

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

TELISA CLARK, ET AL.

CIVIL ACTION

VERSUS

JOHN BEL EDWARDS, ET AL.

NO.: 20-00308-SDD-RLB

Consolidated With

**POWER COALITION FOR EQUITY AND
JUSTICE, ET AL.**

CIVIL ACTION

VERSUS

JOHN BEL EDWARDS, ET AL.

NO.: 20-00283-BAJ-EWD

**REGISTRAR OF VOTERS MOTION TO DISMISS
PURSUANT TO RULE 12(b)(1) AND 12(b)(7)**

Defendants, STEVE RABORN, in his official capacity as East Baton Rouge Parish Registrar of Voters, SANDRA WILSON, in her official capacity as Orleans Parish Registrar of Voters, CHARLENE MEAUX MENARD, in her official capacity as Lafayette Parish Registrar of Voters, and RHONDA R. ROGERS, in her official capacity as Terrebonne Parish Registrar of Voters, (the “Registrars”, collectively), respectfully move to dismiss the plaintiffs’ claims against them pursuant to Rule 12(b)(1) for lack of standing and under Rule 12(b)(7) for failure to joined parties required to be joined by Rule 19.

1.

The plaintiffs, one and all, are without standing to pursue a claim against the Registrars because the plaintiffs’ grievances are not traceable to the Registrars, and injunctive and/or declaratory relief against the Registrars would not redress the plaintiffs’ complaints. Thus, this Court lacks subject matter jurisdiction to hear the case for lack of a Case or Controversy.

2.

The Registrars further move for dismissal pursuant to Rule 12(b)(7) for failure to join parties required to be joined under Rule 19. Plaintiffs clearly intend and plead for statewide injunctive and declaratory relief with an order directed to all Registrars and all Parish Board of Election Supervisors but exclude from the suit indispensable parties in the absence of which complete relief cannot be accorded and who have an interest relating to the subject matter of the litigation and are so situated that (a) allowing the litigation to proceed would impede their ability to protect their interest and (b) would potentially subject the absent parties to double exposure and/or inconsistent obligations.

3.

Among such parties indispensable to the case are, at a minimum, the respective Parish Board of Election Supervisors for Orleans, East Baton Rouge, Lafayette, and Terrebonne, but more comprehensively, all State Registrars and all Parish Board of Election Supervisors against whom the plaintiffs have requested an injunctive and declaratory order and all of whom have responsibilities and obligations extending to the matters sued upon and whose obligations and responsibilities would be impacted by this litigation.

4.

The grounds for the foregoing motions are addressed in further detail in the memorandum accompanying this motion.

5.

Exhibits A-I are attached to this motion and memorandum.

ACCORDINGLY, for the reasons expressed above and more fully expressed in the accompanying memorandum, the Registrars respectfully move that the plaintiffs' claims against

them be dismissed, with prejudice, at Plaintiffs' cost.

Respectfully submitted,

JEFF LANDRY
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CERTIFICATE OF SERVICE

I do hereby certify that, on this 8th day of June, 2020 the foregoing pleading was filed electronically with the Clerk of Court using the CM/ECF system which gives notice of filing to all counsel of record.

/s/ Carey T. Jones
Carey T. Jones

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NO.: 20-00283-BAJ-EWD

**MEMORANDUM IN SUPPORT OF REGISTRARS OF VOTERS’
MOTION TO DISMISS PURSUANT TO RULE 12(b)(1) AND 12(b)(7)**

MAY IT PLEASE THE COURT:

Among the defendants named in these consolidated cases are four of Louisiana’s 64 Registrars of Voters, Sandra Wilson as Registrar of Voters for Orleans Parish and Steve Raborn as Registrar of Voters of East Baton Rouge Parish in CA No. 3:20-cv-00283, and Charlene Meaux Menard, as Registrar of Voters for Lafayette Parish and Rhonda R. Rogers, as Registrar of Voters for Terrebonne Parish, in CA No. 3:20-cv-00308, (collectively, the “Registrars”). The Registrars move to dismiss the claims against them pursuant to Rules 12(b)(1) and 12(b)(7). Because the plaintiffs’ grievances are not traceable to the Registrars, whose duties are purely ministerial, and because relief against the Registrars would not give redress to the plaintiffs, the plaintiffs are without standing to maintain their claims against the Registrars. Additionally, the plaintiffs have

not named parties indispensable to the litigation under Rule 19, and the case cannot go forward in their absence.

The respective Complaints in these consolidated cases are substantially the same. The plaintiffs complain that the risk of contracting coronavirus at the polls will discourage them from voting in upcoming elections, and Louisiana should be ordered to change its voting methods to accommodate their concerns. The failure to do so, plaintiffs argue, will place an impermissible burden on their right to vote in violation of the First and Fourteenth Amendments and further amounts to a violation of Section 2 of the Voting Rights Act of 1965 because coronavirus disproportionately affects African-Americans.

The plaintiffs primarily question the choices made by the State of Louisiana in formulating an Emergency Election Plan to take account of COVID-19 for the presidential/local and municipal primary election, rescheduled to July 11, 2020, and the general local and municipal election, rescheduled to August 15, 2020.¹ But, the suit challenges, more broadly, several of Louisiana's longstanding election statutes applicable to the November 3, 2020 presidential general and open congressional primary elections as well as the December 5, 2020 congressional and open general election.²

Plaintiffs' grievances center principally on particular aspects of absentee by mail voting both in the Emergency Election Plan and in the Louisiana Election Code more generally. Specifically, plaintiffs complain that the option to vote absentee by mail should be extended to

¹ The presidential primary and the municipal primary and general elections were scheduled to be held on April 4 and May 9, 2020 respectively. Prior to the elections, Governor John Bel Edwards declared a public health emergency due to COVID-19 in 25 JBE 2020 and subsequently rescheduled the elections in two proclamations, 28 JBE 2020, issued March 13, 2020, and 46 JBE 2020, issued April 14, 2020. The elections are currently scheduled to be held on July 11 and August 15, 2020. <https://gov.louisiana.gov/index.cfm/newsroom/category/10>

² The November and December elections are not part of the State's Emergency Election Plan.

more voters and that the witness requirement to request an absentee mail ballot and to vote absentee by mail should be enjoined as too onerous. Plaintiffs also complain that the early voting period is too short for all of the 2020 elections. The defendant Registrars do not make, participate in, nor enforce the choices that aggrieve the plaintiffs, and any harm to the plaintiffs is not traceable to any of the Registrars named in the suit.

Understanding the role of Registrars in the Louisiana election process helps explain why the plaintiffs' claims against them are misdirected. Early in the evolution of the State's voting practices, Louisiana endowed Registrars with considerable discretion in determining whether citizens were allowed to vote. Cases such as *Louisiana v. United States*, 380 U.S. 145 (1965), illustrated the dangers inherent in concentrating such power and authority in a single election official, and the Louisiana Election Code, enacted pursuant to the State's 1974 Constitution, restructured voter registration and balloting decisions. Parish registrars were made ministerial officers bound by the dictates of statute in carrying out their duties. Discretionary decisions, such as determining the validity of an absentee by mail ballot, were assigned to a Parish Board of Election Supervisors made up of five members who must vote by majority to reach a decision in the tabulation and counting of ballots.³

The current role of Registrars in the Louisiana election process is purely ministerial.⁴ They follow the dictates of state laws and administrative rules given to them by decision-making branches and agencies of state government. They are without discretion in applying election laws that mandate their every step in conducting their part in elections. They have no enforcement authority with respect to election laws.

³ La. R.S. 18:423, 1313.

⁴ La. R.S. 18:66.

With respect to absentee by mail ballots, the Registrars are merely conduits for passing absentee ballots from the Secretary of State to the voters and then receiving the ballots from the voters once cast for transfer to the Parish Board of Election Supervisors to assess, tabulate, and count. The Parish Board of Election Supervisors receives the absentee by mail ballots cast in the election and determines the validity of absentee by mail ballots. The Parish Board also rules on absentee ballot challenges.⁵ A registrar is but one member of the Parish Board and has no independent authority to make any determination with respect to absentee ballots.⁶ Rather, the Parish Board must act at a meeting with a quorum of its members present and act by majority vote.⁷ Registrars do not set, control, or enforce the procedures for absentee balloting nor set the number of days for early voting. They have no power to change the terms of statutory requirements in that regard.

With respect to early voting, Registrars are assigned to carry out the mechanics of early voting, again, according to the mandates of statute. However, the Eleventh Circuit Court of Appeals recently recognized that such general supervision over elections cannot serve as the basis for standing.⁸ It is the official or body that actually sets the terms of the election or determines whether the form of the ballot is valid that must be sued. The case or controversy does not lie between Registrars and the plaintiffs but rather, between the plaintiffs and the party or parties who caused their injury and are empowered to fix it.

Early voting periods are set by lawmakers and state agencies both in the Emergency Election Plan and in other Louisiana elections.⁹ While the Registrars administer early voting, they

⁵ La. R.S. 18:1313, 1315.

⁶ La. R.S. 18:423.

⁷ La. R.S. 18:423(I)

⁸ *Jacobson v. Florida Secretary of State*, 957 F. 3d 1193, 1207-1211 (11th Cir. 4/29/20).

⁹ La. R.S. 18:1309; Exhibit A.

do so in accordance with the dictates of state law, not as they may see fit or with discretion to change statutorily mandated procedures.

The harms that the plaintiffs allege are not traceable to the Registrars, and an injunction against these four Registrars would not redress the plaintiffs' grievances. Other agencies enact and enforce the laws and rules that the Registrars are bound to follow, and to the extent the latter parties are absent from the litigation, they must either be joined or the case dismissed pursuant to Fed. R. Civ. P. 19.

I. ABSENTEE BY MAIL AND EARLY VOTING IN LOUISIANA

The Louisiana Constitution of 1974 directed the legislature to adopt an election code to provide for the registration of voters and for the conduct of all elections.¹⁰ The Louisiana Election Code was enacted pursuant to the constitutional mandate by 1976 La. Acts No. 697, eff. January 1, 1978 to include laws governing elections in the State.¹¹ Absentee by mail and early voting procedures are currently set out in the Election Code in Chapter 7, La. R.S. 18:1301-1319 as alternatives to voting at the polls on election day.¹²

A. Current Absentee By Mail Voting Procedures in Louisiana

The absentee by mail voting option in Louisiana may be used by voters in statutorily prescribed categories who, for various reasons, expect to be unavailable or unable to vote at the polls on election day.¹³ Absentee by mail ballots are paper ballots prepared by the Secretary of State on paper stock with print, size, type, etc., set out in the statutes.¹⁴

¹⁰ La. Const. Art XI, § 1.

¹¹ Louisiana's election laws are now codified in La. R.S. 18:1, *et seq.*

¹² La. R.S. 18:1301.

¹³ La. R.S. 18:1303.

¹⁴ La. R.S. 18:1306.

A voter can request an absentee by mail ballot from the Registrar of Voters on a standard absentee by mail ballot application form prepared by the Secretary of State. The ballot application form may be obtained from the Registrar or online on the Louisiana Secretary of State website. Requests for absentee by mail ballots may be submitted by mail, fax, hand-delivery, or electronic means. The application form may also be completed on the Secretary of State website and conveyed electronically to the appropriate Registrar.

Three application forms are available for the absentee ballot request - - General Application Form, Disability Application Form, and Military Application Form.¹⁵ These forms are generally used for all Louisiana elections. A handwritten request by the voter is also acceptable for requesting an absentee by mail ballot, but their use is exceedingly rare.¹⁶

Each of the three application forms contains check boxes beside each reason for requesting an absentee ballot. The voter indicates the reason for his or her request by checking one or more of the boxes.¹⁷ Except for the disability and hospitalization forms, which require documentation, registrars accept the reason indicated by the voter's check mark as the basis for sending the voter an absentee by mail ballot.¹⁸ Registrars do not look behind or investigate the voter's check mark to verify the reason for requesting an absentee by mail ballot.¹⁹ Where a request form is incomplete or in the case of disability and hospitalization, lack documentation, the registrar promptly contacts the voter to get the missing information so that a ballot can be sent out to the voter.²⁰

With respect to the absentee by mail ballots themselves, once they are prepared and printed for the election, the Secretary of State conveys ballots and ballot envelopes to the parish registrars

¹⁵ <https://www.sos.la.gov/ElectionsAndVoting/Vote/VoteByMail/Pages/default.aspx>

¹⁶ Exhibits B, C, D.

¹⁷ Exhibits E, F, G, H.

