 553 (Valencia Dec ¶ 8)].

813. Having to provide documents to prove citizenship makes applicants continue to feel marginalized even after complying with the request [Exhibit 536 (Higuera Dec ¶¶ 10-11)].

814. Having to provide documents to prove citizenship negatively affects applicants’ desire to be civically engaged [Exhibit 536 (Higuera Dec ¶¶ 10-11); Exhibit 553 (Valencia Dec ¶ 8)].

815. Having to provide documents to prove citizenship makes some applicants believe they are being treated differently because they were born outside of the United States and gained citizenship through naturalization [Exhibit 536 (Higuera Dec ¶ 9); Exhibit 544 (Quintero Dec ¶ 12); Exhibit 553 (Valencia Dec ¶ 9)].

816. Some applicants feel that their Latino names directly contributed to the Recorder’s Office decision to ask for proof of citizenship [Exhibit 536 (Higuera Dec ¶ 9); Exhibit 544 (Quintero Dec ¶ 10)].

817. Some applicants feel they are being discouraged from voting because of widespread negative feelings towards Latinos in Arizona [Exhibit 536 (Higuera Dec ¶ 9); Exhibit 544 (Quintero Dec ¶ 12); Exhibit 553 (Valencia Dec ¶ 10)].
818. Some applicants did not understand why their voter registration applications were rejected when they had properly completed the application and submitted it to the County Recorder. [Exhibit 529 (Fitzpatrick Dec ¶ 8); Luna Dec ¶ 8; Exhibit 528 (Davis Dec ¶ 8); Exhibit 554 (Walker Dec ¶ 21)]

819. Many applicants whose applications are rejected for failure to include proof of citizenship want to vote. They want to exercise this right because they feel that it is the best method to improve the lives of people in the United States. [Exhibit 529 (Fitzpatrick Dec ¶ 9); Exhibit 527 (Exhibit 527 (Cotto Dec ¶ 10))]

820. The entire experience of having to register twice has left many applicants to question the integrity and the reliability of the United States voting system. [Exhibit 529 (Fitzpatrick Dec ¶ 10); Exhibit 528 (Davis Dec ¶ 13); Exhibit 554 (Walker Dec ¶ 22)]

821. Some applicants believe the problem in this country lies not with illegal immigrants trying to register to vote, but in citizens like them wanting to vote and being unable to exercise that right in a simple and straightforward manner. [Exhibit 529 (Fitzpatrick Dec ¶ 10)]

822. One applicant, a retired Army serviceman and U.S. citizen, who had been rejected was very angry and took his forms and proof of citizenship to the Secretary of State’s office to demand that the situation be remedied. [Exhibit 528 (Davis Dec ¶¶ 1-4, 8)]

823. One applicant, a naturalized citizen, was told on multiple occasions that she could not register because she did not have an Arizona driver’s license; she does not understand why it was so difficult for her to register to vote. [Exhibit 523 (Allen Dec ¶¶ 1-8)]

824. One applicant went in person to register to vote at the Recorder’s Office because the Recorder’s Office staff knows the registration rules and would prevent
one from making any mistakes. She followed all the rules and did everything that was
asked of her by the Recorder’s staff. Despite following instructions and even going in
person to register to vote, her applications were rejected. [Exhibit 554 (Walker Dec ¶
21)]

825. The Maricopa County Elections Director Karen Osborne admitted
that United States citizens living in Maricopa County who are eligible to register to vote
have been unable to do so since Proposition 200’s provisions and requirements went into
effect because they lack the necessary documents. [Exhibit 512 (Osborne vol. 1 43:12-
44:9)]

826. A woman came to the Maricopa County Recorder’s Office who had
just moved from back east. She had not yet had her identification delivered. She didn’t
have her birth certificate and had not yet gotten an Arizona driver’s license. She also did
not have a passport and was caught in between the law’s requirements. [Exhibit 512
(Osborne vol. 1 43:12-44:9)]

827. Amy Marie Smith is over the age of 18. She resides at 3526 W. Frier
Dr., Phoenix Arizona 85051. She is a resident of Maricopa County. She was born in
Sonora, Mexico, on November 2, 1978. [Exhibit 550 (Declaration of Amy Marie Smith
“A. Smith,” ¶¶1,2,3)]

828. Her mother is a United States citizen who was born in Oregon. Her
mother was residing in Wilcox, Arizona at the time of her birth. [Exhibit 550 (A. Smith,
¶3)]

829. Wilcox is a border town when her mother was pregnant with her.
Her mother went to the doctor across the border in Mexico because she could not afford
to pay a doctor in Arizona. Her mother never lived in Mexico, and lived and worked
exclusively in the United States prior to and immediately following her birth. [Exhibit
550 (A. Marie Smith, ¶3)]
830. Her mother gave birth to her in a clinic in Mexico and then immediately returned to Arizona with her. She has always believed that she is a United States citizen because her mother is a United States citizen and she was only visiting Mexico when she gave birth to her. For this reason, she is a U.S. citizen by operation of law. [Exhibit 550 (A. Smith, ¶4)]

831. She does not have evidence of her United States citizenship despite the fact that she is a United States citizen. [Exhibit 550 (A. Smith, ¶5)]

832. She does not have a U.S. passport. [Exhibit 550 (A. Smith, ¶5)]

833. Her only birth certificate is from Mexico. [Exhibit 550 (A. Smith, ¶5)]

834. Although she contacted the U.S. State Department in the hope that they could provide her documents showing her U.S. citizenship, they informed her that they had no record of her birth or citizenship. [Exhibit 550 (A. Smith, ¶5)]

835. She is low income and cannot afford the cost of ordering certified copies of the documents she would need to apply for a Certificate of U.S. Citizenship. [Exhibit 550 (A. Smith, ¶5)]

836. On November 1, 2004, after moving her family from Wisconsin back to Arizona, she went to the Motor Vehicle Division Office in Gila County in order to apply for a replacement Arizona driver’s license. [Exhibit 550 (A. Smith, ¶6)]

837. Before she left Arizona, she had an Arizona driver’s license since the age of 16. She never showed proof of citizenship to obtain her Arizona driver’s license. [Exhibit 550 (A. Smith, ¶6)]

838. She showed the person behind the counter her social security card and was not asked to provide any proof of citizenship in order to get her replacement Arizona license. [Exhibit 550 (A. Smith, ¶6)]
839. The person behind the counter asked her if she wanted to register to vote and she decided to go ahead and register. [Exhibit 550 (A. Smith, ¶6)]

840. She completed the form on her own and returned it to the person behind the counter with her request for a license. [Exhibit 550 (A. Smith, ¶6)]

841. She was never told by anyone at the Motor Vehicle Division that her registration would be rejected for any reason, and she does not remember getting a letter from the Gila County Recorder informing her that her registration application was rejected. [Exhibit 550 (A. Smith, ¶8)]

842. Because of this she missed being able to vote in the General Election. She has not made a second attempt to register to vote. [Exhibit 550 (A. Smith, ¶8)]

843. She does not understand why her voter registration application was rejected when she had properly completed the application and submitted it to the Motor Vehicle Division. [Exhibit 550 (A. Smith, ¶9)]

844. She wants to vote. [Exhibit 550 (A. Smith, ¶11)]

845. She wants to exercise this right because she feels that it is important to the future of her child. [Exhibit 550 (A. Smith, ¶11)]

846. She is extremely frustrated with the voting system as a result of all of the difficulties she has had in trying to register. [Exhibit 550 (A. Smith, ¶11)]

847. Deirdre Belle-Oudry is over 18 and competent to make this declaration. [Exhibit 525 (Declaration of Deirdre Belle-Oudry, (“Belle-Oudry”), June 10, 2008 at ¶ 2)].

848. Ms. Belle-Oudry current physical address is 8922 East Calle Pasto, Tucson, Arizona 85715. [Exhibit 525 (Belle-Oudry at ¶ 2)].

849. Ms. Belle-Oudry voted on February 5, 2008 at the polling place located in the 9000th block of E. Speedway, Tucson, Arizona. [Exhibit 525 (Belle-Oudry at ¶ 2)].
Ms. Belle-Oudry arrived at the polling place at approximately 6:15 A.M. No poll worker informed her husband that he needed to sign the voter book. [Exhibit 525 (Belle-Oudry ¶ 2)].

Ms. Belle-Oudry waited in line approximately 5 minutes. [Exhibit 525 (Belle-Oudry ¶ 2)].

