

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NORTH CAROLINA STATE CONFERENCE OF THE NAACP, <i>et al.</i> ,)	
Plaintiffs,)	
)	
v.)	1:13CV658
)	
PATRICK LLOYD MCCRORY, in his official capacity as Governor of North Carolina, <i>et al.</i> ,)	
-----)	
Defendants.)	
)	
LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA, <i>et al.</i> ,)	
Plaintiffs,)	
)	
<i>and</i>)	1:13CV660
)	
LOUIS M. DUKE, <i>et al.</i> ,)	
Plaintiffs-Intervenors,)	
)	
v.)	
)	
THE STATE OF NORTH CAROLINA, <i>et al.</i> ,)	
-----)	
Defendants.)	
)	
UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	1:13CV861
)	
THE STATE OF NORTH CAROLINA, <i>et al.</i> ,)	
-----)	
Defendants.)	

DEFENDANT'S EXHIBIT
Case No. 13cv658,
13cv660, 13cv861
Exhibit No. 546

DECLARATION OF KIM WESTBROOK STRACH
OF FEBRUARY 10, 2016

NOW COMES Kim Westbrook Strach who deposes and says:

1. I am over 18 years of age, legally competent to give this declaration and have personal knowledge of the facts set forth in it.

2. I am the Executive Director of the State Board of Elections (“State Board” or “SBOE”), a position I have held since May 2013. My statutory duties as Executive Director of the State Board include staffing, administration, and execution of the State Board’s decisions and orders. I am also the Chief Elections Officer for the State of North Carolina under the National Voter Registration Act of 1993 (“NVRA”). The Executive Director of the State Board is responsible for the administration of elections in the State of North Carolina. The State Board has supervisory responsibilities for the 100 county boards of elections, and as Executive Director of the State Board, I provide guidance to the directors of the county boards.

3. As the Executive Director of the State Board and Chief Elections Officer for the State of North Carolina, I am familiar with the procedures for registration and voting in this State. I am also responsible for implementing the laws passed by the North Carolina General Assembly, supervising the conduct of orderly, fair, and open elections, and ensuring that elections in North Carolina are administered in such a way as to preserve the integrity of and protect the public confidence in the democratic process.

4. During my testimony on January 29, 2016, I was asked questions by the Court concerning the forms a voter must sign in order to declare a reasonable impediment and vote a provisional ballot. Out of an abundance of caution, I wish to clarify my statements by providing information regarding the forms signed by voters who declare a reasonable impediment and wish to vote a provisional ballot.

5. Every voter casting a ballot—including voters declaring a reasonable impediment—must attest that they are eligible to vote. For all provisional voters this attestation is included on the Provisional Voting Application, which may be either pre-printed or generated on-demand by the Statewide Elections Information Management System (SEIMS). A copy of the current Provisional Voting Application is attached as Exhibit 1.

6. Voters casting a provisional ballot because a reasonable impediment prevents them from obtaining acceptable photo identification will attest to their eligibility on the Provisional Voting Application. Separately, those voters must complete a Reasonable Impediment Declaration Form, which may be either pre-printed or generated on-demand by the Statewide Elections Information Management System (SEIMS). Current versions of the pre-printed and SEIMS-generated Reasonable Impediment Declaration Form are attached as Exhibit 2 and Exhibit 3, respectively.

7. The reasonable impediment declaration required by G.S. § 163-166.15 was not added to the Provisional Voting Application because State Board of Elections staff determined that the language needed for the reasonable impediment declaration, including the list of options of reasonable impediments, would not fit on the Provisional Voting Application.

8. On SEIMS-generated forms, the “Voter Registration/Update Form” section is pre-populated with data from the voter record. See Exhibit 1 and Exhibit 3. Additionally, the SEIMS-generated Provisional Voting Application (Exhibit 1) is pre-populated to indicate the provisional voting reason is “No Acceptable ID” and will require the voter only to sign the application.

9. Election officials at the Help Station may assist the voter in completing a Provisional Voting Application and a Reasonable Impediment Declaration Form.

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

Executed this 10th day of February, 2016.



Kim Westbrook Strach, Executive Director
State Board of Elections

PROVISIONAL VOTING APPLICATION ELECTION: _____ PB NO: _____

Location Voted _____ PIN _____ Existing Voter VRN _____

VOTER REGISTRATION/UPDATE FORM

ARE YOU A CITIZEN OF THE UNITED STATES OF AMERICA? YES NO
 WILL YOU BE AT LEAST 18 YEARS OF AGE ON OR BEFORE ELECTION DAY? YES NO

IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE QUESTIONS, DO NOT COMPLETE THIS FORM.