¹⁸ The procedure is similar to that noted and approved by the Texas Supreme Court in the matter of *In Re State of Texas*, 20-0394 (Tex. 5/27/20), 2020 WL 2747179.

¹⁹ Exhibits B, C, D.

²⁰ *Id.*

to send the ballots out to voters.²¹ Where the voter who requests a ballot is in the prescribed category of voters entitled to exercise the absentee ballot option, the Registrar sends or gives the voter a ballot and ballot envelope together with instructions prepared by the Secretary of State on how to mark and return the ballot.²² When the ballot is marked by the voter, it is returned to the Registrar in the ballot envelope to hold until election day.²³

Each absentee by mail ballot envelope bears a “ballot flap.”²⁴ The ballot flap is a certificate attached to the ballot envelope to be completed by the voter upon receipt of the absentee by mail ballot.²⁵ It contains certain information about the voter as well as the voter’s ward and precinct to enable Registrars to sort the ballots for tabulation and counting by the Parish Board of Election Supervisors. The ballot flap must be filled out by the voter in accordance requires a certification by the voter and a witness handwritten name and signature.²⁶ Once ballot is marked, the voter places it in the absentee by mail envelope with the completed ballot flap attached and returns the voted ballot to the Registrar.²⁷ The Registrar holds the voted ballots until election day.

The Parish Board of Election Supervisors takes possession of the ballots on election day to tabulate and count the absentee by mail ballots in accordance with La. R.S. 18:1313. It is the Parish Board of Election Supervisors, not the Registrars, that examines the ballots and ballot envelopes and determines whether or not the ballot is valid and should be counted.²⁸ The Registrar is but one member of the Parish Board of Election Supervisors and has no independent authority to make any

²¹ La. R.S. 18:1306.

²² La. R.S. 18:1307, 1307.1, 1307.2, and 1308.

²³ La. R.S. 18:1312.

²⁴ La. R.S. 18:1306(E).

²⁵ Exhibit I.

²⁶ La. R.S. 18:1306(E).

²⁷ La. R.S. 18:1310.

²⁸ La. R.S. 18:1313.

determination with respect to absentee ballots.²⁹ Rather, the Parish Board must act at a meeting with a quorum of its members present upon majority vote.³⁰

After tabulation and counting, the absentee ballots, ballot flaps, and certain ballot envelopes are given back to the registrars for preservation until recounts, the delay for recounts, election contests or time for election contests are concluded.³¹

B. The Relevant Change in Absentee Balloting Under the Emergency Election Plan

An Emergency Election Plan was adopted by the joint action of the Governor the Secretary of State, and the Legislature pursuant to La. R.S. 18:401.3. The presidential primary election had been scheduled for April 4, 2020 with the local general elections set for May 2020. However pursuant to Executive Proclamations, the elections were twice rescheduled due to COVID-19 and are presently scheduled on July 11, 2020 and August 15, 2020, respectively.³²

The Emergency Election Plan altered absentee by mail balloting for the rescheduled July and August elections. The relevant change for purposes of this lawsuit extended the category of voters able to exercise the absentee option and expanded the number of days for absentee voting.

The Emergency Election Plan added to the category of voters able to exercise the absentee option as follows:

This plan will expand the reasons to request an absentee ballot to registered voters who are affected by COVID-19 and are:

- At higher risk of severe illness from COVID-19 due to serious underlying medical conditions as identified by the Centers for Disease Control and Prevention (including chronic lung disease, moderate to severe asthma,

²⁹ La. R.S. 18:423.

³⁰ La. R.S. 18:423(I)

³¹ Id.

³² The Governor issued Proclamation No. 25 JBE 2020 to declare a state of emergency. Thereafter, in Proclamation No. 28 JBE 2020, the elections were first rescheduled to June 20, 2020 and July 25, 2020. In Proclamation No. 46 JBE 2020, the elections were rescheduled a second time to their present dates. <https://gov.louisiana.gov/index.cfm/newsroom/category/10>

hypertension and other serious heart conditions, diabetes, undergoing chemotherapy, severe obesity (BMI of 40 or higher, chronic kidney disease and undergoing dialysis, liver disease, pregnancy, or immunocompromised due to cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications);

- Subject to a medically necessary quarantine or isolation order as a result of COVID-19
- Advised by a health care provider to self-quarantine due to COVID-19 concerns;
- Experiencing symptoms of COVID-19 and seeking a medical diagnosis; or
- Caring for an identified individual who is subject to a medically necessary quarantine or isolation order as a result of COVID-19 or who has been advised by a health care provider to self-quarantine due to COVID-19 concerns.

All requests made under current law for absentee ballots will continue to be accepted.³³

For the July and August, 2020 elections the Secretary of State devised a fourth absentee ballot request form especially for COVID-19 related issues. The additional form is referred to as Temporary COVID-19 Application Form.³⁴ Like the other ballot application forms, the COVID-19 form contains check boxes for the applicant to indicate the COVID-19 related reason to receive an absentee by mail ballot prescribed in the Emergency Election Plan. Also like the other applications, Registrars do not look behind or investigate the voter's check mark to verify the reason for requesting a COVID-19 related absentee by mail ballot.³⁵

³³ Exhibit A.

³⁴ Exhibit E.

³⁵ The procedure is similar to that noted and approved by the Texas Supreme Court in the matter of *In Re State of Texas*, 20-0394 (Tex. 5/27/20), 2020 WL 2747179.

An absentee by mail application requires a witness signature for persons signing the request with a mark. Ordinarily two witnesses are required.³⁶ However, for the rescheduled elections covered by the Emergency Election Plan, the witness requirement for persons making a mark is reduced to one witness.³⁷

C. The Early Voting Period

Early voting, as the name suggests, allows voters to vote in person at special polling places before election day. For regular elections, the early voting period begins 14 days before the election and ends seven days before the election for an early voting period of seven days.³⁸ The Emergency Election Plan expands the early voting period to a total of 13 days.³⁹ The time periods are established by statute and/or in the Emergency Election Plan. The Registrars have no part in setting the number of days for early voting.

Registrars are charged with the administration of early voting to be conducted in accordance with Chapter 7 of the Election Code.⁴⁰ The procedures for conducting early voting are laid out in the Code in exquisite detail, and the Registrars are constrained to carry out early voting accordingly.⁴¹ As with absentee by mail ballots, early voting ballots are tabulated and counted by the Parish Board of Election Supervisors, not by the Registrars.

II. THE COURT IS WITHOUT JURISDICTION OVER THE CLAIMS AGAINST THE REGISTRAR BECAUSE THE PLAINTIFFS LACK STANDING

Without jurisdiction a federal court cannot proceed at all in any cause. Jurisdiction is the power to declare the law, and when it ceases to exist, the only function remaining to the court is

³⁶ La. R.S. 18:1307.

³⁷ Exhibit A.

³⁸ La. R.S.18:1309(A).

³⁹ Exhibit A.

⁴⁰ La. R.S. 18:58(B).

⁴¹ La. R.S. 18:1309-1309.3.

that of announcing the fact and dismissing the cause.”⁴² The requirement that jurisdiction be established as a threshold matter “spring[s] from the nature and limits of the judicial power of the United States” and is “inflexible and without exception.”⁴³

Motions filed under Rule 12(b)(1) of the Federal Rules of Civil Procedure allow a party to challenge the subject matter jurisdiction of the district court to hear a case. Fed. R. Civ. P. 12(b)(1). Lack of subject matter jurisdiction may be found in any one of three instances: (1) the complaint alone; (2) the complaint supplemented by undisputed facts evidenced in the record; or (3) the complaint supplemented by undisputed facts plus the court's resolution of disputed facts.⁴⁴

The burden of proof for a Rule 12(b)(1) motion to dismiss is on the party asserting jurisdiction.⁴⁵ Accordingly, the plaintiff constantly bears the burden of proof that jurisdiction does in fact exist.⁴⁶ It is the party seeking to establish subject-matter jurisdiction that bears the burden of demonstrating its existence, else the case cannot proceed.⁴⁷

A court should consider a Rule 12(b)(1) jurisdictional attack before addressing any attack on the merits.⁴⁸ Considering a Rule 12(b)(1) motion to dismiss first “prevents a court without jurisdiction from prematurely dismissing a case with prejudice.”⁴⁹

A. Article III Courts Are Courts of Limited Jurisdiction Whose Authority Extends Only To Cases and Controversies. The Plaintiffs In This Case Have Not Shown That a Case or Controversy Exists With Respect to the four named Registrars

⁴² *Ex parte McCardle*, 7 Wall. 506, 514, 19 L.Ed. 264 (1868).

⁴³ *Mansfield, C. & L.M.R. Co. v. Swan*, 111 U.S. 379, 382, 4 S.Ct. 510, 511, 28 L.Ed. 462 (1884); *Steel Co. v. Citizens for a Better Env't*, 523 U.S. 83, 94, 118 S. Ct. 1003, 1012, 140 L. Ed. 2d 210 (1998).

⁴⁴ *Barrera–Montenegro v. United States*, 74 F.3d 657, 659 (5th Cir.1996).

⁴⁵ *McDaniel v. United States*, 899 F.Supp. 305, 307 (E.D.Tex.1995).

⁴⁶ *Menchaca v. Chrysler Credit Corp.*, 613 F.2d 507, 511 (5th Cir.1980).

⁴⁷ *Ramming v. United States*, 281 F.3d 158, 161 (5th Cir. 2001).

⁴⁸ *Id.* (citing *Ramming v. United States*, 281 F.3d 158, 161 (5th Cir.2001), *cert. denied*, 536 U.S. 960, 122 S.Ct. 2665, 153 L.Ed.2d 839 (2002)).

⁴⁹ *Id.* See, *Hall v. Louisiana*, 983 F. Supp. 2d 820, 827 (M.D. La. 2013).

Article III of the Constitution limits federal courts' jurisdiction to certain “Cases” and “Controversies.” As we have explained, “[n]o principle is more fundamental to the judiciary's proper role in our system of government than the constitutional limitation of federal-court jurisdiction to actual cases or controversies.”⁵⁰ “One element of the case-or-controversy requirement” is that plaintiffs “must establish that they have standing to sue.”⁵¹

1. Proof of Standing Requires the Plaintiff to Show a Concrete Injury Traceable To A Defendant’s Conduct That Can Be Redressed By an Order Against that Defendant

At an irreducible minimum, Art. III requires the party who invokes the court's authority to show that (1) he personally has suffered some actual or threatened injury as a result of the putatively illegal conduct of the defendant, (2) that the injury fairly can be traced to the challenged action and (3) is likely to be redressed by a favorable decision.”⁵²

First, the injury alleged must be ... “‘distinct and palpable,’” and not ‘abstract’ or ‘conjectural’ or ‘hypothetical.’⁵³ The Supreme Court has thus refused to entertain a variety of suits premised only upon “the value interests of concerned bystanders,” *United States v. SCRAP*, 412 U.S. 669, 687 (1973), or upon “‘the right, possessed by every citizen, to require that the Government be administered according to law.’”⁵⁴ (The exercise of judicial power, which can so profoundly affect the lives, liberty, and property of those to whom it extends, is ... restricted to litigants who can show ‘injury in fact’ resulting from the action which they seek to have the court adjudicate.”)

⁵⁰ *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 341, 126 S.Ct. 1854, 164 L.Ed.2d 589 (2006) (internal quotation marks omitted); *Raines v. Byrd*, 521 U.S. 811, 818, 117 S.Ct. 2312, 138 L.Ed.2d 849 (1997) (internal quotation marks omitted); see, e.g., *Summers v. Earth Island Institute*, 555 U.S. 488, 492–493, 129 S.Ct. 1142, 173 L.Ed.2d 1 (2009).

⁵¹ *Raines*, *supra*, at 818, 117 S.Ct. 2312.

⁵² *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992).

⁵³ *Allen v. Wright*, 468 U.S. 737 (1984).

⁵⁴ *Valley Forge Christian College v. Americans United for Separation of Church and State*, 454 U.S. 464, 472 (1982).

Thus, the injury-in-fact alleged in a plaintiff's complaint “must *affect the plaintiff* in a personal and individual way.”⁵⁵ (emphasis added); *see also id.* at 581 (Kennedy, J., concurring in part and concurring in the judgment) (“[T]he party bringing suit must show that the action injures him in a concrete and personal way.”).

Second, there must be a causal connection between the injury and the conduct complained of—the injury has to be “fairly ... trace[able] to the challenged action of the defendant, and not ... th[e] result [of] the independent action of some third party.”⁵⁶

Third, it must be “likely,” as opposed to merely “speculative,” that the injury will be “redressed by a decision.”⁵⁷ Plaintiffs must show that an order against the defendant would give relief to the plaintiff.