Ms. Belle-Oudry showed her Arizona license to the poll worker and told the poll worker that she received an early ballot in the mail but never returned it. Ms. Belle-Oudry was then directed to another table to fill out a conditional provisional ballot envelope. The poll worker then detached a piece of paper from the envelope and told Ms. Belle-Oudry to check online in 10 days to find out if her vote was counted. [Exhibit 525 (Belle-Oudry ¶ 2)].

Ms. Belle-Oudry showed two different poll workers her Arizona driver’s license which has the same information as what is on her voting record. [Exhibit 525 (Belle-Oudry ¶ 2)].

Ms. Belle-Oudry was not told what was wrong with her identification. [Exhibit 525 (Belle-Oudry ¶ 2)].

Ms. Belle-Oudry completed the conditional provisional ballot envelope as directed. [Exhibit 525 (Belle-Oudry ¶ 2)]

Ms. Belle-Oudry left the polling place approximately 15 minutes after she had arrived. [Exhibit 525 (Belle-Oudry ¶ 2)]

Ms. Belle-Oudry is afraid Proposition 200 discriminates against Democrats. [Exhibit 525 (Belle-Oudry ¶ 2)]

B. Negative Impact of Voter Identification on Individuals

Ann Michelle Fletchall is over the age of 18 and currently lives at 1703 South Hardy Drive, Tempe, Arizona 85281. She is a United States citizen and a registered voter. She is a graduate student at Arizona State University and studies
Geography. She received her undergraduate degree from Gustavus Adolphus College in Minnesota. [Exhibit 530 (Declaration of Ann Michelle Fletchall, (“Fletchall”), ¶¶1,2)]

859. On February 5, 2008, she attempted to vote at her designated polling place: the Tempe Women’s Club located on Mill Avenue and 13th Street. This polling place is located in Tempe, Arizona. [Fetchall, ¶3]

860. She is a registered Democrat and was eligible to vote in the Presidential Preference Election held that day. [Fetchall, ¶3]

861. She had just changed addresses in Tempe from Dorsey Street to her current address on Hardy Street and this was the first time she tried to vote in person because she had always voted through the mail. [Fetchall, ¶4]

862. She received a voter registration card in the mail with her current address on South Hardy Street and she mistakenly thought that would suffice to cast her vote. [Fetchall, ¶4]

863. She carried two forms of ID: her voter registration card and her driver’s license, but her driver’s license had her old address previous to the Dorsey Street address (2134 Broadway Road, Tempe, Arizona, 85282) and her voter registration card reflected her new address on Hardy Street. She did not have any other form of ID on her person at the time. [Fetchall, ¶6]

864. The poll worker asked her to present two forms of identification. [Fetchall, ¶7]

865. She produced her voter registration card and her driver’s license. [Fetchall, ¶8]

866. Her ID was then checked to a list. Since the address on the driver’s license did not match the address on the list, the poll worker told her she had to cast a conditional provisional ballot. [Fetchall, ¶9]
867. Her name was on the list of voters, but it was not where it should have been on the alphabetical list. It was in the back of the list. [Fetchall, ¶9]

868. The poll worker informed her that she had to go talk to the person who handled the provisional ballots since her addresses did not match-up. [Fetchall, ¶10]

869. The person in charge of the provisional ballots told her that she needed to present a piece of mail reflecting her current address in order to vote. [Fetchall, ¶10]

870. He did not specify what type of mail she needed to bring or give her any information regarding acceptable forms of mail. [Fetchall, ¶10]

871. Later in the afternoon, around 5:00 p.m., she returned with a piece of mail and waited in line approximately thirty minutes. [Fetchall, ¶10]

872. The person in charge of the conditional provisional ballots told her the piece of mail she brought was not acceptable. [Fetchall, ¶10]

873. It was not until that moment that he informed her of the specific types of mail accepted as valid verification of my current address. [Fetchall, ¶10]

874. At that point, she gave up and chose not to cast her vote in the Presidential Preference Election. [Fetchall, ¶10]

875. When she was sent to speak with the provisional ballot person he did not give good information concerning what type of mail to bring back in order to verify her address. [Fetchall, ¶11]

876. She does not have any utility bills because all the utilities are under her roommate’s name. [Fetchall, ¶11]

877. She was unable to prove her current address and was unable to vote. [Fetchall, ¶11]
878. To cast the conditional provisional ballot she filled out a regular voting form completely, using her new address on Hardy Street, signed it, and it was placed in a special box. [Fetchall, ¶12]

879. The new voting rules are very inconvenient and do not make sense. [Fetchall, ¶14]

880. Now she knows that she has to make sure she does everything right to properly prove her identification and address in order for her vote to be counted, despite the fact that she is a registered voter and holds an Arizona driver’s license. [Fetchall, ¶14]

881. Steven Frank Fulton is over the age of 18. He currently lives at 3220 West Hanna Road, Eloy, Arizona 85231. He is a United States citizen and a registered voter. He has lived in Arizona for about forty-five years. He is currently retired. He worked for thirty years in the field of corrections and several of those years were spent working for the Arizona Department of Corrections. He also spent four years serving his country in the United States Army. [Exhibit 531A (Declaration of Steven Frank Fulton, (“Fulton”) ¶¶1,2)]

882. In late 2007, his wife and he moved from Safford, Arizona, where they were registered voters, to Eloy, Arizona. [Exhibit 531A (Fulton, ¶¶3)]

883. In December 2007, he went to the post office and got a voter registration form. [Exhibit 531A (Fulton, ¶3)]

884. He filled out his new address and other information, and mailed the completed voter registration form to the Pinal County Recorder’s Office. [Exhibit 531A (Fulton, ¶3)]

885. He did not receive a new voter registration card from Pinal County prior to the Presidential Preference primary election, held on February 5, 2008. [Exhibit 531A (Fulton, ¶4)]
886. He assumed that his registration form had been received and processed, and he wanted to cast his vote in the primary election, so he proceeded to the local polling place. [Exhibit 531A (Fulton, ¶4)]

887. On February 5, 2008, he attempted to vote at the nearest polling place. [Exhibit 531A (Fulton, ¶5)]

888. When he arrived at the table used to accept voters, the poll worker could not find his name on the list of registered voters. He had submitted the voter registration form more than 30 days prior to the election. [Exhibit 531A (Fulton, ¶6)]

889. The poll worker said that since he was not registered to vote, he could vote using a provisional ballot. [Exhibit 531A (Fulton, ¶7)]

890. He was asked to show identification to prove that he was a citizen, so he provided his driver’s license, birth certificate, several utility bills, with his new address on them, and his old voter registration card that he had used when he lived in Safford, Arizona. [Exhibit 531A (Fulton, ¶7)]

891. The poll worker made copies of his various forms of identification. The poll worker was satisfied with his identification and allowed him to complete the provisional ballot. [Exhibit 531A (Fulton, ¶8)]

892. The poll worker never asked him to return to the County Recorder’s Office after the election to provide his identification again. [Exhibit 531A (Fulton, ¶9)]

893. One month after the election he received a letter in the mail stating that his provisional ballot was rejected and his vote was not counted. [Exhibit 531A (Fulton, ¶10)]

894. The letter explained that his ballot was rejected because he failed to provide proper proof of citizenship. [Exhibit 531A (Fulton, ¶10)]
895. He called the County Registrar’s Office and was told that his ballot was rejected because the address on his forms of identification did not match. [Exhibit 531A (Fulton, ¶11)]

896. He explained that he had recently moved and that he had sent in his voter registration forms in December 2007. He was told that the forms must be submitted 90 days prior to the election, not 30 days, and since the forms were not received 90 days before the election, he was not registered to vote in time for the election. [Exhibit 531A (Fulton, ¶11)]

897. He was very upset that his provisional ballot was not counted when he provided numerous forms of identification, including forms of identification with his new address on them. [Exhibit 531A (Fulton, ¶12)]

898. He provided several forms of proof that he is a United States citizen, yet his vote was not counted. [Exhibit 531A (Fulton, ¶12)]

899. He still has not yet received his new voter registration card though it has been over five months since he submitted his voter registration form. [Exhibit 531A (Fulton, ¶13)]

