

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LEAGUE OF WOMEN VOTERS OF
NEW JERSEY, NAACP NEW JERSEY
STATE CONFERENCE, WILLIAM
RIGGS, SHAMISA ZVOMA, and
DEBORAH J. RISK A

Plaintiffs,

v.

TAHESHA WAY, in her official capacity
as Secretary of the State of New Jersey,

Defendant.

No. 20-cv-05990-MAS-LHG

Declaration of Dana Paikowsky

DECLARATION OF DANA PAIKOWSKY

I, Dana Paikowsky, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a Legal Fellow at the Campaign Legal Center (“CLC”) and counsel for plaintiffs in this case. I am over 18 years of age, and the testimony set forth in this Declaration is based on first-hand knowledge, about which I could and would testify competently in open court if called

upon to do so. This Declaration is submitted in support of Plaintiffs' Motion for a Preliminary Injunction.

2. Attached as Exhibits 1 and 2 are true and correct copies of information that Middlesex and Monmouth Counties provide to the public on the vote by mail process. The documents were retrieved from <http://www.middlesexcountynj.gov/Government/Departments/CS/Pages/County%20Clerk/FAQ%20About%20Elections.aspx> and <https://www.monmouthcountyvotes.com/voter-information/vote-by-mail/>.

3. Attached as Exhibit 3 is a true and correct copy of New Jersey Executive Order No. 144, issued by Governor Philip Murphy on May 15, 2020. The order is electronically available from <https://nj.gov/infobank/eo/056murphy/pdf/EO-144.pdf>

4. Attached as Exhibit 4 is a true and correct copy of a publicly accessible report by the American Civil Liberties Union of Florida on vote-by-mail ballots cast in Florida in the 2012 and 2016 general election, retrieved from <https://www.aclufl.org/en/publications/vote-mail-ballots-cast-florida>.

5. Attached as Exhibits 5 and 6 are tables compiling true and correct copies of publicly accessible data from the Election Assistance Commission, retrieved from <https://www.eac.gov/voters/new-jersey-state-elections-office>.

6. Attached as Exhibit 7 is a true and correct copy of a publicly accessible article from New Jersey's COVID-19 Information Hub webpage, retrieved from <https://covid19.nj.gov/faqs/nj-information/general-public/how-can-i-protect-myself-from-covid-19/novel-coronavirus>.

7. Attached as Exhibit 8 is a true and correct copy of publicly accessible Center for Disease Control guidance for election polling locations, retrieved from <https://www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html>.

8. Attached as Exhibit 9 is a true and correct copy of New Jersey Executive Order No. 105, issued by Governor Philip Murphy on March 19, 2020. The Order is electronically available from <https://www.state.nj.us/infobank/eo/056murphy/pdf/EO-105.pdf>.

9. On April 9, 2020, CLC submitted a public records request to, *inter alia*, the Morris County, New Jersey Board of Elections, seeking information related to the November 2016 and 2018 elections, including absentee ballots rejected for signature mismatch.

10. In response to CLC's public records request, Morris County produced data related to all absentee ballots issued in the 2016 and 2018 elections. A true and correct copy representation of a subset of the information produced by Morris County, which identifies voters who had their absentee ballot rejected in the November 2016 and 2018 elections, is attached as Exhibits 10 and 11, respectively. The data have been redacted to remove personal information for all voters, not including Plaintiff/Declarant Deborah Riska (*see* Declaration of Deborah Riska in Support of Plaintiffs' Motion for Preliminary Injunction).

11. Attached as Exhibit 12 is a true and correct copy of a publicly accessible document from the New Jersey Secretary of State's Division of Elections providing information about the New Jersey's 2020 elections. It was retrieved from <https://www.state.nj.us/state/elections/election-information-2020.shtml#may12>.

Executed on June 3, 2020 at San Francisco, California.

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

A handwritten signature in black ink, consisting of a stylized 'D' followed by a series of loops and a horizontal stroke, is written over a solid black horizontal line.

Dana Paikowsky

EXHIBIT 1

FAQ About Elections

What is Vote by Mail?

Vote by Mail has replaced Absentee Voting in the State of New Jersey. It allows a voter to vote without going to the polls on Election Day.

How is Vote by Mail different from Absentee Voting?

Vote by Mail still allows a voter to vote in any election without going to the polls. Now the voter also has the option of automatically receiving ballots for future elections.

