

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

VOTEAMERICA and  
VOTER PARTICIPATION CENTER,

*Plaintiffs,*

vs.

SCOTT SCHWAB, in his official capacity as  
Secretary of State of the State of Kansas;  
DEREK SCHMIDT, in his official capacity as  
Attorney General of the State of Kansas; and  
STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

Case No. 2:21-cv-02253-KHV-GEB

**DEFENDANTS' MEMORANDUM IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT REGARDING COUNTS I-III**

**TABLE OF CONTENTS**

**TABLE OF AUTHORITIES** ..... iii

**SUMMARY OF EXHIBITS** ..... vi

**INTRODUCTION**..... 1

**STATEMENT OF UNCONTROVERTED FACTS**..... 3

**STANDARD OF REVIEW** ..... 21

**ARGUMENT**..... 22

I. Sending a Voter a Partially Completed Advance Mail Ballot Application is  
*Conduct, Not Speech*..... 22

A. *The Partially Completed Advance Mail Ballot Applications  
that VPC Sends to Voters are Not Inherently Expressive* .....22

B. *The Cases that the District Court Cited in Preliminary Injunction / Motion  
to Dismiss Order are Inapposite*.....28

C. *The Pre-Filled Application Prohibition is Rationally Related to the State's  
Legitimate Interests*.....32

II. Even if the First Amendment is Implicated, the Pre-Filled Application  
Prohibition is Viewpoint- and Content-Neutral and not Subject to  
Heightened Scrutiny..... 33

A. *The Pre-Filled Application Prohibition Does Not Target Core Political  
Speech* ..... 33

B. *Assuming the First Amendment is Implicated, the Proper Standard for  
Evaluating VPC's Claims is the Anderson-Burdick Test* ..... 39

III. The Pre-Filled Application Prohibition Does Not Contravene VPC's Freedom  
of Association Rights ..... 44

IV. VPC's Overbreadth Claim Has No Merit..... 46

A. *The Pre-Filled Application Prohibition is Not Overbroad as Applied to  
VPC's Activities*.....47

B. *The Pre-Filled Application Prohibition is Not Facially Overbroad* .....48

**CONCLUSION ..... 49**  
**CERTIFICATE OF SERVICE ..... 50**

**TABLE OF AUTHORITIES**

<u>Cases</u>	Page(s)
<i>ACLU v. Santillanes</i> , 546 F.3d 1313 (10th Cir. 2008).....	40
<i>Am. Booksellers Ass’n, Inc.</i> , 484 U.S. 383 (1988).....	47
<i>Anderson v. Celebrezze</i> , 460 U.S. 780 (1983) .....	39
<i>Anderson v. Liberty Lobby, Inc.</i> , 477 U.S. 242 (1986).....	21
<i>Armour v. City of Indianapolis, Ind.</i> , 566 U.S. 673 (2012) .....	28
<i>Brnovich v. Democratic Nat’l Comm.</i> , 141 S. Ct. 2321 (2021).....	32, 42, 43, 44
<i>Broadrick v. Oklahoma</i> , 413 U.S. 601 (1973).....	47
<i>Brockett v. Spokane Arcades, Inc.</i> , 472 U.S. 491 (1985).....	47
<i>Buckley v. American Constit. Law Found., Inc.</i> , 552 U.S. (1999).....	37
<i>Burdick v. Takushi</i> , 504 U.S. 428 (1992).....	39, 40
<i>Burson v. Freeman</i> , 504 U.S. 191 (1992).....	33, 37, 39, 43
<i>Celotex Corp. v. Catrett</i> , 477 U.S. 317 (1986) .....	21
<i>CFE Racing Prods., Inc. v. BMF Wheels, Inc.</i> , 793 F.3d 571 (6th Cir. 2015) .....	41
<i>Citizens Fin. Group, Inc. v. Citizens Nat’l Bank of Evans City</i> , 383 F.3d 110 (3d Cir. 2004).....	41
<i>City of Austin v. Reagan Nat’l Advert. of Austin</i> , 142 S. Ct. 1464 (2022).....	35, 36
<i>Clark v. Cmty. for Creative Non-Violence</i> , 468 U.S. 288 (1984).....	22
<i>Clark v. Schmidt</i> , 493 F. Supp.3d 1018 (D. Kan. 2020) .....	48
<i>Conaway v. Smith</i> , 853 F.2d 789 (10th Cir. 1988) .....	21
<i>Crawford v. Marion Cty. Election Bd.</i> , 553 U.S. 181 (2008).....	42
<i>Dallas v. Stanglin</i> , 490 U.S. 19 (1989).....	45
<i>DCCC v. Ziriax</i> , 487 F. Supp.3d 1207 (N.D. Okla. 2020) .....	27
<i>Democracy N.C. v. N.C. State Bd. of Elections</i> , 476 F. Supp.3d (M.D.N.C. 2020) .....	29
<i>Doe v. Reed</i> , 561 U.S. 186 (2010) .....	32, 37, 38
<i>DSCC v. Pate</i> , 950 N.W.2d 1 (Iowa 2020).....	33
<i>Duda v. Elder</i> , 7 F.4th 899 (10th Cir. 2021).....	21
<i>Faustin v. City &amp; Cty. of Denver, Colo.</i> , 423 F.3d 1192 (10th Cir. 2005) .....	47
<i>Feldman v. Ariz. Sec’y of State’s Office</i> , 843 F.3d 366 (9th Cir. 2016) .....	29

<i>Fish v. Schwab</i> , 957 F.3d 1105 (10th Cir. 2020) .....	40
<i>HealthOne of Denver, Inc. v. UnitedHealth Group, Inc.</i> , 872 F. Supp.2d 1154 (D. Colo. 2012) 41	
<i>Heller v. Doe</i> , 509 U.S. 312 (1993) .....	32
<i>Holder v. Humanitarian Law Project</i> , 561 U.S. 1 (2010) .....	25
<i>Knox v. Brnovich</i> , 907 F.3d 1167 (9th Cir. 2018).....	29
<i>League of Women Voters of Fla. v. Cobb</i> , 447 F. Supp.2d 1314 (S.D. Fla. 2006).....	28
<i>League of Women Voters v. Browning</i> , 575 F. Supp.2d 12989 (S.D. Fla. 2008 .....	27
<i>Lichtenstein v. Hargett</i> , 489 F. Supp.3d 742 (M.D. Tenn. 2020).....	31, 44
<i>Lichtenstein v. Hargett</i> , ___ F. Supp.3d ___, 2021 WL 5826246 (M.D. Tenn. Dec. 7, 2021) .....	31
<i>Marchioro v. Chaney</i> , 442 U.S. 191 (1979) .....	33
<i>Meyer v. Grant</i> , 486 U.S. 414 (1988) .....	27, 34, 37, 38
<i>N.M. Youth Organized v. Herrera</i> , 611 F.3d 669 (10th Cir. 2010) .....	47
<i>Nahno-Lopez v. Houser</i> , 625 F.3d 1279 (10th Cir. 2010) .....	21
<i>Navajo Health Found.-Sage Mem. Hosp., Inc. v. Burwell</i> , 256 F. Supp.3d 1186 (D.N.M. 2015) .....	28
<i>New Ga. Project v. Raffensperger</i> , 484 F. Supp.3d 1265 (N.D. Ga. 2020).....	29
<i>New Ga. Project v. Raffensperger</i> , 976 F.3d 1278 (11th Cir. 2020) .....	29
<i>New York v. Ferber</i> , 458 U.S. 747 (1982) .....	47
<i>Ohio Democratic Party v. Husted</i> , 834 F.3d 620 (6th Cir. 2016).....	40
<i>Priorities USA v. Nessel</i> , 462 F. Supp.3d 792 (E.D. Mich. 2020).....	30
<i>Priorities USA v. Nessel</i> , 487 F. Supp.3d 599 (E.D. Mich. 2020).....	30
<i>Priorities USA v. Nessel</i> , 978 F.3d 976 (6th Cir. 2020).....	31
<i>Reed v. Town of Gilbert</i> , 576 U.S. 155 (2015) .....	35
<i>Richardson v. Tex. Sec’y of State</i> , 978 F.3d 220 (5th Cir. 2020).....	43
<i>Roberts v. U.S. Jaycees</i> , 468 U.S. 609 (1984) .....	45
<i>Rumsfeld v. Forum for Academic and Institutional Rights, Inc.</i> , 547 U.S. 47 (2006).....	22, 25
<i>Save Palisade Fruitlands v. Todd</i> , 279 F.3d 1204 (10th Cir. 2002).....	32
<i>SEC v. GenAudio, Inc.</i> , 32 F.4th 902 (10th Cir. 2022) .....	21
<i>Sickles v. Campbell Cnty., Ky.</i> , 501 F.3d 726 (6th Cir. 2007) .....	25
<i>Storer v. Brown</i> , 415 U.S. 724 (1974) .....	33
<i>Texas v. Johnson</i> , 491 U.S. 397 (1989) .....	23

*Timmons v. Twin Cities Area New Party*, 520 U.S. 351 (1997) ..... 24, 36

*Troublé v. The Wet Seal, Inc.*, 179 F. Supp.2d 291 (S.D.N.Y. 2001)..... 41

*United States v. O’Brien*, 391 U.S. 367 (1968) ..... 25

*United States v. Streett*, 434 F. Supp. 3d 1125 (D.N.M. 2020) ..... 48

*United States v. Williams*, 553 U.S. 285 (2008) ..... 46

*Univ. of Kan. v. Sinks*, 565 F. Supp.2d 1216 (D. Kan. 2008) ..... 41

*Univ. of Tex. v. Camenish*, 451 U.S. 390 (1981) ..... 28

*Utah Republican Party*, 892 F.3d ..... 39

*Virginia v. Hicks*, 539 U.S. 113 (2004)..... 46, 47, 49

*VoteAmerica v. Raffensperger*, \_\_\_ F. Supp.3d \_\_\_, 2022 WL 2357395  
(N.D. Ga. June 30, 2022) ..... 2, 27, 46

*Voting for Am. v. Steen*, 732 F.3d 382 (5th Cir. 2013) ..... 22, 26, 28, 29, 38

*Voting for Am., Inc. v. Andrade*, 488 F. App’x 890 (5th Cir. 2012)..... 45

*West v. Derby Unified Sch. Dist. No. 260*, 206 F.3d 1358 (10th Cir. 2000)..... 49

Statutes

52 U.S.C. § 20301 ..... 5

K.S.A. 25-1122 ..... 1, 3, 4, 5, 6, 23, 24, 28, 49

K.S.A. 25-1123 ..... 5

K.S.A. 25-1220 ..... 5

Rules

Fed. R. Evid. 801(c)..... 41

Regulations

Kan. Admin. Reg. 7-36-7 ..... 6

Kan. Admin. Reg. 7-36-9..... 6

**SUMMARY OF EXHIBITS**

- A. Andrew Howell Affidavit
- B. Jamie Shew Deposition
- C. Bryan Caskey Deposition
- D. Kansas Secretary of State's Office – Voter Registration Data Request Form
- E. VPC's advance voting ballot application mailing statistics for 2020 General Election
- F. Lionel Dripps Deposition
- G. Tom Lopach Deposition
- H. Pls.' Resp. to Interrog. No. 16 in Defs.' Second Set of Interrogs.
- I. Sample of VPC's cover letter, pre-filled advance voting ballot application, and envelope sent to Kansas voters in 2020 General Election
- J. Sample VPC pre-filled advance voting ballot application
- K. Pls.' Response to Defs.' RFA No. 8
- L. Kansas Voters to whom VPC sent advance voting ballot application in 2020 General Election
- M. Ken Block's Initial Declaration
- N. Ken Block's Supplemental Declaration
- O. Ex. XI to Ken Block's Supplemental Declaration
- P. Ex. V to Ken Block's Initial Declaration
- Q. Examples of CVI-pre-filled deficient advance voting ballot applications received from Shawnee County voters
- R. Advance voting ballot applications sent by VPC to deceased voters in Shawnee County
- S. Andrew Howell Deposition
- T. Debbie Cox Deposition
- U. Debbie Cox Affidavit
- V. Text of notice placed in Ford County newspapers by Debbie Cox regarding CVI's mailing of advance voting ballot applications to voters
- W. Examples of correspondence between Shawnee County Election Office and voters submitting deficient advance voting ballot applications in 2020 General Election
- X. VPC Call Center FAQs
- Y. Emails between VPC's Counsel and Other States' Election Officials
- Z. Written Testimony from Kansas Secretary of State's Office to Kansas Legislature
- AA. Pls.' Resp. to Interrog. No. 8 in Def. Schwab's First Set of Interrogs.
- BB. Pls.' Resp. to Interrog. No. 4 in Def. Schwab's First Set of Interrogs.

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**DEFENDANTS' MEMORANDUM IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT REGARDING COUNTS I-III**

Defendants respectfully move for summary judgment with regard to Counts I-III of the Plaintiffs' Complaint, as they relate to Plaintiffs' constitutional challenge to Section 3(k)(2) of HB 2332 (codified at K.S.A. 25-1122(k)(2)).<sup>1</sup> In support of such motion, Defendants state as follows:

**INTRODUCTION**

The only remaining issue in this case is whether a third-party has a right under the First Amendment to fill out *someone else's* advance voting ballot application. In other words, does K.S.A. 25-1122(k)(2) constitute an impermissible restriction on speech or association under the First Amendment? Defendants submit that a third party's pre-population of a voter's advance ballot application is neither expressive conduct nor speech warranting constitutional protection, and it has no impact as well on the third-party's freedom of association rights.

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<sup>1</sup> All other claims in this matter have either been dismissed or resolved via a Stipulated Order. *See* Dkt #73.

At the preliminary injunction stage of these proceedings, the Court concentrated the bulk of its analysis on a provision prohibiting only out-of-state entities from sending advance voting ballot applications to Kansas voters. Defendants accepted the Court's determination that the provision was unconstitutional and agreed to a permanent injunction against it. But the law now before the Court, which simply restricts third-parties from pre-filling anyone else's advance voting ballot application, is eminently reasonable and does not encroach on any constitutional rights.

Plaintiffs highlight that Kansas has experienced no recent, systematic election fraud. True enough, but Plaintiffs' argument ignores the applicable legal standard and the State's legitimate interests in adopting this legislation. The Legislature acted on what it deemed to be a serious concern with pre-filled advance voting ballot applications. As was evident in Kansas in 2020, and has been clear throughout the country for years, the activities of Plaintiff Voter Participation Center ("VPC") tend to precipitate anger, confusion, and frustration in the electorate; negatively impact the orderly and efficient administration of elections; and contribute to the diminution of public confidence in both the competency of election officials and the integrity of the electoral process. In fact, VPC itself was so concerned with erroneous data in the pre-filled advance voting ballot applications it was sending to voters during the 2020 General Election that it decided on its own to stop pre-populating applications for its target market for a period of time.

The election integrity measure being challenged here is a perfectly reasonable prophylactic designed to mitigate such harms. These same Plaintiffs challenged a virtually identical statute in Georgia, and the court there categorically rejected the claims. *See VoteAmerica v. Raffensperger*, \_\_\_ F. Supp.3d \_\_\_, 2022 WL 2357395 (N.D. Ga. June 30, 2022). Governing case law dictates that this Court likewise turn aside Plaintiffs' claims and afford substantial deference to Kansas' law. The State is not required to conduct its elections in an environment filled with chaos.

**STATEMENT OF UNCONTROVERTED FACTS**

1. Plaintiff VPC is a 501(c)(3) organization that, *inter alia*, provides early voting and vote-by-mail resources and information – including pre-filled advance voting ballot applications – to certain targeted groups of voters, primarily young voters, voters of color, and unmarried women. Pretrial Order (Dkt #140) Stipulated Facts (“PTO-SF”), ¶¶ vii-viii.

2. The Kansas Legislature introduced House Bill (H.B.) 2332 in February 2021 to address various election-related matters, including the solicitation by mail of advance voting ballot applications. PTO-SF, ¶¶ xvii-xviii.

3. The Legislature passed the legislation, as amended, by votes of 83-38 in the House and 27-11 in the Senate, but Governor Kelly vetoed the bill on April 23, 2021. On May 3, the Legislature overrode the governor’s veto (voting 86-37 in the House and 28-12 in the Senate). PTO-SF, ¶¶ xix-xxi.

4. Section 3(k)(2) of H.B. 2332 (codified at K.S.A. 25-1122(k)(2)) prohibits “[a]ny person who solicits by mail a registered voter to file an application for an advance voting ballot and includes an application for an advance voting ballot in such mailing” from completing (i.e., pre-filling) any portion of such application prior to mailing such application to the registered voter. This statute will be referred to as the “Pre-Filled Application Prohibition.” PTO-SF, ¶ xxii.

5. K.S.A. 25-1122(k)(2) does not apply to persons who mail or cause to be mailed an application for an advance voting ballot with any portion completed to a registered voter where the portion of such application completed prior to mailing is completed at the request of the registered voter. In other words, when a registered voter asks a person to mail or cause to be mailed an advance voting ballot application to such registered voter, and that person does so, that

person does not “solicit[] by mail a registered voter to file an application for an advance voting ballot” as set forth in K.S.A. 25-1122(k)(1). Stipulation (Dkt #73), at 2-3.

6. Section 3(l)(1) of HB 2332 (codified at K.S.A. 25-1122(l)(1)) provides that “[n]o person shall mail or cause to be mailed an application for an advance voting ballot, unless such person is a resident of this state or is otherwise domiciled in this state.” This statute will be referred to as the “Out-of-State Distributor Ban.” PTO-SF, ¶ xxiv.

7. At passage, both Sections 3(k)(2) and 3(l)(1) of HB 2332 were scheduled to go into effect on January 1, 2022. PTO-SF, ¶ xxv.

8. On June 2, 2021, Plaintiffs commenced this lawsuit, alleging that the enforcement of K.S.A. 25-1122(k)(2) and 25-1122(l)(1) violated their First and Fourteenth Amendment rights and breached the Constitution’s Dormant Commerce Clause. With regard to the First and Fourteenth Amendment claims, Plaintiffs alleged that the statutes violated their freedom of speech (Count I) and freedom of association (Count II) and were unconstitutionally overbroad (Count III). Compl. (Dkt #1) at 22-33.

9. In a Memorandum & Order on November 19, 2021 (and a *nunc pro tunc* Order on December 15, 2021), the Court preliminarily enjoined enforcement of Sections 3(k)(2) and 3(l)(1) of HB 2332. Dkt #s 50, 61.

10. Defendants, via a Stipulation with Plaintiffs that the Court entered on February 25, 2022, agreed to a permanent injunction against the enforcement of the Out-of-State Distributor Ban as violative of Plaintiffs’ First and Fourteenth Amendment rights. Those claims have thus been fully resolved and are no longer part of this litigation (other than Plaintiffs’ request for their attorney fees as prevailing parties). PTO-SF, ¶ xxvii. The only claims remaining in dispute pertain to the Pre-Filled Application Prohibition. PTO-SF, ¶ xxviii.

11. The Pre-Filled Application Prohibition does not cover Plaintiff VoteAmerica's conduct because VoteAmerica only mails pre-populated advance voting ballot applications to voters who have specifically requested them via its interactive website. As a result, VoteAmerica has not participated in any discovery in this case. PTO-SF, ¶ xxix.

**Kansas' Voter Registration Database and the Process for Voting an Advance Ballot**

12. To vote by mail in Kansas elections, a voter must complete an advance voting ballot application and return it to the county election office in the county in which the voter is registered to vote. PTO-SF, ¶ xxx.

13. Under Kansas law, an advance voting ballot application can be filed with the county between 90 days prior to the General Election and the Tuesday of the week preceding such General Election. K.S.A. 25-1122(f)(2). PTO-SF, ¶ xxxii.

14. Other than voters entitled to receive ballots pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20301 *et seq.*, counties cannot transmit advance ballots to voters prior to the 20th day before the election for which an application has been received. K.S.A. 25-1123(a) and 25-1220. Thus, for all voters who properly submitted an advance voting ballot application prior to the 20th day before the election, the county election office will transmit an advance ballot to those voters on the 20th day before the election. PTO-SF, ¶ xxxiii.

15. With respect to advance voting ballot applications that are received by the county election office on or after the 20th day before the election, the county generally must process them within two business days of their receipt. K.S.A. 25-1123(a). PTO-SF, ¶ xxxiii.

16. If an advance voting ballot application is timely submitted to the county election office, an official in such office processes the application and, if the information entered onto the application (including the signature) matches the information contained in the State's voter

registration database – the Electronic Voter Information System (“ELVIS”) – the county will mail the voter an advance ballot packet. PTO-SF, ¶ xxxi.

17. If any of the required information on an advance voting ballot application does not match the information for that voter in ELVIS (e.g., name, address, driver’s license number, non-driver’s identification number, date of birth, political party in primary election, active registration status, signature, etc.), the county election office must attempt to contact the voter to obtain the correct information. Kan. Admin. Reg. 7-36-7 and 7-36-9; K.S.A. 25-1122(e). If the voter cannot be contacted, or it would be impracticable to make contact before the election, the voter will be mailed a provisional ballot. Kan. Admin. Reg. 7-36-7(f). PTO-SF, ¶ xxxiv.

18. **REDACTED**

19. **REDACTED**

20. Once an advance voting ballot application has been received and processed by the county election office, the fact and date of such processing is recorded in ELVIS. The office also documents in ELVIS the date on which it transmits the regular or provisional ballot to the voter. PTO-SF, ¶ xxxv.

21. County election offices also document in ELVIS whether (and when) a voter has returned an advance ballot that was transmitted to the voter. Ex. A at ¶ 23; Ex. C at 48:17-49:18.

22. ELVIS is a dynamic system that is updated in real-time, meaning that once a county election office adds, deletes, or modifies a voter registration record, the system records that change immediately. Ex. A at ¶ 10; Ex. C at 42:14-43:8.

23. A list of all registered voters in Kansas can be purchased from the Secretary of State's office for a \$200 fee. Ex. C at 114:25-116:16; Ex. D. That list comes from ELVIS and represents a snapshot in time of the State's voter file as it appears on the date that the voter registration list is generated. Ex. C at 114:25-115:7.

24. Any individual or organization similarly may obtain a list of all registered voters in Kansas who have submitted an advance voting ballot application that has been processed by a county election office (as of the date of the request). This data can be purchased (or, in some counties, obtained for free) from either the Secretary of State's Office or a county election office. Ex. C at 118:13-119:17, 121:3-124:21; Ex. B at 102:23.

25. Because ELVIS is a dynamic system, even if a third-party utilizes voter registration information obtained from ELVIS to partially pre-fill advance voting ballot applications, some information on the pre-populated application may not match the State's voter file database when a voter receives the pre-filled application if there is a lag time between the date the third-party acquires the ELVIS data and the date it mails out the pre-filled application to the voter. Ex. A at ¶ 10.

26. Among the reasons that voter information in ELVIS may not match the information on a voter's pre-filled advance voting ballot application (completed by someone other than the voter) is that the data in ELVIS may have been updated (e.g., change of name, change of address, death, or ineligibility due to criminal conviction) since the date the voter file was generated and used by a third-party to pre-fill an application (using the stale data). Ex. A at ¶ 10.

**VPC's Advance Voting Ballot Application Mailings in Kansas in 2020 General Election**

27. The 2020 General Election in Kansas had record turnout (1,375,125 total votes cast, a 70.9% turnout rate) and a steep increase in advance mail voting (459,229 voted by mail). This compared to 1,039,085 total votes cast in the 2018 General Election, which represented a 56.4% turnout rate with 152,267 votes cast by mail. It also compared to 1,225,667 total votes cast in the 2016 General Election, which was a 67.4% turnout rate, with 173,457 votes having been cast by mail. See <https://sos.ks.gov/elections/elections-statistics.html>. PTO-SF, ¶ xxxvi.

28. REDACTED

29. REDACTED

30. VPC received Kansas active voter registration lists from Catalist on January 31, April 10, and September 15 of 2020. PTO-SF, ¶ xxxix.

31. REDACTED

32. VPC's advance ballot application mailers contained a cover letter, a Kansas advance voting ballot application, and a pre-paid, pre-addressed envelope that voters could use to send a completed application to the appropriate county election office. PTO-SF, ¶ xxxviii. A sample of VPC's cover letter, pre-filled advance voting ballot application, and pre-addressed envelope can be found at Exhibit I.

33. Due to the unique nature of VPC’s pre-filled applications, election officials were easily able to identify them. Ex. A at ¶ 14; Ex. B at 18:10-21:22;

34. The advance voting ballot applications that were partially pre-filled or otherwise provided by VPC to Kansas voters in connection with the 2020 General Election (a) used a unique all-caps font (to the extent they were partially pre-filled), (b) contained a unique message – “It’s as Easy as 1-2-3” on the back of the applications, (c) contained yellow highlighting on certain parts of the application, and (d) contained a code on the bottom margin of the application. A sample is available at Ex. J.

35. VPC sent five “waves” of mailers to Kansas voters for the 2020 General Election. The dates were as follows:

- a. Wave A: data uploaded on 7/6/2020, expected in homes on 8/17/2020;
- b. Wave B: data uploaded on 7/27/2020, expected in homes on 8/26/2020;
- c. Wave C: data uploaded on 8/10/2020, expected in homes on 9/8/2020;
- d. Wave D: data uploaded on 8/24/2020, expected in homes on 9/16/202; and
- e. Wave E: data uploaded on 8/24/2020, expected in homes on 9/28/2020.

PTO-SF, ¶ xl.

36. REDACTED

**Problems with Inaccurate Advance Voting Ballot Applications in 2020 General Election**

37. REDACTED

REDACTED

38. REDACTED

39. REDACTED

40. REDACTED

41. Defendants' expert witness, Ken Block, analyzed Ex. L and identified numerous errors/deficiencies in the information that VPC was using to pre-populate the advance voting ballot applications sent to Kansas voters. Ex. M.

42. Because of the 4-6 week lead time between the date that VPC sent its data to its printer for pre-filling advance voting ballot applications and the date such applications arrived in voters' mailboxes, and based on the dates that VPC received updated Kansas voter files from Catalist, *at best*, VPC was using the Kansas voter file from April 10, 2020, to pre-populate the applications sent to Kansas voters in connection with the 2020 General Election. Ex. M at ¶¶ 34-35.

43. VPC did not remove from the database it used to pre-fill advance voting ballot applications any Kansas voters whose voter registrations had been cancelled prior to mailing those individuals pre-filled advance voting ballot applications during the 2020 General Election. Ex. N at ¶ 10.

44. REDACTED

45. In its mailings to Kansas voters for the 2020 General Election, VPC sent out:

REDACTED

REDACTED

46. In the time between when VPC sent its mailers to the printer in connection with its first wave of mailings and its final wave of mailings for the 2020 General Election, hundreds of additional Kansas voters had had their voter registration cancelled yet still received a mailing from VPC due to its failure to remove such no-longer-registered voters. Ex. N at ¶¶ 10-13.

47. Mr. Block identified 23 pairs of matched records in which two different voters showed the same voter registration number, indicating that VPC had sent a pre-filled application

for Voter #1 to Voter #2. These individuals were properly separated in Kansas' own voter file to which VPC (and any other member of the public) had access. Ex. M at ¶¶ 23-24; Ex. P.

48. Kansas election officials identified at least 15 voters to whom VPC sent advance voting ballot applications in connection with the 2020 General Election yet whose registration status had been cancelled in ELVIS *prior to April 10, 2020* (meaning that their names would not have appeared on a list of voters by anyone requesting the statewide voter file as of that date). Ex. O.

49. VPC's use of stale (and thus often inaccurate) voter registration data to pre-fill the advance voting ballot applications it sent to Kansas voters imposed an extra burden on county election officials, who had to identify the deficiencies submitted by voters and then communicate with voters to correct the mismatched information. Ex. M at ¶ 39.

50. The Shawnee County Election Office received a large number of advance voting ballot applications from voters that had been pre-filled by VPC and contained information that did not match the voters' information in ELVIS. The mismatched information included erroneous addresses, last names, suffixes, and/or middle initials. Ex. A at ¶¶ 11, 35. Examples can be found at Ex. Q (copies of inaccurate applications).

51. The Shawnee County Election Office also received numerous advance voting ballot applications that had been pre-filled by VPC and sent to individuals who were deceased and whose voter registration in ELVIS had been cancelled prior to the time such applications had been printed. Ex. A at ¶ 12; Examples can be found at Ex. R.

52. As a result of these inaccurately pre-filled advance voting ballot applications, the Shawnee County Election Office was "overwhelmed" with telephone calls, letters, e-mails, and in-office visits from voters who were confused, angry, and frustrated at what they had received

from VPC. Ex. A at ¶¶ 12, 37, 40, 44; Ex. S at 117:24-125:2; Mr. Howell himself spoke with hundreds of these angry, frustrated, and confused voters. Ex. S at 121:11-122:12.

53. Voters communicating with Mr. Howell regarding inaccurately pre-filled advance voting ballot applications often believed (erroneously) that the applications had been sent to them by the Shawnee County Election Office, and they expressed anger and frustration at the purported incompetency of the office. Many of these voters voiced their incredulity that the office would send an application to the wrong address or use the wrong name in pre-filling the application when they had previously communicated such changes to the election office. Ex. A at ¶¶ 38, 40-42.

54. Ford County Election Clerk Deborah Cox heard from so many confused, frustrated, and angry voters (20-30 per day) about the inaccurate and duplicate advance voting ballot applications they were receiving from VPC (via CVI) in the lead-up to the 2020 General Election that she sent an ad to three Ford County newspapers in an effort to remind voters that most pre-filled applications had come from CVI and not the county election office. Ex. T at 130:6-132:5; Ex. U at ¶ 37. The text of the ad can be found at Ex. V.

55. Ms. Cox got the idea for the ad because a similar ad had been placed in the *Beloit Call* by Mitchell County Clerk Chris Treaster. Ex. T at 130:6-17.

56. The Shawnee County Election Office sent out letters to the voters who submitted advance voting ballot applications containing information that did not match the data in ELVIS. Ex. A at 120:6-121:4. Examples of these letters can be found at Ex. W.

57. Kansas Elections Director Bryan Caskey also received many calls from county election officials who complained that their offices were receiving pre-filled advance voting ballot applications in which the information on the form did not match the data in ELVIS. Ex. C at 150:13-152:15. In response to these calls, Mr. Caskey regularly discussed the problem with county

election officials during his weekly telephone conferences with them. He also spoke personally with election officials in at least 60 of the State's 105 counties on the subject. Ex. C at 212:20-213:11, 237:11-240:5.

58. Mr. Caskey also spoke with many voters who expressed their anger, confusion, and frustration over the pre-filled advance voting ballot applications that they were receiving from third-parties such as VPC. Ex. C at 209:15-210:9, 240:6-242:7.

59. The Kansas Secretary of State's Office submitted written testimony to both the House and Senate Committees on Federal and State Affairs in March 2021 regarding the State's experience with advance voting ballot applications mailed to voters by third-parties in the 2020 General Election. Among other things, the testimony advised the Legislature that, "[l]eading up to the 2020 general election, state and county election officials were inundated with calls from confused voters who submitted an advance by mail ballot application but continued to receive unsolicited advance ballot applications from third parties. This created a substantial workload increase for local election offices who had to process thousands of duplicate forms at a time when county election officials were preparing for a high turnout, statewide election, in the middle of a pandemic." Ex. Z.

60. On average, it takes an experienced election official three to five minutes to process an accurate, non-duplicate advance voting ballot application. Ex. A at ¶ 24; Ex. U at ¶ 23.

61. If the information on a voter's advance voting ballot application does not match the information in ELVIS, or if the application is missing information, the election office will attempt to contact the voter (via telephone, U.S. mail, and/or e-mail) to determine the reason for the discrepancy or to obtain the missing information. This contact can require multiple attempts. The

office generally makes at least three attempts to reach the voter, assuming it is practicable. Ex. A at ¶ 25; Ex. U at ¶ 24.

62. If the county election office is able to reach the voter, it attempts to work with him/her to correct any discrepancies or omissions. It may be necessary for the voter to submit a new advance voting ballot application or registration form. The cumulative time to contact the voter and process the application in these situations averages around 15 minutes of staff time. Ex. A at ¶ 26; Ex. U at ¶ 25.

63. If the election office is unable to reach the voter or it would be impracticable to do so, the office will prepare a provisional ballot, assuming it is able to discern that the applicant is a registered voter. The cumulative time to complete this whole process regularly takes thirty minutes or more of staff time. Ex. A at ¶ 26; Ex. U at ¶ 26.

64. If the election office must send a provisional ballot to a voter after being unable to reach him/her in order to address defects on his/her application, there is a greater likelihood that the voter will not correct those defects prior to the county canvassing boards and thus will either not return the provisional ballot or will not have the ballot counted. Ex. A at ¶ 28.

65. VPC provided in discovery a set of FAQs intended to be used as canned responses for a call center to respond to individuals who contacted VPC about problems with the advance voting ballot applications that such individuals received from VPC. Ex. X. Two of the responses stated as follows:

**I got a form that has someone else's information on it- why did that happen?**

Thank you for reaching out. VPC is aware of this issue and is actively working to make sure it doesn't happen again. This issue was limited in scope and only affected a very small percentage of individuals. In the meantime, we are happy to send you a new vote-by-mail application with the correct information, or I can tell you the link you can use to print it from your state's SoS website and then fill it out and mail back in the envelope we sent you.

**How did it happen? How are you making sure it won't happen again?**

The mistake was due to a printer error and they have taken responsibility for their mistake and have already added additional quality control measures, like installing an additional camera to monitor printing, and retraining printer staff, to prevent this type of situation in the future.

66. VPC received complaints from election officials in states other than Kansas about the inaccurate absentee ballot applications that VPC was sending to voters in those states during the 2020 election cycle. Ex. Y (e-mails between VPC outside counsel Jennifer Carrier and other state election officials). The written/e-mail complaints that VPC produced in discovery came from officials in Virginia (VPC000364-000366; 000376-000383; 000388-000392; 000397, 000406); Iowa (VPC000407-000408; 000429-000431; 000434-435); Wisconsin (VPC000436-000439); and North Carolina (VPC000485-000487; 000496-000497).

**Duplicate Advance Voting Ballot Applications in 2020 General Election**

67. The Kansas voters whom VPC targeted with mailings in the 2020 General Election received between one and five advance voting ballot applications from VPC. Ex. L; Ex. G at 206:9-207:14, 209:3-210:22.

68. REDACTED

69. REDACTED

REDACTED

70.

REDACTED

71. In the 2020 General Election, the Shawnee County Election Office received and processed 23,156 advance voting ballot applications. That is, it sent regular or provisional advance ballots to 23,156 voters after having received advance voting ballot applications from these voters. In addition, it received 4,217 duplicate applications (i.e., applications from voters who had already submitted an application and to whom the office had already mailed a regular or provisional advance ballot). More than 15.4% of the total advance voting ballot applications that the office received, therefore, were duplicates. Ex. A at ¶ 15.

72. Of the 4,217 duplicate applications the Shawnee County Election Office received for the 2020 General Election: 3,676 were sets of two (i.e., voters sent in two applications); 407 were sets of three (i.e., voters sent in three applications); 99 were sets of four; 27 were sets of five; 6 were sets of six; 1 was a set of seven, and 1 was a set of nine. Ex. A ¶ 18.

73. The Shawnee County Election Office received very few (no more than a dozen) duplicate applications in connection with either the 2016 General Election (during which it received 7,394 total applications) or the 2018 General Election (during which it received 9,272 total applications). Ex. A at ¶ 17.

74. Many voters told county election officials that they were confused by the pre-filled advance voting ballot applications that they had received during the 2020 General Election and believed (erroneously) that the applications had originated from the election office. These voters told election officials that they thought they were required to complete and mail back the pre-filled applications to the county election office even if they had already submitted another application. Ex. A at ¶ 41; Ex. S at 269:14-270:1; Ex. U at ¶ 19.

75. In the 2020 General Election, the Ford County Election Office received and processed 3,040 advance voting ballot applications. That is, it sent regular or provisional advance ballots to 3,040 voters after having received advance voting ballot applications from these voters. In addition, it received 274 duplicate applications (i.e., applications from voters who had already submitted an application and to whom the office had already mailed a regular or provisional advance ballot). Nearly 9% of the advance voting ballot applications that the office received, therefore, were duplicates. Ex. U at ¶ 16.

76. The Ford County Election Office received only a handful (no more than five) duplicate applications in connection with either the 2016 General Election or the 2018 General Election. Ex. U at ¶ 18.

77. Although Kansas election officials did not attempt to quantify how many duplicate advance voting ballot applications in the 2020 General Election involved VPC-pre-populated applications, the majority of duplicate applications are believed to have been pre-filled by VPC. Ex. A at ¶ 16; Ex. U at ¶ 17.

78. Kansas Elections Director Bryan Caskey also had “dozens if not hundreds of conversations” with county election officials regarding the “flood” of duplicate advance voting ballot applications that were being submitted by voters to such offices. Ex. C at 150:13-19.

### **Impact of Duplicate Advance Voting Ballot Applications on Election Administration**

79. When a voter submits duplicate advance voting ballot applications to a county election office in connection with a single election, the office must conduct the same review and verifications of each application upon receipt. One step in this process is to determine if the voter had previously submitted another application and was previously sent a regular or provisional advance ballot. If there are any differences between the original application and the new/duplicate application (e.g., different name or mailing address), the office will attempt to contact the voter to determine the reason for the discrepancy. Ex. A at ¶ 29; Ex. U at ¶ 27.

80. After receiving a duplicate application, the county election office cannot assume that the initially submitted application was correct. Depending on the situation, the office may need to send a provisional ballot to the voter. For this reason, the review of a duplicate application usually takes more staff time than the review of the initially submitted application. If the office does not have to contact the voter, the review of the duplicate application generally takes 7-10 minutes. If the office does have to contact the voter, the review of the duplicate application can take from 15-30 minutes (and occasionally more) of total staff time. Ex. A at ¶ 30; Ex. U at ¶ 28.

81. The Shawnee County Election Office typically assigns 6-7 staff members to handle the processing of advance voting ballot applications. Nearly double that number had to be assigned to the task for the 2020 General Election. The most significant time burden and strain on staff came from having to contact thousands of voters who had submitted inaccurate or duplicate applications. At one point, Mr. Howell had to assign almost 30 staff members just to review and process applications in order to ensure that the office could process applications within the 2-day deadline imposed by State law. Ex. A at ¶ 33.

82. Prior to Election Day in November 2020, the Shawnee County Election Office responded to many confused voters who had returned pre-filled advance voting ballot applications but who insisted that they did not actually intend to request and vote an advance ballot. The voters told election officials that they thought they were required to return the application. Election officials expended substantial time and resources responding to those voters. Ex. A at ¶ 47.

83. Approximately 718 voters in the 2020 General Election voted on Election Day in Shawnee County (usually by provisional ballot) after having submitted an advance voting ballot application and having received an advance ballot. In the 2016 General Election, just 141 voters voted on Election Day (usually by provisional ballot) after having mailed in an advance voting ballot application and having received an advance ballot. Ex. A at ¶ 47.

**Alleged Effectiveness of Pre-Filling VPC’s Advance Voting Ballot Applications**

84. REDACTED

85. REDACTED

86. REDACTED

87. REDACTED

REDACTED

### **STANDARD OF REVIEW**

Summary judgment under Rule 56(c) is appropriate if the pleadings, depositions, answers to interrogatories, and admissions, together with any affidavits, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247 (1986). A factual dispute is “material” only if it “might affect the outcome of the suit under the governing law.” *Id.* at 248. A “genuine” factual dispute requires more than a mere scintilla of evidence in support of a party's position. *Id.* at 252.

The movant bears the initial burden of demonstrating the absence of any genuine issue of material fact. *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986). Once the moving party has met that burden, the burden then shifts to the non-moving party to show that genuine issues remain for trial as to those dispositive matters for which the non-moving party carries the burden of proof. *SEC v. GenAudio, Inc.*, 32 F.4th 902, 920 (10th Cir. 2022). To carry this burden, the non-moving party must go beyond the pleadings and designate specific facts supported by competent evidence. *Id.*; *Nahno-Lopez v. Houser*, 625 F.3d 1279, 1283 (10th Cir. 2010).

Although the Court views the record in the light most favorable to the non-moving party, *Duda v. Elder*, 7 F.4th 899, 905 (10th Cir. 2021), it must grant summary judgment if the non-movant's evidence is merely colorable or is not significantly probative. *Liberty Lobby*, 477 U.S. at 250-51. Nor can the non-moving party rely on ignorance of facts, speculation or suspicion, hoping that something will turn up at trial. *Conaway v. Smith*, 853 F.2d 789, 794 (10th Cir. 1988). Only by showing a sufficient factual disagreement over an essential element to its claim can the non-movant survive a motion for summary judgment. *GenAudio, Inc.*, 32 F.4th at 920.

## ARGUMENT

As narrowed, this case no longer involves activity protected by the First Amendment. The prohibited conduct that VPC challenges – the pre-population of third-parties’ advance voting ballot applications – is simply not expressive in nature. Kansas’ Pre-Filled Application Prohibition must be reviewed, therefore, under the most deferential rational basis standard. But even if the First Amendment is triggered, there is emphatically no core political speech involved, and the requisite balancing of interests tilts heavily (if not entirely) in the State’s direction.

### **I. Sending a Voter a Partially Completed Advance Mail Ballot Application is *Conduct*, Not *Speech***

VPC’s First Amendment challenges to the Pre-Filled Application Prohibition must fail because the statute restricts neither speech nor association. The only thing being limited is *non-expressive conduct*. The First Amendment is thus not implicated here. “[I]t is the obligation of the person desiring to engage in assertedly expressive conduct to demonstrate that the First Amendment even applies,” *Clark v. Cmty. for Creative Non-Violence*, 468 U.S. 288, 293 n.5 (1984), and VPC falls far short of this mark.

#### *A. The Partially Completed Advance Mail Ballot Applications that VPC Sends to Voters are Not Inherently Expressive*

While the First Amendment safeguards both speech and certain types of conduct, “only conduct that is ‘inherently expressive’ is entitled to First Amendment protection.” *Voting for Am. v. Steen*, 732 F.3d 382, 388 (5th Cir. 2013) (citing *Rumsfeld v. Forum for Academic and Institutional Rights, Inc.*, 547 U.S. 47, 66 (2006) (“FAIR”)). In assessing whether specific conduct has “sufficient ‘communicative elements’ to be embraced by the First Amendment, courts look to whether the conduct shows an ‘intent to convey a particular message’ and whether ‘the likelihood

was great that the message would be understood by those who viewed it.” *Id.* (quoting *Texas v. Johnson*, 491 U.S. 397, 404 (1989)).

VPC contends that by personalizing the advance voting ballot applications it sends to potential Kansas voters it engages in core political speech aimed at informing and assisting voters in the electoral process. More specifically, VPC claims that, “[t]hrough its personalized mailers, [it] engages in persuasive speech meant to encourage voters to vote by mail; persuade them that doing so is easy, safe, secure, and accessible; educate them about their right to vote by mail; and assist them in exercising that right.” Ex. AA. Pre-filling these applications allegedly “expresses [its] position on the important and controversial political issue of voting by mail.” *Id.*

But the conduct at issue – pre-populating an advance voting ballot application with the name and address of the intended recipient and mailing it to the voter (who did not request it) – is entirely separate from the messages VPC seeks to convey about mail voting. The messages that VPC communicates to voters about the vote-by-mail process and the alleged utility thereof are delivered through the contents of *a cover letter that VPC sends with the application, not through the application itself*. That cover letter, and the message contained therein, a copy of which is found at Ex. I, is wholly unaffected by the Pre-Filled Application Prohibition. The pre-filling of the application itself, on the other hand, embodies *conduct*, not expression.

Nothing in the challenged statute impedes VPC from engaging in any of the messaging that it imparts through its cover letter. VPC is in no way prevented from publishing or mailing content that educates Kansans on how to vote by mail or the purported benefits of doing so. Nor is VPC restricted from advocating in favor of voting an absentee ballot through the mail. SOF ¶ 87. In the wake of Kansas’ agreement to a permanent injunction against the enforcement of K.S.A. 25-1122(l)(1), *see* Dkt #73, VPC is not even prohibited from including a blank advance mail ballot

application in its mailings. For that matter, neither VPC nor any other entity is precluded from assisting a voter in completing such an application or in mailing a partially completed application to a voter who has affirmatively requested one. *Id.* at 2-3.<sup>2</sup> In short, every avenue of expressive conduct remains available.

The only thing VPC cannot do is partially complete the advance voting ballot application it sends to voters who have not requested one from VPC (as is true of all the voters to whom it sends such pre-filled applications). But there is no conceivable “speech” on that application. It is simply a state-created form. *See Timmons v. Twin Cities Area New Party*, 520 U.S. 351, 363 (1997) (recognizing that while a person or party may express beliefs or ideas through a ballot, “[b]allots serve primarily to elect candidates, not as forums for political expression.”). There is nothing that can be filled out on the form other than a voter’s county of residence, address, date of birth, phone number, date of application, and signature, all of which are unique to the individual voter. VPC has no discretion regarding the information entered into those fields if it wants the form to be accepted by election officials. There is no space on the face of the form for any sort of messaging, nor would any messaging be permitted on that part of the official application.