900. Nicole Elizabeth Carlisle Natale is over the age of 18 years and resides at 2304 North Bullmoose Drive, Chandler, Arizona 85224. She is a resident of Maricopa County. She has lived in Arizona since childhood and she and her husband currently live in Chandler. She owns her own production company and works as a freelance writer. She also does work in marketing. [Exhibit 543 (Declaration of Nicole Elizabeth Carlisle Natale, (“Natale”), ¶¶1,2,3)]

901. On September 8, 2006, she applied to register to vote. [Exhibit 543 (Natale, ¶4)]
902. At the time, she and her husband were very interested in the current issues, particularly the Smoke Free Arizona initiative (Proposition 201) on the November 2006 ballot. [Exhibit 543 (Natale, ¶4)]

903. She found the federal voter registration form online and filled it out. She had a current driver’s license and passport on hand as she filled out the form. [Exhibit 543 (Natale, ¶5)]

904. She followed the directions carefully on the voter registration application. [Exhibit 543 (Natale, ¶6)]

905. After she submitted her voter registration application, she received a form letter from the Maricopa County Recorder’s Office. [Exhibit 543 (Natale, ¶7)]

906. The letter stated that her registration was being rejected because she had not included proper proof of citizenship. [Exhibit 543 (Natale, ¶7)]

907. It was her understanding that she was required to fill out a new voter registration form. [Exhibit 543 (Natale, ¶7)]

908. She did not understand why her voter registration application was rejected when she had properly completed the application and submitted it to the County Recorder. [Exhibit 543 (Natale, ¶8)]

909. She was bitter, angry, and frustrated that her application was rejected and she was unable to vote in the November 2006, election. [Exhibit 543 (Natale, ¶9)]

910. She did not attempt to register again. [Exhibit 543 (Natale, ¶9)]

911. After the election passed, she received a voter card in the mail from the County Recorder. [Exhibit 543 (Natale, ¶9)]

912. She did not do anything to get the card, as she had not filled out a new voter registration form. [Exhibit 543 (Natale, ¶9)]
913. The rejection of her voter registration application affected her perception on the fairness and accuracy of our country’s voting system. [Exhibit 543 (Natale, ¶10)]

914. She and her husband have shared her experience with others and this has influenced their opinions about our country’s voting system as well. [Exhibit 543 (Natale, ¶10)]

915. Her driver’s license was issued to her after October 1, 1996. [Exhibit 543 (Natale, ¶11)]

916. She also has a U.S. birth certificate and a current U.S. passport. [Exhibit 543 (Natale, ¶11)]

917. Donna Fae Fulton is over the age of 18. She currently lives at 3220 West Hanna Road, Eloy, Arizona 85231. She is a United States citizen and a registered voter. She was born in Arizona and has lived in Arizona for most of her life. She currently works for the Immigration and Customs Enforcement Division of the Department of Homeland Security. Prior to this employment she worked for the Arizona Department of Corrections for twelve years. [Exhibit 531 (Declaration of Donna Fae Fulton, (“D. Fulton”) ¶¶1,2)]

918. In late 2007, she and her husband moved from Safford, Arizona, where they were registered voters, to Eloy, Arizona. [Exhibit 531 (D. Fulton, ¶3)]

919. In December 2007, her husband went to the post office and got voter registration forms. [Exhibit 531 (Fulton, ¶3)]

920. She filled out her new address, and other information, and mailed the completed voter registration form to the Pinal County Recorder’s Office. [Exhibit 531 (D. Fulton, ¶3)]
921. She did not receive a new voter registration card from Pinal County prior to the Presidential Preference primary election, held on February 5, 2008. [Exhibit 531 (D. Fulton, ¶4)]

922. She assumed that her registration form had been received and processed and she wanted to cast her vote in the primary election, so she proceeded to the local polling place. [Exhibit 531 (D. Fulton, ¶4)]

923. On February 5, 2008, she attempted to vote at the nearest polling place. [Exhibit 531 (D. Fulton, ¶5)]

924. When she arrived at the table used to accept voters, the poll worker could not find her name on the list of registered voters. She had submitted the voter registration form more than 30 days prior to the election. [Exhibit 531 (D. Fulton, ¶6)]

925. The poll worker said that since she was not registered to vote, she could vote using a provisional ballot. [Exhibit 531 (D. Fulton, ¶7)]

926. She was asked to show identification to prove that she was a citizen, so she provided her driver’s license, birth certificate, several utility bills, with her new address on them, and her old voter registration card that she had used when she lived in Safford, Arizona. [Exhibit 531 (D. Fulton, ¶7)]

927. The poll worker made copies of her various forms of identification. The poll worker was satisfied with her identification and allowed her to complete the provisional ballot. [Exhibit 531 (D. Fulton, ¶8)]

928. The poll worker never asked her to return to the County Recorder’s Office after the election to provide her identification again. [Exhibit 531 (D. Fulton, ¶9)]

929. One month after the election she received a letter in the mail stating that her provisional ballot was rejected and her vote was not counted. [Exhibit 531 (D. Fulton, ¶10)]
930. The letter explained that her ballot was rejected because she failed to provide proper proof of citizenship. [Exhibit 531 (D. Fulton, ¶10)]

931. Her husband called the County Registrar’s Office and was told that their ballots were rejected because the address on their forms of identification did not match. [Exhibit 531 (D. Fulton, ¶11)]

932. Her husband explained that they had recently moved and that they had sent in their voter registration forms in December 2007. He was told that the forms must be submitted 90 days prior to the election, not 30 days, and since the forms were not received 90 days before the election, they were not registered to vote in time for the election. [Exhibit 531 (D. Fulton, ¶11)]

933. She was very upset that her provisional ballot was not counted when she provided numerous forms of identification, including forms of identification with her new address on them. [Exhibit 531 (D. Fulton, ¶12)]

934. She provided several forms of proof that she is a United States citizen, yet her vote was not counted. [Exhibit 531 (D. Fulton, ¶12)]

935. She still has not yet received her new voter registration card though it has been over five months since she submitted her voter registration form. [Exhibit 531 (D. Fulton, ¶13)]

936. Rasheedah Adelih Hameed is over the age of 18 and resides at 1820 Ezmirilian Street, Compton, California 90221. She recently moved from Arizona to California to live with her sister while she recovers from brain surgery. Prior to her surgery, she resided at 104 North 130th Circle, Chandler, Arizona 85225. She was a resident of Maricopa County. She is the mother of two children, and has six grandchildren and six great-grandchildren. She is currently retired, though she worked for seventeen years as an attendant in a medical facility. Since she has retired, she has
actively volunteered in support of several causes, including voter registration drives. [Exhibit 535 (Declaration of Rasheedah Adelih Hameed, (“Hameed”) ¶¶1,2,3)]

937. On April 20, 2007, she applied to register to vote. She was registering to vote because she had just moved to Arizona. [Exhibit 535 (Hameed, ¶4)]

938. She has been a consistent voter since she was first able to vote at age 18, so she wanted to continue to exercise her right to vote and participate in the political process. [Exhibit 535 (Hameed, ¶4)]

939. She received her voter registration form in the mail, filled it out, and mailed the completed form to the Maricopa County Recorder’s Office. [Exhibit 535 (Hameed, ¶5)]

940. She followed the directions carefully on the voter registration application. [Exhibit 535 (Hameed, ¶5)]

941. She was not aware that she had to provide proof of citizenship with my completed voter registration form, so she did not provide the required proof. [Exhibit 535 (Hameed, ¶6)]

942. Shortly after she submitted her voter registration application, she received a form letter from the Maricopa County Recorder’s Office enclosing her rejected application. [Exhibit 535 (Hameed, ¶7)]

943. The letter stated that, “Your registration form has been rejected for the following reason: First time registration requires proof of citizenship which was not included. Please fill in any missing blanks and return enclosed form with your proof of citizenship.” [Exhibit 535 (Hameed, ¶7)]

944. She called the Maricopa County Recorder’s Office and was told that she needed to provide one of several forms of identification along with a new voter registration form. [Exhibit 535 (Hameed, ¶8)]
945. She sent in a copy of her driver’s license with the new form, but this application was also rejected. [Exhibit 535 (Hameed, ¶9)]

946. She was told by the Maricopa County Recorder’s Office that her driver’s license was not an acceptable form of identification because it was a California license and was issued prior to 1996. [Exhibit 535 (Hameed, ¶9)]

947. She contacted the California Department of Motor Vehicles and changed her address on the license to her Arizona address. [Exhibit 535 (Hameed, ¶10)]