Standing is an issue upon which the party invoking federal jurisdiction, the plaintiff, bears the burden of persuasion.⁵⁸

2. Plaintiffs Here Have Not Shown That They Have Standing With Respect to the Four Registrars

The plaintiffs do not show that the Registrars caused them injury. The plaintiffs first complain that they should receive absentee by mail ballots. They argue that coronavirus disproportionately impacts African-Americans, and their concern about contracting the virus at the polls should place them in a category of voters entitled to choose the absentee by mail option to vote.

But, it is not these four Registrars that set the categories entitled to vote absentee, and so, any injury stemming from the establishment of persons entitled to vote absentee is not traceable to

⁵⁵ *Lujan v. Defenders of Wildlife*, 504 U.S. at 560 n.1.

⁵⁶ *Simon v. Eastern Ky. Welfare Rights Organization*, 426 U.S. 26, 41–42, (1976).

⁵⁷ *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560–61 (1992).

⁵⁸ *Friends of the Earth, Inc. v. Crown Cent. Petroleum Corp.*, 95 F.3d 358, 361–62 (5th Cir. 1996).

the Registrars. The Registrars' responsibility in that regard consists in reviewing the check boxes on the application form for an absentee by mail ballot and sending ballots to those who check a box that includes one of the reasons that entitle the voter to an absentee ballot. Establishing the reasons for entitlement to an absentee ballot is not a part of the Registrars' duties and responsibilities. The forms for the absentee ballot request are not devised by the Registrars. The category of voters and list of reasons for entitlement to an absentee ballot are determined by others. There is no causal connection between the conduct of the Registrars in the election process and the make-up of the voter categories entitled to an absentee ballot.

Nor do these four Registrars enforce the absentee by mail ballot provisions in the statute. They merely review the application form and send the ballot. They do not look behind the check marks nor investigate the legitimacy of the voter's entitlement of a ballot. Their function is ministerial and mechanical. The harm alleged by the plaintiffs do not stem from the conduct or responsibilities of the Registrars. Registrars did not make the decisions that the plaintiffs allege caused them harm.

Second, the plaintiffs allege that requiring a witness for the absentee ballot request form for those who sign with a mark, as well as the signature requirement on the absentee ballot flap, are too onerous. However, as previously noted, those are matters mandated by statute. These Registrars did not set the witness requirement. They cannot change it. Nor do they enforce it. It is the Parish Board of Election Supervisors that reviews absentee by mail ballots for validity and thus enforcement of the witness requirement. The injury complained of does not follow from any act, duty, or responsibility on the part of these four Registrars.

Third, the plaintiffs claim that the early voting period is not long enough in the emergency elections or the regular elections in November and December of 2020. But, the early voting period

is set by statute in one instance and by Louisiana's Emergency Election Plan in the other. It is true that these Registrars administer early voting in their respective parishes, but a general duty to administer early voting is not sufficient to support standing.⁵⁹

Fourth, the plaintiffs allege that Louisiana's decisions with respect to absentee voting violate their rights under the First and Fourteenth Amendments to the U.S. Constitution by causing them to risk potential illness in order to vote. Again, the decisions with respect to voting by absentee by mail and voting at the polls are not made by these Registrars. These Registrars do not enforce those decisions. The terms of voting are set by other branches of government and agencies, and those decisions and hence plaintiffs' injuries are not traceable to Registrars.

Finally, the plaintiffs assert a Section 2 violation by virtue of COVID-19's disparate impact on African-Americans. Whether the effect of a virus on a discrete population may constitute a Section 2 violation, this claim cannot be laid at the feet of these Registrars. How to balance the risk of contracting the coronavirus in the context of an election is well beyond the responsibilities of these Registrars. These are legislative decisions made by lawmakers with access to all of the relevant information necessary to exercise their legislative discretion. Any Section 2 violation is too far removed from what the Registrars do in elections to implicate them.

In those same instances cited by the plaintiffs as grounds for relief, an order against these four Registrars would not redress plaintiffs' grievances. The Registrars lack power and authority to change the law or rules that allegedly cause harm to these plaintiffs. They cannot enforce the law or rules. Their roles are purely ministerial. They give out and collect ballots to be judged by others. They administer early voting in strict accordance with statute. They do not exercise

⁵⁹ *Jacobson v. Florida Secretary of State*, 957 F.3d 1193, 1207-1211 (11th Cir. 4/29/20).

discretion in how to apply statutes. They do not determine whether election laws, rules, or procedures have been violated or decide if a ballot is deficient or to be counted in the election.

Because the injuries complained of in the consolidate Complaints are not traceable to these Registrars and an order against these Registrars would not remedy the plaintiffs' complaints, the necessary elements of standing are absent, and the Court is without jurisdiction to hear the case.

III. MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(7)

In the alternative, should this Honorable Court find the Registrars of Voters are necessary parties in this suit, Defendants move to dismiss Plaintiffs' claims pursuant to F.R.C.P. 12(b)(7) for failure to join a party under Rule 19.

A. Legal Standard for F.R.C.P. 12(b)(7)

In order to determine whether a person is a necessary party, the court must consider whether complete relief would be available among the parties already in the suit. Rule 19(a) recognizes that complete relief cannot be accorded when the party who maintains control over the actions at issue is not a party to the suit.⁶⁰ This is particularly true where plaintiffs seek to impose liability on a party for the conduct of the absent party and their future actions which are the subject matter of the suit. The absent parties thus become essential to ensuring complete relief to the parties.⁶¹ Furthermore, when a necessary person cannot be made a party, Rule 19 authorizes dismissal, even where the absent party, although essential to ensuring complete relief to the parties, is not crucial to the case.⁶² Additionally, dismissal under Rule 19 is appropriate in a suit for preliminary

⁶⁰ See, *Tillman v. City of Milwaukee*, 715 F.2d 354, 358 (7th Cir.1983) (state agency vested with responsibility of controlling, supervising and approving program participation was a necessary party to the determination of what, if any, relief could be afforded). *Martin v. Local 147, Int'l Bhd. of Painters & Allied Trades*, 775 F.Supp. 235, 237 (N.D. Ill.1991) ("International Union is ... a necessary party because it issued the directive on mailings and was in complete control of the election.").

⁶¹ *Hashop v. Fed. Home Loan Mortgage Corp.*, 171 F.R.D. 208, 211 (N.D. Ill.1997).

⁶² *Ponce v Housing Authority of County of Tulare*, 389 F Supp 635 (E.D. Cal. 1975).

injunction as there can no likelihood of success on the merits in the absence of an indispensable party.⁶³

B. Complete relief cannot be afforded between the plaintiffs and defendants in the absence of indispensable parties.

As previously stated, the duties of the Registrars of Voters, as related to this matter, are ministerial and the relief requested by the plaintiffs is simply beyond the reach and legal capacity of the Registrars of Voters to address. Nevertheless, should this Court find otherwise, joinder of those parties whose duties are beyond mere administration is compulsory under Federal Rule of Civil Procedure 19(a), which provides in part:

(1) Required Party. A person who is subject to service of process and whose joinder will not deprive the court of subject-matter jurisdiction must be joined as a party if:

(A) in that person's absence, the court cannot accord complete relief among existing parties.

The United States Supreme Court noted, in *Louisiana v. United States*, that a claim that the Registrar of Voters was an indispensable party was meritless. “The registrars have no personal interest in the outcome of this case and are bound to follow the directions of the State Board of Registration.”⁶⁴ Rather, the members of the board were deemed the proper defendants in light of the board’s authority. The registrars were merely conduits.⁶⁵ Similarly, the plaintiffs’ allegations against the ROV result from actions taken, by law, at the direction of the parish boards.

Each of Louisiana’s parish board of election supervisors is statutorily mandated “to supervise the preparation for and the conduct of all elections held in the parish.”⁶⁶ Each parish board of election supervisors, not the registrar, is responsible for counting and tabulation of all

⁶³ *Escamilla v M2 Technology, Inc.*, 536 Fed. Appx 417 (2013).

⁶⁴ 380 U.S. 145, n. 10 (1965).

⁶⁵ *Id.*

⁶⁶ La. R.S. 18:423.

absentee by mail voting ballots, which includes, but is not limited to: selecting parish board commissioners when necessary, determining the validity of mail ballots, and rejecting ballots.⁶⁷ Each parish board of election supervisors is also responsible for determining whether a voter is eligible to vote by mail. Eligibility to vote absentee by mail ballot is set forth in La. R.S. 18:1303. If a parish board of election supervisors, after providing the voter with a hearing and opportunity to be heard, determines that the voter's eligibility is based on fraud or fraudulent information, the board notifies both the District Attorney and the registrar that the voter is ineligible to vote absentee by mail.⁶⁸

While registrars of voters have a vote on the parish board of election supervisors, they are only responsible for one vote out of five.⁶⁹ It is the parish board of election supervisors that have the authority to reject a ballot, not individual members of the board; the registrars of voters lack any authority to independently reject a ballot or undertake any other authority on behalf of the parish board of election supervisors. At least three members of the parish board of election supervisors must be present in order to transact business.⁷⁰

In order to evaluate the plaintiffs' claims, the Court must examine the manner in which each parish board handles its elections because it is the parish boards of election supervisors that are responsible for the preparation and the conduct of all elections held in the parish; it is the parish boards that actually determine whether voters are eligible to vote by mail and whether ballots are rejected. The boards' authority and actions, therefore, are at the center of the plaintiffs' allegations. If a remedy is to be fashioned by this Court, such a remedy would necessitate a change to the

⁶⁷ La. R.S. 18:1307(I).

⁶⁸ *Id.*

⁶⁹ La. R.S. 18:423(C)(1) provides that, "[i]n each parish, the board of election supervisors shall be composed of the registrar of voters, the clerk of court, the chairman of the parish executive committee of each recognized political party or his designee who shall be a member of the parish executive committee of the same recognized political party, and one member appointed by the governor."

⁷⁰ La. R.S. 42:13(A)(4) defines quorum as "a simple majority of the total membership of a public body."

parish boards of election supervisors' practices, not the registrars who simply have no authority or control over the parish boards. Indeed, not only do the registrars have no authority to direct the parish boards, nor do the other defendants named herein.

Plaintiffs' Complaint fully underscores the significance of the parish boards' role in the allegations made against them, yet the Plaintiffs fail to name them as defendants.⁷¹ The plaintiffs even acknowledge that any remedy to be fashioned would require the parish boards to change their practices, not the registrars, as demonstrated in their prayer for relief requesting that guidance be issued to the parish boards. No defendant named herein has the authority to direct or compel the actions of the parish boards of elections supervisors. Any remedy therefore requires their joinder.

Furthermore, in the event that this Court finds that the registrars are proper party defendants in this litigation, then complete relief as to the alleged deprivation of plaintiffs' constitutional rights can only be granted by an order affecting not only these four Registrars, named defendants herein, but the registrars and parish board of election supervisors of all 64 parishes of Louisiana. Thus, all the state Registrars and Parish Boards of Election Supervisors must be joined to this action, as plaintiffs pray for relief affecting "all voters" and "all elections."⁷² A judicial order issued by the Court, no matter how persuasive, is insufficient to establish redressability against an absent nonparty.

In *Jacobson v. Florida Sec'y of State*, 957 F.3d 1193 (11th Cir. 2020), the district court granted the plaintiffs' relief identical to that sought herein, *i.e.*, written guidance directed at absent nonparties.⁷³ On appeal, the Court held,

But this "notice" theory of redressability contravenes the settled principle that it must be the effect of the court's judgment on the defendant—not an absent third

⁷¹ Rec. Doc. 1, at ¶¶ 69 and 74.

⁷² Rec. Doc. 1, p. 50 – 51.

⁷³ Ultimately, judgment against the secretary of state was vacated the case was remanded with instructions to dismiss for lack of jurisdiction.

party—that redresses the plaintiff’s injury. Any persuasive effect a judicial order might have upon the Supervisors, as absent nonparties who are not under the Secretary’s control, cannot suffice to establish redressability. (internal citations omitted). *Id.*, 957 F.3d at 1208.

