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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROXANNE HOGE, an individual; ALI
MAZAREI, an individual; CORRIN
RANKIN, an individual,

Plaintiffs,

v.

ALEX PADILLA, in his official
capacity as the California Secretary of
State; STEVE GORDON, in his official
capacity as Director of California
Department of Motor Vehicles,

Defendants,

LEAGUE OF WOMEN VOTERS OF
CALIFORNIA; CALIFORNIA COMMON
CAUSE; MI FAMILIA VOTA
EDUCATION FUND; UNIDOSUS;
MICHAEL COHEN; SOPHIE
KOSMACHER; ANADELA NAVARRETE
GOMEZ; and KELLY LIPPMAN,

Intervenor-Defendants.

Case No. 2:19-cv-01985-MCE-AC

**DECLARATION OF HELEN
HUTCHISON IN SUPPORT OF
MOTION TO INTERVENE**

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25 *pro hac vice motion forthcoming

** not admitted in DC; DC practice limited to federal court only

**Declaration of Helen Hutchison
(Pursuant to 28 U.S.C. § 1746)**

My name is Helen Hutchison and I am over the age of 18 and fully competent to make this declaration. Under penalty of perjury, I declare the following:

1. I have lived in California since 1997.
2. I currently live in Alameda County.
3. I have been a League of Women Voters member for over 50 years.
4. The League of Women Voters of California (“League”) is made up of two non-partisan, non-profit organizations, each structured under Section 501(c) of the Internal Revenue Code: a 501(c)(3) organization and a 501(c)(4) arm.
5. I first joined the Board of the League in 2011. I served as President of the Board from 2014 through June of 2019. From June 2019 through November 2019, I served as interim Executive Director of the League. As of November 19, 2019, I will return to being a board member.
6. Through all these different roles, I am and have been a spokesperson for the League. I have been involved in supervision and management of all the statewide advocacy and work of the League. I am also involved in coordination of activities of the local Leagues. I provide mentoring for the local Leagues and work to ensure that the local Leagues comply with all of the League’s requirements, including those laid out in the League’s charter.
7. The League seeks to empower voters and promote civic engagement through informed and active participation in government. It works to increase understanding of major public policy issues and influences public policy through education and advocacy. To meet these objectives and accomplish its mission, the League undertakes a number of activities, including organizing and running voter registration drives to help California citizens register to vote.

1 8. The League also regularly engages in other activities, including community
2 outreach, education, and direct advocacy on local and statewide ballot initiatives. As part of its
3 work to educate voters, the League also regularly conducts candidate forums.

4 9. While the League has 8 paid staff members, it is primarily a volunteer
5 organization, with both dues-paying members and non-member volunteers conducting most of its
6 activities.

7 10. The League currently has over 8,000 dues-paying members in California.

8 11. The League has 68 California chapters that, among other activities, perform voter
9 registration outreach at community events, and rely heavily on volunteers to perform these and
10 other services.

11 12. The local Leagues regularly conduct voter registration events throughout
12 California. For example, in 2018, approximately 1,200 League members participated in voter
13 registration activities. During these events, League members registered almost 17,000 people.

14 13. These activities included conducting voter registration events at:

- 15 ▪ mass transit stations during commuting hours;
- 16 ▪ music and art festivals throughout the state;
- 17 ▪ community fairs;
- 18 ▪ 4th of July celebrations;
- 19 ▪ events such as Women's Marches, protests and demonstrations related to
20 gun safety and immigration;
- 21 ▪ high schools, community colleges and 4-year colleges; and
- 22 ▪ shopping malls.

23 14. This work has continued and is continuing in 2019.

1 15. Each year, the local Leagues also conduct a number of different voter registration
2 events on National Voter Registration Day, which this past year was on September 24, 2019.

3 16. At times, the League puts a special focus on promoting and facilitating voter
4 registration by newly naturalized citizens—the precise constituents whose right to vote is most
5 directly threatened by the present litigation.

6 17. Some of these voter registrations events take place at naturalization ceremonies,
7 where League members register new citizens. For example, the League in Santa Clara County
8 and Solano County provide vital assistance to the local county clerks to help with registration
9 events at naturalization ceremonies at least once a month. At these events, typically 2 to 5
10 League volunteers participate and usually register between 5 to 15 new citizens.

11 18. Other examples of events where League volunteers focus on providing voter
12 registration assistance to newly naturalized citizens are:
13

- 14 • Sonoma County League registered newly naturalized citizens at events in 2018
15 like a Cinco de Mayo event and a Festivale de Independencia event.
- 16 • The San Bernardino County and the Mendocino County Leagues both conduct
17 education for individuals who will be naturalized in the near future, including
18 providing citizenship classes to both adults and students, and providing blank
19 voter registration forms to be used after individuals become US citizens and
20 education about the importance of voter registration.
21

22 19. The League plans to continue all this voter registration work and plans to expand
23 its voter registration work in the coming years.
24

25 20. During voter registration events, League members and other volunteers always
26 interact with multiple individuals and collect voter registration forms, which they then deliver to
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1 local election officials. The League always aims to collect as many voter registration applications
2 as possible and, on the whole, collects a significant number of voter registration applications.

3 21. The League's volunteers and members also regularly engage in communications
4 with members of the California public on issues related to elections, voting, voter registration,
5 and a voter's registration status using a variety of methods, including publishing pamphlets,
6 flyers and on the internet.

