

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

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NORTH CAROLINA STATE CONFERENCE OF )  
THE NAACP, EMMANUEL BAPTIST CHURCH, )  
NEW OXLEY HILL BAPTIST CHURCH, )  
BETHEL A. BAPTIST CHURCH, COVENANT )  
PRESBYTERIAN CHURCH, CLINTON )  
TABERNACLE AME ZION CHURCH, )  
BARBEE’S CHAPEL MISSIONARY BAPTIST )  
CHURCH, INC., ROSANELL EATON, )  
ARMENTA EATON, CAROLYN COLEMAN, )  
BAHEEYAH MADANY, JOCELYN FERGUSON- )  
KELLY, FAITH JACKSON, MARY PERRY, and )  
MARIA TERESA UNGER PALMER )

Plaintiffs, )

v. )

PATRICK LLOYD MCCRORY, in his official )  
capacity as the Governor of North Carolina, KIM )  
WESTBROOK STRACH, in her official capacity as )  
Executive Director of the North Carolina State )  
Board of Elections, JOSHUA B. HOWARD, in his )  
official capacity as Chairman of the North Carolina )  
State Board of Elections, RHONDA K. AMOROSO, )  
in her official capacity as Secretary of the North )  
Carolina State Board of Elections, JOSHUA D. )  
MALCOLM, in his official capacity as a member of )  
the North Carolina State Board of Elections, PAUL )  
J. FOLEY, in his official capacity as a member of )  
the North Carolina State Board of Elections and )  
MAJA KRICKER, in her official capacity as a )  
member of the North Carolina State Board of )  
Elections, )

Defendants. )

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**DECLARATION OF**  
**HUGH STOHLER**  
**Case No.: 1:13-CV-658**

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LEAGUE OF WOMEN VOTERS OF  
NORTH CAROLINA, A. PHILIP  
RANDOLPH INSTITUTE, UNIFOUR  
ONESTOP COLLABORATIVE,  
COMMON CAUSE NORTH CAROLINA,  
GOLDIE WELLS, KAY BRANDON,  
OCTAVIA RAINEY, SARA STOHLER,  
and HUGH STOHLER,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, JOSHUA  
B. HOWARD in his official capacity as a member of  
the State Board of Elections, RHONDA K.  
AMOROSO in her official capacity as a member of  
the State Board of Elections, JOSHUA D.  
MALCOLM in his official capacity as a member of  
the State Board of Elections, PAUL J. FOLEY in his  
official capacity as a member of the State Board of  
Elections, MAJA KRICKER in her official capacity  
as a member of the State Board of Elections, and  
PATRICK LLOYD MCCRORY, in his official  
capacity as the Governor of North Carolina,

Defendants.

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UNITED STATES OF AMERICA,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA; THE  
NORTH CAROLINA STATE BOARD OF  
ELECTIONS; and KIM W. STRACH, in her official  
capacity as Executive Director of the North Carolina  
State Board of Elections,

Defendants.

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**Case No.: 1:13-CV-660**

**Case No.: 1:13-CV-861**

## DECLARATION OF HUGH STOHLER

My name is Hugh Stohler and I am over the age of 18 and fully competent to make this declaration. Under penalty of perjury, I state the following:

1. I live at [REDACTED] Raleigh, NC 27604.
2. I was born in 1939 in North Dakota. I moved to Johnson City, Tennessee, at the age of ten, where I attended high school. I earned my B.A. from Vanderbilt University in Nashville and my Bachelor of Divinity degree from Drew University in Madison, New Jersey. Soon after, I became the campus Methodist minister at the University of Chattanooga (now the University of Tennessee at Chattanooga).
3. In 1970, I moved to North Carolina. Although my work has required me to travel frequently, I have lived in North Carolina for nearly 45 years.
4. From 1974 to 1984, I lived in Greensboro and worked at Guilford College as the Director of Student Activities.
5. In 1985, I moved to Raleigh. I have been involved in political and civic engagement efforts in Raleigh for the past 30 years. I have worked on several non-partisan issue campaigns, including the campaign against Amendment 1 in May of 2012, and for non-partisan organizations, such as Democracy NC. I frequently work on political campaigns, both in my personal capacity, and as a member of the Democratic Party and an officer of the Democratic Precinct 01-14 in Wake County.
6. My voting related experience involves extensive voter education and get-out-the-vote (GOTV) efforts. I have spent countless hours canvassing my neighborhood (the historic Oakwood neighborhood near downtown Raleigh) and others around the county. Canvassing involves walking door-to-door, talking to voters about the voting process, and answering any questions they may have. I have provided transportation to voters that I meet during