Moreover, even if sending a *blank* advance voting ballot application to a voter somehow was endowed with sufficient communicative elements to trigger the First Amendment – conduct which is not prohibited by Kansas law – it does not follow that a separate message would be conveyed by *pre-filling* the application by adding the voter’s name and address to the lines on the official state form. There is nothing “inherently expressive” about an individual’s name and

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<sup>2</sup> As noted in the Stipulation, “where a registered voter asks a person to mail or cause to be mailed an advance voting ballot application to the registered voter, and that person does so, that person does not “solicit[] by mail a registered voter to file an application for an advance voting ballot” as set forth in section 3(k)(1) of HB 2332 [K.S.A. 25-1122(k)(1)].” Dkt #73 at 2-3. This is why Plaintiff VoteAmerica’s claims are no longer part of the case.

address in the context of an official ballot application, especially when the application is being completed by someone other than the voter. Furthermore, Plaintiffs have produced no evidence that any recipient of such a personalized application discerns any particular message from the pre-filling of their personal information by a third party. SOF ¶¶ 84-85.

The Supreme Court in *FAIR* expressly “rejected the view that conduct can be labeled ‘speech’ whenever the person engaging in the conduct intends thereby to express an idea.” 547 U.S. at 65-66 (quoting *United States v. O’Brien*, 391 U.S. 367, 376 (1968)). Instead, the Court has “extended First Amendment protection only to conduct that is inherently expressive.” *Id.* at 66. And where the expressive component of an individual’s “actions is not created by the conduct itself but by the speech that accompanies it,” that “explanatory speech is . . . strong evidence that the conduct at issue . . . is not so inherently expressive that it warrants protection under” the First Amendment. *Id.* Were the rule otherwise, “a regulated party could always transform conduct into ‘speech’ simply by talking about it.” *Id.*

VPC construes all of the materials contained in its mailing to voters – i.e., the cover letter, the transmittal envelope, the return envelope, and the pre-filled advance voting ballot application – as a message in whole. The First Amendment, however, “does not protect any conduct that at some point might have a *connection* to speech.” *Sickles v. Campbell Cnty., Ky.*, 501 F.3d 726, 734 (6th Cir. 2007) (emphasis added). The application must be disaggregated from the cover letter. A contrary ruling would not only depart from the Supreme Court’s directive in *FAIR*, but it would also allow a plaintiff to claim to have engaged in speech at the highest level of generality and then seek to sweep in virtually all conduct allegedly related to that speech as constitutionally protected. The First Amendment is not nearly so broad. *See Holder v. Humanitarian Law Project*, 561 U.S.

1, 25 (2010) (speech cannot be defined at the highest “level of generality” in assessing the reasonableness of government regulations on conduct).

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Even if true – and VPC produced no competent evidence to support this argument during discovery – the argument would be irrelevant. As the Fifth Circuit noted in rejecting a similar argument in the context of voter registration forms, “[plaintiffs] essentially seek a First Amendment right not just to speak out or engage in ‘expressive conduct’ but also to succeed in their ultimate goal regardless of any other consideration.” *Steen*, 732 F.3d at 391 (quotation omitted). “Only two possibilities flow from this reasoning. . . . [Either] throwing voter registration forms in the trash would have to be constitutionally protected expressive conduct,” or “supporting voter registration is the canvasser’s speech, while actually completing the forms is the voter’s speech, and collecting and delivering the forms are merely conduct.” *Id.* at 391-92. In explaining why this theory cannot be squared with First Amendment case law, the Fifth Circuit observed:

One clear principle that can be derived from the long line of election-related speech cases is that the degree of protection afforded under the First Amendment does not vary in accordance with anyone’s regard for the content of the message at issue. Thus, the logic of the Appellees extends to parties who wish to see fewer citizens vote even if it is true that Appellees’ ultimate goal is to have more citizens vote. The prevailing cases also do not extend First Amendment protection to an “anything goes” philosophy that seeks to insulate any conduct that may relate in any way to speech or expression. Here, Appellees offer a novel interpretation of the First Amendment. They contend that expressive activity, the promotion of voter registration in this case, is contingent upon the “success” factor of *actually registering voters*. While the First Amendment protects the right to express political views, nowhere does it guarantee the right to ensure those views come to fruition. To maintain otherwise would mean that a group seeking to discourage voting and voter registration would have the “right” to achieve its expressive goals by throwing the registration cards away.

*Id.* at 392 n.5 (emphasis in original) (internal citation omitted). VPC’s novel theory would render virtually every feature of a state’s electoral regulatory scheme vulnerable to constitutional attack just because such law might stand in the way of an advocacy organization’s effort to maximize the success of its operations.

Unsurprisingly, the overwhelming majority of courts to examine the issue have concluded that the distribution of advance voting ballot applications is *not* protected speech. In fact, these same Plaintiffs challenged a virtually indistinguishable Georgia statute, adopted just months before the Kansas provision, on the same grounds asserted here. The court rejected those claims, holding that pre-filled absentee ballot application restrictions do not entail expressive conduct subject to First Amendment protection. *See VoteAmerica v. Raffensperger*, \_\_ F. Supp.3d \_\_, 2022 WL 2357395, at \*7-9 (N.D. Ga. June 30, 2022). The court reasoned that “distributing forms prefilled with a prospective voter’s own personal information” does “not require the type of interactive debate and advocacy that the Supreme Court constituted core political speech in *Meyer [v. Grant]*, 486 U.S. 414 (1988).” *Raffensperger*, 2022 WL 2357395, at \*7. The court further added:

[C]ombining speech (in the cover information) with the conduct of sending an application form, as Plaintiffs do here, is not sufficient to transform the act of sending the application forms into protected speech. Plaintiffs’ pro-absentee voting message is not necessarily intrinsic to the act of sending prospective voters an application form. . . . As in [*FAIR*], the expressive component of sending application packages in this case is not created by the conduct itself but by the included cover information encouraging the recipient to vote. The necessity of the cover message is ‘strong evidence’ that the conduct of sending an application form is not so inherently expressive as to qualify for First Amendment protection.

*Id.* at \*9; *accord DCCC v. ZiriAx*, 487 F. Supp.3d 1207, 1235 (N.D. Okla. 2020) (“[C]ompleting a ballot request for another voter, and collecting and returning ballots of another voter, do not communicate any particular message. Those actions are not expressive. . . .”); *League of Women Voters v. Browning*, 575 F. Supp.2d 1298, 1319 (S.D. Fla. 2008) (same).

The bottom line is that pre-filling advance voting ballot applications is *non-expressive conduct* that the State is free to regulate as part of a legitimate, non-discriminatory election process. As such, the Pre-Filled Application Prohibition is subject only to rational basis scrutiny. *Steen*, 732 F.3d at 392; *Armour v. City of Indianapolis, Ind.*, 566 U.S. 673, 681 (2012) (government classification that involves neither a “fundamental right” nor a “suspect” classification is constitutionally valid if “there is any reasonably conceivable state of facts that could provide a rational basis for the classification.”).

*B. The Cases that the District Court Cited in its Preliminary Injunction / Motion to Dismiss Order are Inapposite.*

Defendants acknowledge that this Court reached a contrary conclusion in its order denying our motion to dismiss and granting Plaintiffs a preliminary injunction. However, “the findings of fact and conclusions of law made by a court granting a preliminary injunction are not binding at trial on the merits.” *Univ. of Tex. v. Camenish*, 451 U.S. 390, 395 (1981). Nor are they binding at the summary judgment phase. *Navajo Health Found.-Sage Mem. Hosp., Inc. v. Burwell*, 256 F. Supp.3d 1186, 1224 (D.N.M. 2015). In any event, the Court’s analysis largely focused on K.S.A. 25-1122(l)(1)’s Out-of-State Distributor Ban, which is no longer at issue in this case. Analyzed separately, the notion that the act of a third-party in writing someone else’s name on an official state form is constitutionally-protected expressive conduct would stretch the First Amendment well beyond its limits. The three non-binding cases that the Court cited in support of its reasoning (Dkt #61 at 12) – to the extent they were even correctly decided – do not justify a similar conclusion in the far narrower context now presented by the Pre-Filled Application Prohibition.

In *League of Women Voters of Fla. v. Cobb*, 447 F. Supp.2d 1314 (S.D. Fla. 2006), the court addressed a First Amendment challenge to a statute imposing deadlines for the submission of voter registration applications and fines for late submissions by any organization other than a

political party. *Id.* at 1315. The court held that these laws implicated plaintiffs’ free speech and association rights because the “collection and submission of voter registration drives is intertwined with speech and association.” *Id.* at 1333-34. This decision was largely an outlier and runs against the overwhelming case law – including the only two circuits to have squarely addressed the issue – that sending or collecting forms is *not* expressive conduct. *See New Ga. Project v. Raffensperger*, 484 F. Supp.3d 1265, 1300-01 (N.D. Ga. 2020) (collecting cases, including *Knox v. Brnovich*, 907 F.3d 1167, 1181 (9th Cir. 2018), *Feldman v. Ariz. Sec’y of State’s Office*, 843 F.3d 366, 372 (9th Cir. 2016), and *Steen*, 732 F.3d at 391)), *aff’d* 976 F.3d 1278 (11th Cir. 2020). Moreover, as noted below, voter registration forms are fundamentally distinct from absentee ballot applications. In any event, in the wake of the parties’ Stipulation, neither VPC nor any other entity is restricted under Kansas law from sending advance mail ballot applications to voters, nor is VPC subject to any rules or regulations that are not equally applicable to all other private parties and organizations.

Similarly, in *Democracy N.C. v. N.C. State Bd. of Elections*, 476 F. Supp.3d 159 (M.D.N.C. 2020), plaintiffs mounted a First Amendment challenge to a North Carolina statute that restricted, *inter alia*, third-parties from assisting voters in completing and returning absentee ballots. *Id.* at 173. Conceding that most other judges had reached a different result, the court in *Democracy N.C.* nevertheless concluded that “assisting voters in filling out a request form for an absentee ballot is expressive conduct which implicates the First Amendment.” 476 F. Supp.3d at 224.<sup>3</sup> But once

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<sup>3</sup> Notably, although the court determined at the preliminary injunction phase that assisting voters in filling out absentee ballot request forms implicates the First Amendment, it went on to hold that *Anderson-Burdick* balancing – not strict scrutiny – applies to such laws and that “the burdens on Plaintiffs’ First Amendments speech and association rights are justified by the State’s interest in preventing fraud.” *Democracy N.C.*, 476 F. Supp.3d at 224. Moreover, in ruling on defendants’ motion to dismiss, the court expressed misgivings with its prior ruling and explicitly noted that it was *not* ruling “that assisting voters in filling out a request form for an absentee ballot is expressive conduct which implicates the First Amendment as a matter of law.” \_\_\_ F. Supp.3d \_\_\_, 2022 WL 715973, at \*6-8 (M.D.N.C. Mar. 10, 2022). The court opted instead to simply *assume* the First Amendment applied at the motion to dismiss stage and then address the matter definitively at summary judgment or trial. *Id.* at \*8.

again, nothing in Kansas law prevents a third-party from assisting a voter in completing an advance mail ballot application. To the contrary, the parties' Stipulation makes clear that if a voter requests such assistance, the statute is not violated. Dkt #73 at 2-3. In fact, *in-person* interactions – whether involving an advance mail ballot application or otherwise – between third-parties and voters are wholly unregulated by the State's Pre-Filled Application Prohibition. Only the *unsolicited* (i.e., unrequested) pre-population of advance ballot applications sent to voters through the mail by third-party organizations is prohibited by the statute.

The final case cited by this Court was *Priorities USA v. Nessel*, 462 F. Supp.3d 792 (E.D. Mich. 2020). There, the plaintiffs sought an injunction against Michigan's absentee ballot law on the grounds that it contravened their First Amendment speech and association rights to assist voters with absentee ballot applications. In particular, plaintiffs alleged that the statute's requirement that, other than family or household members, only voters registered in Michigan can assist voters in submitting absentee ballot applications violates the First Amendment because it prohibits the plaintiffs "from engaging in core political expression." *Priorities USA v. Nessel*, 487 F. Supp.3d 599, 609 (E.D. Mich. 2020). Plaintiffs further claimed that the law's restriction on non-family or household members from soliciting a voter to return an absentee ballot application also violated the First Amendment. *Id.* Although the court opted for the minority view and held that Michigan's absentee ballot prohibitions regulated expressive conduct and was subject to heightened scrutiny, *id.* at 609-612, it ultimately denied plaintiffs injunctive relief, holding that "the state's interests in preventing fraud and abuse in the absentee ballot application process and maintaining public confidence in the absentee voting process are sufficiently important interests and are sufficiently

related to the limitations and burdens set forth in [the statute] . . . that plaintiffs are unlikely to succe[ed] on their First Amendment challenge to the Absentee Ballot Law.” *Id.* at 615.<sup>4</sup>

Contrary to the position of the Plaintiffs (and, with respect, of the Court) at the preliminary injunction stage, this case is also highly similar to *Lichtenstein v. Hargett*, 489 F. Supp.3d 742 (M.D. Tenn. 2020), which involved a constitutional challenge to a Tennessee statute prohibiting anyone other than an election official from giving an absentee ballot application to another person. The district court there concluded that the restriction on distribution of absentee voter applications was not a ban on core political speech at all, *id.* at 773, as it did “not restrict anyone from interacting with anyone about anything.” *Id.* at 770. Of course, the avenues of communication available to VPC here are far broader than those available in *Lichtenstein*, which flatly prohibited the sending of *any* absentee ballot applications to voters. Kansas’ Pre-Filled Application Prohibition merely restricts the *unsolicited* mailing of pre-populated applications. This Court sought to distinguish *Lichtenstein* on the grounds that VPC’s “application packets include speech that communicates a pro-mail voting message.” Dkt #61 at 12. But there is no basis for this factual distinction. Indeed, as the *Lichtenstein* district court subsequently made clear in its order dismissing the case, the plaintiffs there – just like VPC – included a blank absentee ballot application with the other “voter engagement materials” they sent to voters. *Lichtenstein v. Hargett*, \_\_\_ F. Supp.3d \_\_\_, 2021 WL 5826246, at \*6 (M.D. Tenn. Dec. 7, 2021).

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<sup>4</sup> Interestingly, the plaintiffs did not appeal the denial of their motion for a preliminary injunction, but the defendants did appeal a separate part of the ruling in which the district court *granted* a preliminary injunction on plaintiffs’ claim that a state law prohibiting third-parties from paying for the transportation of voters to the polls unless the voter is physically unable to walk. The Sixth Circuit promptly reversed that holding. *See Priorities USA v. Nessel*, 978 F.3d 976, 984 (6th Cir. 2020) (noting that “a statute can be a prophylactic rule intended to prevent the potential for fraud where enforcement is otherwise difficult” and that Michigan’s law was properly “intended to prevent fraud and undue influence.”).

C. *The Pre-Filled Application Prohibition is Rationally Related to the State's Legitimate Interests.*

Because the First Amendment is not implicated, the Pre-Filled Application Prohibition is properly evaluated under rational basis review. *See Save Palisade Fruitlands v. Todd*, 279 F.3d 1204, 1210-13 (10th Cir. 2002) (where statute neither infringes on a federal fundamental right nor affects a suspect classification, it is subject to rational basis scrutiny). Under this extremely liberal standard, the statute “need only be rationally related to a legitimate government purpose.” *Id.* at 1210. The “statute is presumed constitutional and the burden is on the one attacking the legislative arrangement to negative every conceivable basis which might support it, whether or not the basis has a foundation in the record.” *Heller v. Doe*, 509 U.S. 312, 320-21 (1993) (internal citation and alterations omitted). “A State, moreover, has no obligation to produce evidence to sustain the rationality of a statutory classification” because a “legislative choice is not subject to courtroom factfinding and may be based on rational speculation unsupported by evidence or empirical data.” *Id.* at 320. Nor must the statute have been adopted with “mathematical nicety.” *Id.* at 321. Rather, “courts are compelled under rational-basis review to accept a legislature’s generalizations even when there is an imperfect fit between means and ends.” *Id.* The Pre-Filled Application Prohibition easily satisfies this standard.

The State’s regulatory interests in the Pre-Filled Application Prohibition are the avoidance of voter confusion, facilitation of orderly and efficient election administration, enhancement of public confidence in the integrity of the electoral process, and deterrence of voter fraud. All are well-recognized and indisputably legitimate interests in the context of election administration. *See Brnovich v. Democratic Nat’l Comm.*, 141 S. Ct. 2321, 2340 (2021) (combatting fraud is “strong and entirely legitimate” reason for enacting voting laws); *Doe v. Reed*, 561 U.S. 186, 197-98 (2010) (“The State’s interest in preserving the integrity of the electoral process is undoubtedly

important . . . [and it] extends more generally to promoting transparency and accountability in the electoral process.”); *Burson v. Freeman*, 504 U.S. 191, 199 (1992) (State has “compelling interest in protecting voters from confusion and undue influence.”); *Marchioro v. Chaney*, 442 U.S. 191, 196 (1979) (“The State's interest in ensuring that [its electoral] process is conducted in a fair and orderly fashion is unquestionably legitimate.”); *Storer v. Brown*, 415 U.S. 724, 730 (1974) (“[T]here must be a substantial regulation of elections if they are to be fair and honest and if some sort of order, rather than chaos, is to accompany the democratic processes.”); *DSCC v. Pate*, 950 N.W.2d 1, 5-7 (Iowa 2020) (rejecting constitutional challenge to statute that prohibited third-parties from pre-populating voters’ absentee ballots).

VPC seems to think it is doing a favor for Kansas voters and election officials alike by pre-populating advance voting ballot applications with information that does not necessarily match the data in ELVIS. The confusion, frustration, anger, and chaos in the 2020 General Election give lie to that suggestion. As Ms. Cox and Messrs. Howell and Caskey described from Kansas’ 2020 experience, and as VPC’s emails from Virginia, Iowa, Wisconsin, and North Carolina confirmed elsewhere, VPC’s actions precipitated significant consternation among voters who received both inaccurate and duplicate advance voting ballot applications, adversely impacted election officials’ ability to administer the election in an efficient manner, contributed to a decline in the public’s confidence in the fairness of election procedures, and tested the limits of procedural safeguards. SOF ¶¶ 49-83. The Pre-Filled Application Prohibition is clearly related to each of the aforementioned legitimate state interests. There can be no serious question, therefore, that Kansas had a rational basis for adopting this legislation.

**II. Even if the First Amendment is Implicated, the Pre-Filled Application Prohibition is Viewpoint- and Content-Neutral and Not Subject to Heightened Scrutiny**

*A. The Pre-Filled Application Prohibition Does Not Target Core Political Speech.*

If, notwithstanding the preceding analysis, the Court still concludes that the Pre-Filled Application Prohibition targets expressive conduct, there is certainly no “core political speech” at issue and thus no basis for imposing “exacting” or “strict” scrutiny in the claims challenging this statute.

In promulgating a heightened scrutiny standard, VPC relies upon *Meyer*, 486 U.S. at 414. Parroting language from that opinion, VPC claims that the Pre-Filled Application Prohibition restricts its core political speech by proscribing its “most effective method available – distribution of pre-filled advance mail ballot applications to potential Kansas voters – to communicate its message that voters should participate in the democratic process and, in particular, should do so through advance mail ballots.” Ex. BB. VPC further avers that the law represents a content-based restriction on its First Amendment rights, apparently theorizing that the statute’s “limitations apply to particular speech because of the topic discussed and it defines the category of covered communications by their content.” Dkt #1 at ¶ 90. For example, VPC suggests, “[t]he prohibition singles out personalized advance voting applications but has no such prohibition on other similar forms of speech,” such as “personalizing applications for . . . voter registration activities.” *Id.*

There are numerous flaws in VPC’s argument. First, VPC produced no evidence in support of its theories regarding (i) the messages that voters understand from its pre-filled advance voting ballot applications or (ii) the effectiveness of pre-filling those applications. REDACTED

Second, any restrictions imposed by the Pre-Filled Application Prohibition are viewpoint- and content-neutral. The Supreme Court recently clarified its jurisprudence as to what constitutes a “content-based” regulation of speech. *See City of Austin v. Reagan Nat’l Advert. of Austin*, 142 S. Ct. 1464 (2022). That case involved a regulation of signage, with different rules applying to signs located on the premises of the place being advertised versus signs located offsite. The Court first reiterated that a “regulation of speech is facially content based under the First Amendment if it ‘target[s] speech based on its communicative content’ – that is, if it ‘applies to particular speech because of the topic discussed or the idea or message expressed.’” *Id.* at 1471 (citing *Reed v. Town of Gilbert*, 576 U.S. 155, 163 (2015)). But the Court then criticized the overly broad interpretation that many lower courts have ascribed to *Reed*. The Court explained that if the government’s regulatory distinctions “require[] an examination of speech only in service of drawing neutral” lines, then the regulation “is agnostic as to content.” *City of Austin*, 142 S. Ct. at 1471. In other words, the mere fact that one must read something to determine the applicability of a regulation does *not* render it content-based. *Id.* To the contrary, “absent a content-based purpose or justification,” the challenged law will be deemed content neutral and strict scrutiny will not be warranted. *Id.*

Just as was true of the signs in *City of Austin*, the Pre-Filled Application Prohibition is agnostic as to content. *Nothing* in the law precludes VPC from communicating any information or viewpoint whatsoever about advance voting, voting by mail, or any other topic. VPC concedes this fact.

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Like the signs in *City of Austin*, pre-filling advance ballot applications also expresses no “idea or message.” *See id.* at 1474 (rejecting “view that *any* examination of speech or expression inherently triggers heightened First Amendment concern.”). The applications at issue here, which are simply official state forms with no room for any extraneous communications, are designed solely to facilitate voters’ ability to procure advance ballots, not to spread political messages of any sort. Given the Supreme Court’s clear statement that “[b]allots serve primarily to elect candidates, not as forums for political expression,” *Timmons*, 520 U.S. at 363, there is no possible basis for suggesting that pre-filling a ballot *application* can serve a communicative purpose.

As for VPC’s argument that the Pre-Filled Application Prohibition represents a content-based restriction because the State does not likewise limit the pre-filling of voter registration forms, this overlooks critical distinctions between the two in their timing, effect, operation, and impact. The submission of a voter registration application is several steps removed from the act of casting a ballot. Initial voter registration applicants are also new to the State’s electoral infrastructure, with no immediately accessible election database in place to adjudge the accuracy of all the data in the submission. By contrast, voters seeking an advance voting ballot application are already registered to vote and have all their pertinent data in the State’s voter file. The application, in turn, must precisely match the State’s voter file data before an advance ballot will be issued. SOF ¶ 18. Moreover, advance voting ballot applications are much more directly connected to the act of voting. The risks of voter confusion and voter fraud are thus heightened, as is – most importantly – the potentially adverse impact on the efficiency and effectiveness of the election administration process. The differential treatment of the two has nothing at all to do with *content*; it is simply a

byproduct of the often dissimilar issues and potential problems raised in these two distinct parts of the electoral system.

The Supreme Court rejected a similar argument in *Burson*, which involved a constitutional challenge to a Tennessee statute prohibiting the solicitation of votes and the display of campaign materials within 100 feet of a polling place. Casting aside the plaintiff's claim that the statute was an unlawful content-based restriction on her free speech rights because it did not *also* limit other types of speech such as charitable and commercial solicitation or exit polling within that 100-foot zone, the Court held that "the failure to regulate all speech" does not render a statute "fatally underinclusive." 504 U.S. at 207. Rather, the Court explained, "States adopt laws to address the problems that confront them. The First Amendment does not require States to regulate for problems that do not exist." *Id.* Any other ruling would bring states to a standstill.

VPC's legal theory improperly conflates the speech issues at play (and the accompanying jurisprudence) in the context of referendum petitions – as in both *Meyer* and *Buckley v. American Constitutional Law Foundation, Inc.*, 552 U.S. 182 (1999) – with the *absence* of such issues in the absentee ballot application process. When it comes to a referendum, an "individual's signature will express the view that the law subject to the petition should be overturned. Even if the signer is agnostic as to the merits of the underlying law, his signature still expresses the political view that the question should be considered 'by the whole electorate.'" *Doe*, 561 U.S. at 195 (citing *Meyer*, 486 U.S. at 421). "In either case, the expression of a political view implicates a First Amendment right." *Id.* That is why restrictions on who can interact with the public in procuring referendum signatures are seen as having "specifically regulated the process of advocacy itself, dictating who [can] speak (only unpaid circulators and registered voters) or how to go about speaking (with name badges and subsequent detailed reports)," thereby "reducing the total

quantum of speech, the number of voices who will convey [the plaintiffs'] message and the hours they can speak, and . . . the size of the audience they can reach.” *Steen*, 732 F.3d 390 (quoting *Meyer*, 486 U.S. at 422-23).

By contrast, Kansas’ Pre-Filled Application Prohibition does not restrict anyone from communicating with anyone else about anything. It does not even limit a third-party from mailing a blank advance voting ballot application to another voter. Nor does it limit a third-party from providing a pre-populated application to a voter who has specifically requested it. The only thing being constrained is the mailing of an unsolicited, pre-filled application. Under no reasonable interpretation can such a *de minimis* regulation be deemed to be a limitation on core political speech such that it warrants the kind of sanctified constitutional protection and exacting scrutiny that VPC demands.

Even if the Court finds that prohibiting the mailing of unsolicited, pre-filled advance ballot applications entails expressive conduct, the State would *still* be entitled to deference in the review of such law. As the Supreme Court explained in *Doe*, a case challenging the compelled disclosure of signatory information on referendum petitions, which is indisputably expressive conduct, the electoral context is highly relevant to the nature of its First Amendment review. 561 U.S. at 195. The Court noted: “We allow States significant flexibility in implementing their own voting systems. To the extent a regulation concerns the legal effect of a particular activity in that process, the government will be afforded substantial latitude.” *Id.* at 195-96 (citation omitted); *see also id.* at 212-13 (Sotomayor, J., concurring) (“States enjoy considerable leeway to choose the subjects that are eligible for placement on the ballot and to specify the requirements for obtaining ballot access . . . [E]ach of these structural decisions inevitably affects – at least to some degree – the individual’s right to speak about political issues and to associate with others for political ends. ...

It is by no means necessary for a State to prove that such reasonable, nondiscriminatory restrictions are narrowly tailored to its interests.”); *cf. Burson*, 504 U.S. at 206-08 (rejecting First Amendment overbreadth challenge to a statute establishing a 100-foot buffer zone outside polling places on Election Day within which *no one* could display or distribute *any* campaign materials or solicit votes on the grounds that the restraint was a valid prophylactic measure designed to prevent difficult-to-detect voter intimidation and election fraud).

*B. Assuming the First Amendment is Implicated, the Proper Standard for Evaluating VPC’s Claims is the Anderson-Burdick Test.*

Assuming the Court even finds that the First Amendment is implicated, the proper standard of review is the *Anderson-Burdick* test. *See Anderson v. Celebrezze*, 460 U.S. 780 (1983); *Burdick v. Takushi*, 504 U.S. 428 (1992). When a State invokes its constitutional authority to regulate elections to ensure that they are fair and orderly, the resulting restrictions will “inevitably affect – at least to some degree – the individual’s right to vote and his right to associate with others for political ends.” *Anderson*, 460 U.S. at 788. These burdens “must necessarily accommodate a State’s legitimate interest in providing order, stability, and legitimacy to the electoral process.” *Utah Republican Party*, 892 F.3d at 1077. That is why a State’s “important regulatory interests are generally sufficient to justify reasonable, non-discriminatory restrictions” on election procedures. *Anderson*, 460 U.S. at 789.

There is “no ‘litmus-paper’ test that will separate valid from invalid restrictions.” *Id.* The Court instead applies a “more flexible standard.” *Burdick*, 504 U.S. at 434. Under this flexible approach, referred to as *Anderson/Burdick* balancing, a “court considering a challenge to a state election law must weigh ‘the character and magnitude of the asserted injury to the rights protected by the First and Fourteenth Amendments that the plaintiff seeks to vindicate’ against the ‘precise interests put forward by the State as justifications for the burden imposed by its rule,’ taking into

consideration ‘the extent to which those interests make it necessary to burden the plaintiff’s rights.’” *Cox*, 892 F.3d at 1077 (quoting *Burdick*, 504 U.S. at 434)); *Fish v. Schwab*, 957 F.3d 1105, 1121-22 (10th Cir. 2020).

Although highly flexible, this balancing test does contain certain core guidelines. If a state imposes “severe restrictions on a plaintiff’s constitutional rights . . . , its regulations survive only if ‘narrowly drawn to advance a state interest of compelling importance.’” *Burdick*, 504 U.S. 434. But “minimally burdensome and nondiscriminatory regulations are subject to a less-searching examination closer to rational basis and the State’s important regulatory interests are generally sufficient to justify the restrictions.” *Ohio Democratic Party v. Husted*, 834 F.3d 620, 627 (6th Cir. 2016) (citing *Burdick*, 504 U.S. at 434). “Regulations falling somewhere in between – i.e., regulations that impose a more-than-minimal but less-than-severe burden – require a ‘flexible’ analysis, weighing the burden on the plaintiffs against the state’s asserted interest and chosen means of pursuing it.” *Id.* (quotation omitted). Lurking in the background at all times, however, is the fundamental principle that “states have wide latitude in determining how to manage their election procedures.” *ACLU v. Santillanes*, 546 F.3d 1313, 1321 (10th Cir. 2008).

As described above, the burden on Plaintiffs’ advocacy work is minimal. Yet the State’s interests in adopting the Pre-Filled Application Prohibition are substantial, outweighing any minor inconveniences that Plaintiffs may experience, particularly when subjected (as they must be) to a highly deferential rational basis review. *See Burdick*, 504 U.S. at 434.

The proliferation of pre-filled advance voting ballot applications in the 2020 General Election triggered substantial confusion, anger, and frustration among the electorate, diminished public confidence in the electoral process, had a significantly negative impact on the efficiency of election administration, and pushed the limits of the State’s anti-fraud safeguards. A big part of

the problem was that the third-party-pre-filled applications sent to voters often contained erroneous information. Not only were confused and angry voters inundating county election officials with complaints on the issue,<sup>5</sup> REDACTED

It is hard to see how one can knock the State for seeking to mitigate an issue that VPC itself recognized as a serious dilemma.

In addition to sending out inaccurate advance voting ballot applications, VPC also caused large numbers of duplicate applications to be submitted. While the use of mail ballots was clearly higher in 2020 than in previous years, the staggering onslaught of duplicate applications submitted to county elections was exponentially higher than the growth in advance voting. In Shawnee and Ford Counties alone, thousands of confused voters told election officials that they thought the pre-

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<sup>5</sup> Ms. Cox and Messrs. Howell and Caskey referenced the hundreds of wholly unsolicited telephone calls and office visits that they received from voters expressing confusion, frustration, and anger about the inaccurate and duplicate pre-filled advance voting ballot applications they were receiving. The sentiments expressed by such voters are *not* inadmissible hearsay. They are not being offered to establish the truth of the matter asserted or to prove a fact remembered or believed. *See* Fed. R. Evid. 801(c). They are simply offered to demonstrate voters' state of mind after receiving such materials. Testimony about a third-party's confusion is either not hearsay at all or it falls within the hearsay exception under Rule 803(3). *See CFE Racing Prods., Inc. v. BMF Wheels, Inc.*, 793 F.3d 571, 589 (6th Cir. 2015) (witness' testimony about telephone call with declarant in which declarant expressed confusion about the status of order "was not offered for the truth of the matter asserted . . . but rather was probative of the declarant's confusion."); *Citizens Fin. Group, Inc. v. Citizens Nat'l Bank of Evans City*, 383 F.3d 110, 132-33 (3d Cir. 2004) (bank tellers' testimony about customers' out-of-court statements regarding customers' confusion was either not hearsay or fell within exception under Rule 803(3); *Univ. of Kan. v. Sinks*, 565 F. Supp.2d 1216, 1230-31 (D. Kan. 2008) (declarants' out-of-court statements about their confusion over similarity of trademarks fell within Rule 803(3) hearsay exception); *HealthOne of Denver, Inc. v. UnitedHealth Group, Inc.*, 872 F. Supp.2d 1154, 1168 (D. Colo. 2012) (same); *Troublé v. The Wet Seal, Inc.*, 179 F. Supp.2d 291, 298-99 (S.D.N.Y. 2001) (out-of-court statements by customers offered to show customer confusion was not hearsay because testimony was offered "to show the customers' state of mind – that they were confused – as opposed to the truth of what they said;" and Rule 803(3) provided alternative basis for statements' admissibility).

filled applications had come from the county election office and had to be returned, even if the voter had already submitted another application during the election cycle. SOF ¶ 74. One voter in Shawnee County submitted *seven* separate applications and another submitted *nine*, each of which, of course, had to be carefully reviewed by election officials. SOF ¶¶ 73, 79-80. The problems were simply unprecedented.

Meanwhile, county election officials were forced to expend huge amounts of time dealing with voter complaints, processing inaccurate and duplicate applications, undertaking the necessary cure processes to ensure that voters who submitted inaccurate and duplicate applications were given an opportunity to correct any errors and thus receive (and vote) an advance ballot. All of this was occurring at the same time that election officials were having to perform the myriad other tasks that go along with conducting a major federal election. The end result was chaos that greatly taxed the time and resources of already short-staffed and overworked county election offices. The trust and confidence that election officials had worked so hard to build up with their constituencies also began to erode, as voters – falsely believing the materials from VPC had come from the county – accused these officials of incompetency for sending out applications riddled with errors.

The problem was not limited to Kansas; VPC’s activities wreaked havoc with election offices in many other states, evidenced by the written complaints that VPC received from officials in Virginia, Iowa, Wisconsin, and North Carolina. SOF ¶ 66. This is critical because a state is not restricted to demonstrating harms only within its own borders in justifying the kind of legislative enactments at issue here. *See Brnovich*, 141 S. Ct. at 2348 (upholding Arizona’s ballot collection restrictions despite “Arizona ha[ving] the good fortune to avoid” fraud, and referencing fraud from proscribed activity in North Carolina); *Crawford v. Marion Cty. Election Bd.*, 553 U.S. 181, 194-95 (2008) (upholding Indiana voter ID law even though “[t]he record contained no evidence of

any such fraud actually occurring in Indiana at any time in its history,” but noting that “flagrant examples of such fraud in other parts of the country have been documented throughout this Nation's history”); *Burson*, 504 U.S. at 208-09 (upholding dismissal of facial attack on Tennessee law prohibiting solicitation of voting and campaign materials within 100 feet of polling place despite the State producing no evidence of the necessity of that boundary, and noting that the Court “never has held a State to the burden of demonstrating empirically the objective effects on political stability that are produced by the voting regulation in question”).

The State also has an interest in avoiding potential fraud. *See Brnovich*, 141 S. Ct. at 2340. The risk of voter fraud is particularly acute with mail-in voting. *See, e.g., Crawford*, 553 U.S. at 195-96; *Richardson v. Tex. Sec’y of State*, 978 F.3d 220, 239 (5th Cir. 2020); Comm’n on Fed. Elections Reform (“Baker-Carter Commission”), *Bldg. Confidence in U.S. Elections* 46 (Sept. 2005) (“Absentee ballots remain the largest source of potential voter fraud.”). While Kansas appears to have avoided any systemic fraud in its recent elections, the surge of inaccurate and duplicate pre-filled advance voting ballot applications in 2020 taxed the ability of overburdened county election offices to timely and efficiently process such applications, which also necessarily increased the opportunity for mistakes to be made both in connection with advance voting ballot applications and election administration in general. The idea that election-related criminal laws currently on the books represent a baseline above which a legislature cannot go without justifying to a federal court why such greater sanction is necessary is at odds with the separation of powers among the coordinate branches.

The restrictions imposed by the Pre-Filled Application Prohibition are virtually identical to those in *Raffensperger*, where the court rejected the same constitutional claims asserted here. *See* 2022 WL 2357395, at \*12-18. The statute now before this Court is also far less rigorous than

the outright bar on third-party distribution of absentee ballots at play in *Lichtenstein*. Yet that court, in upholding a more restrictive Tennessee law against constitutional claims similar to those here, recognized the State’s strong regulatory interests that apply with equal or greater force in Kansas:

Among other things, there is a rational basis to believe that by prohibiting everyone (other than election commission employees) from distributing absentee-ballot applications, the State can: (a) increase the integrity of the absentee ballot process by, among other things, better ensuring that an absentee-ballot application is being submitted by someone who truly wants to submit the application, that the applicant does not miss out on voting absentee (and perhaps, as a direct result, voting at all) due to misleading addressing or other information provided by a distributor, and that the applicant is not mistakenly provided by election officials with multiple absentee ballots; and (b) decrease the risk of voter confusion arising from, among other things, voters’ receipt of (i) applications mistakenly believed by some recipients to be from election officials, (ii) applications from multiple distributors, or (iii) incorrect addressing or other information from the distributor regarding absentee voting.

*Lichtenstein*, 489 F. Supp.3d at 783-84.

Not only is there no narrow tailoring requirement under the *Anderson-Burdick* framework, but as the Supreme Court recently explained, a State’s “entire system of voting” – not just the impact on a small segment of the electorate – must be examined “when assessing the burden imposed by a challenged provision.” *Brnovich*, 141 S. Ct. at 2340. Under those circumstances, VPC can establish no entitlement to relief.

### **III. The Pre-Filled Application Prohibition Does Not Contravene VPC’s Freedom of Association Rights**

VPC additionally claims that the Pre-Filled Application Prohibition abridges its First Amendment freedom of association. Little, if anything, appears to be left of this cause of action in the wake of the parties’ Stipulation. *See* Dkt #73. REDACTED

At an abstract level, VPC contends that the challenged statute prevents the organization from “broadening the base of public participation in and support for [its] activities promoting democratic engagement through voting an advance mail ballot.” Dkt #1 at ¶ 97. More specifically, VPC alleges that the restrictions on pre-filing unsolicited advance ballot applications amount to “a direct regulation of the communications and political association between [VPC] and Kansans that seeks to increase participation in democracy and effect change.” *Id.* at ¶ 99. VPC goes on to say that the statute “eliminates the method by which [it] connect[s] with voters at the advance ballot application phase to gain a foothold with Kansans for further association and group engagement for political expression.” *Id.* This claim fails on both the facts and the law.

Freedom of association protects “joining in a common endeavor” or engaging in “collective effort on behalf of shared goals.” *Roberts v. U.S. Jaycees*, 468 U.S. 609, 618, 622 (1984). It does not protect connections between people who “are not members of any organized association,” are “strangers to one another,” and do not come together to “take positions on public questions.” *Dallas v. Stanglin*, 490 U.S. 19, 24-25 (1989).

Mailing pre-populated advance voting ballot applications to voters with whom VPC has no connection does not implicate the freedom of association. It is a unilateral act that can be ignored by the would-be associate. The recipients are not members of any organization or otherwise joined in a common endeavor or collective effort on behalf of shared goals, but are strangers who simply receive similar mass-mailers. Some complete the application in the hope of electing a particular candidate, some complete it in the hope of electing that candidate’s opponent, some complete it and never vote, and some ignore it altogether. Moreover, unlike a referendum or initiative petition that requires joint effort, “applications are individual, not associational, and may be successfully submitted without the aid of another.” *Voting for Am., Inc. v. Andrade*, 488 F. App’x 890, 898

n.13 (5th Cir. 2012). If these sorts of bare communications constituted First Amendment association, then most of modern civilization would be immune from regulation. The court in *Raffensperger* rejected this same cause of action asserted by these same Plaintiffs involving virtually the same statute. *Raffensperger*, 2022 WL 2357395, at \*10. This Court should reach the identical result.

#### **IV. VPC's Overbreadth Claim Has No Merit**

VPC additionally claims that the Pre-Filled Application Prohibition is unconstitutionally overbroad. It raises both facial and as-applied attacks on the statute. Dkt #1 at ¶¶ 107-108. In particular, VPC claims that restrictions on personalizing unsolicited advance ballot applications amount to “a direct regulation of the communications and political association between [VPC] and Kansans that seeks to increase participation in democracy and effect change.” *Id.* at ¶ 99. VPC suggests that the statute “eliminates the method by which [it] connect[s] with voters at the advance ballot application phase to gain a foothold with Kansans for further association and group engagement for political expression.” *Id.* This claim does not survive scrutiny.

When making an overbreadth claim pursuant to the First Amendment, the challenger must show that the statute in question “punishes a substantial amount of protected speech, judged in relation to the statute’s plainly legitimate sweep.” *Virginia v. Hicks*, 539 U.S. 113, 118–19 (2004); *see also United States v. Williams*, 553 U.S. 285, 292 (2008) (“In order to maintain an appropriate balance, we have vigorously enforced the requirement that a statute’s overbreadth be *substantial*, not only in an absolute sense, but also relative to the statute’s plainly legitimate sweep.”). In other words, the mere fact that *some* impermissible applications of a law may be conceivable does not render that law unconstitutionally overbroad; there must be a realistic danger that the law will *significantly* compromise recognized First Amendment protections. This is particularly true

where, as is the case here, *conduct* and not merely speech is involved. *Broadrick v. Oklahoma*, 413 U.S. 601, 615 (1973). The Court examines both the text of the law and the facts on the ground when undertaking this analysis. *Faustin v. City & Cty. of Denver, Colo.*, 423 F.3d 1192, 1199 (10th Cir. 2005) (citing *Hicks*, 539 U.S. at 122).

The overbreadth doctrine is “strong medicine” and thus must be applied “with hesitation, and then only as a last resort.” *New York v. Ferber*, 458 U.S. 747, 769 (1982). Thus, if a statute is readily susceptible to a narrowing construction that will remedy any constitutional infirmity, the statute will be upheld. *Va. v. Am. Booksellers Ass’n, Inc.*, 484 U.S. 383, 397 (1988). To the extent a statute is not readily susceptible to a narrowing construction, if the unconstitutional language is severable from the remainder of the statute, “that which is constitutional may stand while that which is unconstitutional will be rejected.” *Brockett v. Spokane Arcades, Inc.*, 472 U.S. 491, 502 (1985) (quotations omitted). Moreover, even if a law touches on political speech protected by the First Amendment, declaring a statute invalid may not be appropriate in light of the State’s interests. “[T]here comes a point at which the chilling effect of an overbroad law, significant though it may be, cannot justify prohibiting all enforcement of that law – particularly a law that reflects legitimate state interests in maintaining comprehensive controls over harmful, constitutionally unprotected conduct.” *Faustin*, 423 F.3d at 1199 (quoting *Hicks*, 539 U.S. at 119).

A. *The Pre-Filled Application Prohibition is Not Overbroad as Applied to VPC’s Activities*

When considering an as-applied overbreadth challenge, courts recognize that a statute in question may be constitutional in many of its applications but not as applied to the plaintiff and his/her applicable circumstances. See *N.M. Youth Organized v. Herrera*, 611 F.3d 669, 677 n.5 (10th Cir. 2010). “A successful as-applied challenge is, thus, a necessary, but not sufficient,

ingredient to a successful facial challenge.” *United States v. Streett*, 434 F. Supp. 3d 1125, 1171–72 (D.N.M. 2020).

VPC alleges that its ability to encourage Kansans to engage in the democratic process is burdened because it will not be able to include a pre-filled advance voting ballot application in its mailers.

REDACTED

There is no bar whatsoever to VPC’s ability to send mailers expressing any message it wishes to convey about the importance of voting in general or voting by mail via an advance-ballot, how to vote in person or by mail, or where to access an advance mail voting application. VPC can even include a blank application in the mailing. There are thus an infinite number of ways for VPC to communicate its message. The only thing being restricted is not speech at all; it is *non-expressive conduct* – i.e., pre-filling the advance voting ballot applications that VPC sends to Kansans who did not request one.

This logistical prohibition was adopted by the Legislature to prevent confusion among voters, facilitate greater confidence in the electoral process and those who administer it, ensure a more efficient and orderly administration of elections, and minimize the potential for fraud. To suggest that the Pre-Filled Application Prohibition impermissibly regulates a substantial amount of Plaintiffs’ protected speech and associations rings hollow.

B. *The Pre-Filled Application Prohibition is Not Facially Overbroad*

“Facial challenges based on overbreadth are disfavored,” *Clark v. Schmidt*, 493 F. Supp.3d 1018, 1033 (D. Kan. 2020), and the Court must begin its analysis by presuming that the statute is

constitutional. *Id.* In this case, VPC’s inability to satisfy the standards necessary to establish an as-applied challenge is also fatal to its facial overbreadth challenge. As noted, the challenged statute allows for an unlimited array of expressive conduct and core political speech. There is no prohibition at all on communicating with voters about anything having to do with voting (or any other subject, for that matter). There is, in short, no impairment (let alone a substantial impairment) of any constitutionally-protected activity. “Rarely, if ever, will an overbreadth challenge succeed against a law or regulation that is not specifically addressed to speech or to conduct necessarily associated with speech (such as picketing or demonstrating).” *Hicks*, 539 U.S. at 124. Nor has VPC come close to demonstrating that K.S.A. 25-1122(k)(2) will have a chilling effect on the First Amendment rights of parties not before the court. *See West v. Derby Unified Sch. Dist. No. 260*, 206 F.3d 1358, 1367 (10th Cir. 2000) (requiring the plaintiff to show the existence of a “realistic danger” that will “significantly compromise recognized First Amendment protections of parties not before the court.”). In sum, VPC’s overbreadth claim has no merit.