948. She submitted a copy of this updated license and a copy of her U.S. birth certificate along with another voter registration form. [Exhibit 535 (Hameed, ¶10)]

949. This third attempt to register was likewise rejected. [Exhibit 535 (Hameed, ¶11)]

950. She tried to register at least two more times, and has always followed the instructions that the Maricopa County Recorder’s Office gave to her. [Exhibit 535 (Hameed, ¶11)]

951. Each voter registration form she has submitted has been rejected. [Exhibit 535 (Hameed, ¶11)]

952. She was never able to successfully register in Arizona. [Exhibit 535 (Hameed, ¶12)]

953. She still has not figured out why all her voter registration applications were rejected, particularly when she had properly completed the application and submitted it to the County Recorder. [Exhibit 535 (Hameed, ¶12)]

954. Her driver’s license was issued to her before October 1, 1996. [Exhibit 535 (Hameed, ¶13)]

955. She also has a copy of her U.S. birth certificate. [Exhibit 535 (Hameed, ¶13)]

956.
956. She is African American and was born in Mississippi. [Exhibit 535 (Hameed, ¶14)]

957. She believes that all citizens, regardless of ethnicity or race, should be able to vote without obstacle. [Exhibit 535 (Hameed, ¶14)]

958. She wants to vote. [Exhibit 535 (Hameed, ¶15)]

959. She wants to exercise this right because she feels that it is the best method to improve the lives of people in the United States. [Exhibit 535 (Hameed, ¶15)]

960. Ataul Mannan is over the age of 18 and resides at 3601 West Tierra Buena Lane, Apartment 233, Phoenix, Arizona 85053. He is a United States citizen and a registered voter. He has been employed since the age of 18 and is the Unit Manager of a restaurant corporation. He has lived in Phoenix for approximately three years, but has resided in Arizona since age 1. Born in Pakistan, he lived and grew up in the United States and became a citizen 3 years ago. He is a good, working class citizen, has a home, is married, and has children. He is a resident of Maricopa County. [Exhibit 540 (Declaration of Ataul Mannan, (“Mannan”) ¶¶1,2,3)]

961. On June 19, 2006, he applied to register to vote. [Exhibit 540 (Mannan ¶4)]

962. He completed the application available at the Post Office. [Exhibit 540 (Mannan ¶4)]

963. As a newly naturalized citizen, he was eager to register to vote in order to take part in the political process. [Exhibit 540 (Mannan ¶4)]

964. The application was the new version that requires a naturalization number, but the Post Office employee only required that he present either a driver’s license or birth certificate. He complied with all forms of ID asked for. [Exhibit 540 (Mannan ¶5)]
965. The employee asked if he was a United States citizen and he said, “Yes.” He completed the registration form and turned it over to the Post Office for delivery to the Maricopa County Recorder’s Office. [Exhibit 540 (Mannan ¶5)]

966. He followed the directions carefully on the voter registration application. [Exhibit 540 (Mannan ¶6)]

967. He did not have his naturalization certificate on his person at the time but the Post Office employee began the registration process and informed him that he would have to mail-in his naturalization number to finish the registration process. [Exhibit 540 (Mannan ¶6)]

968. Within two weeks after he submitted his voter registration application, he received a form letter from the Maricopa County Recorder’s Office enclosing his rejected application. [Exhibit 540 (Mannan ¶7)]

969. The letter stated that, “Your registration form has been rejected for the following reason: First time registration requires proof of citizenship which was not included. Please fill in any missing blanks and return enclosed form with your proof of citizenship.” [Exhibit 540 (Mannan ¶7)]

970. He sent in an official, certified pink copy of his naturalization certificate from the United States Immigration Office. [Exhibit 540 (Mannan ¶7)]

971. His voter registration card arrived a couple of weeks later, but when he attempted to vote for the first time, he was not on the list of voters. His wife, a lifelong US citizen, was not on the list either. [Exhibit 540 (Mannan ¶7)]

972. He was told he could not vote since he had not picked the Democratic Party. [Exhibit 540 (Mannan, ¶7)]

973. He then had to provide his name and fill out an affidavit declaring himself as a Democrat and he was then allowed to vote. [Exhibit 540 (Mannan, ¶7)]
974. A month later, however, he received a pink letter in the mail in a pink envelope stating that his vote had not been counted. [Exhibit 540 (Mannan, ¶7)]

975. His wife also had to sign an affidavit declaring herself as a Democrat, but her vote was counted. [Exhibit 540 (Mannan, ¶7)]

976. His vote was not counted because he is naturalized unlike his wife who is a US citizen by birth. [Exhibit 540 (Mannan, ¶7)]

977. His driver’s license was issued before October 1, 1996. It was issued on September 18, 2006. [Exhibit 540 (Mannan, ¶8)]

978. He has the following proof of US citizenship: a naturalization certificate and an Arizona driver’s license. [Exhibit 540 (Mannan, ¶8)]

979. He was born in Pakistan and is a naturalized United States Citizen. [Exhibit 540 (Mannan, ¶9)]

980. The new voting requirements are discriminating against naturalized versus born US-born citizens. [Exhibit 540 (Mannan, ¶9)]

981. He is a United States citizen and is supposed to have all the rights of a United States citizen but he is being discriminated against solely because he is a naturalized citizen. [Exhibit 540 (Mannan, ¶9)]

982. The barriers that Arizona has placed on voting and voter registration constitutes yet another disadvantage and hardship of becoming a United States citizen. [Exhibit 540 (Mannan, ¶9)]

983. His vote still does not count even though he has the legal right to vote. [Exhibit 540 (Mannan, ¶9)]

984. It took him many years to acquire this right, especially after 9/11. His name fell on a list of “suspect” names and it took him from the age of 18 until the age of 31 to get his citizenship. [Exhibit 540 (Mannan, ¶9)]
985. He is a working class citizen and has no criminal history -- not even a parking ticket. [Exhibit 540 (Mannan, ¶9)]

986. He is also a college graduate and cannot exercise his right to do something as basic as voting. [Exhibit 540 (Mannan, ¶9)]

987. The most important right a citizen has is the right to vote and that right is being taken away from him. [Exhibit 540 (Mannan, ¶9)]

988. He is not being treated as an equal United States citizen. [Exhibit 540 (Mannan, ¶9)]

989. He believes he is being treated differently than other citizens in Arizona because he was born in Pakistan and gained citizenship through naturalization. [Exhibit 540 (Mannan, ¶9)]

990. He wants to vote. He feels that it is the best method to improve the lives of people in the United States. [Exhibit 540 (Mannan, ¶10)]

991. Voting has been made extremely difficult and he wants to exercise his right to vote especially with the upcoming Presidential Election. [Exhibit 540 (Mannan, ¶11)]

992. This election will be his first chance to vote as a U.S. citizen. It is extremely discouraging that he is unable to vote. [Exhibit 540 (Mannan, ¶11)]

993. One applicant, a U.S. citizen, only presented one form of identification with his name and address at the polling place. He was allowed to cast a provisional ballot. When he tried to return with a second form of identification, the poll worker would not let him change his ballot to a regular ballot. His provisional ballot was ultimately not counted. [Exhibit 551 (Sorge Dec ¶¶ 6-10]

994. Brenda and Charles Rogers, U.S. citizens, presented two different utility bills with their names proper address on them. They were not allowed to cast regular ballots, and after 45 minutes of discussion with the poll workers, they were only
allowed to cast conditional provisional ballots. Ultimately, their votes were not counted. [Exhibit 546 (Rogers Dec ¶¶ 11, 13, 14)]

995. A voter was not asked to show any identification at the poll, and when the voting machine would not take her regular ballot, she was given a conditional provisional ballot. No one explained to her that she had insufficient identification or why she had to vote with a conditional provisional ballot. [Exhibit 554A (White Dec ¶¶ 6-7]

996. A voter presented her passport and a piece of election mail. [Exhibit 552 (Terrazas Decl. at ¶ 8)] The poll worker stated that neither form of ID brought was valid. [Id. ¶ 9] Another poll worker gave her a provisional ballot and told her to vote by Friday. [Id. ¶ 12] The voter filled out the conditional provisional ballot in its entirety, but was unable to return to the polling place due to her work schedule. [Id. ¶ 13]

