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JOHN ARNTZ, in his official capacity as
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Elections

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VOTING RIGHTS DEFENSE PROJECT,
AMERICAN INDEPENDENCE PARTY,
CLARA DAIMS, and SUZANNE
BUSHNELL,

Plaintiffs,

vs.

ALEX PADILLA, in his official capacity as
Secretary of State and an indispensable party,
TIM DEPUIS, in his official capacity as chief
of the Alameda County Registrar of Voters,
JOHN ARNTZ, in his official capacity as
Director of the San Francisco Board of
Elections, and DOES I–X,

Defendants.

Case No. 16-cv-02739-WHA

**DECLARATION OF SAN FRANCISCO
DIRECTOR OF ELECTIONS JOHN ARNTZ
IN OPPOSITION TO PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

Hearing Date: June 1, 2016
Time: 11:00 a.m.
Judge: Hon. William H. Alsup
Place: Ctrm. 8, 19th Floor

1 I, John Arntz, declare as follows:

2 1. I am San Francisco's Director of Elections, and I am a named defendant in this action.
3 I have personal knowledge of the following facts, except those stated on information and belief. As to
4 those facts, I believe them to be true. If called upon to testify, I could and would testify competently
5 to the contents of this Declaration.

6 2. I am the head of San Francisco's Department of Elections ("Department"). The
7 Department conducts all federal, state and local elections in San Francisco. Serving nearly 467,000
8 registered voters, the Department must ensure that the City meets all applicable legal deadlines, that it
9 has adequate staff and equipment to provide election services, that the recording and tabulation of
10 votes is accurate and secure, and that voting equipment and polling places are usable and accessible to
11 voters. For the presidential primary election on June 7, 2016, the Department has hired approximately
12 250 temporary employees, including more than 30 dedicated to voter services and outreach. On
13 Election Day, the Department will manage 576 polling places staffed by 2,500 volunteer poll workers.

14 3. Federal, state and local law closely regulate and prescribe nearly every aspect of the
15 Department's operations to ensure that San Francisco's elections are fair and functional. In
16 compliance with these laws, the Department must adhere to a strict schedule to complete essential
17 tasks for each election, including: ordering ballot supplies; preparing and printing ballots; mailing
18 overseas and other vote-by-mail (formerly known as absentee) ballots; printing and distributing
19 information to the voters; training employees and poll workers; testing the accuracy of every voting
20 machine that will be used in the election; counting and tabulating votes; and conducting a mandatory
21 post-election hand count to verify election results.

22
23 *The Presidential Primary Election on June 7, 2016*

24 4. When registering to vote in California, a person has the option of selecting a political
25 party preference. Voters who register to vote without stating a party preference are known as "No
26 Party Preference" or NPP voters. Each political party has the option of allowing NPP voters to vote in
27 its presidential primary. For California's presidential primary election on June 7, 2016, three political
28

1 parties have chosen to allow NPP voters to vote on their presidential primary ballot: the Democratic
 2 Party, the American Independent Party, and the Libertarian Party.

3 5. To obtain a vote-by-mail ballot, a person must apply by filling out an application and
 4 transmitting it to the Department by the seventh day prior to the election. Cal. Elections Code § 3001.
 5 For the June 7 election, that deadline is May 31.

6
 7 *The Department Has Made Extensive Efforts to Inform NPP Voters That They May Vote in a*
 8 *Presidential Primary.*

9 6. The Department has made extensive efforts to inform NPP voters—both those who
 10 have applied to vote by mail and those who will be voting in-person at a polling place—that they may
 11 vote in one of the three presidential primaries.

12 7. *First*, the Department has sent a mailer to all NPP voters who have applied to vote by
 13 mail informing them that they may request a “cross-over ballot,” i.e., a ballot that allows them to vote
 14 in a presidential primary in the June election. A true and correct copy of such a mailer is attached
 15 hereto as Exhibit A. Each mailer includes an application that allows NPP voters to request a vote-by-
 16 mail ballot for one of the three political parties. The Department processes all applications received
 17 even after the deadline indicated on the mailer.