The *Jacobson* plaintiffs sought declaratory and injunctive relief, alleging that Florida’s general election ballot-order scheme violated the First and Fourteenth Amendments. The district court permanently enjoined the Florida Secretary of State and the 67 Supervisors of Elections from implementing the ballot-order statute. None of the election supervisors, however, were named as defendants to the suit or served with process. Nevertheless, the district court’s order required the Florida Secretary, in part, to provide “written guidance to the supervisors of elections of Florida’s counties informing them that this Court has declared the [statute] unconstitutional.”⁷⁴ The order also prohibited the supervisor of elections of *any* Florida county from issuing any ballot pursuant to the statute.⁷⁵

In addition to finding that the district court exceeded its authority by issuing a judgment against a nonparty, the court found that the nonparties were under no obligation to honor any incidental legal determination resulting from the suit and remained lawfully entitled to follow the law “unless and until they [were] made parties to a judicial proceeding that determine[d] otherwise.”⁷⁶ In its reasoning, the Court noted that the election supervisors were independent officials over whom the secretary had no authority and given that Florida law expressly gave the supervisors control of the placement of candidate names on the ballot, the secretary of state’s general election authority was insufficient to establish an injury. Thus, any relief against the secretary would not redress the plaintiffs’ injuries.⁷⁷

⁷⁴ *Id.*, 957 F.3d at 1200.

⁷⁵ *Id.*

⁷⁶ *Id.*, 957 F.3d at 1208.

⁷⁷ *Id.*, 957 F.3d at 1207 – 08.

Likewise, in Louisiana the parish boards of election supervisors are independent entities at the local level. Plaintiffs' complaint seeking declaratory or injunctive relief against only four of the registrars in the State, and none of the parish boards of elections supervisors, could lead to confused state of affairs where nonparty registrars and parish boards of elections supervisors would heed their statutory mandates instead of following a nonbinding federal decree, whereas the defendant registrars would be bound by an inconsistent federal decree. The ROVs and the Boards will remain statutorily obligated to continue performing their ministerial duties, unless and until they are made parties to a judicial proceeding that determines otherwise. Accordingly, joinder of Louisiana's other 60 Registrar of Voters and 64 Parish Boards of Election Supervisors, not already party to this suit, is appropriate under Rule 19.

IV. CONCLUSION

The jurisdictional challenge should be taken up prior to any further proceedings, and the Registrars submit that the Court should grant the motion to dismiss for plaintiffs' lack of standing with respect to these named Registrars.

Otherwise, parties needed for the full adjudication of the plaintiffs' claims are absent. Until those parties are brought into the litigation, the matter cannot proceed.

Respectfully submitted,

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ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

I do hereby certify that, on this 8th day of June, 2020 the foregoing pleading was filed electronically with the Clerk of Court using the CM/ECF system which gives notice of filing to all counsel of record.

/s/ Carey T. Jones
Carey T. Jones

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

TELISA CLARK, ET AL.

CIVIL ACTION

VERSUS

JOHN BEL EDWARDS, ET AL.

NO.: 20-00308-SDD-RLB

Consolidated With

**POWER COALITION FOR EQUITY AND
JUSTICE, ET AL.**

CIVIL ACTION

VERSUS

JOHN BEL EDWARDS, ET AL.

NO.: 20-00283-BAJ-EWD

[PROPOSED] ORDER GRANTING MOTION TO DISMISS

Before the Court is Defendants Registrars of Voters' Motion to Dismiss. After considering the motion, the Court is of the opinion it should be GRANTED.

IT IS THEREFORE ORDERED that Defendants Registrars of Voters' Motion to Dismiss is GRANTED.

DATE: _____

UNITED STATES DISTRICT JUDGE
Shelly D. Dick

UNITED STATES OF AMERICA
State of Louisiana
R. Kyle Ardoin
SECRETARY OF STATE

As Secretary of State, of the State of Louisiana, I do hereby certify that

the attached is a true and correct copy of the Louisiana Secretary of State's Emergency Election Plan for the July 11, 2020 Presidential Preference Primary and August 15, 2020 Municipal General Elections in the State of Louisiana.

*In testimony whereof, I have hereunto set
my hand and caused the seal of my office to
be affixed at the City of Baton Rouge on,
this, the 19th day of May 2020.*

R. Kyle Ardoin
Secretary of State



EXHIBIT

A

April 20, 2020

**SECRETARY OF STATE EMERGENCY ELECTION PLAN FOR THE
JULY 11, 2020 PRESIDENTIAL PREFERENCE PRIMARY AND AUGUST 15, 2020
MUNICIPAL GENERAL ELECTIONS IN THE STATE OF LOUISIANA**

I. AUTHORITY

After the governor declares a statewide emergency, should the secretary of state determine that such emergency impairs an election that may otherwise be held except for technical, mechanical, or logistical problems with respect to the relocation or consolidation of polling places within the parish, potential shortages of commissioners and parish board commissioners, or shortages of voting machines, La. R.S. 18:401.3 authorizes the secretary to certify to the governor, the Senate Committee on Senate and Governmental Affairs, and the House Committee on House and Governmental Affairs that the emergency impairs the election and that an emergency election plan is necessary.

Upon concurrence by the governor and a majority of each of the two committees that such a plan is necessary, the secretary of state shall develop an emergency plan in writing that proposes a resolution to the technical, mechanical, or logistical problems that impair the election. The written emergency plan shall then be submitted to the Senate and Governmental Affairs and House and Governmental Affairs committees and the governor.

If a majority of the members of each Committee approve the emergency plan, the plan shall be submitted to the members of each house of the legislature for approval. If a majority of each house of the legislature and the governor approve the emergency plan, the secretary of state shall take all steps necessary to implement the plan and all officials of the state and of any political subdivision shall cooperate with and provide assistance to the secretary of state as necessary to implement the plan.

II. PURPOSE

On March 11, 2020, the World Health Organization designated the COVID-19 outbreak as a worldwide pandemic.

Proclamation No. 25 JBE 2020 was signed by Governor John Bel Edwards on March 11, 2020, declaring a statewide public health emergency as a result of the imminent threat posed to Louisiana citizens by COVID-19, which has created emergency conditions that threaten the lives and health of the citizens of the State. The emergency conditions created by COVID-19, as well as the efforts necessary to contain its spread, will affect all 2,988,813 of Louisiana's registered voters as well as the 3,934 precincts located at 2,058 polling places across the State.

Governor Edwards signed Proclamation No. 28 JBE 2020 on March 13, 2020, which rescheduled the April 4, 2020 presidential preference primary election to June 20, 2020 and the May 9, 2020 municipal general election to July 25, 2020. On April 14, 2020, the governor

signed Proclamation No. 46 JBE 2020 to reschedule the presidential preference primary election to July 11, 2020 and the municipal general election to August 15, 2020.

On March 22, 2020, Governor Edwards issued Proclamation No. 33 JBE 2020, imposing a general stay-at-home order on all individuals within the State and limiting all public gatherings to ten people or less in an attempt to curb the spread of COVID-19. All individuals were directed to stay home unless performing an essential activity until April 13, 2020. This order was extended to April 30, 2020 by 41 JBE 2020, signed by the governor on April 2, 2020.

The July 11, 2020 presidential preference primary election is a statewide federal election. This election also includes state and local party office races in 47 parishes, and local and municipal races and propositions in 24 parishes. The August 15, 2020 municipal general election includes local and municipal runoffs and propositions in 51 parishes. Five of the 51 parishes have no propositions on the ballot and only have potential run-offs from the July 11, 2020 primary.

COVID-19 poses unknown and unprecedented logistical problems regarding the availability of polling places, commissioners, election officials, and sanitation and safety products (like clothing, protective eyewear, masks, sanitizing products, and sterilizing services to clean facilities prior to and following the election) with respect to conducting in-person voting for the July 11, 2020 and August 15, 2020 elections.

The purpose of this emergency plan is to provide a means of conducting these elections in the wake of this unprecedented pandemic. In order to fully implement this plan, due to supply chain issues, the Department must order all equipment and material resources for both the July 11, 2020 and August 15, 2020 elections no later than April 24, 2020.

III. DUTIES OF ELECTION OFFICIALS AND PARISH GOVERNING AUTHORITIES

The secretary of state is the chief election officer of the State and administers the laws of the Election Code.

The State Board of Election Supervisors has the powers and duties granted to it by La. R.S. 18:24 to oversee Louisiana election laws. The State Board consists of the lieutenant governor, the secretary of state, the attorney general, the commissioner of elections, a representative of the Registrars of Voters Association, a representative of the Clerks of Court Association, a governor's appointee, and a representative of the Police Jury Association.

Registrars of voters have many duties to perform before and during elections, including: registering voters, processing voter registration applications, processing requests for absentee ballots, receiving absentee ballots from voters, conducting early voting in the parish, and preparing the precinct registers for election day voting.

Clerks of court are the chief election officers of each parish. For each election, the clerk of court trains the commissioners who work at the polling places on election day, takes responsibility

for delivering the voting machines to and from the polling locations, and tabulates and transmits election results on election night.

Parish boards of election supervisors supervise the preparation for and the conduct of all elections held in the parish. They are responsible for selecting election day commissioners, consolidating polling places, issuing commissions to watchers, counting absentee and early voting ballots on election day, and selecting commissioners to aid in counting the absentee and early voting ballots. The parish boards also seal the voting machines before election day, inspect the machines after the election, and conduct requested recounts.

Parish governing authorities have specific duties to perform during election cycles, including changing any polling places which are no longer available for use. Changing polling places includes giving adequate notice of the change to each voter in the affected precincts and to each candidate to be voted on at that polling place, posting a sign at the former polling place, directing voters to the new polling place, advertising the changes in the official journal of the parish and in any other newspaper of general circulation in the affected precincts, and other reasonable steps necessary or desirable to inform voters and candidates of the change in location.

IV. VOTING MACHINES

The secretary of state has sufficient voting machines to conduct early voting and election day voting for the July 11, 2020 and August 15, 2020 elections.

The voting machines used on election day are Sequoia AVC Advantage voting machines, which have a large-format printed paper ballot fastened to the front of each machine. These paper ballots have already been printed and fastened to the front of the AVC machines for the April 4, 2020 election date. Prolonged storage in the humidity and heat of the Department's un-air conditioned warehouses will cause the paper ballots to warp and curl, therefore it is recommended that paper ballots for all AVC machines used in the July 11, 2020 election be reprinted.

V. POLLING PLACES FOR IN-PERSON EARLY VOTING AND ELECTION DAY VOTING

A. Early Voting

Early voting is conducted for seven days in each parish by the registrar of voters. There are currently 102 early voting sites statewide. Most are in registrars of voters offices, but some are in voting machine warehouses, public libraries, and other public facilities.

Early voting for the July 11, 2020 election is currently scheduled for June 26 through July 4, 2020 (excluding Sunday, June 28, 2020 and Friday, July 3, 2020). Early voting for the August 15, 2020 election is currently scheduled for August 1 through August 8, 2020 (excluding Sunday, August 2, 2020).

This plan will expand the days of early voting from seven to thirteen days.

Early voting for the July 11, 2020 election will be held June 20 through July 4, 2020 (excluding Sundays, June 21, 2020 and June 28, 2020). Early voting for the August 15, 2020 election will be held July 25 through August 8, 2020 (excluding Sundays, July 26, 2020 and August 2, 2020).

Due to the extraordinary circumstances, the Department must begin all preparations for both the July 11, 2020 and August 15, 2020 elections no later than May 4, 2020.

One of the two early voting sites in Ouachita Parish is located at the West Ouachita Senior Center, 1800 North 7th Street, West Monroe. According to the Centers for Disease Control and Prevention (CDC), seniors are at higher risk of complications from COVID-19. The Department of State will choose another location for this early voting site. The Ouachita Parish Registrar of Voters will conduct early voting at the registrar's main office, 1650 Desiard Street, Suite 125, Monroe, Louisiana 71201, and at the second site (location to be determined).

If any other early voting sites become unavailable for early voting for the July 11, 2020 and August 15, 2020 elections due to conditions caused by COVID-19 or because of a proclamation or executive order issued by the governor, the Department will work with the affected parish registrar of voters and parish governing authority to relocate the early voting site. If a sufficient temporary early voting site cannot be found, the voting machine warehouses in each parish may be used for early voting.

B. Election Day Voting

Election day voting is normally conducted in 3,934 precincts located at 2,058 polling places across the state. Polling places are established for each precinct by the parish governing authority. Polling places must be equipped with proper electric current, fixtures, and outlets necessary to operate voting machines and otherwise conduct the election. The polling places must also have sufficient sanitary facilities. To the extent possible, the parish governing authority must locate multiple precincts in one polling location in public buildings. If a suitable public building is not available, precincts may be located on private property.

Due to the Governor's stay-at-home order, the limitation on gatherings of more than ten people at a time, and the rapid rise of COVID-19 cases in Louisiana, there may be limitations on the availability of polling places for the July 11, 2020 and August 15, 2020 elections. Due to the extraordinary circumstances, the Department must begin all preparations for both the July 11, 2020 and August 15, 2020 elections no later than May 4, 2020.