997. Bernie Abeytia is 57 years old. He lives in Phoenix Arizona and is native born United States citizen. He is registered voter in Maricopa County, but after the passage of Proposition 200 and until he changed his voter registration, he could not vote like everyone else on Election Day because he did not have the identification documentation that Proposition 200 requires. [Exhibit 522 (Declaration of Bernie Abeytia (“Abeytia Decl. at”) at 2; Exhibit 439)]

998. Although he had a valid driver’s license from 2004 to 2007, he could not use his license to vote at the polls on Election Day because it did not satisfy the voter identification requirements of Proposition 200. [Exhibit 522 (Abeytia Decl. at 2)]

999. Mr. Abeytia is a Vietnam veteran. He worked for the U.S. Social Security Administration (SSA) for 27 years and retired with the job title of Technical Expert. As part of his work he conducted workshops around the country on identity theft. For this reason, he had always taken safety precautions when it came to providing personal information and advised many of his trainees to do the same. He believed it was safer for a person not to reveal their physical address whenever possible. This is why Mr.
Abeytia’s driver’s license only had his post office box address. He used his post office box address on all bills and bank statements. He felt strongly about protecting his personal information and did not want to risk any form of identity theft. He did not intend to stop using these precautions because he was told that even banks are now recommending that people get post office boxes to prevent identity theft. [Exhibit 522 (Abeytia Decl. at 2)]

1000. As a result of using a post office box for his correspondence and driver’s license, he lacked one form of photo identification and two forms of the secondary voter identification documents specified by Proposition 200 and could not use these documents to vote at the polls on Election Day. [Exhibit 522 (Abeytia Decl. at 3)]

1001. Proposition 200 harmed him because, until he recently re-registered to vote and listed his post office box address, he could not cast a regular ballot at the polls on election day, including the 2006 General Election. [Exhibit 522 (Abeytia Decl. at 3)]

1002. Mr. Abeytia wants to vote on Election Day because he wants to see his ballot physically cast and wants to be sure that his vote will count. Mr. Abeytia also wants to vote on Election Day because he often does not make a final decision about which candidate to support until he arrives at the poll and considers all information, even information he learns on Election Day. It makes him feel good to be able to say that he voted on that day like everyone else. He wears the “I voted” sticker given to him at the polling place on Election Day because he wants to encourage others to also vote that day. The right to vote at the polls on Election Day is one of the rights he fought for when he served his country in the military. [Exhibit 522 (Abeytia Decl. at 3)]

1003. In 2008, Mr. Abeytia received in the mail a letter from the Maricopa County Elections Department asking him to re-register to vote. He did not request the letter or a voter registration application from Maricopa County. He does not know of anyone else in his neighborhood who received such a request from Maricopa County. He
believes that Maricopa County singled him out for the letter because he is a plaintiff in
this lawsuit and they wanted to make a special effort to resolve his voter identification
problem so that he could not continue to sue them. [Exhibit 522 (Abeytia Decl. at 3-4)]

1004. Mr. Abeytia did re-register to vote after receiving the Maricopa
County letter and listed his post office box address on his new application. Although he
voted at the polls in the 2008 Presidential Preference Election, he does not know of any
other person who lacked voter identification and whether he was the recipient of special
efforts by Maricopa County to ensure that they had the identification required by
Proposition 200. He believes many Arizona voters who use post office boxes like him
are still unable to provide the identification required by Proposition 200 and as a result
are unable to vote at the polls on Election Day. [Exhibit 522 (Abeytia Decl. at 4)]

1005. When Mr. Abeytia was denied the opportunity to vote at the polls
after Proposition 200, nothing can restore his lost opportunity. After having the
experience of being an eligible voter who was denied the opportunity to cast a ballot at
the polls, he lost confidence in the electoral system in Arizona. He believes it is not fair
that eligible voters are turned away from the polls because of Proposition 200’s
identification requirements. He believes that this law is not only unfair but that it has
negatively affected the election system by preventing eligible voters from casting a
ballot. [Exhibit 522 (Abeytia Decl. at 4)]

1006. Proposition 200 continues to prevent many people who live on
Native American reservations and in rural areas and use a post office box as a mailing
addresses from registering to vote and casting a ballot. [Exhibits 440 & 441]

1007. Georgia Morrison-Flores is 54 years old. [Exhibit 542 (Declaration
of Georgia Morrison-Flores (“Morrison-Flores Decl. at”) at 2)]
1008. Georgia Morrison-Flores is life-long resident of Yuma, Arizona and currently lives at 510 S. 17th Ave. She is a U.S. citizen and a registered voter. [Exhibit 542 (Morrison-Flores Decl. at 2 and Exhibit 442)]

1009. Georgia Morrison-Flores registered to vote for the first time in September 2004 in a community-based voter registration drive. She was a newlywed at the time, so she used her married name to register. [Exhibit 542 (Morrison-Flores Decl. at 2 and Exhibits 442-445)]

1010. On Election Day, November 7, 2006, Georgia Morrison-Flores attempted to vote at her polling place at the Dr. Martin Luther King Jr. Neighborhood Center, which is approximately four to five blocks from her home on the south side of Yuma, Arizona. The Center is located at 300 W. 13th Ave. She was turned away by the election staff there. [Exhibit 542 (Morrison-Flores Decl. at 2)].

1011. The election workers at the poll told Georgia Morrison-Flores that her valid license did not meet the requirements of Proposition 200. Ms. Morrison-Flores was told that her license was insufficient as voter identification because the name on her license did not match her name on the voter rolls and that she could not vote. [Exhibit 542 (Morrison-Flores Decl. at 2 and Exhibits 446, 442)]

1012. Georgia Morrison-Flores was turned away from voting despite the fact that she personally knew at least two election workers at the polling place. One of the election workers lived across the street from her and knew her from the time she was a child. [Exhibit 542 (Morrison-Flores Decl. at 2)].

1013. The election workers did not offer Georgia Morrison-Flores a provisional ballot or conditional ballot to vote. [Exhibit 542 (Morrison-Flores Decl. at 2)].
1014. On February 8, 2008 Georgia Morrison-Flores again attempted to vote at her designated polling place, the Dr. Martin Luther King, Jr. Neighborhood Center. [Exhibit 542 (Morrison-Flores Decl. at 2)].

1015. Georgia Morrison-Flores’ cousin, Pauleen Wilson, also intended to vote that day and drove her to the polling place around 4:30 p.m., which was a convenient time for both of them to go to the polling place together. [Exhibit 542 (Morrison-Flores 3)]

1016. After Georgia Morrison-Flores and Pauleen arrived at the Martin Luther King, Jr. Neighborhood Center they waited in line for approximately 15 minutes. [Exhibit 542 (Morrison-Flores 3)].

1017. When Ms. Morrison-Flores finally arrived at the table used to accept voters. She recognized the woman working there as Betsy Johnson, a friend of the family whom she had known for over 30 years. [Exhibit 542 (Morrison-Flores Decl. at 3)].

1018. Ms. Johnson and Georgia Morrison-Flores exchanged pleasantries and Ms. Johnson then asked for a “photo I.D.” Ms. Morrison-Flores handed her Arizona driver’s license. [Exhibit 542 (Morrison-Flores Decl. at 3 and Exhibit 446)]

1019. Ms. Johnson took Georgia Morrison-Flores driver’s license and began to look through the documents on her desk. After several minutes of searching Ms. Johnson looked up, handed the license back to her and told her she could not vote. [Exhibit 542 (Morrison-Flores Decl. at 3)].

1020. Ms. Johnson then proceeded to inform another poll worker, Joyce Hassell, whom Georgia Morrison-Flores had also known for many years, that she could not vote. Ms. Hassel came over and told Ms. Morrison-Flores that she would “look into it” and call her if she learned anything that would allow her to vote. [Exhibit 542 (Morrison-Flores Decl. at 3)].
1021. Ms. Hassell wrote down Georgia Morrison-Flores phone number and address information but she did not subsequently contact her regarding her ability to vote. [Exhibit 542 (Morrison-Flores Decl. at 3)].

1022. At no point did Ms. Johnson or Ms. Hassell offer Georgia Morrison-Flores any other means to cast her ballot, such as a provisional ballot. [Exhibit 542 (Morrison-Flores Decl. at 3)]

1023. Georgia Morrison-Flores’ cousin, Pauleen Wilson, was also told by the poll worker that she could not vote even though she presented her driver’s license. [Exhibit 542 (Morrison-Flores Decl. at 3)].