18 8. *Second*, the Department includes a detailed “Voting Instructions” guide with every
 19 vote-by-mail ballot sent to San Francisco voters. A true and correct copy of a “Voting Instructions”
 20 guide is attached hereto as Exhibit B. An NPP voter may then request a replacement ballot that
 21 includes a presidential primary ballot. The guide includes a link to the Department’s website where
 22 the voter can request a replacement ballot. A copy of the replacement ballot form is attached hereto as
 23 Exhibit C.

24 9. *Third*, in early May 2016, the Department provided a Voter Information Pamphlet
 25 (“VIP”) to every registered San Francisco voter in either hard copy or digital format. In addition, the
 26 Department mails VIPs to people who register to vote after the VIPs have been mailed. The VIP is
 27
 28

also available online, in multiple languages.¹ Though the substance of the VIP is the same for all voters, the back cover varies depending on whether or not the voter has expressed a party preference. All back covers contain a vote-by-mail application. However, for NPP voters, the application includes the option to select a party preference. A voter who submits this application will receive a crossover ballot for the presidential primary indicated on the application. Attached hereto as Exhibit D is a true and correct copy of a VIP that an NPP voter would receive. Attached hereto as Exhibit E is a true and correct copy of the back cover of a VIP that a non-NPP voter would receive. The Department's goal is to write the VIP at an eighth grade reading level.

10. *Fourth*, the Department's website offers voters an online tool to look up their voter registration status.² An NPP voter who looks up his status will be informed that he is an NPP voter. Attached hereto as Exhibit F is a screenshot of what that NPP voter who has not applied to vote by mail (i.e., will be voting in person at a polling place) would see. If the NPP voter has applied to vote by mail, the voter is provided the same statement, but is also informed that to vote in one of the presidential primaries, he must request a crossover ballot for one of the three political parties that have opened their presidential primaries to NPP voters. Attached hereto as Exhibit G is a screenshot of what such a voter would see.

11. *Fifth*, an NPP voter who signs up on the Department's website to vote by mail will be provided with similar information. The first step in the online application process is to enter the voter's house number, zip code, and date of birth. Attached hereto as Exhibit H is a screenshot of this initial page.³ From this information, the Department can determine if the person is an NPP voter. If so, the voter is informed that he has the option of voting in one of the presidential primaries, and that to do so, he must fill out an application. Attached hereto as Exhibit I is a screenshot of this page. This page contains a link to that application. A true and correct copy of that application is attached hereto as Exhibit J.

¹ <http://voterguide.sfelections.org/en> (English); <http://voterguide.sfelections.org/zh-hant> (Chinese); <http://voterguide.sfelections.org/fil> (Filipino); <http://voterguide.sfelections.org/es> (Spanish).

² <http://sfelections.org/tools/reglookup/>

³ <http://sfelections.org/tools/vbmapp/index.php>

12. *Sixth*, the Department has trained all poll workers to inform NPP voters that they have the option of voting for one of the three designated parties. A true and correct copy of the relevant excerpts of the poll worker training manual is attached hereto as Exhibit K.⁴ Pages 37-50 discuss the fact that NPP voters should be offered a presidential primary ballot for the three political parties that have opted to allow NPP voters to vote in their primary. In addition, every polling place in San Francisco has a sign informing NPP voters that they may vote in one of these primaries. A true and correct copy of such a sign is attached hereto as Exhibit L.

13. *Seventh*, the VIP, which, as noted above, is provided to every registered San Francisco voter and is available on the Department's website, provides answers to questions such as "What does party preference mean?"; "How can I find out my party preference?"; "How can I change my party preference?" and "I did not disclose a party preference when I registered to vote. What ballot will I receive?" *See* Ex. D at 12-13. The VIP also provides an easy-to-understand flow chart explaining that NPP voters may vote in any of the three designated presidential primaries, whereas voters registered for a political party may only vote in the party's presidential primary. *See* Ex. D at 13. In addition, a letter I wrote that appears near the front of the VIP explains that "the party preference that voters selected when registering to vote determines which candidates will appear on their ballots for these contests," but that three parties have allowed NPP voters to vote in their primaries. *See* Ex. D at 4.

