

# EXHIBIT 2

# Trial Exhibit #967

1 Nina Perales, TX SBN: 24005046  
Diego Bernal, TX SBN: 24048350  
2 David H. Urias, NM SBN: 14718  
MEXICAN AMERICAN LEGAL  
3 DEFENSE AND EDUCATIONAL FUND  
110 Broadway, Suite 300  
4 San Antonio, TX 78205  
Ph: (210) 224-5476  
5 [nperales@maldef.org](mailto:nperales@maldef.org)  
[dbernal@maldef.org](mailto:dbernal@maldef.org)  
6 [durias@maldef.org](mailto:durias@maldef.org)

7 Daniel R. Ortega, Jr., SBN: 005015  
ROUSH, MCCrackEN, GUERRERO,  
8 MILLER & ORTEGA  
650 North Third Avenue  
9 Phoenix, Arizona 85003  
Ph: (602) 253-3554  
10 [danny@rmgmoinjurylaw.com](mailto:danny@rmgmoinjurylaw.com)

11 Karl J. Sandstrom  
PERKINS COIE, LLP  
12 607 Fourteenth Street, N.W., Suite 800  
Washington, D.C. 20005  
13 Ph:(202)434-1639  
14 [ksansdstrom@perkinscoie.com](mailto:ksansdstrom@perkinscoie.com)

15 Attorneys for Gonzalez Plaintiffs

16 IN THE UNITED STATES DISTRICT COURT  
17 FOR THE DISTRICT OF ARIZONA

18 Maria M. Gonzalez, et al., ) No. CV-06-1268-PHX-ROS(Lead)  
19 ) No. CV-06-1362-PCT-ROS  
Plaintiffs, ) No. CV-06-1575-PCT-ROS

20 ) **DECLARATION OF BRENDA C.**  
21 vs. ) **ROGERS**

22 State of Arizona, et al, ) (Assigned to the  
23 ) Honorable Roslyn O. Silver)

24 Defendants. )  
25 )  
26 )  
27 )  
28 )

28 Brenda C. Rogers declares:

- 1 1. My name is Brenda C. Rogers. I am over the age of 18 and fully competent to  
2 make this declaration.
- 3  
4 2. I live on the Gila River Reservation in Pinal County. With my husband Charles  
5 K. Rogers, I pastor the Santan Baptist Church, an all-Native American church on  
6 the reservation, and live in a house provided by the reservation on the campus of  
7 the church. My husband gives sermons three times a week and performs other  
8 duties as Minister. I work with the children on Sunday morning and run an after  
9 school program at my home during the school year in which the children do their  
10 homework, study the Bible and have dinner. I also work in the community  
11 helping women who are trying to get custody of their children through the court  
12 system. With my car, I offer transportation to women so they can go to the  
13 doctor, to dialysis, to parent teacher conferences and to court appointments.  
14  
15 3. My husband and I have been working at this church for the past five years. We  
16 have been pastors for 50 years in the ministry and next month we will be  
17 celebrating our 41<sup>st</sup> wedding anniversary.
- 18  
19 4. My husband and I are U.S. citizens and registered voters in Pinal County. I have  
20 been voting in Arizona elections since I moved to Arizona six years ago from  
21 the Midwest and was voting in elections before the passage of Proposition 200.  
22  
23 5. My home does not have a street address. We live on a dirt road without street  
24 signs in a little village called Stotonic. Our part of the reservation is District 4.  
25 My registered voter address is 0 Gila River Dist 4B, Sacaton, Arizona 85247.  
26 Sacaton is the nearest recognized town to our home.  
27  
28

- 1 6. If I have a package that is going to be delivered to my house, such as a UPS  
2 package, I write my address as Stotonic and West Levee Road. The UPS driver  
3 knows the reservation and can find my house.  
4
- 5 7. I receive my mail at P.O. Box 13493, Chandler, Arizona 85248. This address is  
6 also on my voter record.  
7
- 8 8. Before we moved onto the campus of our church, my and I lived in a rented  
9 home in Chandler, AZ. My Arizona Driver's License shows the address of this  
10 home in Chandler. When we moved to our current home on the reservation, we  
11 updated our addresses at the Motor Vehicles Division but we did not purchase  
12 new licenses because we were told the machine that made license cards was  
13 broken that day.  
14
- 15 9. My husband and I are both registered Republicans and thus were eligible to vote  
16 in the Presidential Preference Election held on February 5, 2008. On that day,  
17 we went together at 7:00am to the District 4 Service Center. We were the first  
18 voters to arrive.  
19
- 20 10. When we approached the table to receive our ballots, we each showed our voter  
21 registration cards and our Driver's Licenses. The poll workers at the table found  
22 us on the voter rolls but said that we could not vote because our Driver's License  
23 addresses did not match our registered voter address.  
24
- 25 11. My husband and I had also brought our water and electric bills for two months  
26 that showed the location of our house. These bills were addressed to our P.O.  
27 Box in Chandler but not show my husband's name, only the Santan Baptist  
28 Church. I told the poll workers that the address of the P.O. Box on the utility

1 bills matched our P.O. Box address on the voter rolls and that we should be  
2 allowed to vote. Despite this, the poll workers gave us both provisional ballots.

3  
4 12. I said again that we should be allowed to vote with the identification that we  
5 brought to the polls. I showed the poll workers my social security card. One  
6 poll worker told me that in order for the ID to be sufficient, the address on the  
7 Driver's License had to match the address on the voter registration card. He said  
8 that because the addresses on our Driver's Licenses didn't match the addresses  
9 on our voter registration cards we would have to vote provisional ballots. The  
10 poll workers also tried to use maps to identify the location of our house but they  
11 were unable to do so.  
12

13  
14 13. Ultimately, we were at the polling place for 45 minutes trying to vote and we  
15 ended up casting conditional provisional ballots. None of the poll workers told  
16 us that we should return with more identification in order for our votes to be  
17 counted. Copies of the outside of our conditional provisional ballot envelopes  
18 are attached as Exhibit A to this declaration.  
19

20 14. In May, 2008 my husband and I went again to the District 4 Service Center to  
21 vote. Again we presented our Driver's Licenses and were told that we needed to  
22 cast conditional provisional ballots because we lacked sufficient identification.  
23 On May 20, 2008 we received letters informing us that our ballots had not been  
24 counted.  
25

26 15. My husband and I now plan that on his next day off from work we are going to  
27 drive to the Motor Vehicles Division office and pay the fee for replacement  
28 licenses with our current address so that we can vote.

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

Executed on July 17, 2008.

Brenda C. Rogers  
BRENDA C. ROGERS

# **EXHIBIT A**