LAST NAME _____ FIRST NAME _____ MIDDLE NAME _____ SUFFIX _____
 RESIDENTIAL ADDRESS (STREET ADDRESS WHERE YOU NOW LIVE) _____ APT/LOT _____ CITY _____ STATE _____ ZIP _____ COUNTY _____
 MAILING ADDRESS _____ PHONE _____

HAVE YOU LIVED AT YOUR ADDRESS FOR 30 OR MORE DAYS? IF "NO," DATE MOVED? _____ NAME USED IN PREVIOUS REGISTRATION _____
 Yes No

PREVIOUS ADDRESS _____ PREVIOUS COUNTY _____

DATE OF BIRTH _____	BIRTH STATE/COUNTRY _____	GENDER <input type="checkbox"/> Male <input type="checkbox"/> Female	RACE <input type="checkbox"/> African American/Black <input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> White <input type="checkbox"/> Multiracial <input type="checkbox"/> Other _____	ETHNICITY <input type="checkbox"/> Hispanic <input type="checkbox"/> Not Hispanic	PARTY AFFILIATION <input type="checkbox"/> Democratic <input type="checkbox"/> Republican <input type="checkbox"/> Libertarian <input type="checkbox"/> Unaffiliated <input type="checkbox"/> Other _____
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NC DRIVER LICENSE NO. _____ LAST FOUR DIGITS OF SSN _____
 Check here if you do not have a NC DMV-issued driver license, identification card or a social security number:

VOTER'S AFFIRMATION OF ELIGIBILITY TO VOTE

I attest under penalty of perjury, that in addition to having read and understood the contents of this form, that I am a United States citizen, as indicated above; I am at least 18 years old, or will be so by election day; I shall have been a resident of North Carolina and my voting precinct for at least 30 days before the election in which I intend to vote; I will not vote in any other county or state after submission of this form and if I am registered elsewhere, I am canceling that registration at this time; and I have not been convicted of a felony, or if I have been convicted of a felony, I have completed my sentence, including any probation or parole. (Citizenship and voting rights are automatically restored upon completion of the sentence. No special document is needed.) I also affirm that I am qualified to vote in this county; I have not yet voted in this election; and I am otherwise eligible to vote in this election in this county today. My reasons for voting provisionally are noted below.

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASS I FELONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTES

PROVISIONAL VOTER'S SIGNATURE _____ DATE _____

Please indicate below the reason why you are voting provisionally:

- I am currently (or I have previously) registered to vote in this county; I have not moved out of this county since my original registration; nor have I registered or voted in another county or State since that time.
- I ACKNOWLEDGE that I have been notified that in lieu of providing a photo identification today, that: (1) I may vote a provisional official ballot and not later than 12:00 noon the day prior to the county canvass, appear in person at the county board of elections and present an acceptable photo ID bearing my resemblance, or alternatively, I may present an alternative document if I am declaring that I have a sincerely held religious objection to being photographed; or (2) I may complete a reasonable impediment declaration and vote a provisional official ballot; or (3) that I may complete a written request for an absentee ballot, but until the deadline for submission of requests for absentee ballots.
- UNREPORTED MOVE: I am currently registered to vote in this county in _____ precinct; but I have moved to an address in a new precinct in this county more than 30 days as of the date of the election.
- INCORRECT PRECINCT: I am currently registered to vote in this county in _____ precinct; but I am requesting to vote today in _____ precinct; and I understand that my ballot may not be counted.
- On _____, I mailed or submitted a voter registration application to: _____
 DMV (License or ID No. _____)
 County Board of Elections (specify county _____) _____
 Agency _____ (specify voter registration agency)
 Other _____
- NO RECORD OF REGISTRATION
- UNRECOGNIZED ADDRESS
- VOTER ALREADY VOTED
- INCORRECT PARTY
- NONREASONABLE RESEMBLANCE
- OTHER _____

ID provided: _____

Election Official Signature

PARTY VOTED _____ BALLOT STYLE ISSUED _____

OFFICIAL USE ONLY	Station _____	Voting Method Transaction <input type="checkbox"/> One-stop Election Day <input type="checkbox"/> Curbside	Voting Date/Time _____	Election Official _____	V2011.5.07
	Site _____				

REASONABLE IMPEDIMENT DECLARATION

ELECTION DATE

PROVISIONAL POLL BOOK NO.