### CONCLUSION

For the reasons stated herein, Defendants respectfully request that the Court grant their motion for summary judgment with regard to Counts I-III of the Plaintiffs’ Complaint.

Respectfully Submitted,

By /s/ Bradley J. Schlozman  
 Bradley J. Schlozman, Kansas Bar #17621  
 Scott R. Schillings, Kansas Bar #16150  
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*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of October 2022, I electronically filed the foregoing Defendants' Memorandum in Support of Motion for Summary Judgment Regarding Counts I-III with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

By /s/ Bradley J. Schlozman

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

VOTEAMERICA and  
VOTER PARTICIPATION CENTER,

*Plaintiffs,*

vs.

Case No. 2:21-cv-02253-KHV-GEB

SCOTT SCHWAB, in his official capacity as  
Secretary of State of the State of Kansas;  
DEREK SCHMIDT, in his official capacity as  
Attorney General of the State of Kansas; and  
STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

**AFFIDAVIT OF ANDREW HOWELL**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF SHAWNEE    )

Andrew Howell, of lawful age, being first duly sworn, states that:

**Background**

1. My name is Andrew Howell and I am the Shawnee County Election Commissioner. I am over the age of 18, have never been convicted of a felony, and am competent to make this Affidavit. I have personal knowledge of the facts stated in this affidavit.

2. I have served as Shawnee County Election Commissioner since September 2012. My current appointment lasts through January 2026. During my tenure, I have overseen both state



and federal elections every year, including the General Elections in 2012, 2016, 2018, and 2020, and the biennial primaries in 2014, 2018, and 2022.

3. I am responsible for overseeing and administering all aspects of municipal, county, state and national elections in Shawnee County. During the 2020 General Election, I supervised a staff of eight full-time employees, around 60-80 part-time individuals who worked in the election office during the two-month period before Election Day and a few weeks after Election Day, and an additional approximately 600 Election Day workers.

**Kansas' Prohibition on Third-Parties Pre-Populating Advance Voting Ballot Applications**

4. I am aware that, in this lawsuit, Plaintiffs are challenging the constitutionality of a law passed in 2021 involving the process for applying for an advance mail ballot. This statute amended election procedures to prohibit any person who solicits by mail a registered voter to file an application for an advance voting ballot and includes an application for an advance voting ballot from completing any portion of such application prior to mailing such application to the registered voter.

5. This new law in my opinion will help minimize voter confusion, enhance public confidence in the integrity of the election process, and reduce the possibility of voter fraud. It will also help create greater efficiency in election administration and allow election offices to better allocate resources by targeting some of the leading causes of delays, errors, complications, and confusion among both election officials and voters alike arising out of inaccurate and duplicate applications.

6. For many years, third-party non-governmental organizations have mailed advance ballot applications to potential voters in Kansas. Some of the applications have been blank, while others have been partially pre-populated with certain voter data (e.g., name and address). Although

I am aware that pre-filled applications caused many problems in other states across the country, as far as I know, pre-populated applications did not cause substantial problems in Kansas until the 2020 election.

7. Beginning in 2020, we saw a huge increase in voters who returned applications, pre-filled by a third-party, with information that either did not match data in the ELVIS system or that the voter omitted (e.g., a signature or driver's license number). We also saw a virtual explosion of voters returning duplicate applications in the same election.

**Problems with Inaccurate and Duplicate Advance Voting Ballot Applications**

8. The problem was especially acute in the November 2020 General Election, during which we not only had a record number of voters voting early by mail, but we also experienced an unprecedented surge of inaccurate and duplicate applications that had been pre-populated in part by the Center for Voter Information ("CVI"), whom I understand to be the sister organization of Plaintiff Voter Participation Center ("VPC").

9. Even if a third-party purports to utilize voter registration information obtained from ELVIS (which is publicly available and may be purchased from the Secretary of State's Office for a nominal fee) to pre-fill applications, the applications still may include inaccurate information if there is a lag time between the date the third-party acquires the ELVIS data and the date it mails out the pre-filled applications to voters.

10. One reason for such inaccuracies is because ELVIS is a dynamic system that is updated in real-time. A voter may thus have updated his/her voter registration information after a list was generated and used to pre-fill an application. Or the voter's registration may have been cancelled (e.g., due to moving out of state, felony conviction, or death). Because the 2-3 months leading up to a major election because are often the time period is when most voters tend to update

their registration information, the importance of using the latest/greatest voter data is especially important during that period.

11. During the 2020 General Election Office, the Shawnee County Election Office received a large number of advance voting ballot applications from voters that had been pre-filled by VPC and contained information that did not match the voters' information in ELVIS. The mismatched information included erroneous addresses, last names, middle initials, and suffixes.

12. We also received numerous calls from voters in 2020 who reported that multiple pre-populated applications had been sent to deceased individuals who had once lived at the address to which the application was sent. This always struck me as quite odd inasmuch as most of those voters had been removed from ELVIS many months before the election (and well before the pre-filled application had been sent to the voter by VPC). And these are just the ones that voters sent back to my office to alert us of the voter's death. It stands to reason that many more applications were mailed to dead voters and never sent back to my office.

13. The problem with inaccurate advance voting ballot applications is particularly a problem when someone other than the voter himself/herself fills out the application. Voters, at least in my experience, have the most accurate and up-to-date information for themselves and are less likely to include erroneous information (i.e., that does not match the data in ELVIS) on the application if they fill it out themselves. That is why, in 2020, my office sent postcards to voters that included a website and a QR code that allowed them to obtain an advance ballot application that way rather than sending pre-filled applications to voters.

14. We were able to identify applications that had been pre-populated by CVI because the CVI-prepared applications: (a) used a unique all-caps font, (b) contained a unique message – "It's as Easy as 1-2-3" on the back of all applications, (c) generally included yellow highlighting

on certain parts of the application, and (d) contained some sort of special coding on the bottom margin of the application. Numerous voters also brought into our office the envelopes they received from CVI that contained the partially filled application with the unique and discernible messages/markings.

15. In the 2020 General Election, the Shawnee County Election Office received and “processed” 23,156 applications. That is, we sent regular or provisional advance ballots to 23,156 voters after having received an advance voting ballot application from the voter. In addition, we received another 4,217 duplicate applications (i.e., applications from voters who had already submitted an application and to whom we had already mailed a regular or provisional advance ballot). In other words, approximately 15.4% of the total advance voting ballot applications that my office received were duplicates.

16. The overwhelming majority of the duplicate applications we received had been partially pre-filled by CVI, although we did not attempt to specifically track or quantify the source of the duplicates).

17. To put the incredibly large number of duplicate applications we received in the 2020 General Election into perspective, the Shawnee County Election Office received *no more than a dozen* duplicate applications in connection with either the 2016 General Election (during which we received 7,394 applications) or the 2018 General Election (during which we received 9,272 applications).

18. Of the 4,217 duplicate applications we received for the November 2020 General Election: 3,676 were sets of two (i.e., voters sent in two applications); 407 were sets of three (i.e., voters sent in three applications); 99 were sets of four; 27 were sets of five; 6 were sets of six; 1 was a set of seven, and 1 was a set of nine.

19. The Shawnee County Election Office did not send out any unsolicited applications – pre-populated or otherwise – to voters in connection with the 2020 General Election.

**Impact of Inaccurate and Duplicate Advance Applications on Election Administration**

20. The impact of these inaccurate and duplicate advance voting ballot applications on the Shawnee County Election Office’s ability to conduct orderly election administration was quite significant.

21. The forty-five days prior to an election – especially a federal election – are the busiest and most stressful time we have all year and our staff routinely logs long hours into the night. There are countless tasks that must be undertaken (including, but not limited to, training new part-time staff, processing new voter registration applications, processing advance voting ballot applications, contacting voters whose registration form or advance ballot application contained inaccurate and/or missing required information, preparing and mailing regular and provisional advance ballots, preparing for and administering in-person advance voting at the election office and early voting locations, receiving and processing advance ballots, responding to voter inquiries, and preparing for Election Day).

22. In the November 2020 election, more than one-third of the advance voting ballot applications that voters sent to the Shawnee County Election Office (approximately 8,375 of 23,156) were received in the forty-five days prior to the election. While processing such a large number of applications would be difficult in any circumstance considering the vast array of other responsibilities that officials in my office must perform during this time period, the staggering (and unprecedented) number of duplicate and inaccurate applications we received in connection with the 2020 General Election made the problem far more challenging.

23. Upon receiving an application, my office first verifies all of the information on the

application against the information in ELVIS. If all the information matches (and assuming the voter has not already submitted an application), we record the acceptance of the application in ELVIS and then mail the voter a ballot at the time prescribed by law. The date of the transmission of the advance ballot is also recorded in ELVIS.

24. On average, it takes an experienced election official three to five minutes to process an accurate, non-duplicative application.

25. If the information on an application does not precisely match the information in ELVIS, or if the application is missing information, the processing time for staff is usually much more substantial. The inaccurate or missing information may include the voter's name, address, date of birth, driver's license (or other identification) number, political party (in primary elections), registration status, or signature. In those situations, we attempt to contact the voter to determine the reason for the discrepancy or to obtain the missing information. Sometimes this contact is easy and is accomplished on the first try. More often, however, reaching the voter can require multiple attempts. Depending on the information we have on file for a voter, we may try to reach him/her via telephone, U.S. mail, and/or e-mail. We try to make at least three attempts to reach the voter, assuming it is practicable.

26. If we are able to reach the voter, we attempt to work with him/her to correct the discrepancy/omission. Sometimes, the solution entails the insertion of correct(ed) information on the application that the voter provides to us in a telephone call or written communication. Other times, it may be necessary for the voter to submit a new application or registration form. The cumulative time to contact the voter and process the application in these situations likely averages around fifteen minutes of staff time.

27. If, on the other hand, we are unable to reach the voter, or it would be impracticable

to do so (e.g., because the deadline for submitting applications is about to expire or the election is less than twenty days away and the two-business-day deadline for processing applications is about to end), we will then prepare a provisional ballot assuming we are able to discern that the applicant is a registered voter. Because actually sending out ballots is a highly sensitive task that goes to the heart of the integrity of the electoral process, all provisional ballots must be reviewed by a senior/experienced member of our staff before they can be mailed to voters. Once we send a provisional ballot to a voter, we must document its transmission into ELVIS in order to ensure that no more than one ballot is counted. The cumulative time to complete this whole process regularly takes thirty minutes or more of staff time.

28. Moreover, if we are forced to send a voter a provisional ballot after being unable to reach him/her in order to address defects on his/her application, there is a greater likelihood that the voter will not correct those defects prior to the county canvassing boards and thus will either not return the provisional ballot or will not have the ballot counted.

29. When a voter submits two or more applications (i.e., duplicate applications) to our office in connection with a single election, *each time* we receive an application, we are required to conduct the same review and verifications of the new application. One step in this process is to determine if the voter had previously submitted another application and already been sent a regular or provisional advance ballot. If there are any differences between the original application and the new/duplicate application (e.g., different name or mailing address), we will attempt to contact the voter to determine the reason for the discrepancy.

30. When we receive a duplicate application, we cannot simply assume that the initially submitted application was correct. For example, the voter may have moved or changed his/her name and now wants an advance ballot sent to him/her at the new address and/or under the new

name. Depending on the situation, we may need to send a new voter registration application or a provisional ballot to the voter. The bottom line is that the review of a duplicate application nearly always takes more staff time than the review of the initially submitted application.

31. If we *do not* have to contact the voter, the review of the duplicate application generally takes seven to ten minutes. If we *do* have to contact the voter, the review of the duplicate application can take anywhere from fifteen to thirty minutes or more of total staff time.

32. We generally know when a voter has submitted a duplicate application because we record in ELVIS any time that we send out a regular or provisional advance ballot to a voter. Even if an individual has multiple registrations in ELVIS, we typically are able to identify the duplicate nature of the application due to the common driver's license number (or other identification number) on the different applications. But the system is not perfect and human error is possible. Particularly in an election with large numbers of voters seeking to vote by mail, when third-parties introduce chaos into the application review process by facilitating the submission of significant numbers of duplicate applications – as occurred in Kansas in the 2020 General Election – the safeguards we have in place are severely tested and pushed to the outer limits of their breaking point.

33. The crush of inaccurate and duplicate applications in the 2020 General Election hampered my office's ability to conduct efficient election administration. Typically, I assign six to seven staff members to handle the processing of advance voting ballot applications. In November 2020, because we had a record number of overall applications come in, I assigned many more personnel to performing that task. But the most significant strain on staff came from having to contact thousands of voters who had submitted inaccurate or duplicate applications. At one point, I had to assign nearly thirty staff members to review and process applications (and contact

voters as necessary) in order to ensure that we processed applications within the two-business-day deadline imposed by State law. The huge number of inaccurate and duplicate applications we received also prevented me from redeploying my staff in a more efficient and effective manner.

34. With so many inaccurate and duplicate applications coming into the office, the pressure on my staff to ensure that no mistakes were made in the processing of these applications, that ineligible voters were not inadvertently sent an advance ballot, and that a single voter was not sent multiple advance ballots was almost overwhelming at times. My staff routinely worked past midnight, and many employees were working eighteen-hour shifts or more. The late hours resulted in higher-than-normal turnover and stress levels that we had not previously experienced. (In fact, numerous workers simply quit in September and October because they could not handle the stress, something I had never before experienced in my tenure.) More concerning, however, was the recognition that, when individuals are rushed, mistakes are more likely to happen. And mine is a business where mistakes often come with very high consequences. I have no reason to think that we made any significant mistakes but the thought often keeps me up at night.

#### **Voter Complaints, Confusion, Anger, and Distrust**

35. In the 2020 General Election, we received a substantial number of CVI-pre-filled applications that contained inaccurate and/or outdated information. Some applications included misspelled or incorrect names (including erroneous middle initials or suffixes), some were sent to persons who no longer resided at the address reflected in ELVIS, some contained the wrong address altogether, and some were sent to individuals whose voter registration had been cancelled (due to felony conviction, death, or moving out of state).

36. In addition to the CVI-pre-filled applications we received applications containing inaccurate or outdated information, we also received many CVI-pre-filled duplicate applications.

In fact, we received as many as three duplicate applications from some voters that were submitted using CVI-pre-filled applications.

37. These inaccurate and duplicate applications resulted in constant calls (and personal visits) to my office from voters complaining about CVI's pre-filled applications. I estimate that my office received more than 1,000 complaints from voters about CVI between late July 2020 and Election Day. I personally spoke with hundreds of voters about the issue.

38. These voters expressed to me their confusion, frustration, and anger about receiving pre-populated applications from CVI that they did not request. Some also vented their confusion, frustration, and anger about having received multiple (i.e., duplicate) applications from CVI. And some likewise expressed confusion, frustration, and anger about having received CVI-prefilled applications that contained inaccurate information.

39. Numerous persons also sent me the pre-filled applications that CVI had mailed to their spouses, who had died and been removed from the rolls well before the mailing.

40. Based on my calls with voters, I learned that many voters thought (erroneously) that the CVI-pre-filled applications had come from the Shawnee County Election Office. Some of these voters attacked my office as incompetent and alleged that we were harboring a political agenda for having mailed voters pre-populated applications containing incorrect names and addresses. Other voters expressed their disbelief that the county would send an application to the voter's old address or use the wrong name in pre-filling the application when they had previously communicated such changes to our office.

41. Many voters told me that, because they thought my office (rather than a third-party) was responsible for sending them the pre-filled and duplicate applications, they believed were required to return each and every one of them. Along with the rest of my staff, I was forced to

spend seemingly countless hours trying to persuade these voters that my office had nothing to do with these mailings and that there was no fraud at play.

42. Even if the expanded use of pre-filled applications in the 2020 General Election (and CVI's mistake-prone and duplicate dissemination of such pre-populated applications in that election) did not result in any major fraud, it clearly contributed to major levels of voter confusion, anger, and frustration. And it caused many voters to question the competency and credibility of my office.

**Impact of Pre-Filled Advance Voting Ballot Applications on Election Administration**

43. The adverse impact of pre-filled applications on an already overburdened election system was not limited to the strain flowing from the initial processing of the applications.

44. Prior to the 2020 General Election, my office received a number of calls from voters who had returned pre-filled applications sent to them by CVI, but who insisted that they did not actually intend to request and vote an advance ballot. The voters told us that they thought they were *required* to return the application.

45. We also received a sizable number of confused calls from voters who had submitted an advance voting ballot application but apparently forgot they had done so. When those voters subsequently went to vote on Election Day, they were either surprised to learn they had requested an advance ballot or disputed that they had done so.

46. The confusion that the pre-filled applications caused these voters also had a negative effect on election administration. Every application that our office receives must be processed. When we receive an application, but the applicant ultimately does not vote or opts to vote in person, the time and resources (including printing and mailing costs) that our staff spent processing that application represents time and money that could have been far better allocated to

other election duties and expenditures. In other words, in those situations, my office was required to devote scarce resources to processing applications for ballots that would never be voted. Pre-filled applications appeared to be a major contributor to this phenomenon because it seemed to occur far more frequently with pre-filled applications than it did with applications that the voters completely filled out themselves.

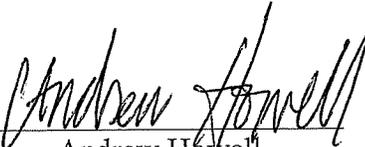
47. Relatedly, we encountered many voters in the 2020 General Election who mailed in pre-filled applications sent to them by CVI and then came to vote in person, claiming that they had not intended to request and vote an advance ballot and misunderstood the implications of returning the advance voting ballot application they had submitted. As reflected in our EAC report, we had 718 voters in the 2020 General Election who voted on Election Day (usually by provisional ballot) after having mailed in an advance voting ballot application and having received an advance ballot. This number was exponentially higher than anything we had ever experienced. To put it in perspective, just 141 voters voted on Election Day (usually by provisional ballot) in the 2016 General Election after having mailed in an advance voting ballot application and having received an advance ballot.

48. When we explained to these voters that they would now have to vote a provisional ballot, they became highly agitated. I told these voters that they had a choice at that point: they could either vote a provisional ballot, or they could go home and retrieve the advance mail ballot my office had sent them and return it to the polling site or to my office (in addition to dropping it in the mail, of course). These conversations were stressful and time-consuming for all parties involved. And a sizable number of voters were so concerned that their provisional ballot would not be counted that they actually went home and drove back to the polling place in order to drop off the advance ballot in person.

49. When a voter votes in person after having previously applied for an advance ballot, it requires additional steps to be taken by both poll workers and election office officials to ensure that only one ballot is counted. For example, poll workers are required to issue the voter a provisional ballot in order to guarantee that the voter cannot have two ballots counted. I previously described the lengthy process for issuing the provisional ballot to the voter at the polling place. But there is also additional work necessary behind the scenes in terms of inputting the provisional ballot information into ELVIS, ensuring that the Election Day poll books reflect that the voter already was provided a provisional ballot and thus must vote via provisional ballot on Election Day if he/she seeks to vote at the polling place, and potentially addressing any issues at the county canvassing board. This can be a time-consuming process.

50. In sum, the CVI-pre-filled advance voting ballot applications caused a demonstrable decrease in voter confidence and an increase in voter confusion and voter concerns about potential fraud in Shawnee County during the November 2020 General Election.

51. In today's climate, there are often many rumors involving election integrity, a good number of which bear little connection to the truth. We strive hard to shoot down public statements and rumors that are inaccurate. But the actions of VPC/CVI in connection with the 2020 General Election made that task much more difficult. In my judgement, that organization's activities hurt our efforts to minimize voter confusion and enhance voter confidence in the fairness and integrity of the election process, deter potential voter fraud, and be more efficient in election administration. I thus believe that the Legislature's adoption of a law prohibiting third-parties from partially pre-filling other voters' applications serves as a highly beneficial purpose.

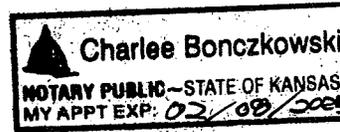
  
Andrew Howell

SUBSCRIBED and SWORN to before me this 12<sup>th</sup> day of October, 2022.

  
Notary Public

My appointment expires:

Feb. 8<sup>th</sup>, 2025



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

VOTEAMERICA and  
VOTER PARTICIPATION CENTER,

*Plaintiffs,*

vs.

SCOTT SCHWAB, in his official capacity as  
Secretary of State of the State of Kansas;  
DEREK SCHMIDT, in his official capacity as  
Attorney General of the State of Kansas; and  
STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

Case No. 2:21-cv-02253-KHV-GEB

**SEALED EXHIBIT B PLACEHOLDER**

**DEFENDANTS' MEMORANDUM IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT REGARDING COUNTS I-III**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

VOTEAMERICA and VOTER  
PARTICIPATION CENTER,  
Plaintiffs,

vs. Case No. M 2:21-CV-2253

SCOTT SCHWAB, in his official  
capacity as Secretary of State  
of the State of Kansas; DEREK SCHMIDT,  
in his official capacity as Attorney  
General of the State of Kansas;  
STEPHEN M. HOWE, in his official  
capacity as District Attorney of  
Johnson County,  
Defendants.

DEPOSITION OF BRYAN CASKEY  
Taken on behalf of the Plaintiffs  
May 24, 2022



1 Q. Can the Secretary of State's office  
2 alter a voter's record in ELVIS?

3 A. The Secretary of State and the  
4 entirety of the 16 years of the system has been in  
5 place has never altered a record one time.

6 Q. So if a voter submits a new voter  
7 registration form or a change of address the  
8 Secretary of State's office does not change the  
9 address on behalf of the voter, that's done by the  
10 county election official, is that right?

11 A. Correct. When we receive those  
12 applications those applications are transmitted to  
13 each of the 105 counties.

14 Q. Is it true then that only the  
15 counties can sort of add, delete or alter voter  
16 registration records?

17 A. Yes. That is correct.

18 Q. Okay. And when data is altered or  
19 entered by county users is that data sort of  
20 instantly loaded into the central database so that  
21 the secretary of state's office can see it?

22 MR. SHILLINGS: Object to form.

23 Go ahead.

24 A. It is a real time interactive system,  
25 yes.

1 Q. (BY MR. MULJI) Is there any lag  
2 between when the counties update records and when  
3 the Secretary of State can see or access those  
4 records for any form of data?

5 MR. SHILLINGS: Form.

6 Go ahead.

7 A. Once they hit save on the record we  
8 have access.

9 Q. (BY MR. MULJI) And in what formats  
10 can the Secretary of State's office access the data  
11 maintained by counties?

12 A. Would you try to explain your  
13 question better?

14 Q. What format does the data appear into  
15 the Secretary of State's office in ELVIS?

16 MR. SHILLINGS: Objection.

17 A. It's a proprietary format that's  
18 particular to the software database that we have.

19 Q. (BY MR. MULJI) Okay. And what, I'm  
20 asking you like can you describe what the back end  
21 of ELVIS looks like to me?

22 A. I would not, for security reasons I  
23 will not go to the back end of our statewide voter  
24 registration logs.

25 Q. Can you say is it a web interface?

1 of birth to determine that they are a person, that  
2 we can assign them to the correct district and that  
3 they are of a sufficient age to sign.

4 Q. And you mentioned that there's  
5 information that can be sort of optionally  
6 maintained in ELVIS, is that right?

7 A. Yes, there is.

8 Q. And does the Secretary of State's  
9 office provide guidance to county election offices  
10 about what sort of optional information should be  
11 maintained in ELVIS?

12 A. We do provide education and training  
13 on the entirety of the system that counties can use  
14 what they want as related to some of the other  
15 options at the time. We do provide training and a  
16 user guide to every NG.

17 Q. You mentioned that part of the  
18 information tracked in ELVIS is the advance voting  
19 applications, is that correct?

20 A. Yes, that is correct.

21 Q. How are advance voting applications  
22 tracked in ELVIS?

23 A. So each voter has a tab on their  
24 record where a county election officer can show if  
25 they have received an application, they have mailed

1 a ballot to the voter and the voter has returned  
2 the ballot. Alternatively, if they vote in person  
3 we can determine who voted in person prior to  
4 election day and where they voted.

5 Q. And at least with respect to advance  
6 voting application data do counties all maintain  
7 that data in ELVIS in the same way?

8 A. They maintain some of that data the  
9 same way, yes. We provide, counties are required  
10 to be able to provide a list of people that applied  
11 for an advance ballot, there's a state law that  
12 requires us to do that. The states applies that  
13 information to lots of political parties in Kansas  
14 so it's in relation to inputting a ballot, an  
15 advance voting ballot application and the return  
16 and the transmission of the ballot and return the  
17 ballot yes, it's my belief that every county does  
18 that in the same way.

19 Q. Okay. And what about the advance  
20 mail voting applications data in ELVIS is tracked  
21 differently from county to county?

22 MR. SHILLINGS: I'm just going to  
23 object to form, compound.

24 Go ahead.

25 A. We have not given specific guidance

1 work together to maintain the list. Would you  
2 consider those ways that the state ensures the  
3 accuracy of the voter registration data that's  
4 provided to the public?

5 A. I do not. I have the Secretary of  
6 State providing information to each of the 105  
7 counties for them to review and then make the  
8 appropriate maintenance activities within their  
9 respective counties.

10 Q. And the Secretary of State's office  
11 working with the election officials to ensure this  
12 maintenance, is that a way in which the voter  
13 registration data is provided to the public if kept  
14 accurate?

15 A. Those are your words, not mine.

16 Q. I'm asking you whether you agree that  
17 that is the case.

18 A. It is one method, yes.

19 Q. Okay. So the state, meaning the  
20 Secretary of State's office, county election  
21 officials, are working to ensure that the voter  
22 registration data provided to the public is  
23 accurate.

24 A. Yes.

25 Q. Is the data that, when somebody

1 requests a voter registration, voter registration  
2 data, is it pulled from ELVIS in real time? In  
3 other words, is it the most up-to-date record that  
4 is available in ELVIS?

5 A. At the time that we submit the  
6 request for the data it is the most up to date at  
7 that moment.

8 Q. Okay. And how has the requested  
9 voter registration data been provided to the person  
10 who requested it?

11 A. In the format, generally speaking we  
12 provide it in standard data format that most  
13 consumers can accept.

14 Q. And what are those data formats?

15 A. It's the way the customer wants, I  
16 don't have all the spec formats in front of me but  
17 basically we provide what the customer wants.

18 Q. Is the data provided for free?

19 A. No, it is not. There's a charge.

20 Q. Okay. I'd like to mark as Exhibit 6  
21 document 8.

22 MR. MULJI: Nicole would you mind  
23 introducing document 8?

24 Q. (BY MR. MULJI) Mr. Caskey, please  
25 confirm when you see that document on your screen.

1 MS. PALMADESSO: It's been marked as  
2 Plaintiff's Exhibit 6.

3 A. Yes, I can see document 8.

4 Q. (BY MR. MULJI) All right. And I'll  
5 refer to this from now on as Exhibit 6.

6 Mr. Caskey, have you seen this  
7 document before?

8 A. Yes, I have.

9 Q. What is it?

10 A. It is the form that we use to provide  
11 to the public to request voter registration data.

12 Q. Okay. And you mentioned requesters  
13 have to pay for this data. What is the cost of  
14 obtaining the voter file?

15 A. The cost is down at the bottom of the  
16 form. Depends on the request.

17 Q. Does this form reflect the most  
18 current version of the Secretary of State's voter  
19 registration data request form?

20 A. The exhibit sticker covers the  
21 revision date so I can't tell.

22 Q. I'll represent to you the one I'm  
23 looking at it looks like it's visible, says revised  
24 7/14/2020.

25 A. I believe that is the most current

1 Q. And that is no longer the case.

2 A. With the advent of the passage of the  
3 Help America Vote Act we are now required to have  
4 an interactive state-wide voter registration  
5 database, so those are incongruent statements of  
6 law, federal law.

7 Q. Okay. So county election offices are  
8 no longer providing data on a quarterly basis, the  
9 data that is used to fulfill records requests for  
10 registration data from ELVIS is fulfilled based on  
11 real time data.

12 A. That is correct.

13 Q. Looking here at number 6. Do you see  
14 that there's an option for daily, weekly and  
15 one-time subscriptions of advance voting lists?

16 A. Yes. I'm aware of that.

17 Q. What data is included in the  
18 subscriptions for advance voting lists?

19 A. It contains contact information --  
20 let me, often it contains name, address, phone  
21 number, political party, the date the ballot was  
22 transmitted, the date the ballot was returned and  
23 the day the person voted in person. As well as the  
24 county name and the ELVIS ID number attached to the  
25 voter registration record. In addition to that

1 there's the state, the national state district that  
2 voter belongs to is also included in there.

3 Q. And I didn't hear you said that  
4 advance ballot application information is included  
5 in this data.

6 A. There's no application data included  
7 in the data.

8 Q. Okay. And so when it says that the  
9 daily subscription, these subscriptions are  
10 available during the advance voting period, it's  
11 referring to the period of time after ballots are  
12 mailed out and when ballots can be marked and  
13 received, is that right?

14 A. The first day the data is made  
15 available, the first day of advance voting which is  
16 the date that ballots go out the door for the first  
17 time, 20 days prior to election day.

18 Q. What is the difference between the  
19 weekly subscription during the event voting period  
20 and the weekly subscription, advance ballot by mail  
21 applications?

22 A. I do not know what the difference is  
23 for those. To me there's not a functional  
24 difference between them.

25 Q. The form appears to suggest -- well.

1 regarding who has requested voter registration data  
2 or other data using this form?

3 A. We have a copy of that request.

4 Q. Do you have a database that you  
5 maintain of requests?

6 A. I do not know if we have a separate  
7 database, I know we have a physical copy of every  
8 one of them.

9 Q. Does the Secretary of State's office  
10 have a record of when it fulfills a requester's  
11 request for information using this form?

12 A. It is noted on the form.

13 Q. It's recorded here at the bottom  
14 where it says date received, completed by and date  
15 completed?

16 A. Correct.

17 Q. And just the form is retained as the  
18 record?

19 A. Correct.

20 Q. Okay.

21 A. Can I clarify an answer?

22 Q. Yes.

23 A. Okay. So on number 4 on 6, it is my  
24 belief that during the 2020 election we had  
25 substantially more persons fill out advance ballot

1 by mail applications. Historically we never  
2 tracked that separately, we tracked persons who  
3 were going to get a ballot submitted to them on the  
4 first day. It is my belief that we provided a file  
5 prior to 20 days that was the same information as  
6 ballots transmitted by mail, but since the 20 days  
7 hadn't arrived yet their functioning with these  
8 applications but the file was advance outline  
9 transmitted. So due to the demand of everyone  
10 wanting the number of people who are provided  
11 applications prior to the 20 days we created an ad  
12 hoc file that would functionally advance file by  
13 mail which could not go out on 20 days but was  
14 named that because of the system once an accepted  
15 application is processed automatically a ballot  
16 goes out, so that's how we attempted to provide  
17 information to the number of requests received that  
18 information prior to 20 days.

19 Q. Okay. That was a lot of information,  
20 let me ask you about it, but first let me ask, how  
21 did you refresh your recollection of that  
22 information just now?

23 A. Sitting here thinking it over, since  
24 you asked me the question.

25 Q. Okay. And did you communicate about

1 this with anybody in the room?

2 A. No. I'm just sitting here staring at  
3 the screen scratching my brain of something that  
4 happened two years ago. So my memory from 2020 is  
5 fuzzy at times. A lot's happened since that period  
6 of time.

7 Q. Thank you for the additional  
8 information. Let me make sure I understand it.

9 So is it correct then that the  
10 Secretary of State's office provided a list before  
11 20 days out from the election during the 2020  
12 election with the, well let's just stop there,  
13 correct?

14 A. Yes.

15 Q. Twenty days out of the election.

16 A. Yes.

17 Q. Okay. Was it a one-time provision of  
18 data or was a weekly subscription that you provided  
19 before those 20 days?

20 A. I think the requesters wanted a  
21 weekly update.

22 Q. Okay. So the Secretary of State's  
23 office provided a weekly update to, of, now let's  
24 talk about what the data is. So the data that the  
25 Secretary of State provided on a weekly basis is

1 the number of people who had successfully applied  
2 for an advance mail ballot, correct?

3 A. That's what the information was  
4 called. People where a ballot by mail was going to  
5 be transmitted. So if you remember there are three  
6 lists that are provided, people who have been sent  
7 the ballot, people who have returned the ballot in  
8 advance in person. So the first field people who  
9 have transmitted a ballot, you can't functionally  
10 transmit a ballot prior to 20 days, however, the  
11 system marks it as transmitted because every  
12 accepted application is also a transmitted ballot.  
13 So functionally it was a list of people who have  
14 successfully submitted an advance ballot by mail  
15 application, the system just called it transmitted  
16 by mail.

17 Q. Okay. So it's a list of everybody  
18 who successfully applied to vote by advance mail  
19 ballot and was going to be transmitted a ballot, is  
20 that correct?

21 A. Yes, that's correct.

22 Q. Okay. And that's a list of what  
23 information was provided for each voter in that  
24 list?

25 A. The county, the ELVIS ID number, the

1 Q. Have county election officers raised  
2 any other issues related to advance vote by mail  
3 applications?

4 A. Yes, they have.

5 Q. And does the Secretary of State  
6 provide guidance on those issues?

7 A. It depends on what the issue is. If  
8 it's them venting about it, how much guidance to  
9 provide, if there's a question that needs guidance  
10 then we'll get an answer to the best of our  
11 ability. We have lots of discussions about advance  
12 ballot by mail applications.

13 Q. And what issues have come up with  
14 regard to processing advance mail ballot  
15 applications?

16 A. Specific to the 2020 election I had  
17 dozens if not hundreds of conversations about the  
18 flood of duplicate applications that were coming in  
19 to election offices in the 2020 election.

20 Q. Any other issues?

21 A. Yes. We would receive incomplete  
22 applications, we received prefilled out  
23 applications that were completely wrong. We would  
24 receive applications from voters who had already  
25 received an application and yet they were still

1 completing applications. We received questions  
2 from voters that had never voted by advance before,  
3 received questions from voters about how do I vote  
4 by mail in a pandemic. So shooting from the hip  
5 those are probably the most common.

6 Q. What guidance did the Secretary of  
7 State's office provide on the flood of duplicate  
8 applications?

9 A. We empathized and we listened but  
10 ultimately I can't stop people from, I can't stop  
11 duplicate applications from coming in so there's  
12 not really much guidance you can give other than to  
13 be sympathetic and understanding.

14 Q. You mentioned that county election  
15 officials had raised an issue, applications that  
16 were prefilled by voters. What was the nature of  
17 those communications with county election  
18 officials?

19 A. Lots of complaints from county  
20 election officials receiving applications that were  
21 prefilled out, a person would sign it and the  
22 information was wrong. Address did not match, the  
23 name did not match, the ID did not match, all those  
24 applications would require the county to reach out  
25 to the voter to get corrected information which

1 repeatedly was slowing down the process and causing  
2 confusion among election officials and voters so  
3 there was lots of discussion about that.

4 Q. And how many -- well. How many of  
5 those, how did the county know that it was  
6 prefilled, that a vote by mail advance ballot is  
7 prefilled?

8 A. It's pretty obvious when you look on  
9 the form if it's prefilled out or not. You know,  
10 typed in, most people don't take the time to print  
11 off an application and type it in. Those are  
12 applications where you can type it in on-line and  
13 mail it in, but generally speaking you can tell how  
14 the application is delivered, if it's been  
15 prefilled in or not.

16 Q. You mentioned that the Secretary of  
17 State provides an electronic version of the  
18 application that a voter can fill in and type their  
19 information and print it out.

20 A. Yes. Absolutely.

21 Q. So how can you tell when a voter has  
22 done that versus when anybody else has done that?

23 A. Because the form was marked a certain  
24 way, you can tell that's printed off that, other  
25 applications have their own marks so it would come

1           A.       It came up in conversations, just  
2 talking to counties about election administration.

3           Q.       And was it during one of the  
4 conference calls that you had with counties?

5           A.       No, it was one of the thousands of  
6 one off conversations I have with election  
7 administrators about how their job was going these  
8 last two years.

9           Q.       Okay. So for these handful of  
10 counties that have informed you about tracking the  
11 source of advance ballot applications have bene  
12 primarily through one on one or one off  
13 conversations?

14          A.       Yeah. That is correct.

15          Q.       Okay. Are you aware of what  
16 information the counties track when they say the  
17 source of the advance ballot application is  
18 tracked?

19          A.       We did not get into specifics on what  
20 they are or are not tracking. I can tell you  
21 anecdotally beyond that that I talked to dozens of  
22 counties who relayed to me specific concerns about  
23 the source of applications. It was well known in  
24 2020 that there were multiple entities that were  
25 transmitting multiple applications for advance

1 ballots by mail to voters and voters were reaching  
2 out to election officers and to the state and to  
3 the legislatures complaining about this. So I've  
4 had dozen of conversations about that. Does that  
5 equal those counties tracking how many applications  
6 they received from these third parties, no, it does  
7 not. But absolutely I've heard from many people  
8 about advance ballot applications and where they  
9 come from.

10 Q. In addition to -- well. When you say  
11 that Shawnee County for example tracks the source  
12 of the application are they also tracking for  
13 example whether they got it from a county election  
14 official, whether they got it on-line? Are you  
15 aware of what sources they actually tracked?

16 A. I'm not aware.

17 Q. And Kansas Secretary of State doesn't  
18 track the number of advance mail ballot  
19 applications that have been -- well actually I  
20 guess based on our prior conversation it sounds  
21 like the Kansas Secretary of State does have access  
22 to the number of advance mail ballot applications  
23 that were successfully processed, right?

24 A. Yes. Through the advance ballot by  
25 mail transmittal. Yes, we do.

1 I have 12 calls concerning Voter Participation  
2 Center and 11 calls from the Kansas Republican  
3 party. I don't have that kind of data. I  
4 absolutely have lots of conversations from voters  
5 concerning the source of advance ballot  
6 applications.

7 Q. Are county election officials  
8 required to log in ELVIS when an advance ballot  
9 application was prefilled by a third party before  
10 it was sent to the voter?

11 A. The system doesn't track that.

12 Q. This doesn't track whether an  
13 application is prefilled or not?

14 A. Correct. It does not.

15 Q. To your knowledge do counties track  
16 this information outside of ELVIS, about whether an  
17 application was prefilled?

18 A. I do not know. I have not asked that  
19 question.

20 Q. And have any counties brought that to  
21 your attention without you having to ask?

22 A. I don't recall a county bringing me  
23 that information in the form of data. Lots of  
24 counties have called me about voters contacting  
25 them about their prefilled out application. I

1 would say at least 60 of the 105 counties have had  
2 personal conversations with me concerning voters in  
3 their counties receiving advance ballot  
4 applications that were prefilled.

5 Q. You said at least 60 of 105 counties?

6 A. Yes.

7 Q. And what's the basis of that number?

8 A. That's the number of counties that I  
9 have talked to concerning this. I'm under  
10 estimating that but it's at least that many  
11 counties I talked to concerning this.

12 Q. Okay. We'll come back to your  
13 conversations with counties about prefilling, now  
14 let me focus on the data.

15 Are there any statewide procedures  
16 for tracking whether prefilled applications are  
17 rejected at a higher rate than non-prefilled  
18 applications?

19 A. There's no data one way or another.

20 Q. Were there any statewide procedures  
21 for tracking whether prefilled applications are  
22 sent on behalf of ineligible voters at higher rates  
23 than non-prefilled applications?

24 A. There is data to neither confirm or  
25 deny that assertion.

1 of the 300 phone calls I've had with the counties.  
2 In this period of time.

3 Q. So on the last election cycle, start  
4 of the 2020 election cycle, have you passed along  
5 any materials after the phone call about advance  
6 mail voting applications that has come up on those  
7 phone calls?

8 A. I'd have to review my e-mail  
9 communications. That's still 150 phone calls so I  
10 would have to look.

11 Q. What do you recall discussing about  
12 advance mail voting applications during those  
13 conference calls in the 2020 election?

14 A. Well, keeping in mind we're in the  
15 middle of a pandemic and unsure during some of that  
16 time how we're going to conduct an election in  
17 August we talked a lot about the increase in  
18 advance ballot applications across the board, where  
19 those applications were coming from, whether  
20 counties were going to submit them on their own,  
21 who else was sending them and what kind of feedback  
22 we're getting from voters both prior to the primary  
23 and the general. So we talked about several topics  
24 on the advance mail applications.

25 Q. And do you recall the specific, any

1 specific information on, or any specific reports on  
2 advance mail voting during any calls from any  
3 specific official?

4 A. So having talked, you know, 150 times  
5 with all of those election officials are you asking  
6 me can you tell me the specific name of the  
7 specific person at a specific time? No, I cannot  
8 do that. But I can tell you throughout 2020 we  
9 talked a lot about an expectation that we will see  
10 record setting numbers of advance ballot by mail  
11 applications and the number of, and the level it  
12 would take to process that. Kansas has had advance  
13 voting by mail for 25 years so counties internally  
14 speaking know the process and knew what to do, but  
15 no one was, aside from the volume we're going to  
16 get in 2020, we talked a lot of about preparations  
17 leading up to the August primary and made sure that  
18 they could staff enough to meet any legal  
19 requirements to getting ballots out the door and  
20 process all those applications. In the middle of  
21 that discussion as advance ballot applications were  
22 coming in we were talking about how many were  
23 coming in and the quality of those applications.  
24 And then we're having discussions about more and  
25 more the number of problems we were receiving from

1 a variety of places on the quality of the advance  
2 voting application and how much slower that was, it  
3 takes significantly more time to process an advance  
4 ballot by mail when there's a problem, and that  
5 takes me more time to process an in-person voter  
6 and so talking through the levels of effort that  
7 was needed, the problems that were occurring, and  
8 then as we were getting closer to election day the  
9 complaints that we were all hearing from voters who  
10 were verifying multiple applications and who  
11 historically had never voted by mail, they were  
12 in-person voters but because of the pandemic were  
13 going to be a by-mail voter so they were already  
14 unsure of the process and then they would turn in  
15 an application and then they would get another  
16 application and then another application and then  
17 another application, so these voters were angry,  
18 they were confused, they were frustrated, so while  
19 election offices are processing the extraordinary  
20 volume of applications compared to any other year  
21 they were also fielding hundreds of calls from  
22 voters angry because they weren't understanding why  
23 they were getting all those applications.  
24 So that's a good part of what a lot of our  
25 conversations were, and then the frustration with

1 just the sheer volume with repeat duplicate  
2 applications in both elections and how much time  
3 that was cost everyone when they already didn't  
4 have enough to time to do what was already a record  
5 setting turnout.

6 Q. Did you speak to any of the voters  
7 personally that were frustrated by duplicate  
8 applications being sent to them?

9 A. My estimate is I talked to 200 people  
10 concerning their specific concerns about receiving  
11 more than one application. Or they received an  
12 application that was filled out and how in heck did  
13 I, the state, give somebody their information  
14 because they certainly weren't going to do it by  
15 mail. So I have two categories of voters, and if  
16 you put them together I probably got 500 phone  
17 calls, category one, why do I keep getting an  
18 application, I already turned it in, why do you  
19 keep sending it to me? It wasn't us that was  
20 sending it to voters, so. And two, voters that  
21 received a pre-filled out application and they were  
22 wondering why in the heck did I, the state, give  
23 their personal information out to somebody else.  
24 So those are the two categories, just me 500 phone  
25 calls, that's way conservative, I can't overstate

1 that. My office received thousands. The Secretary  
2 of States's office.

3 Q. Did you mention earlier that you  
4 spoke to 200 people and I think just now you said  
5 500 people?

6 A. When you count the two categories  
7 together, there are two categories there. One,  
8 just duplicate, the second pre-filled out, so those  
9 two categories together conservative estimate 500  
10 people in three months.

11 Q. Do you have a record of these calls?

12 A. No. I do not keep track on all of my  
13 phone calls. On an average day in an election I  
14 will talk to 150, 200 people and I don't have the  
15 time to keep track of every phone call. But I  
16 assure you I am estimating on the conservative  
17 side, it's probably in actuality higher than that.

18 Q. What's your basis for sort of how  
19 many calls do you receive, how are you coming to  
20 this estimate?

21 A. Well, I've done this for 20 years so  
22 I have a pretty good idea what my workflow is and  
23 I'm on the phone a lot. Of our phone call log, we  
24 have an 800 line, so just our line three weeks  
25 prior to the November general location was

1 receiving 900 phone calls a day. That's just one  
2 phone line. We have six phone lines so that's  
3 6,000 phone calls a day, so me saying over the  
4 course of three months is only 500 I think is  
5 generously conservative but acknowledging that I  
6 don't keep track of everything I'm trying to shed  
7 some light on this. It was a lot of people.

