

NO. 14-20-00627-CV

IN THE COURT OF APPEALS
FOR THE FOURTEENTH JUDICIAL DISTRICT
HOUSTON, TEXAS

FILED IN
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CHRISTOPHER A. PRINE
Clerk

STATE OF TEXAS,

Appellant,

V.

CHRIS HOLLINS, in his official capacity as Harris County Clerk,

Appellee.

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14th COURT OF APPEALS
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On appeal from 127th District Court
Of Harris County, Texas
In Cause No. 2020-52383

BRIEF OF AMICUS CURIAE THE LEAGUE OF WOMEN VOTERS
OF TEXAS IN SUPPORT OF APPELLEE

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Amicus, the League of Women Voters of Texas, respectfully submits this brief in support of Defendant Chris Hollins (in his official capacity as Harris County Clerk) in the above-captioned case.

INTEREST OF AMICUS

The League of Women Voters of Texas (“LWVTX” or the “League”) is an affiliate of the League of Women Voters of the United States (“LWVUS”) and a non-partisan, volunteer organization committed to encouraging informed and active participation in government, working to increase understanding of major public policy issues, and influencing public policy through education and advocacy. The League believes that citizens have a protected right to vote and that governmental entities must make voting accessible. LWVTX is particularly interested in this case because it addresses critical issues affecting participation in the voting process in Texas. The outcome of this case will specifically impact the voter education efforts implemented by the League and will also affect the state and national discourse on the fundamental right to vote.

No fee has been paid or will be paid by LWVTX or by any of the parties for the preparation of this brief. Counsel for amicus curiae are providing their services pro bono.

STATEMENT OF FACTS AND SUMMARY

Texas law allows certain voters to vote by mail. TEX. ELEC. CODE § 82.001-82.004. To cast a ballot by mail, a voter must submit an application and be: (1) absent from their county of residence during early voting and election day, (2) disabled or ill, (3) age 65 or over, or (4) confined to jail but not yet finally convicted of a felony. *Id.* The Harris County Clerk is the officer “in charge of and responsible for the management and conduct of” voting by mail for the county. TEX. ELEC. CODE § 32.071 (as incorporated by reference in TEX. ELEC. CODE § 83.001(c)).

On August 25, 2020, the Harris County Clerk announced via Twitter, “[O]ur office will be mailing every registered voter an application to vote by mail.” Plaintiff’s Original Verified Petition (“Pet.”) at 4. On August 27, 2020, Director of Elections for the Texas Secretary of State Keith Ingram sent a letter to Chris Hollins, the Harris County Clerk, asking Hollins to “immediately halt any plan to send an application for ballot by mail to all registered voters and announce its retraction.” Pet. Ex. 1.

Hollins replied via email on the same day, explaining the County Clerk’s office’s “inten[tion] to include detailed guidance along with the applications to inform voters that they may not qualify and to describe who does qualify. They would then have to complete the application and sign the application, stating that

what they put on it is true.” Pet. Ex. 2 at 2. Ingram responded to that email on August 28, 2020, reiterating his concerns. *Id.* at 1. The instant lawsuit was filed on August 31, 2020.

The 127th District Court of Harris County issued a decision on the State’s application for a temporary injunction on September 11, 2020, after conducting a hearing on September 9. The Court found that “Mr. Hollins’s contemplated action is not *ultra vires* and does not impede the free exercise of voting rights.” Order on Temporary Injunction Application, Cause No. 2020-52383, at 3 (Harris Cnty. Dist. Ct. Sept. 11, 2020) (“Order”). On the same day, the State filed the instant appeal.

LWVTX writes to support the Defendant’s position and to provide broader context as to why the Harris County Clerk’s actions are profoundly beneficial from a policy perspective. Disseminating applications to vote by mail accompanied by detailed guidance will not mislead voters, who are accustomed to receiving information about elections via mail; rather, it will empower their ability to make a voting plan and educate them about the options available. Finding ways to reach and educate voters is particularly urgent in this year’s elections, when the COVID-19 pandemic has made it significantly more difficult for voters—particularly low-income voters, voters of color, and seniors, a disproportionate number of whom lack access to technology—to access information about the electoral process. The State’s argument boils down to an assertion that Harris County voters are prone to

committing fraud, a portrayal for which the State offers no evidence. The Harris County Clerk's office, supported by amicus, is encouraging participation in the voting process by making applications for mail-in ballots more accessible. Its actions should not be prohibited by this Court.

ARGUMENT

I. Disseminating Applications To Vote By Mail Will Empower And Educate Voters

Harris County plans to send registered voters a blank application to vote by mail, along with detailed guidance explaining that not all individuals are eligible to vote by mail and the relevant qualifications to do so. Such attempts to engage and educate the electorate through mailed literature, including absentee voter applications and ballots, are allowed by law and engaged in by county and state elected officials, non-partisan organizations, and political parties and candidates themselves.

The ability of organizations to send applications to large groups of voters is explicitly facilitated by the Election Code, which allows individuals or organizations to request multiple applications online.¹ TEX. ELEC. CODE § 84.013 (“The secretary of state . . . shall furnish the [application] forms in reasonable quantities without charge to individuals or organizations requesting them for

¹ Texas Secretary of State, *Request an Application for a Ballot by Mail*, sos.state.tx.us (accessed Sep. 6, 2020) <https://webservices.sos.state.tx.us/vrrequest/bbm.asp>.

distribution to voters.”). Nonpartisan organizations, including amicus, who engage in voting rights work understand that it is a difficult task to reach and educate voters about their rights and options with respect to voting. Accordingly, amicus’ national office has historically employed mailed literature as one of the tactics it uses in support of its mission to educate voters. In addition, political campaigns, including those of Governor Greg Abbott and President Donald Trump, frequently disseminate mailers with attached mail ballot applications. *See* Ex. 1 (compilation of examples of mailers).