14. *Eighth*, on April 5, 2016, the Department sent a mailer to every household in San Francisco—over 362,000 in all—reminding them to vote and stating: "To learn what's on the ballot and why your political party preference makes a difference in the Presidential Primary, go to sfelections.org/June2016." A true and correct copy of such a mailer is attached hereto as Exhibit M. The link on the mailer, among other things, informs NPP voters that they can vote in the presidential primary for any of the three designated parties. A true and correct copy of the website referenced on the mailer is attached hereto as Exhibit N.⁵

⁴ <https://sfgov.org/elections/ftp/uploadedfiles/elections/GetInvolved/NOV2015/PollWorkerManual2015.pdf>

⁵ The mailer references the website www.sfelections.org/June2016, and when one inputs that URL into a browser, one is automatically routed here: http://sfgov.org/elections/sites/default/files/Documents/Voting/2016/2016J_Flowchart_VotingPrimary.pdf

1 15. *Ninth*, the Department has issued five press releases advising that, “Voters who did not
2 select a party preference when registering to vote, will receive a ballot that does not include a
3 presidential contest unless they request a ballot of one of the parties allowing voters with no party
4 preference to participate in their presidential primaries.” True and correct copies of those press
5 releases are attached hereto as Exhibit O. Those press releases are also available online.⁶ The
6 Department maintains a list of “interested persons”, which includes organizations, interested members
7 of the public, and media representatives, who automatically receive press releases by email.

8 16. *Tenth*, the Department maintains an active social medial presence, regularly issuing
9 tweets and Facebook updates informing NPP voters that they can vote in one of the primaries and
10 explaining how to do so. Attached hereto as Exhibit P are printouts of some of these social media
11 posts. All social media posts appear on both Twitter and Facebook. Many of the posts provide links
12 to the Department’s website further explaining this issue and providing tools for vote-by-mail voters to
13 request a presidential primary ballot.

14 17. *Eleventh*, the Department maintains a voter outreach desk that is staffed by people who
15 are knowledgeable about how to change party preference and how to request crossover ballots, among
16 other issues. Any person with questions can call the help desk number, which the Department
17 publishes in numerous locations, or come into the Department and speak with voter outreach
18 personnel. *See* Ex. A-G, I, L-S, U. Personnel can provide assistance in Cantonese, Mandarin,
19 Filipino, Spanish, and, using an on-demand language service, the Department can also provide
20 assistance in more than 200 additional languages.

21 ⁶ [http://sfgov.org/elections/article/june-7-2016-consolidated-presidential-primary-election-](http://sfgov.org/elections/article/june-7-2016-consolidated-presidential-primary-election-rules-voting-under-california%E2%80%99s)
22 [rules-voting-under-california%E2%80%99s](http://sfgov.org/elections/article/june-7-2016-consolidated-presidential-primary-election-rules-voting-under-california%E2%80%99s) (issued March 9, 2016);

23 [http://sfgov.org/elections/article/department-elections-reminds-voters-no-party-preference-](http://sfgov.org/elections/article/department-elections-reminds-voters-no-party-preference-about-their-ballot-options-june-7)
24 [about-their-ballot-options-june-7](http://sfgov.org/elections/article/department-elections-reminds-voters-no-party-preference-about-their-ballot-options-june-7) (issued April 7, 2016)

25 [http://sfgov.org/elections/article/department-elections-reminds-voters-why-party-](http://sfgov.org/elections/article/department-elections-reminds-voters-why-party-preference%E2%80%93or-lack-party-preference%E2%80%93matter)
26 [preference%E2%80%93or-lack-party-preference%E2%80%93matter](http://sfgov.org/elections/article/department-elections-reminds-voters-why-party-preference%E2%80%93or-lack-party-preference%E2%80%93matter) (issued April 29, 2016)

27 [http://sfgov.org/elections/article/department-elections-reminds-voters-why-party-preference-](http://sfgov.org/elections/article/department-elections-reminds-voters-why-party-preference-matters-june-7-election)
28 [matters-june-7-election](http://sfgov.org/elections/article/department-elections-reminds-voters-why-party-preference-matters-june-7-election) (issued May 18, 2016)

<http://sfgov.org/elections/article/tuesday-may-31-last-day-request-vote-mail-june-7-election-0>
(issued May 31, 2016).

