

## EXHIBIT 18

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE GEORGIA SENATE BILL 202	Master Case No.: 1:21-MI-55555-JPB
<p>SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, <i>et al.</i>,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>BRIAN KEMP, Governor of the State of Georgia, in his official capacity, <i>et al.</i>,</p> <p style="text-align: center;"><i>Defendants,</i></p> <p>REPUBLICAN NATIONAL COMMITTEE, <i>et al.</i>,</p> <p style="text-align: center;"><i>Intervenor-Defendants.</i></p>	Civil Action No.: 1:21- cv-01284-JPB

**DECLARATION OF JACQUELINE WILEY IN SUPPORT OF AME  
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

My name is Jacqueline Wiley. I am over the age of 21 and fully competent to make this declaration. Under penalty of perjury, I declare the following based upon my personal knowledge:

1. I currently live in DeKalb County, Georgia. My son, Donald Wiley, and I are registered voters in DeKalb County. He is 45 years old and has been registered in DeKalb County since he was 18. I have been registered in DeKalb County since I was 21. We are members of The Arc Georgia. My son and I strive to vote in every election.

2. I live with my son who has cerebral palsy which substantially impacts his major life activities. He needs assistance to vote, whether by absentee ballot or in person. He uses a power wheelchair, and when he votes in person, I sometimes need to assist him with navigating up to the machine. He also has some motor control issues with his hands, which can make it difficult to correctly hit buttons on voting machines and to carefully fill out absentee ballots. If he is voting in person, I sometimes help him make his selections on the voting machines, and I help him mark his ballot if he is voting absentee.

3. We prefer to vote in person because we want to make sure our ballots are counted on time. However, we voted absentee in 2021 because of concerns about COVID-19. In the future, we would like to vote in person when possible and maintain the option of voting absentee. My son is in a wheelchair and I use a cane, so I am worried that Senate Bill 202's prohibitions on food and water assistance will make waiting in a line worse. My son also has acid reflux and sometimes quickly needs water to handle this condition; if we did not have access to water while in line, we would have to leave the line.

4. I am concerned that with the new law, a lot of people with disabilities will not vote. The school Donald used to attend would help voting-eligible students in the voting process

but now I'm not sure they would provide that assistance anymore under the new law. I am also concerned that students won't be able to fill out all the paperwork themselves, and that they won't be physically able to go vote with the restrictions on food and water in long lines.

5. In November 2022 my son and I voted absentee. We would have preferred to vote in person, but we had concerns about the changes to the rules about waiting in line under the new law. As a parent of a voter with a disability, I am concerned that the inability to receive water or food while in line is a sign that the disabled community and those who support them are being ignored by politicians. I feel like I never hear politicians mention the needs of disabled people like my son, and this law is another sign that the disabled community is not being recognized by elected leaders. If my son or another disabled person needs water to take medicine, or if they start coughing in line, I feel it should not be illegal for water to be provided. I know other parents of disabled voters who feel they can no longer risk voting in person, and who feel, like I do, disgusted that the state is making it harder for disabled people to vote.

6. Prior to deciding to vote absentee in 2022, I visited my polling location during early voting to see if the layout would be accessible to my son in his power wheelchair. When I arrived, I saw that there was a long line, with no separate line for disabled voters, and that once inside the building, it was very crowded. I knew it would be difficult for my son to navigate through the crowds. There was a sign at the front of the line mentioning assistance for people with disabilities, but the crowd of the line meant you could not see it easily. As a result, there was no separate line formed for people with disabilities. I told the poll worker there I would not be able to bring my son to vote because the current set-up did not allow space for a power wheelchair to get through. We'd want to go in person to vote if we could, but feel too concerned about the accessibility issues we might face in doing so.

7. I assisted my son in filling out his absentee ballot in November 2022 by selecting the choices he communicated to me. I signed the ballot as his assistor, noting that I was his mother. I returned his ballot and my absentee ballot by dropping them off at the drop box inside our polling location. I chose the drop box because it is a safer and more convenient option to vote without dealing with long lines or last-minute changes to polling locations. I went without my son because although he would have liked to deposit his own ballot, it was going to be too difficult for him to exit our vehicle and navigate inside the building. I was glad we made that decision because when I went inside, I noticed that the front room where the drop box was located was very narrow and it would have been tight for my son or someone else using a walker or wheelchair to navigate and difficult to maneuver past the other people there. The room with the drop box was crowded with people, which would make it hard for my son to navigate. If the drop box had been located outside, he could have deposited his ballot himself. I want the state to make the drop box location available to people with disabilities to vote by themselves and hope they eventually make this change.

8. My son and I voted in the December 6 runoff election by depositing our absentee ballots in the drop box. I went inside and deposited our ballots because the hallway to the drop box was so narrow and inconvenient for him as a voter with a disability.

9. I, along with other family members of individuals with disabilities, feel that politicians do not speak about the community of people with disabilities enough, and it is very important for my son to exercise his right to vote to make sure that politicians pay attention to the issues that affect him. Under the new law, the drop box program is not accessible to my son. I am extremely concerned about people with disabilities who need assistance to vote and who do not have a family member available to assist them, and what they will do in order to vote

in the future. I am concerned that the new law prevents people like me from offering simple assistance that helps enable people like my son to have their voices heard and I think it is not right that people could go to jail for helping with voting. It feels like the state does not think about us as people with disabilities at all when they pass laws like this. I hope that the state will hear us and recognize that we exist and change these laws so that voters in the disabled population will feel like they can vote.

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

Executed on

May 15, 2023 by Jacqueline H. Wiley

## EXHIBIT 8



**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE GEORGIA SENATE BILL 202	Master Case No.: 1:21-MI-55555-JPB
<p>SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, <i>et al.</i>,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>BRIAN KEMP, Governor of the State of Georgia, in his official capacity, <i>et al.</i>,</p> <p style="text-align: center;"><i>Defendants,</i></p> <p>REPUBLICAN NATIONAL COMMITTEE, <i>et al.</i>,</p> <p style="text-align: center;"><i>Intervenor-Defendants.</i></p>	Civil Action No.: 1:21- cv-01284-JPB

**DECLARATION OF WENDELL HALSELL IN SUPPORT OF AME  
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

**DECLARATION OF WENDELL HALSELL**  
**(pursuant to 28 U.S.C. § 1746)**

My name is Wendell Halsell. I am over the age of 21 and fully competent to make this declaration. Under penalty of perjury, I declare the following based upon my personal knowledge:

1. I currently live in Lithonia in DeKalb County, Georgia. I have been a Georgia voter for over 30 years.
2. I am 65 years old and African American.
3. I am permanently disabled because I have lost the use of my right leg. This makes it extremely difficult for me to stand for any period of time and to walk far. I also experience breathing problems, and I have early stage COPD.
4. I voted in person on Election Day in the May 2022 primary elections because by the time I tried to request my absentee ballot, the deadline had already passed for its return. Ultimately, I had to be driven to the polling place by my nephew since I prefer not to drive myself due to my disabilities. My polling place was New Birth Missionary Church in DeKalb County.
5. I expected the voting area to be near the church's entrance as it had been in years past. Before, if you parked in handicapped parking, the polling location was located directly next to the entrance ramp, but this year was different. Instead, I had to walk what felt like nearly a half mile to access the voting area. The trip, once I was already inside the building, required me to use a walker and take multiple breaks for rest along the way. I had recently had two heart procedures and walking this distance to access the polling place was very difficult. Fortunately, another voter saw I was struggling and pushed me on my walker the rest of the way toward the

voting area. My nephew had been waiting in the vehicle because I had no idea that the walk into the polling place would be so difficult this time. Before, I remember the process being much more easily accessible so I did not expect to need his assistance.

6. In the November 2022 general election, I tried again to vote absentee. I applied for an absentee ballot online around August 28. Later, I received an absentee ballot in the mail.

7. I voted via dropbox in November 2022 and December 2022 because sending mail is nearly impossible for me. There are no mail boxes near me. And, I live in a condo where there is no way to notify the postman that I have a letter to go out unless I actually see him. My mailbox does not fit large envelopes, so I am forced to leave the envelope beside or on top of the mailbox and hope the postal worker picks it up. The mail man usually won't even come to my mailbox if he doesn't have mail for me.

8. My nephew drove me to the dropbox located on Memorial Drive in DeKalb County. The voting location is about 8-9 miles from my house. The box was not located outside, so one of my nephews helped me out of my car and then stayed in the car. I had gone in with the intention of simply dropping it in the dropbox outside and didn't realize the dropbox would be located inside. I thought I would just be able to pull up and stay inside the vehicle sitting in the passenger side and deposit my ballot from the passenger window of the vehicle. I was under the assumption I needed to return my ballot myself; no one has given me information about who can return my ballot and with the confusing rules about getting help with absentee ballots I would be nervous about asking my nephew to do something that might be illegal. Also, although my nephew might have been able to put my ballot in the dropbox, it is important to me to see that my vote is being cast.

9. I had to have someone assist me up a ramp to get into the building. I found this

process very exhausting. When I got into the building, I needed several minutes to recuperate. One of the workers there gave me a chair to sit in to recover, but told me they couldn't offer me any water because it's illegal.


10. I cast my ballot at the dropbox inside the building, but the exhausting experience made me wonder, "What is the point of voting absentee if I have to do all of this?" Using mail is not a better option for me because of all the obstacles I described before. In the December 2022 runoff election, I voted via absentee ballot and again returned it to a dropbox. Again, the process did not go well at all. Because the dropbox is no longer outside, I wondered again what the purpose is of voting absentee at all. I had to park, get out, and go inside the polling place. Again, it was difficult for me to do that, and again, the poll workers could not provide water. I don't understand how this is even absentee voting, and I wish I could have voted with the convenience of the dropbox process like other voters, who don't have disabilities. I was deprived of the convenience of using the dropbox as a disabled person because of the way it has been implemented.