The State attempts to draw a distinction between mailers sent by non-profit organizations and candidates and official governmental entities, arguing that it is "inevitable" that voters who receive mailers “from a public official with the imprimatur of state authority will wrongly assume they are eligible to vote.” Pet. at 8. But this attempted distinction is undercut by the Texas Secretary of State's own actions. The Secretary of State—along with election officials from 29 other states—participates in programs that involve conducting voter outreach to a large number of unregistered voters. Additionally, the Secretary of State’s office sends out voting mailers to Texans that are addressed to “Current Resident” and state, “Our records indicate that you or a member of your household may not be registered to vote in Texas, or you may be registered at a different address.” *See* Ex. 1. Both the front and the back of the Secretary of State’s mailer contain the

image of the seal of the Secretary of State and the text “Office of the Secretary of State.” Of course, some individuals who receive this application will turn out to be ineligible to vote in Texas, and yet the Secretary of State has felt comfortable sending out such a mailer with her official seal.

Information contained in mailers, like Harris County’s, is intended to be accurate and not misleading. Such mailers are an invaluable method of empowering the electorate, particularly low-income communities, people of color, and seniors. As explained below, these groups disproportionately lack access to online information, excluding them from common avenues to the political process. *See infra* at 10-11. The mailing of application materials is an effective and commonplace method of enabling and encouraging voters to participate in the democratic process. There is no principled reason to exclude counties from taking the same steps to educate voters and facilitate voting (including by mail for those eligible) that non-profit organizations and political campaigns have historically undertaken.

Harris County’s plan—to send out a vote by mail application with a pamphlet explaining that not all voters are eligible to vote by mail but that voters who meet the statutory qualifications may do so—is precisely the sort of straightforward engagement that empowers voters to make their own determinations about whether they qualify to vote by mail. It is also consistent with

the recent Texas Supreme Court decision on voting by mail, which emphasizes the role that individuals play in determining their eligibility to vote:

[T]he application form provided by the Secretary of State requires only that voters check a box indicating whether the reason for seeking a ballot by mail is a disability. The voter is not instructed to declare the nature of the underlying disability. The elected officials have placed *in the hands of the voter* the determination of whether in-person voting will cause a likelihood of injury due to a physical condition.

In re State of Texas, 602 S.W.3d 549, 561 (Tex. 2020) (emphasis added).

The Harris County Clerk’s professed course of action is to explain the criteria for eligibility to vote by mail to anyone who receives its mailer. The Clerk has expressed that he “share[s the State’s] concerns of voters who do not qualify to vote by mail applying.” Pet. Ex. 2 at 2. To that end, the mailer will “include detailed guidance along with the applications to inform voters that they may not qualify and to describe who does qualify. They would then have to complete the application and sign the application, stating that what they put on it is true.” *Id.* Each person receiving the mailer, therefore, will have ample opportunity to review the criteria for eligibility to vote by mail and determine whether one or more of them applies to their particular situation. As discussed below, each individual applicant must then reaffirm that choice by designating which criteria entitles them to vote by mail on the actual mail ballot application form.²

² Texas Secretary of State, *Application for Ballot by Mail*, <https://webservices.sos.state.tx.us/forms/5-15f.pdf>.

The proposed mailer, submitted by the Harris County Clerk in the proceedings below, confirms the clarity of the instructions that the Clerk intends to offer. The largest text, at the top of the mailer, instantly makes it clear that voting by mail is not a given by asking the framing question, “DO YOU QUALIFY TO VOTE BY MAIL?” Order at 6. Beneath that, it contains graphics of red sirens bracketing red, capitalized text stating, “READ THIS BEFORE APPLYING FOR A MAIL BALLOT. . . .NOT ALL VOTERS ARE ELIGIBLE TO VOTE BY MAIL. READ THIS ADVISORY TO DETERMINE IF YOU ARE ELIGIBLE BEFORE APPLYING” *Id.* It then proceeds to outline the criteria for voting by mail, including in the disability category a red, capitalized sub-bullet stating, “YOU DO NOT QUALIFY TO VOTE BY MAIL AS ‘DISABLED’ JUST BECAUSE YOU FEAR CONTRACTING COVID-19. YOU MUST HAVE AN ACCOMPANYING PHYSICAL CONDITION.” *Id.* Amicus agrees with the district court that “Harris County voters are capable of reviewing and understanding the document Mr. Hollins proposes to send and exercising their voting rights in compliance with Texas law.” *Id.* at 7.

The State provides no reason to believe that the instructions provided by Harris County will be misleading, and indeed at the district court hearing admitted that the pamphlet was not misleading. *See* Transcript from Temporary Injunction Hearing (Sept. 9, 2020), 76:25-77:13. The State’s own petition admits the

weakness of its argument by implication, by acknowledging without objection that Harris County has already sent applications to vote by mail to all eligible voters over the age of 65—even absent request. Pet. at 5, 8; *see also* Order at 7 (“The irony and inconsistency of the State’s position in this case is not lost on the Court. The State has stipulated that it has no objection to unsolicited mail ballot applications being sent to voters age 65 or over.The State offers no evidence or compelling explanation for its arbitrary and selective objection to the mailing of vote by mail applications to registered voters under the age of 65.”). The State claims that people who receive Harris County’s ballots—all of whom are registered voters—may have moved within Texas or become disqualified by committing a felony, *see id.* at 8. But these sorts of concerns would apply equally to the mailing of ballots to those over 65, an act with which the State takes no issue. Further, the State’s claim concerning “large amounts of misinformation provided over the last several months regarding who is and is not eligible to vote by mail in light of the COVID-19” pandemic is unsubstantiated.³

Unable to articulate any specific objections to Harris County’s plan, the State instead paints a dismal picture of the Harris County electorate and asks this Court to officially endorse that view. Before the district court, the state asserted

³ The State’s contention that there was widespread misinformation about vote by mail eligibility is false. As the understanding about who and who could not vote by mail shifted based on court decisions, so too did the information contained in voter outreach efforts.

that applications to vote by mail are “ripe material for voter fraud” and that it is “inevitable that voters . . . will wrongly assume they are eligible to vote a mail ballot.” Pet. at 8. It went so far as to assert that Harris County’s actions are “certain to result in large numbers of vote-by-mail applications from voters who are ineligible to vote by mail.” *Id.* Yet it offers no basis for this characterization—and certainly not one legally sufficient to justify injunctive relief.