8 Q. You mentioned earlier that some  
9 counties, actually let me ask this:

10 Are there any records, do you keep  
11 your records of phone calls in a log, does the  
12 Secretary of State's office have a phone call log?

13 A. No, we don't. There's not enough  
14 time. To slow down and log everything when you got  
15 1,000 phone calls come in a day isn't practical.

16 Q. And you mentioned that you have one  
17 category of voters that were concerned that the  
18 state was providing their information.

19 A. The voter was receiving pre-filled  
20 out applications from multiple sources and the  
21 voters were assuming those applications were coming  
22 from the state, so they were wanting to know why is  
23 the state giving out their information to people to  
24 get them an application when they did not (a), ask  
25 for an application, (b), want an application and



Kansas Secretary of State

## VOTER REGISTRATION DATA REQUEST

**CVR**

Name \_\_\_\_\_ Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 E-mail \_\_\_\_\_ Phone \_\_\_\_\_

**1. Disclaimer**

The statewide voter registration data base is compiled from registration records provided by county election officers on a quarterly basis. The accuracy and timeliness of the records vary according to county. No guarantee as to the accuracy and timeliness of the data is made by the Office of the Secretary of State. The requested information is formatted data. Software is necessary to view or manipulate the data.

The undersigned hereby requests access to the records described below and certifies that the undersigned has a right of access to the records.



**2. Notice**

**K.S.A. 25-2320a prohibits using information derived from voter registration records for commercial purposes. This includes using public records to sell property or services. Persons are also prohibited from obtaining public records with the intention of making the records available to a third party for such purposes. Use of voter registration lists for commercial purposes is a crime.**

Sign below to request a record search and to indicate your understanding of the conditions outlined above.

\_\_\_\_\_  
 Signature Date

**Data provided on CD-ROM  or by e-mail .**

**3. Database**

The entire state on CD-ROM  
 (\$200/includes CD-ROM)

**4. Subdivisions** *Please use a separate form for each request.*

<p><b>A. District</b>                  (\$50 per selection)</p> <p><input type="checkbox"/> U.S. Representative District No. _____  <input type="checkbox"/> State Judicial District No. _____  <input type="checkbox"/> State Senate District No. _____  <input type="checkbox"/> State Representative District No. _____  <input type="checkbox"/> State Board of Education District No. _____  <input type="checkbox"/> County Name _____</p>	<p><b>B. Party Affiliation</b>                  (\$50 per selection)</p> <p><i>Skip Section B if you want all registered voters.</i></p> <p><input type="checkbox"/> Democratic  <input type="checkbox"/> Libertarian  <input type="checkbox"/> Republican  <input type="checkbox"/> Unaffiliated</p>	<p><b>5. Customized</b></p> <p><i>Customized data is available upon request at a rate of \$50 per hour plus a \$100 information service fee.</i></p> <p><i>All requests must be paid for in advance and are non-refundable.</i></p>
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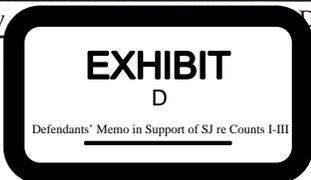
<p><b>6. Advance Voting Lists</b></p> <p><input type="checkbox"/> Daily subscription during advance voting period \$200</p> <p><input type="checkbox"/> Weekly subscription during advance voting period \$150 (total)</p> <p><input type="checkbox"/> One-time selection of advance voting period \$50</p> <p><input type="checkbox"/> Weekly subscription: Advance Ballot by Mail Applications \$50/week</p>	<p><b>7. Exclude</b>                  (\$50 per selection)</p> <p><input type="checkbox"/> Inactive voters (postal information indicates voters have moved out of county)</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left; border-bottom: 1px solid black;">8. Total Amount Due</th> <th style="text-align: right; border-bottom: 1px solid black;">Fund</th> </tr> <tr> <td style="border-bottom: 1px solid black;">3. Database</td> <td style="text-align: right; border-bottom: 1px solid black;">\$ _____ 14</td> </tr> <tr> <td style="border-bottom: 1px solid black;">4A. District</td> <td style="text-align: right; border-bottom: 1px solid black;">\$ _____ 15</td> </tr> <tr> <td style="border-bottom: 1px solid black;">4B. Party</td> <td style="text-align: right; border-bottom: 1px solid black;">\$ _____ 15</td> </tr> <tr> <td style="border-bottom: 1px solid black;">5. Customized</td> <td style="text-align: right; border-bottom: 1px solid black;">\$ _____ 13</td> </tr> <tr> <td style="border-bottom: 1px solid black;">6. Adv. Voting Lists</td> <td style="text-align: right; border-bottom: 1px solid black;">\$ _____ 19 20 21</td> </tr> <tr> <td style="border-bottom: 1px solid black;">7. Exclude</td> <td style="text-align: right; border-bottom: 1px solid black;">\$ _____ 16</td> </tr> <tr> <td style="border-bottom: 1px solid black;">8. Total</td> <td style="text-align: right; border-bottom: 1px solid black;">\$ _____</td> </tr> </table>	8. Total Amount Due	Fund	3. Database	\$ _____ 14	4A. District	\$ _____ 15	4B. Party	\$ _____ 15	5. Customized	\$ _____ 13	6. Adv. Voting Lists	\$ _____ 19 20 21	7. Exclude	\$ _____ 16	8. Total	\$ _____
8. Total Amount Due	Fund																	
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4A. District	\$ _____ 15																	
4B. Party	\$ _____ 15																	
5. Customized	\$ _____ 13																	
6. Adv. Voting Lists	\$ _____ 19 20 21																	
7. Exclude	\$ _____ 16																	
8. Total	\$ _____																	

**Please return with payment to:** Secretary of State, Attn: Elections Dept., 120 SW 10th Ave., Topeka, KS 66612-1594 or fax to: (785) 291-3051. **For more information e-mail or phone:** phill.hall@ks.gov, (785) 296-7098.

Pre-paid account # \_\_\_\_\_ Credit card number \_\_\_\_\_ Expiration date \_\_\_\_\_

Date received \_\_\_\_\_ Completed by \_\_\_\_\_ Date completed \_\_\_\_\_

Notice: There is a \$25 service fee for all returned checks.



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

VOTEAMERICA and  
VOTER PARTICIPATION CENTER,

*Plaintiffs,*

vs.

SCOTT SCHWAB, in his official capacity as  
Secretary of State of the State of Kansas;  
DEREK SCHMIDT, in his official capacity as  
Attorney General of the State of Kansas; and  
STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

Case No. 2:21-cv-02253-KHV-GEB

**SEALED EXHIBIT E PLACEHOLDER**

**DEFENDANTS' MEMORANDUM IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT REGARDING COUNTS I-III**

IN THE UNITED STATES DISTRICT COURT  
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**SEALED EXHIBIT G PLACEHOLDER**

**DEFENDANTS' MEMORANDUM IN SUPPORT OF  
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**IN THE UNITED STATES DISTRICT COURT  
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SCOTT SCHWAB, in his official capacity as  
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STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

**PLAINTIFF VOTER PARTICIPATION CENTER'S RESPONSES AND OBJECTIONS  
TO DEFENDANT SCOTT SCHWAB'S SECOND SET OF INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Voter Participation Center (“VPC”) hereby responds and objects to Defendant Scott Schwab’s Second Set of Interrogatories to Plaintiff Voter Participation Center. In formulating these responses, VPC has relied on the information presently available to it. Further information may be discovered during this phase of the litigation. VPC will amend its objections and answers to the extent required under Fed. R. Civ. P. 26.

**I. GENERAL OBJECTIONS**

1. VPC objects to the interrogatories to the extent they impose obligations, seek answers, or use instructions or definitions other than those permitted under Federal Rules of Civil Procedure 26 and 33, the Local Rules of the U.S. District Court for the District of Kansas, any Order of this Court, and any prior agreement of the parties.



2. VPC objects to the interrogatories to the extent they seek information or documents protected by the attorney-client privilege, the work-product doctrine, the common-interest privilege, or any other applicable privilege, exemption, immunity, principle, doctrine, or rule of confidentiality. If any protected information or material is disclosed, such disclosure is not intentional and shall not be deemed a waiver of any privilege or protection.

3. VPC objects to the interrogatories to the extent they seek information that is not relevant, nor reasonably calculated to lead to the discovery of admissible evidence, to any claim or defense before the court.

4. VPC objects to the interrogatories to the extent that they are unclear, ambiguous, overly broad, unduly burdensome, and/or not proportional to the needs of the case.

5. By answering these interrogatories, VPC does not concede the relevance or materiality of any of the information requested, nor of the subject matter to which any particular interrogatory refers. Rather, these responses are made expressly subject to, and without in any way waiving or intending to waive any question or objection as to the competency, relevance, privilege, or admissibility as evidence, of any of the matters referred to in these responses.

6. VPC expressly reserves:

- a. the right to object, on grounds of competency, relevance, materiality, privilege, or any other applicable ground, to the use of responses provided to these interrogatories or the subject matter thereof, in any subsequent proceeding in, or the hearing of, this or any other action;
- b. the right to object on any ground to additional interrogatories or other discovery proceedings involving or relating to the subject matter of these interrogatories; and

- c. the right to supplement VPC's responses should further investigation or discovery disclose additional information.

## **II. SPECIFIC RESPONSES & OBJECTIONS TO DEFENDANT SCOTT SCHWAB'S SECOND SET OF INTERROGATORIES**

### **Interrogatory No. 16**

For the Primary Election and the General Election held in Kansas for the years 2016, 2018, and 2020, identify (a) the names of all data vendors that VPC used to obtain voter files from Kansas elections officials in connection with its mailing of advance mail ballot applications to Kansas voters and (b) the date(s) that such vendors requested and received voter files from Kansas election officials in connection with those elections. (This interrogatory is intended to follow up on VPC's Response to Secretary Schwab's Interrogatory No. 11 in the First Set of Interrogatories directed at VPC.)

### **Objections and Responses:**

VPC incorporates by reference its general objections to the extent applicable herein. Subject to and without waiving the above objections, VPC states as follows: For the 2020 and 2018 general elections, VPC used one data vendor, Catalist, LLC, to obtain voter files from Kansas election officials in connection with its mailing of advance mail ballot applications to Kansas voters. VPC did not use a data vendor to obtain Kansas voter files during the 2016 election cycle as VPC did not mail advance mail ballot applications to Kansas voters during that cycle. As stated in response to Interrogatory No. 11, VPC currently uses two separate data vendors, Catalist and TargetSmart, to be able to take advantage of more frequent updates to voter file data in different jurisdictions.

VPC requests that its data vendors acquire updated voter files from state officials as frequently as possible. In 2020, VPC received Kansas active voter registration lists from Catalist on January 31, April 10, and September 15. Catalist also provided VPC with updated advance voting lists, which Catalist began requesting from Kansas on a daily basis as soon as possible after the state made this data available. In 2020, VPC received its first Kansas advance voting list update

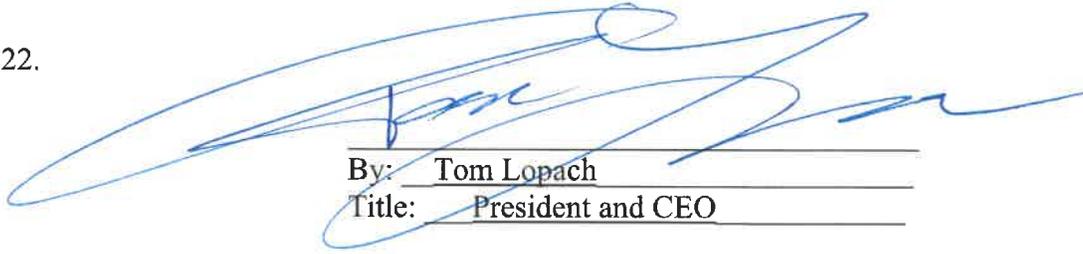
from Catalist on October 14. In 2018, VPC received voter file updates from Catalist on April 2, June 20, and September 19.

**VERIFICATION OF INTERROGATORY ANSWERS**

I, Tom Lopach, President and CEO of Voter Participation Center, believe, based on reasonable inquiry, that the foregoing Answers to Defendant Scott Schwab's Second Set of Interrogatories to Plaintiff Voter Participation Center are true and correct to the best of my knowledge, information, and belief.

I verify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 18, 2022.



By: Tom Lopach  
Title: President and CEO

Respectfully Submitted,

By: /s/ Mark P. Johnson

Jonathan K. Youngwood, *Pro Hac Vice*  
Meredith D. Karp, *Pro Hac Vice*  
Brooke Jarrett, *Pro Hac Vice*  
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Washington, DC 20005  
Telephone: 202-736-2200  
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E-mail: ahuling@campaignlegalcenter.org  
E-mail: dlang@campaignlegalcenter.org

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that, on this 18th day of April 2022, a copy of the foregoing document was emailed to:

Bradley J. Schlozman (KS Bar #17621)  
Scott R. Schillings (Bar #16150)  
Krystle M.S. Dalke (Bar #23714)  
Hinkle Law Firm LLC  
1617 North Waterfront Parkway, Suite 400  
Wichita, KS 67206  
Tel: (316) 267-2000  
Fax: (316) 630-8466  
bschlozman@hinklaw.com  
sschillings@hinklaw.com  
kdalke@hinklaw.com

*Attorneys for Defendants*

*/s/ Aseem Mulji*

\_\_\_\_\_

Aseem Mulji

1/2002 KSR KSA10340970

**The Center for Voter Information**

4319 South National #315  
Springfield MO, 65810

© 2016-2020 The Center for Voter Information.  
All Rights Reserved.



**VOTE AT HOME BALLOT REQUEST FORM  
DO NOT DISCARD**

**ELECTRONIC SERVICE REQUESTED**

NONPROFIT  
U.S. POSTAGE  
**PAID**  
PERMIT #2227  
LANSDALE, PA

37120000008  
Jane A. Smith  
123 Main Street  
Anytown, KS 12345-6789

**EXHIBIT**

Defendants' Memo in Support of SJ re Counts I-III

# Center For Voter Information

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

Dear Jane,

**County election officials in Kansas encourage voters to use mail ballots in upcoming elections.** I have sent you the enclosed advanced ballot by mail application already filled out with your name and address.

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

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

You can even research the candidates as you vote.

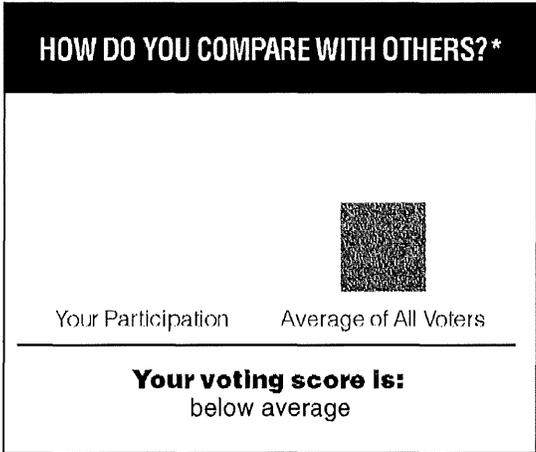
**Your privacy is protected.** If you use the enclosed envelope with **pre-paid postage**, your application will be delivered directly to your county election office.

You can check your ballot status at: **myvoteinfo.voteks.org/voterview**

Sincerely,



Lionel Dripps  
Center for Voter Information



P.S. We have already filled in your name and address on the enclosed form. **Please take a minute to complete the form, sign and date it, and place the form in the pre-addressed, postage-paid envelope.** Thank you.

\*Data obtained from publicly available state voter files.

If you wish to be removed from our mailing list, email this code: KSAI0340970 to [unsubscribe@centerforvoterinformation.org](mailto:unsubscribe@centerforvoterinformation.org)

This mailing has been paid for by the Center for Voter Information (CVI). CVI is a non-government, nonprofit, 501(c)(4) organization. (866)-377-7396 [www.centerforvoterinformation.org](http://www.centerforvoterinformation.org). CVI is not affiliated with state or local election officials.  
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Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**

DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV



**1. Affirmation**

Affirmation of an Elector of the County of SEWARD and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

HUYNH JANE T  
Last Name First Name M.I. Date of Birth (MM/DD/YYYY)  
123 MAIN STREET ANYTOWN KS 12345  
Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

\_\_\_\_\_  
Mailing Address City State Zip Code

**Note:** The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** \_\_\_\_\_  
Signature of Voter Date (MM/DD/YYYY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_  
 Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
 KSA 25-1122d(a). Rev 9/24/19 tc

## IT'S AS EASY AS 1-2-3

You're a voter, and for you, voting by mail is simple. Here's how it works:

**STEP 1:** You complete, sign, and mail the form on the reverse of this sheet.

**STEP 2:** Your county election office sends you an advance ballot by mail.

**STEP 3:** You fill out the ballot and return it to your county election office—by mail.

**SEE REVERSE FOR YOUR APPLICATION TO VOTE-BY-MAIL**

For questions, please call your county election office. You can find their phone number at  
[https://www.sos.ks.gov/elections/county\\_election\\_officers.aspx](https://www.sos.ks.gov/elections/county_election_officers.aspx)

Jane A. Smith  
123 Main Street  
Anytown, KS 12345-6789  
Seward

**NO POSTAGE NECESSARY.  
POSTAGE HAS BEEN PAID.**

FIRST-CLASS MAIL  
U.S. POSTAGE  
PAID  
VPC  
IMB-POSTAGE

SEWARD COUNTY CLERK  
515 N Washington Ave Ste 100  
Liberal, KS 67901-3496

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**

DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV



**1. Affirmation**

Affirmation of an Elector of the County of FORD and State of Kansas Desiring to Vote an Advance Voting Ballot State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

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- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

SNOOK BARBARA A  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
2005 E CRESCENT DR DODGE CITY KS 67801  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

\_\_\_\_\_  
 Mailing Address City State Zip Code

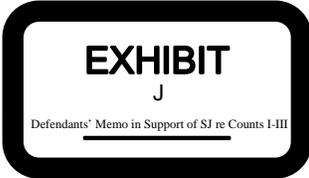
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**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).



\_\_\_\_\_  
 Signature of Voter Date (MM/DD/YY) Phone Number



FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

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[https://www.sos.ks.gov/elections/county\\_election\\_officers.aspx](https://www.sos.ks.gov/elections/county_election_officers.aspx)

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Attorney General of the State of Kansas; and  
STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

**PLAINTIFF VOTER PARTICIPATION CENTER'S REVISED RESPONSES AND  
OBJECTIONS TO DEFENDANT SCOTT SCHWAB'S FIRST REQUESTS FOR  
ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiff Voter Participation Center ("VPC" or "Plaintiff") hereby responds and objects to Defendant Scott Schwab's Requests for Admissions to Plaintiff VPC. In formulating these responses, Plaintiff VPC has relied on the information presently available to it. Further information may be discovered during this phase of the litigation. Plaintiff VPC will amend its objections and answers to the extent required under Fed. R. Civ. P. 26.

**GENERAL OBJECTIONS**

1. Plaintiff VPC objects to each and every one of the Requests to the extent they impose obligations, seek answers, or use instructions or definitions other than those permitted under Federal Rules of Civil Procedure 26 and 33, the Local Rules of the U.S. District Court for the District of Kansas, any Order of this Court, and any prior agreement of the parties.

**EXHIBIT**

K

Defendants' Memo in Support of SJ re Counts I-III

Subject to and without waiving the above objections, Plaintiff admits that its voter outreach programs are not predicated on a voter initiating contact with Plaintiff. Plaintiff otherwise denies the Request.

**Amended Objections and Responses:** Plaintiff objects because voters' requests for information have no bearing on the questions at issue in this case and are therefore outside the scope of discovery.

Subject to and without waiving the above objections, Plaintiff admits that its voter outreach programs are not predicated on a voter initiating contact with Plaintiff. Plaintiff otherwise denies the Request.

**Request for Admission No. 8**

Admit that VPC will send out direct mailers that include partially filled out advance mail ballot applications to potential Kansas voters even if such voters have already submitted an advance mail ballot application to a Kansas county election office or the Kansas Secretary of State.

**Initial Objections and Responses:** Plaintiff objects because Request No. 8 requests an admission based on evidence that is not, and has never been, in Plaintiff's possession, custody, or control and because the term "direct mailers" is vague and undefined.

Subject to and without waiving the above objections, Plaintiff denies to the extent that Request No. 8 indicates that Plaintiff will knowingly send partially filled out advance mail ballot applications to potential Kansas voters who have already submitted an application, but admits that it intends to continue sending partially filled out advance ballot applications to registered Kansas voters based upon publicly available information in the statewide voter registration file and would be prohibited from doing so by the Personalized Application Prohibition. Plaintiff otherwise denies the Request.

**Objections and Responses:** Plaintiff objects because Request No. 8 requests an admission based on evidence that is not, and has never been, in Plaintiff's possession, custody, or control.

Subject to and without waiving the above objections, Plaintiff denies to the extent that Request No. 8 indicates that Plaintiff will knowingly send partially filled out advance mail ballot applications to potential Kansas voters who have already submitted an application, but admits that it intends to continue sending partially filled out advance ballot applications to registered Kansas voters based upon publicly available information in the statewide voter registration file and would be prohibited from doing so by the Personalized Application Prohibition. Plaintiff otherwise denies the Request.

**Request for Admission No. 9**

Admit that VPC will send out direct mailers that include partially filled out advance mail ballot applications to potential Kansas voters who may have changed their residence since the last election.

**Initial Objections and Responses:** Plaintiff objects because Request No. 9 requests an admission based on evidence that is not, and has never been, in Plaintiff's possession, custody, or control.

Subject to and without waiving the above objections, Plaintiff denies to the extent that Request No. 9 indicates that Plaintiff will knowingly send mail ballot applications to voters at an address different from the address included for the voter in the statewide voter registration file, but admits that Plaintiff intends to continue sending partially filled out advance ballot applications to potential Kansas voters based upon publicly available information in the statewide voter

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Case No. 2:21-cv-02253-KHV-GEB

**SEALED EXHIBIT L PLACEHOLDER**

**DEFENDANTS' MEMORANDUM IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT REGARDING COUNTS I-III**

### DECLARATION OF KENNETH J. BLOCK

I, Kenneth J. Block, pursuant to the provisions of 28 U.S.C. § 1746, do hereby declare as follows:

1. I am Kenneth J. Block from Barrington, Rhode Island.
2. I am the President of Simpatico Software Systems, Inc. (“Simpatico”), a duly registered corporation under the laws of the state of Rhode Island with a principal place of business located at 8 Atlantic Crossing, Barrington, Rhode Island, 02806.
3. I have been employed by Simpatico since 2001 and have been the President of the company during the entire course of my employment.
4. My resume is attached to this Declaration as Exhibit I – Resume.
5. I will be paid \$7,500 for the work to research and prepare this document, plus compensation (at \$250 per hour) for any time spent travelling for hearing participation, as well as reimbursement for travel costs and incidentals.
6. In the last four years, I was deposed in *Holmes v. Moore*, Case No. 18 CVS 15292 (Wake County, NC Super. Ct.), a constitutional challenge to North Carolina’s voter ID statute.
7. I have thirty-five years of experience architecting, building, and working with large systems involving billions of data records and developing anti-fraud analytics. My specialization is relational database design, development and performance tuning. I have worked with mailing lists and merging data for mailing purposes throughout my career. Most of the large systems that I have designed and built have databases that contain information about people, including names, addresses, and dates of birth. I have built software that merges external databases of people into the databases of systems that I have built, and I have also built software that exports internal databases of people from systems that I have built.

**EXHIBIT**  
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Defendants’ Memo in Support of SJ re Counts I-III

8. During my thirty-five years of experience, most of the projects I have worked on have required dealing with large databases that contain information about people. I have had to frequently match records for specific people between multiple databases.
9. I have been retained by the State of Kansas to analyze the data file that Defendant Voter Participation Center (“VPC”), acting on its own or through its sister organization – the Center for Voter Information (“CVI”) – used to pre-populate advance ballot applications for Kansas voters in connection with the 2020 General Election. (VPC produced this data as an Excel spreadsheet – with Bates Stamp VPC000134 – in its discovery production in this case and will be referred to throughout this document as the “VPC mailer file.”)
10. I imported that data into a relational database named PostgreSQL in order to perform my analysis. I also downloaded a publicly available State of Kansas voter file, which includes voter history. The date of the Kansas voter file I used was as of February 11, 2021.
11. In performing my analysis, I did not modify, manipulate, or transform any data. In other words, I simply took the data provided to me, and using basic analytical tools, performed the work requested using queries that were basic in nature.
12. Several different analyses were performed, each of which is separately described below.
13. VPC alleges that it uses publicly available information from the State of Kansas’ voter file to pre-fill advance mail ballot applications. Quoted below is VPC’s Response to Request for Admission No. 8 from Defendant Scott Schwab (pages 8-9) (bolded text is my own emphasis):

Subject to and without waiving the above objections, Plaintiff denies to the extent that Request No. 8 indicates that Plaintiff will knowingly send partially filled out advance mail ballot applications to potential Kansas voters who have already submitted an application, **but admits that it intends to continue**

**sending partially filled out advance ballot applications to registered Kansas voters based upon publicly available information in the statewide voter registration file** and would be prohibited from doing so by the Personalized Application Prohibition.

14. REDACTED

15. REDACTED

REDACTED

16.

REDACTED

17.

REDACTED

REDACTED

18.

REDACTED

19.

REDACTED

20.

REDACTED

21.

REDACTED

22. I also analyzed the VPC mailer file to gauge the presence of voter records that had the same 'voter ID.' There were twenty-three pairs of matched records in the VPC mailer file where each pair shared the same 'voter ID.' See 'Exhibit V – Duplicate VoterIds in mailer file', which is a spreadsheet of these matched pairs, with some notes made by me of the analysis that I did for each pair.

23. I asked State of Kansas election officials to investigate the twenty-three pairs of 'voter ID' records that I identified in Exhibit V. Their response is contained in 'Exhibit VI – State Research Duplicate VoterIds in mailer file.'

24.

REDACTED

REDACTED

b.

REDACTED

c.

REDACTED

d.

REDACTED

REDACTED

e.

REDACTED

f.

REDACTED

g.

REDACTED

REDACTED

h.

REDACTED

i.

REDACTED

j.

REDACTED

REDACTED

25.

REDACTED

26.

REDACTED

27.

REDACTED

REDACTED

28. As noted, I will soon be receiving *statewide* data from Kansas election officials on voters who remained in VPC's mailer file at the time VPC sent its pre-populated advance ballot applications for the 2020 General Election, despite having been removed from the Kansas voter file by election officials as a result of the voters' death. For now, though, I will highlight nine advance ballot applications (provided to me by Defendants' counsel) that VPC pre-filled and sent to individuals in Shawnee County who had died multiple months

before the time of the mailing. In each case, the recipient of the pre-filled advance ballot application returned the application back to the Shawnee County Election Office with a notation of the targeted voter's death. I have included a copy of each of those returned applications in 'Exhibit VIII - Shawnee County Deceased Voter Applications.' The voters are also listed below, along with the dates that Kansas election officials removed the voters from ELVIS:

**REDACTED**

29. Note that in every single case, Kansas election officials had already removed these voters from the voter rolls. Based on this information, it appears that VPC used out-of-date information to pre-populate its mailers, which forced election officials to review voter correspondence and probe the Kansas voter file to ascertain how exactly a pre-filled advance ballot application could have been sent to a voter who had died many months before. None of this work would have been necessary had VPC properly removed these deceased voters from its mailer file.

30. As can be seen in Paragraph 28 above, every one of these deceased voters was removed well in advance of the November election, with the latest date of removal being September 14, 2020. Paperwork arriving on the desks of election workers that originated from VPC with the information of deceased and removed voters from the rolls needlessly increased the workload of election officials. Based on my own experience talking with state election workers, not to mention the messages that were included in the returned applications sent to Shawnee County election officials, VPC's actions also likely caused undue stress and created a lack of confidence in the competency and integrity of the election process for the family members who received applications addressed to their deceased relatives.
31. Incorrect voter information on pre-filled advance mail ballot applications has clearly been an issue for VPC. As part of my review, I was provided by Defendants' counsel a copy of excerpted FAQ's intended to be used as canned responses for a call center for individuals calling in to VPC/CVI about their mailers. (This document was produced by VPC in discovery with Bates Stamp VPC000561-562.) See 'Exhibit IX - Call Center FAQ'. In this FAQ, the following two questions and proposed answers are instructive:

**I got a form that has someone else's information on it- why did that happen?**

Thank you for reaching out. VPC is aware of this issue and is actively working to make sure it doesn't happen again. This issue was limited in scope and only affected a very small percentage of individuals. In the meantime, we are happy to send you a new vote-by-mail application with the correct information, or I can tell you the link you can use to print it from your state's SoS website and then fill it out and mail back in the envelope we sent you.

**How did it happen? How are you making sure it won't happen again?**

The mistake was due to a printer error and they have taken responsibility for their mistake and have already added additional quality control measures, like installing

an additional camera to monitor printing, and retraining printer staff, to prevent this type of situation in the future.

32. The errors documented in the examples above occurred substantially before printing – many, many months before printing. VPC asserts that the data errors in its voter file can be prevented by placing a video camera on the printing process. This makes no sense. In my opinion, the errors on the applications are properly attributable to VPC’s failure to properly update its records and incorporate changes in the States’ publicly available voter registration files. In every mailing process of which I am aware, a firm whose job it is to actually print mailers with data provided by the client does not manipulate that information as ink is being applied to paper. There are thousands of records that establish that VPC’s failure to update its voter file leads to errors which burden election officials and undermine the public’s confidence in the electoral process.
33. VPC’s data processes are deficient in ensuring that pre-filled advance mail ballot application information is accurate and aligns with Kansas’ voter rolls. The most up-to-date information in the Kansas voter file is the standard for conducting elections in the State. Yet in thousands of cases, VPC sent out mailers with pre-filled advance ballot applications containing information that did not match the latest data in the Kansas voter file at the time of the mailing.
34. According to the information that VPC produced in discovery, VPC received updates on the Kansas voter file only three times in 2020: January 31, April 10, and September 15. According to VPC CEO Tom Lopach’s deposition (at page 159), before VPC sent each “wave” of mailers to voters in Kansas, it checked data against “the US Postal Service Change of Address database, and separately against the address correction database maintained by the US postal service, at least once for that first waive. When we are

preparing for the second wave, we would again check both databases and deceased lists, and so on and so on and so on for subsequent waves.”

35. **REDACTED**

36. **REDACTED**

37. VPC’s quality assurance appears to be lacking when it comes to the quality of the data in the VPC mailer file, with thousands of records varying dramatically from records

contained in the Kansas voter file. As previously noted, 818 VPC mailer file records with a 'voter ID' of 'None' cannot be tracked by the Postal Service notification system. Voter records removed from the Kansas voter file were not removed from the VPC mailer file. Basic list maintenance was not done to ensure close adherence to Kansas voter file data. All of this matters because the pre-filled information is being used to request a live advance mail ballot. The information on that application must match what is in the Kansas voter rolls. If it does not match, the bad information must be dealt with prior to approval to mail a live ballot.

38. In my judgment, VPC's slipshod data practices degraded the accuracy of its mailer file, likely triggered voter confusion and anger, impaired the ability of already overburdened election officials to perform their jobs in the most effective and efficient manner, and potentially diminished the public's confidence in election officials and its belief in the integrity of the election process.
39. All of the aforementioned concerns were exacerbated by family members receiving not one, but as many as five, advance mail ballot applications addressed to deceased family members. And by registered voters who received pre-filled advance ballot applications addressed to someone with a similar name but who did not actually reside at that location. And by VPC's sending advance ballot applications to voters who had been removed from the rolls, impacting not only the recipient but also causing needless work for election officials who have to figure out what is going on if that application is mailed in (as it was in numerous cases).
40. Registered voters and election officials receiving pre-filled advance mail ballot applications have every reason to expect that the pre-filled information on those

applications matches current voter roll information. VPC's overall process attached to the creation and maintenance of the VPC mailer file clearly failed to produce an accurate database. The analysis above establishes that VPC regularly failed to remove from its mailer file voters that the State had removed – even though VPC had available to it the State database – with publicly available information – that would have informed VPC to remove the record.

I hereby declare under penalty of perjury that the foregoing Declaration is true and correct.

Executed this 14th day of July, 2022.

  
\_\_\_\_\_  
Kenneth J. Block

### **SUPPLEMENTAL DECLARATION OF KENNETH J. BLOCK**

I, Kenneth J. Block, pursuant to the provisions of 28 U.S.C. § 1746, do hereby declare as follows:

1. This Supplemental Declaration is intended to supplement my original Declaration that Defendants served on Plaintiffs on July 15, 2022.
2. In particular, I noted in Paragraph 17 of my original Declaration that I was still working with Kansas election officials to identify (a) the specific names of individuals whose voter registration records have been cancelled (and whose names would thus no longer show up in public requests for the Kansas voter file) prior to the date that VPC mailed those individuals pre-filled advance ballot applications in connection with the 2020 General Election, and (b) the specific dates when Kansas election officials cancelled those voter registrations. (For shorthand, I will refer in this Declaration to those voters as having been removed from the voter rolls).
3. The acquisition of this additional information took longer than expected because I was waiting for Plaintiffs to provide the specific dates of VPC's mailings (of pre-filled advance ballot applications) to Kansas voters in connection with the 2020 General Election. (Although Defendants requested this information from VPC on May 7, 2022, VPC only provided the information on August 5, 2022.) In addition, Kansas election officials could not get me the full data until late last week because they were consumed administering the primary election on August 2, 2022.
4. Based on the additional information that I received and reviewed, I am now able to provide more information in my Declaration about the nature of voter information contained in the VPC mailer file. (VPC produced this data as an Excel spreadsheet – with Bates Stamp VPC000134 – in its discovery production in this case and will be referred to throughout this document as the “VPC mailer file.”). Specifically, I can quantify the number of voter records found in the VPC mailer file that were removed by Kansas elections officials prior to VPC's mailings, and the date when

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Defendants' Memo in Support of SJ re Counts I-III

Kansas elections officials removed each record. I can now also speak to the reason some of the Kansas voters were removed from the voter rolls, thus further highlighting failures in VPC's own processes for ensuring the accuracy of its mailings.

5. Kansas elections officials provided data to me in a spreadsheet regarding 1,546 VPC voter records that I identified that I could not find in the 2/11/2021 Kansas voter file. That file is in the form of a spreadsheet, which I have labelled 'Exhibit XI – KS explanation of removed registrations,' and attached to this Declaration.
6. The 2/11/2021 State of Kansas voter registration file, which was provided to Plaintiffs' counsel on August 1, 2022, may not have been assigned an exhibit number, but should have been labeled as Exhibit X.
7. I looked at the first dozen lines in Exhibit XI, to see if I could find obituary information for the voters identified as removed by the state. I found obituaries for 8 of these removed voters and provided a link to the obituary in the Exhibit XI spreadsheet.
8. For the remaining four voters in the sample of the first dozen lines, those voters were either removed by Kansas election officials for reasons other than death, or those voters did not have online obituaries available.
9. The mailing list for VPC's first mailer (described by VPC as Wave A) was uploaded on 7/6/2020 for delivery on or about 8/17/2020, according to VPC's Amended Objections and Responses to the Fourth Request for Production of Documents. Kansas elections officials identified 385 voter records found in the VPC mailer file that were removed from the Kansas voter rolls prior to 7/6/2020. Of those 385 voter records, VPC sent 5 mailings to 176 voters who had been removed from the Kansas voter rolls prior to the first VPC mailing. VPC failed in advance of each and every mailing to remove these voter records that Kansas elections officials had removed long

before. VPC sent 4 mailings to 99 voters who had been removed from the Kansas voter rolls prior to the first VPC mailing. VPC sent 3 mailings to 39 voters who had been removed from the Kansas voter rolls prior to the first VPC mailing. VPC sent 2 mailings to 11 voters who had been removed from the Kansas voter rolls prior to the first VPC mailing.

10. Since VPC, across all five of its wave mailings, failed to identify and remove voters from the VPC mailer file whom Kansas elections officials had removed from the voter rolls well before VPC's first mailing, it stands to reason that VPC also failed to properly remove voters from the VPC mailer file that Kansas elections officials removed from the voter rolls after the date of the first VPC mailing.
11. The time period from 7/6/2020 to 8/17/2020 is the time from when VPC uploaded the list for Wave A and the day that the Wave A mailers were expected to arrive in mailboxes. This time period is 42 days long. In those 42 days, 167 voters in the VPC mailer file were removed from the voter rolls by Kansas Election officials.
12. The time period from 7/6/2020 to 7/27/2020 is the time between when VPC uploaded the Wave A mailing list to when VPC uploaded the Wave B mailing list. In these 20 days, the State of Kansas removed 87 voters. Of those 87 removed voters, VPC sent a mailing to 40 of those voters in all 5 waves, failing to remove these 40 newly removed voters ahead of each subsequent wave.
13. The time period from 7/27/2020 to 8/24/2020 is the time between when VPC uploaded the Wave B mailing list to when VPC uploaded the Wave E mailing list. In these 29 days, the State of Kansas removed another 87 voters. (That is not a typographical error. The same number of voters were removed by Kansas election officials from 7/2/2020-7/27/2020 as were removed from 7/27/2020 – 8/24/2020.) Of those 87 removed voters, VPC sent a mailing to 43 of those voters in all 5 waves, failing to remove these 43 newly removed voters ahead of wave E.

14. Two deceased voters in a small sample of voters that I looked at passed away in early April of 2020. They were sent mailers in all five waves by VPC even though both have publicly available online obituaries. Gina Byrd Tripp, for example, passed away on 3/28/2020 with a voter ID of 5978625 and was removed from the voter rolls by Kansas election officials on 4/8/2020. Jimmy Lee Thomas passed away on 3/25/2020 and was removed from the voter rolls by Kansas election officials on 4/6/2020 with a voter ID of 1508884. VPC's list maintenance processing failed to find these deceased voters and remove them with the specific processing that VPC uses to identify deceased voters. VPC also failed to identify that Kansas election officials removed these voters from the rolls well before VPC prepared its list of mailer recipients. In other words, VPC had the opportunity to remove these voters five times, once for each Wave, and failed to do so.
15. It should have been a relatively easy task for VPC to remove voters from its mailing list who had been removed from the voter rolls by Kansas elections officials. But for whatever reason, neither VPC nor its vendors did so. In a system that prioritizes (or should have prioritized) list accuracy, removing voters removed by the State should have been the last thing done prior to the mailers being printed.
16. VPC's data vendors failed to remove readily identified deceased voters from their mailing list. VPC has stated that its data vendors removed deceased voters, yet with little effort, I found two deceased voters with public obituaries that VPC's vendors failed to remove not once or twice, but 5 different times.
17. It appears to me that list accuracy was not a high priority for VPC for these mailers. Had accuracy been of paramount importance, just prior to each of its mailings, VPC would have obtained the most up-to-date voter file from Kansas election officials and removed any removed voters that Kansas election officials had removed before mailing advance ballot applications or any other

materials to such voters.

I hereby declare under penalty of perjury that the foregoing Supplemental Declaration is true and correct. Executed this 9th day of August, 2022.



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Kenneth J. Block

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

VOTEAMERICA and  
VOTER PARTICIPATION CENTER,

*Plaintiffs,*

vs.

SCOTT SCHWAB, in his official capacity as  
Secretary of State of the State of Kansas;  
DEREK SCHMIDT, in his official capacity as  
Attorney General of the State of Kansas; and  
STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

Case No. 2:21-cv-02253-KHV-GEB

**SEALED EXHIBIT O PLACEHOLDER**

**DEFENDANTS' MEMORANDUM IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT REGARDING COUNTS I-III**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

VOTEAMERICA and  
VOTER PARTICIPATION CENTER,

*Plaintiffs,*

vs.

SCOTT SCHWAB, in his official capacity as  
Secretary of State of the State of Kansas;  
DEREK SCHMIDT, in his official capacity as  
Attorney General of the State of Kansas; and  
STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

Case No. 2:21-cv-02253-KHV-GEB

**SEALED EXHIBIT P PLACEHOLDER**

**DEFENDANTS' MEMORANDUM IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT REGARDING COUNTS I-III**

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV

2976457, 0211.01, KR0057  
**SHEILA ERNELLE BEENE**  
APT 302  
600 SE MADISON ST  
TOPEKA, KS 66607

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that I must provide a copy of one of the following:

*D.F.P. cell msg  
9-22 Apt # 9-22  
dent req  
entered ✓*

**PROVISIONAL**

Driver's license number or Kansas nondriver's identification card number

Current Kansas driver's identification card number:

Driver's identification card number:

If I do not have a driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following:

U.S. military ID card, U.S. passport, U.S. military ID card, Student ID card, educational institution, Public assistance ID card issued by a government office

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID card
- Student ID card issued by an educational institution
- Public assistance ID card issued by a government office

*Apt change only*

**3. Personal Information** Please print.

BEENE

SHEILA

E

REDACTED

Last Name

First Name

M.I.

Date of Birth (MM/DD/YY)

600 SE MADISON ST APT 302

330

TOPEKA

KS

66607

Residential Address

City

State

Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

RECEIVED

SEP 22 2020

SHAWNEE COUNTY ELECTION OFFICE

Mailing Address

City

State

Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

Required

*Sheila E. Beene*  
Signature of Voter

9-18-20  
Date (MM/DD/YY)

785-506-3002  
Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. [Signature] Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594. KSA 25-1122d(a). Rev 6/1/20 to

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Defendants' Memo in Support of SJ re Counts I-III

BE SURE TO STATE:



- your name
- from election office
- the info. or question
- contact information
- thanks for their time



Voter Called:

Name	<u>Donald</u>
Address	_____

Date: 10-7 Time: \_\_\_\_\_

Phone Number: 234-6147 Reg. Card Adv Appl. Directory

MSG Machine Talked To: Nurse

Information needed: sending reg form + the facility  
will fax it. sending MS app + they'll  
mail it. I'm in a mental health  
facility

Who made the call: Don

5796695, 0035.01, KR0050  
COLBY RYAN REED  
4524 NW ROCHESTER RD  
TOPEKA, KS 66617

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

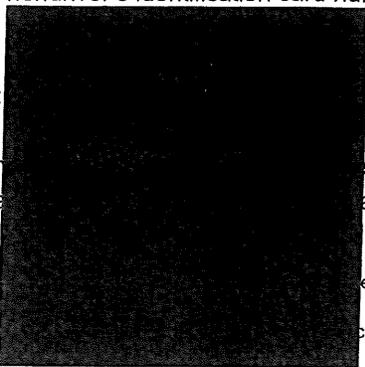
**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application for ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military identification card
- Student ID card issued by a postsecondary educational institution
- Public assistance identification card
- ID card issued by a government agency



COPY

**3. Personal Information** Please print

REED COLBY R  
 Last Name First Name Middle Initial  
 4524 NW ROCHESTER RD TOPEKA  
 Residential Address City  
 Date of Birth (MM/DD/YY) KS 66617  
 State Zip Code  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

PROVISIONAL

**4. Address to Mail Ballot (if different from residential address)**

2220 SW 24th Terrace Apt 11 Topeka KS 66611  
 Mailing Address City State Zip Code

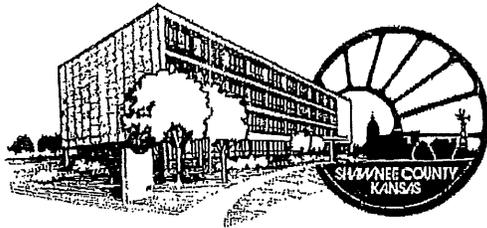
Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date)

**Required** [Signature] 09/29/20 785-501-3119  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. a Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_  
 Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
 KSA 25-1122d(a). Rev 6/1/20 tc  
 sent 10/20  
 RECEIVED  
 OCT 02 2020  
 SHAWNEE COUNTY ELECTION OFFICE  
 KS-SHAWNEE



## Shawnee County Commissioner of Elections

Andrew Howell  
Election Commissioner  
Mark Stock  
Asst. Election Commissioner

3420 SW Van Buren St  
Topeka, Kansas 66611  
(785) 251-5900  
FAX (785) 251-5999



TO: Colby Reed  
2220 SW 29th Ter  
Apt 11  
Topeka KS 66611

FROM: Jay Hatfield  
Election Manager

DATE: October 19, 2020

RE: Change of Address/ Identification

We have received your application for an advance ballot. You indicated a different address than what we have on your registration file. You also failed to submit your driver's license number or a copy of any other acceptable form of photo identification as the law requires. Under the NVRA fail-safe provisions, you are entitled to vote a provisional ballot. Please follow the instructions carefully.

### INSTRUCTIONS FOR VOTING A PROVISIONAL BALLOT

1. Complete and sign the voter registration application-leaving it attached to the envelope.
2. Seal your voted ballot in the provisional ballot envelope.
3. Sign the Voter's Affirmation on the front of the provisional ballot envelope.
4. Provide a legible copy of your identification. A list of acceptable documents is enclosed.
5. Mail the sealed provisional ballot envelope and the copy of your identification in the large postage paid return envelope.