11. I came up through the civil rights movement. I spent my summers with family in Alabama and remember being served out of the back window because we were not allowed to enter the front door.

12. My vote matters. My vote is how I help impact who is in power and what policies are put in place. Voting is something I talk about with all the young people in my life. I help them register. I help them understand the importance of exercising this right. I know my ability to vote shouldn't be compromised as a result of my disabilities or age.

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

Executed on 4/28 2023 ~~10/24~~

  
WENDELL HAYSELL

## EXHIBIT 7

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE GEORGIA SENATE BILL 202	Master Case No.: 1:21-MI-55555-JPB
<p>SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, <i>et al.</i>,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>BRIAN KEMP, Governor of the State of Georgia, in his official capacity, <i>et al.</i>,</p> <p style="text-align: center;"><i>Defendants,</i></p> <p>REPUBLICAN NATIONAL COMMITTEE, <i>et al.</i>,</p> <p style="text-align: center;"><i>Intervenor-Defendants.</i></p>	Civil Action No.: 1:21- cv-01284-JPB

**DECLARATION OF SUZANNE “ZAN” THORNTON IN SUPPORT OF  
AME PLAINTIFFS’ MOTION FOR A PRELIMINARY INJUNCTION**

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

1. I, Suzanne “Zan” Thornton, am over the age of 21 and fully competent to make this declaration. Under penalty of perjury, I declare the following based upon my personal knowledge:

**Background about ADAPT**

2. I am a resident of DeKalb County, Georgia. I am the Co-Chair of the Executive Board of Georgia ADAPT.
3. I’m a veteran of the 401st Chemical Corps, where I served in the reserves from 1982-88. I have a degree in social work from Georgia State University, and a degree in interpreting for the Deaf. I was also certified as an addiction counselor and I worked as an addiction counselor for Deaf and hard-of-hearing individuals. I have training and certifications in nonviolence training, including how to communicate effectively and to deescalate situations.
4. Georgia ADAPT is a nonpartisan, statewide disability rights organization, that is fiscally sponsored by the Fund for Southern Communities and the New Disabled South.
5. Georgia ADAPT’s mission includes two primary aims: 1) to use civil resistance and principled nonviolence to end institutional bias against Georgians with disabilities, and 2) to empower the disability community by encouraging use of their voice and vote, as well as to educate candidates about how to reach and serve the disability community.
6. Georgia ADAPT’s members are people who share our values and support our mission. We do not charge dues or membership fees to be a part of Georgia ADAPT. We stay in touch with members via emails and our members attend our rallies and events.

**ADAPT’s Election Activities Before S.B. 202**

7. Prior to the passage of S.B. 202, ADAPT spent about 80 percent of our time helping Georgians with disabilities get access to Medicaid services through federal Medicaid Waivers to help them get out of nursing facilities and other institutions and live in the community with the supports they need. The



remainder of our time (about 20 percent) was spent on election-related activities.

8. For our election-related work, we helped people with absentee ballot applications by providing sign language interpretation for Deaf voters who may not read, write, or understand English well, and supporting blind voters by reading the application and describing the colored envelopes to them. We also educated voters with disabilities and volunteers about the voting process as well as services ADAPT could provide, through Facebook, other social media, and press coverage.
9. We would arrange or provide rides to the polls through a Roll to the Polls program, and our Native 2 Natives with Disabilities program. We used to provide people waiting in line with snacks, water, and personal protective equipment. Since I and some of our volunteers are wheelchair users, we were easily able to carry food and water to offer to people when the lines were long. We also sometimes provided limited seating. This program also sometimes transported people to drop off their absentee ballots in a drop box during the 2020 election cycle. In the January 2021 runoff, we had about five people offering this service.

### **Impact of S.B. 202 on ADAPT's Members and Election Activities**

10. S.B. 202 was passed without consideration for the effect on people with disabilities, which I found to be incredibly frustrating. I was supposed to testify at the hearings, as a person with disabilities and as a veteran, but the process was so rushed that I wasn't able to. So legislators who voted on the bill didn't even get to hear from the people who would be harmed by the changes they were putting into place.
11. Since S.B. 202 passed, we put more energy in getting rides to the polls and helping people drop off absentee ballots. Now, about 80 percent of Georgia ADAPT's energy and time goes to getting people to the polls, helping them request and receive their absentee ballots, and then following up if they don't get their absentee ballots. Prior to S.B. 202, we would receive about 200 calls in a major election cycle and provide about 150 rides. In 2022, after S.B. 202 passed, we received about 2000 calls, and provided about 788 rides between the primary, the general election, and then the runoff, including over about 450 rides for the runoff alone. In our experience, many

people with disabilities have been very worried about new absentee voting requirements and have decided to vote in person as a result.

12. Because of the demand for rides, we had to apply for more grant funding to rent wheelchair accessible vans. We also had to increase the number of volunteer and paid drivers to take people to the polls, which means recruiting, training, and managing a large number of people. In 2022, we had about 32 volunteers, including drivers and attendants who could help people who need more than just transportation, but also need help to get down stairs to get their ride, for example. In my experience, no other organizations in Georgia provide this type of assistance for voters with disabilities.
13. One reason our service is so valuable is that public transportation options are not timely or accessible for voters with disabilities. Public transportation is virtually nonexistent in some places and the paratransit service provided by the Metropolitan Atlanta Rapid Transit Authority (MARTA) has to be reserved in advance, sometimes even weeks in advance. For voting in person or dropping off an absentee ballot, these are not practical or feasible options for many people with disabilities. For example, if people have to wait in line, it is difficult or impossible to predict when to schedule a return ride home using paratransit. For people who need attendants or interpreters, we can stay with them in line which is something that other groups or services cannot do. And if someone gets a ride to their polling place, and it turns out to be the wrong polling place, they have no way of getting a ride to the correct location.
14. Part of the change to our work has been that we, and our volunteers, need to understand the restrictive new rules in S.B. 202. For example, since volunteers cannot provide food, water, or seats while voters are waiting in line, they must be trained not to violate the law if they are assisting a voter with a disability.
15. Another difficulty we have faced is that the cumulative effect of the new rules has increased our workload. For example, because of the compressed runoff period, we have less time to schedule rides in each location, whereas previously, we could plan to be in a geographic area for a few days during early voting and schedule rides over that time. People have gotten confused about new absentee ballot rules and timelines, or didn't have or couldn't get

proper ID, and have ended up needing our support to vote in person, which meant we have needed to provide more rides to the polls.

16. Also, when drop boxes were outside and available 24/7, voters with disabilities could get a ride to drop off their ballot or have a family member drop it off. Now, some of those people are forced to vote in person, which has made the lines and wait times longer and strains our volunteer capacity. Some of the people we assist require a lot of help to get into and out of the van, and also to navigate the polling place and voting equipment. Sometimes, we have had to educate poll workers and also make sure that the voter gets the help they need with voting equipment at the polling place. We had to take one 93-year-old woman who used a wheelchair to three polling places because her polling place had changed. No one else could drive her because she needed assistance getting from inside her house to the van. We had to provide a lot of advocacy and assistance to make sure she was able to cast her ballot.
17. A big problem is that people didn't receive their absentee ballots and now have less time to request another one so they are forced to vote in person, even though the reason they prefer to vote absentee is because of the barriers they face getting to and waiting at the polls. We are aware of at least 15-20 people who we helped get to the polls to vote in person because of this. We assisted a voter who was taking care of her mother out of state. She doesn't drive because of her disabilities and she was determined to vote, so she took the bus from North Carolina back to Fulton County, where we picked her up and drove her to her polling place. She voted, got back on the bus, went back to see her mom, and the ballot never came.
18. We worked with one woman who lived in Savannah. She applied for, but didn't receive her absentee ballot and didn't have time to request another one, so she was forced to vote in person. Unfortunately, her parents work so they have limited time to take her to the polls. For her to vote in person, they would have to pick her up, get her in the car, fold her wheelchair, take her to the polling place, assist her out of the car, and wait for her to vote. Because her parents were unable to take her, ADAPT was asked to take her to vote and provide the assistance she needed.
19. During the 2022 runoff, I went to a polling place on Memorial Drive in DeKalb County where the disability line was one and one-half hours long.

One of the people we were transporting has diabetes but because she was not in a wheelchair, she was not permitted to go to the front of the line. We were not permitted to give her any food or water or a chair while she was in line, which concerned me a lot. If she had had a medical crisis, we would have been forced to break the law in order to do the right thing and assist her.