Although the petition is rife with speculation attacking voters’ integrity, the State submitted no factual evidence for this claim to the district court. At the temporary injunction hearing, the State’s only witness, Keith Ingram, the Director of Elections, was unable even to approximate the number of proven instances of voter fraud in Texas. *See* Transcript from Temporary Injunction Hearing (Sept. 9, 2020), 59:7-11, 86:6-9. The State similarly relied on baseless allegations in the vote by mail litigation before the Texas Supreme Court earlier this year, claiming that voter fraud tied to mail-in balloting was “all too common” and alleging “that the Clerks [were] accepting ‘improper application[s],’” but the only “proof” the State could marshal was a reference to two hearsay news articles that together refer to fewer than 100 *allegations* of election fraud (not even specifically mail ballot fraud) in the last decade. *See* Petition for Writ of Mandamus, *In re State of Texas*, 602 S.W.3d at 2-4 (Tex. 2020) (orig. proceeding). The Court in that case refused mandamus, finding no evidence in the record that any Clerk had accepted a faulty

application. In fact, a 2020 analysis conducted by the Brennan Center found that “it is still more likely for an American to be struck by lightning than to commit mail voting fraud.”⁴

In addition to the “detailed guidance” that the Harris County Clerk will be including, the application for a mail-in ballot itself is a check against fraudulent applications. By law, it includes “a statement informing the applicant of the offenses prescribed by Sections 84.003 and 84.004” (knowingly providing false information on the application, or intentionally causing false information to be provided), as well as a statement preceding the signature space that “I certify that the information given in this application is true, and I understand that giving false information in this application is a crime.” TEX. ELEC. CODE § 84.011(a)(1)-(2). Accordingly, voters must fill out and attest to their own eligibility information and sign the forms themselves under penalty of perjury. *See id.* § 84.001.

The State clearly disagrees with the Harris County Clerk about the likelihood and prevalence of fraud. But this disagreement does not create a cause of action that justifies injunctive relief. The Texas Supreme Court has made clear that voters must determine whether they qualify to vote by mail. *In re State of Texas*, 602 S.W.3d at 550 (“[T]he decision to apply to vote by mail . . . is the

⁴ Wendy D. Weiser and Harold Ekeh, *The False Narrative of Vote-by-Mail Fraud*, Brennan Center for Justice, April 10, 2020, <https://www.brennancenter.org/our-work/analysis-opinion/false-narrative-vote-mail-fraud>.

voter's"). Harris County's actions do not interfere with that individual determination—instead, the mailer merely informs voters of the criteria they may use when making such a choice.

Amicus understands that Texas voting laws can be confusing. However, the solution to this confusion is to inform and educate voters—not squash informational outreach, as the State attempts to do here. Disseminating instructions and applications to vote by mail serves to educate voters about who is eligible to vote by mail, and then empowers them to do so.

II. Disseminating Applications To Vote By Mail Remedies Structural Inequities Exacerbated By The COVID-19 Pandemic

The Harris County Clerk's office's decision to disseminate applications to vote by mail did not occur in a vacuum. COVID-19 has drastically altered daily life throughout the world, and Harris County is no exception. Harris County Judge Lina Hidalgo declared an emergency over the COVID-19 virus on March 11, 2020.⁵ Governor Abbott declared an emergency for the State of Texas on March 13, 2020.⁶ *See* TEX. GOV'T CODE §§ 401.062, 418.011 *et seq.* And on March 13,

⁵ Harris County Judge Lina Hidalgo, *Declaration of Local Disaster for Public Health Emergency*, March 11, 2020, <http://www.deerparktx.gov/DocumentCenter/View/8534/Harris-County---Declaration-of-Local-Disaster-for-Public-Health-Emergency>.

⁶ Governor Greg Abbott, *Proclamation by the Governor of the State of Texas*, March 13, 2020, https://gov.texas.gov/uploads/files/press/DISASTER_covid19_disaster_proclamation_IMAGE_03-13-2020.pdf.

President Trump declared a national emergency.⁷ As of September 3, 2020, Harris County has had 108,819 confirmed cases of COVID-19, and 1,389 deaths.⁸ The county is currently at Risk Level 1, which signifies “a severe and uncontrolled level of COVID-19 in Harris County,” meaning residents must “take action to minimize contacts with others wherever possible and avoid leaving home except for the most essential needs.”⁹

In the current climate, physically accessing information about the electoral process has become disproportionately difficult in comparison to pre-pandemic times. Residents are being discouraged from leaving their homes, but even those who feel comfortable do not have the same opportunities to access information that they had prior to the pandemic. Libraries, traditionally of paramount significance for people seeking out physical information, are closed to the public.¹⁰ The Department of Public Safety—at which many Texans register to vote—closed offices on March 19, 2020, and on May 26, 2020 began a phased reopening with

⁷ President Donald Trump, *Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak*, March 13, 2020, <https://www.whitehouse.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/>.

⁸ Harris County Public Health, *2019 Novel Coronavirus*, <https://publichealth.harriscountytexas.gov/Resources/2019-Novel-Coronavirus> (last visited September 3, 2020).