Who can Vote by Mail?

Any registered voter can Vote By Mail. No reason is necessary to apply.

How do I apply for Vote by Mail?

You can apply by completing an application and sending it to the County Clerk. If you do not return your completed application, we will not be able to send you a Vote by Mail ballot.

Where can I get an application for Vote by Mail?

You can get an application at:

The County Clerk's Office

Your Municipal Clerk's Office

At <http://www.njelections.org>

Do I have to pay for Postage?

No, both the application and the ballot envelope are postage paid.

When do I have to apply to Vote by Mail?

Your application must be received by the Clerk's Office seven (7) days prior to the election, postmarks are not accepted. You can also apply in person to the County Clerk's Office up until 3:00 pm the day before the election.

Can someone help me complete the application and ballot materials?

Yes, you can have someone help you. This person must complete the assistor section. However, you the voter must sign the application.

Can I fax or e-mail my application?

Only active duty military and voters residing overseas may apply by fax or e-mail. All other voters must apply in writing, with original signature.

If it is within seven days before the election, and I am not able to apply in person to the County Clerk, can someone else get my ballot?

Yes, you would need to complete the application, including the Authorized Messenger section. Your messenger would then apply to the County Clerk, obtain your ballot, and deliver it to you. Your messenger must be a family member or a registered voter in this county and can not be a candidate on the ballot.

If I apply and receive a Vote by Mail ballot, can I vote at the polls instead?

If you did not receive or return your vote by mail ballot, you may vote by provisional ballot at the polls.

If I Vote by Mail, will my vote be counted?

Yes, all votes are counted and included in the final official results.

Can I apply for someone else?

No, only the voter can apply. The application must have an original signature, as it appears in the poll books. State law does not allow Power of Attorney.

What if my signature has changed?

You can update your signature by contacting the Administrator of Elections at (732) 745-3471.

Where could I call with any questions regarding my registration to vote?

The Board of Elections at 732-745-3471.

Where can I find the Petition forms?

For the Primary you can get the petition form from the Municipal Clerk, the Chairman of your Party or the County Clerk.

For Independent petitions for nomination to the General Election, you can only request the form from the County Clerk's Office.

When and where to file an Independent Petition, to be placed on the General Election Ballot?

File only with the County Clerk's office by 4:00 p.m. on or before Primary Election Day.

What is the Number of signatures required on an Independent Petition for nomination for the General election?

For Mayor and Municipal candidates, call 732-745-4202.

For County Offices, the number of signatures is always a 100.

Please remember to get more signatures than is required, in case some of them may be voided.

Who can sign an Independent Petition for nomination for the General Election?

Any registered voter can sign an Independent petition, as long as they have not signed any other petition.

When and where to file a petition for nomination on the Primary election

You have to file 57 days (April...) before the Primary Election.

A Partisan petition, on a County Level such as Freeholders, Surrogate, Sheriff, and County Clerk, should be filed with the County Clerk's office.

What is the Number of signatures required for a petition for nomination on the Primary election?

For County level offices, the number of signatures required is 100.

For Municipal level offices, please call 732-745-4202 (5% of the total votes cast by political party on the last Primary Election of General Assembly 19:23-8).

For County Committee, please call the County Clerk's Elections office at 732-745-4202 (5% of the total votes cast by party on the last Legislative Primary Election) or a maximum of 10 voters, whichever is the least number of signatures. Petitions should be filed with the Municipal Clerk's.

EXHIBIT 2

Vote By Mail

July 7 2020 Primary Election Application for Vote by Mail Ballot (English)

Any voter may vote by mail, in any election, for any reason whatsoever. All valid Mail-In Ballots are counted and are included in the election results.

In order to vote by mail, please download and complete this **Application for Vote by Mail Ballot (English)** or for a Spanish version **Application for Vote by Mail Ballot (Spanish)** and mail or deliver to:

Christine Giordano Hanlon
Monmouth County Clerk of Elections
300 Halls Mill Road
Freehold, New Jersey 07728

Voters have the option to receive a vote by mail ballot for one election or for all future elections until the voter opts out in writing to the Monmouth County Clerk. [Click here](#) to download a vote by mail opt out form.

Any person providing assistance to the voter in completing the Application for Mail-In Ballot must provide his/her name, address and signature on the application.