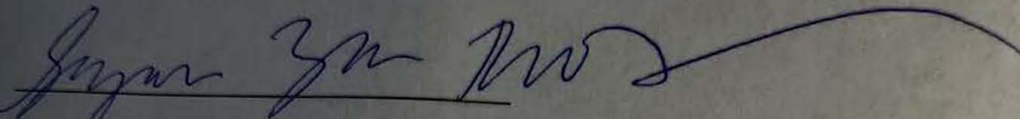
20. Another concern I had that day was that I saw people leave because they didn't want to or couldn't wait that long. I saw at least four people walk away. When I encouraged them to stay, they said, "the line is too long, it's too hard."
21. In addition, the line went out the door, and so people who wanted to drop off their absentee ballot waited in line and didn't know to go inside and drop it off, because the line blocked the door, and the drop box for absentee ballots is inside. There was not much room for people in wheelchairs and people who wanted or needed to pass by. If the drop box were outside like it used to be, there would not be an access problem and the line would have been much shorter.
22. Since S.B. 202 passed, we have also stopped providing some services that we used to provide. We no longer help people apply for absentee ballots. Before S.B. 202, we helped people apply for absentee ballots, especially voters who are Deaf or who have vision impairments. Now, because of the potential punishment for unauthorized ballot assistance and the confusing rules about who can assist and when, we do not provide ballot assistance and refer those individuals to other organizations instead. We have also started to refer people to Georgia Advocacy Office if they have questions that we feel need to be answered by a lawyer, since the rules are now much more complicated and we do not understand all of the legal requirements. This means fewer voters with disabilities can receive assistance because fewer organizations are equipped to help them.
23. We also changed our policy to no longer do anything involving touching an absentee ballot. Prior to S.B. 202, we would transport a disabled voter to a drop box and place the ballot in the drop box for them. Now, we will only help them out of the car or van, push their wheelchair to the drop box, and have them insert it. This requires a lot more time and effort for our volunteers and voters. We are aware of at least five people who were not able to use the drop boxes now that they are inside and are no longer

accessible for people who don't have someone to help them drop off their ballot.

24. We no longer provide line relief—meaning giving people food, water, and chairs while they wait. Instead, we can only offer people these items while they are in our van. We have also had to discontinue some of our voter education work, since our ride service takes up so much of our capacity.
25. Since S.B. 202 was passed, there are activities that are a priority for Georgia ADAPT that we have not been able to engage in because of our focus on election work. Normally, we would be doing work to remove the institutional bias in Medicaid and the services that people with disabilities need to live at home. But we have not been able to be in Washington D.C. doing that grassroots lobbying work. There is a bill that we want to be lobbying for in Congress but we haven't been able to because we don't have the capacity.
26. If S.B. 202 were to be enjoined, we would have more capacity to return to our work of helping Georgians with disabilities live in their own homes. We would not have to spend so much of our time offering rides to the polls if people were able to use the absentee ballot process without so much confusion and so many barriers. If they could access drop boxes independently, or have a family member drop off their ballot after hours, we would not have to take those people to the polls to vote in person, or take them to the indoor drop boxes, which now involves helping them out of our vehicle and assisting them to drop off their own ballot.

I declare under penalty of perjury that the statements above are true.

This the 5 day of MAY, 2023.

A handwritten signature in blue ink, appearing to read 'Suzanne Zan Thornton', written over a horizontal line.

Suzanne "Zan" Thornton

## EXHIBIT 6



**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE GEORGIA SENATE BILL 202	Master Case No.: 1:21-MI-55555-JPB
<p>SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, <i>et al.</i>,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>BRIAN KEMP, Governor of the State of Georgia, in his official capacity, <i>et al.</i>,</p> <p style="text-align: center;"><i>Defendants,</i></p> <p>REPUBLICAN NATIONAL COMMITTEE, <i>et al.</i>,</p> <p style="text-align: center;"><i>Intervenor-Defendants.</i></p>	Civil Action No.: 1:21- cv-01284-JPB

**DECLARATION OF MATT HARGROVES IN SUPPORT OF AME  
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**



**DECLARATION OF MATT HARGROVES**  
**(pursuant to 28 U.S.C. § 1746)**

My name is Matt Hargroves. I am over the age of 21 and fully competent to make this declaration. Under penalty of perjury, I declare the following based upon my personal knowledge:

1. I currently live in Athens in Athens-Clarke County, Georgia, and am a registered to vote here.
3. I am 32 years old and white.
4. I am a staff member at the Athens Area Homeless Shelter. I work with clients experiencing homelessness.
5. I would estimate that over 90% of our clients are experiencing some sort of physical or mental disability, although some of these are undiagnosed.
6. Almost all of our clients lack a reliable means of transportation.
7. Because of this lack of transportation, many of their disabilities, and other barriers, voting in person is often difficult or impossible for our clients. Many of them must vote absentee if they want to vote at all.
8. Our staff has helped clients get registered to vote in the past and get their free voter identification cards.

9. I did not learn of restrictions on who could return ballots until after the passage of S.B. 202.

10. If the law were changed to decriminalize assistance, I would be willing to bring applications and completed ballots for my clients facing various obstacles to vote, including disabilities and lack of access to transportation. Specifically, I would be willing to bring blank ballot applications to the shelter and return completed applications and ballots via drop box.

11. I believe that assisting our clients in voting is a part of our role in helping them fully participate in society and exercise their rights.

Since the passage of S.B. 202, staff members do not assist clients with absentee ballots, including bring them blank applications and returning completed applications and ballots because our understanding is that we may not handle those ballots.

12. Many of these clients do not have regular contact with their families.

13. Most of our clients do not have someone who helps them with personal or medical care. We have not been informed of who qualifies as a caregiver and whether we as staff would be considered a caregiver so that we could assist with absentee ballots without being afraid of

prosecution. Without knowing who counts as a caregiver, staff cannot take the risk of helping clients with their absentee ballots.

14. Without transportation or the ability for staff members to drop off their ballots, many of our clients will be unable to vote.

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

Executed on this 10<sup>th</sup> day of May, 2023



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Matt Hargroves

## EXHIBIT 5A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE GEORGIA SENATE BILL 202	Master Case No.: 1:21-MI-55555-JPB
<p>SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, <i>et al.</i>,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>BRIAN KEMP, Governor of the State of Georgia, in his official capacity, <i>et al.</i>,</p> <p style="text-align: center;"><i>Defendants,</i></p> <p>REPUBLICAN NATIONAL COMMITTEE, <i>et al.</i>,</p> <p style="text-align: center;"><i>Intervenor-Defendants.</i></p>	Civil Action No.: 1:21- cv-01284-JPB

**DECLARATION OF DEVON ORLAND IN SUPPORT OF AME  
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

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

1. I, Devon Orland,<sup>1</sup> am over the age of 21 and fully competent to make this declaration. Under penalty of perjury, I declare the following based upon my personal knowledge:

**Background on Georgia Advocacy Office (GAO)**

2. I have been the Litigation Director at Georgia Advocacy Office (“GAO”) since May 2017. In this role, I lead the legislative and educational teams and work with our program managers to facilitate legal issues, set priorities, and determine workload and case load. I work closely with our Executive Director in ensuring GAO carries out activities in conformity with applicable laws, regulations, grants and contractual requirements, and for ensuring that the organization is responsive to the advocacy needs of people with disabilities in Georgia. I am an attorney, licensed to practice in Georgia.
3. GAO is incorporated as a non-profit organization in the State of Georgia.
4. GAO has been designated by the State of Georgia since 1977 as the State’s protection and advocacy system (“P&A”) to protect the legal and human rights of individuals with disabilities in the state of Georgia. This designation is currently pursuant to the Protection and Advocacy for Individuals with Mental Illness Act (“PAIMI”), 42 U.S.C. § 10801 et seq., the Developmental Disabilities Assistance and Bill of Rights Act of 2000, 42 U.S.C. § 15041 et seq., and the Protection and Advocacy for Individual Rights Program of the Rehabilitation Act, 29 U.S.C. § 794e.
5. As the designated P&A, GAO is authorized to pursue administrative, legal, and other appropriate remedies to protect and advocate for the legal rights of individuals with disabilities and to redress incidents of discrimination in the state. Central to our mission is empowering Georgians with disabilities to participate fully and independently as active and engaged citizens. GAO has the authority to prosecute actions in its own name and on behalf of its constituents. 42 U.S.C. § 15043(a)(2)(A)(i).
6. GAO’s constituents are residents of Georgia with disabilities, as that population is defined by federal and/or state law.

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<sup>1</sup> Legally my full name is Devon Orland Christopher, but professionally I use Devon Orland.

7. GAO represents the interests of, and is accountable to, members of the Georgia disability community, and its funding is dependent on compliance with a governance structure that ensures oversight and control by the disability community.
  - a. GAO has a multi-member governing board, which is responsible for the planning, design, implementation, and functioning of the protection and advocacy system. This Board of Directors annually establishes GAO's advocacy priorities. Over 80 percent of GAO's Board of Directors are individuals with disabilities and family members of individuals with disabilities.
  - b. GAO has a statutorily mandated PAIMI Advisory Council, whose responsibility is to provide GAO with independent advice and recommendations about people with psychiatric disabilities. One hundred percent of GAO's PAIMI Advisory Council members are people with psychiatric disabilities.
  - c. GAO regularly seeks public input on the direction of its work. This information is obtained through its Board of Directors, public meetings, and the PAIMI Advisory Council, public forums, presentations, and advocacy.
  - d. Members of the disability community have the right to file grievances if they disagree with actions taken by GAO or believe they were wrongly denied services by GAO.
8. GAO has been an organizational plaintiff in a number of cases. For example:
  - *GAO v. Jackson*: In 2019, a federal district court found that GAO has associational standing on behalf of women with mental illness in a case involving jail conditions at the South Fulton Jail (*Georgia Advoc. Off. v. Jackson*, No. 1:19-CV-1634-WMR-JFK, 2019 WL 12498011, at \*2 n.1 (N.D. Ga. Sept. 23, 2019), *modified on other grounds*, No. 1:19-CV-1634-WMR-RDC, 2020 WL 1883877 (N.D. Ga. Feb. 26, 2020), and *order vacated, appeal dismissed on other grounds*, 4 F.4th 1200 (11th Cir. 2021), *vacated on other grounds*, 33 F.4th 1325 (11th Cir. 2022)).
  - *GAO v. State of Georgia*: GAO's assertion of associational standing has not been challenged in a lawsuit filed in 2017 involving students with disabilities being placed in segregated educational settings. The court denied Defendants' motion to dismiss and subsequent motion for

judgment on the pleadings on other grounds and the case is ongoing. Case No. 1:17-CV-3999-MLB (N.D. Ga.).