The Department will work with the clerks of court and parish governing authorities to relocate polling places located in senior citizen centers and nursing homes (these polling places *must* be relocated). Polling places located in the following may be relocated, depending on the facility:

- Council on aging offices;
- Residential facilities or private homes; and
- Non-public buildings if the owners do not want to hold the election on their property due to conditions caused by COVID-19.

Polling places that must be relocated will need to be identified as soon as possible. If any other election day polling places become unavailable to conduct voting for the July 11, 2020 and August 15, 2020 elections due to conditions caused by COVID-19 or because of a proclamation or executive order issued by the governor, the Department will work with the affected parish clerk of court and parish governing authority to relocate the precinct to another polling place. If a desirable temporary polling place cannot be found, the voting machine warehouses in each parish may be used as a polling place for one or more precincts.

Signs will be posted at all former polling places, updated voter registration cards will be sent to the voters reflecting their new polling place, and notice of the new polling places will be published, as time permits, to inform the voters of changes in polling places.

Currently, the secretary of state has identified the following polling places that should be relocated for the July 11, 2020 and August 15, 2020 elections:

PARISH	POLLING LOCATION	PRECINCTS	REGISTERED VOTERS
ALLEN	Oberlin Senior Citizen Building	01-03	290
AVOUELLES	Marksville Senior Citizen Building	02-07	471
	Bunkie Council on Aging	10-03A	433
BEAUREGARD	Council on Aging	00-26	936
CATAHOULA	Catahoula Council on Aging	01-02	187
IBERVILLE	St. Gabriel Community Center	9 & 10	2413
	Iberville Council on Aging	19, 19A, 20 & 23	1465
JEFFERSON	Summerville Assisted Living Center	K003	1409
	Westminster Towers	K025	1274

	Harahan Senior Citizens Center	H009	627
	Metairie Manor	70	831
	Metairie Senior Citizen Center	82, 85, 86 & 87	3505
	Dorothy B. Watson Center	104 & 108	1569
	George Edmond Activity Center	154	1304
	Marrero Senior Community Center	173, 179B & 181	2596
	Terrytown Golden Age Center	227 & 229	1976
LAFOURCHE	Wilbert Tauzin Senior Citizen Center	6/2	1289
MADISON	Madison Council on Aging	12	478
NATCHITOCHES	Natchitoches Council on Aging	01-02	1361
ORLEANS	Mater Dolorosa Church Basement	Ward 17 Pct 2-7	3574
	Woldenberg Village	15/14G	1494
	Nazareth Inn	09/44A	756
	Guste High Rise	02/04	832
OUACHITA	West Ouachita Senior Center	34/47	1046
ST. JAMES	Lutcher Senior Center	04,05,06	1669
ST. MARY	St. Mary Council Building	44	596
	Health Unit	38	499

	AARP Senior Center	45	609
ST. TAMMANY	Avanti Senior Living Center	115	1,058
VERNON	Slagle Senior Citizens Center	08/01	440
	Hornbeck Senior Citizens Center	02/03,03A	955
WASHINGTON	Bogalusa Senior Citizens Center	04/05,06,05B	1000

VI. IN-PERSON VOTING UNDER THE NURSING HOME PROGRAM

The program for in-person voting by voters residing in nursing homes, as provided in La. R.S. 18:1333, is suspended for the July 11, 2020 and August 15, 2020 elections, except for the provisions of La. R.S. 18:1333(G)(4)(a). Voters currently enrolled in the Nursing Home Program will be mailed an absentee ballot and allowed to vote the ballot according to the procedures in La. R.S. 18:1301-1319. However, if restrictions on visitation remain in place, voters enrolled in the Nursing Home Program may receive assistance from an employee of the nursing home for the July 11, 2020 and August 15, 2020 elections.

VII. ABSENTEE VOTING

Present law requires voters to have one of several listed reasons to be eligible to vote absentee. These reasons are specified in the Election Code.

A registered voter can request an absentee ballot until four days before election day and must return their ballot to the registrar of voters no later than 4:30 p.m. on the day before the election, with special exceptions for military, overseas citizens, and hospitalized or sequestered voters.

A. Voters Requesting an Absentee Ballot

The deadlines to request an absentee ballot for the July 11, 2020 election are:

- July 7, 2020 (four days before the election) for all voters *except military, overseas, and hospitalized voters*; and
- July 10, 2020 (day before the election) for military, overseas, and hospitalized voters.

The deadlines to request an absentee ballot for the August 15, 2020 election are:

- August 11, 2020 (four days before the election) for all voters *except military, overseas, and hospitalized voters*; and
- August 14, 2020 (day before the election) for military, overseas, and hospitalized voters.

All requests to vote absentee must be in writing under the voter's signature and must specify the reason for the request. Applications can be sent to the registrar of voters by mail, fax, hand delivery, or electronically through the secretary of state's website at GeauxVote.com.

This plan will expand the reasons to request an absentee ballot to registered voters who are affected by COVID-19 and are:

- At higher risk of severe illness from COVID-19 due to serious underlying medical conditions as identified by the Centers for Disease Control and Prevention (including chronic lung disease, moderate to severe asthma, hypertension and other serious heart conditions, diabetes, undergoing chemotherapy, severe obesity (BMI of 40 or higher), chronic kidney disease and undergoing dialysis, liver disease, pregnancy, or immunocompromised due to cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications);
- Subject to a medically necessary quarantine or isolation order as a result of COVID-19;
- Advised by a health care provider to self-quarantine due to COVID-19 concerns;
- Experiencing symptoms of COVID-19 and seeking a medical diagnosis; or
- Caring for an identified individual who is subject to a medically necessary quarantine or isolation order as a result of COVID-19 or who has been advised by a health care provider to self-quarantine due to COVID-19 concerns.

All requests made under current law for absentee ballots will continue to be accepted.

All requests shall be verified by the registrar of voters by comparison with the registration records on file in the registrar's office. The secretary proposes to deputize his staff to assist the registrars, if needed, to process the increased number of absentee requests, send absentee ballots to voters, and receive absentee ballots returned by voters.

La. R.S. 18:115(F) and 115.1(F) require voters that registered by mail or electronically and who have not previously voted in their parish to vote in person the first time. This requirement will be temporarily waived for the July 11, 2020 and August 15, 2020 elections for voters who request and receive an absentee ballot based on the COVID-19 reasons for request. However, any voter subject to the provisions of La. R.S. 18:115(F) or 115.1(F) who utilizes the COVID-19 reasons to request an absentee ballot to vote in the July 11, 2020 or the August 15, 2020 shall be subject to the requirements of La. R.S. 18:115(F) and 115.1(F) in the first election the voter chooses to vote in subsequent to August 15, 2020.

This plan will require the development and use of a temporary application form for absentee ballot requests due to COVID-19. This application will be available to voters in addition to the

other absentee application forms currently in use. The information contained in a COVID-19 emergency absentee ballot application shall not be disclosed and shall remain confidential, and the application shall not be a public record even after the applicant has returned his voted ballot to the registrar.

The COVID-19 reasons for request may be submitted electronically through the GeauxVote online portal. These reasons will be temporarily added to the list of statutory reasons to request an absentee ballot currently available to submit through the online portal. Programming by the Department's IT Division will be required to add the COVID-19 reasons to the online portal and may take up to a month to implement due to time required for development, testing, and cybersecurity concerns.

Voters may otherwise submit an absentee application by mail, fax, or hand delivery.

La. R.S. 18:1307(A) currently requires voters who make a mark, or are otherwise unable to sign their name, to obtain two witness signatures on their request to vote absentee. For the July 11, 2020 and August 15, 2020 elections, this requirement will be reduced to one witness signature on absentee ballot requests submitted by voters who make a mark or are otherwise unable to sign their name.

This plan may require special training for election officials to conduct the elections under this emergency plan.

B. Voters Receiving an Absentee Ballot

Under usual circumstances, a voter submits a request to the registrar of voters to receive an absentee ballot, and the registrar of voters sends the ballot to the voter.

This plan may require the Department of State to assist the registrars of voters in carrying out the provisions of La. R.S. 18:1308 regarding absentee voting. The Department will assist the registrars, as needed, to mail an absentee ballot to a voter who timely submits a request.

The Department may contract with the United States Postal Service to create a tracking system to track all absentee ballots mailed to and from voters under this emergency plan, should cost and circumstances permit.

Voters who submit a request under this plan to receive an absentee ballot by mail must provide the address to which the absentee ballot shall be sent. If the address is within the parish, such address shall only be the voter's registration address or a mailing address on file with the registrar of voters.

In addition to receiving an absentee ballot by mail, current law also allows voters to alternatively receive an absentee ballot by:

- Fax (with waiver of right to secret ballot);
- Email (for military, overseas, and voters with physical disabilities, with waiver of right to secret ballot); or
- Hand delivery to an immediate family member of a hospitalized voter. (Voters hospitalized with COVID-19 may cause unique problems as such patients are currently not allowed visitors, nor are visitors allowed in hospitals.)

Instructions are included with the ballot on completing the certificate on the ballot envelope flap and voting the absentee ballot. The instructions also include how to return the ballot and how to request a replacement ballot for a spoiled ballot, if necessary.

All voters who received and returned an absentee ballot prior to approval of this emergency plan will receive a letter from the Department informing them that their returned ballot remains valid for the July 11, 2020 election date.

C. Voters Returning Voted Ballots

The deadlines to return a voted absentee ballot for the July 11, 2020 election are:

- July 10, 2020 at 4:30 p.m. (day before the election) for all voters *except military, overseas, and hospitalized voters*; and
- July 11, 2020 at 8:00 p.m. (day of the election) for military, overseas, and hospitalized voters

The deadlines to return a voted absentee ballot for the August 15, 2020 election are:

- August 14, 2020 at 4:30 p.m. (day before the election) for all voters *except military, overseas, and hospitalized voters*; and
- August 15, 2020 at 8:00 p.m. (day of the election) for military, overseas, and hospitalized voters

Current law allows voters to return a voted absentee ballot by hand delivery, by mail, by commercial courier, by fax (with waiver of secret ballot), or by email (for military, overseas, or emergency workers with approval of the secretary of state, with waiver of secret ballot).

For the July 11, 2020 and August 15, 2020 elections, if ballots cannot be returned in-person because registrar of voters offices remain closed to the public, voters may still return absentee ballots by mail, by commercial courier, by fax (with waiver of secret ballot), or by email (for military, overseas, or emergency workers with approval of the secretary of state, with waiver of secret ballot).

D. Receipt of Voted Ballots by Registrars of Voters

All voted ballots must be received no later than the deadlines outlined above.

When the registrar receives ballots, voter records are updated each day in ERIN to reflect which voters have returned voted ballots. The registrars verify ballots received from voters by comparison with the registration records and signatures on file in ERIN. The lists of absentee voters who have returned a voted ballot are made public daily by the registrars of voters and are also available on the Secretary of State website.

The registrars of voters will continue to accept and securely store all voted ballots returned by voters until election day.

Registrars may need to hire additional early voting commissioners or part time employees to handle the increased workload of sending and receiving absentee ballots at the same time as conducting an additional week of early voting.

E. Tabulating Ballots

The parish board of election supervisors is responsible for overseeing all elections in the parish and for preparing, verifying, tabulating, and counting absentee ballots as provided in La. R.S. 18:1313. It may utilize parish board commissioners under the provisions of La. R.S. 18:1314, and may also designate additional commissioners to assist with the duties required under La. R.S. 18:1313.

Before tabulation begins, the board must reconcile the names of voters who submitted an absentee ballot against the number of absentee ballots in hand. This may require a large number of parish board commissioners.

Larger, high speed scanners must be acquired and will be necessary to scan and tabulate the increased number of absentee ballots. Prior to use of these scanners in any election in this state, they must receive certification by the secretary of state that they meet the Department's durability, accuracy, efficiency, and capacity standards. Each individual scanner must also be acceptance tested by the Department before being delivered for use by the parishes.

The fourteen largest parishes will require additional computer stations with ERIN access, spaced at least six feet apart, for the parish boards and parish board commissioners to scan ballots. During the scanning process, additional computer stations, with at least two people per station, will be required to adjudicate ambiguous ballots to determine voter intent.

For parishes that have received 2,000 or more absentee ballots, the process of preparing and verifying the absentee ballots may begin two days before election day. These parish boards will tabulate and count the absentee ballots on election day. All other parishes will prepare, verify, tabulate, and count the absentee ballots on election day.