⁹ Harris County, *Harris County COVID-19 Threat Level System*, <https://www.readyharris.org/Stay-Safe> (last visited September 3, 2020).

¹⁰ Houston Public Library, *COVID-19 Closure FAQs*, August 21, 2020, <https://houstonlibrary.org/learn-explore/covid-19-closure-faqs>.

limited services available by appointment only.¹¹ Post offices, which in the past have been convenient locations for groups such as *amicus* to distribute information about voting, have turned away volunteers trying to drop off materials such as voter registration cards.¹²

With many in-person sources of election information closed or limited, the public has been left largely to rely on online sources. However, not all Harris County voters have access to the internet, particularly at home. In addition to making physical forms of information more difficult to access, the COVID-19 pandemic has highlighted what is commonly referred to as the “digital divide,” which refers to uneven distributions in the access to and use of technology between different groups of people.

In particular, low-income communities and communities of color have greater percentages of individuals who have inconsistent access, or lack access entirely, to information provided online. Comp-U-Dopt, a non-profit organization dedicated to providing technology to groups who are historically underserved, estimates that about one in four Houston families at or below the poverty line lack

¹¹ Texas Department of Public Safety, News Release, March 19, 2020, https://www.dps.texas.gov/director_staff/media_and_communications/pr/2020/0319a; Texas Department of Public Safety, News Release, May 21, 2020, https://www.dps.texas.gov/director_staff/media_and_communications/pr/2020/0521a.

¹² Ashley Lopez, Houston Public Media, *Voting Group Says It Is No Longer Allowed To Leave Voter Registration Cards In Post Offices*, August 28, 2020, <https://www.houstonpublicmedia.org/articles/news/texas/2020/08/28/380788/voting-group-says-it-is-no-longer-allowed-to-leave-voter-registration-cards-in-post-offices/>.

access to technology.¹³ In the Houston area's 10 largest school districts, about 9% of households do not have a computer and nearly twice that number lack broadband internet access.¹⁴ Common Sense Media, a nonprofit that provides education and advocacy to families to promote safe technology and media for children, found in a recent report that low income populations and people of color have lower rates of internet connectivity than their higher income and white peers.¹⁵

Even for individuals who are able to access a vote by mail application online, the requirement to print out a physical copy of the application poses a more significant burden during the COVID-19 pandemic. People are being discouraged from leaving their homes, and a significant number might not feel safe doing so—particularly those with disabilities, who are eligible to vote by mail. Even for those who would be willing to risk additional exposure to the virus in order to utilize a printer, many of the facilities where they might do so, such as libraries and office

¹³ Roxanne Bustamante, *Digital divide: How some Harris County students are being left behind*, KTRK-TV Houston, May 21, 2020, <https://abc13.com/computers-coronavirus-covid-19-covid-in-schools/6199225/>.

¹⁴ Jacob Carpenter and Shelby Webb, *Now more than ever, Houston's 'digital divide' puts children's education in peril*, Houston Chronicle, April 6, 2020, <https://www.houstonchronicle.com/news/education/article/houston-digital-divide-coronavirus-kids-schools-15178184.php>.

¹⁵ Laura Isensee, *Report: Texas Leads Country With Widest Digital Divide for Students, Teachers*, Houston Public Media, July 9, 2020, <https://www.houstonpublicmedia.org/articles/news/2020/07/09/377502/report-texas-leads-country-with-widest-digital-divide-for-students-teachers/>.

buildings, are closed to the public indefinitely.¹⁶ Of course, this burden falls disproportionately on low-income voters, who are less likely to have access to the technology that would enable them to print out such an application.¹⁷

The Harris County Clerk’s decision to mail out applications to vote by mail, accompanied by detailed guidance on who is eligible to utilize them, is a sensible measure to ameliorate the particular hardships regarding access to election information and applications caused by COVID-19. Mailing out an application along with eligibility information ensures that a significantly greater number of registered voters—especially voters in low-income communities and communities of color—will receive both educational materials to help them make an informed choice about their eligibility to vote by mail and that they will simultaneously have the means (the ballot application) to apply.

CONCLUSION

For the foregoing reasons, this Court should deny the State’s petition in this case.

Date: September 16, 2020

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Respectfully submitted,

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¹⁶ See *supra* note 14.

¹⁷ See *supra* notes 17-19.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above amicus brief was served upon all counsel of record, via e-service on September 16, 2020 pursuant to the e-filing rules of this Court.

/s/ Anjali V. Salvador
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EXHIBIT 1



Office of the Texas Secretary of State
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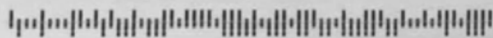


PRESORTED STANDARD
U.S. POSTAGE PAID
PERMIT NO. 661
AUSTIN, TX

To register to vote now, go to:
WWW.VOTETEXAS.GOV/REGISTER
Click, fill, sign and mail

Para registrarse para votar ahora, vaya a:
WWW.VOTETEXAS.GOV/REGISTER
Haga clic, llene, firme y envíe

T194 P1



Deadline to register to vote is October 5, 2020.
La fecha límite para registrarse para votar es el 5 de Octubre de 2020.

VOTETEXAS

Our records indicate that you or a member of your household may not be registered to vote in Texas, or you may be registered at a different address.

Nuestros registros indican la posibilidad de que usted o un miembro de su familia no está inscrito para votar en Texas, o pueda estar inscrito con una dirección diferente.

**If you wish to vote in the
November General Election,
you must register by
October 5, 2020.**

**Si desea votar en la
Elección General de Noviembre,
debe registrarse no mas tardar del
5 de Octubre de 2020.**

To view eligibility requirements, check your current status or request an application today, visit www.votetexas.gov/register or call your county election office.

Para ver los requisitos de elegibilidad, verifique su estado actual, o solicite una aplicación hoy, visite www.votetexas.gov/register o llame a su oficina de registros en su condado.