- *GAO v. Reese*: In a case filed in 2015, GAO was granted summary judgment and permanent injunction against Defendant Department of Community Health for failure to provide mental health records pursuant to GAO access authority. GAO's standing was not challenged. Case No. 1:15-cv-03372 (N.D. Ga.).

## **GAO's Voting Work**

9. GAO is the designated agency in Georgia to receive an annual grant, called Protection and Advocacy for Voting Access ("PAVA") pursuant to the Help America Vote Act ("HAVA"), requiring GAO to promote access and engagement in the electoral process for voters with disabilities. Based on our work under this grant, we know that our constituents have an interest in voting as a way to elevate their political interests and take a role in their communities. They are uniquely impacted by many laws that affect their ability to live independently and access education, among other rights, and they understand that their vote matters to their priorities. Our constituents frequently express an interest in voting and concerns about barriers in the voting process. GAO's current workplan goals for the PAVA program are:
  - a. To ensure full participation in the electoral process for individuals with disabilities.
  - b. To train and educate election officials, poll workers, , and service providers regarding the rights of voters with disabilities and best practices in supporting individuals with disabilities.
  - c. To provide education, training, and assistance to individuals with disabilities, promoting participation in the electoral and complaint processes, self-advocacy, and self-determination.
10. GAO's constituents for our voting program include all voters with disabilities throughout Georgia, including people who are in institutions, such as nursing facilities, psychiatric hospitals, group homes, and other congregate settings.
11. GAO participates in this action on behalf of its constituents who are qualified voters with disabilities throughout the state, pursuant to the Americans with Disabilities Act.



12. Ensuring and promoting access to voting by people with disabilities is germane to GAO's purpose and is directly in keeping with GAO's overarching purpose: the protection of, and advocacy for, the rights of Georgians with disabilities.
13. GAO's funding for its voting work comes, in large part, from the federal PAVA grant. Under this formula grant, GAO receives a set amount of funding each year to conduct voting advocacy. This grant is relatively small but enables us to employ a PAVA Coordinator who also has other, nonvoting, responsibilities, and enables us to allocate PAVA funds to our advocates who work on voting, as well as other issues. We do not have anyone working full-time on PAVA or other voting work. We do not generate income under this grant. Time spent by our staff on one voting issue, such as assisting people to navigate the changes in voting due to Senate Bill 202 directly diminishes the time that can be spent on other work.
14. Prior to the passage of Senate Bill 202, GAO's PAVA work was specifically geared towards protecting the disability vote using a combination of supporting self-advocacy, citizen involvement, staff advocacy, and legal advocacy to protect and advocate for the rights of Georgians with disabilities. Among other efforts during the absentee voting period, early voting and on Election Day, GAO has:
  - a. Educated voters with disabilities about their rights in the voting process through webinars and in-person events, often in collaboration with other non-partisan disability rights and voting organizations;
  - b. Responded to violations of voting rights of Georgians with disabilities and educated voters with disabilities, including those who are in congregate care facilities;
  - c. Conducted voter outreach to individuals in nursing facilities and psychiatric hospitals, which includes talking to residents about their rights in the voting process and providing absentee ballot applications to residents who find it challenging or impossible to vote at the polls;
  - d. Created and shared educational videos and written guidance, answered voter questions, and provided information about voting processes and voting rights to all individuals with disabilities, including people in nursing homes or psychiatric facilities;

- e. Contributed funds to Get Out the Vote programs operated by Plaintiff The Arc;
- f. Run a nonpartisan election protection hotline to support voters with disabilities who experience problems while voting and, when necessary, escalated complaints to the Secretary of State or testified before the state legislature about the problems reported by voters with disabilities; and
- g. Collaborated with the Secretary of State's office on voter education, including hosting a "We Vote Education" day in our office in which we invited voters with disabilities to try out new voting machines provided by the Georgia Secretary of State's office.

### **Impact of Senate Bill 202 on GAO's Constituents and Work**

15. GAO was aware of, and monitored, the legislative process that led to the passage of Senate Bill 202. We were concerned about its provisions affecting voters with disabilities and those who assist them, as well as the way it was rushed through the legislative process. We met with other advocacy organizations regarding concerning provisions of Senate Bill 202 and other voting bills in the same legislative session and joined with other organizations to submit comments about various proposals.
16. Senate Bill 202, and specifically the assistance and drop box provisions, have had a significant impact on the ability of Georgians with disabilities to exercise their right to vote. Specifically, they might need to rely on people other than family members to assist them with absentee ballots. We have received reports of people who could not get rides to the polls and people whose staff at their nursing facility refused to help them vote. Those barriers compound upon other new issues Senate Bill 202 created; for instance, the requirement that individuals provide an ID number to apply for an absentee ballot, or alternatively a photocopy of other documentation. This negatively impacts many people who face poverty and mobility limitations, and especially people in institutions, including group homes, nursing facilities, psychiatric hospitals, or other congregate settings.
17. In one case, a disabled individual who had previously been able to drive to a drop box and submit his absentee ballot without leaving his car was surprised in November 2022 to find that the drop box was no longer

accessible to him. He can ambulate about 10 yards, using either a manual wheelchair or a walker, but he could not see where the drop box was located, and believed that the distance to enter the building and locate the drop box would be too great for him given his mobility limitations. He asked a poll worker for assistance and was told that poll workers had been instructed not to touch anyone's ballot, so the poll worker refused to help him. He was frustrated that he was put in that situation because of the lack of disability access to the drop box. This individual is a proud voter and prefers to vote independently. He cannot rely on family, so with the limitations on assistance and the inaccessible drop boxes, he will be forced to go to great lengths to vote in person or return his absentee ballot, and possibly be disenfranchised if he is not able to overcome all of these barriers, due to his disabilities.

18. Since the passage of Senate Bill 202, our voter outreach and education work has changed significantly. Historically, this work involved educating Georgians with disabilities about their right to vote, especially people in institutions, and providing generic information about accessibility requirements. This involved conducting trainings and meeting with people to talk about the importance of voting and informing them about their right to vote even though they have a disability or live in a facility or group home. Now, the work has shifted more to educating Georgians with disabilities about how to vote, understanding the new limitations, and navigating the changed requirements in the voting process. Some of the particular impacts on people with disabilities that we try to address include navigating the absentee ballot process and difficulties getting needed assistance, and barriers in obtaining and providing copies of acceptable ID.

19. Since Senate Bill 202 was passed, GAO has:

- a. Modified and expanded our voter education program, including updating a detailed PowerPoint presentation entitled *Reminding You to Vote*. A true and correct copy of this presentation is attached hereto as Exhibit A;
- b. Spent additional time during visits to nursing homes, psychiatric facilities, and day programs to educate voters about the burdens imposed by Senate Bill 202 and assisted them in formulating and executing a plan to vote, which has reduced the amount of time our

staff can spend advising people about their other rights and monitoring conditions in those settings;

- c. Responded to reports of problems that voters with disabilities face so we can troubleshoot for the future;
- d. Hosted webinars and educational events specifically to help explain the changes to the voting process for Georgians with disabilities due to Senate Bill 202, including new ID requirements and limitations and penalties for violations of voter assistance provisions;
- e. Called nursing facilities and attempted to speak to staff about voting access and practices for assisting residents, in light of the changes in Senate Bill 202;
- f. Paid almost \$20,000 to rewrite and reshoot a pre-planned educational video and modify and expand a voting forum due to Senate Bill 202's significant changes to Georgia's voting processes for people with disabilities; and
- g. Discontinued some voter support efforts including providing absentee ballot applications to voters with disabilities, including nursing facility residents, for fear of being charged with criminal penalties.

20. In 2021, the United States Senate Committee on Rules and Administration with oversight over federal elections and campaign finance law held its first field hearing in over twenty years. The hearing was held in Atlanta, to hear testimony from witnesses about Senate Bill 202 and the need for basic federal standards to protect the freedom to vote. GAO submitted comments to the Committee, outlining several issues affecting voters with disabilities, including: new strict identification requirements for absentee ballots; reduction in time to request absentee ballots; and lack of access to drop boxes to cast their absentee ballots due to new restrictions.

#### Felony Prosecution for Ballot Return Assistance

21. With respect to the new criminal penalties for ballot return assistance contained in Senate Bill 202, the confusion and potential risks to even authorized assistors have made our work of educating voters with disabilities about their rights, and helping them get the assistance they need to vote, significantly more difficult. Specifically, Georgia Code section 21-2-568, as modified by Senate Bill 202, now provides that anyone other than a voter's

family or household member, or the “caregiver” of a voter with a disability, who knowingly “[a]ccepts an absentee ballot from an elector for delivery or return to the board of registrars ... shall be guilty of a felony.” GA Code § 21-2-568(a)(5). The term “caregiver” is not defined in the law, nor has the Secretary of State’s office provided any definition.