door-to-door canvassing if they mention that they lack access to transportation. I have also regularly been present at the polls during Early Voting and on Election Day to greet and engage voters in my neighborhood as well as the predominantly African American neighborhoods of South East Raleigh and Chavis Heights, and polling places at Wake Tech, Tarboro Community Center and Chavis Community Center.

7. My decades of experience in voting-related activities have made evident to me how detrimental the changes in North Carolina's election laws will be to voters.
8. From all of my communications with voters, I am convinced that voters are highly dependent on having a wide window of Early Voting available to them. Since North Carolina made Early Voting available in 2007, it has become a significant part of my GOTV efforts, and particularly popular in the African American community. In the past I have done door-to-door canvassing in my precinct leading up to elections to encourage people to vote or to support particular amendments on the ballot. I distributed written polling place information and recommended early voting to registered voters and same day registration for those who were not yet registered.
9. Voters I have spoken to at polling stations who have difficulty taking time off from hourly wage jobs have expressed their dependence on the Early Voting period because of the greater flexibility in polling location and the shorter lines. Based on my experience and conversations with other voters, I do not think that extending polling place hours over fewer days will provide the same opportunity for hourly wage employees because of a preference for voting on weekend days, during lunch, or immediately before or after work.
10. Same day registration (SDR) has also been a powerful tool in enabling increases in voter participation. Many voters I have encouraged to go to the polls and vote would not have been allowed to cast a regular ballot without SDR. For example, in 2012, I assisted ex-

offenders to register to vote once they had regained their voting rights. Many did not realize that they had been removed from the rolls upon conviction and would not have been able to vote without the opportunity to re-register during SDR. When I have done canvassing, I also recall a number of people saying that they had not voted before, but would like to and planned to take advantage of same day registration.

11. My professional experience in election administration also underpins my concerns that House Bill 589 will be devastating to North Carolina voters. From 1993 to 2002, I worked as an elections officer for several international organizations to assist new democracies in designing and administering a legitimate, safely-run, and widely-available democratic election process.

- a. In 1993, I worked as an elections officer with the United Nations (UN) as it prepared to conduct Cambodia's first democratic election. As a part of a UN electoral team, we travelled to Cambodia and set up, from scratch, the whole electoral system. At the time, Cambodia had no system of voter registration. We had to start from the beginning, explaining to everyone, for example, what political parties are, what ballots are, and how ballots are used. We had to survey the number of voters located in different areas of the country so as to ensure we had enough resources deployed to the right locations. I trained and supervised teams of locals to go out and do voter education. I handled the ballot distribution for a large section of the country. When former Khmer Rouge members threatened to disrupt the elections, I participated in planning new strategies to consolidate and protect polling stations. After the election, I was responsible for receiving and safeguarding the ballot boxes and ensuring that the ballots were counted correctly. The voting experience in Cambodia was heavily community based. Whole towns would come en masse to a polling

station and would camp out overnight to exercise their right to vote. It was an amazing example, to me, of the social and cultural importance often associated with voting in person and with your community.