**We must receive your ballot by 7:00 p.m. November 3, 2020, Election Day.** Your ballot will be presented to the Board of Canvassers at the Shawnee County Election Office at 9:00 a.m. on Monday, November 16, 2020.

If you have any questions, please call (785) 251-5900 between 8:00 a.m. and 5:00 p.m., Monday through Friday.

Thank you for your cooperation.

Enclosed: Ballot  
Registration application  
Provisional envelope  
Return envelope  
List of acceptable IDs

# PHONE RECORD

**BE SURE TO STATE:**



- your name
- from election office
- the info. or question
- contact information
- thanks for their time



Voter Called:

  
 5796695, 0035.01, KR0050  
**COLBY RYAN REED**  
 4524 NW ROCHESTER RD  
 TOPEKA, KS 66617

Date: 10/5/20 Time: 1:00

Phone Number: 581-3119 Reg. Card Adv Appl. Directory

MSG Machine Talked To: spouse

Information needed: left message with spouse -  
current address is 2220 SW 24th Terr -  
need to re-reg and submit another adv app.  
Reminded: need ID on app and deadline for reg.

Who made the call: LL

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
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5502704, 0206.02, KR0057  
DONALD R VALDIVIA  
RM A-4  
440 SE WOODLAND AVE  
TOPEKA, KS 66607

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KANSAS, County of SHAWNEE, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas ID must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

*Difference in Apt #*

**3. Personal Information** Please print.

VALDIVIA DONALD R REDACTED  
Last Name First Name M.I. Date of Birth (MM/DD/YY)  
140 SE WOODLAND AVE RM A-4 C39 TOPEKA KS 66607  
Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

RECEIVED  
OCT 05 2020  
SHAWNEE COUNTY  
ELECTION OFFICE

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Donald R. Valdivia 9-29-20 785-234 6147  
Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20 to

# PHONE RECORD

**BE SURE TO STATE:**



- your name
- from election office
- the info. or question
- contact information
- thanks for their time



Voter Called:

Name	<u>Sheela Beano</u>
Address	_____

Date: 9-22 Time: \_\_\_\_\_

Phone Number: 506-3002 Reg. Card Adv Appl. Directory

Machine Talked To: \_\_\_\_\_

Information needed: Opt change sent reg form

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Who made the call: Lu

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV

2948751, 0310.01, KR0057  
**MATTHEW S WATERS**  
APT 614  
1122 SW JACKSON ST  
TOPEKA, KS 66612-1850

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KANSAS, County of SHAWNEE, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas non-driver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

*apt change only*

If I do not have a current and valid Kansas driver's license number or Kansas non-driver's identification card number, I must provide a copy of one of the following forms of photo identification with this application:

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card from an educational institution
- Public assistance ID card issued by an Indian tribe

**3. Personal Information** Please print.

WATERS MATTHEW S  
 Last Name First Name M.I.  
 1122 SW JACKSON ST APT 614 306 TOPEKA  
 Residential Address City  
 KS 66612  
 State Zip Code

REDACTED

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address City State Zip Code

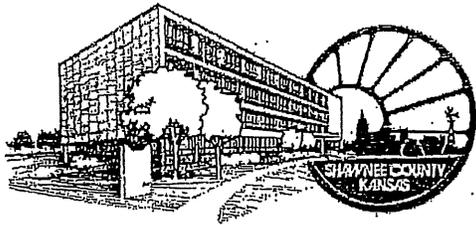
Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Matthew Waters 08-26-20 785-338-3250  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. 10-17 Ballot Mailed 10-17 Transmitted by \_\_\_\_\_  
 Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
 KSA 25-1122(a). Rev 6/1/20 to



## Shawnee County Commissioner of Elections

Andrew Howell  
Election Commissioner  
Mark A. Stock  
Assistant Election Commissioner

3420 SW Van Buren St  
Topeka, Kansas 66611  
FAX (785) 251-5999  
TEL (785) 251-5900

To: Matthew S Waters  
1122 SW Jackson St Apt 306  
Topeka, KS 66612



Date: September 12, 2020

From: Jay Hatfield  
Election Manager

Re: Application for Advance Ballot by Mail and Voter Registration

Your Application for Advance Ballot by Mail has been received, and determined to be unable to process upon receipt for the following reason(s):

- The information that you provided on your Application for Advance Ballot by Mail is different than the voter registration information we have on file. **You must re-register to vote.**
- You are not registered to vote in Shawnee County. **You must register to vote.**
- The information that the Center for Voter Information provided on your Application for Advance Ballot by Mail seems older than your current voter registration. **We will need a new Application for Advance Ballot by Mail from you.**

Please complete the enclosed copy of your:

- Application for Advance Ballot by Mail. Be sure to complete all required information and **sign** it, and return it to our office at your earliest convenience.
- Voter Registration Application. Be sure to complete all required information and **sign** it

-OR-

if you have a Kansas Driver's License or Kansas Identification card, you may register at the following website: <https://www.kdor.ks.gov/Apps/VoterReg/Default.aspx>.

If you have any questions, please contact our staff in Advance Voting at the Shawnee County Elections Office by calling (785) 251-5900 from 8:00 a.m. to 5:00 p.m. CST Monday through Friday.

Thank you for your cooperation.

Enclosed:

- Application for Advance Ballot by Mail
- Voter Registration Application
- Return Envelope

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV

5804810, 0024.02, KR0050  
SAVANNAH LEE KADOUS  
223 NE PLEASANT HILLS CT  
TOPEKA, KS 66617

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

COPY

**3. Personal Information** Please print.

SKOCH Kadous SAVANNAH L REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YYYY)  
 3148 NW ROCHESTER RD TOPEKA KS 66617  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

223 NE Pleasant Hills Ct Topeka KS 66617  
 Mailing Address City State Zip Code  
 residential OK to process - LL

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Savannah Skod 09/5/20 785-230-9053  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. [Signature] Ballot Mailed \_\_\_\_\_ Transmitted by **RECEIVED**

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594  
 KSA 25-1122d(a). Rev 6/1/20 tc SEP 4 2020

SHAWNEE COUNTY  
 ELECTION OFFICE  
 SHAWNEE

VKS01  
V2002

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
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5048775, 0709.01, KR0055  
**THEODORE EVALD SCHAFER**  
900 SW ANDERSON TER  
TOPEKA, KS 66606-2012



Ballot

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE  
State of Kan SaS, County of Shawnee (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

**REDACTED**

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

COPY

**3. Personal Information** Please print.

LANG Schafer KARA Theodore E  
Last Name First Name M.I.  
900 SW ANDERSON TER TOPEKA  
Residential Address City

**REDACTED**  
KS 66606  
State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

900 Sw Anderson TER Topeka Kan SaS 66606  
Mailing Address City State Zip Code

OCT 19 2020 PM 2:00

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

Theo Schaf 10-10-2020 913-242-0059  
Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd UMB Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_  
Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 9/24/19 tc

Office of the Kansas Secretary of State  
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2976516, 1009.01, KR0053  
**JAMIE ELAINE HUSKE**  
2008 SW QUIVIRA DR  
TOPEKA, KS 66604

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

~~###~~ HUSKE JAMIE E REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
2008 SW QUIVIRA DR TOPEKA KS 66604  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

2008 SW Quivira Dr Topeka KS 66604  
 Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has a physical disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

RECEIVED  
AUG 20 2020  
SHAWNEE COUNTY  
ELECTION OFFICE

**Required**

Jamie Huske 8/18/2020 785-581-6794  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. lh Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 9/24/19 to

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
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6135627, 0409.01, KR0058  
CLAUDIA SUSANA LOPEZ  
600 SE 25TH ST  
TOPEKA, KS 66605

1  
2

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

LERMA Lopez CLAUDIA S REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YYYY)  
600 SE 25TH ST TOPEKA KS 66605  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

Signature of Voter Claudia Lopez

Date (MM/DD/YY) 08/24/20

Phone Number 785-274-7268

FOR OFFICE USE ONLY Date App. Rec'd. MAW Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20 to

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV

  
2895149.0025.01, KR0050  
**TAMMY L GUFFEY**  
908 NE 46TH ST  
TOPEKA, KS 66617

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Shawnee Co, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

**REDACTED**

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**COPY**

**3. Personal Information** Please print.

GUFFEY - Morgan TAMMY L  
Last Name First Name M.I.

908 NE 46TH ST TOPEKA  
Residential Address City

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**REDACTED**

SEP 1 2020  
Date of Birth (MM/DD/YYYY) State Zip Code

SHAWNEE COUNTY  
ELECTION OFFICE

**4. Address to Mail Ballot (if different from residential address)**

908 NE 46th Street Topeka  
Mailing Address City

KS 66617  
State Zip Code

**Note:** The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

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**Required**

Tammy L Guffey-Morgan 9/8/2020  
Signature of Voter Date (MM/DD/YY)

785-249-3881  
Phone Number

AKV - Jan

JRH

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20 to



Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV

2892961, 1401.01, KR0056  
DANA F HARRISON  
3903 SW 39TH TER  
TOPEKA, KS 66610

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KANSAS, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**COPY**  
**REDACTED**

**3. Personal Information** Please print.

HARRISON MARK Dana W REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
 3903 SW 39TH TER TOPEKA KS 66610  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**RECEIVED**  
SEP 21 2020

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Dana Harrison 9/18/2020 785-221-5680  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. MM Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20 to

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV

  
2953651, 0030.01, KR0050  
LINDA KAY NAIL  
4426 NW MESA CT  
TOPEKA, KS 66618

**Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot State of KANSAS, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

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- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

NAIL ~~JACK~~ Linda K D **REDACTED**

Last Name First Name M.I. Date of Birth (MM/DD/YY) KS 66618

Residential Address 426 NW MESA CT City TOPEKA State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

RECEIVED  
AUG 28 2020  
SHAWNEE COUNTY  
ELECTION OFFICE

**4: Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Linda K Nail 08-26-20 785-220-0537  
Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20 to



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2972660, 1208.02, KR0052  
**ASHLEY ANNE CRAIG**  
3400 SW SKYLINE PKWY  
TOPEKA, KS 66614

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Topeka, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

WELLS Craig ASHLEY A REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
3400 400 SW SKYLINE PKWY TOPEKA KS 66614  
 Residential Address City State Zip Code  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address City State Zip Code  
RECEIVED  
AUG 19 2020  
 SHAWNEE COUNTY COLLECTION OFFICE

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Ashley Craig 08/15/2020 (785) 221-5894  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. MD Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_  
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 KSA 25-1122d(a), Rev 9/24/19 tc



2935566, 0042.01, KR0054  
JILL ELIENE PALETTA  
3928 SE KENNY DR  
TOPEKA, KS 66609

S01  
J02

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**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

COPY

**3. Personal Information** Please print.

soza Paletta JILL E REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
3928 SE KENNY DR TOPEKA KS 66609  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

Required

Jill E. Paletta 08/16/20 785-221-7352  
 Signature of Voter Date (MM/DD/YY) Phone Number

RECEIVED  
AUG 30 2020  
ELECTOR SERVICES

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 KSA 25-1122d(a). Rev 9/24/19 tc





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5344661, 1001.02, KR0053  
MARISSA LEE ROWLAND  
423 SW DANBURY LN  
TOPEKA, KS 66606

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KS, County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

**COPY**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

**REDACTED**

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

ROWLAND DEENA Marissa KL **REDACTED**  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
423 SW DANBURY LN TOPEKA KS 66606  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

\_\_\_\_\_  
 Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Marissa Rowland 11-03-2020 785-221-1590  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. 11/3/20 Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_  
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D. 2882379. 0804.01, KR0055  
WILLIAM DAVID BROWN  
1334 SW WAYNE AVE  
TOPEKA, KS 66604

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

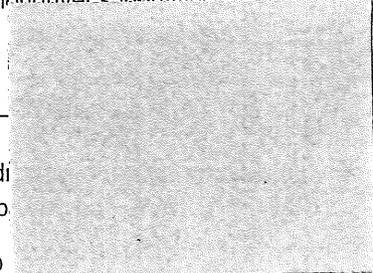
**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe



**3. Personal Information** Please print.

BROWN JR WDB WILLIAM D **REDACTED**  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
1334 SW WAYNE AVE TOPEKA KS 66604  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** William D. Brown 8-17-2020 785-231 9461  
 Signature of Voter Date (MM/DD/YY) Phone Number

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KSA 25-1122d(a). Rev 9/24/19 to

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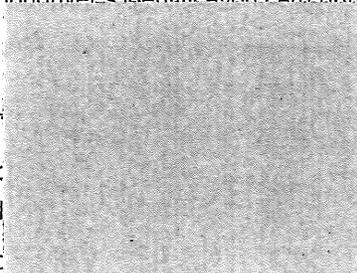
  
D. 2880284, 0056.01, KR0054  
**RICHARD A BRADSHAW**  
6444 SE PAULEN RD  
BERRYTON, KS 66409

**Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot State of KANSAS, County of SHAWNEE, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: 

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

BRADSHAW RICHARD A **REDACTED**  
Last Name First Name M.I. Date of Birth (MM/DD/YYYY)  
144 SE PAULEN RD BERRYTON KS 66409  
Residential Address City State Zip Code  
Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address City State Zip Code  
SHAWNEE KS 66409  
City State Zip Code  
ELECTION OFFICE

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Richard A. Bradshaw 08-17-20 785-963-0164  
Signature of Voter Date (MM/DD/YY) Phone Number

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VKS01

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5562002, 1202.02, KR0053  
**LAUREN NICOLE MEYER**  
APT 4  
2518 SW BRANDYWINE LN  
TOPEKA, KS 66614-5268

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas r...ber  
must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondr...t.  
must provide a copy of one of the following forms of photo identification with this app...

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

DEGRAFF Meyer LAUREN N **REDACTED**  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
2518 SW BRANDYWINE LN APT 4 TOPEKA KS 66614  
 Residential Address City State Zip Code  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican **RECEIVED**

**4. Address to Mail Ballot (if different from residential address)**

\_\_\_\_\_  
 Mailing Address City State Zip Code  
**SHAWNEE COUNTY ELECTION OFFICE**

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Lauren Meyer 08/25/2020 785-817-1425  
 Signature of Voter Date (MM/DD/YY) Phone Number

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 Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
 KSA 25-1122d(a). Rev 9/24/19 tc

VKS01  
V2002

Office of the Kansas Secretary of State  
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5932103, 1231.01, KR0053  
**RAUL GARCIA SANTIAGO**  
6436 SW 21ST TER  
TOPEKA, KS 66614

**Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KANSAS, County of SHAWNEE, ss: (where application is completed)

**2. Voter Identification Requirements**

**COPY**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application for an advance voting ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

GARCIA SANTIAGO RAUL TOPEKA KS 66614  
Last Name First Name City State Zip Code

436 SW 21ST TER  
Residential Address

11/03/2020  
Date of Birth (MM/DD/YYYY)

**REDACTED**

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

\_\_\_\_\_  
Mailing Address City State Zip Code

**RECEIVED**  
SEP 03 2020  
SHAWNEE COUNTY  
ELECTION OFFICE

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Raul Garcia 08/30/2020 (785) 273-1655  
Signature of Voter Date (MM/DD/YYYY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. [Signature] Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

VKS01  
10002

Office of the Kansas Secretary of State  
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5160003, 1010.03, KR0053  
**SANDRA JEAN SUTTON**  
5700 SW AVALON LN  
TOPEKA, KS 66604

**COPY**

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application: \_\_\_\_\_

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military
- Student ID card issued by a secondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

EUBANKS Sutton                      SANDRA                      J                      REDACTED  
 Last Name                                      First Name                                      M.I.                                      Date of Birth (MM/DD/YY)  
5700 SW AVALON LN                      TOPEKA                      KS                      66604  
 Residential Address                                      City                                      State                                      Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican none

**4. Address to Mail Ballot (if different from residential address)**

same                      \_\_\_\_\_                      \_\_\_\_\_  
 Mailing Address                                      City                                      State                                      Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Sandra J Sutton                      8/31/20                      785-608-3814  
 Signature of Voter                                      Date (MM/DD/YY)                                      Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_  
 Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
 KSA 25-1122d(a). Rev 6/1/20 to

Office of the Kansas Secretary of State  
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5572117, 0608.02, KR0058  
**WILLIAM ROBERT SCOTT**  
112 SE 38TH ST  
TOPEKA, KS 66609

COPY

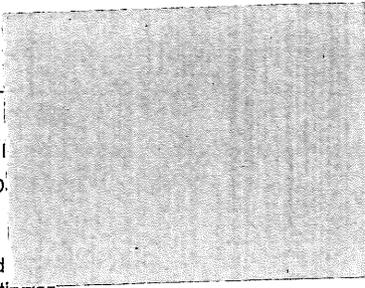
**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KANSAS, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_



If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application:

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card from an educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

SCOTT JR. WILLIAM R  
 Last Name First Name M.I.  
 112 SE 38TH ST TOPEKA  
 Residential Address City  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

REDACTED  
 Date of Birth (MM/DD/YY) KS 66609  
 State Zip Code  
 RECEIVED  
 SEP 02 2020  
 SHAWNEE COUNTY ELECTION OFFICE

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

William Scott  
Signature of Voter



9/1/20  
Date (MM/DD/YY)

785-250-0075  
Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. dr Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20 to

2895681, 0089.01, KR0052  
JOSEPH C HENNES  
7721 SW 10TH AVE  
TOPEKA, KS 66615

KS01  
2002

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
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**Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KANSAS, County of Shawnee, ss: (where application is completed)

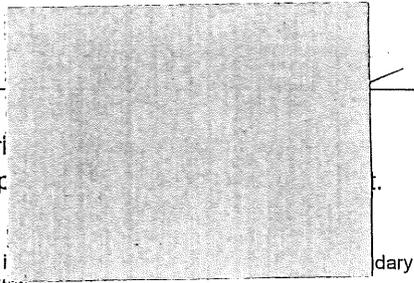
**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application:

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by a postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe



**3. Personal Information** Please print.

*Note* → HENNES / JOSEPH / C / REDACTED  
 Last Name / First Name / M.I. / Date of Birth (MM/DD/YY)  
 7721 SW 10TH AVE / TOPEKA / KS / 66615  
 Residential Address / City / State / Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** → Joseph C Hennes / 9/2/20 / 785-580-3532  
 Signature of Voter / Date (MM/DD/YY) / Phone Number

RECEIVED  
SEP 4 2020

FOR OFFICE USE ONLY Date App. Rec'd. MSA Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594. KSA 25-1122d(a). Rev 9/24/19 to SHAWNEE COUNTY ELECTION OFFICE

Office of the Kansas Secretary of State  
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2879583.0040.01.KR0047  
**STUART L BAILEY**  
2343 SE TECUMSEH RD  
TECUMSEH, KS 66542

**Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KS, County of Shawnee, ss: (where application is completed)

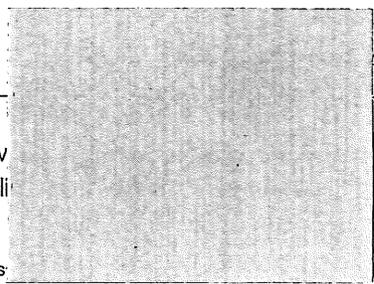
**2. Voter Identification Requirements**

**COPY**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application:



- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

BAILEY JR <sup>286</sup> \_\_\_\_\_ STUART \_\_\_\_\_ L \_\_\_\_\_ **REDACTED** \_\_\_\_\_  
Full Name First Name M.I. Date of Birth (MM/DD/YYYY)  
 343 SE TECUMSEH RD \_\_\_\_\_ TECUMSEH \_\_\_\_\_ KS \_\_\_\_\_ 66542  
Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

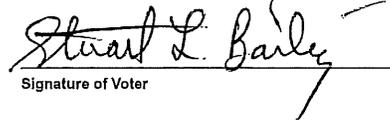
**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**  \_\_\_\_\_ 09/01/2020 \_\_\_\_\_ 785-207-8276 \_\_\_\_\_  
Signature of Voter Date (MM/DD/YY) Phone Number

RECEIVED

SEP 4 2020

FOR OFFICE USE ONLY Date App. Rec'd. 28 Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594  
KSA 25-1122d(a). Rev 6/1/20 tc

SHAWNEE COUNTY ELECTION OFFICE

Office of the Kansas Secretary of State  
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2904221, 1209.02, KR0056  
MARC A MILNER  
4101 SW 35TH TER  
TOPEKA, KS 66614

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KANSAS, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

MILNER JR. MARC A  
Last Name First Name M.I.  
4101 SW 35TH TER TOPEKA  
Residential Address City  
KS 66614  
State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

4101 SW 35th Terr Topeka KS 66614  
Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

RECEIVED  
SEP 11 2020

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

SHAWNEE COUNTY  
ELECTION OFFICE

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Marc Milner 9-8-20 785-350-1741  
Signature of Voter Date (MM/DD/YY) Phone Number

NO J.R.

FOR OFFICE USE ONLY Date App. Rec'd. 11/03/2020 Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Office of the Kansas Secretary of State  
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2942947.0606.01.KR0056  
**BOHDAN PISOCKI**  
3517 SW BRENDAN AVE  
TOPEKA, KS 66611

**COPY**

**Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KANSAS, County of SHAWNEE, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number:

**REDACTED**

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
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- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

PISOCKI BOHDAN BOHDAN  
 Name First Name M.I. **REDACTED**  
517 SW BRENDAN AVE TOPEKA KS 66611  
 Residential Address City State Zip Code  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**RECEIVED**  
SEP 10 2020  
SHAWNEE COUNTY  
ELECTION OFFICE

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Bohdan Pisko 09/08/2020 785 267-2208  
Signature of Voter Date (MM/DD/YY) Phone Number

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Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20 to



1151059, 0042.01, KR0054  
RAYLIENA CRIDLEBAUGH  
3531 SE CROCO RD  
TOPEKA, KS 66605

INVALID APP

VKS01  
V2002

Office  
App  
DOWN



COPY

I plan on voting  
IN PERSON!

**Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

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- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

~~RASMUSSEN~~ Cridlebaugh RAYLIENA J  
 \_\_\_\_\_  
 First Name First Name M.I. Date of Birth (MM/DD/YY)  
3531 SE CROCO RD TOPEKA KS 66605  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

\_\_\_\_\_  
 Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

SEP 18 2020  
SHAWNEE COUNTY  
ELECTION OFFICE

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

\_\_\_\_\_  
Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20 tc

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COPY

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry or handgun license issued by Kansas or another state
- Employee badge and ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

PEREZ FREDERICK X  
 Last Name First Name Middle Initial  
 2441 SE 29TH ST TOPEKA KS 66605  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a felony level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date)

**Required**

Signature of Voter Frederick Perez Date (MM/DD/YY) \_\_\_\_\_ Phone Number \_\_\_\_\_

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20

9-11-20 To Mail Ballot Andos Pitt



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5623569, 0707.01, KR0055  
**ALEJANDRA Y RUIZ-ISLAS**  
930 SW LINDENWOOD AVE  
TOPEKA, KS 66606

**COPY**

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application:

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- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

*Sent reg 9-22*  
*Name tld to Change*  
*9-22 R*

**PROVISIONAL**

**3. Personal Information** Please print.

RUIZ ISLAS NEWMAN ALEJANDRA Y REDACTED  
 Last Name First Name M.I. Date of Birth  
330 SW LINDENWOOD AVE TOPEKA KS 00000  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**RECEIVED**  
SEP 21 2020

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Alejandra Ruiz Newman 0911612020 845 0726  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a), Rev 6/1/20 to

**PHONE RECORD**

**BE SURE TO STATE:**



- your name
- from election office
- the info. or question
- contact information
- thanks for their time



Voter Called:

Name <u>Alejandra Ruiz-Delas</u>
Address _____

Date: 9-22 Time: \_\_\_\_\_

Phone Number: 845-0726 Reg. Card Adv Appl. Directory

MSG Machine Talked To: \_\_\_\_\_

Information needed: Alejandra

sent req

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VR

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
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6005848, 0702.01, KR0055  
**JOSE CHRIS VARGAS**  
2306 SW DUANE ST  
TOPEKA, KS 66606

**1. Affirmation.**

Affirmation of an Elector of the County of DOUGLAS and State of Kansas Desiring to Vote an Advance Voting Ballot State of KANSAS, County of DOUGLAS, ss: (where application is completed)

**2. Voter Identification Requirements**

OCT 18 2020 PM 8:51

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

COPY

**3. Personal Information** Please print.

VARGAS JOSE C  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
 2614 BONANZA ST LAWRENCE KS 66046  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

2306 SW DUANE TOPEKA KS 66606  
 Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

Required

[Signature]  
Signature of Voter

10/08/2020  
Date (MM/DD/YY)

785-830-0756  
Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. mn Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a), Rev 6/1/20 to

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**

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**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot State of KS, County of SHAWNEE, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

LEMMASTER TERRI L  
 Last Name First Name M.I.  
919 SW TYLER ST APT 2 TOPEKA KS 66612  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

919 SW Tyler 2 TOPEKA KS 66612  
 Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

OCT 07 2020

SHAWNEE COUNTY ELECTION OFFICE

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Terrin Lemaster 10/5/20 785-580-8091  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

VKS01  
10000

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
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2954162, 0057.01, KR0054  
**JOHN EUGENE MATTOX**  
5451 SE 61ST ST  
BERRYTON, KS 66409

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KANSAS, County of SHAWNEE, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

Last Name MATTOX First Name JOHN M.I. E Date of Birth (MM/DD/YY) REDACTED  
 Residential Address 3020 NE SEWARD AVE City TOPEKA State KS Zip Code 66616  
5451 SE 61<sup>st</sup> Street City Berryton State KS Zip Code 66409  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

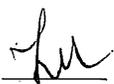
Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

Signature of Voter  Date (MM/DD/YY) 10-10-20 Phone Number 785-409-3837

FOR OFFICE USE ONLY Date App. Rec'd.  Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 9/24/19 tc

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2929950, 1203.01, KR0053  
**CYNTHIA EDNA STUBBS**  
2263 SW WESTPORT PL  
TOPEKA, KS 66614

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of KS, County of SN, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

STUBBS CYNTHIA E REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
6143 SW BROOKFIELD CIR TOPEKA KS 66614  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

2263 SW Westport PL Topeka KS 66614  
 Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an impairment disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

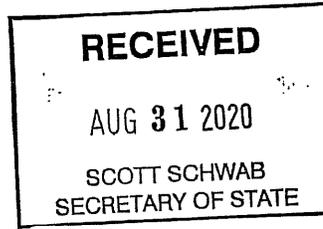
I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** [Signature] 10-1-20 785 249 7487  
 Signature of Voter Date (MM/DD/YY) Phone Number

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VKS01  
V2002



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**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of KANSAS, County of 11/11, s

5990683, 0704.01, KR0055  
**MICHAEL L PROBST**  
APT 15  
3811 SW 7TH ST  
TOPEKA, KS 66606

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

PROBST MICHAEL L  
 1st Name First Name M.I.  
1605 SW POLK ST APT B TOPEKA KS 66612  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

3811 S.W. 7TH APT 15 TOPEKA KS 66606  
 Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

SEP 3 2020

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Michael L Probst 08-28-20 785-861-8235  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. MP Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

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Office of the Kansas Secretary of State  
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2926110, 0908.02, KR0056  
KELLY I GALBRAITH  
APT 202  
3120 SW TWILIGHT CT  
TOPEKA, KS 66614

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**COPY**

**3. Personal Information** Please print.

GALBRAITH KELLY I  
Last Name First Name M.I.  
3120 SW TWILIGHT CT APT 202 TOPEKA KS 66614  
Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

3120 SW Twilight Ct, 202 Topeka KS 66614  
Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

Kelly Galbraith 9/4/2020 785-230-3938  
Signature of Voter Date (MM/DD/YY) Phone Number

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KSA 25-1122d(a). Rev 6/1/20 to

JRH



Office of the Kansas Secretary of State  
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2897237, 0603.01, KR0056  
**LINDA KAY JACKSON**  
UNIT 5  
1205 SW 29TH ST  
TOPEKA, KS 66611

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas non-driver's license number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: [REDACTED]

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's license number, I must provide a copy of one of the following forms of photo identification with this application.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

JACKSON LINDA K REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
1205 SW 29TH ST APT 102RW TOPEKA KS 66611  
 Residential Address City State Zip Code  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

*residence*  
1205 SW 29th St Apts Topeka Ks. 66611  
 Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**RECEIVED**

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

SEP 28 2020

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

SHAWNEE COUNTY ELECTION OFFICE

**Required** Linda K. Jackson \_\_\_\_\_  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. ip/dr Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20 to

Office of the Kansas Secretary of State  
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Jamie Jo Souders

**COPY**



5764616, 454445  
**JAMIE JO DAWN SOUDERS**  
1138 E 1300 RD  
LAWRENCE, KS 66046

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and  
State of Kansas, County of Wakarusa

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a driver's license number or Kansas nondriver's identification card number, I must provide one of the following forms of photo identification with this application in order to receive a ballot.

*Needs to  
be-veg for  
put DL #  
✓ 9/24*

- Driver's license issued by another state
- U.S. military ID
- Driver's license issued by another state
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Driver's license issued by Kansas
- Public assistance ID card issued by a government office
- Employee badge or ID document issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

SOUDERS JAMIE JO D REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
1134 SE 93RD ST WAKARUSA KS 66546  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

\_\_\_\_\_  
 Mailing Address City State

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Jamie Souders 09/03/2020 785-550-6707  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

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*sent 10/20/20*

Office of the Kansas Secretary of State

# Application for Advance Ballot by Mail

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## 1. Affirmation

Affirmation of an Elector of the County \_\_\_\_\_, State of \_\_\_\_\_, City \_\_\_\_\_

*See note on back of letter. Wrong address sent in by another person*

County of Kansas Desiring to Vote an Advance Voting Ballot (where application is completed)

## 2. Voter Identification Requirements

I understand that my current and valid driver's license or nondriver's identification card must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

## 3. Personal Information Please print.

GINTER JOSEPH P  
 Last Name First Name M.I.  
 1047 NE CHESTER AVE TOPEKA KS 66616  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

## 4. Address to Mail Ballot (if different from residential address)

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

## 5. Voter Signature Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

RECEIVED  
OCT 02 2020  
SHAWNEE COUNTY



Signature of Voter \_\_\_\_\_ Date (MM/DD/YY) \_\_\_\_\_ Phone Number \_\_\_\_\_

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

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*Invalid App.*

Office of the Kansas Secretary of State

# Application for Advance Ballot by Mail

Emily Gordon

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# COPY

### Affirmation

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot State of KANSAS, County of Douglas, ss: (where application is completed)

### 2. Voter Identification Requirements

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

### 3. Personal Information Please print.

GORDON EMILY A  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
418 SW BINGHAM RD TOPEKA KS 66614  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

### 4. Address to Mail Ballot (if different from residential address)

1420 Apple Ln. (Unit #11) Lawrence KS 66049  
 Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

### 5. Voter Signature Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, of legal age, authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

SEP 17 2020

SHAWNEE COUNTY ELECTION OFFICE

**Required**

[Signature] 09/12/20 (785) 640-9577  
 Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

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Transferred to Douglas Ct 9/10/2020 [Signature]

SHAWNEE

VKS01  
V2002



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**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or Kansas nondriver's identification card number: REDACTED

If I do not have a current and valid driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following with this application in order to receive a ballot.

No Records Found In Elvis Douglas City Mail Voter

- Driver's license issued by Kansas
- Nondriver's ID card issued by Kansas
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

DEPRIEST MARKUS K  
 Last Name First Name M.I.  
 4221 SE VIRGINIA CT TOPEKA  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

927 Fernery Rd Apt A304 Lawrence KS 66044  
 Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

RECEIVED

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

SEP 03 2020

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

Required

Markus Depriest  
Signature of Voter

REDACTED  
Date (MM/DD/YY)

785-469-5535  
Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. Ballot Mailed Transmitted by

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 6/1/20 to

INVALID - SEE NOTE

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**

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**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE State of Kansas, County of United States (an Advance Voting Ballot completed)

No Records Found  
Labeite CA  
Voter

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

BROWN SAMANTHA J REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
2001 SW JEWELL AVE APT 40 49 TOPEKA KS 66621  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

RECEIVED  
AUG 24 2020  
SHAWNEE COUNTY  
ELECTION OFFICE

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Sam Brown 08/19/20 620-423-2543  
 Signature of Voter Date (MM/DD/YY) Phone Number

INVALID - SEE NOTE

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COPY

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Johnson, ss: (where application is completed)

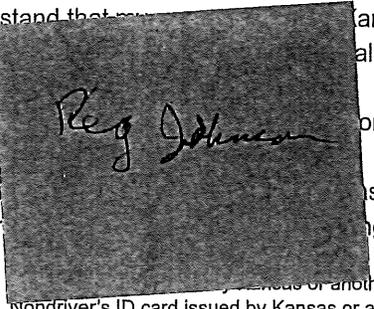
**2. Voter Identification Requirements**

I understand that my Kansas driver's license number or Kansas nondriver's identification card number must be provided on the ballot.

Current driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a driver's license number or nondriver's identification card number, I must provide one of the following forms of identification in order to receive a ballot.

- Non-Kansas driver's license or another state driver's license
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government agency
- Military ID card issued by an accredited Kansas postsecondary educational institution
- Government ID card issued by a government office
- Tribal ID card issued by an Indian tribe



*Appears he is reg at 8839 Cottonwood Lenexa*

**3. Personal Information** Please print.

WRIGHT TYLER  
 Last Name First Name M.I. **REDACTED**  
4116 NE WENONAH RD  
 Residential Address City State Zip Code  
TOPEKA KS 66617  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican Independent

**4. Address to Mail Ballot (if different from residential address)**

4839 Cottonwood ST  
 Mailing Address City State Zip Code  
Lenexa KS 66215

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

OCT 09 2020  
SHAWNEE COUNTY

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** [Signature]  
 Signature of Voter Date (MM/DD/YY) Phone Number  
10/6/2020 620-794-9192

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_  
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 KSA 25-1122d(a). Rev 6/1/20 tc

Office of the Kansas Secretary of State  
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5193357, 0096.01, KR0052  
**SARAH MARIE ROSE**  
8645 SW STATE ROAD K4  
TOPEKA, KS 66614

**Affirmation**

**COPY**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: REDACTED

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information Please print.**

ROSE SARAH M REDACTED  
Last Name First Name M.I. Date of Birth (MM/DD/YY)  
25 SW CAMBRIDGE AVE TOPEKA KS 66606  
Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

8645 SW Highway K-4 TOPEKA KS 66606  
Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature Note: False statement on this affirmation is a severity level 9, nonperson felony.**

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** [Signature] 8/14/2020 785-845-6329  
Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. [Signature] Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

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2946018, 0303.01, KR0055  
**GERALD LEROY BOWERS**  
APT 3  
910 SW 8TH AVE  
TOPEKA, KS 66606

**1. Affirmation**

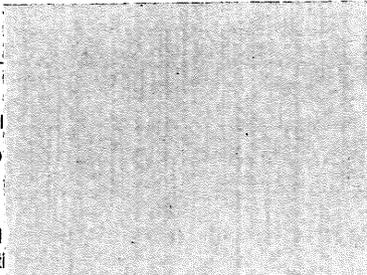
Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

**COPY**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_



If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application:

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card from an educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

BOWERS Last Name      GERALD First Name      L M.I.      **REDACTED** Date of Birth (MM/DD/YY)  
910 SW 8TH AVE APT 3 Residential Address      TOPEKA City      KS State      66606 Zip Code  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

910 S.W. 8th Ave #3 Mailing Address      TOPEKA City      KS State      66606 Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required** Gerald L Bowers Signature of Voter      8-28-2020 Date (MM/DD/YY)      785 817-1093 Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. [Signature] Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_  
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KSA 25-1122d(a). Rev 6/1/20 to

Office of the Kansas Secretary of State  
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2886469, 1003.02, KR0053  
**MARY LEE MCCURRY**  
APT 601  
4900 SW HUNTOON ST  
TOPEKA, KS 66604

**COPY**

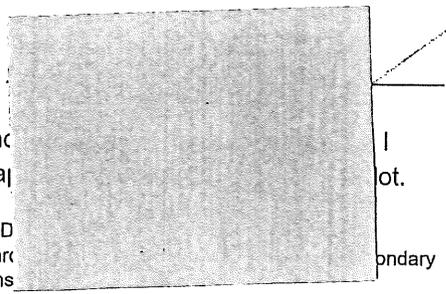
**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot State of Kansas, County of Shawnee, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number:



If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application:

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card
- educational ins
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

MCCURRY MARY L REDACTED  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
1900 SW HUNTOON ST APT 208 601 TOPEKA KS 66604  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

Mary Lee McCurry 09-1-2020 785 430 1955  
 Signature of Voter Date (MM/DD/YY) Phone Number

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KSA 25-1122d(a). Rev 6/1/20 to SHAWNEE COUNTY ELECTION OFFICE



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**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

NORRIS RUTH L  
Last Name First Name M.I.  
3831 SW SOUTH PARK AVE LOT A20 TOPEKA KS 66609  
Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

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AUG 31 2020

SHAWNEE COUNTY  
ELECTION OFFICE

**4. Address to Mail Ballot (if different from residential address)**

\_\_\_\_\_  
Mailing Address City State Zip Code

**Note:** The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

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**Required**

\_\_\_\_\_  
Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 9/24/19 tc



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### 1. Affirmation

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

### 2. Voter Identification Requirements

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

### 3. Personal Information Please Print.

TAYLOR MATTHEW R  
 Last Name First Name M.I.  
3121 SW 32ND ST TOPEKA  
 Residential Address City  
 State KS Zip Code 66614

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

### 4. Address to Mail Ballot (if different from residential address)

Mailing Address City State Zip Code

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter with a physical disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

RECEIVED

### 5. Voter Signature Note: False statement on this affirmation is a severity level 9, nonperson felony.

SEP 21 2020

SHAWNEE COUNTY  
ELECTION OFFICE

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

Signature of Voter Date (MM/DD/YY) Phone Number

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Deceased cancelled 7/23/20

VKS01 V2002

FORM AV1M

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Application for Advance Ballot by Mail
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1. Affirmation

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot
State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

2. Voter Identification Requirements

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number:

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
Nondriver's ID card issued by Kansas or another state
U.S. passport
Concealed carry of handgun license issued by Kansas or another state
Employee badge or ID document issued by a government office
U.S. military ID
Student ID card issued by an accredited Kansas postsecondary educational institution
Public assistance ID card issued by a government office
ID card issued by an Indian tribe

3. Personal Information Please print.

RONNEBAUM GERALD H
133 NW BRICKYARD RD. TOPEKA KS 66618
Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot): [ ] Democratic [ ] Republican

RECEIVED

4. Address to Mail Ballot (if different from residential address)

SEP 02 2020

Mailing Address City State ZIP Code
HAWNEE CO. ELECTION OFFICE

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

5. Voter Signature Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

Required

Deceased

Signature of Voter Date (MM/DD/YYYY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. Ballot Mailed Transmitted by

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594. KSA 25-1122d(a). Rev 6/1/20 tc

9-1-20 Topeka Adv-Deceased Pet

## IT'S AS EASY AS 1-2-3

You're a voter, and for you, voting by mail is simple. Here's how it works:

**STEP 1:** You complete, sign, and mail the form on the reverse of this sheet.

**STEP 2:** Your county election office sends you an advance ballot by mail.

**STEP 3:** You fill out the ballot and return it to your county election office—by mail.

**SEE REVERSE FOR YOUR APPLICATION TO VOTE-BY-MAIL**

For questions, please call your county election office. You can find their phone number at  
[https://www.sos.ks.gov/elections/county\\_election\\_officers.aspx](https://www.sos.ks.gov/elections/county_election_officers.aspx)

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**

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Cancelled  
5/11/20

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of \_\_\_\_\_ County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

~~Current Kansas driver's license number or nondriver's identification card number:~~

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Professional ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

RAPER DIANA K  
 Last Name First Name M.I.  
 134 SW PONDVIEW DR TOPEKA KS 66614  
 Residential Address State Zip Code  
 Political Party (To be filled in only when requesting primary election ballot):  Democratic  Republican

RECEIVED

RECEIVED  
AUG 31 2020  
SHAWNEE CO. ELECTION OFFICE

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address City State Zip Code

Note: The ballot may be mailed to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability, or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. Ballot Mailed Transmitted by

## IT'S AS EASY AS 1-2-3

You're a voter, and for you, voting by mail is simple. Here's how it works:

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SEE REVERSE FOR YOUR APPLICATION TO VOTE-BY-MAIL

For questions, please call your county election office. You can find their phone number at  
[https://www.sos.ks.gov/elections/county\\_election\\_officers.aspx](https://www.sos.ks.gov/elections/county_election_officers.aspx)

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
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*Cancelled*  
*5/11/20*

**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

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- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

MAVROVICH JOHN M  
 Last Name First Name M.I. Date of Birth (MM/DD/YYYY)  
 2026 NE QUINCY ST TOPEKA KS 66608  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address City State Zip Code

**Note:** The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

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**Required**

*John Mavrovich died April 14 2020*  
 Signature of Voter Date (MM/DD/YYYY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. Ballot Mailed Transmitted by

**RECEIVED**

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1566 SEP 4 2020  
KSA 25-1122d(a). Rev 9/24/19 to

SHAWNEE COUNTY  
ELECTION OFFICE  
SHAWNEE

*9-8-2020 Invalid App. Deceased*

## IT'S AS EASY AS 1-2-3

You're a voter, and for you, voting by mail is simple. Here's how it works:

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Office of the Kansas Secretary of State  
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**1. Affirmation**

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

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- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

Last Name: LINTNER First Name: CHIQUITA M.I.: F Date of Birth (MM/DD/YYYY): \_\_\_\_\_  
 Residential Address: 3915 NE KIMBAL RD City: TOPEKA State: KS Zip Code: 66617  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 3 nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

Signature of Voter \_\_\_\_\_ Date (MM/DD/YYYY) \_\_\_\_\_ Phone Number \_\_\_\_\_

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_  
Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 9/24/19 tc

3712027239 - KSA10202531 KSR  
Cancelled on 7/6/20 [unclear] PH

## IT'S AS EASY AS 1-2-3

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*Deceased*  
*7-23-2020*  
*Please Remove from Ballot*

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State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

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- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print.

GOMEZ ROBERT C  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
622 NE CHESTER AVE TOPEKA KS 66616  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

*AUG 19 2020 PM 4:16*

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: False statement on this affirmation is a severity level 9, nonperson felony.

I do solemnly affirm under penalty of perjury that I am a qualified elector residing at the address listed above, or I am authorized to sign for the above named voter who has a disability preventing the voter from signing an application. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on 11/03/2020 (date).

**Required**

Signature of Voter \_\_\_\_\_ Date (MM/DD/YY) \_\_\_\_\_ Phone Number \_\_\_\_\_

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594.  
KSA 25-1122d(a). Rev 9/24/19 to

*Cancelled on 8/4/20 Deceased Ballot*

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VKS01  
V2002

Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**

FORM  
AV1M

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*MARK IN*  
**TERESA SCHNEIDER IS DECEASED, THIS IS THE 4TH TIME I HAVE INFORMED THIS OFFICE OF THAT**

**Affirmation**

*FACT.*

*Joe [Signature]*

Affirmation of an Elector of the County of \_\_\_\_\_ and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of \_\_\_\_\_ County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

*Cancelled 9/14/20*

Current Kansas driver's license number or nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide a copy of one of the following forms of photo identification with this application in order to receive a ballot.

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- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

**3. Personal Information** Please print

Name: \_\_\_\_\_  
 First Name: \_\_\_\_\_ Middle: \_\_\_\_\_ Date of Birth (MM/DD/YYYY): \_\_\_\_\_  
 Residential Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

**5. Voter Signature** Note: F

  
 487759, 0202.01, KR0057  
 TERESA MARTIN SCHNEIDER  
 1009 NE WINFIELD AVE  
 TOPEKA, KS 66616

I do solemnly affirm under penalty of perjury that I am the voter listed above, or I am authorized to sign for the voter listed above, and I am entitled to vote an advance ballot on 11/03/2020 (date).

\_\_\_\_\_  
 I am \_\_\_\_\_  
 address listed above, or I am \_\_\_\_\_  
 from signing an application. I am \_\_\_\_\_  
 present at the election to be held on \_\_\_\_\_

**Required**

Signature of Voter \_\_\_\_\_ Date (MM/DD/YYYY) \_\_\_\_\_ Phone Number \_\_\_\_\_

**RECEIVED**

SEP-14 2020

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Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1598  
KSA 25-1122d(a). Rev 6/1/20 to

SHAWNEE COUNTY  
ELECTION OFFICE

*Invalid App. Deceased*

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VKS01  
V2002

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Affirmation Shirley A & P. Phillips pass away 6/30/2020

Affirmation of an Elector of the County of SHAWNEE and State of Kansas Desiring to Vote an Advance Voting Ballot  
State of \_\_\_\_\_, County of \_\_\_\_\_, ss: (where application is completed)

**2. Voter Identification Requirements**

I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.