22. Prior to the enactment of Senate Bill 202, the same limited categories of people were authorized in state law to return the ballots of disabled voters (GA Code § 21-2-385(a)); however, our understanding of the law pre-Senate Bill 202 is that these limitations did not apply. Specifically, our understanding of Section 208 of the federal Voting Rights Act (52 U.S.C. § 10508) is that it permits voters with disabilities to use the assistor of their choice in all aspects of the voting process, including ballot return, except for their employer or union representative.
23. Two Georgia Attorney General opinions affirm that the Voting Rights Act “takes precedence” over state law restrictions on assistance for voters with disabilities, enabling us to provide information, education, and advice to voters with disabilities and those who assist them without fear that even well-intentioned assistors might face prosecution. A true and correct copy of 2016 Ga. Op. Att’y Gen. 02 (2016) is attached hereto as Exhibit B. A true and correct copy of 1984 Ga. Op. Att’y. Gen. 34 (1984) is attached hereto as Exhibit C. Our understanding of the right to voter assistance and the applicability of Section 208 with respect to state law restrictions is consistent with these opinions.
24. Since Senate Bill 202 was passed, the new felony punishment for voter assistance that is not authorized by section 21-2-385(a) will chill voters with disabilities from asking for assistance even from authorized assistors, even though Section 208 of the Voting Rights Act should still apply. It will also deter individuals otherwise willing and eligible to assist from helping people with disabilities to vote. This means that commonly chosen assistors, such as nursing facility staff, neighbors, and trusted friends, will not be asked or agree to help people with disabilities to vote. We cannot confidently assure them that they can help without fear of felony prosecution for several reasons:
  - a. First, GA Code § 21-2-568(a)(5), added in Senate Bill 202, contains no exception to felony punishment for ballot return assistance that is

permitted by federal law. The risk of potential prosecution, even if someone is ultimately exonerated, is too great. (In contrast, the pre-existing misdemeanor penalty for violation of the election code generally contains an exception, which gave us assurance that chosen assistants who were qualified pursuant to the Voting Rights Act section 208 would not be subject to prosecution. *See* Ga Code § 21-2-598 (“Except as otherwise provided by law, any person who violates any provision of this chapter shall be guilty of a misdemeanor.”))

- b. Second, Senate Bill 202 added a requirement that uniform instructions “shall include a list of authorized persons who may deliver or return the voted ballot to the board of registrars on behalf of the elector as provided in subsection (a) of Code Section 21-2-385.” GA Code § 21-2-384(b). Instructions put out by the Secretary of State on March 30, 2022 list the limited categories of authorized assistants for ballot return, without any exception, on page 6. The instructions do not define the term “caregiver.” I accessed these instructions on May 3, 2023 at: [https://sos.ga.gov/sites/default/files/forms/Absentee\\_Voting\\_In\\_Georgia\\_Rev\\_3-30-22.pdf](https://sos.ga.gov/sites/default/files/forms/Absentee_Voting_In_Georgia_Rev_3-30-22.pdf). A true and correct copy of these instructions is attached hereto as Exhibit D.
  - c. Third, Senate Bill 202 added a provision to the oath that voters must sign saying that they “will not give or transfer this ballot to any person not authorized by law to deliver or return absentee ballots.” GA Code § 21-2-384(c)(1). Without clear instructions about who is authorized to deliver or return their ballots, it adds a layer of complexity and risk that will deter people from asking for needed help to vote, or from voting at all.
25. Since Senate Bill 202 was enacted, our work has become significantly more difficult, because of the lack of information about when the state limitations on ballot return assistance do and do not apply, the failure to include exceptions in the law and in information disseminated to the public, no clear or official definition of “caregiver,” and the threat of felony punishment for violations of these requirements. The combined effect of the vague, misleading, and punitive ballot return assistance provisions of Senate Bill 202 have affected our work in ways that include:



- a. We have fielded queries and complaints from individuals who couldn't get the people of their choosing to help them vote, and have assisted them to understand and comply with the new rules;
- b. We have addressed complaints that poll workers are not well-trained and are not able or willing to assist voters with disabilities because the workers mistakenly felt it to be a violation of the law, and we have provided education to help voters and poll workers understand the rules and their rights;
- c. We have educated individual residents in nursing facilities about assistance requirements as well as steps in the absentee voting process, and helped them formulate and execute plans to vote, which means spending less time advising them about their other rights;
- d. We have discontinued informing nursing facility staff about their obligations to assist, or help find a caregiver to assist, residents in the absentee voting process because of the lack of clarity about the new rules and the potential risks; and
- e. We no longer take absentee ballot applications to residents of congregate living environments as a result of the inability to facilitate returning or mailing them.

### Drop Box Restrictions

26. With respect to Senate Bill 202's new restrictions on outdoor drop boxes, GAO is aware that many registrar's offices where drop boxes may be located are physically inaccessible, and accessible routes may be poorly marked or otherwise difficult to locate. In addition, the limitations on hours of availability of drop boxes have adversely affected voters with disabilities because of their limited access to public transportation and/or inability to get a ride during business hours.

### **Diversion of Resources Due to Senate Bill 202**

27. The time and resources GAO has expended ensuring that voters are not denied their access to the franchise because of Senate Bill 202 has directly reduced our other advocacy and will continue to do so unless there is a change in the law. These burdens have forced, and will continue to force GAO to divert resources, including employee time, effort, and attention,

from our other core activities including investigating and addressing allegations of abuse and neglect, advocating for appropriate assistive technology, and providing information and resources related to employment, inclusive education and other civil rights for Georgians with disabilities. As a result, due to Senate Bill 202, GAO is and will continue to be limited in the resources it can devote to its other core organizational goals.



I declare under penalty of perjury that the statements above are true.

This the 3rd day of May, 2023.

  
\_\_\_\_\_  
Devon Orland

## EXHIBIT 4

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE GEORGIA SENATE BILL 202	Master Case No.: 1:21-MI-55555-JPB
<p>SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, <i>et al.</i>,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>BRIAN KEMP, Governor of the State of Georgia, in his official capacity, <i>et al.</i>,</p> <p style="text-align: center;"><i>Defendants,</i></p> <p>REPUBLICAN NATIONAL COMMITTEE, <i>et al.</i>,</p> <p style="text-align: center;"><i>Intervenor-Defendants.</i></p>	Civil Action No.: 1:21- cv-01284-JPB

**DECLARATION OF SHANNON MATTOX IN SUPPORT OF AME  
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

Pursuant to 28 U.S.C. Section 1746, I hereby declare as follows:

1. I, Shannon Mattox, am over 21 years of age and competent to make this declaration.  
Under penalty of perjury, I declare the following based upon my personal knowledge:

**Background about The Arc Georgia**

2. I have been a resident of Cobb County, Georgia since September 2021 and identify as Black.
3. I am the State Director of The Arc Georgia, an office of The Arc of the United States. I have served as the State Director of The Arc Georgia since July 2021.
4. The Arc Georgia is a nonpartisan, non-profit membership organization located in Smyrna, Georgia.
5. The Arc Georgia serves people with intellectual and/or developmental disabilities (IDD) statewide, both directly and through our ten (10) affiliated member chapters located throughout the state.
6. The Arc Georgia has approximately three thousand (3,000) members throughout the state and reach more people with IDD and their families through our events and coalition work. The Arc Georgia's members are people who share our values and support our mission, including people with IDD and their families. We communicate with our members through emails, action alerts, social media, webinars, and at our events.
7. The Arc Georgia's mission is to promote and protect the human rights of people with IDD and actively support their full inclusion and participation in the community throughout their lifetimes.
8. To achieve this mission, The Arc Georgia engages in public policy advocacy and develops programs to support people with IDD to learn, live, participate in recreational activities, and work in their communities with the supports they need to thrive.
9. The Arc Georgia has identified protecting the rights of voters with IDD through voter outreach, education, and registration as a priority. The Arc Georgia is committed to making sure that voting is accessible to voters with disabilities who are eligible to vote.
10. The Arc Georgia's position statement on Human and Civil Rights—adopted from The Arc's national office—states in part: “People with IDD have the same human rights as all people and are entitled to the same benefits and legal protection of their civil rights...Regrettably, even with federal protections, people with IDD continue to face barriers to the full exercise and enjoyment of their human and civil rights, including: discrimination in...voting...legislation and regulations that restrict or limit access to voting or the ability to vote without undue barriers or hardship, including support to cast one's ballot.”

11. In my role as State Director, I am the sole employee of The Arc Georgia and am responsible for overseeing The Arc Georgia's operations, including management and implementation of The Arc Georgia's programs in collaboration with our local chapters across the state. I also oversee and train our volunteers, including those volunteers in our Grassroots Connectors program. I also participate in approximately nine (9) coalitions across the state to further our work. Our work includes state legislative advocacy; supporting our local chapters across the state; conducting trainings for self-advocates and the community at large; overseeing programs on leadership development for youth with IDD and accessible transportation; providing support, advocacy, and referrals for people with IDD and their family members across the state regarding matters such as voting, education, employment, housing, access to Medicaid services and healthcare, and transportation.
12. The Arc participates in this action on behalf of its members who are qualified voters with disabilities across the state pursuant to the Americans with Disabilities Act.

### **The Arc Georgia's Activities Before S.B. 202**

13. Before the passage of S.B. 202, The Arc Georgia engaged in public policy and implemented programs to support the inclusion of people with IDD into the community. This included, but was not limited to, trainings, outreach, and activities to: advance the rights of students with IDD in special education; help Georgians with IDD access adequate Medicaid services through federal Medicaid Waivers so that they could live in the community; promote integrated employment and post-secondary educational opportunities for people with IDD; ensure that people with IDD have access to transportation and assistive technology; and address stigma within the IDD community.
14. The Arc Georgia also engaged in advocacy for voters with disabilities before S.B. 202. Over the years, this advocacy has included:
  - a. Leading the Register, Educate, Vote—Use your Power (“REV Up”) Georgia program, a statewide volunteer coalition of advocacy organizations that seeks to foster civic engagement and protect the voting rights of Georgians with IDD. As part of this work, The Arc Georgia provided education and outreach to people with IDD to help them understand the voting process, including resources to explain things like voter registration, and assist with voter mobilization for Georgia ID requirements, transportation, guardianship and voting law, voting by mail, and ballot access for deaf, hard-of-hearing, blind, and low-vision voters.
  - b. The Arc Georgia also regularly convened a group of “Grassroots Connectors” consisting of volunteer disability rights advocates from across the state. These Grassroots Connectors support and advocate for voters with IDD, with a particular focus on supporting Black voters with IDD in rural communities. Specifically, during the General Election in 2020 and Runoff Elections, The Arc Georgia alongside our Grassroots Connectors, supported voters with disabilities by coordinating transportation to the polls and to drop box locations; providing

food and water to voters waiting in long lines; educating voters on the absentee ballot process; assisting voters with IDD with applying for and filing out absentee ballots; engaging in a Get Out The Vote (GOTV) postcard campaign; arranging two virtual presidential election town halls focused on issues relevant to voters with disabilities; organizing a virtual Senate candidate disability forum that was broadcast to over eight thousand (8,000) viewers in Georgia and beyond; and engaging in voter registration and outreach and assistance.