OFFICE OF THE
TEXAS SECRETARY OF STATE





Center For Voter Information

If you've already submitted a request for a ballot by mail for the 2020 General Election, there is no need to submit another request.

County election officials in Texas encourage voters 65 and older to use a ballot by mail in upcoming elections. In Texas, you do not need an excuse to use a ballot by mail if you are 65 and over. I have sent you the enclosed ballot by mail application to make requesting a ballot easy.

Voting by mail is EASY. Just sign, date, and complete the application. Drop it in the mail and you will receive a ballot from your early voting clerk's office which you can complete and return without ever leaving your home. No waiting in line.

Voting by mail keeps you healthy and safe. The best way to protect yourself, your family, and your whole community during this time is to vote by mail.

The more people 65 and over who vote by mail, the shorter the lines are for the people who have to vote in person. **In these challenging times, please be considerate of your family, friends, and neighbors by voting from home.**

You can even research the candidates as you vote.

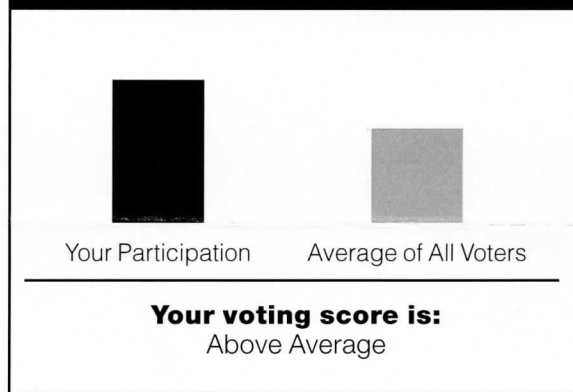
Your privacy is protected. If you use the enclosed envelope with **pre-paid postage**, your application will be delivered directly to your early voting clerk's office.

By voting by mail from your home, and not waiting until Election Day, you've already done your part. You simply get to look forward to Election Day and hearing about the results.

Sincerely,

Lionel Dripps
Center for Voter Information

HOW DO YOU COMPARE WITH OTHERS?*



P.S. Please take a minute to complete the form, sign and date it, and place the form in the pre-addressed, postage-paid envelope. Thank you.

*Your participation score was calculated by The Center for Voter Information using data from publicly available state voter files.

If you wish to be removed from our mailing list, email this code: TXAR0358532 to unsubscribe@centerforvoterinformation.org

This mailing has been paid for by the Center for Voter Information (CVI). CVI is a non-government, nonprofit, 501(c)(4) organization.
(866)-377-7396 www.centerforvoterinformation.org. CVI is not affiliated with state or local election officials.

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Application for Ballot by Mail

Prescribed by the Office of the Secretary of State of Texas
AS-15 12/17For Official Use Only
VUID #, County Election Precinct #,
Statement of Residence, etc.

1	Last Name (Please print information)	Suffix (Jr., Sr., III, etc)	First Name	Middle Initial
2	Residence Address: See back of this application for instructions.		City	State, TX ZIP Code
3	Mail my ballot to: If mailing address differs from residence address, please complete Box # 7.		City	State ZIP Code
4	Date of Birth (mm/dd/yyyy) (Optional) <div style="border: 1px solid black; width: 100px; height: 30px; margin-top: 5px;"></div>		Contact Information (Optional)* Please list phone number and/or email address: * Used in case our office has questions.	
5	Reason for Voting by Mail: <input checked="" type="checkbox"/> 65 years of age or older. (Complete Box #6a) <input type="checkbox"/> Disability. (Complete Box #6a) <input type="checkbox"/> Expected absence from the county. (Complete Box #6b and Box #8) You will receive a ballot for the upcoming election only <input type="checkbox"/> Confinement in jail. (Complete Box #6b) You will receive a ballot for the upcoming election only		7 If you are requesting this ballot be mailed to a different address (other than residence), indicate where the ballot will be mailed. See reverse for instructions. <input type="checkbox"/> Mailing Address as listed on my voter registration certificate <input type="checkbox"/> Nursing home, assisted living facility, or long term care facility <input type="checkbox"/> Hospital <input type="checkbox"/> Retirement Center <input type="checkbox"/> Address of the jail <input type="checkbox"/> Relative; relationship _____ <input type="checkbox"/> Address outside the county (see Box #8)	
6a	ONLY Voters 65 Years of Age or Older or Voters with a Disability: If applying for one election, select appropriate box. If applying once for elections in the calendar year, select "Annual Application." <input type="checkbox"/> Annual Application Uniform and Other Elections: <input type="checkbox"/> May Election <input checked="" type="checkbox"/> November Election <input type="checkbox"/> Other _____ <input type="checkbox"/> Any Resulting Runoff Primary Elections: You must declare one political party to vote in a primary: <input type="checkbox"/> Democratic Primary <input type="checkbox"/> Republican Primary		8 If you selected "expected absence from the county," see reverse for instructions <div style="border: 1px solid black; width: 150px; height: 30px; margin-top: 5px;"></div> <div style="display: flex; justify-content: space-between;"> <div>Date you can begin to receive mail at this address</div> <div>Date of return to residence address</div> </div>	
6b	ONLY Voters Absent from County or Voters Confined in Jail: You may only apply for a ballot by mail for one election, and any resulting runoff. Please select the appropriate box. Uniform and Other Elections: <input type="checkbox"/> May Election <input type="checkbox"/> November Election <input type="checkbox"/> Other _____ <input type="checkbox"/> Any Resulting Runoff Primary Elections: You must declare one political party to vote in a primary: <input type="checkbox"/> Democratic Primary <input type="checkbox"/> Republican Primary		9 Voters may submit a completed, signed, and scanned application to the Early Voting Clerk at: (early voting clerk's e-mail address) _____ (early voting clerk's fax) _____ NOTE: If you fax or e-mail this form, please be aware that you must also mail the form to the early voting clerk within four business days. See "Submitting Application" on the back of this form for additional information.	
10	<div style="border: 2px solid black; padding: 10px; text-align: center;"> </div>		"I certify that the information given in this application is true, and I understand that giving false information in this application is a crime." <div style="border: 1px solid black; padding: 5px; text-align: right;">Date</div>	
If someone helped you to complete this form or mails the form for you, then that person must complete the sections below.				
11	See back for Witness and Assistant definitions. If applicant is unable to mark Box #10 and you are acting as a Witness to that fact, please check this box and sign below. <input type="checkbox"/> If you assisted the applicant in completing this application in the applicant's presence or e-mailed/mailed or faxed the application on behalf of the applicant, please check this box as an Assistant and sign below. <input type="checkbox"/> ★ If you are acting as Witness and Assistant , please check both boxes . Failure to complete this information is a Class A misdemeanor if signature was witnessed or applicant was assisted in completing the application.			
Signature of Witness /Assistant _____ Street Address Apt Number (if applicable) _____ State _____		Printed Name of Witness/Assistant _____ City _____ ZIP Code _____		Witness' Relationship to Applicant (Refer to Instructions on back for clarification) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