Applications must be received by the Clerk of Elections via mail 7 days prior to the election. Hand delivered applications will be accepted up until 3 p.m. the day before the election.

You may authorize a messenger to appear at the County Clerk's Office with your completed form, provided that you fill out and sign the application designating the messenger. A messenger may not be a candidate in the election for which the voter is requesting a ballot by authorized messenger. The messenger is required to show photo identification when he/she delivers the application to the County Clerk's Office. Upon approval the ballot will be given to the messenger for delivery to the voter.

Note: A person may only serve as a messenger for 3 qualified voters.

Voted Mail-In Ballots can either be mailed or hand delivered to the Board of Elections Office for counting, also located at 300 Halls Mill Road in Freehold. Please note that all hand delivered Mail-In Ballots must be received by the Board of Elections at the close of the polls on election night. All Mail-In Ballots sent via mail must be postmarked by election day and received by the Board of Elections within 48 hours after the close of the polls.

If you have questions about the Vote by Mail process, download our **Vote by Mail FAQ (English)** brochure.

To request a replacement mail-in ballot [click here](#).

For more information, please call the Clerk of Elections Office at 732.431.7790.

Click here for answers to frequently asked questions.

EXHIBIT 3

EXECUTIVE ORDER NO. 144

WHEREAS, in light of the dangers posed by COVID-19, I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, I issued Executive Order No. 104 (2020) on March 16, 2020, the facts and circumstances of which are also adopted by reference herein, which established statewide social mitigation strategies for combatting COVID-19; and

WHEREAS, on March 21, 2020, I issued Executive Order No. 107 (2020), superseding Executive Order No. 104 (2020) and requiring New Jersey residents to remain home or at their place of residence subject to limited exceptions, cancelling social gatherings, and limiting all restaurants and other dining establishments to offering only food delivery and/or take-out services; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on May 6, 2020, I issued Executive Order No. 138 (2020), which again declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, as of May 14, 2020, according to the Centers for Disease Control and Prevention ("CDC"), there were more than 4,248,000 confirmed cases of COVID-19 worldwide, with over 292,000 of those cases having resulted in death; and

WHEREAS, as of May 14, 2020, there were more than 1,384,000 confirmed cases of COVID-19 in the United States, with over 83,000 of those cases having resulted in death; and

WHEREAS, as of May 14, 2020, there were over 142,000 positive cases of COVID-19 in New Jersey, with at least 9,946 of those cases having resulted in death; and

WHEREAS, on March 19, 2020, I issued Executive Order No. 105 (2020), which declared that certain elections set to take place in March and April were postponed until May 12, 2020 and that all registered voters would receive vote-by-mail ballots because allowing those elections to proceed as they were originally planned during this unprecedented COVID-19 health crisis would have created hardships and health risks for voters, poll workers and candidates alike; and

WHEREAS, pursuant to Executive Order No. 120 (2020), the primary elections set to take place on June 2, 2020, were postponed until July 7, 2020 ("July primary elections"), because preparing for elections to take place in June during the potential height of the COVID-19 emergency would have negatively impacted election officials' preparation efforts; and

WHEREAS, the COVID-19 emergency and its impact are likely to extend for an as-yet-undetermined period of time; and

WHEREAS, the COVID-19 emergency makes it difficult for election officials, candidates, and voters to properly plan and prepare for and fully participate in the July primary elections if they were to proceed as they would under normal circumstances; and

WHEREAS, States generally have discretion to dictate the time, manner, and place of elections in the absence of controlling federal law; and

WHEREAS, allowing the July primary elections to proceed as they would under normal circumstances during this unprecedented COVID-19 health crisis will create hardships and health risks for voters, poll workers and candidates alike; and

WHEREAS, election officials require flexibility and sufficient lead time to adapt the State's voting infrastructure to confront the magnitude of the public health and safety risks of the COVID-19 pandemic; and

WHEREAS, the full participation of voters and candidates is critical to a robust democracy; and

WHEREAS, as of May 1, 2020, there are over 6.1 million registered voters in New Jersey - over 2.4 million are Unaffiliated voters, over 2.3 million are registered Democrats, and over 1.3 million are registered Republicans; and

WHEREAS, failing to take proactive actions to mitigate the adverse impacts of the current health crisis on the upcoming primary carries the risk of disenfranchising countless citizens; and