### **Impact of S.B. 202 on The Arc Georgia's Activities**

15. The passage of S.B. 202 caused a state of emergency in The Arc Georgia's work. At times, most of my work as State Director has related to S.B. 202, including educating our members on the changes to the law and supporting them as they navigate new barriers to voting. We have also had to increase the number of volunteers through our Grassroots Connectors program to address our increased educational outreach on S.B. 202.
16. The Arc Georgia has spent significant time and resources studying the implications of S.B. 202 to ensure our activities comply with the changes in the law. We have had to train our volunteers and partners on the legislation to ensure that they are providing accurate information. S.B. 202's addition of explicit felony penalties to the assistance provisions of the law makes conveying this information even more important because of the risk to our members of criminal penalties.
17. Since the passage of S.B. 202, The Arc no longer engages in certain activities that are prohibited by the bill. Prior to the passage of S.B. 202, The Arc Georgia had participated in handing out food and water to voters waiting in line at the polls. Regardless of the line length, The Arc Georgia members' relief activities involved approaching voters within 25 feet of the voting line. Stacey Ramirez, the previous State Director of The Arc Georgia, previously submitted a declaration in this case on May 11, 2022 that describes in further detail The Arc Georgia's line relief activities before S.B. 202. Since the passage of S.B. 202, we have had to cease our line relief activities entirely.
18. As a result of S.B. 202, The Arc has spent time and resources developing new and costly training materials and educational programs about S.B. 202 to help our members who are burdened by these changes in the law. The Arc Georgia conducted widespread trainings for people with IDD about S.B. 202, including town halls, virtual events, meetings multi-day trainings, and other grassroots activities. We created a documentary about S.B. 202 and the challenges it created for voters with disabilities, which was posted to our website, disseminated to our members and the community, and screened at events, including events held by our chapters. We also provided extensive support to one of our Grassroots Connectors to create a weekly webinar that provided information about S.B. 202. This included training the volunteer on the impact of S.B. 202, paying for a Zoom subscription so he could host the event, designing and disseminating marketing materials, coordinating guests, and providing technical support during the webinars. I have also responded to an increased number of calls from our members with questions about voting and S.B. 202. Our outreach and educational programming on S.B. 202 rose to levels that

well exceeded our typical work on voting pre S.B. 202. Furthermore, the nature of our voting work changed. In addition to our efforts to expand the disability vote, through helping people with disabilities register to vote and apply for absentee ballots, we needed to conduct trainings on how people with disabilities could navigate new barriers to voting caused by S.B. 202 and assist existing voters with navigating these changes.

19. Prior to S.B. 202, The Arc Georgia helped people with disabilities apply for and fill out absentee ballots. We also conducted educational programming and outreach to the disability community, through our Grassroots Connectors, about how to apply for, fill out, and submit absentee ballots. Now that S.B. 202 makes it felony to be an unauthorized handler of a completed absentee ballot, we have had to retrain our volunteers and staff to ensure that they are clear with our members and their assistants about the serious implications of unauthorized ballot return. Many people with disabilities rely on the support of others to return their ballots and our members have relied on residential facility staff, neighbors, and trusted friends to help them return their ballots due to their disabilities. We have had to divert resources to educate people about the consequences of a person who is not a “caregiver” or family member returning their ballot for them so that they are not guilty of a felony.
20. In light of S.B. 202, we needed to update our materials to reflect the limitation on drop boxes, that they are only available during certain hours, and must be located inside. We have conducted additional training for our volunteers so that they can better help people navigate limited access to drop boxes. We have also conducted outreach to educate people with disabilities on how they can return their ballots and have made referrals for transportation services to people who need to get to the polls and drop boxes. We have also had to provide technical assistance and support to members about how to submit their ballots.
21. During our training and outreach, I have listened to members of The Arc Georgia’s stories about how S.B. 202 made it harder for them to vote or kept them from voting. Some of the reasons members have indicated that they were burdened or unable to vote include, but are not limited to:
  - a. Many members of The Arc Georgia require assistance with activities of daily living and do not drive. Many lack access to reliable transportation and are unable to afford to pay someone to drive them to a polling place or drop box. They also may have mobility impairments that make it more difficult for them to fill out or physically mail and submit their absentee ballots themselves. Due to this, they are unable to drop off absentee ballots themselves and they rely on the support of others to help them fill out and submit their ballots. Due to their history of disenfranchisement and their struggle to access the right to vote, many people of color with disabilities are also fearful about the voting process generally. That S.B. 202 now makes it a felony for someone other than a family or household member or “caregiver” to submit an absentee ballot chills access to voting for people with disabilities, especially people of color. Some of our members are unable to vote because they need support from their neighbor, friend, or direct

support staff to submit their ballots. S.B. 202 makes it unclear whether these people would be committing a felony by providing this assistance. As an example, one member of The Arc Georgia has cerebral palsy and glaucoma and lives in a nursing facility. Since the nursing facility that he lives in does not provide transportation or assistance at the polls it is difficult for him to vote in-person and he often must vote by absentee ballot. He needs help with many activities of daily living like bathing and dressing. Because his disability affects his mobility, he requires the support of an aide to apply for, complete, fill out, and mail his absentee ballot. He has typically received support from the social worker at his facility. Typically, the social worker helped him complete and seal the ballot, he and his social worker went outside to the mailbox and the social worker placed it inside the mailbox. Since S.B. 202 was passed the nursing facility took conflicting positions about whether staff could or could not assist residents. Because of the confusion S.B. 202 creates around who qualifies as a “caregiver”, our member is concerned that his social worker would not qualify as a caregiver and thus that they both could face criminal penalties. Without this assistance from nursing home staff, our member would not have other assistants available will not be able to vote.

- b. S.B. 202 requires that drop boxes be moved inside a building and only available during limited hours. Previously, drop boxes were available outside and people with disabilities could drop off their ballots any time without exiting their vehicles. S.B. 202 also limited the number of drop boxes available in each county. Many members of The Arc Georgia do not drive or have access to reliable transportation. It is difficult for them to arrange transportation generally. It is even harder when the drop box locations are limited and only available during business hours when family and supporters are at work and are unable to drive them. People with mobility and physical impairments also may have difficulty entering and exiting their vehicles to access the drop boxes inside of the building. These provisions make it harder for members of The Arc Georgia to vote.
  - c. Members of The Arc Georgia have also shared with me that they have had difficulty complying with S.B. 202 ID requirements because they cannot print out and send in the needed paperwork to access an absentee ballot.
22. Since S.B. 202 passed, there are many activities that are priorities for The Arc Georgia that we have not been able to dedicate resources to due to S.B. 202. As examples, we have not been able to conduct robust outreach and advocacy to help the almost 10,000 Georgians with IDD who are on the waitlist for Medicaid home and community-based services, services they need to live in their own homes in the community; to implement programs to help families advocate for children with IDD in special education; or to provide more support and leadership on issues other than voting to our ten (10) local chapters. We also would like to be advocating to address the shortage of direct support professionals who provide critical personal care services to people with IDD and have a high staff turnover due to low wages. This shortage has had a crucial impact in our



community and leads to people with IDD being at risk of institutionalization, neglect, and abuse. Unfortunately, due to the passage of S.B. 202 and all the work we have had to do associated with it, we have not been able to dedicate sufficient resources to address this important and time sensitive issue.

23. If S.B. 202 were to be enjoined, we would have more capacity to return to our work of working to ensure that our members, Georgians with IDD, can be fully included in the community. We would not have to help our members navigate so much confusion and barriers in casting their ballots.

I declare under penalty of perjury that the statements above are true.

This the 11th day of May, 2023.

A handwritten signature in cursive script, reading "Shannon Mattox".