Parish boards will receive compensation for meetings held on additional days at the rate set forth in La. R.S. 18:423(E).

VIII. COMMISSIONERS

A. Early Voting and Election Day Commissioners

The Department will work with registrars of voters and clerks of court to assess the need for additional commissioners for early voting and for precinct voting on election day.

The secretary will assist in recruiting national guard, secretary of state employees, other possible state employees, and any other available labor sources, provided these individuals receive the minimum training necessary to serve as a commissioner. Available additional commissioners from surrounding parishes may also be used. State employees serving as commissioners will receive paid overtime. All other commissioners will be paid in accordance with law and will be reimbursed mileage and accommodations according to the state travel guidelines.

Additional funding will be required to recruit additional commissioners.

New commissioners must attend a general course of instruction to receive certification prior to serving as a commissioner. Part of the course of instruction may be conducted remotely, if possible, but hands-on training on voting machines will require part of the course to be conducted in person.

All early voting commissioners will need to receive training specific to conducting early voting for the July 11, 2020 election no later than June 4, 2020.

All election day commissioners, including those who have served as a commissioner before, must attend a pre-election school for the July 11, 2020 election not less than four days prior to election day. The pre-election school covers the procedures to be used for the federal presidential preference primary election (e.g., provisional voting and lockouts based on party affiliation).

B. Parish Board Commissioners

The Department will work with parish boards of election supervisors to train and provide the necessary number of parish board commissioners. This number will include Department staff, other state and parish employees, and members of the Louisiana National Guard, as necessary. State employees serving as commissioners will receive paid overtime. All other commissioners will be paid in accordance with law and will be reimbursed mileage and accommodations according to the state travel guidelines.

IX. ELECTION RESULTS

This plan will require the Department to establish a method as close to the current process as possible to upload election results. Absentee results are not able to be reported by precinct, as in-person election day results are.

For parishes that have received 2,000 or more absentee ballots, the process of preparing and verifying the absentee ballots may begin two days before election day. These parish boards will tabulate and count the absentee ballots on election day. All other parishes will prepare, verify, tabulate, and count the absentee ballots on election day.

X. OUTREACH

The Department will conduct a media campaign to notify the public of the deadline to return voted absentee ballots. Possible media outlets include:

1. Official parish journals, as time permits;
2. Sunday edition of major metropolitan newspapers, as time permits;
3. Secretary of State website and Geaux Vote Mobile App;
4. Social media;
5. Radio stations;
6. Press releases to statewide media outlets;
7. Posting signs at all polling locations;
8. Posting informational signs with the toll-free secretary of state telephone number in high traffic thoroughfares if necessary; and
9. Any other reasonable means of communication as determined by the Department.

This will require the Department to identify and train additional staff to man the Secretary of State 1-800 hotline to answer an anticipated high volume of calls. (After Hurricane Katrina, for example, the hotline logged over 27,000 calls for voting information.)

XI. SOCIAL DISTANCING AND PROTECTIVE SUPPLIES

To the extent possible, the Department will assist the parishes to implement the CDC Recommendations for Election Polling Locations. It is imperative to supply all phases of the entire election cycle with the appropriate preventative measures.

The Department proposes to supply all polling places, tabulation and meeting areas, and any other area related to the election process with preventative supplies, including hand sanitizer and gloves for commissioners and staff, all as recommended by the CDC. The Department will determine the number of protective gear and sanitary items (hand sanitizer, gloves, masks, etc.) necessary for the daily process of updating ballots, for ballot tabulation, and for in-person early and election day voting.

All election officials, including watchers present at polling places on election day, will follow recommendations from the CDC for wearing protective gear and for cleaning and disinfecting the room and all areas (including bathrooms) related to the election process.

Draymen will also follow all CDC recommendations for wearing protective gear and social distancing while delivering voting machines to and from polling places.

Tape, cones, protective gear, sanitary items, cleaning supplies, and all other supplies necessary to adhere to CDC cleaning and social distancing guidelines must be purchased as soon as possible.

A. Supplies for Election Day Precincts and Early Voting Sites

Each precinct and each early voting site in the state will receive a bag of sanitization supplies.

Each bag will contain the following:

1. Instructions on the setup and use of each item in the bag;
2. Hand sanitizer (for voters and election officials);
3. Gloves for commissioners;
4. Masks for commissioners;
5. Protective clothing/disposable gown for commissioners;
6. Brightly colored flat discs or cones to mark the CDC 6 feet social distancing minimum requirement for polling places;
7. Disinfectant wipes to clean each voting machine between voters;
8. Disinfectant wipes to clean pens and pencils after use by voters; and
9. For early voting, disinfectant wipes to clean voter cards after use by voters.

The supplies must be ordered, delivered, and packed in the bags no later than May 22, 2020 for the July 11, 2020 election and as soon as possible following the July 11, 2020 election for the August 15, 2020 election.

The Department will work with the parishes to implement and adhere to social distancing requirements.

XII. SPECIAL NOTES FOR THE AUGUST 15, 2020 ELECTION

- A. To be held using the same process as outlined above for the July 11, 2020 election.
- B. Absentee ballots must be mailed no later than 13 days before election day (La. R.S. 18:1306(B)(3)), that is, by August 2, 2020.
- C. The rescheduled elections will overlap with qualifying for the November 3, 2020 presidential election. Qualifying for the November 3, 2020 election will need to be moved from July 15-17, 2020 to:
 - July 22-24, 2020 for candidates who qualify with the secretary of state, including United States Senator, United States Representative, Associate Justices of the Louisiana Supreme Court, Judges of Courts of Appeal, and Public Service Commissioners; and

- August 19-21, 2020 for candidates who qualify with clerks of court, including Judges (except for the Supreme Court and Courts of Appeal), District Attorneys, and local and municipal offices.

The department is requesting an amendment to pending legislation to move the qualifying dates for the 2020 fall elections in the manner provided above, and an emergency certification under La. R.S. 18:401.1 will also be sent to the governor, requesting a proclamation to reschedule qualifying.

A handwritten signature in black ink, appearing to read "R Kyle Ardoyn", written in a cursive style.

R. KYLE ARDOIN
SECRETARY OF STATE

**AFFIDAVIT OF DANIELLE DUPLESSIS-HAMMOND
ORLEANS PARISH CHIEF DEPUTY REGISTRAR OF VOTERS**

I, Danielle Duplessis-Hammond, am the Chief Deputy Registrar of Voters for Orleans Parish. I have served as Chief Deputy Registrar of Voters in Orleans Parish for 4 months. I have authority to act on behalf of the Registrar of Voters as granted to me by authority of Orleans Parish Registrar Sandra Wilson and La. R.S. 18:59.

The Registrar of Voters receives applications to vote by mail pursuant to La. R.S. 18:1307 in each election. The Registrar of Voters uses absentee by mail ballot envelopes, absentee by mail instructions, certificates, and other absentee by mail materials prepared by the Secretary of State in accordance with La. R.S. 18:1306.

The Registrar of Voters receives applications to vote by mail by a number of means, including the United States Postal Service, commercial delivery service, hand delivery, or facsimile, pursuant to La. R.S. 18:1307(B). Certain voters may also submit their application electronically as provided by La. R.S. 18:1307.

An application to vote by mail must be received by my office not later than 4:30 p.m. on the fourth day prior to the election for which it is requested. There are exceptions for military and overseas voters, hospitalized voters, and sequestered jurors, pursuant to state law.

There are several ways to request an absentee by mail ballot. The Secretary of State approved applications to vote by mail forms are found on the Secretary of State's website at the following online addresses:

- General Application for Absentee by Mail Ballot:
<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/GeneralApplicationForAbsenteeByMailBallot.pdf>
- Disabled Application for Absentee by Mail Ballot:
<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/DisabledApplicationForAbsenteeByMailBallot.pdf>
- Military and Overseas Application for Absentee by Mail Ballot:
<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/MilitaryOverseasApplicationForAbsenteeByMailBallot.pdf>
- COVID-19 Emergency Application:
<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/COVID19AbsenteeBallotApplication.pdf>

EXHIBIT

B

We also receive applications to vote by mail from the Federal Post Card Application from Uniformed Service members, their families, and citizens residing outside the United States. My office also receives applications to vote by mail through the Secretary of State's online queue. These applications are completed by the voter on the Secretary of State website and conveyed electronically to my office.

Disabled voters must provide evidence of disability. Hospitalized voters must enclose proof of hospitalization. It is permissible for a voter to submit a handwritten request, but handwritten requests are rare.

On each application, a voter checks the reason they are eligible to vote absentee by mail. The categories of voters eligible to receive an absentee by mail ballot are provided by statute in La. R.S. 18:1303 and the Secretary of State's Emergency Election Plan. As long as an absentee by mail ballot voter has marked one of the boxes for a permissible reason to vote absentee by mail, the Registrar of Voters make no independent inquiry into the validity of the reason a voter requests an absentee by mail ballot. However, if a voter fails to provide the necessary information, such as proof of hospitalization or disability, the voter is contacted to provide the missing information. If a voter fails to mark a box for a permissible reason to vote absentee by mail or omits any information on their application, the voter is contacted to complete the application.

My office processes absentee by mail ballot requests as soon as they come into the office. Our office makes every effort to contact persons who may need to provide additional information. We work hard to make sure every voter has the opportunity vote.

Once we have the materials from the Secretary of State, we immediately send absentee by mail ballots to those making complete and valid requests for absentee by mail ballots, pursuant to La. R.S. 18:1308. Ballots may be returned to me after they are received and completed by the voters.

Voters may return absentee by mail ballots via United States Postal Service, commercial courier, facsimile, hand delivery, and electronically, with certain conditions established by law, as required by La. R.S. 18:1308.

Except as provided in R.S. 18:1308.1(C) and 1311(D), all ballots received by my office by 4:30 p.m. on the day before election day are turned over to the Parish Board of Election Supervisors for tabulation and counting. The absentee by mail voters in special categories, including military and overseas, hospitalized, and sequestered jury members, may return their ballots to the registrar of voters on election day before 8:00 p.m., and those ballots are likewise turned over to the Parish Board of Election Supervisors for tabulation and counting. When voters return a ballot on election day, commissioners at the voter's polling place are notified, and the ballot is transmitted immediately to the parish board of election supervisors.

All absentee by mail ballots timely received are removed from the mail return envelope, arranged by ward and precinct, and placed in a special absentee by mail and early voting container

designated and used only for that purpose. The container is delivered to the Parish Board of Election Supervisors to be counted and tabulated in accordance with R.S. 18:1313. Law enforcement officers accompany the ballots from the Registrar of Voters' office to the count area.


June 5th 2020
Orleans Parish Chief Deputy Registrar of Voters

State of Louisiana
Parish of Orleans

On this 5th day of JUNE, 2020, before me personally appeared DONALD D. GREEN ^{HAMMOND} Orleans Parish Chief Deputy Registrar of Voters, to me known to be the person described in and who executed the foregoing document and acknowledged that he executed it as his free act and deed.

Aaron D. E. Green

Notary Printed Name



Notary Signature

LA Bar No. 344,344

Notary ID or LA Bar Roll Number



**AFFIDAVIT OF STEVE RABORN
EAST BATON ROUGE PARISH REGISTRAR OF VOTERS**

I, Steve Raborn, am the Registrar of Voters for East Baton Rouge Parish. I have served as Registrar of Voters for East Baton Rouge for the past 5 years.

In my capacity as Registrar of Voters, I receive applications to vote by mail pursuant to La. R.S. 18:1307 in each election. I use absentee by mail ballot envelopes, absentee by mail instructions, certificates, and other absentee by mail materials prepared by the Secretary of State in accordance with La. R.S. 18:1306.

I receive applications to vote by mail by a number of means, including the United States Postal Service, commercial delivery service, hand delivery, or facsimile, pursuant to La. R.S. 18:1307(B).

An application to vote by mail must be received by the registrar not later than 4:30 p.m. on the fourth day prior to the election for which it is requested. There are exceptions for military and overseas voters, hospitalized voters, and sequestered jurors, pursuant to state law.

There are several ways to request an absentee by mail ballot. The Secretary of State approved applications to vote by mail forms are found on the Secretary of State's website at the following online addresses:

- General Application for Absentee by Mail Ballot:
<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/GeneralApplicationForAbsenteeByMailBallot.pdf>
- Disabled Application for Absentee by Mail Ballot:
<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/DisabledApplicationForAbsenteeByMailBallot.pdf>
- Military and Overseas Application for Absentee by Mail Ballot:
<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/MilitaryOverseasApplicationForAbsenteeByMailBallot.pdf>
- COVID-19 Emergency Application:
<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/COVID19AbsenteeBallotApplication.pdf>

We also receive applications to vote by mail from the Federal Post Card Application from Uniformed Service members, their families, and citizens residing outside the United States. My office also receives applications to vote by mail through the Secretary of State's online queue. These applications are completed by the voter on the Secretary of State website and conveyed electronically to my office.