Current Kansas driver's license number \_\_\_\_\_ nondriver's identification card number: \_\_\_\_\_

If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide one of the following forms of photo identification with this application in order to receive a ballot.

- Driver's license issued by the State of Kansas
- U.S. military ID
- Non-Kansas driver's license issued by another state
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Concealed carry permit issued by the State of Kansas
- Public assistance ID card issued by a government office
- Employment identification document issued by a government office
- ID card issued by an Indian tribe

**CANCELLED  
DECEASED**

**3. Personal Information** Please print.

PHILLIPS SHIRLEY A  
Name First Name M.I. Date of Birth (MM/DD/YY)  
3919 NW ROCHESTER RD TOPEKA KS 66617  
Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

\_\_\_\_\_  
Mailing Address City State Zip Code  
AUG 20 2020 PM 1:45

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

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**Required** Deceased 6-30-2020  
Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

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KSA 25-1122d(a). Rev 9/24/19 tc

*9/1/2020  
Invalid app.  
Cancelled  
deceased  
by*

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[https://www.sos.ks.gov/elections/county\\_election\\_officers.aspx](https://www.sos.ks.gov/elections/county_election_officers.aspx)

DECEASED April 14 2020

VKS01 V2002

Office of the Kansas Secretary of State
Application for Advance Ballot by Mail
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1. Affirmation

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State of \_\_\_\_\_ County of \_\_\_\_\_ ss: (where application is completed)

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• Concealed carry of handgun license issued by Kansas or another state
• Employee badge or ID document issued by a government office
• U.S. military ID
• Student ID card issued by an accredited Kansas postsecondary educational institution
• Public assistance ID card issued by a government office
• ID card issued by an Indian tribe

3. Personal Information Please print.

TREINEN JAMES L
Last Name First Name M.I. Date of Birth (MM/DD/YY)
1821 NW LOWER SILVER LAKE RD TOPEKA KS 66608
Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot): [ ] Democratic [ ] Republican

4. Address to Mail Ballot (if different from residential address)

Mailing Address City State Zip Code

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Required

Signature of Voter Date (MM/DD/YY) Phone Number

FOR OFFICE USE ONLY Date App. Rec'd. Ballot Mailed Transmitted by

Prepared by the Office of the Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS 66612-1594. KSA 25-1122d(a). Rev 9/24/19 tc

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Aug. 18, 2020

Dear Election People. —

I'm returning my past husband's ballot to let you know he is no longer here on earth. He died June 8, 2020 here in Ipswich.

I sent back the local ballot form for Terry, marked it "Deceased" and the day he died. Apparently, that didn't do any good, because he got this ballot form also.

So, please follow-up and take him off the election rolls. Believe me he would be voting Democrat - all the way, for our survival, if only he could.

Thanks for getting it right this time!

from - Marilyn R. Boney  
Terry's surviving wife. —

PS I'm still here & I'm sending in my Application for Mail-in-Vote. Please - Please everyone let's Boot Trump Out of Office!!!!

I've been a Democrat All my 80 years & proud of it. 😊

Already cancelled  
7/24/20

Application for

Application



Office of the Kansas Secretary of State  
**Application for Advance Ballot by Mail**  
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- U.S. military ID
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- Public assistance ID card issued by a government office
- ID card issued by an Indian tribe

*Handwritten: NEED ID*

**3. Personal Information** Please print.

TOOMEY \_\_\_\_\_ TERRY \_\_\_\_\_ D \_\_\_\_\_  
 Last Name First Name M.I. Date of Birth (MM/DD/YY)  
 5630 SW 17TH TER \_\_\_\_\_ TOPEKA \_\_\_\_\_ KS \_\_\_\_\_ 66604  
 Residential Address City State Zip Code

Political Party (To be filled in only when requesting a primary election ballot):  Democratic  Republican

**4. Address to Mail Ballot (if different from residential address)**

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Note: The ballot may be mailed only to the voter's residential or mailing address as indicated on the county voter registration list, to the voter's temporary residential address, or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability or who lacks proficiency in the English language. Ballots cannot be mailed until 20 days before the election.

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**Required**

Signature of Voter \_\_\_\_\_ Date (MM/DD/YY) \_\_\_\_\_ Phone Number \_\_\_\_\_

FOR OFFICE USE ONLY Date App. Rec'd. \_\_\_\_\_ Ballot Mailed \_\_\_\_\_ Transmitted by \_\_\_\_\_

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

VOTEAMERICA AND VOTER  
PARTICIPATION CENTER,

Plaintiffs,

vs.

SCOTT SCHWAB, IN HIS  
OFFICIAL CAPACITY AS  
SECRETARY OF STATE OF THE  
STATE OF KANSAS; DEREK  
SCHMIDT, IN HIS OFFICIAL  
CAPACITY AS ATTORNEY  
GENERAL OF THE STATE OF  
KANSAS; AND STEPHEN M.  
HOWE, IN HIS OFFICIAL  
CAPACITY AS DISTRICT  
ATTORNEY OF JOHNSON  
COUNTY,

Defendants.

CIVIL ACTION

NO. 2:21-CV-02253-KHV-GEB

DEPOSITION OF ANDREW N. HOWELL

TOPEKA, KANSAS

WEDNESDAY, SEPTEMBER 14, 2022

(Reported Remotely)

REPORTED BY: TANYA L. VERHOVEN-PAGE,  
CCR-B-1790

FILE NO. 217059

**EXHIBIT**  
S

Defendants' Memo in Support of SI re Counts I-III

1 A. HOWELL

2 suffix. I mean, there's a lot of different ways a  
3 name could be a problem.

4 I guess all I really know for sure at  
5 this point is that we had 4,217 duplicates of at  
6 least one second ballot that we had to work through,  
7 and out of those 4,217 duplicates they all had to be  
8 figured out what was correct and what was different  
9 and why.

10 Q So I'm trying to understand two different  
11 sets of concerns here that are related, but I'm  
12 trying to ask about them in a distinct way.

13 So what is your understanding of the  
14 number of voters who were concerned over receiving an  
15 advance mail ballot application that had incorrect  
16 address information? And just to be clear, I'm  
17 trying to distinguish that from when the application  
18 actually makes its way to the Shawnee County Election  
19 Office. So if you could answer to the extent you  
20 know.

21 A I'm not sure I understand the question,  
22 so if you can restate it one more time.

23 Q I can try again.

24 Do you know the number of voters who,  
25 during the 2020 election, reported concerns over

1 A. HOWELL

2 receiving an advance mail ballot application that  
3 contained incorrect address information?

4 A I do not know the exact number that that  
5 was their complaint. Having said that, dealing with  
6 over 4,000 duplicates itself was a major time  
7 constraint for the office and I personally took  
8 hundreds of calls from people upset for various  
9 reasons and various forms of issues with it. But I  
10 do know that we spent a great deal of staff time  
11 trying to make sure that we got the names and the  
12 addresses and all the information on those -- on  
13 those duplicate applications figured out.

14 I didn't handle every one of them. We  
15 had probably three times the amount of people that we  
16 normally have, trying to get through that. We were  
17 working until midnight day after day, trying to meet  
18 the 48-hour deadline.

19 Quite frankly, when we're dealing with  
20 that mass amount of volume, I do not personally have  
21 the time or the tracking ability or the level of -- I  
22 mean, it would be great to sit here to tell you that  
23 I know there were exactly X number. I just don't.  
24 It took us a lot of hours just to organize these  
25 documents after the fact, let alone to dig into that

1 A. HOWELL

2 level of research.

3 Q I completely understand. So just going  
4 back to -- we'll get into the applications that were  
5 received by your office.

6 So any calls, complaints, concerns by  
7 voters about the inaccuracy of the information in an  
8 application they received, if you could quantify  
9 it -- can you quantify it?

10 A I really can't because it was  
11 overwhelming. I mean, the entire -- the entire  
12 experience of dealing with all the duplicates,  
13 whether correct or incorrect, was overwhelming in and  
14 of itself.

15 Q I apologize if this is repetitive.

16 Similarly, could you quantify the number  
17 of voters that expressed concern over receiving a  
18 ballot application that contained incorrect name  
19 information?

20 A Again, I can't really give you a specific  
21 number. I haven't done that level of research. I'm  
22 just going to point to, again, the 4217 dups, alone  
23 were overwhelming enough. And again, that doesn't  
24 really take into account all the other non-duplicates  
25 that got sent and also had some incorrect --

1 A. HOWELL

2 incorrect pieces and names, as well. But the  
3 duplicates certainly were the biggest single --  
4 single group that caused a lot of issues for us to  
5 manage internally.

6 Q Sure. And you produced a number of  
7 e-mails in this case that are -- it's correspondence  
8 with voters regarding their advance mail ballot  
9 applications. Is that a fair characterization?

10 A I gave you all that I had copies of. I  
11 do not believe that's everything. I think that's  
12 just -- because part way through the process, we  
13 stopped keeping everything because we weren't even  
14 getting our 48 hours turned around. So we simply  
15 didn't have the time to capture all -- it simply had  
16 to go by the wayside.

17 Because our first priority was not to  
18 keep a copy of every letter that we ever sent out to  
19 every voter. Our first priority was to meet the  
20 48-hour deadline. So somewhere in the middle of that  
21 process we simply could no longer take the time to  
22 copy the letters that we sent to voters. So you got  
23 some of the initial ones, but I doubt that you got  
24 anywhere near all of them.

25 Q Understood. And when you said somewhere

1 A. HOWELL

2 during the process, you were speaking about the 2020  
3 general election process?

4 A Correct.

5 Q As far as e-mail correspondence from  
6 voters goes, wherein those voters expressed concern  
7 or confusion about incorrectly prefilled information  
8 in an advance mail ballot application, have you  
9 produced all of those e-mails in this case?

10 A I've given you all that we have, yes.

11 Q Are you aware of the quantity, roughly,  
12 of e-mails from voters expressing confusion or  
13 concern over prefilled information in an advance mail  
14 ballot application?

15 A I don't remember very many e-mails. Most  
16 people were so angry, they picked up the phone and  
17 either called or walked into the office and asked to  
18 talk to me personally. So that's why I said I  
19 personally handled hundreds, and finally -- I finally  
20 just told staff, I can't handle anymore. Tell  
21 everybody it's not us if it's not us. Do the best  
22 you can to deal with it. And I, you know, tried to  
23 have somebody in the office visit with them.

24 But initially, I took a majority of the  
25 phone calls and conversations that occurred. I do

1 A. HOWELL

2 not recall very many of those occurring across  
3 e-mail. I think people were angry enough, the time  
4 was short enough, they wanted answers in-person or  
5 over the phone, generally.

6 Q And just to be clear, were these hundreds  
7 of calls that your office received about -- did you  
8 receive hundreds of calls regarding incorrect  
9 prefilled information?

10 A I cannot quantify for you at this point  
11 in time exactly how many of them were incorrect  
12 versus duplicates.

13 Q Understood.

14 A I know that -- like I said, most of those  
15 were conversations I had multiple times over the  
16 first four to five days of the phone call barrage.  
17 We were basically running a call center, is what we  
18 were doing.

19 Q I understand. Did voters ever send in  
20 written correspondence complaining about the accuracy  
21 of prefilled advance mail ballot applications?

22 A We got a few. I think there's a few. I  
23 saw a couple. Again, I was so busy trying to gather  
24 documents, I did not spend a ton of time analyzing  
25 everything that we sent you. As you know, it was

1 A. HOWELL

2 thousands of pages.

3 I did see several handwritten notes, as  
4 well as -- there might have been a e-mail or two. I  
5 think I saw a letter. I saw a number of people had  
6 written on their application, hey, this is the third  
7 time I've sent this. Why can't you guys, you know,  
8 deal with that correctly. Those kinds of comments on  
9 the actual applications themselves as often as not.

10 Q And those -- that correspondence, to the  
11 extent it exists and has been maintained, you've  
12 produced that in this case, right?

13 A Yes. If there's any additional, I would  
14 have sent it to you. Having said that, I don't -- I  
15 don't -- I'm under no illusion that that is  
16 everything that occurred. I think there were some  
17 other documents and some other notes that probably no  
18 longer exist relating to phone calls that people  
19 took. So I don't have those. Those typically aren't  
20 kept forever.

21 Q And those are the -- for instance, the  
22 memos of you missed a call from this person?

23 A Yes, phone call log, yes.

24 Q And if you can quantify it, you said you  
25 received many phone calls and voters coming in

1 A. HOWELL

2 in-person expressing anger and confusion, especially  
3 over the duplicate advance mail ballot applications.

4 Could you quantify the amount of time,  
5 roughly, it took your -- you and your staff to  
6 address those concerns during -- to be specific,  
7 during the 2020 general election?

8 A Because there were so many phone calls  
9 generated, I really don't have any way to perfectly  
10 quantify. Other than to say I personally handled  
11 more than 100 phone calls and probably 25 or 30  
12 walk-ins.

13 I had a stack of multiple application  
14 packets on my desk in my office for months after that  
15 for people who wanted me to see what was going on.  
16 They were concerned it was either some type of fraud  
17 or concern that, like I said, there information  
18 wasn't correct and they wanted to make sure I  
19 personally saw it and knew about it. So I spent a  
20 great deal of time when those mailings started  
21 hitting.

22 And then, you know, as the mailing  
23 continued to hit, I continued to get more phone calls  
24 and more communication from people concerned, like,  
25 hey, why is this the third or fourth one of these

1 A. HOWELL

2 I've gotten.

3 Q Understood. Okay. So just going back to  
4 the basics a little bit.

5 Can a voter submit an absentee ballot  
6 application at any time?

7 A The law requires they submit it within a  
8 90-day window prior to election day.

9 Q Okay. So if a voter submitted an  
10 application 100 days prior to an election, how would  
11 that be processed by your office?

12 A So if we receive a ballot application  
13 more than 90 days before, we typically just put it in  
14 a stack and deal with it at the 90-day mark.

15 Q So you don't -- that voter wouldn't need  
16 to send in a new application. It would still be  
17 processed by your office, you just wouldn't start  
18 processing until the 90-day mark?

19 A That is our current practice.

20 Q Was that your practice in 2016?

21 A Yes, it was.

22 Q And through to 2020?

23 A Correct.

24 Q And when is the deadline for a voter to  
25 submit an advance mail ballot application to the

1 A. HOWELL

2 Q And I think you said you calculated  
3 18.2 percent duplicate advance ballot applications in  
4 the 2020 cycle?

5 A That was my calculation.

6 Q What was different in the 2020 cycle from  
7 the 2016?

8 A Prefilled applications from third party,  
9 but it was really the duplicates and the inaccuracies  
10 in the -- mostly in the -- you know, there were a few  
11 others but they were, by and large, prefilled  
12 applications by third parties that either had  
13 inaccuracies or duplicate entries.

14 Q And the fact of the matter is, you were  
15 told in phone calls you personally had with voters,  
16 is that individual voters who had already maybe  
17 registered for advance ballot applications, when they  
18 received a prefilled advance ballot application, with  
19 a return envelope from your office, they thought they  
20 were receiving something from your office that they  
21 had to send in, in order to obtain an advance ballot  
22 application?

23 A Yes, in fact, some of them said, we just  
24 assumed you must have lost the first one so that's  
25 why we're sending you the second one or the third

1 A. HOWELL

2 one.

3 Q And do you know -- I heard a lot of  
4 questions about quantifying. Do you know if, of the  
5 4,217 duplicate -- duplicate advance ballot  
6 applications, how many of those actually arose from  
7 somebody sending in the very first prefilled advance  
8 file application from one of these third parties that  
9 was sent to them?

10 A Well, it's difficult to quantify because  
11 it's kind of hard to tell sometimes which one came in  
12 first. So, you know, certainly being driven by the  
13 prefilled third party applications, but, yeah,  
14 it's --

15 Q But the duplication could be in from  
16 someone sending their own advance ballot application,  
17 without -- before they had received the third party,  
18 and then sending in a third party's after they  
19 received like their first third party prefilled  
20 application?

21 A There was a lot of that, yes.

22 Q I want to ask just one other question.

23 In terms of the processing of advance  
24 ballot applications in the 2020 election, what was a  
25 bigger issue, dealing with the confusion caused by



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# Transcript of Deborah Jean Cox

**Date:** September 9, 2022

**Case:** VoteAmerica, et al. -v- Scwab, et al.

**Planet Depos**

**Phone:** 888.433.3767

**Email:** [transcripts@planetdepos.com](mailto:transcripts@planetdepos.com)

**www.planetdepos.com**

**EXHIBIT**

T

Defendants' Memo in Support of SJ re Counts I-III

Transcript of Deborah Jean Cox  
September 9, 2022

130

1           And by statute you're still supposed to  
2 get it worked out within 48 hours, right?

3           A     Right. If we cannot, we will go on and  
4 continue to try every day, because we want that  
5 person to be able to vote and receive a ballot.

6           Q     Okay. Now, at some juncture -- and I  
7 heard you say before you were having a -- I think  
8 a level of confusion in people calling -- that you  
9 said something about taking out an ad in the  
10 newspaper or something like that?

11          A     I did. There was so many people calling  
12 and asking questions, and I get the Mitchell  
13 County Beloit newspaper, and apparently they have  
14 the same problem, and she had an ad in the paper,  
15 so I also put an ad in the paper explaining that  
16 those applications were not coming from our  
17 office.

18          Q     Okay. I want to make sure I heard you  
19 correctly. You said you talked to somebody in  
20 Beloit County?

21          A     No, I get Beloit's newspaper, and the  
22 Mitchell County Clerk had put an ad in the Beloit  
23 papers explaining that those were not coming from  
24 her. I thought, well, maybe if I did that, that  
25 would calm some of the phone calls down, also.

Transcript of Deborah Jean Cox  
September 9, 2022

131

1 Q And did you speak with the Mitchell  
2 County Election Officer?

3 A Not at that time, no.

4 Q You did at some point in time?

5 A Oh, we talk at conferences, but not  
6 about this, we didn't.

7 MR. SCHILLINGS: I'm going to -- so this  
8 will be 15. We'll mark this in a second as soon  
9 as I find it.

10 (Exhibit 15 was marked for  
11 identification and is attached to the transcript.)

12 Q It's in a Word file, but it's my --  
13 well, tell me what this is. And if you need me to  
14 scroll down at any time --

15 A This is what I basically put in the  
16 paper, and I put it in the Dodge City Daily Globe,  
17 and we have two small cities that have a weekly  
18 paper, and I put that in there, also.

19 Q So you put this in three different  
20 papers and what was -- and I'll be honest with  
21 you, I haven't read it all the way through. I'm  
22 sure it says what it says and we can probably  
23 discern, but what was the message you were trying  
24 to convey to the voters of -- who read these  
25 papers?

Transcript of Deborah Jean Cox  
September 9, 2022

132

1           A       That the information wasn't coming from  
2 Ford County. A lot of times when people would  
3 call us, they'd say, well, where did they get this  
4 information. I don't know where they received  
5 their information from.

6           Q       Okay. Do you have an estimate or a best  
7 estimate, I guess -- I mean, how many calls had  
8 your staff fielded about questions about these  
9 advance voting applications before you took to  
10 task -- before you decided to take out this ad in  
11 the newspaper that we've got here as Exhibit 15?

12          A       Probably 20 to 30 a day.

13          Q       And average five minutes a call?

14          A       Yeah, I would say five minutes a call.

15          Q       And so for a staff of two or three, that  
16 can be -- that can be a burden?

17          A       Yes, it can, when you're not -- don't  
18 usually have that many calls a day.

19          Q       And during the last throes of a general  
20 election, that can be overwhelming?

21          A       Yes, it can.

22          Q       There was a discussion earlier in your  
23 deposition about how the ELVIS system works, and I  
24 think you were talking about -- I think you were  
25 using a term, maybe "canceled," with regard to a

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

VOTEAMERICA and  
VOTER PARTICIPATION CENTER,

*Plaintiffs,*

vs.

Case No. 2:21-cv-02253-KHV-GEB

SCOTT SCHWAB, in his official capacity as  
Secretary of State of the State of Kansas;  
DEREK SCHMIDT, in his official capacity as  
Attorney General of the State of Kansas; and  
STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

**AFFIDAVIT OF DEBBIE COX**

STATE OF KANSAS        )  
                                  ) ss:  
COUNTY OF FORD        )

Debbie Cox, of lawful age, being first duly sworn, states that:

**Background**

1. My name is Debbie Cox. I am over the age of 18, have never been convicted of a felony, and am competent to make this Affidavit. I have personal knowledge of the facts stated in this affidavit.

2. I have served as the County Clerk for Ford County since January 2016. I was first appointed to this position after my predecessor resigned. I was later elected to four-year terms in November 2016 and again in November 2020. My current terms runs through January 20, 2025.



3. I worked in the Ford County Clerk's Office for many years prior to being appointed to the County Clerk position. I served as the voter registration clerk in the office from 1996-2001. Following a decade-long hiatus, I returned to the office in 2010 and, two years later, began serving as deputy election officer, a position I held until my appointment as County Clerk in January 2016.

4. The County Clerk in Ford County is responsible for overseeing and administering all aspects of municipal, county, state and national elections. My office employs three full-time employees (including me) who work on election matters.

5. During the 2020 General Election, in addition to the three full-time election staff, I hired a temporary employee to assist with the processing of advance voting ballot applications and six other temporary employees to assist with the collection and processing of cast advance ballots and to help with in-office advance voting. On Election Day itself, the county employed another 65-75 people to help run the precincts and count the ballots at the end of the day.

**Kansas' Prohibition on Third-Parties Pre-Populating Advance Mail Ballot Applications**

6. I am aware that, in this lawsuit, Plaintiffs are challenging the constitutionality of a law passed in 2021 involving the process for applying for an advance mail ballot. This statute amended election procedures to prohibit "[a]ny person who solicits by mail a registered voter to file an application for an advance voting ballot and includes an application for an advance voting ballot" from completing any "portion of such application . . . prior to mailing such application to the registered voter."

7. In my judgment, this new law serves important roles in minimizing voter confusion, enhancing public confidence in the integrity of the election process, diminishing the possibility of voter fraud, and fostering greater efficiency in election administration. The law helps my office

to more effectively allocate resources by targeting some of the leading causes of delays, errors, complications, and confusion arising out of inaccurate and duplicate applications.

8. For many years, third-party non-governmental organizations have mailed advance ballot applications to potential voters in Kansas. Some of the applications have been blank, while others have been partially pre-filled with certain voter data (e.g., name and address). Although I am aware that pre-filled applications caused many problems in other states across the country, the pre-populated applications did not cause substantial problems in Ford County until the 2020 election.

**Problems with Inaccurate and Duplicate Advance Voting Ballot Applications**

9. Beginning in 2020, we saw a huge increase in voters who returned advance voting ballot applications, pre-filled by a third-party, with information that either did not match the voter's information in the Kansas voter registration system (ELVIS) or that the voter omitted (e.g., missing driver's license number or signature). We also saw a tremendous increase in the number of voters returning multiple (i.e., duplicate) applications in the same election.

10. The problem was particularly significant in the November 2020 General Election when we experienced an unprecedented surge of inaccurate and duplicate applications, many of which had been pre-populated in part by the Center for Voter Information (CVI), which I now know to be the sister organization of Plaintiff Voter Participation Center (VPC).

11. Even if a third-party obtains voter registration records from ELVIS (which is publicly available and may be purchased from either the county or the Secretary of State's Office for a nominal fee) to pre-fill applications, the applications may still include inaccurate information if there is a lag time between the date the third-party acquires the ELVIS data and the date it mails out the pre-filled applications to voters. The reason is that ELVIS is updated in real-time. A voter

may thus have updated his/her voter registration information after a list was generated and used to pre-fill an application. This is a particularly common problem in the months leading up to a major election because, in my experience, that time period is when most voters tend to update registration information (e.g., change of address and name change).

12. We received numerous calls from voters in the months leading up to the November 2020 General Election who were upset and confused that they had received advance voting ballot applications that contained erroneous information, such as an inaccurate last name, middle initial, suffix, or street address.

13. We also received a substantial number of calls in the 2020 General Election cycle from voters who reported that multiple pre-populated applications had been sent to deceased individuals who had once lived at the address to which the application was sent.

14. The problem with inaccurate advance voting ballot applications is mostly a problem when a third-party pre-fills an (unsolicited) application on behalf of the voter because, in my own experience in Ford County, voters are unlikely to fill out their own application with a mistaken name or address (i.e., information that does not match the information in ELVIS).

15. We were able to identify applications that had been pre-populated by CVI because the CVI-prepared applications: (a) used a unique all-caps font, (b) contained a unique message – “It’s as Easy as 1-2-3” on the back of all applications, (c) included yellow highlighting on certain parts of the application, and (d) contained some sort of special coding on the bottom margin of the application.

16. In the 2020 General Election, more than 9% of the advance voting ballot applications that we received from voters were duplicates. Specifically, our office received and processed 3,040 advance mail ballot applications (not including duplicate applications), and we

received another 274 duplicate applications (i.e., applications from voters who had previously submitted an application and to whom we had already mailed a regular or provisional advance ballot).

17. The majority of the duplicate applications we received had been partially pre-filled by CVI, but we also received duplicate applications that had been electronically pre-populated by other organizations. In talking to voters who submitted the duplicates, the common theme was that they believed (erroneously) that the pre-filled applications had come from my office and that they thought they had to send in any and all applications they got in the mail in order to receive an advance ballot.

18. In both the 2016 and 2018 General Elections, my office received no more than five duplicate advance voting ballot applications.

19. The number of duplicate applications would have been even greater but for our telephone calls with many other confused voters who called the office to ask whether they were required to submit the duplicate application that they received from some third-party even though they had already submitted an application to our office. I estimate we received nearly 100 of these calls from voters, and they were extremely time consuming.

20. Each time my office received a call from a voter about the duplicate advance voting ballot application he/she had received, we had to look up the voter's information in ELVIS to determine the status of any prior application. Where an advance ballot had already been mailed to the voter or where the application had been processed and an advance ballot was soon to be sent, I assured the voter that he/she did not need to mail in another application.

#### **Impact on Election Administration**

21. The impact of inaccurate and duplicate advance voting ballot applications on my

office's ability to conduct orderly election administration is significant.

22. In the November 2020 election, the majority of the applications that voters sent to the Ford County Election Office were received in the forty-five days prior to the election. While processing such a significant number of applications would be difficult in any circumstance, the unprecedented number of duplicate and inaccurate applications we received in connection with the 2020 General Election made the problem much harder.

23. On average, it takes an experienced election official three to five minutes to process an accurate, non-duplicative application.

24. If the information on an application does not precisely match the information in ELVIS, or if the application is missing information, the processing time for staff is usually much greater. In those situations, we try to contact the voter to determine the reason for the discrepancy or to obtain the missing information. Sometimes we can reach the voter on the first try. More often, however, reaching the voter can require multiple attempts. Depending on the information we have on file for a voter, we may try to reach him/her via telephone, U.S. mail, and/or e-mail. We usually make at least three attempts to reach the voter, assuming it is feasible.

25. The cumulative time to contact the voter and process the application in these situations likely averages around fifteen minutes of staff time.

26. If we are unable to reach the voter, we will prepare a provisional ballot, assuming we are able to determine that the applicant is a registered voter. Once we send a provisional ballot to a voter, we must document its transmission into ELVIS in order to ensure that no more than one ballot is counted. The cumulative time to complete this whole process regularly takes as much as thirty minutes or more of staff time.

27. *Each time* we receive an application, even a duplicate application, we are required to conduct the same review and verifications of the new application. If there are any differences between the original application and the new/duplicate application (e.g., different name or mailing address), we will attempt to contact the voter to determine the reason for the discrepancy.

28. When a voter submits a duplicate application, we cannot and do not assume that the previously-submitted application was correct. For example, the voter may have moved or changed his/her name and now wants an advance ballot sent to him/her at the new address and/or under the new name. Depending on the situation, we may need to send a new provisional ballot to the voter. The review of a duplicate application nearly always takes more staff time than the review of the initially submitted application. If we *do not* have to contact the voter, the review of the duplicate application generally takes seven to ten minutes. If we *do* have to contact the voter, the review of the duplicate application can take anywhere from fifteen to thirty minutes or more of total staff time.

29. The large number of inaccurate and duplicate applications that we received in the 2020 General Election made it more difficult for my office to be efficient in the administration of the election. Having to contact the voters who submitted inaccurate or duplicate applications, while still ensuring that we processed applications within the two-business-day deadline imposed by State law, presented a significant burden and strain on our office.

#### **Voter Complaints, Confusion, Anger, and Distrust**

30. In the 2020 General Election, the Ford County Election office received a substantial number of CVI pre-filled advance ballot applications that contained inaccurate and/or outdated information, including erroneous last name, middle initial, suffix, or street address.

31. In addition, we received many CVI-pre-filled duplicate applications.

32. These inaccurate and duplicate applications resulted in constant calls (and personal visits) to my office from voters complaining about CVI's pre-filled applications. I estimate that my office received hundreds of complaints from voters about CVI between late July 2020 and Election Day. I personally spoke with many of those voters about the issue.

33. These voters expressed to me their confusion, frustration, and anger about receiving pre-populated applications, many with incorrect information, from CVI that they did not request. Many also expressed their confusion, frustration, and anger about having received multiple (i.e., duplicate) unsolicited applications from CVI.

34. One of the first angry phone calls I received was from a voter who wanted to know why I had changed her middle initial on the partially pre-filled application she received in the mail. I told her that my office had not sent out any pre-filled applications to voters and that I was not sure what she was talking about. I then looked up her voter registration information in ELVIS and determined that ELVIS contained the correct middle initial. It was a mystery to me why the application this voter received from CVI had been pre-filled with the wrong middle initial.

35. Many voters also expressed their concern that the election was somehow "being rigged" by outside forces and that fraud was afoot by third-parties trying to facilitate certain voters to be able to vote multiple times.

36. Many voters thought the CVI-pre-filled applications had come from the Ford County Election Office and they attacked my office as incompetent due to inaccurate information on the applications and/or duplicate applications being sent. It was, and remains, a source of great frustration to me to have voters question the competency and credibility of my office.

37. Due to the phone calls that I was receiving and overall voter confusion in August 2020, I sent a notice to be published in three newspapers in Ford County (*Dodge City Daily Globe*,

*Bucklin Banner*, and *Spearville News*) pointing out that the mailers and enclosed advance mail ballot applications voters were receiving did not come from the Ford County Clerk's Office. Only the *Dodge City Daily Globe* and *Bucklin Banner* printed the notice.

**Impact of Pre-Filled Advance Ballot Applications on Election Administration**

38. The adverse impact of pre-filled advance voting ballot applications during the 2020 General Election was not limited to the strain from the initial processing of the applications.

39. Prior to Election Day, my office received a number of calls from voters who had returned pre-filled applications sent to them by CVI, but who insisted that they did not actually intend to request and vote an advance ballot. The voters told us that they thought they were *required* to return the application.

40. Many voters who mailed in pre-filled applications sent to them by CVI later tried to vote in person, claiming that they misunderstood the implications of returning the information they received from CVI. I told these voters that they could either vote a provisional ballot, or return the advance ballot to the polling site or to my office (in addition to dropping it in the mail, of course).

41. When a voter does vote in person after having previously applied for an advance mail ballot, it requires additional steps to be taken by both poll workers and election office officials to ensure that only one ballot is counted, which further burdens election officials. This can be a very time-consuming process.

42. When a provisional ballot is issued, I estimate that it takes a voter at least fifteen to thirty more minutes to cast a provisional ballot than it does a regular ballot (depending in part on how busy the polling place is at that time).

43. This additional time at polling places also causes additional voting wait times for others waiting at that polling location, thereby increasing wait times for other voters.

44. In my judgment, CVI's activities hurt our efforts to minimize voter confusion and enhance voter confidence in the fairness and integrity of the election process, deter potential voter fraud, and be more efficient in election administration. I thus believe that the Legislature's enactment of a law prohibiting third-parties from partially pre-filling voters' applications serves a highly beneficial (and even critical) purpose.

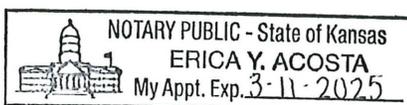
Debbie Cox  
Ford County Clerk

SUBSCRIBED and SWORN to before me this 11<sup>th</sup> day of October, 2022.

  
Notary Public

My appointment expires:

March 11, 2025



Registered voters have been receiving a mailer from an organization called The Center for Voter Information located in Springfield Mo. Which includes applications for advance voting by mail that are already filled out with their information. This has caused quite a bit of confusion for voters. Please be aware that this mailer information is not coming from the Ford County Election Office. It is from an outside source. There may also be mailers from other organizations containing advance ballot applications coming as well.

Our office did send out applications for ballots by mail in April and May. They contain two applications, one for the Primary in August and one for the General in November. If you sent those in, we do not need another application. If you are not, sure, you sent them in you may call our office at 620-227-45501 or 620-227-4550 and we can look it up to see if we received it. Voters should be aware that it is not a requirement to vote by mail- you may vote in person at the polls on Election Day.

You may vote early in the Rose Room of the Government Center beginning October 15.

If you have sent for a ballot by mail and decide to vote in person after the ballots have been mail out on October 14 you will have to vote provisional. If you sent in an application and now wish to vote in person and not receive a ballot by mail. Please contact our office in writing before October 14.

If you would like to receive a ballot by mail for the General Election you may use the application you received, please make sure the information is correct, or you may contact the County Clerk's Office to request a mail ballot application from the local Election Office.

We will have a drop box just for ballots, for people to use for the General Election that will be located inside the door of the Survey/GIS office on the corner of Gunsmoke and Central.

Contact the County Clerk's Office with any questions of concerns at 620-227-4551.





**Shawnee County**  
**COMMISSIONER OF ELECTIONS**

3420 SW Van Buren Street, Topeka, KS 66611-2378 Phone (785) 251-5900 ElectionOffice@snco.us

To:

From: Jay Hatfield  
Election Manager, Voter Services

Date: September 8, 2022

Re: Address Change

We received your application for an advance ballot. You indicated a different address than the one on our registration file. If your address has changed, you need to submit an updated voter registration application with your current address. The last day to register for the General Election is October 12, 2021.

If you have any questions, please call us at (785) 251-5900.

Enclosed: Registration application  
Return envelope





**Shawnee County**  
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To:

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Election Manager, Voter Services

Date: September 8, 2022

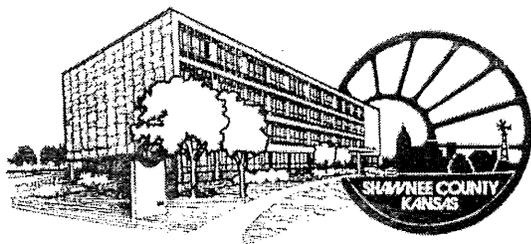
Re: Address Change

It has come to our attention that you have changed apartments. If you change your address, you need to re-register. Please complete the enclosed Voter Registration Application and return it to our office at your earliest convenience. The last day to register for the General Election is October 13, 2020.

If you would like to vote by mail at each election, then complete the enclosed Application for Permanent Advance Voting Status and return it with your registration application.

Thank you for your cooperation. If you have any questions, please call the Election Office at (785) 251-5900.

Enclosed: Voter Registration Application  
Permanent Advance Voting Application  
Return envelope



# Shawnee County Commissioner of Elections

Andrew Howell  
Election Commissioner  
Mark Stock  
Asst. Election Commissioner

3420 SW Van Buren St  
Topeka, Kansas 66611  
(785) 251-5900  
FAX (785) 251-5999

Thursday, September 08, 2022

Dear Registration Applicant,

The Help America Vote Act was passed into law as a response to election issues in the 2000 presidential elections. Part of the act requires a central voter registration database to be implemented, for better tracking of voters who move within the state.

We need to update your information in our computer software that corresponds with the Department of Motor Vehicles. The software we use requires that all registered voters have a birth date entered into their voter file. We need to verify that we received the correct birth date from you.

Please complete the bottom of this letter by filling in your birth date and signature. Cut and return in the enclosed envelope.

Thank you in advance for your assistance. If you have any questions, please feel free to call Michelle at 785-251-5900.

Michelle Blodgett,  
Voter Registration Clerk

↓ Please cut and return ↓

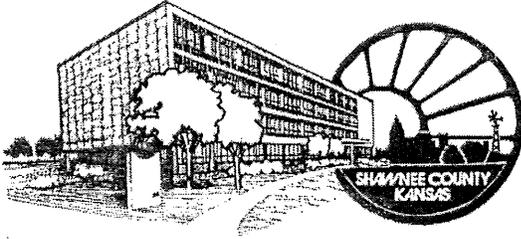
Shawnee County Election Office  
3420 SW Van Buren St.  
Topeka KS 66611

Please indicate your birth date and sign.

Birth date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
month day year

[Empty rounded rectangular box for signature]

Signature: \_\_\_\_\_  
X \_\_\_\_\_



## Shawnee County Commissioner of Elections

Andrew Howell  
Election Commissioner  
Jake Fisher  
Assistant Election Commissioner

3420 SW Van Buren St  
Topeka, Kansas 66611  
FAX (785) 251-5999  
TEL (785) 251-5900

September 8, 2022

Dear

We have received your Application for Advance Ballot by Mail. However, I am sorry to tell you that the information we have received from the Kansas Department of Corrections indicated that because of a felony conviction and you are currently under supervision, you are ineligible to vote.

K.S.A. 21-4615 states that a person who has been convicted of a felony shall be ineligible "to register as a voter or to vote in any election" in the state. Subsection (2) further states that this shall "attach upon conviction and shall continue until such person is finally discharged from parole or conditional release or is discharged from custody by reason of the expiration of the term of imprisonment".

If you believe that this information has been given to the Election Office in error, please call me immediately. If you have had your civil liberties restored, please provide proof to the Shawnee County Election Office in order to process your registration.

If you have any questions, please feel free to give me a call at (785) 251-5900.

Jay Hatfield  
Election Manager



**Shawnee County**  
**COMMISSIONER OF ELECTIONS**

3420 SW Van Buren Street, Topeka, KS 66611-2378 Phone (785) 251-5900 ElectionOffice@snco.us

To:

Re: Cancellation of Voter Registration due to Felony Conviction

Our office received notice that you have been convicted of a felony. A person convicted of a felony is ineligible to vote under Kansas law, and therefore your voter registration has been cancelled. If this information is incorrect, please contact our office.

You may re-register to vote after you have received your certificate of discharge.

If you have questions, please contact our office or the Secretary of State's Office at (800) 262-8683 or [election@kssos.org](mailto:election@kssos.org).

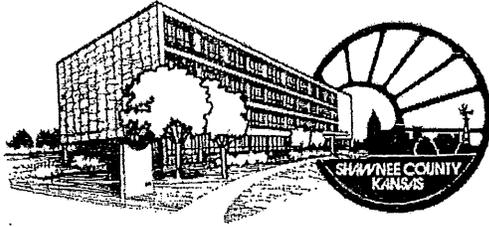
\*\*\*

**Kansas Law**

**21-6613. Rights of imprisoned persons; restoration.** (a) A person who has been convicted in any state or federal court of a felony shall, by reason of such conviction, be ineligible to hold any public office under the laws of the state of Kansas, or to register as a voter or to vote in any election held under the laws of the state of Kansas or to serve as a juror in any civil or criminal case.

(b) The ineligibilities imposed by this section shall attach upon conviction and shall continue until such person has completed the terms of the authorized sentence.

(c) The ineligibilities imposed upon a convicted person by this section shall be in addition to such other penalties as may be provided by law.



## Shawnee County Commissioner of Elections

Andrew Howell  
Election Commissioner  
Mark A. Stock  
Assistant Election Commissioner

3420 SW Van Buren Street  
Topeka, Kansas 66611  
FAX (785) 251-5999  
TEL (785) 251-5900

Mr. Randy Wolf  
5348 NW Valencia Rd  
Silver Lake, KS 66539

Mr. Wolf,

The Applications for Advance Ballot by Mail that is being sent out by the Center for Voting Information out of Springfield, MO is legitimate. They are targeting certain demographic and geographic areas in a "get out the vote" effort, but it was not generated by our office. You may use the application that you have received, or you may use the one that I have enclosed with this letter. If you do vote by mail, ballots do not begin being mailed until October 14, 2020, so the sooner you send in your application, the better. If you have any more questions, please call our office at 785-251-5900.

Very respectfully,

Jay Hatfield, Election Manager

8-26-20

Election Office

I voted absentee in the primary and was not sure if you would send me a ballot for the general election.

I would prefer that you did. I tried to call many times, but the line was always busy.

Thanks

Randy Wolf



Mr. Randy Wolf  
5348 NW Valencia Rd  
Silver Lake, KS 66539

00000000000000000000

We have been getting voter info. from Springfield, MO 65810. I'm not sure if its legitimate.

RW



**Shawnee County**  
**COMMISSIONER OF ELECTIONS**

3420 SW Van Buren Street, Topeka, KS 66611-2378 Phone (785) 251-5900 ElectionOffice@snco.us

To:

From: Jay Hatfield  
Election Manager, Voter Services

Date: September 8, 2022

Re: Name Change

We received your application for an advance ballot. You indicated a different name than the one on our registration file. If your name has changed, you need to submit an updated voter registration application. Please complete and sign the enclosed Voter Registration Application and return it to our office as soon as possible. The application can be faxed to (785) 251-5999 or e-mailed to [electionoffice@snco.us](mailto:electionoffice@snco.us). The registration deadline for the General Election is October 12<sup>th</sup>, 2021.

If you have any questions, please call (785) 251-5900.

Enclosed: Registration application  
Return envelope



**Shawnee County**  
**COMMISSIONER OF ELECTIONS**

3420 SW Van Buren Street, Topeka, KS 66611-2378 Phone (785) 251-5900 ElectionOffice@snco.us

To:

From: Jay Hatfield  
Election Manager, Voter Services

Date: September 8, 2022

Re: Incomplete Advance Voting Application

Your Advance Voting Application is incomplete. Kansas law requires you to provide a Kansas driver's license number, a non-driver's identification card number, or a copy of another photo ID listed on the enclosed advance application.

If you have a permanent disability or illness and would like to vote by mail in every election, you would be eligible for permanent advance voting status. Any physical limitation such as difficulty standing or walking would qualify. Permanent Advance Voters are exempt from the ID requirement.

Please complete either the enclosed copy of your original application or the yellow Permanent Advance Voting Application and send it back to our office in the return envelope. You may also fax the application to (785) 251-5999 or e-mail it to [electionoffice@snco.us](mailto:electionoffice@snco.us).

The last day we can accept applications for ballots by mail is October 26, 2021.

If you have any questions please call (785) 251-5900.

Enclosed: Copy of Advance Voting Application  
Permanent Advance Voting Application  
Return envelope

**There is a statement that says this is not an official mailing of my state elections officials. Is it legitimate?**

Yes, the form is a legal absentee ballot request form. We are a non-partisan, non-profit organization. We work closely with the Secretary of States offices in all the states in which we mail to ensure that everything we are sending is legal and can be used to register to vote. However, we are the ones who pay for and execute these mailings which is why that disclaimer is there.

**My wife received a vote by mail form but I did not, can you send me one?**

I am sorry, I am not able to send you a new form, but I am happy to give you the phone number where you can request a form. What county and state do you live in?

**What are you going to do with my information?**

As a non-government entity, we do not collect any sensitive information about you. All of our mail comes with a postage-paid envelope, pre-addressed to deliver to the appropriate election office, with their form meaning we don't see any documents with sensitive information.

**For overly complex questions, including information about deadlines, voting dates, and polling places, give the caller their local election office's phone number.**

Ask for their county and use the list to find the number.

**I got a form that has someone else's information on it- why did that happen?**

Thank you for reaching out. VPC is aware of this issue and is actively working to make sure it doesn't happen again. This issue was limited in scope and only affected a very small percentage of individuals. In the meantime, we are happy to send you a new vote-by-mail application with the correct information, or I can tell you the link you can use to print it from your state's SoS website and then fill it out and mail back in the envelope we sent you.

*<If they would like a new application sent:>* Could you please provide us with your name and address?

*<If they'd like to print it at home:>* <https://www.state.nj.us/state/elections/vote-by-mail.shtml#applications>

**How did it happen? How are you making sure it won't happen again?**

The mistake was due to a printer error and they have taken responsibility for their mistake and have already added additional quality control measures, like installing an additional



camera to monitor printing, and retraining printer staff, to prevent this type of situation in the future.

**Is my information being stolen? (or any other privacy concern)**

We know that this is a disappointing situation but the only information that was shared was already public record. We will strive to avoid this situation in the future with additional quality control measures.

Date: Thu, 27 Aug 2020 8:14:46 PM (UTC)  
Sent: Thu, 27 Aug 2020 8:14:29 PM (UTC)  
Subject: FW: VA Voter Registration Application Mailing (VPC/CVI) \*\*In Homes Soon\*\*  
From: Cabrera, Brenda <Brenda.Cabrera@fairfaxva.gov>  
To: Carrier, Jennifer <jennifer.carrier@blankrome.com>;  
Attachments: VA VPC Sept. Counts by County.xlsx; VA CVI Sept. Counts by County.xlsx; VPC-CVI 2020 List Protocols.pdf; VA Flow Chart Sept. VR Bilingual.pdf

We received this email today regarding the next VPC/CVI mailing. The numbers for the City of Fairfax appear to be inflated and out of line with our size. We have already had a problem with County/City confusion and I have to wonder if there are County zip codes getting a mailing with the City return address. The combined total is a disproportionate number.