WHEREAS, social distancing measures are required for a period of as-yet-undetermined duration, and the COVID-19 outbreak may have significant effects on New Jersey's voting systems as long as social distancing measures are in place and for some time thereafter; and

WHEREAS, failing to offer voters a ready alternative to reporting to public polling places to vote in July in the midst of the COVID-19 crisis will hinder public participation in the democratic process, particularly among elderly and immune-compromised voters, and undermine the legislative intent of provisions like N.J.S.A. 19:8-2 and 19:8-3.1, which are designed to ensure that such voters can exercise their right to vote; and

WHEREAS, voting by mail is already an authorized mode of voting in New Jersey pursuant to Title 19, subtitles 62 and 63; and

WHEREAS, at least 34 states and the District of Columbia already allow voters to cast their ballot via mail and five states run entirely vote-by-mail elections; and

WHEREAS, in-person voting has declined over the years, while the total number of voters who voted by mail has steadily increased; and

WHEREAS, voting-by-mail may have a disproportionate impact on historically disenfranchised voters such as disabled voters, low-income voters, voters with unstable housing, limited-English-speaking voters, and voters of color; and

WHEREAS, election officials can address this potential inequity by providing historically disenfranchised voters with an alternative to voting by mail; and

WHEREAS, pursuant N.J.S.A. 19:63-20(b), an individual who receives a vote-by-mail ballot but has not voted and returned that ballot, may show up to their polling place and vote a provisional ballot; and

WHEREAS, opening a limited number of public polling places that meet public health standards to mitigate the spread of COVID-19 will support historically disenfranchised citizens' ability to vote; and

WHEREAS, New Jersey citizens are presently faced with the choice of exercising their constitutional franchise, or endangering their health and safety; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A.

38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. All elections that take place on July 7, 2020, shall be conducted primarily via vote-by-mail ballots, which will automatically be sent to all "Active" registered Democratic and Republican voters without the need for an application to receive a vote-by-mail ballot. The County Clerk shall send vote-by-mail applications to "Active" voters who are registered as "Unaffiliated," and to all "Inactive" registered Democrats, Republicans, and "Unaffiliated" voters.

2. To provide "Unaffiliated" voters, "Inactive" registered Democrats, and "Inactive" registered Republicans every opportunity to return a vote-by-mail application and receive a vote-by-mail ballot for the July 7, 2020 Primary Election, the deadline for returning a vote-by-mail application in person in N.J.S.A. 19:63-3(d) shall be suspended.

3. All vote-by-mail return envelopes and vote-by-mail applications shall have prepaid postage in order to guarantee the proper delivery of all cast vote-by-mail ballots and completed applications.

4. The Secretary of State shall prepare a vote-by-mail application form specific to the July 7, 2020 Primary Election to address issues created by sending applications and vote-by-mail ballots in accordance with this Order.

5. The requirements of N.J.S.A. 19:23-30 that sample ballots be sent shall be suspended. In lieu of sending a sample ballot, the appropriate county official, as identified in N.J.S.A. 19:23-30, shall send notice of the voter's polling place, information on where to obtain a sample ballot prior to the election, a statement indicating that a sample ballot will be available at the polling place on the day of the election, and, if applicable, information on a county website where a sample ballot may be viewed.

6. To the extent possible, each county shall procure at least 5 secure ballot drop boxes and place them in locations that are readily accessible to the registered voters within the county. The security of the ballot drop boxes and schedule of ballot pickup shall conform with standards set forth by the Secretary of State.

7. Each county shall open a minimum of at least 1 polling place in each municipality. Provided that sufficient poll workers are available, each county shall open a minimum of 50 percent of its polling places, and may open more than the minimum number of polling places. To the best of their ability, the County Boards of Elections shall select polling places based on geographic location and population density to best serve the voters of each municipality. County Boards of Elections must ensure that polling places and poll workers implement, at a minimum, the following requirements:

- a. Limit occupancy within a polling place to a number that permits voters to maintain a distance of six feet between each other and poll workers at any time;