EXHIBIT

C

Disabled voters must provide evidence of disability. Hospitalized voters must enclose proof of hospitalization. It is permissible for a voter to submit a handwritten request, but handwritten requests are rare.

On each application, a voter checks the reason they are eligible to vote absentee by mail. The categories of voters eligible to receive an absentee by mail ballot are provided by statute in La. R.S. 18:1303 and the Secretary of State's Emergency Election Plan. As long as an absentee by mail ballot voter has marked one of the boxes for a permissible reason to vote absentee by mail, I make no independent inquiry into the validity of the reason a voter requests an absentee by mail ballot. However, if a voter fails to provide the necessary information, such as proof of hospitalization or disability, the voter is contacted to provide the missing information. If a voter fails to mark a box for a permissible reason to vote absentee by mail or omits any information on their application, the voter is contacted to complete the application. My office processes absentee by mail ballot requests as soon as they come into the office.

Once we have the materials from the Secretary of State, we immediately send absentee by mail ballots to those making complete and valid requests for absentee by mail ballots, pursuant to La. R.S. 18:1308. Ballots may be returned to me after they are received and completed by the voters.

Voters may return absentee by mail ballots via United States Postal Service, commercial courier, facsimile, hand delivery, and electronically, with certain conditions established by law, as required by La. R.S. 18:1308.

Except as provided in R.S. 18:1308.1(C) and 1311(D), all ballots received by my office by 4:30 p.m. on the day before election day are turned over to the Parish Board of Election Supervisors for tabulation and counting. The absentee by mail voters in special categories, including military and overseas, hospitalized, and sequestered jury members, may return their ballots to the registrar of voters on election day before 8:00 p.m., and those ballots are likewise turned over to the Parish Board of Election Supervisors for tabulation and counting.

All absentee by mail ballots timely received are removed from the mail return envelope, arranged by ward and precinct, and placed in a special absentee by mail and early voting container designated and used only for that purpose. The container is delivered to the Parish Board of Election Supervisors to be counted and tabulated in accordance with R.S. 18:1313.


Steve Raborn
East Baton Rouge Parish Registrar of Voters

State of Louisiana
Parish of East Baton Rouge

On this 5th day of June, 2020, before me personally appeared Steve Raborn, East Baton Rouge Parish Registrar of Voters, to me known to be the person described in and who executed the foregoing document and acknowledged that he executed it as his free act and deed.

DEBORAH PERTHUIS

Notary Printed Name

Deborah Perthuis

Notary Signature

51400

Notary ID or LA Bar Roll Number



CHARLENE MEAUX-MENARD
Registrar

REGISTRAR OF VOTERS

Parish of Lafayette
1010 Lafayette Street, Suite 313
Lafayette, Louisiana 70501
e-mail: lafayetterov@sos.la.gov



Phone (337) 291-7140
Fax (337) 291-7143

AFFIDAVIT OF CHARLENE MEAUX MENARD LAFAYETTE PARISH REGISTRAR OF VOTERS

I, Charlene Meaux Menard, am the Registrar of Voters for Lafayette Parish. I have served as Registrar of Voters for Lafayette Parish for the past 15 years.

In my capacity as Registrar of Voters, I receive applications to vote by mail pursuant to La. R.S. 18:1307 in each election. I use absentee by mail ballot envelopes, absentee by mail instructions, certificates, and other absentee by mail materials prepared by the Secretary of State in accordance with La. R.S. 18:1306.

I receive applications to vote by mail by a number of means, including the United States Postal Service, commercial delivery service, hand delivery, or facsimile, pursuant to La. R.S. 18:1307(B).

An application to vote by mail must be received by the registrar not later than 4:30 p.m. on the fourth day prior to the election for which it is requested. There are exceptions for military and overseas voters, hospitalized voters, and sequestered jurors, pursuant to state law.

There are several ways to request an absentee by mail ballot. The Secretary of State approved applications to vote by mail forms are found on the Secretary of State's website at the following online addresses:

- General Application for Absentee by Mail Ballot:
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<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/DisabledApplicationForAbsenteeByMailBallot.pdf>
- Military and Overseas Application for Absentee by Mail Ballot:
<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/MilitaryOverseasApplicationForAbsenteeByMailBallot.pdf>
- COVID-19 Emergency Application:
<https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/COVID19AbsenteeBallotApplication.pdf>

We also receive applications to vote by mail from the Federal Post Card Application from Uniformed Service members, their families, and citizens residing outside the United States. My office also receives applications to vote by mail through the Secretary of State's online queue. These applications are completed by the voter on the Secretary of State website and conveyed electronically to my office.

Disabled voters must provide evidence of disability. Hospitalized voters must enclose proof of hospitalization. It is permissible for a voter to submit a handwritten request, but handwritten requests are rare.

On each application, a voter checks the reason they are eligible to vote absentee by mail. The categories of voters eligible to receive an absentee by mail ballot are provided by statute in La. R.S. 18:1303 and the Secretary of State's Emergency Election Plan. As long as an absentee by mail ballot voter has marked one of the boxes for a permissible reason to vote absentee by mail, I make no independent inquiry into the validity of the reason a voter requests an absentee by mail ballot. However, if a voter fails to provide the necessary information, such as proof of hospitalization or disability, the voter is contacted to provide the missing information. If a voter fails to mark a box for a permissible reason to vote absentee by mail or omits any information on their application, the voter is contacted to complete the application. My office processes absentee by mail ballot requests as soon as they come into the office.

Once we have the materials from the Secretary of State, we immediately send absentee by mail ballots to those making complete and valid requests for absentee by mail ballots, pursuant to La. R.S. 18:1308. Ballots may be returned to me after they are received and completed by the voters.

Voters may return absentee by mail ballots via United States Postal Service, commercial courier, facsimile, hand delivery, and electronically, with certain conditions established by law, as required by La. R.S. 18:1308.

Except as provided in R.S. 18:1308.1(C) and 1311(D), all ballots received by my office by 4:30 p.m. on the day before election day are turned over to the Parish Board of Election Supervisors for tabulation and counting. The absentee by mail voters in special categories, including military and overseas, hospitalized, and sequestered jury members, may return their ballots to the registrar of voters on election day before 8:00 p.m., and those ballots are likewise turned over to the Parish Board of Election Supervisors for tabulation and counting.

All absentee by mail ballots timely received are removed from the mail return envelope, arranged by ward and precinct, and placed in a special absentee by mail and early voting container designated and used only for that purpose. The container is delivered to the Parish Board of Election Supervisors to be counted and tabulated in accordance with R.S. 18:1313.

EXHIBIT

D

Charlene Meaux Menard

Charlene Meaux Menard
Lafayette Parish Registrar of Voters

State of Louisiana
Parish of Lafayette

On this 8th day of June, 2020, before me personally appeared Charlene Meaux Menard, Lafayette Parish Registrar of Voters, to me known to be the person described in and who executed the foregoing document and acknowledged that she executed it as his free act and deed.

Notary Printed Name

[Signature]

Notary Signature



State of Louisiana Official
Absentee Ballot Application

COVID-19 Emergency Application (LA R.S. 18:401.3)



R. Kyle Ardoin
Louisiana Secretary of State

SECTION 1: VOTER INFORMATION AND ELECTION DATES (PLEASE PRINT OR TYPE)

Name: _____ DOB: _____ Mother's Maiden Name: _____
(please print) (mm/dd/yyyy) (if known)

Residence Address: _____
(number/street/city/state/zip code (do not use a P.O. box #))

Phone #: _____ *SSN/Last 4: _____ *LA DLID: _____ Ward/Precinct: _____
(if known)

I am applying for a ballot for the Primary Election on _____ AND/OR the General Election on _____
(mm/dd/yyyy) (mm/dd/yyyy)

*OPTAQUAL information to be used for official use only.

SECTION 2: CERTIFICATION AND SIGNATURE

I _____ hereby certify that I am a registered voter in the
(name of registered voter)

Parish of _____, and that I am unable to vote in person because I have been
(parish of registration)

affected by COVID-19 because I am (please select one reason):

- ☐ At higher risk of severe illness from COVID-19 due to serious underlying medical conditions as identified by the Centers for Disease Control and Prevention (including chronic lung disease, moderate to severe asthma, hypertension or other serious heart conditions, diabetes, undergoing chemotherapy, severe obesity (BMI of 40 or higher), chronic kidney disease and undergoing dialysis, liver disease, pregnancy, or immunocompromised due to cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications);
- ☐ Subject to a medically necessary quarantine or isolation order as a result of COVID-19;
- ☐ Advised by a health care provider to self-quarantine due to COVID-19 concerns;
- ☐ Experiencing symptoms of COVID-19 and seeking a medical diagnosis; or
- ☐ Caring for an individual, name of _____, who is subject to a medically
(please print the name of the individual)
necessary quarantine or isolation order as a result of COVID-19 or who has been advised by a health care provider to self-quarantine due to COVID-19 concerns.

I understand that if I provide an address within the parish, my absentee ballot can only be sent to the address at which I am registered to vote or my mailing address on file with the registrar of voters. **Please send my absentee ballot and instructions to:**

(number/street/city/parish/zip code)

Providing a false statement to an election official is a felony offense. I acknowledge that if I have provided false information herein, I may be subject to a fine of not more than \$2,000 or imprisonment, with or without hard labor, for not more than 2 years, or both, for knowingly making false statements.

X

(signature or mark of registered voter)

(date of signature)

If your signature is a mark, a witness to your mark is required to sign:

(witness signature)

MAIL, FAX, OR HAND DELIVER THIS FORM TO your parish registrar of voters where you are registered. A faxed application cannot be sent from a candidate's fax machine, and must show or contain the fax number from where the application was sent. No person, except the immediate family of any voter, shall send by facsimile or by hand delivery more than one voter's application to vote by mail to the registrar of voters. If hand delivered or faxed, please complete the following:

Submitted by: _____ Relationship to Applicant _____

Visit our website at www.GeauxVote.com for deadlines and contact information or call toll free 1.800.583.2805.

CONFIDENTIAL DOCUMENT NOT A PUBLIC RECORD

Prepared and Furnished by the Secretary of State



SOS-COVID-19 ABM APPLICATION (Rev. 4/20)



DISABLED APPLICATION FOR ABSENTEE BY MAIL BALLOT (FOR DISABLED VOTERS ONLY)



INSTRUCTIONS: TO SUBMIT A PAPER APPLICATION COMPLETE SECTIONS 1, 2, AND 3 AND PRINT. (VOTERS WITH A VALID LA DRIVER'S LICENSE OR ID MAY SUBMIT A REQUEST ELECTRONICALLY BY LOGGING IN TO THE LOUISIANA VOTER PORTAL AT <http://www.election.sos.la.gov>.)

SECTION 1: VOTER INFORMATION AND ELECTION DATES (PLEASE PRINT OR TYPE)

Name: _____ Date of Birth: _____ Mother's Maiden Name: _____

Residential Address: _____
(number/street/city/town/cip code (do not use a P.O. box #))

Day Phone #: _____ SSN/Last 4¹: _____ LA DLID¹: _____ Ward/Precinct, if known: _____

I am applying for a ballot for the Primary Election on _____ AND/OR the General Election on _____
(mm/dd/yyyy) (mm/dd/yyyy)

- ☐ I wish to receive an absentee by mail ballot only for the election dates on this application.
- ☐ I wish to receive an absentee by mail ballot automatically for the election dates listed on this application **AND** all elections hereafter. (By selecting this option, you will receive a ballot automatically unless your ballot is returned to the registrar as undeliverable or you cancel the request.)

¹ OPTIONAL information to be used for official use only.

SECTION 2: REQUEST REASON AND BALLOT DELIVERY INFORMATION (PLEASE PRINT OR TYPE)

I have been previously approved in the Disability Program, or I am disabled or homebound.

CHECK ONLY ONE (1) OF THE FOLLOWING REASONS FOR WHICH YOU ARE ELIGIBLE TO VOTE BY MAIL:

- ☐ I have already been approved by the registrar of voters for the Disability Program.
- ☐ I am submitting proof of disability² with this application to the registrar of voters for the Disability Program.
- ☐ I am homebound, voting for the first time, and I am submitting proof of disability² with this application to the registrar of voters for the Disability Program.