TO BE COMPLETED BY ELECTION OFFICIAL

Location Voted: _____ VRN: _____

Provisional Voting Reason(s): No Acceptable ID Other (if any) _____

TO BE COMPLETED BY VOTER

Name: _____
Last Name First Name Middle Name Suffix

Contact: _____
Email Address Phone

Date of Birth: _____
Last 4 Digits of Social Security No.

VOTER'S DECLARATION OF REASONABLE IMPEDIMENT

I DECLARE that I am the same individual who personally appeared at the polling place, that I am casting a provisional ballot while voting in person in accordance with Article 14A of Chapter 163 of the General Statutes or G.S. 163-227.2, and I suffer from a reasonable impediment that prevents me from obtaining acceptable photo identification.

My reasonable impediment is due to the following reason(s):

- Lack of transportation Disability or illness
- Lack of birth certificate or other documents needed to obtain photo ID
- Work schedule Family responsibilities
- Lost or stolen photo ID Photo ID applied for but not received
- Other reasonable impediment _____
- State or federal law prohibits me from listing my impediment _____

Proof of Identity – I am presenting identification in the form of a copy of one of the following documents that shows my name and address:

- Last four digits of Social Security number and date of birth (provided above)
- A copy of one of the following documents that shows my name and address:
 _____ a current utility bill _____ bank statement _____ government check _____ paycheck
 _____ other government document _____
- Voter Registration card
For Election Official
- Voter did not provide any alternative identification document or information.

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASS I FELONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTES

X

VOTER'S SIGNATURE (REQUIRED)

DATE

REASONABLE IMPEDIMENT DECLARATION

ELECTION:

PB NO:

Location Voted

PIN

Existing Voter VRN

VOTER REGISTRATION/UPDATE FORM

ARE YOU A CITIZEN OF THE UNITED STATES OF AMERICA? YES NO IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE QUESTIONS, DO NOT COMPLETE THIS FORM.



WILL YOU BE AT LEAST 18 YEARS OF AGE ON OR BEFORE ELECTION DAY? YES NO

LAST NAME FIRST NAME MIDDLE NAME SUFFIX
 RESIDENTIAL ADDRESS (STREET ADDRESS WHERE YOU NOW LIVE) APT/LOT CITY STATE ZIP COUNTY
 MAILING ADDRESS PHONE

HAVE YOU LIVED AT YOUR ADDRESS FOR 30 OR MORE DAYS? IF "NO," DATE MOVED? NAME USED IN PREVIOUS REGISTRATION
 Yes No

PREVIOUS ADDRESS PREVIOUS COUNTY

DATE OF BIRTH BIRTH STATE/COUNTRY GENDER RACE ETHNICITY PARTY AFFILIATION
 Male African American/Black Hispanic Democratic
 Female American Indian/Alaska Native Not Hispanic Republican
 Asian White Unaffiliated
 Multiracial Other

NC DRIVER LICENSE NO. LAST FOUR DIGITS OF SSN
 Check here if you do not have a NC DMV-issued driver license, identification card or a social security number:

VOTER'S DECLARATION OF REASONABLE IMPEDIMENT

I DECLARE that I am the same individual who personally appeared at the polling place, that I am casting a provisional ballot while voting in person in accordance with Article 14A of Chapter 163 of the General Statutes or G.S. 163-227.2, and I suffer from a reasonable impediment that prevents me from obtaining acceptable photo identification. **X**

FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASS I FELONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTES

PROVISIONAL VOTER'S SIGNATURE (REQUIRED) DATE

Provisional Voting Reason:

My reasonable impediment is due to the following reason(s):
 Lack of transportation Disability or illness. Lack of birth certificate or other documents needed to obtain photo ID
 Work schedule Family responsibilities Lost or stolen photo ID Photo ID applied for but not received
 Other reasonable impediment
 State or federal law prohibits me from listing my impediment

Proof of Identity – I am presenting identification in the form of a copy of one of the following documents that shows my name and address: a current utility bill, bank statement, government check, paycheck, or other government document; or my voter registration card; or the last four digits of my Social Security number and my date of birth.

Voter provided the proof of identity noted to the right:
 Last four digits of Social Security number _____ and date of birth _____
 A copy of one of the following documents that shows voters name and address:
 _____ a current utility bill _____ bank statement _____ government check _____ paycheck
 _____ other government document _____
 Voter Registration card Voter did not provide any alternative identification document or information.

Election Official

VRN: Poll Book No.: PARTY VOTED BALLOT STYLE ISSUED
 SEIMS PRECINCT: PIN: SEIMS BALLOT:

OFFICIAL USE ONLY

Station	Voting Method Transaction	Voting Date/Time	Operator Name
Site			

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