Este formulario está disponible en Español. Para conseguir la versión en Español favor de llamar sin cargo al 1.800.252.8683 a la oficina del Secretario de Estado o la Secretaría de Votación por Adelantado.

Instructions for Application for Ballot by Mail

Residence Address - Give full address as shown on your voter registration certificate. If you have moved within the county but not yet changed your voter registration address with the voter registrar, indicate your new residence address.

Mail Ballot To - Give full address where you wish to have ballot mailed, if the address is different from your residence address.

Mailing Ballot to a Different Address - Your ballot must be mailed to your home where you live or to your mailing address on your voter registration certificate. There are some exceptions that allow you to have your ballot mailed to a different location as specified below.

Reason for voting by mail	Location to mail ballot
65 or disabled	Nursing home, assisted living/retirement center, relative, hospital
In jail	Address of jail or relative
Absent from county	Address located outside of county

Expected Absence from County - If you choose expected absence from county, you must expect to be absent from the county on election day and during the hours of early voting in person or for the remainder of the early voting period after you submit your application. **Your ballot must be mailed to an address outside the county.** Important: Give date you can begin to receive mail at the address given.

Annual Application - If you are 65 years of age or older, or disabled you may apply to receive all ballots by mail for a calendar year. If you do not select any elections in Box 6a, your application will be considered an Annual Application. If you submit an annual application for a ballot by mail, your application may be forwarded to other entities holding elections where you are a qualified voter. This means that you may receive a ballot for those elections in addition to the ballot(s) you requested with this application.

Submitting Application

1. **Sign and date your application** - If unable to sign, please go to Witness/Address boxes (11 on reverse) and have a person witness your mark. Witness/Assistant instructions follow below.

2. **Deliver to Early Voting Clerk** - You may submit your application via these methods:

In Person: Only the applicant may submit their application in person to the Early Voting Clerk until the early voting period begins. However, after the early voting period begins for an election, the applicant may only submit their application via mail, common contract carrier, fax, or e-mail.
By Mail: You may mail your application via the U.S. Postal Service.

By Common Contract Carrier: You may submit via a common or contract carrier which is a bona fide, for profit carrier.

By Fax: You may fax your application to the Early Voting Clerk. Please contact your Early Voting Clerk or the Secretary of State's Office for fax numbers.

By E-Mail: You may e-mail a signed, scanned image of your application to the Early Voting Clerk. Please contact your Early Voting Clerk or the Secretary of State's Office for e-mail addresses.

IF YOU FAX OR E-MAIL YOUR APPLICATION TO THE CLERK, YOU MUST ALSO MAIL THE APPLICATION SO THAT THE CLERK RECEIVES IT NO LATER THAN THE FOURTH BUSINESS DAY AFTER THE DAY THE CLERK RECEIVED YOUR FAXED OR E-MAILED APPLICATION. If you fax or e-mail your application by the deadline noted below, your application will be considered complete and timely as long as the original is received by the early voting clerk by the fourth business day after it was submitted by fax or e-mail.

Deadline

Your application must be received by the early voting clerk of the local entity conducting the election not later than the 11th day before election day. If the 11th day is a weekend or holiday, the deadline is the first preceding business day. You may submit an application throughout the calendar year, beginning January 1. Please remember that the application must be received not later than the 11th day before the first election in which you seek to vote by mail.

If you submit an Annual Application for Ballot by Mail within 60 days before an election that takes place in the following calendar year, your application will be valid for any election that takes place in the following calendar year, regardless of the fact that your application was submitted prior to the end of the preceding calendar year. This applies to Annual Applications only and not to a regular application for ballot by mail.

Witness/Assistant Section

Witness: If you are unable to sign your name (due to a physical disability or illiteracy), the application may be signed at Box #11 for you by a Witness. You must affix your mark to the application in Box #10 or, if you are unable to make a mark, then the Witness must state his/her name in printed form and indicate his/her relationship to you or, if unrelated, state that fact. The Witness must sign and provide his or her printed name and residence address. Unless the Witness is a close relative of the voter (parent, grandparent, spouse, child or sibling), it is a Class B misdemeanor for a person to witness more than one application for ballot by mail.

Assistant: If a person (other than a close relative or person registered to vote at the same address) assists you in completing this application in your presence or mails/faxes/e-mails this application on your behalf, then that person must complete Box #11. The Assistant must sign, provide his or her printed name, and his or her residence address. A person commits a Class A misdemeanor if the person provides assistance without providing the information described above unless a close relative or registered at your address.

