UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

LEAGUE OF WOMEN VOTERS OF FLORIDA, FLORIDA PUBLIC INTEREST RESEARCH GROUP EDUCATION FUND, and ROCK THE VOTE, Plaintiffs, v. KURT S. BROWNING, in his official capacity as Secretary of State for the State of Florida, PAMELA J. BONDI, in her official capacity as Attorney General for the State of Florida, and GISELA SALAS, in her official capacity as Director of the Division of Elections within the Department of State for the State of Florida, Defendants.	Civil No. _____ **Affidavit of Pamela Goodman Submitted in Support of Plaintiffs' Motion for Preliminary Injunction**

I, Pamela Goodman, hereby declare as follows:

1. I am a registered voter and Florida resident. I currently serve as the First Vice President for the League of Women Voters of Florida ("LWVF"). I was also formerly the Director of Florida Common Cause. I submit this affidavit in support of Plaintiffs' motion for a preliminary injunction to prevent enforcement of the provisions of the newly enacted 2011 Fla. Laws 40 § 40 (codified at Fla. Stat. § 97.0575) ("the Law") that impose onerous new registration, reporting, and submission deadlines on individuals and civic groups engaged in voter registration, and which are preventing LWVF from fully carrying out its mission of fostering civic participation.

2. Prior to my current role as First Vice President of LWVF, I served as President of the League of Women Voters of Palm Beach County from 2005 to 2009. I also have served on the LWVF State Board of Directors since 2007, and I have served in the past on the national League

of Women Voters Nominating Committee and the National Membership Recruitment Committee. While serving as President of the Palm Beach County League, I was appointed by the Supervisor of Elections in Palm Beach County to head a review and audit of voting machines and processes for the 2006 and 2008 elections. I also spearheaded Project ROAR (short for "Reach Out And Register"), LWVF's successful statewide push to maximize voter registration efforts before the 2008 general election.

3. I have received numerous awards for my service, including the Susan B. Anthony Award for Outstanding Feminist 2008 from the National Organization for Women.

4. From 1985 to 1996, I worked at the Fortune 100 Company, The Limited/Express, serving as its CEO between 1993 and 1996. The Limited/Express is a 1.5 billion dollar business with over 850 stores, where I managed hundreds of employees and juggled the logistics of a fast-paced, complex company. From years of honing my business acumen as the lead executive at a large corporation, I have developed a strong sense of how to motivate and engage workers, and I apply this experience to managing and inspiring Floridians to begin and continue volunteering with LWVF.

5. I have extensive experience personally assisting new voters in registering and working with LWVF volunteers to register voters. The culture of LWVF volunteerism is one of public service and civic education. We get together to help other citizens register to vote, particularly those who would have a hard time navigating the voter registration processes without our assistance. This may be because of a disability, lack of transportation, or being intimidated by complex forms that are difficult for many to read and complete. We also work hard to register those who have never registered to vote, including students and newly-naturalized citizens.

6. In discussing the Law governing voter registration with LWVF members and volunteers

in Palm Beach County and across the state, I have found that they are afraid of being found guilty of violations under the Law due to innocent mistakes. Members are particularly confused about the penalties that they, the local leagues, or LWVF could face. LWVF members—including myself—cannot and will not risk being subject to high fines, undefined civil penalties, or criminal prosecution for an inability to comply with the Law's burdensome and confusing provisions.

7. The newly-required "sworn statement" form (Form DS-DE 120) cites a list of serious felony penalties for "false registration." We will need to ask every volunteer to sign one of these, which is an intimidating and off-putting way to ask individuals to volunteer their time to register voters. Based on my extensive experience recruiting volunteers, I think many volunteers would stop after a first read of the registration agent forms, which lists numerous felony penalties. Even the possibility of being charged with a crime for attempting to help people register to vote will scare away potential volunteers, particularly because volunteers are worried they could personally be prosecuted even for an accidental failure to comply with the law. In particular, the fact that the registration agent form says that false registration is a felony—without explaining what constitutes "false registration"—will harm our ability to recruit volunteers.

8. In my experience, volunteers and local Leagues are very conscientious and do everything they can to make sure forms are handled flawlessly. They are concerned about maintaining their spotless reputations for successful voter registration.

9. Older volunteers will be particularly worried about violating the Law. In my experience working with this population of volunteers, they are more likely to be intimidated by the administrative burdens of the rules, the registration agent forms, and the extremely short 48-hour return deadline. Thus, many will be discouraged from registering voters, particularly during

evening events or on weekends when postal offices and election offices are closed, shortening the available return time even further.

10. From the Division of Election's website, it is my understanding that completed forms can only be turned in by the LWVF, and not by local Leagues or individual volunteers—or else the individuals could be personally liable for fines. If this would require individuals or county Leagues to mail forms to the LWVF's state office before they could be submitted, my experience in the Palm Beach County League tells me this would be an impossible task. The local Leagues do not receive administrative support from the LWVF, and this requirement would place an enormous burden on our local organizations. Indeed, it is unclear how we would physically be able to comply with the 48-hour return time if we had to first transmit forms outside of our county. Palm Beach is a large county, and returning forms to our county Supervisor's office would be extremely burdensome in its own right. But if the Law also required us to send these forms elsewhere in the state, it would be both impossible and unwise. Florida is a huge state—Palm Beach is over 400 miles away from the state LWVF office in Tallahassee—and I have no idea how we would be able to ensure that forms reached Tallahassee in less than 48 hours, with enough time left over for the LWVF to then collect the forms and turn them in to election officials. It also seems like a very bad idea to require more movement and more handling of these critical documents, creating new opportunities for them to become lost, damaged, or delayed in the mail. At the Palm Beach County League, we have always hand-delivered registration forms, because we feel personally responsible for them. Requiring us to send forms hundreds of miles before turning them in—only to be moved again once they arrive—is at odds with our vigilant accountability over voters' completed registration forms. It would also require us to mail the forms, which we never do because it would require us to move the completed

forms out of our personal control. We simply cannot depend on a third party like the United States Postal System to ensure forms are submitted, because personally ensuring they are delivered to the right election official is critical for both the voter's sake and for the reputation of the LWVF.