7
8 22. In addition, as part of its mission to promote civic engagement and encourage
9 active participation in government, the League devoted substantial time as part of a coalition of
10 interested organizations advocating for effective implementation of the New Motor Voter law,
11 A.B. 1461, Cal Elec Code Div. 2, Ch. 4.5 §§ 2260 *et seq.*, including participation in weekly
12 coalition calls and periodic meetings with the California Secretary of State (SOS) and the
13 Department of Motor Vehicles (DMV) as they designed and developed the program.

14
15 23. The League also worked to raise public awareness around the benefits of
16 streamlining the voter registration process through the DMV.

17 24. The League's goal in doing this work was to encourage voter participation by
18 significantly increasing the voter registration rates in CA through automated voter registration of
19 eligible DMV clients.

20 25. The instant litigation seeks relief that will undermine the effectiveness of the New
21 Motor Voter program, causing it to reach far fewer eligible Californians.

22 26. The result, if the Plaintiffs are successful, the League's mission of encourage civic
23 engagement through increase voter registration will be compromised and thus the League will be
24 harmed.

25
26 27. Additionally, if the New Motor Voter program is less effective, the League will be
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1 forced to redirect volunteer time and other organizational resources towards assisting eligible
2 voters with voter registration when those eligible voters should be offered adequate voter
3 registration services by DMV.

4 28. The League has already budgeted these resources for other activities such as
5 community outreach, education, and direct advocacy on local and statewide ballot initiatives and
6 direct advocacy before local and state government agencies to build the organization and further
7 its mission and goals, which would then have to be diverted to additional, previously unplanned
8 voter registration activities.
9

10 29. Additionally, the League believes that its membership of more than 8,000
11 Californians includes persons some of whom may need to update their voter registrations and
12 who anticipate that their registrations will be automatically updated the next time they interact
13 with the DMV through the New Motor Voter program as currently implemented.
14

15 30. These injuries to the League will be incurred if the instant litigation places
16 unnecessary barriers in front of eligible California voters who wish to register through the DMV.

17 31. Additionally, the instant litigation seeks relief that would require election officials
18 to use documents from the DMV to engage in efforts to remove voters from the rolls or prevent
19 future applicants from successfully registering to vote. This effort would likely result in the
20 illegal purge of eligible voters and would frustrate the League's mission and undermine its
21 efforts to register eligible voters and to conduct voter education activities.
22

23 32. This effort would create a particular risk for the newly naturalized voters that the
24 League currently is actively working to register. It would frustrate the League's mission if an
25 eligible individual the League registered to vote were then subsequently removed from the rolls
26 or prevented from successful registration through the illegal practice that Plaintiffs seek.
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1 33. Election officials' use of such procedures as a result of this lawsuit would require
2 the League to divert resources from other planned voter education activities in order to inform its
3 members and their communities about the potential inaccuracies of any system of checking state
4 and local databases for citizenship information or purge lists and purge activities that Defendants
5 implement.

6 34. It would also require the League to ensure that eligible and properly registered
7 members are neither intimidated nor discouraged from exercising their right to vote by the purge
8 activity.

9 35. If Plaintiffs are successful in forcing Defendants to implement the untried and
10 potentially inaccurate voter purge procedures that Plaintiffs seek, the League will also be forced
11 to expend additional resources to verify the accuracy of information held in state and local
12 databases regarding citizenship or immigration status; to verify the accuracy of the new purge
13 lists; to educate voters in underrepresented communities who fear disenfranchisement,
14 particularly naturalized citizens and members of minority communities, who may be improperly
15 identified as ineligible to vote.

16 36. Additionally, beginning in February 2015, the League engaged in ongoing
17 negotiations and litigation to vindicate its organizational and members' interests in protecting the
18 right to vote under the National Voter Registration Act ("NVRA"). *See League of Women Voters*
19 *of California v. Kelly*, No. 3:17-cv-026659-LB (N.D. Cal. 2017). The litigation followed upon a
20 2016 Memorandum of Understanding between the League and other advocates and Defendant
21 Padilla and Defendant Gordon's predecessor as Director of the DMV.

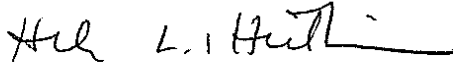
22 37. The litigation ended in a January 2018 Settlement Agreement, which remains in
23 force today and will be enforced until December 31, 2020. Additionally, during the course of
24

1 ongoing discussions between the parties in that matter, additional Stipulated Orders have been
2 signed by the court with the goal of further ensuring compliance by the State of California with
3 the NVRA. These additional Orders were signed by the court on December 27, 2018, February 5,
4 2019 and May 9, 2019.

5 38. Among other things, in furtherance of enforcing the terms of these agreements, the
6 League participates in monthly calls with Defendants to address outstanding issues concerning
7 the implementation of New Motor Voter as it relates to Defendants' obligations under the NVRA,
8 the very statute at issue in this litigation.

9 39. The League has a clear interest in protecting the substance and enforceability of
10 these agreements, all of which could be adversely impacted by the outcome of the present
11 litigation, which could conflict with the agreements' terms by imposing a far more burdensome
12 voter registration process than that spelled out by either the agreements or the NVRA.
13
14

15 I declare under penalty of perjury that the foregoing is true and correct, and that this
16 declaration was executed in Sacramento, California on December 16, 2019
17
18

19 
20 Helen Hutchison