See also <http://sfgov.org/elections/article/today-deadline-register-vote-june-7-election> (issued
on May 23, 2016 discussing how to register or re-register to vote)

1 18. *Finally*, the Department has conducted an extensive outreach campaign to educate
2 voters about a host of issues, including the implications of being an NPP voter and how to obtain a
3 crossover ballot. In all, the Department has provided informational materials to over 700 civic
4 partners through a variety of means. For example, Department representatives distribute materials at
5 events, fairs, and festivals across the City. True and correct copies of the outreach flyers and posters
6 are attached hereto as Exhibit Q. At some of these events, the Department will do a slide presentation,
7 a true and correct copy of relevant excerpts of which is attached hereto as Exhibit R. The Department
8 pays to post informational materials on the interior of 1,000 Muni vehicles, on the exterior of 100
9 Muni vehicles, and inside 22 Muni and BART stations. A true and correct copy of those informational
10 materials is attached hereto as Exhibit S. The Department also delivers and mails the materials to
11 community-based organizations, such as Chinese for Affirmative Action, LGBT Community Center,
12 and the Mission Economic Development Agency, as well as to schools, City departments, and
13 libraries. True and correct copies of the outreach flyers and posters are attached hereto as Exhibit Q.
14 Finally, the Department has placed ads in local newspapers such as San Francisco Examiner, SF
15 Weekly, Bay Area Reporter, 14 San Francisco neighborhood newspapers, the Asian Journal,
16 Philippine News, Vietnam Daily News, Sing Tao, World Journal, La Opinion de la Bahia, El Tecolote,
17 Nichi Bei Weekly, and the Korean Times. A true and correct copy of an exemplar ad is attached
18 hereto as Exhibit T.

19 19. Many election materials, such as many of the documents, websites, and ballots
20 referenced above are available in English, Spanish, Chinese, and Filipino. The Department provides
21 voters with multiple opportunities to select their preferred language, and once the voter has expressed
22 a preference, all materials received will be in English and that language.

23
24 *The Department's Efforts to Inform Voters Who Have Expressed a Party Preference That They May*
25 *Change That Preference.*

26 20. The Department has made extensive efforts to inform voters who have expressed a
27 party preference that they may re-register.

1 21. *First*, the VIP contains a discussion of “Voting in the June 2016 Presidential Primary
2 Election” and explains how voters can change their party preference. *See* Ex. D at 12-13.

3 22. *Second*, every envelope containing a vote-by-mail ballot sent to San Francisco voters
4 includes a “Voting Instructions” guide that states: “If you chose a party preference when you
5 registered to vote, the enclosed ballot includes, among other contests, all contests specific to that party.
6 If you want to change your political party preference, you must reregister to vote by May 23.” *See* Ex.
7 B. This guide is also available on the Department’s website, on a section of the site devoted to
8 “Voting in the June 7, 2016, Election.” *See* Ex. B.

9 23. *Third*, every voter who uses the Department’s voter registration tool to determine if he
10 is registered to vote, the political party for which he is registered, and his polling place is informed that
11 he may change his party preference. *See* Ex. F, G.

12 24. *Fourth*, as noted above, the Department sent a mailer to every household in San
13 Francisco—over 362,000. That mailer, among other things, informed voters they could change their
14 party preference: “Voting June 7: To register to vote—or update your registration to change your
15 political party, home address, or name—go to registertovote.ca.gov by May 23.” *See* Ex. L.

16 25. *Fifth*, the Department’s outreach materials, which, as noted above, have been provided
17 to over 700 civic partners and distributed at events throughout San Francisco leading up to Election
18 Day, inform voters that they may change their party preference. *See* Ex. M-O, R-T.

19 26. *Additionally*, the Department has provided information about how voters can change
20 party preference via its social media posts, its help desk, and its press releases, all of which are
21 described above.

22 27. When an NPP voter fills out an application to vote by mail on the Department’s
23 website, the website states: “You may mail, deliver or fax the form to the address or fax number listed
24 on the application.” *See* Ex. I. The address listed on the application is the Department’s office in City
25 Hall. In addition, the application itself states, “Deliver, mail, or fax the completed application to the
26 address or fax number listed below.” *See* Ex. J.

27 28. Attached hereto as Exhibit U is a true and correct copy of the Secretary of State’s vote-
28 by-mail application.

The Use of April 18 on the Department's Mailers Informing NPP Voters Who Have Already Applied to Vote by Mail that They May Request a Crossover Ballot.

29. As noted above, the Department sent mailers to NPP voters informing them that they may request a crossover ballot. *See* Ex. A.