11. One of the most meaningful voter registration events that I have participated in was an organized civics education and voter registration drive targeting high school seniors, which the Palm Beach County League held for several years. For this program, we reached out to high school history teachers to ask them to allow a volunteer to come into their classrooms for a full day to teach students about their right to vote—and then help them exercise that right by assisting them with registering to vote. I trained dedicated Palm Beach County League volunteers on how to deliver a short, entertaining civics script and then properly help to register student voters.

12. These specially-trained volunteers went into high schools starting at 7:00 a.m., and during each of seven periods of school classes, they taught a short civics lesson and provided eligible students with an opportunity to register to vote. Volunteers wheeled voter registration forms around the school on a small cart and collected completed forms from interested students. We dedicated an entire week to this program at each Palm Beach high school we targeted. Over the course of the week, the designated Voter Registration Chair, who is the person selected by a local League to supervise voter registration activity, would collect each day's completed forms, seal them in a labeled manila envelope, and set them aside in a secure location. At the week's end, she returned the whole batch of completed high school forms to the county elections office at the end of the school drive. Under the Law, this safe, efficient voter registration process is now banned, as most of those forms were submitted beyond the 48-hour period (and that was *without* sending them to the LWVF first).

13. I strongly believe that this student-focused program has been one of the most successful and meaningful programs in my time with the LWVF, in part because we helped make up for a lack of structured civic education in Florida's classrooms. Unfortunately, the Palm Beach County League cannot engage in this type of drive anymore, as holding such a drive under the Law would create a massive new level of bureaucracy that would either require volunteers to travel to hand in forms at least once every other day, or to constantly mail completed forms to the FLWV. This would not only create an administrative burden for our volunteers, it would require the constant movement of completed forms in a manner that reduces their security and safekeeping by a single, trained individual.

14. In the past, I have frequently made voter registration a constant part of my own personal life in addition to my volunteerism with LWVF. One of the most memorable and meaningful personal experiences I have had was to register my own daughter-in-law to vote in 2010. She worked hard to obtain U.S. citizenship, and in my capacity as a mother-in-law—and in the spirit of a LWVF member—I was delighted to immediately, and personally, offer her a chance to register to vote. Today I would not be able to do the same thing. Because my daughter-in-law would not qualify for the exception in the Law for helping immediate family members to register to vote, I would have to first register with the State and become an independent "third-party voter registration organization" before I could hand my daughter-in-law a voter registration form and offer to turn it in for her.

15. I constantly interact with my fellow Floridians at public events, charity functions, and business and government meetings. Historically, I have carried, in my purse, blank voter registration forms that I have obtained from county elections or DMV offices. When I discover someone has an interest in registering to vote and I offer them a form, I cannot know whether

they perceive me as offering assistance personally, as a representative of LWVF, or both. If the League registers under the Law, I am uncertain if, in these situations, my simple distribution of these forms would trigger LWVF's reporting requirements for tracking all registration forms provided to its agents.

16. Likewise, outside of formal LWVF registration events, I frequently interact with elderly Floridians who lack ready access to online applications or transportation to an elections office, and who may need to update a signature or address on their existing registration. This is extremely common, and I am now unable to spontaneously assist these citizens to register to vote or offer to turn in forms when I meet them, without first registering with the State.

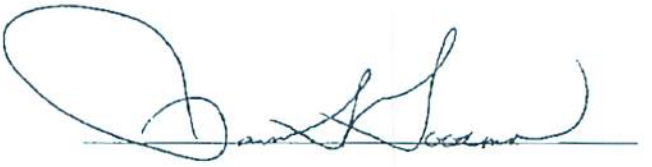
17. The Law is directly at odds with the principles of civic engagement, and it now actually prevents me, in my personal capacity as an engaged citizen, from reaching out to help a friend or fellow citizen become involved in his or her government unless I first register with the State before doing so. I do not believe I should have to register myself, in my personal capacity, as a "third-party voter registration organization" before I can engage in political activities such as distributing and offering to collect voter registration forms. While attending community events, I can no longer spontaneously hand someone, who simply needs to register to vote or update their existing registration, a blank voter registration form and offer to submit the form for that person. If my daughter-in-law needs to update her voter registration, I will not be able to help her with that unless I pre-register with the State, provide extensive personal information, and obtain an agent of process.

18. Because of the Law, I am no longer willing to help others register to vote in Florida. I believe that the new registration, reporting, and 48-hour return provisions stigmatize and penalize positive American civic engagement. I will not put myself at risk of being fined or

subjected to civil or criminal enforcement actions for innocent mistakes, nor will I sign up for constant, monthly reporting requirements and be subjected to unreasonable and unworkable time constraints on my efforts to spontaneously assist members in my community. I have been helping Floridians to register to vote for over 12 years, since I first moved to Florida. This Law will result in fewer voters being registered, and far fewer volunteers willing to help them register to vote. I am one of them.

I declare under penalty of perjury under the laws of the state of Florida that the foregoing is true and correct to the best of my knowledge.

DATED this 13day of December 2011.



Pamela Goodman

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that a copy of the foregoing *Affidavit of Pamela Goodman Submitted in Support of Plaintiffs' Motion for Preliminary Injunction* was served via HAND DELIVERY this 19th day of December, 2011 upon the following:

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