If you have further questions or need additional assistance, please contact your Early Voting Clerk or The Secretary of State's office at 1-800-252-8683 or www.sos.state.tx.us.

A Message from your State Representative

Anna Eastman

One of the grounds for voting by mail is disability. The Election Code defines “disability” to include “a sickness or physical condition that prevents the voter from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring the voter’s health.” (Sec. 82.002). Voters who meet this definition and wish to vote a ballot by mail must submit an application for ballot by mail.

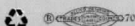
These ballots make it easy to cast a vote from the convenience of your own home and avoid going to a voting location. **Make sure your voice is heard.**



VOTE BY MAIL: The Safe and Easy Way to Vote.

SIGN AND RETURN YOUR APPLICATION TODAY! For assistance please call (713) 861-2244

Pol. adv. paid for by the Anna Eastman Campaign. Brad Eastman, Treasurer.



SIGN, STAMP AND RETURN APPLICATION TODAY!
FIRME, ESTAMPILLA, Y ENVIAR LA APLICACIÓN
HOY MISMO

POSTAGE
REQUIRED
ESTAMPILLA

FROM: _____



Diane Trautman, Harris County Clerk
P.O. Box 1148
Houston, TX 77251-1148

URGENT: 2020 VOTING UPDATE

YOUR APPLICATION TO VOTE BY MAIL FOR THE JULY 14 RUNOFF AND NOVEMBER 3 GENERAL ELECTION



0**18**2346*****ECRL0T**C 006

PRSRT STD
U.S. POSTAGE PAID
N. HOUSTON, TX
PERMIT NO. 3084

**SIGN, STAMP
AND RETURN TODAY!**

URGENTE: ACTUALIZACIÓN SOBRE LA VOTACIÓN 2020

Su solicitud para votar por correo para la elección de segunda vuelta el 14 de julio y la elección general el 3 de noviembre

Voters MUST fill out a new application to vote-by-mail in 2020. Return your application before the July 3 deadline!

Los votantes DEBEN llenar una nueva solicitud para votar por correo en 2020. Devuelva su solicitud antes de la fecha límite del 3 de julio.

**RE-ELECT ANNA
EASTMAN**

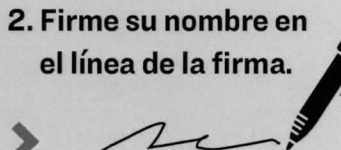
FOR TEXAS STATE REP.
DISTRICT 148

3 SIMPLE STEPS

1. Check the disability box.
2. Sign your name on the signature line.

3. Tear off the application, stamp and mail it. TODAY!

3 PASOS SIMPLES

1. Marque la castilla incapacidad.
2. Firme su nombre en el línea de la firma.

3. Corte la aplicación y envíela hoy por correo con estampilla.

APPLICATION FOR BALLOT BY MAIL Aplicación Para Votar Por Correo

Name and address (as registered to vote)

AE 

☒ ELECTION

2020 ANNUAL APPLICATION
(IF APPLICABLE FOR NOV.)
INCL. DEMOCRATIC
PRIMARY RUNOFF

REASON YOU ARE APPLYING
FOR AN EARLY BALLOT:

- ☐ 65 years or over
☐ **DISABILITY**
☐ Out of the county on
Election Day
☐ In jail but otherwise
eligible

SIGN YOUR APPLICATION If you cannot sign, you must have a person witness your mark. If a person helped you fill out this application, he or she must complete the box for WITNESS and/or ASSISTED section. In any single election, it is a Class B misdemeanor for any person to sign a ballot application as a witness or assistant for more than one applicant. A person may sign more than one application as a witness or assistant if the second subsequent applications are related to the witness as parent, spouse, child, sibling, or grandparent. If you need additional information call the Secretary of State at 1-800-252-8683.

X FOR WITNESS: Applicant, if unable to sign, shall make a mark in presence of witness. If applicant is unable to make a mark, the witness shall check here ____.

X RELATIONSHIP TO APPLICANT:

CHECK ONE ____parent ____grandparent
____spouse ____child ____sibling ____other

**SIGNATURE OF APPLICANT AS REGISTERED
FIRMA DEL APLICANTE COMO REGISTRADO**

SIGN HERE / FIRMA AQUI

Signature of witness, IF REQUIRED

Print Full Name of Witness

Residence address of witness or title of witness.

If an Election Official see instructions for clarification.

Preserve our shared Texas Values



VOTE BY MAIL! HERE'S HOW:



Step 1

Sign the attached mail ballot request form. (one per voter)



Step 2

Detach the perforated, pre-addressed card.



Step 3

Affix a first-class stamp and drop in the mail!

Learn More And Connect Online At:



Facebook.com
/TexansForAbbott



Twitter.com
/GregAbbott_TX



Website:
www.GregAbbott.com

FROM _____

Abbott
GOVERNOR



Affix
FIRST
CLASS
POSTAGE

TO:

Taylor County Elections Department
Freda Ragan, Elections Administrator
PO Box 3318
Abilene, TX 79604-3318



FROM _____

Abbott
GOVERNOR



Affix
FIRST
CLASS
POSTAGE

Taylor County Elections Department
Freda Ragan, Elections Administrator
PO Box 3318
Abilene, TX 79604-3318



**Ballot Applications Must Be Received By Your Election
Department No Later Than February 23rd**

**FOR ADDITIONAL VOTING ASSISTANCE,
PLEASE VISIT:**

www.VoteTexas.gov

THE BEST IS YET TO COME

PRESIDENT TRUMP NEEDS YOU TO ACT NOW

President Trump will
always put America First by:

- Fighting for law and order
- Protecting us from the radical left
- Leading our Great American Comeback

TEXAS
TRUMP

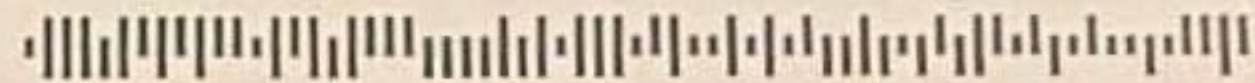
VICTORY

Support our Great American
Comeback. Make a plan
today to fill out one of
the attached Absentee
Ballot Request forms.