² Proof of disability may be a physician's certificate, copy of mobility-impaired ID card with photo, or copy of current documentation showing eligibility for disability benefits from Social Security, Veterans Affairs, paratransit services, the Office of Citizens with Developmental Disabilities, or the LA Rehabilitation Services.

¹ Proof of disability for reason of being homebound must be a physician's letter certifying that the voter by reason of their disability is homebound.

CHECK AN OPTION TO RECEIVE YOUR BALLOT:

- ☐ By electronic delivery, my email address is _____
- ☐ By mail, my address⁴ is _____
- ☐ By fax, my fax number is _____

⁴ If sent to an address within the parish or to an adjacent parish, the ballot can only be sent to the address at which you are registered to vote, your mailing address on file with the registrar of voters, or an address where you regularly receive mail.

SECTION 3: CERTIFICATION AND SIGNATURE(S)

I CERTIFY that the statements made herein by me are true and correct and I may be subject to a fine of not more than \$2,000 or imprisonment for not more than 2 years, or both, for knowingly making false statements.

(Signature/Mark) (Date)

If your signature is a mark, two witnesses to your mark are required to sign

(Witness #1 signature) (Witness #2 signature)

MAIL, FAX, OR HAND DELIVER THIS FORM TO your parish registrar of voters where you are registered. A faxed application cannot be sent from a candidate's fax machine, and must show or contain the fax number from where the application was sent. No person, except the immediate family of any voter, shall send by facsimile or by hand delivery more than one voter's application to vote by mail to the registrar of voters. If hand delivered or faxed, please complete the following:

Submitted by: _____ Relationship to Applicant: _____

Visit our website at www.CleanVote.com for deadlines and contact information or call toll free 1.800.883.2805.

FOR OFFICIAL USE ONLY:

Reg. # _____ W/P Party Date Rec'd: _____



GENERAL APPLICATION FOR ABSENTEE BY MAIL BALLOT

(THIS APPLICATION IS NOT FOR MILITARY, OVERSEAS CITIZENS AND DISABLED VOTERS.)

INSTRUCTIONS: TO SUBMIT A PAPER APPLICATION COMPLETE SECTIONS 1, 2, AND 3 AND PRINT. (VOTERS WITH A VALID LA DRIVER'S LICENSE OR ID MAY SUBMIT A REQUEST ELECTRONICALLY BY LOGGING IN TO THE LOUISIANA VOTER PORTAL AT <https://la.elections.gov/la/voter>.)

SECTION 1: VOTER INFORMATION AND ELECTION DATES (PLEASE PRINT OR TYPE)

Name: _____ Date of Birth: _____ Mother's Maiden Name: _____

Residential Address: _____ Parish: _____

Day Phone #: _____ *SSN/Last 4: _____ *LA ID/ID: _____ Ward/Precinct, if known: _____

I am applying for a ballot for the Primary Election on _____ AND/OR the General Election on _____

To vote absentee by mail, you must be eligible for one of the reasons listed below. Military and overseas citizens or disabled voters use specialized applications and not this one.
*OPTIONAL, information to be used for official use only.

SECTION 2: REQUEST REASON (PLEASE PRINT OR TYPE)

CHECK ONLY ONE (1) OF THE FOLLOWING REASONS FOR WHICH YOU ARE ELIGIBLE TO VOTE BY MAIL:

- ☐ SENIOR CITIZEN - I am 65 years of age or older. ☐ I wish to receive an absentee by mail ballot only for the election date on this application.
☐ I wish to receive an absentee by mail ballot automatically for the election dates on this application AND all elections hereafter. (By selecting this option, you will automatically receive a ballot unless your ballot is returned to the registrar as undeliverable, or you cancel the request.)
- ☐ TEMPORARILY ABSENT - I am or expect to be temporarily outside the territorial limits of my state/parish of registration during the early voting period and on election day. You must indicate the dates you will be temporarily absent below if the ballot is being mailed within your parish.
FROM _____ THRU _____
- ☐ OFFSHORE - I expect to be out of my precinct of registration and upon the waters of the state during early voting and on election day because of my employment or occupation.
- ☐ NURSING HOME** - I am a resident of a nursing home (includes veterans' home and extended hospital stay for a physical disability).
- ☐ HIGHER EDUCATION - I am a student (you must enclose a copy of student ID or fee bill if voting for 1st time), instructor, or professor located and living outside my parish of registration, or a spouse/dependent.
- ☐ CLERGY - I am a minister, priest, rabbi, or other member of the clergy assigned outside my parish of registration or a spouse/dependent.
- ☐ MOVED OUT OF PARISH less than 30 days before election - I moved my residence to another parish more than 100 miles from the parish seat of my former residence after the voter registration books closed.
- ☐ INVOLUNTARY CONFINEMENT - I am involuntarily confined in an institution for mental treatment outside my parish of registration and I am not interdicted and not judicially declared incompetent.
- ☐ HOSPITALIZED - I expect to be hospitalized on election day and I did not have knowledge until after the time for early voting had expired; or I was hospitalized during the time for early voting and I expect to be hospitalized on election day; or I was either hospitalized or restricted to my bed by my physician during early voting and on election day (you must enclose proof of hospitalization).
- ☐ INCARCERATED - I am incarcerated in an institution inside/outside my parish of registration and I am not under an order of imprisonment for conviction of a felony. (You must enclose a certification by sheriff.)
- ☐ ACP - I am a program participant in the Department of State Address Confidentiality Program.
- ☐ JUROR - I will be sequestered on the day of the election and during early voting. (You must enclose a certified copy of court order.)

**If you qualify for the nursing home early voting program, the registrar of voters will visit the facility on a predetermined day before election day to allow you to vote early by machine or paper ballot for all elections hereafter until you cancel the request or no longer reside at that facility. You will be entitled to assistance from the registrar, deputy registrar, or any other person except a nursing home owner, operator, administrator, or employee.

SECTION 3: CERTIFICATION AND SIGNATURE(S)

I understand that my absentee ballot, if sent to an address within the parish or an adjacent parish, can only be sent to the address at which I am registered to vote, my mailing address on file with the registrar of voters, or an address at which I regularly receive mail. Please send my absentee ballot and instructions to:

(number for return to parish reg. code)
I CERTIFY that the statements made herein by me are true and correct and I may be subject to a fine of not more than \$2,000 or imprisonment for not more than 2 years, or both, for knowingly making false statements.

(signature/mark) _____ (date) _____
If your signature is a mark, two witnesses to your mark are required to sign:

(witness #1 signature) _____ (witness #2 signature) _____

MAIL, FAX, OR HAND DELIVER THIS FORM TO your parish registrar of voters where you are registered. A faxed application cannot be sent from a candidate's fax machine, and must show or contain the fax number from where the application was sent. No person, except the immediate family of any voter, shall send by facsimile or by hand delivery more than one voter's application to vote by mail to the registrar of voters. If hand delivered or faxed, please complete the following:

Submitted by: _____ Relationship to Applicant: _____

Visit our website at www.CreagVote.com for deadlines and contact information or call toll free 1.800.883.2805.

FOR OFFICIAL USE ONLY:

Reg # _____

W/P Party Date Rec'd _____

EXHIBIT

G



MILITARY OR OVERSEAS APPLICATION FOR ABSENTEE BY MAIL BALLOT

(FOR MILITARY AND OVERSEAS CITIZENS ONLY)



INSTRUCTIONS: TO SUBMIT A PAPER APPLICATION COMPLETE SECTIONS 1, 2, AND 3 AND PRINT. (VOTERS WITH A VALID LA DRIVER'S LICENSE OR ID MAY SUBMIT A REQUEST ELECTRONICALLY BY LOGGING IN TO THE LOUISIANA VOTER PORTAL AT <https://sos.mt.com/la/voter/>)

SECTION 1: VOTER INFORMATION AND ELECTION DATES (PLEASE PRINT OR TYPE)

Name: _____ Date of Birth: _____ Mother's Maiden Name: _____

LA Registration Address _____
(number/street/city/zip code) (do not use a P.O. box #)

Day Phone #: _____ *SSN/Last 4 _____ *LA DL/ID: _____ Ward/Precinct, if known: _____

*OPTIONAL information to be used for official use only.

SECTION 2: REQUEST REASON AND BALLOT DELIVERY INFORMATION (PLEASE PRINT OR TYPE)

Military and Overseas Citizens are entitled to vote absentee in all elections for at least one (1) year from the date of this application, including one (1) federal general election cycle.

CHECK ONLY ONE (1) OF THE FOLLOWING REASONS FOR WHICH YOU ARE ELIGIBLE TO VOTE BY MAIL:

- ☐ **MILITARY** – I am a member of the United States Service** or a spouse or dependent.
- ☐ **OVERSEAS CITIZEN** – I am a citizen of the United States residing outside the U.S. who was domiciled in Louisiana immediately prior to my departure; I am at least 18 years old; I am not disenfranchised; and I do not maintain a domicile, nor am I registered to vote or voting in any other state.

** United States Service means a member of the armed forces while in active service, a member of the merchant marine of the United States, a civil service employee of the United States, in any category, while serving outside the territorial limits of the several states of the United States and the District of Columbia, or a member of a religious group or welfare agency assisting members of the armed forces who is officially attached to and serving with the armed forces. L.A. R.S. 18:1302.

CHECK AN OPTION TO RECEIVE YOUR BALLOT:

☐ By electronic delivery, my email address is _____

☐ By mail, my mailing address*** is _____

☐ By fax, my fax number is _____

***If this address is within the parish or an adjacent parish, the ballot can only be sent to the address at which you are registered to vote, your mailing address on file with the registrar of voters, or an address where you regularly receive mail.

SECTION 3: CERTIFICATION AND SIGNATURE(S)

I CERTIFY that the statements made herein by me are true and correct and I may be subject to a fine of not more than \$2,000 or imprisonment for not more than 2 years, or both, for knowingly making false statements.

(signature mark)

(date)

If your signature is a mark, two witnesses to your mark are required to sign:

(witness #1 signature)

(witness #2 signature)

MAIL, FAX, OR HAND DELIVER THIS FORM TO your parish registrar of voters where you are registered. A faxed application cannot be sent from a candidate's fax machine, and must show or contain the fax number from where the application was sent. No person, except the immediate family of any voter, shall send by hand delivery more than one voter's application to vote by mail to the registrar of voters. If hand delivered, please complete the following:

Submitted by: _____ Relationship to Applicant: _____

Visit our website at www.GovsVote.com for deadlines and contact information or call toll free 1.800.893.2805.

FOR OFFICIAL USE ONLY:

Reg # _____ W/P Party Date Rec'd _____

EXHIBIT

H

Instructions: Voter must fill in all blanks that apply, sign, and have their signature witnessed by on person.

Section 1: Election Date and Voter Information

Date of Election: _____

I, _____
(Last) (First) (Middle)

do solemnly swear that I am a resident of

_____, Louisiana
(Parish of Registration)

(Residential Street Address)

(City or Town) (Ward and Precinct)

My mother's maiden name is _____

Section 2: Certification and Signatures

• I applied for and marked the enclosed ballot(s) myself or they were marked for me according to my instructions and in my presence. *(If registered for assistance and received assistance in voting, person assisting must sign the Assistance Acknowledgment below.)*

• I am entitled to vote at the above listed precinct and hereby authorize the parish board of election supervisors to open this envelope and count my ballot. *(See return address label to complete ward/precinct above.)*

• I CERTIFY that the statements made herein by me are true and correct and I am aware that the penalties for knowingly making a false statement herein are a fine of not more than \$2,000 or imprisonment with or without hard labor, for not more than two years, or both.

VOTER'S SIGNATURE OR MARK:

(Signature)

(Printed Name)

WITNESS'S SIGNATURE:

(Signature)

(Printed Name)

Section 3: Assistance Acknowledgment

If this voter is entitled to assistance in voting, I have assisted and/or marked the ballot in the manner dictated by the voter.

SIGN AND PRINT NAME:

(Signature)

(Printed Name)

(Relationship to Voter)

OFFICIAL USE ONLY

TYPE OF VOTER/BALLOT
(☒ one box only that applies)

- ☐ 1. By Mail ☐ 2. Early Voting Paper Ballot
☐ 3. Sequestered Juror ☐ 4. Replacement Ballot
☐ 5. Nursing Home Program
Registrar to Assign Nursing Home #: _____

Voter Registration # _____
(Office use only-completed by Registrar's office)

BALLOT ENVELOPE - MUST BE SEALED

↓ DO NOT DETACH AFFIDAVIT FLAP ↓

AFF-MPE
(Rev. 1/17)
Lot# 17-001

EXHIBIT

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