

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF KENTUCKY  
LOUISVILLE DIVISION**

**JASON NEMES, et. al.** : **Case No. 3:20-CV-407-CHB**  
**v.** :  
**CARL BENSINGER, et. al.** :

**VERIFIED INTERVENING COMPLAINT OF KEISHA DORSEY**

Keisha Dorsey, by and through Counsel, provides this Intervening Complaint. Ms. Dorsey hereby incorporates the entirety of Plaintiff’s Verified Complaint [RE#1] as if fully incorporated herein. In addition, she adds the following allegations:

1. Plaintiff Keisha Dorsey is a duly elected Councilwoman for Louisville Metro, representing Council District Three. Councilwoman Dorsey’s 3<sup>rd</sup> district includes the Southwest portion of West Louisville and all of Shively, KY. West Louisville is comprised of roughly sixty-one thousand residents, of that, eighty-two percent identify as a minority. Shively, KY has Kentucky’s largest African American population per capita. Fifty-one percent of Shively residents are African American according to a 2020 Road Snacks analysis.<sup>1</sup>
2. Based on information provided to her by Grace Simrall (Louisville Metro’s Chief of Civic Innovation), thirty percent of Louisville Metro’s households do not have internet access. This is not only an access barrier but an information barrier.
3. In West Louisville, the number of households without internet access is greater ranging between sixty and eighty percent. Non-digital based mechanisms like telephonic helps lines are inaccessible and furthermore, Plaintiff Dorsey adds, traditional in-person

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<sup>1</sup>. (<https://www.roadsnacks.net/most-african-american-cities-in-kentucky/>).

mechanisms like Libraries and Community Centers which serve as information and access hubs in the predominately low income and African American communities have temporarily closed due to COVID-19.

4. Ms. Dorsey and other Louisville African American community activists anticipate a significant African American turnout on primary election day in the Democratic Primary because of the excitement of the United States Senate race.
5. In her own Council District, she expects between 60% and 80% of voters not to vote in person, and, based on historical practice, and a lack of information provided to those voters, will show up in person, at their regular polling location. As a service to those voters, Ms. Dorsey has been involved in recruiting volunteers to staff those regular polling locations and directing voters on where they can go vote.
6. Ms. Dorsey anticipates that voters who present themselves at the normal polling locations by 6:00 p.m. would need up to another hour and a half to obtain transportation to revised polling locations.
7. Ms. Dorsey has obtained commitments from several hundred volunteers to work polling locations if additional polling locations are opened, and, with two days' notice, can obtain even more. Furthermore, the Jefferson County Teacher's Association has undertaken efforts in the last couple days to obtain additional volunteers, with good success. Because school has ceased for the school year, many of these teachers have volunteered to serve as a poll worker.
8. Jefferson County Schools, by and through their Superintendent, have offered to open as many of their schools as are necessary and have offered to work with Defendants to implement any sanitary protocols as may be necessary to provide sanitary and reasonably

safe polling locations.

9. It is both possible and feasible to man and staff additional polling locations if they are opened.
10. Each school that is opened can serve a set number of nearby primary election polling locations. For instance, Western High School can serve as a collector point available to voters that normally vote within a two-mile distance from that school.
11. Ms. Dorsey does not suggest that each additional polling location serve every single voter in the entire county; but rather that they serve as collector points for the normal polling locations that have been closed, that are nearby to these expanded in-person voting options.
12. Ms. Dorsey and her volunteers would then direct voters on election day to these polling locations.
13. The voters of Mrs. Dorsey's district, including Mrs. Dorsey herself, will be disproportionately impacted by the current challenged, inequitable and unfair practices, mechanisms and operations.
14. Mrs. Dorsey is a U.S. citizen, an African American, and a registered voter and a Democrat in Jefferson County and the Commonwealth of Kentucky.
15. Ms. Dorsey otherwise incorporates the entirety of Plaintiff's Verified Complaint [RE#1] as if fully incorporated herein.

**WHEREFORE**, Plaintiffs demand judgment against Defendants as prayed for, including:

- A. That this Court issue a declaration that the single polling location in Jefferson, Fayette, Kenton, Boone, and Campbell Counties (in addition to other large Kentucky counties) are

unconstitutional, in contravention of the First and Fourteenth Amendments of the United States.

- B. That this Court enter permanent and preliminary injunctive relief to prohibit the use of a single polling location in Jefferson, Fayette, Kenton, Boone, and Campbell Counties (in addition to other large Kentucky counties) in the 2020 primary election, and open additional locations.
- C. That Defendants expand the hours for in-person voting by 2 hours, to 8:00 p.m. in Jefferson County and Fayette County, to allow time for those voters that show up to existing polling locations by 6:00 p.m. to obtain public transportation to present themselves at the revised polling places;
- D. That Plaintiffs be awarded their costs in this action, including reasonable attorney fees under 42 U.S.C. § 1988; and
- E. Such other relief as this Court shall deem just and proper.

Respectfully submitted,

/s/ Christopher Wiest  
Christopher Wiest (KBA 90725)  
Chris Wiest, Atty at Law, PLLC  
25 Town Center Blvd, Suite 104  
Crestview Hills, KY 41017  
859/486-6850 (v)  
513/257-1895 (c)  
859/495-0803 (f)  
chris@cwiestlaw.com

/s/ Thomas B. Bruns  
Thomas B. Bruns (KBA 84985)  
Bruns, Connell, Vollmer, Armstrong  
4750 Ashwood Dr., Ste. 200  
Cincinnati, OH 45241  
513-326-0274 (v)  
tbruns@bcvalaw.com  
**Attorneys for Plaintiff**