1024. Pauleen Wilson and Georgia Morrison-Flores left the polling place approximately 30 to 45 minutes after they first arrived. [Exhibit 542 (Morrison-Flores Decl. at 4)].

1025. Georgia Morrison-Flores had to pay a fee of approximately $4 to update her name on her driver’s license in 2007. Ms. Morrison-Flores does not feel that she should have to choose between spending her money on food and other necessities versus a driver’s license in order to vote at the polls on Election Day. [Exhibit 542 (Morrison-Flores Decl. at 4 and Exhibit 447)]

1026. Georgia Morrison-Flores has not had a car for over three years. Her annual income for the year of 2007 was $1,822. Ms. Morrison-Flores’ home, which her mother left to her when she passed away last year, is currently in foreclosure because she cannot afford the monthly mortgage payments of $154.20. In order to stop the foreclosure process Ms. Morrison-Flores would have to pay approximately $1,200 of back pay and resume payments. [Exhibit 542 (Morrison-Flores Decl. at 4)].

1027. Georgia Morrison-Flores stated in her declaration that she felt frustrated after her unsuccessful attempts voting because she felt that as U.S citizen who made the effort to go register to vote she should have not been denied her right to vote.
Ms. Morrison-Flores also testified that she felt helpless as her right as a citizen was stripped and her voice was muffled. [Exhibit 542 (Dec. Georgia Morrison-Flores)]

1028. Maria Magdalena Gonzalez is 55 years old. [Exhibit 532 (Declaration of Maria Magdalena Gonzalez, (“Maria Magdalena Gonzalez Decl. at”) at 1)]

1029. Maria Magdalena Gonzalez resides at 727 Huron Ct., Somerton, Arizona. She is a resident of Yuma County. Ms. Gonzalez has lived in the United States for over forty years. She currently stays home and cares for her grandchildren. [Exhibit 532 (Maria Magdalena Gonzalez Decl. at 2)].

1030. On August 18, 2005, Maria Magdalena Gonzalez took her oath of U.S. citizenship in a naturalization ceremony held in Yuma, Arizona. This was a very important moment for her. After living in the United States for many decades, she always dreamed of becoming a U.S. citizen. Ms. Gonzalez had a great desire to become a U.S. citizen because, among other reasons, she wanted to register to vote and participate in the political process. She wanted the opportunity to elect people who make important decisions that affect me and her family. She is concerned about issues related to education, healthcare and others issues. I want to influence those decisions. [Exhibit 532 (Maria Magdalena Gonzalez Decl. at 2) and Exhibit 448]

1031. After Maria Magdalena Gonzalez became a citizen at the ceremony, she applied to register to vote at a table staffed by volunteers outside of the courthouse. She completed the voter registration application form with the assistance of a volunteer, signed the form and handed it over to the volunteer to deliver to the Yuma County Recorder’s Office. [Exhibit 532 (Maria Magdalena Gonzalez Decl. at 2) and Exhibits 449-450]

1032. Maria Magdalena Gonzalez complied with the directions on the voter registration application. The application form requested her “Certificate of
Naturalization number.” She asked the volunteer who was assisting me to copy the
number from her certificate of naturalization into the space requested. Ms. Gonzalez had
the certificate with her since she had just received it during the ceremony. [Exhibit 532
(Maria Magdalena Gonzalez Decl. at 2) and Exhibits 449-450]

1033. After Maria Magdalena Gonzalez submitted her voter registration
application, she received a form letter from the Yuma County Recorder’s Office
closing her application that was not accepted by their office. The letter stated: “Your
registration form has been rejected for the following reason: First time registration
requires proof of citizenship which was not included. Please fill in any missing blanks
and return enclosed form with your proof of citizenship.” [Exhibit 532 (Maria
Magdalena Gonzalez Decl. at 2-3) and Exhibit 451]

1034. Although Maria Magdalena Gonzalez’s voter registration application
contained the number of her certificate of naturalization, it was returned back to her; on
her original application the certificate of naturalization number was crossed out and
someone had written over it “A#.” [Exhibit 532 (Maria Magdalena Gonzalez Decl. at 3)
and Exhibits 449-451]

1035. The letter from the Yuma County Recorder’s Office further advised
Ms. Gonzalez that “satisfactory evidence of citizenship” includes “A presentation to the
county recorder of the applicants’ United States naturalization documents or the ‘A
number’ on the certificate of naturalization form.” [Exhibit 532 (Maria Magdalena
Gonzalez Decl. at 3) and Exhibits 450-451]

1036. Maria Magdalena Gonzalez did not understand why her voter
registration application was rejected when she had provided the number of her certificate
of naturalization as they instructed her to do on the registration form. [Exhibit 532
(Maria Magdalena Gonzalez Decl. at 3)].
1037. In 2006, Maria Magdalena Gonzalez made another attempt to register
to vote and was successful. [Exhibit 532 (Maria Magdalena Gonzalez Decl. at 3) and
Exhibits 452-454]

1038. Maria Magdalena Gonzalez is Hispanic/Latino and was born in
Mexico. When she was denied the opportunity to register the first time, she felt like she
was discriminated against. Ms. Gonzalez did not understand why she was questioned
about her citizenship despite the fact that she had already provided her citizenship
certificate number and signed a sworn declaration as to her citizenship. [Exhibit 532
(Maria Magdalena Gonzalez Decl. at 3)].

1039. Maria Magdalena Gonzalez has lived in the United States for many
decades. She fully understands that Mexicans have a history of discrimination in the U.S.
Ms. Gonzalez has heard of many people being treated differently because of their
national origin and has experienced discrimination herself. In 2006, she went to apply for
a U.S. passport at a local post office. She was told by the postal agent at the counter that
she could not apply for the passport because she did not speak English. She was angry
and upset that yet again her rights as a U.S. citizen were being called into question by a
government official because of her national origin. She had to ask her daughter to call a
government official to complain. She was finally able to apply for a passport two months
later by going to a different post office. [Exhibit 532 (Maria Magdalena Gonzalez Decl.
at 4) and Exhibits 455-456]

1040. Maria Magdalena Gonzalez hopes that the law that she is challenging
in Arizona is recognized as a bad law. Before she was finally able to register, she was
rejected after following all the directions given to her. She also lost the opportunity to
exercise her right to vote until she registered a second time. She feels that the law affects
many naturalized citizens, and will prevent people from exercising their rights. [Exhibit
532 (Maria Magdalena Gonzalez Decl. at 4)].
1041. Some voters who had to fill out conditional provisional ballots were not instructed to return with identification to have their ballot counted and were not told how their ballots would be verified. [Exhibit 527 (Exhibit 527 (Cotto Dec ¶ 7); Dethloff Dec ¶¶ 13-15; Exhibit 554A (White Dec ¶ 8))]

1042. Jesus Maria Gonzalez is 58 years old. [Exhibit 532A (Declaration of Jesus Maria Gonzalez (“Jesus M. Gonzalez Decl. at”) at1]

1043. Jesus Maria Gonzalez resides at 727 Huron Ct., Somerton, Arizona. He is a resident of Yuma County. He has lived in the United States for 42 years. [Exhibit 532A (Jesus M. Gonzalez Decl. at 2)]

1044. On August 18, 2005, Mr. Gonzalez took his oath of U.S. citizenship in a naturalization ceremony held at the federal courthouse in Yuma. This moment was a very proud one for him. [Exhibit 532A (Jesus M. Gonzalez Decl. at 2) and Exhibit 235]

1045. When Jesus Maria Gonzalez came to the United States many years ago, he had always dreamed of becoming a United States citizen. He recognized what the United States stood for- the “American Dream” and the right to live life to its fullest. He also wanted to become a U.S. citizen because, among other reasons, he wanted to register to vote and participate in the political process. [Exhibit 532A (Jesus M. Gonzalez Decl. at 2)].

