

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

PROJECT VOTE, ET.AL,

Plaintiffs,

v.

J. KENNETH BLACKWELL, ET AL,

Defendants.

CIVIL ACTION NO. No. 1:06-cv-01628

DECLARATION OF CATHERINE GALL

I, Catherine Gall, being of legal age and sound mind, do hereby depose and state as follows:

1. I am the Head Organizer for ACORN in the State of Ohio. I have been Head Organizer since April 2005. I was the Head Organizer in Columbus, Ohio from June 2003 to April 2005.
2. As Head Organizer I oversee the voter registration drives conducted by ACORN.
3. The Association of Community Organizations for Reform Now (ACORN), is the nation's largest community organization of low- and moderate-income families, working to build stronger communities.
4. ACORN's accomplishments include successful campaigns for better housing, schools, neighborhood safety, health care and job conditions.
5. As a means of building stronger communities, ACORN has been a strong advocate for voter participation. ACORN was an active advocate for the National Voter Registration Act of 1993 and was the lead plaintiff in a number of the challenges against states that refused to implement it.
6. ACORN conducts voter registration drives because adding voters from communities that it serves allows them to more effectively advocate with government entities that provide services to the community or influence decisions that effect the community. The more registered voters in a community served by ACORN means ACORN can encourage more people to vote on election day and get a higher turnout of voters, all of which strengthens

the community.

7. ACORN employees whether in the field, in the office or in response to a phone request will provide anyone who requests one a voter registration application.
8. ACORN has been conducting non-partisan organized voter registration drives since 1982. In 2004 ACORN submitted over 1,100,000 voter applications nationwide, over 189,000 in Ohio.
9. ACORN has an agreement with Project Vote to conduct a non-partisan voter registration drive in Ohio in 2006.
10. Project Vote and ACORN insist the voter registration drive includes a comprehensive set of procedures. These procedures cover areas such as:
  - a. Hiring workers from the communities where ACORN wants to increase voter registration,
  - b. Training the workers in the voter registration laws and how to provide voter registration forms and assist persons in completing or returning those forms,
  - c. Training workers to discuss the importance of registering to vote.
  - d. Collecting all mail voter registration applications collected by a worker at the end of a shift,
  - e. Tracking the mail voter registration applications submitted by worker and shift.
  - f. Storing the mail voter registration applications in a secure place,
  - g. Visually inspecting every mail voter registration application for completion and/or errors,
  - h. Calling persons who have provided phone numbers on their mail voter registration application to confirm the information on the application,
  - i. Following up with applicants who have errors on applications or have not completed the applications for the purpose of getting their permission to complete the application,
  - j. Recording the number of applications, the quality of applications and the results of the calls in order to track performance,
  - k. Delivering the applications directly to an election office on a regular basis,
  - l. Flagging applications that are incomplete or have errors for Election Officials,
  - m. Monitoring whether or not applications submitted through the voter registration drive are added to the official lists of eligible voters and
  - n. Cooperating with election officials in any investigation that would lesson voter fraud.
11. ACORN utilizes these procedures to maximize the number of mail voter registration applications collected by its workers that are completed by eligible applicants and added to the official lists of eligible voters.

12. Hiring workers from the community is important because they have more success in finding the times and areas where eligible applicants gather and can relate to community issues and people. ACORN also attempts to recruits its workers to become active in ACORN advocacy and community issue activities.
13. ACORN requires workers to turn all mail voter registration applications collected on a shift into ACORN at the end of the shift because ACORN wants to be able to account for applications and conduct quality control on the applications. ACORN also believes its office is more secure than a worker's place of residence.
14. It is extremely important to implement as thorough a quality check of each voter application as is feasible in order to meets ACORN's objective of transmitting complete applications for eligible voters. ACORN does not benefit by submitting incomplete or illegitimate applications because success means adding a voter to the official lists of eligible voters, not submitting an application.
15. ACORN needs to implement an effective mail voter registration application tracking procedure so that it can monitor whether the applicants who received assistance from ACORN are added to the official lists of eligible voters.
16. A thorough effective quality control program allows ACORN to identify voter registration workers who are submitting incomplete or illegitimate voter registration applications and addresses the problem.
17. Based on ACORN's experience the best assurance that a completed application collected by an employee is returned to the election office is to require the employee to return the applications to ACORN at the end each shift and for ACORN to deliver the applications in a bundle to the elections office. Otherwise the employee can lose applications where they reside.
18. ACORN's ability to hire workers from the communities where ACORN organizes has been made much more difficult by the provisions of H.B. 3 because:
  - a. Very few workers have cars and most do not have easy, ready access to the appropriate elections office. Even if ACORN were to spend the resources to provide transportation for each worker to the election office, it could take a large portion of the five hours of a worker's that would be used for assisting persons who want to register to vote. On the other hand, the additional cost of the postage for each worker to use to mail in the applications they collect if allowed, is a large expense for ACORN.

- b. Some workers are unwilling to take the risk of assisting people register to vote if the consequences of them missing a transmittal deadline could be a felony.
19. While generally ACORN believes it is in the best interest for its workers to be identified as ACORN workers, having to write ACORN on each application so every applicant knows that the state will know the application is going to be submitted by ACORN could discourage applicants.
20. Prior to May 2, 2006 ACORN had 74 employees assisting people to register to vote for ACORN in Ohio
21. Because of the confusion over the rules and the possibility that workers could not mail applications into the elections office, ACORN shut down its Ohio voter registration drives in May and June.
22. ACORN also conducts community based voter registration. ACORN community organizers encourage members to distribute applications and assist family, friends, neighbors and co-workers to register to vote. ACORN community organizers and members often discuss the importance of voting and community issues when assisting people to register to vote. Because of the potential for a felony conviction if a member inadvertently holds onto an application too long, ACORN is no longer running these community drives.
23. Prior to May 1, 2006 ACORN staff would distribute applications to individuals who requested them but did not want to fill them out and give them back to the staff person despite the fact ACORN knew it was less likely such applicants would transmit the application to the election office. ACORN no longer does this because of the potential liability under HB3.
24. ACORN attempts to contact the individuals it has assisted to register and encourage them to vote.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

  
Catherine Gall

  
Date