I am asking that VPC/CVI specifically verify this data so as not to create another mail hardship on our office. I have some assumption that the same error will not happen with this list as the one early this month, but I know it can happen.

Thanks for you consideration.



Brenda F. Cabrera  
703.385.7891 O TTY:711  
[www.fairfaxva.gov/vote](http://www.fairfaxva.gov/vote)  
f t v i

FOIA Disclaimer

You are hereby advised that, pursuant to the Virginia Freedom of Information Act, written correspondence (including, but not limited to, letters, e-mails and faxes) from and to the City of Fairfax and its officials and employees, and others acting on its behalf, may be subject to disclosure as being a public record. This includes the e-mail address(es) and other contact and identifying information for parties involved in the correspondence.

**From:** Allison J. Robbins [mailto:robbins\_a@wisecounty.org]  
**Sent:** Thursday, August 27, 2020 3:51 PM  
**To:** Walt Latham <walt.latham@yorkcounty.gov>; Jason Corwin <mecklenburgelections@gmail.com>; Lorrie Gump <lgump@co.kinggeorge.state.va.us>; Clark, Traci <tclark@botetourtva.gov>; Jennifer Lewis-Fowler <jlewis-fowler@gcva.us>; Dianna Moorman <Dianna.Moorman@jamestowncountyva.gov>; Teresa F. Smithson <tfsmithson@hanovercounty.gov>; Cabrera, Brenda <Brenda.Cabrera@fairfaxva.gov>; Tracy Howard <Tracy.Howard@radfordva.gov>; Ables, Alex <alex.ables@fauquiercounty.gov>; Showalter, Kirk - General Registrar <Kirk.Showalter@richmondgov.com>  
**Subject:** Fwd: VA Voter Registration Application Mailing (VPC/CVI) \*\*In Homes Soon\*\*

**CAUTION: External Email**

All,

We have received the below email regarding a mailing by VPC/CVI. Given the problems with the most recent mailing, I wanted to give everyone a heads up and the ability to look at these very quickly so that we can provide any feedback if we see issues.

-Allison  
**Allison J. Robbins**  
**Director of Elections & General Registrar**  
**Certified Virginia Registered Election Official (VA-171)**



**County of Wise**  
**P.O. Box 309**  
**Wise, VA 24293**  
**276-328-8331 - Phone**  
**276-328-7111 - Fax**

----- Forwarded message -----

From: **Carrier, Jennifer** <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>  
Date: Thu, Aug 27, 2020 at 3:42 PM  
Subject: VA Voter Registration Application Mailing (VPC/CVI) **\*\*In Homes Soon\*\***  
To: Piper, Christopher <[chris.piper@elections.virginia.gov](mailto:chris.piper@elections.virginia.gov)>, [Jessica.Bowman@elections.virginia.gov](mailto:Jessica.Bowman@elections.virginia.gov) <[Jessica.Bowman@elections.virginia.gov](mailto:Jessica.Bowman@elections.virginia.gov)>, Nichols, David <[david.nichols@elections.virginia.gov](mailto:david.nichols@elections.virginia.gov)>  
Cc: Ables, Alex <[alex.ables@fauquiercounty.gov](mailto:alex.ables@fauquiercounty.gov)>, [robbins\\_a@wisecounty.org](mailto:robbins_a@wisecounty.org) <[robbins\\_a@wisecounty.org](mailto:robbins_a@wisecounty.org)>

Dear Commissioner Piper and All --

I write on behalf of my clients, the Voter Participation Center (VPC) and the Center for Voter Information (CVI), to provide additional information regarding their next mailings that are **expected to land in Virginia beginning the week of September 7<sup>th</sup>**.

**Attached** is a document with the number of VPC and CVI mailings that will be sent within each political subdivision, along with sample mailings.

#### **Mission: Expand Access to Democracy by Underrepresented Populations**

The VPC and CVI have one key mission – to bring more people into our democracy. Both organizations successfully utilize direct mail and online formats to foster registration and voting by under-represented populations in the American electorate. A special focus is on the Rising American Electorate (RAE), consisting of young people, communities of color, and unmarried women. For more information on our mission and the RAE, please see [voterparticipation.org](http://voterparticipation.org) and [centerforvoterinformation.org](http://centerforvoterinformation.org).

Since 2003, **more than 5 million Americans** (including **over 194,500 citizens of Virginia**) have returned their voter registration applications to elections officials across the country due to VPC, CVI, and their partners. The organizations' goals are to generate *1.5 million registration applications* nationwide in the 2020 election cycle and Virginia will be a critical state in that effort.

Please see this video where the Founder and Board Chair of VPC/CVI and I discuss the steps taken to ensure the voter registration mail programs are in compliance with state laws, accurate, and effective.

#### **Current Mailing**

As with their prior registration mailings, these mailings will contain voter registration applications and helpful information for unregistered voters. The registration mailings will go to unregistered young people who will be eligible to vote in the upcoming elections for the first time, to voters who have recently moved and have not re-registered or updated their voter registration records (according to the latest available information), and others who are unregistered in the voting age population.

VPC and CVI make it clear to mail recipients that the mailing is coming from a non-government organization. The mailings often include a letter from either Page Gardner, Founder of VPC, or Lionel Dripps, Program Manager of CVI, urging citizens to register to vote. A separate disclaimer includes the applicable organization's phone number, website address, explanation that the organization is a non-government and non-profit organization, and language that states that the organization is "not affiliated with any government agency or state/local election office."

#### **Recent Mailing List Enhancements**

VPC and CVI use the best technology available to ensure that its voter registration mail recipients are eligible to vote and unregistered. Since no state makes available a list of individuals who are unregistered or ineligible, VPC and CVI use commercially available individual and residential databases and matches them to the state’s voter file to determine who is unregistered and otherwise eligible. They then take more than a dozen steps to improve the accuracy of the list. **See attached** “VPC-CVI List Protocol.”

In the past year, they have taken a series of **additional data quality steps** to further improve the mailing lists, including checking against four new databases of deceased individuals and sending mail to “current resident” rather than a specific individual when utilizing lists that have produced higher error rates in past mailings. They are proud to report that the deceased inquiry rate fell 97% from June 2019 to September 2019 as a percentage of pieces mailed! Going forward, they will continue to use best practices and creative solutions (such as offering a review of the mailing list to state officials) to ensure that the data improves with every mailing.

If you talk to anyone that wants to be removed from the mailing lists, their letter has a code near the bottom that they can email to VPC or CVI to be automatically removed ([unsubscribe@voterparticipation.org](mailto:unsubscribe@voterparticipation.org) and [unsubscribe@centerforvoterinformation.org](mailto:unsubscribe@centerforvoterinformation.org)). Or you can take down the codes or names/addresses and send them to me (or call me) for removal. Additionally, you can direct anyone to their toll-free numbers: **877-255-6750 (VPC)** and **866-290-1599 (CVI)**.

\* \* \* \* \*

VPC and CVI would be pleased to work with you to provide advance information to potential voters, as well as local elections officials and their staffs who handle the incoming application forms generated by the mailings and who also answer questions from local residents. In the event you receive questions from recipients of the mailings, **please feel free to direct them to VPC at 877-255-6750 and CVI at 866-290-1599.**

I would be pleased to address any questions or concerns you or local election officials may have and look forward to continued work with your office.

Jen Carrier

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

\*\*\*\*\*

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**Date:** Mon, 8 Jun 2020 12:25:41 PM (UTC)  
**Sent:** Mon, 8 Jun 2020 12:25:21 PM (UTC)  
**Subject:** Fwd: Albemarle Co. - concern re pre-filled absentee applications  
**From:** Piper, Christopher <chris.piper@elections.virginia.gov>  
**To:** Carrier, Jennifer <jennifer.carrier@blankrome.com>;

---

Jen - It appears these errors are coming from the applications CVI sent. I wanted to make you aware.

*Chris*

**Christopher E. Piper**  
**Commissioner**  
**(804) 864-8903**

----- Forwarded message -----

Date: Fri, Jun 5, 2020 at 1:17 PM  
Subject: Albemarle Co. - concern re pre-filled absentee applications

Chris Piper, Commissioner  
Virginia Department of Elections

June 5, 2020

Dear Chris,

I wanted to alert you to something that we have just recently begun to see that is causing us some difficulties, and I suspect it may be more widespread than Albemarle County.

The problem: apparently some voting group, or someone, has been distributing absentee ballot applications to voters, and on these applications, in Section 2, the distributor has pre-filled in the date of the election as June 23, leaving the voter to fill in whether they are applying to vote in: a) General or Special election, b) Democratic primary, or c) Republican primary.

I'm sure they were trying to be helpful. However, we are beginning to see a significant number of these applications where the applicant checked "General or Special election", rather than Democratic primary or Republican primary.

So we cannot process them as applications for the upcoming Democratic or Republican primary because we don't know which ballot style they want, and I'm not sure we can process them as applications for the November general election, since they specified the election date is 6/23/2020.

We will try as best we can to contact the applicants from whom we have already received these snafu applications, but that is going to be an impossible task for us to do comprehensively. The best thing I think at this point would be to get to the problem at its source and find out which group or groups are circulating these applications, and get them to stop.

Your thoughts?

Jake W.

cc: Albemarle Co. Electoral Board

Richard J (Jake) Washburne

General Registrar and Director of Elections

Albemarle County Department of

Voter Registration and Elections

5th Street Albemarle County Office Building

1600 5th Street

Charlottesville, VA 22902

phone: (434) 972-4173

fax: (434) 972-4178

email: [rwashburne@albemarle.org](mailto:rwashburne@albemarle.org)

**Date:** Wed, 5 Aug 2020 7:09:26 PM (UTC)  
**Sent:** Wed, 5 Aug 2020 7:09:11 PM (UTC)  
**Subject:** Fwd: [GRLIST] [EXTERNAL] [GRLIST] Center for Voter Information  
**From:** Piper, Christopher <chris.piper@elections.virginia.gov >  
**To:** Carrier, Jennifer <jennifer.carrier@blankrome.com >;

Not a good day. Wanted to make you aware. See thread below.

----- Forwarded message -----

**From:** Sherri Jones <scjones@princegeorgecountyva.gov >  
**Date:** Wed, Aug 5, 2020 at 15:07  
**Subject:** Re: [GRLIST] [EXTERNAL] [GRLIST] Center for Voter Information  
**To:** <GRLIST@listlva.lib.va.us >

We have had the same in Prince George, they are upset because they thought they had already taken care of this and they are receiving something with our return mailing address.

Sherri Jones  
Deputy Registrar  
Prince George County  
P.O. Box 34  
Prince George, VA 23875  
Phone: (804)722-8748  
Fax: (804)733-2793  
[scjones@princegeorgecountyva.gov](mailto:scjones@princegeorgecountyva.gov)

Carry out a random act of kindness, with no expectation of reward, safe in the knowledge that one day someone might do the same for you. Princess Diana

-----Original Message-----

**From:** The official communication list for the General Registrars of the Commonwealth [mailto:[GRLIST@LISTLVA.LIB.VA.US](mailto:GRLIST@LISTLVA.LIB.VA.US)] On Behalf Of [Deirdre.Martin@ROANOKEVA.GOV](mailto:Deirdre.Martin@ROANOKEVA.GOV)  
**Sent:** Wednesday, August 5, 2020 1:14 PM  
**To:** [GRLIST@LISTLVA.LIB.VA.US](mailto:GRLIST@LISTLVA.LIB.VA.US)  
**Subject:** Re: [GRLIST] [EXTERNAL] [GRLIST] Center for Voter Information

Same here. We have Roanoke CITY voters coming in and calling because the return envelope CVI provided has Roanoke COUNTY's address on it. Voters are confused and upset because now they think are registered in Roanoke County. (Sorry, Roanoke County). :)

Deirdre Martin  
Deputy Registrar, City of Roanoke  
317 Kimball Ave NE  
Roanoke VA 24016  
phone: 540 853 2283 fax: 540 853 1025

From: "Kinsman, Victoria E"  
<[0000007844205838-dmarc-request@LISTLVA.LIB.VA.US](mailto:0000007844205838-dmarc-request@LISTLVA.LIB.VA.US) >

To:GRLIST@LISTLVA.LIB.VA.US  
Date:08/05/2020 12:30 PM  
Subject:[EXTERNAL] [GRLIST] Center for Voter Information  
Sent by:"The official communication list for the General Registrars of the Commonwealth" <GRLIST@LISTLVA.LIB.VA.US >

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders. Just a heads up – Center for Voter Information which is another name for the Center for Voter Participation sent out mailers with absentee applications to residents. In our case, the voters in Fairfax were given a prepaid envelope addressed to Fairfax City. (Sorry, Fairfax City). Might be more confusion.

Viki  
Viki Kinsman, CERA  
Deputy Registrar  
Fairfax County Office of Elections  
12000 Government Center Parkway, Suite 323 Fairfax, VA 22035  
Victoria.kinsman@fairfaxcounty.gov  
703/324-4921

To unsubscribe from the GRLIST list, e-mail [verishelp@elections.virginia.gov](mailto:verishelp@elections.virginia.gov) .

This list is made possible by a grant from the U.S. Institute of Museum and Library Services (IMLS).

#####

To unsubscribe from the GRLIST list, send an e-mail to [info@elections.virginia.gov](mailto:info@elections.virginia.gov) .

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#####

To unsubscribe from the GRLIST list, send an e-mail to [info@elections.virginia.gov](mailto:info@elections.virginia.gov) .

This list is made possible by a grant from the U.S. Institute of Museum and Library Services (IMLS).

--

Christopher E. "Chris" Piper  
Commissioner  
[chris.piper@elections.virginia.gov](mailto:chris.piper@elections.virginia.gov)  
(804) 864-8903

**Date:** Mon, 28 Sep 2020 4:45:32 PM (UTC)  
**Sent:** Mon, 28 Sep 2020 4:45:28 PM (UTC)  
**Subject:** RE: Checking in on VBM Return Issue  
**From:** Chitwood, Kay <Kay.Chitwood@franklincountyva.gov >  
**To:** Carrier, Jennifer <jennifer.carrier@blankrome.com >;

Jennifer:

Hello- We have been sending Jennifer Maynard, CVI mail regularly every week. At this time, I don't know that there is anything more you can do at this point. Thanks for checking in. Have a great day!

Thanks,  
Kay Chitwood  
General Registrar

**From:** Carrier, Jennifer <JCarrier@blankrome.com >  
**Sent:** Monday, September 28, 2020 10:15 AM  
**To:** Chitwood, Kay <Kay.Chitwood@franklincountyva.gov >  
**Cc:** Carrier, Jennifer <JCarrier@blankrome.com >  
**Subject:** Checking in on VBM Return Issue

==== CAUTION: This email is from outside Franklin County Government. Total security is not guaranteed. Remember to use safe practices when using email and other technologies. ====

Registrar Chitwood –

I hope all is well. I wanted to check in on the CVI mail ballot application return issue. I believe Registrar Maynard has been sending you UPS boxes with applications pretty regularly. I wanted to make sure you have been receiving them and also check on if there is anything more we can do.

Many thanks!

Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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Date: Mon, 28 Sep 2020 2:57:44 PM (UTC)  
Sent: Mon, 28 Sep 2020 2:57:35 PM (UTC)  
Subject: RE: Follow-Up on CVI Mail Return Issue  
From: Cabrera, Brenda <Brenda.Cabrera@fairfaxva.gov>  
To: Carrier, Jennifer <jennifer.carrier@blankrome.com>; 'Victoria.kinsman@fairfaxcounty.gov' <Victoria.kinsman@fairfaxcounty.gov>;

We continue to receive applications for the county and vice versa. We continue to receive calls from voters with questions and suspicions of where the form originated and whether it is legitimate or fraudulent. Applications are delivered to the correct locality for processing.

Thank you for checking.



Brenda F. Cabrera

703.385.7891 O TTY:711

[www.fairfaxva.gov/vote](http://www.fairfaxva.gov/vote)



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**From:** Carrier, Jennifer [mailto:JCarrier@blankrome.com]  
**Sent:** Monday, September 28, 2020 10:36 AM  
**To:** Cabrera, Brenda <Brenda.Cabrera@fairfaxva.gov>; 'Victoria.kinsman@fairfaxcounty.gov' <Victoria.kinsman@fairfaxcounty.gov>  
**Subject:** RE: Follow-Up on CVI Mail Return Issue

**CAUTION: External Email**

Registrar Cabrera and Deputy Registrar Kinsman –  
I hope all is well. I wanted to check in on the CVI mail ballot application return issue. I wanted to make sure you have now been able to receive and process the correct applications and also to check if there is anything further we can do to help.  
Many thanks!  
Jen

**Jennifer L. Carrier | BLANKROME**  
1825 Eye Street NW | Washington, DC 20006  
Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

---

**From:** Carrier, Jennifer  
**Sent:** Thursday, August 6, 2020 11:58 AM  
**To:** [Brenda.cabrera@fairfaxva.gov](mailto:Brenda.cabrera@fairfaxva.gov); [Victoria.kinsman@fairfaxcounty.gov](mailto:Victoria.kinsman@fairfaxcounty.gov)  
**Subject:** Follow-Up on CVI Mail Return Issue

Registrar Cabrera and Deputy Registrar Kinsman –

Thank you for taking the time to talk with me today about the CVI vote-by-mail return issue. I wanted to provide you both with a bit more information and open the lines of communication via email as well in case you have questions.

As discussed, this was a comprehensive mistake – all mailings that should be returned to Fairfax County (429,079) had return addresses for Fairfax City. All 9,364 voters mailed in Fairfax City mistakenly had return address to Fairfax County. The average rate of return is about 8% -- which means about 34k returns meant for Fairfax County will likely be sent to Fairfax City. This mistake also occurred in Richmond, Franklin, and Roanoke.

Next steps:

- We are checking into whether the post office could somehow help catch these and divert them to the proper office.
- We are also looking into hiring temps that could volunteer to help sort the mail for the next few weeks at Fairfax City. More on that soon.

I have heard your frustrations regarding the toll this is taking on your staff due to calls from confused and angry mail recipients – all of those concerns are being passed onto the leadership of CVI.

I'll keep you updated but in the meantime call (cell: 202-441-8116) or email me with any questions or concerns.

Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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Two questions.

- 1) Would you prefer Fed Ex or UPS shipping labels?
- 2) Are these the correct addresses to use if utilizing Fed Ex or UPS?

**Franklin City**

Jennifer Maynard, VREO  
757-562-854; [jmaynard@franklinva.com](mailto:jmaynard@franklinva.com)  
100 S. Main Street  
P.O. Box 42  
Franklin, VA 23851

**Franklin County**

Kay Chitwood, Registrar  
540-483-3025; [Kay.Chitwood@franklincountyva.gov](mailto:Kay.Chitwood@franklincountyva.gov)  
1255 Franklin Street, Suite 106  
Rocky Mount, VA 24151

Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006  
Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**From:** Carrier, Jennifer  
**Sent:** Thursday, August 6, 2020 12:39 PM  
**To:** 'Kay.Chitwood@franklincountyva.gov' <[Kay.Chitwood@franklincountyva.gov](mailto:Kay.Chitwood@franklincountyva.gov)>; 'jmaynard@franklinva.com' <[jmaynard@franklinva.com](mailto:jmaynard@franklinva.com)>  
**Cc:** Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>  
**Subject:** Follow-Up on CVI Return Mail Issue

Registrar Chitwood and Registrar Maynard –

Thank you for taking the time to talk with me today about the CVI vote-by-mail return issue. I wanted to provide you both with a bit more information and open the lines of communication via email as well in case you have questions.

As discussed, this was a comprehensive mistake – all mailings that should be returned to Franklin County (6,318) had return addresses for Franklin City. All 3,099 voters mailed in Franklin City mistakenly had return address to Franklin County. The average rate of return is about 8%. This mistake also occurred in Richmond, Fairfax, and Roanoke.

Next steps:

- We are checking into whether the post office could somehow help catch these and divert them to the proper office.
- We will get you pre-paid Fed Ex slips (or maybe UPS if you'd prefer) to overnight any returns to the proper office.
- We are following up with the Smith Mountain Eagle.
- We will keep you updated on other corrective actions.

I have heard your and other offices' frustrations regarding the toll this is taking on your staff due to calls from confused and angry mail recipients – all of those concerns are being passed onto the leadership of CVI.

I'll keep you updated but in the meantime call (cell: 202-441-8116) or email me with any questions or concerns.

Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**Date:** Thu, 6 Aug 2020 11:58:45 PM (UTC)  
**Sent:** Thu, 6 Aug 2020 11:57:29 PM (UTC)  
**Subject:** RE: Follow-up re: CVI Mail Return Issue  
**From:** Showalter, Kirk - General Registrar <Kirk.Showalter@Richmondgov.com>  
**To:** Carrier, Jennifer <jennifer.carrier@blankrome.com>;

Certainly.

J. Kirk Showalter  
General Registrar  
City of Richmond  
(804) 646-5950  
CERA, VREO

"Thou canst not stir a flower without troubling of a star" Francis Thompson, 1897

**From:** Carrier, Jennifer [mailto:JCarrier@blankrome.com]  
**Sent:** Thursday, August 6, 2020 7:54 PM  
**To:** Showalter, Kirk - General Registrar <Kirk.Showalter@Richmondgov.com>  
**Subject:** Re: Follow-up re: CVI Mail Return Issue

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Registrar Showalter—  
I'm very sorry about the confusion and staff time this has caused. We would like to pay for the Fed Ex/UPS boxes to get the mail to the correct address. That's why I suggested we could make the slips for you — so our account can be billed. Can I give you a call tomorrow?  
Jen

Sent from my iPhone

On Aug 6, 2020, at 7:40 PM, Showalter, Kirk - General Registrar <Kirk.Showalter@richmondgov.com> wrote:

☑  
Good evening Ms. Carrier:

This mistake has caused great confusion with our voters and untold staff time already fielding telephone calls from angry voters. It is also reflecting poorly on our offices as the voters think it was we who made this mistake.

We already have our own FedEx slips. Are you proposing that we expend additional funding to overnight these applications?

J. Kirk Showalter  
General Registrar  
City of Richmond  
(804) 646-5950  
CERA, VREO

"Thou canst not stir a flower without troubling of a star" Francis Thompson, 1897

**From:** Carrier, Jennifer [mailto:JCarrier@blankrome.com]  
**Sent:** Thursday, August 6, 2020 4:46 PM  
**To:** Showalter, Kirk - General Registrar <Kirk.Showalter@Richmondgov.com>; hkeyser@co.richmond.va.us  
**Subject:** RE: Follow-up re: CVI Mail Return Issue

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Hello again ---

I wanted to check in on the possibility of sending you UPS or Fed Ex slips to help with the returns. A few questions:

- 1) Would you prefer UPS or Fed Ex? I believe, Registrar Cullison, you said UPS for your pickups, correct?
- 2) Are these the proper addresses to utilize?

**Richmond City**

(804) 646-5950; [VoterRegistration@richmondgov.com](mailto:VoterRegistration@richmondgov.com)  
900 E. Broad St., Room 105  
Richmond, VA 23219

**Richmond County**

Halle K. Cullison, General Registrar  
(804) 333-4772; [hkeyser@co.richmond.va.us](mailto:hkeyser@co.richmond.va.us)  
101 Court Circle, P. O. Box 1000  
Warsaw, Virginia 22572

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006  
Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**From:** Carrier, Jennifer  
**Sent:** Thursday, August 6, 2020 1:46 PM  
**To:** 'Kirk.showalter@richmondgov.com' <[Kirk.showalter@richmondgov.com](mailto:Kirk.showalter@richmondgov.com)>; 'hkeyser@co.richmond.va.us' <[hkeyser@co.richmond.va.us](mailto:hkeyser@co.richmond.va.us)>  
**Cc:** Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>  
**Subject:** Follow-up re: CVI Mail Return Issue

Registrar Showalter –I just left a message for you.

Registrar Cullison – thanking for talking with me a few minutes ago!

I want to provide additional information regarding the CVI vote-by-mail return issue, and open the lines of communication via email as well in case you have questions.

This was a comprehensive mistake – all mailings that should be returned to Richmond City (91,408) had return addresses for Richmond County. All 1,223 voters mailed in Richmond County mistakenly had return address to Richmond City. The average rate of return is about 8%. This mistake also occurred in Roanoke, Fairfax, and Franklin.

Next steps:

- We are checking into whether the post office could somehow help catch these and divert them to the proper office.
- It sounds like you may be interested in UPS slips to overnight any returns to the proper office? Please confirm. Could also do Fed Ex if that is easier.
- We will keep you updated on other corrective actions.

I'll keep you updated but in the meantime call (cell: 202-441-8116) or email me with any questions or concerns.

Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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\*\*\*\*\*

Richmond, VA 23219

**Richmond County**

Halle K. Cullison, General Registrar  
(804) 333-4772; [hkeyser@co.richmond.va.us](mailto:hkeyser@co.richmond.va.us)  
101 Court Circle, P. O. Box 1000  
Warsaw, Virginia 22572

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006  
Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**From:** Carrier, Jennifer  
**Sent:** Thursday, August 6, 2020 1:46 PM  
**To:** 'Kirk.showalter@richmondgov.com' <[Kirk.showalter@richmondgov.com](mailto:Kirk.showalter@richmondgov.com)>; 'hkeyser@co.richmond.va.us' <[hkeyser@co.richmond.va.us](mailto:hkeyser@co.richmond.va.us)>  
**Cc:** Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>  
**Subject:** Follow-up re: CVI Mail Return Issue

Registrar Showalter –I just left a message for you.

Registrar Cullison – thanking for talking with me a few minutes ago!

I want to provide additional information regarding the CVI vote-by-mail return issue, and open the lines of communication via email as well in case you have questions.

This was a comprehensive mistake – all mailings that should be returned to Richmond City (91,408) had return addresses for Richmond County. All 1,223 voters mailed in Richmond County mistakenly had return address to Richmond City. The average rate of return is about 8%. This mistake also occurred in Roanoke, Fairfax, and Franklin.

Next steps:

- We are checking into whether the post office could somehow help catch these and divert them to the proper office.
- It sounds like you may be interested in UPS slips to overnight any returns to the proper office? Please confirm. Could also do Fed Ex if that is easier.
- We will keep you updated on other corrective actions.

I'll keep you updated but in the meantime call (cell: 202-441-8116) or email me with any questions or concerns.

Jen

**Jennifer L. Carrier | BLANKROME**

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**Date:** Tue, 11 Aug 2020 8:06:11 AM (UTC)  
**Sent:** Tue, 11 Aug 2020 8:06:06 AM (UTC)  
**Subject:** Re: Possible Volunteer that Can Start Tomorrow  
**From:** Cabrera, Brenda <Brenda.Cabrera@fairfaxva.gov>  
**To:** Sarah Hummell <shummell@centerforvoterinformation.org>;  
**CC:** Carrier, Jennifer <jennifer.carrier@blankrome.com>; Rogers, Sean <Sean.Rogers@fairfaxva.gov>;  
Rojanapradith, Wannicha <Wannicha.Rojanapradith@fairfaxva.gov>;

Thanks but just the one space.

Brenda Cabrera  
(703)385-7891

Sent from my iPhone

On Aug 10, 2020, at 10:10 PM, Sarah Hummell <shummell@centerforvoterinformation.org > wrote:

□□

**CAUTION: External Email**

Understood. I recall you mentioned a staff member will be out for the week. Does that allow extra space?  
Just want to triple check to be sure we can help as much as we can.  
Thank you!

On Mon, Aug 10, 2020 at 8:31 PM Cabrera, Brenda <Brenda.Cabrera@fairfaxva.gov > wrote:  
I would love to have them but only have social distance room for one person.

Brenda Cabrera  
(703)385-7891

Sent from my iPhone

On Aug 10, 2020, at 8:11 PM, Sarah Hummell <shummell@centerforvoterinformation.org > wrote:

□□

**CAUTION: External Email**

Brenda,

It was great speaking with you. Great news, David and Colin are both registered VA voters.  
Should I tell them to be there at 10:30A or a different time?

---

**From:** "Cabrera, Brenda" <Brenda.Cabrera@fairfaxva.gov >  
**Date:** Monday, August 10, 2020 at 6:01 PM  
**To:** "Carrier, Jennifer" <JCarrier@blankrome.com >  
**Cc:** Sarah Hummell <shummell@centerforvoterinformation.org >, "Rogers, Sean" <Sean.Rogers@fairfaxva.gov >, "Rojanapradith, Wannicha" <Wannicha.Rojanapradith@fairfaxva.gov >

**Subject:** RE: Possible Volunteer that Can Start Tomorrow

Jen,

I had my fears of a late Friday afternoon plan with no time to really check with the mailroom. The mail coordinator is not comfortable having other people go through the mail. This is completely understandable. Unfortunately, that leaves her with the herculean task of sorting the mail and pulling out anything that does not go to the county.

I have drop Carol, the mail coordinator to bcc so she will not get further emails.

If you would like to call me this afternoon, there might be some help we could use with the phones this week, just answering calls from voters who are confused.

<image001.png> <image002.png>  
Brenda F. Cabrera

703.385.7891 O TTY:711

[www.fairfaxva.gov/vote](http://www.fairfaxva.gov/vote)

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<image004.png>

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**From:** Carrier, Jennifer [mailto:[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)]

**Sent:** Monday, August 10, 2020 12:01 PM

**To:** Cabrera, Brenda <[Brenda.Cabrera@fairfaxva.gov](mailto:Brenda.Cabrera@fairfaxva.gov)>

**Cc:** Sarah Hummell <[shummell@centerforvoterinformation.org](mailto:shummell@centerforvoterinformation.org)>; Lacour, Carol <[Carol.Lacour@fairfaxva.gov](mailto:Carol.Lacour@fairfaxva.gov)>; Rogers, Sean <[Sean.Rogers@fairfaxva.gov](mailto:Sean.Rogers@fairfaxva.gov)>; Rojanapradith, Wannicha <[Wannicha.Rojanapradith@fairfaxva.gov](mailto:Wannicha.Rojanapradith@fairfaxva.gov)>  
**Subject:** RE: Possible Volunteer that Can Start Tomorrow

**CAUTION:** External Email

Hi Registrar Cabrera –

The volunteers called and I think they were sent home but I wanted to check with you to see if everything was okay and if you want them back or if we should try to find another way to help.

Many thanks!

Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**From:** Cabrera, Brenda <[Brenda.Cabrera@fairfaxva.gov](mailto:Brenda.Cabrera@fairfaxva.gov)>  
**Sent:** Friday, August 7, 2020 5:02 PM  
**To:** Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>  
**Cc:** Sarah Hummell <[shummell@centerforvoterinformation.org](mailto:shummell@centerforvoterinformation.org)>; Lacour, Carol <[Carol.Lacour@fairfaxva.gov](mailto:Carol.Lacour@fairfaxva.gov)>; Rogers, Sean <[Sean.Rogers@fairfaxva.gov](mailto:Sean.Rogers@fairfaxva.gov)>; Rojanapradith, Wannicha <[Wannicha.Rojanapradith@fairfaxva.gov](mailto:Wannicha.Rojanapradith@fairfaxva.gov)>  
**Subject:** RE: Possible Volunteer that Can Start Tomorrow

Thank you Jen,

The mail generally comes at around 10:30. So that would be the best time for volunteers to be here. We received 400+ in the mail today along with several delivering in person. The county received about 20 for the city. I drove over and we swapped.

I am cc'ing Carol Lacour Stewart who manages the mail room. Mail sorters should park at the atrium entrance to City Hall. City Hall is located at 10455 Armstrong St., Fairfax, VA 22030 but the atrium entrance is located on the east side of the building off of University Blvd. Once they are in the atrium the staff will call our office to alert us they are here. They will be asked to take their temperature, and wear a mask at all times.

<image001.png> <image002.png>

Brenda F. Cabrera

703.385.7891 O TTY:711

[www.fairfaxva.gov/vote](http://www.fairfaxva.gov/vote)

<image003.png>

<image004.png>

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**From:** Carrier, Jennifer [<mailto:JCarrier@blankrome.com>]  
**Sent:** Friday, August 07, 2020 3:25 PM  
**To:** Cabrera, Brenda <[Brenda.Cabrera@fairfaxva.gov](mailto:Brenda.Cabrera@fairfaxva.gov)>  
**Cc:** Sarah Hummell <[shummell@centerforvoterinformation.org](mailto:shummell@centerforvoterinformation.org)>  
**Subject:** RE: Possible Volunteer that Can Start Tomorrow

**CAUTION: External Email**

Hi Director Cabrera –

We have two volunteers set up ready to come on Monday if you'd like. I'm including Sarah Hummell to help coordinate. But details such as where they should go, what time would be best,

and any special requirements would be helpful.

Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

---

**From:** Carrier, Jennifer

**Sent:** Thursday, August 6, 2020 5:39 PM

**To:** 'Cabrera, Brenda' <[Brenda.Cabrera@fairfaxva.gov](mailto:Brenda.Cabrera@fairfaxva.gov)>

**Cc:** Sarah Hummell <[shummell@centerforvoterinformation.org](mailto:shummell@centerforvoterinformation.org)>

**Subject:** RE: Possible Volunteer that Can Start Tomorrow

Thanks, Registrar Cabrera. I definitely understand. We can get our ducks in a row for next week, and will reach back out shortly on that.

We are still discussing a possible letter – will keep you updated.

Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**From:** Cabrera, Brenda <[Brenda.Cabrera@fairfaxva.gov](mailto:Brenda.Cabrera@fairfaxva.gov)>

**Sent:** Thursday, August 6, 2020 5:00 PM

**To:** Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>

**Cc:** Sarah Hummell <[shummell@centerforvoterinformation.org](mailto:shummell@centerforvoterinformation.org)>

**Subject:** RE: Possible Volunteer that Can Start Tomorrow

Jennifer,

We received two returns today. I would rather hold off until next week and set up time once we have a volume of applications to sort.

Is CVI planning to mail a letter of apology/clarification to the voters impacted? I would not want them to receive another application or envelope but believe that a letter from CVI might help

restore confidence. If this is a step (and I think it should be) taken by CVI, I recommend that you work with City and County officials to craft the correspondence to make sure it is clear and correct and doesn't cause further confusion.

Please let me know what CVI intends to do.

<image001.png> <image002.png>  
Brenda F. Cabrera

703.385.7891 O TTY:711

[www.fairfaxva.gov/vote](http://www.fairfaxva.gov/vote)

<image003.png>  
<image004.png>

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**From:** Carrier, Jennifer [<mailto:JCarrier@blankrome.com>]  
**Sent:** Thursday, August 06, 2020 4:52 PM  
**To:** Cabrera, Brenda <[Brenda.Cabrera@fairfaxva.gov](mailto:Brenda.Cabrera@fairfaxva.gov)>  
**Cc:** Sarah Hummell <[shummell@centerforvoterinformation.org](mailto:shummell@centerforvoterinformation.org)>  
**Subject:** Possible Volunteer that Can Start Tomorrow

**CAUTION: External Email**

Registrar Cabrera –

I wanted to follow up on providing temporary volunteers to help sort the mail. We are working with a firm to get something in place soon. But we wanted to provide you with assistance as early as tomorrow if that would be useful. One of our consultants has an adult son that lives nearby and is willing to help until we find a more permanent temporary solution. If that works for you, Sarah (cc'd here) can help with the logistics. We know that a mask is required but any other requirements would be helpful to know as well! And if you prefer to have more time to set up a space for volunteers we can hold off until next week—definitely up to you!

Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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Date: Thu, 6 Aug 2020 12:59:48 PM (UTC)  
Sent: Thu, 6 Aug 2020 12:59:29 PM (UTC)  
Subject: Re: Short Discussion re: CVI VBM Return Issue  
From: Piper, Christopher <chris.piper@elections.virginia.gov >  
To: Carrier, Jennifer <jennifer.carrier@blankrome.com >;  
CC: Ables, Alex <alex.ables@fauquiercounty.gov >

Jennifer - You know that I cannot coordinate with you so I will not attend a meeting. Besides, the only thing I will say at this point is that Virginia has been dealing with your organization's error after error for nearly a decade now and my only ask of VPC is that you cease mailing anything to Virginia voters. This is simply the latest in a long line of abuses that we have to clean up.

*Chris*

**Christopher E. Piper**  
**Commissioner**  
**(804) 864-8903**

On Wed, Aug 5, 2020 at 6:13 PM Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)> wrote:

Hi Chris and Alex –

Do either of you have time to talk tonight or tomorrow about the CVI VBM mailing that has some of the county/city returns mixed up. We are still getting ahold of the scope of the problem (our data looks good so we think it happened at the printer but are still investigating). I'd like to talk through what we know so far and also some ideas to remedy. In the meantime, can you send any other counties/cities my way that are having this issue. So far I know of: Fairfax, Prince George, Roanoke, and Franklin City. I'll reach out to them right now too. Feel free to give any of the election officials my cell – **202-441-8116**.

Jen

**Jennifer L. Carrier | BLANKROME**  
1825 Eye Street NW | Washington, DC 20006  
Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

\*\*\*\*\*

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**Date:** Thu, 27 Aug 2020 11:36:17 PM (UTC)  
**Sent:** Thu, 27 Aug 2020 11:36:01 PM (UTC)  
**Subject:** FW: [External Email] IA Voter Registration Application Mailing (VPC/CVI) \*\*In Homes Soon\*\*  
**From:** Moritz, Roxanna <Roxanna.Moritz@scottcountyiowa.gov >  
**To:** Carrier, Jennifer <jennifer.carrier@blankrome.com >;  
 Adam Wedmore (awedmore@cgcounty.org) <awedmore@cgcounty.org >; Alisa Smith  
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 <auditor@monroecoia.us >; Amanda Waske (awaske@ringgoldcounty.us) <awaske@ringgoldcounty.us >;  
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**Attachments:** IA VPC Sept. Counts by County.xlsx; IA CVI Sept. Counts by County.xlsx; VPC-CVI 2020 List Protocols.pdf; IA CVI Vote Tripling Non-Movers Sept. VR.pdf; IA CVI Flow Chart Current Resident Sept. VR.pdf; IA CVI Simple Wave Families Sept. VR.pdf

Jennifer,

I am questioning your comments about being taken off of your list. Is this individuals or as a county....I cannot begin to tell you every two years how many complaints my office gets. Your organization does seem to be able to add but not delete. I get so many calls that think that you get your information from my office; therefore people that have passed away and or moved and have not lived at those addresses for years.

What are my options, your last mailing cost literally 100's of hours for our office. I applaud you encouraging people to vote and especially this year by absentee but don't understand why you can't find a way to work with The Secretary of State and possibly mail to actually active voters and those that have not already requested. Please feel free to respond to me or any of the other Iowa Auditor's I am sending this to.

Roxanna Moritz  
Scott County Auditor & Commissioner of Elections  
President /Iowa Association of County Auditors  
[Roxanna.Moritz@scottcountyiowa.gov](mailto:Roxanna.Moritz@scottcountyiowa.gov)

**From:** Carrier, Jennifer <JCarrier@blankrome.com>  
**Sent:** Thursday, August 27, 2020 4:59 PM  
**To:** Burhans, Heidi [SOS] <Heidi.Burhans@sos.iowa.gov>; Hicok, Wes [SOS] <Wes.Hicok@sos.iowa.gov>; Widen, Molly [SOS] <Molly.Hammer@sos.iowa.gov>  
**Cc:** Moritz, Roxanna <Roxanna.Moritz@scottcountyiowa.gov>; Jamie Fitzgerald <Jamie.Fitzgerald@polkcountyiowa.gov>  
**Subject:** [External Email] IA Voter Registration Application Mailing (VPC/CVI) \*\*In Homes Soon\*\*

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Dear Director Burhans and All --

I write on behalf of my clients, the Voter Participation Center (VPC) and the Center for Voter Information (CVI), to provide additional information regarding their next mailings that are **expected to land in Iowa beginning the week of September 7<sup>th</sup>**.

**Date:** Fri, 28 Aug 2020 5:52:39 PM (UTC)  
**Sent:** Fri, 28 Aug 2020 5:52:33 PM (UTC)  
**Subject:** FW: [External Email] RE: [External Email] RE: [External Email] IA Voter Registration Application Mailing (VPC/CVI) \*\*In Homes Soon\*\*  
**From:** Moritz, Roxanna <Roxanna.Moritz@scottcountyiowa.gov >  
**To:** Carrier, Jennifer <jennifer.carrier@blankrome.com >

From Dubuque Auditors office...

**From:** Jenny Hillary <Jenny.Hillary@dubuquecounty.us>  
**Sent:** Friday, August 28, 2020 12:14 PM  
**To:** Moritz, Roxanna <Roxanna.Moritz@scottcountyiowa.gov>  
**Subject:** [External Email] RE: [External Email] RE: [External Email] IA Voter Registration Application Mailing (VPC/CVI) \*\*In Homes Soon\*\*

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Yes you can forward on. I would add that I want to see people register to vote and vote absentee, but the lists they work off are just old and outdated.

Thanks,

Jenny Hillary, C.E.R.A.  
Deputy Auditor  
Commissioner of Elections  
Dubuque County Auditor's Office  
563-589-4458

**From:** Moritz, Roxanna [mailto:Roxanna.Moritz@scottcountyiowa.gov]  
**Sent:** Friday, August 28, 2020 9:52 AM  
**To:** Jenny Hillary <Jenny.Hillary@dubuquecounty.us>  
**Subject:** RE: [External Email] RE: [External Email] IA Voter Registration Application Mailing (VPC/CVI) \*\*In Homes Soon\*\*

Can I forward her your email?

**From:** Jenny Hillary <Jenny.Hillary@dubuquecounty.us>  
**Sent:** Friday, August 28, 2020 8:42 AM  
**To:** Moritz, Roxanna <Roxanna.Moritz@scottcountyiowa.gov>  
**Cc:** Denise Dolan <Denise.Dolan@dubuquecounty.us>  
**Subject:** [External Email] RE: [External Email] IA Voter Registration Application Mailing (VPC/CVI) \*\*In Homes Soon\*\*

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If you get a response, please let us know, as Dubuque County would like to be removed from the list as well, because I think these mailings do more harm than good. We receive so many phone calls from voters since this organization sends mailings to deceased voters, voters who are already registered, voters maiden names (my parents have received these forms for me and I have been married 12 years. I think I have finally emailed them enough to take my name off the list that they have finally stopped mailing to my parents address, but it took multiple emails).