1046. After Jesus Maria Gonzalez completed the naturalization ceremony he applied to register to vote at a table staffed by volunteers outside of the ceremony. He completed the voter registration form with the assistance of a volunteer, signed the form and handed it over to the volunteer to deliver to the Yuma County Recorder’s Office. [Exhibit 532A (Jesus M. Gonzalez Decl. at 2) and Exhibits 449, 457]

1047. Jesus Maria Gonzalez followed the directions carefully on the voter registration application. In the box where the application form requested his “Certificate of Naturalization number,” he asked the volunteer who was assisting him to copy the
number from her certificate of naturalization, which had just been handed to him in his citizenship ceremony. [Exhibit 532A (Jesus M. Gonzalez Decl. at 2) and Exhibits 449, 457]

1048. Shortly after Jesus Maria Gonzalez submitted his voter registration application, he received a form letter from the Yuma County Recorder’s Office enclosing his rejected application. The letter stated that “Your registration form has been rejected for the following reason: First time registration requires proof of citizenship which was not included. Please fill in any missing blanks and return enclosed form with your proof of citizenship.” [Exhibit 532A (Jesus M. Gonzalez Decl. at 2-3) and Exhibit 457]

1049. Although Jesus Maria Gonzalez’s voter registration application contained the number of her certificate of naturalization, as requested by the application form, on the form that was returned to him the certificate of naturalization number was crossed out and someone had written over it “A#.” [Exhibit 532A (Jesus M. Gonzalez Decl. at 3) and Exhibits 449, 457]

1050. The letter from the Yuma County Recorder’s Office further advised Jesus Maria Gonzalez that “satisfactory evidence of citizenship” includes “A presentation to the county recorder of the applicants’ United States naturalization documents or the ‘A number’ on the certificate of naturalization form.” [Exhibit 532A (Jesus M. Gonzalez Decl. at 3) and Exhibit 457]

1051. Jesus Maria Gonzalez did not understand why his voter registration application was rejected when he had properly provided the number of his certificate of naturalization as instructed by the registration form. [Exhibit 532A (Jesus M. Gonzalez Decl. at 3)].

1052. In October, 2006, Jesus Maria Gonzalez made a second attempt to register to vote, this time using the ServiceArizona internet-based voter registration system sponsored by the Arizona Motor Vehicles Department. However, after entering
his personal information, including his valid Arizona driver’s license number, the website
informed him that it could not accept his voter registration application. As a result, he
was unable to register to vote using the ServiceArizona system. [Exhibit 532A (Jesus M.
Gonzalez Decl. at 3) and Exhibit 458]

1053. Jesus Maria Gonzalez’s driver’s license was issued to him before
November 1, 1996. [Exhibit 532A (Jesus M. Gonzalez Decl. at 3)].

1054. Jesus Maria Gonzalez is Hispanic/Latino and was born in Mexico.
He believes that he has been treated differently than other citizens in Arizona because he
was born in Mexico and gained citizenship through naturalization. [Exhibit 532A (Jesus
M. Gonzalez Decl. at 4)]

1055. On October 14, 2006, Jesus Maria Gonzalez applied for and received
a United States Passport. He paid $112.95 for his passport. He does not believe that he
should have to pay a fee to acquire proof of citizenship for voter registration. He also
does not believe he should have to present his naturalization certificate in person to the
County Recorder as a condition of voter registration. [Exhibit 532A (Jesus M. Gonzalez
Decl. at 4) and Exhibit 459]

1056. As a Mexican national, Jesus Maria Gonzalez suffered from
discrimination while living in the United States. Early on he worked as a farm worker
under very difficult conditions while working in the fields. He was treated like a slave.
Mr. Gonzalez remembers drinking water from a canal like an animal. He believes he was
treated this way by his employer because he was Mexican. Also, he worked in a
packaging plant and all the Mexican workers suffered bad working conditions. He
recognizes that Mexicans have a history of being discriminated against in this country
and in Arizona. [Exhibit 532A (Jesus M. Gonzalez Decl. at 4)].

1057. When Jesus Maria Gonzalez’s application for voter registration was
denied, he was angry. After all of his hardship and struggles to finally become a U.S.
citizen, he was still treated like a second class citizen of this country. Once again, he felt like he was treated this way because he was Mexican. [Exhibit 532A (Jesus M. Gonzalez Decl. at 4)].

1058. Jesus Maria Gonzalez feels as U.S. citizens, we should all have the same rights, despite our country of origin. He has paid taxes all his life, and has contributed to this country. [Exhibit 532A (Jesus M. Gonzalez Decl. at 4)].

1059. Jesus Maria Gonzalez wants to vote. He wants to exercise this right because he feels that it is the best method to improve the lives of people in the United States, particularly Latino people. He believes that we should all have an equal right to elect the people who make the decisions in our country. He wants to have a voice in the United States. [Exhibit 532A (Jesus M. Gonzalez Decl. at 5)].

1060. Jesus Maria Gonzalez hopes that the law that he is challenging in Arizona will not be in effect in the future. Mr. Gonzalez has faced obstacles trying to register to vote, and to this day remains unregistered. He feels that the law affects many naturalized citizens like him, and it prevents them from exercising their fundamental right to vote. [Exhibit 532A (Jesus M. Gonzalez Decl. at 5)].

1061. Some voters who had to fill out conditional provisional ballots feel the poll workers who were supposed to assist them with the conditional provisional ballots seemed unsure of the process for issuing conditional provisional ballots. [Exhibit 527 (Cotto Dec ¶ 8); Dethloff Dec ¶¶ 14-15, 19]

X. IMPACT OF PROPOSITION 200 ON VOTER REGISTRATION ORGANIZATIONS AND VOLUNTEERS

A. SW Voter

1062. Lydia Camarillo is employed as the Vice President of the Southwest Voter Registration Education Project (SVREP). [Exhibit 526 (Declaration of Lydia Camarillo(“Camarillo Decl. at”), May 9, 2006 at 2)].
1063. Lydia Camarillo served as Vice President of SVREP since August 2003. From December 1994 through September 1999 she served as Executive Director of SVREP, and from September 1, 2005 to March, 2006 she was Acting President. During her employment with SVREP, she has been responsible for supervising the registration. [Exhibit 526 (Camarillo Decl. at 2)].

1064. SVREP is a non-profit and non partisan organization committed to improving the participation of Latino and other minority communities across the United States in the democratic process, through voter registration, voter education and voter participation activities. SVREP was founded in 1974, SVREO has conducted more than 2,200 voter registration campaigns in 15 states, including Arizona. SVREP conducts its voter registration activities at community-based sites such as school campuses, malls and fairs. Because Proposition 200 has limited the number of person that SVREP can register to vote and impaired the ability of SVREP to conduct voter registration and turnout efforts, SVREP has been injured by Proposition 200. [Exhibit 526 (Camarillo Decl. at 3)].

1065. SVREP also increases Latino and other minorities’ participation in American democratic process by strengthening the capacity, and experience and skills of Latino leaders, networks and organizations through programs that rain, organize, finance, develop, expand and mobilize Latino leaders and voters around an agenda that reflects their values. [Answers to Defendants State of Arizona, et al. First Set of Interrogatories to Southwest Voter Registration Education Project (“SVREP Interrogatory”), Nov. 8, 2007 at 4 and Exhibit 460].

1066. SVREP has stated in an interrogatory that the Voter identification provisions of Proposition 200 require them to educate voters in Arizona on how to successfully cast their ballot. [SVREP Interrogatory at 3 and Exhibit 460]. SVREP expended time and human resources examining the legislation voting requirements.
1067. SVREP is the nation’s largest and oldest non-profit organization focused on increasing Latino voter registration and participation and has registered 2.3 million voters since its founding. [Exhibit 526 (Camarillo Decl. at 3)].

1068. SVREP conducts its voter registration and voter mobilization campaigns in a similar fashion across the United States including Arizona. [Exhibit 526 (Camarillo Decl. at 3)].

1069. SVREP selects a local community, meets with leaders and asks them to provide them with 2-10 names of neighborhood leaders. From this group they organize a steering committee which will determine the goals and objectives of the project. The committee monitors the voter campaign, recruits volunteers, serves as the public voice for the voter campaign, and helps supervise the locally-hired Field Organizers. The Field Organizers in turn supervise the activities of 10-20 Project Coordinators. [Exhibit 526 (Camarillo Decl. at 3)].

1070. SVREP trains the Field Organizers and Project Coordinators and helps them develop their plan for a non-partisan voter campaign. SVREP also trains the Organizers and Project Coordinators on how to conduct community based voter registration, using clipboards to be more mobile and following the state rules regarding voter registration. [Exhibit 526 (Camarillo Decl. at 3)].

1071. SVREP campaigns have relied on voter registration forms promulgated by the Secretary of State of the state in which the campaign is occurring as well as the federal mail voter registration application. [Exhibit 526 (Camarillo Decl. at 4)].