Paid for by the Republican Party of Texas.
WWW.TEXASGOP.ORG

P.O. Box 2206
Austin, TX 78768

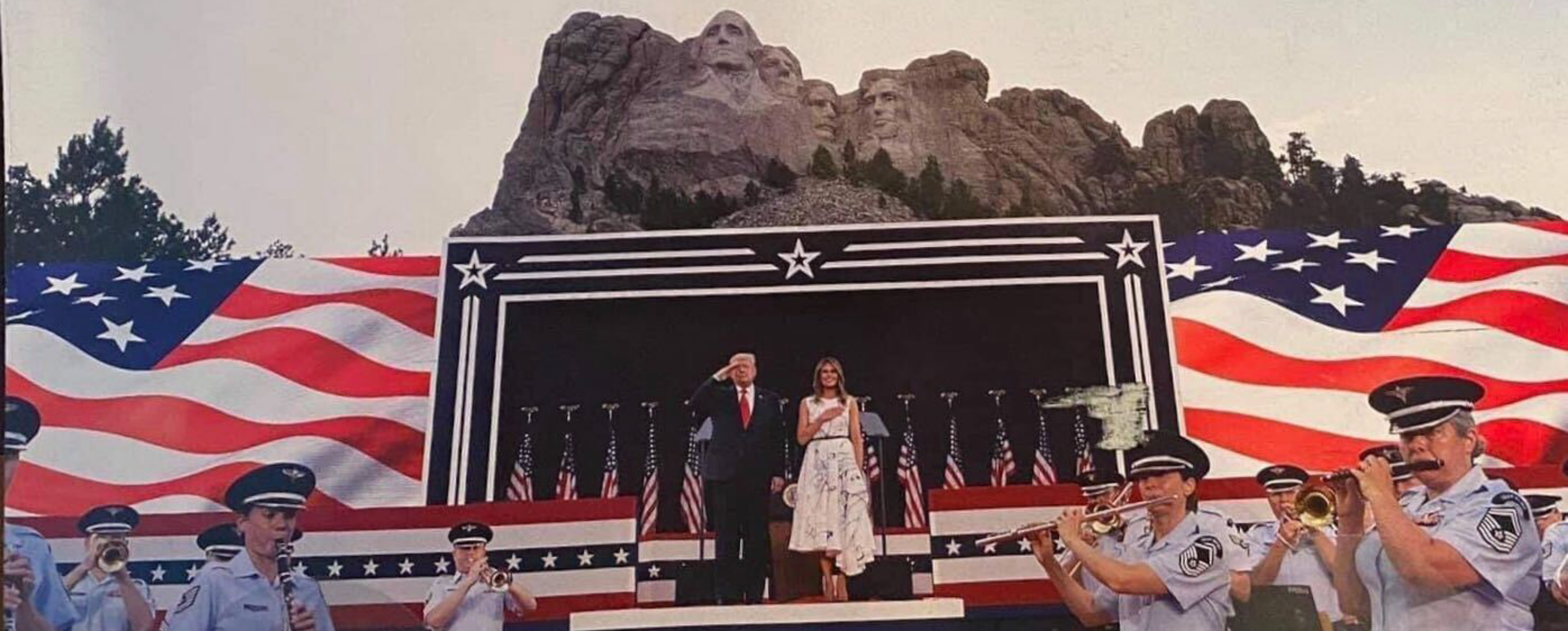
NONPROFIT ORG
U.S. POSTAGE
PAID
MS



THE LAND OF GREATNESS

"My fellow citizens: America's destiny is in our sights.
America's heroes are embedded in our hearts. America's future is
in our hands. And ladies and gentlemen: the best is yet to come."

- President Donald J. Trump, Speech at Mt Rushmore, July 3, 2020



Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Christopher Clay on behalf of Anjali Salvador
Bar No. 24110324
cclay@aclutx.org
Envelope ID: 46284031
Status as of 9/16/2020 12:00 PM CST

Associated Case Party: Chris Hollins, Harris County Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Stanton Jones		stanton.jones@arnoldporter.com	9/16/2020 11:37:12 AM	SENT
Daniel F.Jacobson		Daniel.Jacobson@arnoldporter.com	9/16/2020 11:37:12 AM	SENT
John B.Swanson		John.Swanson@arnoldporter.com	9/16/2020 11:37:12 AM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Cameron Hatzel	24074373	Cameron.Hatzel@cao.hctx.net	9/16/2020 11:37:12 AM	SENT
Susan Lea Hays	24002249	hayslaw@me.com	9/16/2020 11:37:12 AM	SENT
Kyle Hawkins		kyle.hawkins@oag.texas.gov	9/16/2020 11:37:12 AM	SENT
Lanora Pettit	24115221	lanora.pettit@oag.texas.gov	9/16/2020 11:37:12 AM	SENT
Natalie Thompson		natalie.thompson@oag.texas.gov	9/16/2020 11:37:12 AM	SENT
Wolfgang PHirczy de Mino, PhD		wphdmphd@gmail.com	9/16/2020 11:37:12 AM	SENT
Christoper Carter		christopher.carter@oag.texas.gov	9/16/2020 11:37:12 AM	SENT
Douglas Ray		douglas.ray@cao.hctx.net	9/16/2020 11:37:12 AM	SENT
Christopher Odell		christopher.odell@arnoldporter.com	9/16/2020 11:37:12 AM	SENT