Thanks,

Jenny Hillary, C.E.R.A.  
Deputy Auditor  
Commissioner of Elections  
Dubuque County Auditor's Office  
563-589-4458

**From:** Moritz, Roxanna [<mailto:Roxanna.Moritz@scottcountyiowa.gov>]

**Sent:** Thursday, August 27, 2020 6:36 PM

**To:** [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

**Cc:** Adam Wedmore ([awedmore@cgcounty.org](mailto:awedmore@cgcounty.org)) <[awedmore@cgcounty.org](mailto:awedmore@cgcounty.org)>; Alisa Smith ([asmith@co.jackson.ia.us](mailto:asmith@co.jackson.ia.us)) <[asmith@co.jackson.ia.us](mailto:asmith@co.jackson.ia.us)>; Amanda Harlin ([auditor@monroecoia.us](mailto:auditor@monroecoia.us)) <[auditor@monroecoia.us](mailto:auditor@monroecoia.us)>; Amanda Waske ([awaske@ringgoldcounty.us](mailto:awaske@ringgoldcounty.us)) <[awaske@ringgoldcounty.us](mailto:awaske@ringgoldcounty.us)>; Amber Garman ([agarman@co.kossuth.ia.us](mailto:agarman@co.kossuth.ia.us)) <[agarman@co.kossuth.ia.us](mailto:agarman@co.kossuth.ia.us)>; Amy Sathoff ([asathoff@emmetcountyiowa.com](mailto:asathoff@emmetcountyiowa.com)) <[asathoff@emmetcountyiowa.com](mailto:asathoff@emmetcountyiowa.com)>; Audubon County Auditor <[audcoaud@auduboncountyiowa.gov](mailto:audcoaud@auduboncountyiowa.gov)>; Barbara Rohwer ([brohwer@obriencounty.org](mailto:brohwer@obriencounty.org)) <[brohwer@obriencounty.org](mailto:brohwer@obriencounty.org)>; Becky Bissell ([acaudit@adamscountyiowa.com](mailto:acaudit@adamscountyiowa.com)) <[acaudit@adamscountyiowa.com](mailto:acaudit@adamscountyiowa.com)>; Benjamin D. Steines ([bsteines@co.winneshiek.ia.us](mailto:bsteines@co.winneshiek.ia.us)) <[bsteines@co.winneshiek.ia.us](mailto:bsteines@co.winneshiek.ia.us)>; Bethany Murphy ([auditor@taylorcountyiowa.org](mailto:auditor@taylorcountyiowa.org)) <[auditor@taylorcountyiowa.org](mailto:auditor@taylorcountyiowa.org)>; Betty Ellis ([auditor@co.wright.ia.us](mailto:auditor@co.wright.ia.us)) <[auditor@co.wright.ia.us](mailto:auditor@co.wright.ia.us)>; Cari Dauber ([cdauber@cedarcountry.org](mailto:cdauber@cedarcountry.org)) <[cdauber@cedarcountry.org](mailto:cdauber@cedarcountry.org)>; Carla K. Becker ([cbecker@co.delaware.ia.us](mailto:cbecker@co.delaware.ia.us)) <[cbecker@co.delaware.ia.us](mailto:cbecker@co.delaware.ia.us)>; Carmen Moser ([cmoser@co.palo-alto.ia.us](mailto:cmoser@co.palo-alto.ia.us)) <[cmoser@co.palo-alto.ia.us](mailto:cmoser@co.palo-alto.ia.us)>; Carol Robertson ([crobertson@millscoia.us](mailto:crobertson@millscoia.us)) <[crobertson@millscoia.us](mailto:crobertson@millscoia.us)>; Christy Bates ([auditor@keokukcountyiowa.com](mailto:auditor@keokukcountyiowa.com)) <[auditor@keokukcountyiowa.com](mailto:auditor@keokukcountyiowa.com)>; Cindy Gosse ([cgosse@co.buchanan.ia.us](mailto:cgosse@co.buchanan.ia.us)) <[cgosse@co.buchanan.ia.us](mailto:cgosse@co.buchanan.ia.us)>; Dale Sunderman ([auditor@casscoia.us](mailto:auditor@casscoia.us)) <[auditor@casscoia.us](mailto:auditor@casscoia.us)>; Daniel Widmer ([dwidmer@co.washington.ia.us](mailto:dwidmer@co.washington.ia.us)) <[dwidmer@co.washington.ia.us](mailto:dwidmer@co.washington.ia.us)>; Dee Owen ([dowen@co.fremont.ia.us](mailto:dowen@co.fremont.ia.us)) <[dowen@co.fremont.ia.us](mailto:dowen@co.fremont.ia.us)>; Denise Beyer ([dbeyer@co.allamakee.ia.us](mailto:dbeyer@co.allamakee.ia.us)) <[dbeyer@co.allamakee.ia.us](mailto:dbeyer@co.allamakee.ia.us)>; Jenny Hillary ([Jenny.Hillary@dubuquecounty.us](mailto:Jenny.Hillary@dubuquecounty.us)); Denise Fraise ([dfraise@leecounty.org](mailto:dfraise@leecounty.org)) <[dfraise@leecounty.org](mailto:dfraise@leecounty.org)>; Dennis Parrott ([auditor@jasperia.org](mailto:auditor@jasperia.org)) <[auditor@jasperia.org](mailto:auditor@jasperia.org)>; Doreen Pliner ([auditor@webstercountyiowa.org](mailto:auditor@webstercountyiowa.org)) <[auditor@webstercountyiowa.org](mailto:auditor@webstercountyiowa.org)>; Eric Van Lancker ([vanlancker@clintoncounty-ia.gov](mailto:vanlancker@clintoncounty-ia.gov)) <[vanlancker@clintoncounty-ia.gov](mailto:vanlancker@clintoncounty-ia.gov)>; Gloria Carr ([gcarr@floydcoia.org](mailto:gcarr@floydcoia.org)) <[gcarr@floydcoia.org](mailto:gcarr@floydcoia.org)>; Grant Veeder ([gveeder@co.black-hawk.ia.us](mailto:gveeder@co.black-hawk.ia.us)) <[gveeder@co.black-hawk.ia.us](mailto:gveeder@co.black-hawk.ia.us)>; Guthrie County Auditor <[dfink@guthriecounty.org](mailto:dfink@guthriecounty.org)>; Hayley Rippel ([hrippel@co.benton.ia.us](mailto:hrippel@co.benton.ia.us)) <[hrippel@co.benton.ia.us](mailto:hrippel@co.benton.ia.us)>; Jacki Backhaus ([auditor@worthcounty.org](mailto:auditor@worthcounty.org)) <[auditor@worthcounty.org](mailto:auditor@worthcounty.org)>; Jake Grandia ([jgrandia@co.marion.ia.us](mailto:jgrandia@co.marion.ia.us)) <[jgrandia@co.marion.ia.us](mailto:jgrandia@co.marion.ia.us)>; Jamie Fitzgerald ([election@polkcountyiowa.gov](mailto:election@polkcountyiowa.gov)) <[election@polkcountyiowa.gov](mailto:election@polkcountyiowa.gov)>; Jane Heun ([auditor@co.greene.ia.us](mailto:auditor@co.greene.ia.us)) <[auditor@co.greene.ia.us](mailto:auditor@co.greene.ia.us)>; Janice M. 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Knoll ([ccauditor@hotmail.com](mailto:ccauditor@hotmail.com)) <[ccauditor@hotmail.com](mailto:ccauditor@hotmail.com)>; Joel Miller ([joel.miller@linncounty.org](mailto:joel.miller@linncounty.org)) <[joel.miller@linncounty.org](mailto:joel.miller@linncounty.org)>; Joel Miller ([auditor@linncounty.org](mailto:auditor@linncounty.org)) <[auditor@linncounty.org](mailto:auditor@linncounty.org)>; Julia Helm ([dcauditor@dallascountyiowa.gov](mailto:dcauditor@dallascountyiowa.gov)) <[dcauditor@dallascountyiowa.gov](mailto:dcauditor@dallascountyiowa.gov)>; Julie Chapman ([jchapman@co.howard.ia.us](mailto:jchapman@co.howard.ia.us)) <[jchapman@co.howard.ia.us](mailto:jchapman@co.howard.ia.us)>; Julie Masters ([mastersj@lucasco.org](mailto:mastersj@lucasco.org)) <[mastersj@lucasco.org](mailto:mastersj@lucasco.org)>; Karla Weiss ([Karla.weiss@winnebago-countyiowa.gov](mailto:Karla.weiss@winnebago-countyiowa.gov)) <[Karla.weiss@winnebago-countyiowa.gov](mailto:Karla.weiss@winnebago-countyiowa.gov)>; Kelly Howard ([khoward@appanoosecounty.net](mailto:khoward@appanoosecounty.net)) <[khoward@appanoosecounty.net](mailto:khoward@appanoosecounty.net)>; Kelly Jepsen ([kjepsen@pocahontascoia.us](mailto:kjepsen@pocahontascoia.us)) <[kjepsen@pocahontascoia.us](mailto:kjepsen@pocahontascoia.us)>; Kelly Spurgeon ([auditor@wapellocounty.org](mailto:auditor@wapellocounty.org)) <[auditor@wapellocounty.org](mailto:auditor@wapellocounty.org)>; Kim Schaa ([kschaa@hamiltoncounty.org](mailto:kschaa@hamiltoncounty.org)) <[kschaa@hamiltoncounty.org](mailto:kschaa@hamiltoncounty.org)>; Kourtney Irlbeck ([kirlbeck@carrollcountyiowa.org](mailto:kirlbeck@carrollcountyiowa.org)) <[kirlbeck@carrollcountyiowa.org](mailto:kirlbeck@carrollcountyiowa.org)>; Kris Glienke ([kglienke@co.berkeley.ia.us](mailto:kglienke@co.berkeley.ia.us)) <[kglienke@co.berkeley.ia.us](mailto:kglienke@co.berkeley.ia.us)>; Laura Kopsa ([lkopsa@tamacounty.org](mailto:lkopsa@tamacounty.org)) <[lkopsa@tamacounty.org](mailto:lkopsa@tamacounty.org)>; Leslie Soule ([auditor@co.muscatine.ia.us](mailto:auditor@co.muscatine.ia.us)) <[auditor@co.muscatine.ia.us](mailto:auditor@co.muscatine.ia.us)>; Linda Humphrey ([auditor@daviscountyiowa.org](mailto:auditor@daviscountyiowa.org)) <[auditor@daviscountyiowa.org](mailto:auditor@daviscountyiowa.org)>; Lisa Frederiksen ([audcoaud@auduboncountyiowa.gov](mailto:audcoaud@auduboncountyiowa.gov)); Lisa Plecker ([lplecker@vbcoia.org](mailto:lplecker@vbcoia.org)) <[lplecker@vbcoia.org](mailto:lplecker@vbcoia.org)>; Liz Williams ([auditor@butlercoiowa.org](mailto:auditor@butlercoiowa.org)) <[auditor@butlercoiowa.org](mailto:auditor@butlercoiowa.org)>; Lori Pedersen ([lopedersen@co.dickinson.ia.us](mailto:lopedersen@co.dickinson.ia.us)) <[lopedersen@co.dickinson.ia.us](mailto:lopedersen@co.dickinson.ia.us)>; Lorna Steenbock ([idacoaud@longlines.com](mailto:idacoaud@longlines.com)) <[idacoaud@longlines.com](mailto:idacoaud@longlines.com)>; Lowell Tesch ([ltesch@mitchellcoia.us](mailto:ltesch@mitchellcoia.us)) <[ltesch@mitchellcoia.us](mailto:ltesch@mitchellcoia.us)>; Lucy Martin ([auditorweb@storycountyiowa.gov](mailto:auditorweb@storycountyiowa.gov)) <[auditorweb@storycountyiowa.gov](mailto:auditorweb@storycountyiowa.gov)>; Marjorie Pitts ([mpitts@co.clay.ia.us](mailto:mpitts@co.clay.ia.us)) <[mpitts@co.clay.ia.us](mailto:mpitts@co.clay.ia.us)>; Mark Maxwell ([mmaxwell@shco.org](mailto:mmaxwell@shco.org)) <[mmaxwell@shco.org](mailto:mmaxwell@shco.org)>; Melissa Wellhausen ([mwellhausen@shco.org](mailto:mwellhausen@shco.org)) <[mwellhausen@shco.org](mailto:mwellhausen@shco.org)>

mwellhausen@co.page.ia.us) <mwellhausen@co.page.ia.us>; Melvyn Houser (elections@pottcounty-ia.gov) <elections@pottcounty-ia.gov>; Michelle Dooley (mdooley@waynecountyia.org) <mdooley@waynecountyia.org>; Michelle Eisenman (hanaudme@hancockcountyia.org) <hanaudme@hancockcountyia.org>; Michelle Giddings (auditor@co.franklin.ia.us) <auditor@co.franklin.ia.us>; Mindy Schaefer - ADAIR (auditor@adaircountyiowa.org) <auditor@adaircountyiowa.org>; Missy Eilander (meilander@poweshiekcounty.org) <meilander@poweshiekcounty.org>; Nan Benson (nbenson@marshallcountyia.gov) <nbenson@marshallcountyia.gov>; Patrick Gill (pgill@woodburycountyiowa.gov) <pgill@woodburycountyiowa.gov>; Peggy Rice (price@humboldtcountyia.org) <price@humboldtcountyia.org>; Peggy Rolph (mocoaud1@mononacounty.org) <mocoaud1@mononacounty.org>; Philippe E. Meier (boonecoaud@boonecounty.iowa.gov) <boonecoaud@boonecounty.iowa.gov>; Rhonda Deters (rdeters@gccourthouse.org) <rdeters@gccourthouse.org>; Robin Batz (rbatz@calhouncountyiowa.com) <rbatz@calhouncountyiowa.com>; Rochelle Van Tilburg (rvantilburg@osceolacoia.org) <rvantilburg@osceolacoia.org>; AU Mail Box <Auditor@scottcountyiowa.gov>; Ryan Dokter (auditor@siouxcounty.org) <auditor@siouxcounty.org>; Sandi Elliott (sellott@louisacountyia.gov) <sellott@louisacountyia.gov>; Sandy Hysell (shysell@unioncountyiowa.org) <shysell@unioncountyiowa.org>; Scott Reneker (auditor@jeffersoncountyia.com) <auditor@jeffersoncountyia.com>; Shelley D. Kaster (skaster@madisoncoia.us) <skaster@madisoncoia.us>; Shelley Wolf (swolf@co.bremer.ia.us) <swolf@co.bremer.ia.us>; Shelly Barber (sbarber@henrycountyiowa.us) <sbarber@henrycountyiowa.us>; Stacey Feldman (auditor@co.plymouth.ia.us) <auditor@co.plymouth.ia.us>; Stephanie Burke (sburke@montgomerycoia.us) <sburke@montgomerycoia.us>; Stephanie Daughton (dauaud@grm.net) <dauaud@grm.net>; Susan Bonham (auditor@harrisoncountyia.org) <auditor@harrisoncountyia.org>; Susan Brown (auditor@mahaskacounty.org) <auditor@mahaskacounty.org>; Susan Lloyd (slloyd@bvcountyiowa.com) <slloyd@bvcountyiowa.com>; Terri Johnson (johnsont@dmcounty.com) <johnsont@dmcounty.com>; Terri Martens (tmartens@crawfordcounty.org) <tmartens@crawfordcounty.org>; Traci VanderLinden (traciv@warrencountyia.org) <traciv@warrencountyia.org>; Travis Weipert - JOHNSON (tweipert@co.johnson.ia.us) <tweipert@co.johnson.ia.us>  
**Subject:** FW: [External Email] IA Voter Registration Application Mailing (VPC/CVI) \*\*In Homes Soon\*\*

Jennifer,

I am questioning your comments about being taken off of your list. Is this individuals or as a county....I cannot begin to tell you every two years how many complaints my office gets. Your organization does seem to be able to add but not delete. I get so many calls that think that you get your information from my office; therefore people that have passed away and or moved and have not lived at those addresses for years.

What are my options, your last mailing cost literally 100's of hours for our office. I applaud you encouraging people to vote and especially this year by absentee but don't understand why you can't find a way to work with The Secretary of State and possibly mail to actually active voters and those that have not already requested. Please feel free to respond to me or any of the other Iowa Auditor's I am sending this to.

Roxanna Moritz  
 Scott County Auditor & Commissioner of Elections  
 President /Iowa Association of County Auditors  
 Roxanna.Moritz@scottcountyiowa.gov

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**From:** Carrier, Jennifer <JCarrier@blankrome.com>  
**Sent:** Thursday, August 27, 2020 4:59 PM  
**To:** Burhans, Heidi [SOS] <Heidi.Burhans@sos.iowa.gov>; Hicok, Wes [SOS] <Wes.Hicok@sos.iowa.gov>; Widen, Molly [SOS] <Molly.Hammer@sos.iowa.gov>  
**Cc:** Moritz, Roxanna <Roxanna.Moritz@scottcountyiowa.gov>; Jamie Fitzgerald <Jamie.Fitzgerald@polkcountyiowa.gov>  
**Subject:** [External Email] IA Voter Registration Application Mailing (VPC/CVI) \*\*In Homes Soon\*\*

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Dear Director Burhans and All --

I write on behalf of my clients, the Voter Participation Center (VPC) and the Center for Voter Information (CVI), to provide additional information regarding their next mailings that are **expected to land in Iowa beginning the week of September 7<sup>th</sup>**.

Date: Thu, 6 Aug 2020 9:00:17 PM (UTC)  
Sent: Thu, 6 Aug 2020 9:00:12 PM (UTC)  
Subject: RE: Center for Voter Information  
From: Burhans, Heidi [SOS] <Heidi.Burhans@sos.iowa.gov >  
To: Carrier, Jennifer <jennifer.carrier@blankrome.com >;  
Thank you so much, Ms. Carrier!

**Heidi L. Burhans**

Director of Elections  
Office of Iowa Secretary of State Paul D. Pate  
515.725.0067 Direct Line  
515.250.7021 Mobile



[sos.iowa.gov](http://sos.iowa.gov)

[heidi.burhans@sos.iowa.gov](mailto:heidi.burhans@sos.iowa.gov)

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**From:** Carrier, Jennifer <JCarrier@blankrome.com >  
**Sent:** Thursday, August 6, 2020 2:27 PM  
**To:** Burhans, Heidi [SOS] <Heidi.Burhans@sos.iowa.gov>; Brandy Enochson <benochson@co.iowa.ia.us >  
**Subject:** RE: Center for Voter Information

Thank you, Director Burhans.  
Auditor Enochson – Do you have time to talk on the phone in the next few days? I’d like to hear about your concerns. My cell is 202-441-8116.  
Jen

**Jennifer L. Carrier | BLANKROME**  
1825 Eye Street NW | Washington, DC 20006  
Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**From:** Burhans, Heidi [SOS] <Heidi.Burhans@sos.iowa.gov >  
**Sent:** Thursday, August 6, 2020 9:38 AM  
**To:** Brandy Enochson <benochson@co.iowa.ia.us >  
**Cc:** Carrier, Jennifer <JCarrier@blankrome.com >  
**Subject:** RE: Center for Voter Information

Good Morning Brandy:

Copied on this email is Jennifer Carrier with whom I have shared previous concerns like the ones you’re reporting below. As people report CVI concerns to you please direct them to contact either Ms. Carrier or VPC/CVI directly. Contact information for VPC/CVI is on any mailer they send out, and Ms. Carrier can be reached at the email address above or at 202.420.3034.

Thank you,

**Heidi L. Burhans**

Director of Elections  
Office of Iowa Secretary of State Paul D. Pate  
515.725.0067 Direct Line  
515.250.7021 Mobile



[sos.iowa.gov](http://sos.iowa.gov)

[heidi.burhans@sos.iowa.gov](mailto:heidi.burhans@sos.iowa.gov)

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**From:** Brandy Enochson <[benochson@co.iowa.ia.us](mailto:benochson@co.iowa.ia.us)>  
**Sent:** Thursday, August 6, 2020 8:23 AM  
**To:** Burhans, Heidi [SOS] <[Heidi.Burhans@sos.iowa.gov](mailto:Heidi.Burhans@sos.iowa.gov)>  
**Subject:** Center for Voter Information

Good Morning Heidi,

I just wanted to reach out real quick. We have received several phone calls from concerned voters that have received communications from the Center for voter information, the concerns are these people are being informed that they aren't registered or eligible for an absentee & are receiving request form that the information on the request is grossly inaccurate. Guessing we aren't the only or the first county to experience these types of calls, but just wanted to reach out with what we have been hearing for the last couple of days.

Thanks Heidi & have a great day!

**Brandy Enochson**

Iowa County Auditor's Office  
970 Court Avenue  
Marengo, Iowa 52301  
319-642-3923

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Date: Mon, 8 Jun 2020 6:09:49 PM (UTC)  
Sent: Mon, 8 Jun 2020 6:09:44 PM (UTC)  
Subject: RE: CVI -- Absentee Ballot Mailings to Land Next Week in Wisconsin \*Samples Attached\*  
From: Diane Coenen <dcoenen@oconomowoc-wi.gov>  
To: Carrier, Jennifer <jennifer.carrier@blankrome.com >;  
Hello Jennifer:

That is wonderful news! I am free tomorrow anytime between 1 – 3 pm. Please call at your convenience. Thank you, Diane

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**From:** Carrier, Jennifer <JCarrier@blankrome.com >  
**Sent:** Monday, June 08, 2020 12:16 PM  
**To:** Diane Coenen <dcoenen@oconomowoc-wi.gov>  
**Subject:** RE: CVI -- Absentee Ballot Mailings to Land Next Week in Wisconsin \*Samples Attached\*

Clerk Coenen –  
I have confirmed that we can make all of your suggested changes on upcoming mailings. I'm also free tomorrow from 1pm-3pm CDT and anytime Thursday. Let me know what works best for you!  
Jen

**Jennifer L. Carrier | BLANKROME**  
1825 Eye Street NW | Washington, DC 20006  
Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**From:** Diane Coenen <dcoenen@oconomowoc-wi.gov>  
**Sent:** Friday, June 5, 2020 10:06 AM  
**To:** Carrier, Jennifer <JCarrier@blankrome.com >  
**Subject:** RE: CVI -- Absentee Ballot Mailings to Land Next Week in Wisconsin \*Samples Attached\*

I would be happy to talk with you next week Jennifer. I am open Tuesday after 1:00 pm or Thursday any time. Let me know, Diane

**Diane Coenen, CMC, WCMC**  
WMCA President  
City Clerk  
City of Oconomowoc  
174 E. Wisconsin Avenue  
Oconomowoc, WI 53066  
262-569-2175  
[dcoenen@oconomowoc-wi.gov](mailto:dcoenen@oconomowoc-wi.gov)



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**From:** Carrier, Jennifer <JCarrier@blankrome.com >  
**Sent:** Thursday, June 4, 2020 4:50 PM

**To:** Diane Coenen <[dcoenen@oconomowoc-wi.gov](mailto:dcoenen@oconomowoc-wi.gov)>; Wolfe, Meagan - ELECTIONS <[Meagan.Wolfe@wisconsin.gov](mailto:Meagan.Wolfe@wisconsin.gov)>; Rydecki, Richard H - ELECTIONS <[Richard.Rydecki@wisconsin.gov](mailto:Richard.Rydecki@wisconsin.gov)>; Haas, Michael R - GAB (<[Michael.Haas@wisconsin.gov](mailto:Michael.Haas@wisconsin.gov)> <[Michael.Haas@wisconsin.gov](mailto:Michael.Haas@wisconsin.gov)>); Judnic, Nathan - ELECTIONS <[Nathan.Judnic@wisconsin.gov](mailto:Nathan.Judnic@wisconsin.gov)>; Willman, Riley P - ELECTIONS <[Riley.Willman@wisconsin.gov](mailto:Riley.Willman@wisconsin.gov)>  
**Cc:** [michaels@ci.brookfield.wi.us](mailto:michaels@ci.brookfield.wi.us); Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>  
**Subject:** RE: CVI -- Absentee Ballot Mailings to Land Next Week in Wisconsin \*Samples Attached\*

Clerk Coenen—

Thank you for your email! I would love to work more closely with you to ensure the mailings are as accurate and helpful as possible. In the future, I'll include you on my emails sent to the state a few months prior to each mailing seeking feedback.

Although the mail has already been printed for the June mailing, I've sent your suggested changes to VPC and CVI to see if they can be incorporated in upcoming mailings. More on that soon.

On your second point, since neither VPC nor CVI is planning to mail these after an early September date, hopefully the time crunch won't be as large of an issue. But if there is anything we can do to help ensure folks fill out all the required information (besides the changes suggested below already), please let me know and we can work on implementing those as well.

Do you have some time next week for a call?

Jen

## Jennifer L. Carrier | BLANKROME

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**From:** Diane Coenen <[dcoenen@oconomowoc-wi.gov](mailto:dcoenen@oconomowoc-wi.gov)>  
**Sent:** Thursday, June 4, 2020 10:37 AM  
**To:** Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>; Wolfe, Meagan - ELECTIONS <[Meagan.Wolfe@wisconsin.gov](mailto:Meagan.Wolfe@wisconsin.gov)>; Rydecki, Richard H - ELECTIONS <[Richard.Rydecki@wisconsin.gov](mailto:Richard.Rydecki@wisconsin.gov)>; Haas, Michael R - GAB (<[Michael.Haas@wisconsin.gov](mailto:Michael.Haas@wisconsin.gov)> <[Michael.Haas@wisconsin.gov](mailto:Michael.Haas@wisconsin.gov)>); Judnic, Nathan - ELECTIONS <[Nathan.Judnic@wisconsin.gov](mailto:Nathan.Judnic@wisconsin.gov)>; Willman, Riley P - ELECTIONS <[Riley.Willman@wisconsin.gov](mailto:Riley.Willman@wisconsin.gov)>  
**Cc:** [michaels@ci.brookfield.wi.us](mailto:michaels@ci.brookfield.wi.us)  
**Subject:** RE: CVI -- Absentee Ballot Mailings to Land Next Week in Wisconsin \*Samples Attached\*

Hello Jennifer:

Thank you for sharing your mailers with me. As a Municipal Clerk who runs elections for my City and as the President of the Wisconsin Municipal Clerks Association, I would like to provide comment on the absentee ballot mailings CVI is sending out to registered voters. While I understand you are a non-profit voter registration group whose goal by providing the mailing is to give registered voters an option to participate in elections, I would like to offer suggestions to your mailer and provide you with information to help you understand how incomplete mailers affect the local municipal clerk's ability to provide an absentee ballot.

The suggestions are: The 3<sup>rd</sup> page of the PDF "It's as Easy as 1-2-3." Under STEP 1 as written, add Item a. Make sure to provide your current address and Item b. move up the paragraph about providing a copy of acceptable photo ID. Typically, a voter will read steps 1, 2, & 3 only. This is evident because when we need to reach out to the voter they say they weren't informed that a copy of photo ID needed to be included. Page 4 – Wisconsin Application for Absentee Ballot, highlight these areas: Date of Birth, Phone and Email (explained below.)

This brings me to the next points of information. With the overwhelming amount of mail absentee ballot requests we received in April, Clerks and staff, in some instances, were unable to resolve every problem we encountered within enough time to mail an absentee ballot to the voter for a timely turnaround. We find many times voters who send in an application do not include a telephone number or email address so contacting them becomes difficult and we especially find it near

impossible when encountering these issues on the last day of mailing. The issues that need to be resolved in order to mail a ballot are typically no photo ID (or acceptable photo), no birthdate and the address they list on the application does not match the WisVote system.

So while what you are trying to achieve, helping voters vote, which is exactly what the professional Clerk wants to achieve, it doesn't help if municipal clerks cannot process an application and cannot reach the voter so they can provide correct information or a photo ID. Another obstacle is that many voters will wait until the day before or day of an election to call the clerk to find out why they did not get a ballot.

I encourage you to consider my suggestions by working together with the professional clerk to ensure all voters who wish to vote can do so. Thank you for your consideration, Diane

## Diane Coenen, CMC, WCMC

WMCA President  
City Clerk  
City of Oconomowoc  
174 E. Wisconsin Avenue  
Oconomowoc, WI 53066  
262-569-2175  
[dcoenen@oconomowoc-wi.gov](mailto:dcoenen@oconomowoc-wi.gov)



Please consider the environment before printing this e-mail

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**From:** Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>  
**Sent:** Wednesday, June 03, 2020 1:01 PM  
**To:** Wolfe, Meagan - ELECTIONS <[Meagan.Wolfe@wisconsin.gov](mailto:Meagan.Wolfe@wisconsin.gov)>; Rydecki, Richard H - ELECTIONS <[Richard.Rydecki@wisconsin.gov](mailto:Richard.Rydecki@wisconsin.gov)>; Haas, Michael R - GAB ([Michael.Haas@wisconsin.gov](mailto:Michael.Haas@wisconsin.gov)) <[Michael.Haas@wisconsin.gov](mailto:Michael.Haas@wisconsin.gov)>; Judnic, Nathan - ELECTIONS <[Nathan.Judnic@wisconsin.gov](mailto:Nathan.Judnic@wisconsin.gov)>; Willman, Riley P - ELECTIONS <[Riley.Willman@wisconsin.gov](mailto:Riley.Willman@wisconsin.gov)>  
**Cc:** Diane Coenen <[dcoenen@oconomowoc-wi.gov](mailto:dcoenen@oconomowoc-wi.gov)>; [michaels@ci.brookfield.wi.us](mailto:michaels@ci.brookfield.wi.us); Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>  
**Subject:** CVI -- Absentee Ballot Mailings to Land Next Week in Wisconsin \*Samples Attached\*

Administrator Wolfe, Mr. Rydecki, and All --

Attached are samples of the absentee ballot mailings the Center for Voter Information (CVI) (<https://www.centerforvoterinformation.org/>) is sending to **219,749 Wisconsin registered voters starting next week.**

Let me know if you have any questions or encounter any issues!

Jen

### Jennifer L. Carrier | BLANKROME

1825 Eye Street NW | Washington, DC 20006  
Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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Date: Thu, 27 Aug 2020 8:33:20 PM (UTC)  
Sent: Thu, 27 Aug 2020 8:33:17 PM (UTC)  
Subject: RE: [External] RE: Your mailings to North Carolina  
From: Gannon, Patrick <Patrick.Gannon@ncsbe.gov>  
To: Carrier, Jennifer <jennifer.carrier@blankrome.com >;  
Jennifer,

Our counties are getting inundated with duplicate absentee ballot requests from voters who get mailings. Can you put some language like this? "If you've already requested an absentee ballot, there is no need to send in another request form" or "Please disregard this mailing if you've already sent in an absentee request form" to try to cut down on duplicates.

Also, just got a call from a man who said the return address on the request form he received was a Washington, D.C. address. You all haven't been getting request forms or voter registration applications back there, have you? He's probably mistaken, but I wanted to make sure...

Thanks,

Pat

---

**From:** Carrier, Jennifer [mailto:JCarrier@blankrome.com]  
**Sent:** Monday, August 24, 2020 12:46 PM  
**To:** Gannon, Patrick <Patrick.Gannon@ncsbe.gov>  
**Cc:** Velez, Trena <trena.velez@ncsbe.gov>; Blackman, Allison <Allison.Blackman@ncsbe.gov>; Love, Katelyn <Katelyn.Love@ncsbe.gov>; Tornow, Kelly <Kelly.Tornow@ncsbe.gov>  
**Subject:** [External] RE: Your mailings to North Carolina

External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [report.spam@nc.gov](mailto:report.spam@nc.gov)

Hi Patrick—  
I hope all is well! We saw that you updated your absentee ballot request form and will switch to that for mailings that aren't already printed/on way. Can you quickly review the attached and let me know if you spot any issues?  
Many thanks!  
Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006  
Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**From:** Carrier, Jennifer  
**Sent:** Wednesday, August 12, 2020 1:07 PM  
**To:** 'Gannon, Patrick' <Patrick.Gannon@ncsbe.gov>  
**Cc:** Velez, Trena <trena.velez@ncsbe.gov>; Blackman, Allison <Allison.Blackman@ncsbe.gov>; Love, Katelyn <Katelyn.Love@ncsbe.gov>; Tornow, Kelly <Kelly.Tornow@ncsbe.gov>; kellie.hopkins <kellie.hopkins@co.beaufort.nc.us>; Kristin Mavromatis <kristin.mavromatis@mecklenburgcountync.gov >  
**Subject:** RE: Your mailings to North Carolina

Hi Patrick—  
Thank you for this note.

We will take out the language in yellow from future printings. We'll also add a link to the state instructions on the form.

Also, I wanted to update you on the modification to the report card language. Per your request the text is now "Your participation score was calculated by the Center for Voter Information using data from publicly available state voter files." We changed this language nationwide, so thank you all for the suggestion!

Jen

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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**From:** Gannon, Patrick <[Patrick.Gannon@ncsbe.gov](mailto:Patrick.Gannon@ncsbe.gov)>  
**Sent:** Wednesday, August 12, 2020 11:35 AM  
**To:** Carrier, Jennifer <[JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)>  
**Cc:** Velez, Trena <[trena.velez@ncsbe.gov](mailto:trena.velez@ncsbe.gov)>; Blackman, Allison <[Allison.Blackman@ncsbe.gov](mailto:Allison.Blackman@ncsbe.gov)>; Love, Katelyn <[Katelyn.Love@ncsbe.gov](mailto:Katelyn.Love@ncsbe.gov)>; Tornow, Kelly <[Kelly.Tornow@ncsbe.gov](mailto:Kelly.Tornow@ncsbe.gov)>; [kellie.hopkins@co.beaufort.nc.us](mailto:kellie.hopkins@co.beaufort.nc.us)>; Kristin Mavromatis <[kristin.mavromatis@mecklenburgcountync.gov](mailto:kristin.mavromatis@mecklenburgcountync.gov)>  
**Subject:** Your mailings to North Carolina

Jennifer,

Hope you are well.

We still strongly prefer that your organization use the full absentee ballot instructions with any mailing that includes the absentee ballot request form. When the entire instructions are not included, voters do not have complete information and are more likely to submit an invalid request form. This greatly burdens our county boards of elections.

Your most recent mailing included the following language:

If an identification number is not provided on the form, then you must submit one of the following: current utility bill, bank statement, government check, paycheck, or other government documents containing name and address.

The law changed effective January 2020 to no longer allow a copy of one of the above documents instead of the driver license or last four digits of the social security number. Please remove that language from any future mailings, as it is incorrect. Please let us know if you have questions.

Thanks,

Pat

**Patrick Gannon**

*Public Information Director*

O: (919) 814-0765

M: (984) 204-0767



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Date: Fri, 17 Apr 2020 8:57:55 PM (UTC)  
Sent: Fri, 17 Apr 2020 8:57:48 PM (UTC)  
Subject: Re: [External]Upcoming Absentee Ballot Application Mailings -- VPC and CVI \*\*Please Review\*\*  
From: Mavromatis, Kristin W. <Kristin.Mavromatis@mecklenburgcountync.gov>  
To: Carrier, Jennifer <jennifer.carrier@blankrome.com>;  
CC: Crabtree, William <William.Crabtree@mecklenburgcountync.gov>;

Please do.

Sent from my iPhone  
On Apr 17, 2020, at 4:20 PM, Carrier, Jennifer <JCarrier@blankrome.com> wrote:

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ms. Mavromatis –  
These absentee ballot mailings won’t be using our (commercially-generated) mailing lists – we’ll be using information from the voter file. So the data isn’t typically a problem with these mailings. In regard to the voter registration mailings, I’m sorry you are receiving calls and there are issues related to nicknames, etc. Can I give you a call early next week to discuss?  
Jen

**Jennifer L. Carrier | BLANKROME**  
1825 Eye Street NW | Washington, DC 20006  
Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

From: Mavromatis, Kristin W. <Kristin.Mavromatis@mecklenburgcountync.gov>  
Sent: Friday, April 17, 2020 3:23 PM  
To: Carrier, Jennifer <JCarrier@blankrome.com>  
Cc: [Karen.Bell@ncsbe.gov](mailto:Karen.Bell@ncsbe.gov); [brian.neesby@ncsbe.gov](mailto:brian.neesby@ncsbe.gov); [trena.velez@ncsbe.gov](mailto:trena.velez@ncsbe.gov); [Patrick.Gannon@ncsbe.gov](mailto:Patrick.Gannon@ncsbe.gov); Crabtree, William <William.Crabtree@mecklenburgcountync.gov>; Dickerson, Michael <Michael.Dickerson@mecklenburgcountync.gov>  
Subject: Re: [External]Upcoming Absentee Ballot Application Mailings -- VPC and CVI \*\*Please Review\*\*

Just left you a message.  
The last mailing .... the data was horrible. Letters sent to existing voters..... but to their nicknames. Our lines are inundated because we have changed names and now we will have to change back. Please we request every time.... scrub your mailing before sending. The statistics you provide do not tell the whole whole story. Simply because we received the mailing back does not mean an address update was made or a new registration filed.

Sent from my iPhone  
On Apr 17, 2020, at 2:11 PM, Carrier, Jennifer <JCarrier@blankrome.com> wrote:

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Executive Director Bell --  
The Voter Participation Center (VPC) and the Center for Voter Information (CVI) are planning an **upcoming mailing in North Carolina** which will include sending the **attached** absentee ballot application for the upcoming **general election**. Please let me know by **Wednesday, April 22** if you have any suggested revisions or questions.  
Many thanks!  
Jen Carrier

**Jennifer L. Carrier | BLANKROME**

1825 Eye Street NW | Washington, DC 20006

Phone: 202.420.3034 | Fax: 202.420.2201 | Email: [JCarrier@blankrome.com](mailto:JCarrier@blankrome.com)

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<NCVBM Form 123 MC20.pdf>

**SCOTT SCHWAB**  
Secretary of State



Memorial Hall, 1st Floor  
120 S.W. 10th Avenue  
Topeka, KS 66612-1594  
(785) 296-4564  
sos.kansas.gov

## STATE OF KANSAS

**Testimony: HB2332 (NEUTRAL)**

House Elections Committee  
Thursday, February 18, 2021

Chairman Carpenter and members of the Committee:

HB2332 would require third parties who send voters an advance by mail ballot application to make it clear it is from a third-party and not a government document. As with most other bills not introduced by our office, we are neutral on this legislation but believe it nicely addresses growing concerns with voter information in Kansas.

It is not uncommon for third parties to engage in voter outreach efforts, especially in a major election year. In 2020, Kansas experienced a noticeable increase in third party voter engagement efforts. Although nothing in state law currently prevents these entities from engaging in such efforts, our office aggressively encouraged Kansans to not participate, particularly with third party advance by mail ballot applications.

Many third parties have sincere intent to encourage voter participation. However, their mailings may not collect information required by federal or state law, resulting in incomplete mail ballot applications. For instance, state law requires a government issued identification number or a copy of a government issued ID with advance by mail ballot applications. In addition, a voter signature is required for those who wish to request an advance by mail ballot. If a voter does not provide that information, their application is incomplete.

Leading up to the 2020 general election, state and county election offices were inundated with calls from confused voters who submitted an advance by mail ballot application but continued to receive unsolicited advance ballot applications from third parties. This created a substantial workload increase for local election offices who had to process thousands of duplicate forms at a time when county election officers were preparing for a high turnout, statewide election, in the middle of a pandemic.

State law does not prohibit third parties from retaining personal information for data collection purposes. In 2020, thousands of Kansas voters received multiple mailings from the Center for Voter Information based out of Springfield, Missouri. The mailings started as advance by mail ballot applications and then shifted to candidate endorsements. Some of the mailers had the local election office as the return recipient but many had the Springfield office as the return address. Again, this caused widespread confusion among voters who continued to receive these mailings in September and October of last year.

Our office appreciates the committee's consideration of this issue. We look forward to continuing to work with elected officials throughout Kansas, encouraging voters to not provide information to third parties and, instead, request an advance by mail ballot application with our office or local election offices.

Respectfully submitted,

Katie Koupal  
Deputy Assistant Secretary of State  
Communications & Policy



KS001750VA

**SCOTT SCHWAB**  
Secretary of State



Memorial Hall, 1st Floor  
120 S.W. 10th Avenue  
Topeka, KS 66612-1594  
(785) 296-4564  
sos.kansas.gov

## STATE OF KANSAS

**Testimony: HB2332 (NEUTRAL)**  
Senate Committee on Federal & State Affairs  
Wednesday, March 17, 2021

Chairman Alley and members of the Committee:

HB2332 would require third parties who send voters an advance by mail ballot application to make it clear it is from a third-party and not a government document. As with most other bills not introduced by our office, we are neutral on this legislation but believe it nicely addresses growing concerns with voter information in Kansas.

It is not uncommon for third parties to engage in voter outreach efforts, especially in a major election year. In 2020, Kansas experienced a noticeable increase in third party voter engagement efforts. Although nothing in state law currently prevents these entities from engaging in such efforts, our office aggressively encouraged Kansans to not participate, particularly with third party advance by mail ballot applications.

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Our office appreciates the committee's consideration of this issue. We look forward to continuing to work with elected officials throughout Kansas, encouraging voters to not provide information to third parties and, instead, request an advance by mail ballot application with our office or local election offices.

Respectfully submitted,

Katie Koupal  
Deputy Assistant Secretary of State  
Communications & Policy

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

VOTEAMERICA and  
VOTER PARTICIPATION CENTER,

*Plaintiffs,*

vs.

C.A. NO. 2:21-cv-02253-KHV-GEB

SCOTT SCHWAB, in his official capacity as  
Secretary of State of the State of Kansas;  
DEREK SCHMIDT, in his official capacity as  
Attorney General of the State of Kansas; and  
STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

**PLAINTIFF VOTER PARTICIPATION CENTER'S RESPONSES AND OBJECTIONS  
TO DEFENDANT SCOTT SCHWAB'S FIRST SET OF INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Voter Participation Center ("VPC") hereby responds and objects to Defendant Scott Schwab's First Set of Interrogatories to Plaintiff Voter Participation Center. In formulating these responses, Plaintiff VPC has relied on the information presently available to it. Further information may be discovered during this phase of the litigation. Plaintiff VPC will amend its objections and answers to the extent required under Fed. R. Civ. P. 26.

**GENERAL OBJECTIONS**

1. Plaintiff VPC objects to the interrogatories to the extent they impose obligations, seek answers, or use instructions or definitions other than those permitted under Federal Rules of Civil Procedure 26 and 33, the Local Rules of the U.S. District Court for the District of Kansas, any Order of this Court, and any prior agreement of the parties.



relationships with the voters who use the personalized applications. The Personalized Application Prohibition criminalizes these forms of speech and expression.

Plaintiff VPC further refers Defendants to its responses to Interrogatories Nos. 2, 4, 5, 6, and 8.

**Interrogatory No. 8**

Please describe what First Amendment rights VPC has in filling out a blank advance mail ballot application on behalf of an individual voter.

**Objections and Responses:**

Plaintiff VPC objects to this interrogatory to the extent it calls solely for legal conclusions and legal theories. Plaintiff VPC also objects to this request as seeking information already in the possession, custody, or control of Defendants, or otherwise equally available to Defendants, including through Plaintiff VPC's earlier filings in this case. In addition, Plaintiff VPC objects to this request to the extent it is duplicative of Interrogatories Nos. 2, 4, 5, 6, and 7.

Subject to and without waiving the above objections, Plaintiff VPC states that by personalizing the advance mail ballot applications it sends to potential Kansas voters it engages in core political speech aimed at informing and assisting voters in the electoral process. Through its personalized mailers, Plaintiff VPC engages in persuasive speech meant to encourage voters to vote by mail; persuade them that doing so is easy, safe, secure, and accessible; educate them about their right to vote by mail; and assist them in exercising that right. Personalizing applications also expresses Plaintiff VPC's position on the important and controversial political issue of voting by mail.

Personalizing advance mail ballot applications also allows Plaintiff VPC to associate and build relationships with both voters and other civic advocacy organizations to promote voting by mail and democratic participation. The First Amendment protects this form of association.

Plaintiff VPC further refers Defendants to its responses to Interrogatories Nos. 2, 4, 5 6, and 7.

**Interrogatory No. 9**

Please describe the criteria and methodology by which VPC identifies target voters to send information regarding advance mail ballot applications or voting.

**Objections and Responses:**

Plaintiff VPC objects to this request as not relevant to any party's claim or defense still at issue in this litigation and not proportional to the needs of the case. Plaintiff VPC further objects to this interrogatory as seeking proprietary information not relevant to the case or likely to lead to any admissible evidence. Plaintiff VPC also objects to this request as vague, ambiguous, and undefined in its use of the terms "criteria," "methodology," "target voters," and "information." In addition, Plaintiff VPC objects to this request as seeking information already in the possession, custody, or control of Defendants, or otherwise equally available to Defendants, including through Plaintiff VPC's earlier filings in this case.

Subject to and without waiving the above objections, Plaintiff VPC states that it aims to help members of historically underrepresented groups—specifically young people, people of color, and unmarried women—participate in elections. To identify voters to receive advance mail ballots in Kansas, Plaintiff VPC reviews the state's publicly available voter file to identify registered voters who may not yet have applied for advance ballots. Plaintiff VPC requests updated

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

VOTEAMERICA and  
VOTER PARTICIPATION CENTER,

*Plaintiffs,*

vs.

C.A. NO. 2:21-cv-02253-KHV-GEB

SCOTT SCHWAB, in his official capacity as  
Secretary of State of the State of Kansas;  
DEREK SCHMIDT, in his official capacity as  
Attorney General of the State of Kansas; and  
STEPHEN M. HOWE, in his official capacity as  
District Attorney of Johnson County,

*Defendants.*

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**GENERAL OBJECTIONS**

1. Plaintiff VPC objects to the interrogatories to the extent they impose obligations, seek answers, or use instructions or definitions other than those permitted under Federal Rules of Civil Procedure 26 and 33, the Local Rules of the U.S. District Court for the District of Kansas, any Order of this Court, and any prior agreement of the parties.



VPC's business address is 1707 L Street, NW No. 700, Washington, DC 20036. Its business telephone number is 202-659-9570. The current members of Plaintiff VPC's Board of Directors are Denise Juneau (Chair), Jill Alper (Secretary-Treasurer), Aaron Frank, Addisu Demissie, Brynne Craig, Dan Sena, and Gibby Waitzkin. A current organizational chart will be included in Plaintiff VPC's response to item 20 in Defendant Scott Schwab's First Request for Production of Documents to Plaintiff Voter Participation Center.

**Interrogatory No. 4**

Please describe what political message or messages you contend are prohibited by the so-called "Personalized Application Prohibition."

**Objections and Responses:**

Plaintiff VPC objects to this interrogatory to the extent it calls solely for legal conclusions and legal theories. Plaintiff VPC also objects to this request as seeking information already in the possession, custody, or control of Defendants, or otherwise equally available to Defendants, including through Plaintiff VPC's earlier filings in this case.

Subject to and without waiving the above objections, Plaintiff VPC states that the Personalized Application Prohibition prohibits Plaintiff VPC from employing the most effective method available—distribution of personalized advance mail ballot applications to potential Kansas voters—to communicate its message that voters should participate in the democratic process and, in particular, should do so through advance mail ballots. The Personalized Application Prohibition prevents Plaintiff VPC from pre-filling the advance mail ballot applications it sends to encourage voters to vote by mail and to communicate to them that doing so is easy, safe, secure, and accessible, thereby taking a stance on the current public controversy over the use of mail voting.