Shannon Mattox, State Director – The Arc Georgia

## EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE GEORGIA SENATE BILL 202	Master Case No.: 1:21-MI-55555-JPB
<p>SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, <i>et al.</i>,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>BRIAN KEMP, Governor of the State of Georgia, in his official capacity, <i>et al.</i>,</p> <p style="text-align: center;"><i>Defendants,</i></p> <p>REPUBLICAN NATIONAL COMMITTEE, <i>et al.</i>,</p> <p style="text-align: center;"><i>Intervenor-Defendants.</i></p>	Civil Action No.: 1:21- cv-01284-JPB

**DECLARATION OF PATRICIA CHICOINE IN SUPPORT OF AME  
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

**DECLARATION OF PATRICIA CHICOINE**  
**(pursuant to 28 U.S.C. § 1746)**

My name is Patricia Chicoine. I am over the age of 21 and fully competent to make this declaration. Under penalty of perjury, I declare the following based upon my personal knowledge:

1. I currently live in Roswell in Fulton County, Georgia. I have been registered to vote in Georgia since 2006.
2. I am 76 years old and white.
3. Due to my advanced age, I have difficulty walking and standing for long periods of time. I had two knees replaced and I have arthritis in my back that makes walking painful. On bad days, I have to drive to the mailbox in front of my house just to pick up my mail. I use a cane for walking any distance longer than very short trips. For example, if I have to mail a letter, I will use a cane to walk to the mail counter from my car. My disability substantially limits some of my major life activities, including walking and standing. I struggle to stand in line to vote because of my disability and before Senate Bill 202, I would typically vote absentee by mail.
4. In 2020, I thought that there were changes and turmoil at the U.S. Postal Service that could interfere with voting by mail, so to be sure that my vote would be counted, I decided to vote instead by absentee ballot that I could place directly in a dropbox. That was an easy way to vote; it was perfect and it helped me a lot. For the 2020 presidential election, it felt like dropboxes for absentee ballots were everywhere. I deposited my ballot for that election at the Roswell Branch Library at 115 Norcross Street, in Roswell, Georgia, 30075, where the dropbox was located outside the building and I didn't have to enter the library. It was a very convenient location for me, only a five-minute drive from my home, and ballots could be deposited at any

time of day.

5. This option was convenient and made it much easier for me to cast my ballot because I could park in an accessible spot right by the outdoor dropbox. I was able to easily walk up the outdoor ramp and drop off my ballot, without any difficulty walking to or accessing the dropbox. It is hard for me to place my ballot in an indoor dropbox because accessibility can be unpredictable and the hours they are open are limited. Additionally, given my advanced age, I avoid grocery shopping, running errands, and driving during business hours when there are more people and traffic on the road. The ability to use an outdoor dropbox during any time of the day allows me to only be on the road during times when it is comfortable for me to drive.

6. In 2021, most dropbox locations were eliminated, including the outdoor location at the Roswell Branch Library that I previously used. I learned that the dropbox nearest to my home now was at the Alpharetta Branch Library at 10 Park Plaza, Alpharetta, Georgia 30009, a twenty-five-minute drive from my home at best, depending on traffic. It's also located in a very congested part of Alpharetta.

7. On October 21, 2021, I arrived at the Alpharetta Branch Library to deposit my ballot. I parked in an accessible parking space outside the library but did not bring my cane with me because I expected the dropbox to be conveniently located in the lobby. However, I saw no dropbox in the lobby. A librarian directed me to the voting area, which was at the other end of the building at the end of an extremely long hall – as far away as possible from the library front door. It angered me that the location was so inconvenient.

8. Without my cane, I had difficulty and it took me some time to make my way down the hall to a small room where the dropbox was located. I had to support myself walking by holding onto chairs and desks and taking many breaks along the way. Three older men were

seated in the room, apparently observing the dropbox. After I had deposited my ballot, they directed me to exit the back of the building by another hallway. I told them that was ridiculous, and that I would not take that longer way out, but would return by the same hallway I had come by, which led more directly to my car. I complained to them that the long walk was very hard for me, and that it was not acceptable that there were no handrails in the hallway or any other accommodations for elderly or disabled persons. They looked amused by my complaints. Ultimately, it took me 60-90 minutes to vote that day, including driving to and from Alpharetta.

9. A woman wearing a pin, who appeared to be a voting official, then approached me. She was not a librarian. She apologized to me for my trouble in reaching the dropbox location. She told me that the dropbox had originally been located in the library lobby, but that they had gotten a call from "downtown" instructing them to move the box from the lobby to the separate voting area. She said I was not the first person who complained that day about the inaccessible location of the dropbox in the building. Having a dropbox outside would have been more easily accessible for me than having the dropbox in the lobby; but having the dropbox located at the end of a long hallway was *especially* frustrating after I had to drive such a long distance and enter the library in the first place, rather than the dropbox simply being outside the entrance.

10. This process was so difficult that I chose to vote early and in-person in the May 2022 primary elections. Before the new voting laws limited dropboxes, I would have used the dropbox in Roswell and the entire process would have taken 20-30 minutes including transportation. I did not want to drive all the way to the dropbox in Alpharetta again and have to go inside the building, so I chose to vote in-person during early voting. There was a line and I had to wait standing up for about 20 minutes before I asked a poll worker for a chair because



standing had become so difficult. I was not told that I could go to the front of the line or sit down. I didn't see any signs telling me I could skip the line or sit down. The process still took nearly an hour and was far more difficult than using the old dropbox in Roswell. I would have voted absentee, but I am concerned about the reliability of mail-in voting and having to go inside of the building to use a dropbox again.

11. In the November 2022 election, I voted early in-person again because of my experiences with the dropbox, and because I was concerned about the shorter time to submit absentee ballots. I was also concerned about providing a pen-and-ink signature given that my handwriting has deteriorated over the years. These changes contributed to my choice to vote in-person, even though walking and standing in line are difficult for me. I had to wait a while, about 20 minutes, and then I saw around the corner that there was a seating area. I then asked poll workers to let me sit down in the seating area I saw, and waited about 10 more minutes sitting down. I was not offered the option to skip the line or to sit down, and had to request that the poll workers let me sit down. I didn't see any signs telling me I could skip the line or sit down.

12. In the December 2022 election, I voted by early, in-person voting because of all the issues I face with accessing absentee voting and dropboxes, because I don't trust the mail, and because I wanted to avoid standing in too long of a line on Election Day due to my physical disabilities. I would much rather vote by mail, and my choice would be to get an absentee ballot and mail it if that were an option, but I don't trust that my vote would be counted and I don't feel that dropboxes are accessible to me as an alternative to the mail. When I voted in person early, I was not told that I could skip the line, but this time, I saw a sign for voters with disabilities telling me I was able to skip the line, so I asked poll workers to let me do so.

13. When I was young, voting was easy to do. It is not right that the procedure to

exercise this basic right has become so complicated and burdensome. I already face significant barriers to being able to cast my ballot, and Senate Bill 202 made it even harder for me to do so and will continue to make it harder in the future. I also feel that people with disabilities weren't taken into account when the law was passed and was shocked and infuriated that people with disabilities weren't given a chance to weigh in on the process of making the law. Because of my disability, I have to deal with barriers created by Senate Bill 202 that other voters don't have to and this feels very frustrating and wrong.



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

Executed on **03/21/2023**

  
\_\_\_\_\_  
Patricia Chicoine

## EXHIBIT 2

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE GEORGIA SENATE BILL 202	Master Case No.: 1:21-MI-55555-JPB
<p>SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, <i>et al.</i>,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>BRIAN KEMP, Governor of the State of Georgia, in his official capacity, <i>et al.</i>,</p> <p style="text-align: center;"><i>Defendants,</i></p> <p>REPUBLICAN NATIONAL COMMITTEE, <i>et al.</i>,</p> <p style="text-align: center;"><i>Intervenor-Defendants.</i></p>	Civil Action No.: 1:21- cv-01284-JPB

**DECLARATION OF EMPISH THOMAS IN SUPPORT OF AME  
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

**DECLARATION OF EMPISH THOMAS  
(Pursuant to 28 U.S.C. § 1746)**

My name is Empish Thomas. I am over the age of 21 and am fully competent to make this declaration. Under penalty of perjury, I declare the following statement based on my personal knowledge:

1. I currently live in Lithonia in DeKalb County, Georgia. I have been a registered voter since I was 18 years old, first in Florida and then in Georgia after I moved there.
2. I am 51 years old, and I am Black.
3. I have been voting since about 1996. Over the years, I have become politically involved, and I try to vote in almost every election. Sometimes, I have tried to vote absentee, but usually, I have tried to vote in person because I do not find absentee voting accessible to me.
4. Around 1999 or 2000, I became completely blind. I have been completely blind for 22 years. It is not that I am visually impaired; I have no vision.
5. As a result of having no vision, I don't drive myself to vote. Most of the time, I have been transporting myself to vote by taking the MARTA bus. MARTA Mobility is a reservation service that picks you up and drops you off in a fixed window of time that you reserve in advance. A couple of times, I have taken a rideshare service like Uber or Lyft to vote, and sometimes I have used rides-to-the-polls programs or walked to the precinct with a sighted friend if it is located close enough to me.
6. I generally rely on MARTA to get me to the polls for a few reasons. First, because rideshares are very expensive. Second, sometimes I don't have anyone in the area to give me a ride to the polls. Also, I have tried ride to the poll programs and had the person not show up. That is why I rely on booking MARTA rides to vote.

7. I have received assistance with voting ever since I lost my vision in about 1999 or 2000, both when voting absentee and when voting in-person. I have voted absentee twice since becoming blind, with assistance, once in 1999 and once in 2020.
8. The second time I tried to vote absentee, it was during the 2020 primary election. My friend who is sighted assisted me. Even with her assistance, I found the process of requesting and filling out the ballot complicated. Fortunately, I was able to get my sighted friend, who I trusted to come over, to mark my ballot and mail it for me.
9. Because of the barriers with the absentee ballot process, I do not feel that absentee voting is accessible to me as a person with a disability, and I have decided that voting in person is generally the only way for me to vote going forward.
10. The increased barriers to absentee voting under Senate Bill 202 are part of the reason I am not willing to try absentee voting again. Before Senate Bill 202, it was already a barrier to find a trusted sighted person to help me fill out my absentee ballot. It has to be someone who I trust to mark my ballot the way I want them to and who I know won't change my vote. It's always a question in my mind whether I can trust a person with information like that, and it's hard to find someone I know that I can trust with my ballot.
11. With the new penalties in SB202 adding a criminal penalty for incorrectly providing me with assistance, and the requirement that I and anyone who helps me must fill out a confusing and intimidating oath, now, trying to locate the right person to help me with my ballot is even harder. Not only would I have to find someone who is eligible to assist me who I can trust with my private information and with respecting my political choices; it also has to be someone who is willing to sign their own name on the voter assistance oath and risk criminal penalties if they made a mistake. I believe that the criminal penalties

create a further barrier because I know a lot of people would be intimidated by the idea of facing a criminal penalty or a legal issue if they help me. I know, for instance, some people who have refused to help me fill out paperwork at the doctor's office in the past because the paperwork included technical, legal language about HIPAA.