30. The Department's goal is for voters to receive their vote-by-mail ballots three to four weeks before Election Day. The use of the date April 18 on the mailers is not legally mandated, but is based on the operational requirements of the Department and the third-party vendor with which the Department contracts to print and assemble vote-by-mail ballots. 255,000 of San Francisco's 467,000 registered voters have applied to vote by mail. Given that substantial number, the vendor, which also contracts with numerous other counties in California and other states, requested two weeks to print and assemble the ballots, then have them driven from Washington to a United States Postal Service facility in Richmond, where they were placed in the mail. Shortly after April 18, the Department sent the vendor an "extract" containing the information regarding which San Francisco voters had applied to receive vote by mail ballots and the ballots those voters should receive. The batch of ballots generated from that extract was placed in the mail in San Francisco on May 4 and 5, 2016, such that voters likely received them three to four weeks before Election Day. Thus far, approximately 64,000 vote-by-mail voters have voted and returned their ballots to the Department.

31. After sending the initial extract to the vendor, the Department sends supplemental extracts on a regular basis. Once an NPP voter who has applied to vote by mail submits a request for a crossover ballot, the minimum amount of time that the vendor can process that request is approximately 72 hours, plus mailing time. Larger extracts can take the vendor up to two weeks to process. The vendor mails vote-by-mail ballots generated from supplemental extracts from Washington, not San Francisco; as such, mailing times are longer.

32. The Department promptly transmits to the vendor all requests for crossover ballots from NPP voters, including requests received after April 18. Thus, NPP voters who have applied to vote by mail and who have submitted a request for a crossover ballot will receive one, even if they submitted that request after April 18 (so long as the Department receives the request with enough time to provide the voter with a replacement ballot by Election Day).

33. NPP voters who did not submit the form by April 18 received ballots that did not include a contest for President. This is because, immediately after April 18, the Department sent the extract to the vendor, which printed and assembled the ballots and drove them to Richmond, where they were mailed on May 4 and 5. Such voters, however, were also informed—through the numerous ways explained above, including the Voting Instructions guide included in every vote-by-mail ballot envelope—that they could still vote in a presidential primary by requesting a replacement ballot. A link to that form is included on the Voting Instructions guide. *See Ex. B.*

34. It would be infeasible from an operational standpoint for the mailers to include a date later than April 18. If, for example, the Department used May 31 as the deadline, voters who submitted their request on that date would not receive their vote-by-mail ballot in time to cast it. A large extract would take the vendor two weeks to process, plus the time it would take to mail the ballots from Washington. For instance, for November 2015 election, my own ballot was delivered to me 10 days after the vote-by-mail ballots arrived at a postal facility in San Francisco.

The June 1 Deadline for Receiving Requests for Replacement Vote-by-Mail Ballots By Voters Who Have Already Applied to Vote by Mail.

35. The Department's ballot replacement request form states that the Department must receive the request by June 1. This form is *not* an application to vote by mail. Rather, its purpose is to allow a person who has *already* applied to vote by mail to obtain a replacement vote-by-mail ballot. For this reason, the form does not state that the deadline to apply to vote by mail is June 1; but rather, it says that a person who has already applied to vote by mail may obtain a replacement ballot (that includes a crossover ballot) by submitting the form to the Department by June 1.

36. The Department must receive replacement requests by June 1 in order to ensure that voters receive their replacement ballots in time to actually cast their votes. Before using this June 1 date, the Department was informed by the United States Post Office that items mailed using first class postage may require three to five days to be delivered to a voter in San Francisco. After ballot replacement requests are received, the Department must process them, compile a replacement ballot,

1 then mail it to the voter. Requests received after June 1 run the risk of not reaching the voter until
2 after Election Day, after which point the vote could not be counted. *See* Cal. Elections Code § 3020.

3
4 *Plaintiffs' Declarations*

5 37. I have reviewed the Declaration of Tanya Mena, in which she alleges that she “changed
6 her registration to Democratic so I was certain I could vote for a Democratic candidate in the
7 Presidential primary.” Because Ms. Mena is an NPP voter who has applied to vote by mail, the
8 Department sent her two mailers (because she changed addresses), one of which she returned to the
9 Department, requesting a ballot for the Democratic presidential primary. Upon receipt of Ms. Mena’s
10 request, the Department mailed Ms. Mena, on May 13, 2016, a ballot for the Democratic presidential
11 primary. I know this because the Department maintains transaction logs that include the names of all
12 registered San Francisco voters and reflect, among other things, whether and when a vote-by-mail
13 ballot was mailed to them, and if so, which ballot. I personally checked this transaction log on May
14 27, 2016, which indicated that the Department sent Ms. Mena a Democratic presidential primary ballot
15 on May 13, 2016.