1072. In a non-Presidential cycle, SVREP normally spends the equivalent of $20 per voter to conduct a registration and mobilization campaign. Thus, in order to register and turn out 1,000 voters SVREP can expect to use $20,000 from its budget.
This amount assumes that voter registration is conducted by volunteers under the supervision of project Field Organizers. [Exhibit 526 (Camarillo Decl. at 4)].

1073. As a non-profit organization, SVREP raises money from private donors. SVREP testifies that their resources are very limited. SVREP stated that if they are required to expend greater resources on one voter campaign, it impairs their ability to conduct additional voter campaigns and fulfill our mission of improving the participation of Latino and other minority communities across the United States in the democratic process. [Exhibit 526 (Camarillo Decl. at 4)].

1074. SVREP stated that Proposition 200’s proof of citizenship requirements for voter registration will severely impair their ability to register voters. [Exhibit 526 (Camarillo Decl. at 4)].

1075. Because it is more cost effective, SVREP conducted voter registration, in malls, sports games, college campuses, and other places where people congregate. It is less cost-effective for SVREP to conduct voter registration in a door to door campaign. SVREP stated that Proposition 200’s proof of citizenship requirements will greatly hinder their voter registration efforts by requiring all canvassers to bring along photocopy machines or scanners and printers to places where voters gather, or to bring such a machine door to door in a neighborhood. SVREP does not have the resources to equip canvassers with portable photocopy machines or scanners and printers in order to conduct voter registration campaigns in Arizona. [Exhibit 526 (Camarillo Decl. at 4)].

1076. In addition, in a time of heightened fear of identity theft, SVREP stated that even if it were able to equip canvassers with photocopy equipment, few voter registration applicants would be willing to allow a canvasser to copy their citizenship documents, such as birth certificates or passports. [Exhibit 526 (Camarillo Decl. at 4-5)].
SVREP has stated that because of Proposition 200’s proof of citizenship requirements, the only realistic alternative for SVREP is to discontinue its voter registration activities. SVREP also stated that Secretary of State Brewer’s refusal to use and accept the federal mail voter registration application, and her order that Arizona county recorders do the same, forecloses the only avenue available to SVREP to register voters for federal elections. [Exhibit 526 (Camarillo Decl. at 5)].

B. Plaintiff Debbie Lopez

1078. Debra Sue Lopez is 45 years. [Exhibit 539 (Declaration of Debra Sue Lopez (“Lopez Decl. at”) and Exhibit 461)]

1079. Ms. Lopez resides at 1001 E. Jefferson at 10th St. in Phoenix Arizona. She is a United States citizen and life-long resident of Arizona. [Exhibits 461-462]

1080. For many years now, Ms. Lopez has dedicated a substantial amount of her time to working to improve the condition of the Latino community in Arizona by increasing voter registration and voter turnout. [Exhibits 461, 463]

1081. As early as February 2003, Ms. Lopez served as State Director for the Latino Vote Project in Arizona. This organization was a non-profit, non-partisan organization that Ms. Lopez founded to empower the Latino community and encourage more Latinos to become involved in the political process. [Exhibits 461, 464]

1082. Latino Vote Project’s activities focused on voter registration and voter turnout in Arizona. Ms. Lopez feels that the organization was very successful. However, in December 2004 the organization lost funding. Despite this, Ms. Lopez continued to engage in her own personal and political cause by continuing to conduct voter registration. Since the passage of Proposition 200, Ms. Lopez has personally registered voters one by one and has directed broader voter registration and turnout campaigns. [Exhibits 461, 465, 466, 467, 468]
1083. Ms. Lopez feels that Proposition 200 has harmed her professional and personal efforts in this regard. Prior to the implementation of Proposition 200, she would register eligible individuals by assisting them with filling out the forms and ensuring that those forms were submitted to the Counties. However, since the implementation of Proposition 200, her ability to register voters has suffered. [Exhibit 461].

1084. Ms. Lopez says in her experience many people in the Latino community do not carry around evidence of their United States citizenship such as their birth certificates or naturalization certificates. Thus, even if her or her fellow voter registration workers wanted to help these people register to vote, they could not register unless they were able to provide a valid driver’s license dated after 1996. [Exhibit 461].

1085. In Ms. Lopez’s experience even if voter applicants did carry documentary proof of citizenship, she had no way of duplicating their documents in the field. She began bringing copy machines to voter registration drives for proper registration. As a result, Ms. Lopez feels that today she can register fewer people when compared to number of people she could register with the same resources prior to the passage of Proposition 200. [Exhibit 461].

1086. Ms. Lopez stated that Proposition 200 has also required her to spend a significant amount of time navigating problems with the new registration forms. In Ms. Lopez’s experience, the Arizona voter registration application requests that eligible registrants who are naturalized citizens provide their naturalization certificate numbers as proof of citizenship. However, the Counties continue to reject those properly completed forms because the Counties cannot verify the naturalization certificate number. In Ms. Lopez’s experience, Naturalized voter registrants have no way of knowing this and frequently are forced to attempt to register a second time. [Exhibit 461].

1087. Ms. Lopez has spent her own personal money on voter registration after the passage of Proposition 200. Ms. Lopez paid for phone calls to educate eligible
registrants about the requirements of Proposition 200 and address other problems that Proposition 200 has created. Ms. Lopez also paid for photocopying original documents and gas in order to drive to prospective registrants’ homes to gather the necessary information required by Proposition 200. Ms. Lopez stated that as a result of Proposition 200, she has spent over a thousand dollars of her money for which she has never been reimbursed. [Exhibit 461].

1088. Before Proposition 200 was passed, the Latino Vote Project was funded in large part by Project Vote, a non profit organization separate from the Latino Vote Project. After the passage of Proposition 200, the funding for the project was eliminated because the new law’s voter registration restrictions resulted in fewer successful voter registrations during registration drives when compared to the number of successful registrations they could achieve using the same resources prior to the passage of Proposition 200. Ms. Lopez feels that Proposition 200 ultimately cut short her longstanding professional work with voter registration in Arizona. [Exhibit 461].

C. ACORN/Project Vote

1089. Monica Sandschafer is the State Head Organizer for Arizona Association of Community Organizations for Reform Now (ACORN). She has held this position since February of 2007. [Exhibit 547 (Declaration of Monica Sandschafer (“Sandschafer Decl. at”) at 1)].

1090. ACORN is a nonpartisan, nonprofit organization with offices in Mesa, Glendale, Tucson, and Phoenix. ACORN is the nation's largest community organization of low and moderate income families, working together for social justice and stronger communities. [Exhibit 547 (Sandschafer Decl. at 1)].

1091. Voter registration drives are fundamental to the work of ACORN. Nationally, ACORN has registered over 1.5 million citizens. It is the position of ACORN that registering to vote is central to becoming a full participant in American
democracy and influencing change in our community. [Exhibit 547 (Sandschafer Decl. at 1)]

1092. Through numerous staff persons, ACORN conducts voter registration drives targeting low and moderate-income families in Arizona. ACRON conducts voter registration drives at numerous places in Arizona. ACORN attempts to register voters at grocery stores, laundry mats, libraries, and other high traffic sites.

1093. As a result of Proposition 200, ACORN’s voter registration activities in Arizona have suffered drastically. [Exhibit 547 (Sandschafer Decl. at 1)].

1094. For example, in the year 2004 the voter registration campaign of ACORN in Arizona resulted in 77,000 new registrants. This year, ACORN has only been able to register approximately 12,000 so far. [Exhibit 547 (Sandschafer Decl. at 1)].

1095. The primary reason ACORN cannot successfully register new voters is because individuals do not possess the proper documentation to complete a voter registration application. For instance, at one point ACORN accounted for over 1,000 voter registration applications that could not be completed because the individual lacked proof of citizenship documentation. [Exhibit 547 (Sandschafer Decl. at 1)].

1096. 8. ACORN’S mission has suffered because of Proposition 200. It has caused a large decrease in registrants and has diminished their funding and resources. ACORN cannot compete with voter registration efforts in other states that do not have the same obstacles they do. For example, ACORN currently registers an average of 11 persons for every 20 persons that organizers in other states register. In addition, they have spent time, funds and human resources in the field in order to determine the impact of Proposition 200 on potential registrants. [Exhibit 547 (Sandschafer Decl. at 2)].

1097. Arizona ACORN has been prevented from effectively realizing some of our goals as an organization -- creating an impetus for change through civic