- b. My next deployment was to Mozambique in 1995, where I advised Mozambican district government officials on election administration, and I trained officials and community members to do voter education. I trained, supervised and deployed a contingent of international observers for the days of the election. As in Cambodia, whole villages walked great distances to the polls in order to cast their votes together.
- c. From 1996 to 1998, after the Dayton Accords, I spent two years in Bosnia working with the Organization for Security and Cooperation in Europe (OSCE) to implement and oversee the first democratic elections of the new government. As Chief Election Officer, I supervised district election officers and I was responsible for implementing a system that used tendered ballots, similar to the provisional ballots we use here in the United States. In Bosnia, when a voter at the polling station could not be clearly identified or confirmed to be a registered voter, he or she would submit a tendered ballot. After the election, I supervised a group of information specialists to do follow up with computer searches to determine whether the voter could validly cast a ballot. If so, the voter's tendered ballot would be counted. The goal was always to ensure that the vote of every eligible voter was counted, and I think we did a good job of qualifying (counting) a significant portion of legally-cast tendered ballots.
- d. In 1999, I spent a year working for the International Foundation for Electoral Systems (IFES), a non-governmental organization based in Washington, DC. IFES is funded through the U.S. Agency for International Development (USAID) and works

closely with the UN and the OSCE to either run elections in other countries or to advise other countries on their election processes. I was based in the Republic of Georgia (a country formerly part of the Soviet Union), on behalf of IFES where IFES was responsible for advising the Georgian Election Commission in revising its former Soviet election system into one that reflected laws, rules, and procedures based on internationally accepted standards for elections all over the world. To eliminate the potential for voter fraud, we tried to design an electoral system that had checks against multiple balloting to eliminate the potential for voter fraud. We advised the Georgian parliament to adopt laws that would ensure that the Electoral Commission was honest and non-corrupt, and to reform the country's electoral system as a whole. I administered the IFES funding of ballot production and ballot integrity. I also administered an IFES program for providing a country-wide voter education system in which we trained 200 local staff to deploy to do voter education work. I was also responsible for training election and governmental officials on election administration.

- e. My final assignment was in Kosovo, where the OSCE was tasked with administering the first free and fair democratic elections in 2001. I was Planning and Budget Officer for the Election Division of the Mission to Kosovo. Because of my previous experience with elections in other countries, I was assigned to help write the electoral handbook for staff at local polling stations to standardize the procedures for all polling stations.

12. I have a deep understanding of the requirements and international guidelines for running legitimate, safe, and fair elections. I am confident that in the United States, including in North Carolina, we run the most secure elections in the world. Our system is a clear,

organized, and rule based system, with voter registration, updated voter lists, and regular poll worker training. I believe this is why voters have high levels of confidence in our elections and there are extraordinarily low incidents of voter fraud. There are a number of ways to ensure election integrity, and *none* of the new provisions in North Carolina law were necessarily to “protect the integrity” of our state elections. With our settled bureaucratic structures here in the United States, and the easy availability of technology and information, there is simply no reason to require picture identification from voters, to shorten the registration period, or to eliminate same day registration for voters. Fraud is already being prevented.

13. I am also very familiar with the efforts required to educate an electorate. Whenever you change how elections are run, there is a massive amount of voter education that must be done. Voter education and ballot education are an ongoing process of engaging and educating voters. Voter education, if it is to be effective at all, must be reiterated many times and done in as many different ways as possible: TV ads, radio ads, community meetings, education of political parties, posters, and trainings. The consequences of inadequate voter education are devastating, primarily on election turnout. In my experience, there are more concerns about the legitimacy of an election when turnout is low or when votes are cast incorrectly (i.e., trying to vote straight ticket even though that is no longer allowed under North Carolina law) than concerns of voter impersonation.
14. I believe that there has not been an adequate amount of funding or attention to voter education on any of the new changes encompassed by House Bill 589. The changes wrought by the law are expansive, and the education efforts, to date, narrow or nearly non-existent. Voters and potential voters need ongoing education on election participation. In canvassing, I have spoken with many people who need to be told about or reminded of the

polling place locations and opening times in their precinct, and reminded to vote in local elections. Recently, in registering voters, I have found that many people are confused about the changes that have been made to voting in North Carolina, such as whether IDs are required, when early voting will happen, whether students can vote, and other issues they have heard about. Official mailings from the State Board of Elections are necessary, but must be supplemented by the work of political parties and organizations to make sure that all voters are informed and prepared to vote. The integrity of North Carolina elections will suffer greatly if these changes are implemented without proper voter education efforts being conducted prior to implementation.

15. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

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

Executed on this 24<sup>th</sup> day of April, 2014.

  
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Hugh Stohler