16 38. In Ms. Mena’s declaration, she states that she “changed her registration to Democratic
17 so I was certain I could vote for a Democratic candidate in the Presidential primary.” This is not
18 accurate, as the Department has no record of any attempt by Ms. Mena to re-register. If Ms. Mena had
19 re-registered to vote, that would appear in the transaction log. Ms. Mena registered to vote in 2014
20 and there is no record that she re-registered. The fact that the Department sent Ms. Mena a
21 Democratic presidential primary ballot was not because she re-registered as a Democrat (she is still
22 registered as an NPP voter) but because she submitted one of the mailers.

23 39. I have also reviewed the Declaration of Clara Daims submitted by Plaintiffs. Ms.
24 Daims indicates that she is worried that there will not be sufficient Democratic ballots. This concern
25 is unfounded, as the Department has ordered ballots for all parties far in excess of what will
26 realistically be needed. Ms. Daims states that she has seen a “circular” stating “to request a ballot that
27 includes the presidential primary contest of one of these parties, mark the name of the party on the
28 attached postage-paid postcard. . . .” Ms. Daims is not a registered vote-by-mail voter, and as such,

1 these mailers would not have been sent to her. If Ms. Daims votes in person, poll workers have been
2 trained to inform her that she can vote in one of the three presidential primaries.

3
4 Service of Documents on the Department

5 40. On May 28, 2016, someone dropped off at the Department the Amended Complaint, a
6 Summons, and this Court's Supplemental Order to Initial Order Setting Case Management
7 Conference. No other documents related to this lawsuit have been provided to the Department.

8
9 Extending Voter Registration Until Election Day

10 41. Extending the voter registration deadline to Election Day would likely be fatal to the
11 Department's ability to conduct the election. There are currently about 397,000 San Franciscans who
12 have not registered to vote and millions more people throughout the state who have not registered.
13 Ordering Election Day registration would be tantamount to requiring the Department to allow every
14 single person who showed up at a polling place on Election Day to cast a ballot. If this happened, the
15 election would be plunged into chaos, as the Department has not prepared for such vast numbers of
16 people, nor could the Department prepare for such numbers in such a short time.

17 42. Planning for and running an election is an incredibly complex process that requires the
18 Department to make a series of projections related to possible voter turnout based on the number of
19 registered voters. These projections inform the number of polling places; the number of ballots,
20 provisional ballots, and ballot envelopes to order; the number of poll workers; the number of field
21 support personnel; and countless other operational requirements. The projections also inform how the
22 Department staffs and organizes the Voting Center at City Hall. In addition, poll rosters, which
23 consist of a list of registered voters for each precinct, must be created. These projections and poll
24 rosters are based on registration affidavits voters completed 15 days or more before an election.

25 43. Opening up the polls on Election Day to 397,000 new voters (plus the literally millions
26 of Bay Area voters who could attempt to vote in San Francisco on election day if the Court ordered the
27 Department to give a ballot to anyone who requested one) is simply impossible from an operational
28 standpoint. Polls very likely could run out of ballots. Additionally, even if sufficient ballot were

1 available, the Department has ordered, had manufactured, and will distribute a set number of the
2 envelopes used for identifying and separating ballots cast by voters with no registration record. This
3 latter example is considered “provisional” voting and the envelopes are known as “provisional”
4 envelopes. Opening up the polls to 397,000 new voters would create a major risk that the Department
5 would run out of provisional envelopes as well. In addition, poll workers and field support personnel
6 would not have the means to support unlimited voting at the polls. Further, the Voting Center at City
7 Hall is organized and staffed to support the voting of a certain percentage of actual, registered voters
8 and would be unable to properly serve voters properly registered if a substantial number of
9 unexpected voters appeared.

10
11 I declare under penalty of perjury that the foregoing is true and correct. Executed on this 31st
12 day of May, 2016, in San Francisco, California.

13 */s/ John Arntz*

14 JOHN ARNTZ