12. I also know that if I tried to get someone to help me return my absentee ballot, I'd face insurmountable barriers to doing so. First of all, I don't have any family members living in Georgia. Second, I don't have anyone who I consider a caregiver. I'm a functional, independent person with a disability, and I don't even think I am eligible for most caregiving services based on my level of income and my level of daily functioning.
13. It's a misconception about people with disabilities that we always rely on caregivers to help us. Out of my friends in the blind community in Atlanta, most of them live independently, and I wouldn't say they have "caregivers."
14. I have an assistant who is someone who comes over about once a month, or sometimes less. It ebbs and flows. Generally, I pay her to do different tasks for me. Sometimes I don't have the money to pay her, so I don't meet with her in a given month. She gives me rides places and helps me with things like paper mail, reading inaccessible websites, household chores, shopping, dealing with my printer, filling out forms that aren't accessible, or other tasks. When I worked as a contractor, I paid her through my business to do business-related tasks, like helping me with my blog and website. I don't consider my assistant a caregiver because she doesn't provide me with care, and I don't see her regularly.
15. I think it's confusing that the new voting law doesn't say who a caregiver is because I've come to believe that someone in a caregiver role is doing a lot more than what my assistant is doing (visiting me occasionally to help with tasks). While I don't know how the state is

defining the word “caregiver” in its election laws, I would assume there are certain criteria to meet, like living with you or helping you more regularly, and that my assistant wouldn’t be considered a “caregiver.” Also, when I’ve applied for benefits in the past, I was told that this kind of occasional assistance didn’t count as “caregiving.” I think people might have a lot of different definitions of what they consider a “caregiver.” Clarity in the law would be really helpful to someone in my situation to know if my assistant would count as a caregiver and could return my ballot.

16. In short: with the new requirements in Senate Bill 202, I believe I would be committing a crime any time I tried to have someone return my ballot because I would need to ask someone other than a family member or a caregiver. The new criminal penalties are one of the big reasons I don’t feel that absentee voting is accessible to me at all.
17. I traditionally have had problems with my mail being slow. It sometimes takes three full days for my mailman to come pick up my mail. If the election drew close and I were in a rush, trying to return an absentee ballot, I believe I would need to go all the way to a dropbox to return my ballot. But I can’t get to dropboxes easily at all; in my experience, public transportation isn’t going to drive me up and let me drop off my ballot and then take me home immediately after. I believe I would need to set up two separate trips to the dropbox with MARTA simply to drop off my ballot and get home, or pay my assistant to drive me.
18. The new requirement that dropboxes remain open for fewer hours makes dropboxes even less accessible. That is because I’m dependent on someone else to drive me, and I’m beholden to when MARTA or my assistant can take me and when they’re available. If I didn’t reach the dropbox in the given window of time that the county establishes, I wouldn’t

be able to drop off my ballot. At that point, I might as well just go in person and vote. Maybe it's convenient for able bodied persons to have a dropbox, but as the program stands, it's not accessible to people like me, who have a visual disability and rely on a ride from another person.

19. Because I feel that absentee voting is not accessible to me, I now generally vote in-person.
20. Ordinarily, with in-person voting, poll workers help me with filling out any paperwork on Election Day; I give the poll worker my Georgia-state identification card, and the poll workers fill out the form that I sign. Next, poll workers escort me to an accessible voting machine. The poll workers make sure that I am seated and that the machine is properly functioning before they walk away. I also get escorted by a poll worker to the voting machine to cast my ballot and turn in my plastic voter card. Lastly, I receive assistance from a poll worker as an escort to the door to sit and wait on the MARTA bus to return home.
21. In May 2022, I went to vote in-person at my precinct, New Birth Missionary Baptist Church. I live right near there, but I got a ride from MARTA and had them drop me off at the precinct, and I booked a second trip for them to come back and pick me up after voting.
22. When I arrived at the precinct, I had to wait over an hour for a poll worker to fix the accessible voting machine. Because I had to wait over an hour, I was worried that I would miss my scheduled ride on the MARTA bus and have to book another reservation with MARTA and come back another day.
23. My experience with waiting for over an hour at my precinct encouraged me not to ever vote at that location again.



24. On Monday, October 24, 2022, I went to vote early in-person in the 2022 general election.

I took the bus to the old Sam's Club in Stonecrest in DeKalb County. When I arrived, a poll worker told the MARTA mobility driver to have me sit at a table. Another poll worker came over and asked if the MARTA driver was going to help me with my form. I explained that the MARTA driver worked for MARTA and was only dropping me off. The poll worker then went off to find someone to assist me. I was surprised that the poll worker did not agree to assist me because, ordinarily, poll workers help me with my election paperwork.

25. I sat there and patiently waited. I was confused because the precinct was not crowded. After waiting for approximately 15 or 20 minutes, I got up and walked toward where I could hear people and asked when someone was coming over to assist me. This process seemed strange because I have voted in elections since 1996, and I have never been told to sit and wait at a table, especially when the precinct appeared not to be busy.

26. At that point, a poll worker told me that the poll workers could no longer help me with voting and that the poll workers would have to get another voter to assist me.

27. I was very angry at what the poll worker told me and insisted that this information cannot be true. The poll workers insisted that this information was true and referenced Senate Bill 202. In fact, one of the poll workers told me that she called and spoke to her director to confirm what she told me.

28. I pushed back against what she told me and shared about a blind friend who went to vote at the headquarters location on Memorial Drive. I told the poll worker that my blind friend didn't have this problem and voted on the first day of early voting. Still, the poll workers insisted that the information they shared with me was correct and refused to help me.

29. In every prior election where I voted in person, poll workers have been willing to help me, except for this experience on October 24, 2022.
30. All my assistance with voting on October 24, 2022, came from a stranger, and that is a problem. Luckily, the stranger, a fellow voter, was kind; however, she understandably had no familiarity with how to help a blind voter cast her ballot. The poll workers gave her some instructions on how to help me.
31. After I voted, she printed out my ballot, and she started to grab the ballot off the machine. I immediately stopped her and told her not to touch my ballot. She quickly apologized and responded that she didn't know that she could not touch my ballot. I told her that it was okay and that these instances are why I have a problem with this whole process of voting in-person without receiving assistance from poll workers. She was not a poll worker and I believe she could not have known not to touch my ballot.
32. Next, the fellow voter escorted me to the other machine to cast my ballot, and a poll worker asked me to turn in my plastic voter card. When I gave my voter card to him, he asked to see my ballot to get some kind of QR code off it. I got upset and told him he is not supposed to see my ballot. I asked him what is a QR code because I didn't remember being asked for a QR code before.
33. Another poll worker came over to me and began to explain to me that the poll workers needed to know my precinct. I told both poll workers that my precinct was New Birth Missionary Baptist Church. I was confused why the poll workers did not just ask me for my precinct in the first place instead of requesting to see my ballot.
34. Next, the poll workers offered to insert my ballot in the machine. I again got upset with the poll workers and told them that they were not supposed to touch my ballot and said I will

insert it in the machine myself. I ended up inserting my ballot in the machine to cast my ballot.

35. After I cast my ballot, the fellow voter escorted me outside so I could wait for my ride.

When I made it home, I researched Senate Bill 202. The information I found made no mention about assisting or not assisting a blind voter who needs assistance casting her vote in person. As a result, I called the office of the Georgia Secretary of State and filed a complaint with them. The office referred me to the DeKalb County Election Office where I tried to file a formal complaint and a written statement around November 2022.

36. My friend, who is also blind, told me that she experienced the same issues voting at the Sam's Club. She told me that the poll workers refused to help her fill out her voter information and that her mother had to assist her with her ballot instead.

37. I voted at my county headquarters early in late November 2022 for the December 2022 runoff because I didn't want to go through again what happened at Sam's Club. I went to a different location, a farther bus ride away. Sam's Club is only 5-10 minutes away by car, and the headquarters is in Decatur, meaning I had to go about 45 minutes to an hour on the bus to the other location. But I didn't want to go through that situation again, so I preferred to take the much longer trip to go vote. My friend also decided to vote at the headquarters because of her experiences being refused assistance at the Sam's Club location.

38. As a person with a disability, I always know to be looking out for accessibility problems with in-person voting, and I unfortunately have come to expect to face long wait times both to get to the polls and to get the assistance I need with voting once I get to my polling place. If absentee ballots were made accessible to me as a person with a disability, I would prefer to have them as an option as well. I have faced barriers that nondisabled voters do not have

to face, and the changes and restrictions that Senate Bill 202 created have made voting even less accessible to voters like me.

39. Voting is important to me because it allows me to have equity and representation in our politics. When voting is accessible, I have equal access to participate in politics alongside my able-bodied peers. When voting is not accessible, I do not have equal access to our political process, which is frustrating to me because I have thoughts and views just like anyone else. It is also important to me to have privacy and independence in the voting process.

40. Having these accessibility barriers makes disabled people feel like an afterthought in the voting process. It's 2023, and the ADA has been around since 1990. We have all these laws and rights now, and it's disappointing that we are still dealing with these problems with voting.

Executed on

Empish Thomas

Empish Thomas