- b. Ensure six feet of distance between voters and ensure six feet of distance between voters and poll workers through the demarcation of six feet of spacing in voter lines and poll worker stations to demonstrate appropriate spacing for social distancing;
- c. Require infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- d. Provide poll workers break time for repeated handwashing throughout their shifts;
- e. Require frequent sanitization of high-touch areas in polling places consistent with CDC guidelines as of the date of the election;
- f. Place conspicuous signage at entrances and throughout the polling place alerting poll workers and voters to the required six feet of physical distance;
- g. Provide sanitization materials, such as hand sanitizer and sanitizing wipes, to poll workers, voters, and those accompanying voters;
- h. Require poll workers to adhere to CDC guidelines as of the date of the election regarding face coverings while in the polling place, except where doing so would inhibit that individual's health, and require poll workers to wear gloves when in contact with voters and those accompanying voters. County boards of elections must provide any required face coverings and gloves for poll workers, without charge to the poll workers. If a

poll worker refuses to wear a required cloth face covering for non-medical reasons, then a county board of elections may decline entry to the individual. Nothing in the stated policy should prevent poll workers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment. Where a poll worker declines to wear a required face covering at a polling place due to a medical condition that inhibits such usage, they shall not be required to produce medical documentation verifying the stated condition; and

- i. Strongly encourage voters and those accompanying voters to adhere to any CDC guidelines as of the date of the election regarding face coverings while inside polling places except where doing so would inhibit that individual's health. County boards of elections may provide such face coverings for voters and those accompanying voters, without charge to them. If a voter or person accompanying a voter refuses to comply with the CDC guidelines, a poll worker shall not deny entry to the voter or person. Nothing in the stated policy should prevent voters from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment.

8. In accordance with Executive Order No. 120 (2020), the deadline to certify a list of polling places for the July 7, 2020 Primary Election is June 15, 2020. That certification need only

include those polling places to be used in the July 7, 2020 Primary Election. The deadline for certification of polling places for the remainder of the year, pursuant to N.J.S.A. 19:8-4, is hereby extended to September 15, 2020.

9. The Secretary of State may modify the requirements of N.J.S.A. 19:31-21 concerning the use of poll books and the information contained therein as necessary to address the procedure by which the July 7, 2020 Primary Election will be conducted under this Order, and the needs resulting therefrom.

10. Any voter who appears at a polling place on the day of the July primary shall vote via a provisional ballot, except that a voter with disabilities may vote on an ADA-accessible voting machine.

11. Voted mail-in ballots may not be returned to a polling place established pursuant to paragraph 5 of this Order.

12. The time restrictions of N.J.S.A. 19:63-9 shall be suspended, and vote-by-mail ballots shall be mailed in compliance with a schedule to be prepared by the Secretary of State in a manner to ensure the timely receipt and return of ballots for counting in the July 7, 2020 elections.

13. Vote-by-mail ballots shall be processed and canvassed in accordance with guidelines provided by the Centers for Disease Control and Prevention, the State Department of Health, and the respective county departments of health.

14. To account for the increase in vote-by-mail ballots and to ensure that registered voters' efforts to vote are not impacted by delays in the postal service, the ballot-return deadline in N.J.S.A. 19:63-22 shall be suspended. Every vote-by-mail ballot that is postmarked on or before July 7, 2020, and that is received

by July 14, 2020, at 8:00 p.m. shall be considered valid and shall be canvassed.

15. To account for the increase in vote-by-mail ballots and to provide the county Boards of Elections sufficient time to canvass the returned ballots, N.J.S.A. 19:63-18 is hereby suspended. The county Boards of Elections may continue the counting of ballots beyond the close of polls on July 7, 2020, and adjourn counting to the following day, and any day thereafter, within the limits of this Order, until the counting is completed.

16. To allow for greater flexibility in obtaining poll workers, the county-resident requirement for poll workers set forth in N.J.S.A. 19:6-2 is hereby suspended.

17. Due to the limited number of polling places that will be open for July 7, 2020 Primary Election, the 1,000 foot limitation on the location of polling places set forth in N.J.S.A. 19:8-2 shall be suspended.

18. Due to the suspension of N.J.S.A. 19:63-22 and N.J.S.A. 19:63-18, the deadlines in the following statutes are all hereby extended by five (5) days: the impoundment period for voting machines in N.J.S.A. 19:52-6; the filing of selection of column and designation, pursuant to N.J.S.A. 19:14-9; the certification of the election results in N.J.S.A. 19:23-54; the filing of an election contest petition, pursuant to N.J.S.A. 19:29-3; the certification of results, pursuant to N.J.S.A. 19:23-55; the filing of a recount petition, pursuant to N.J.S.A. 19:28-1; the application for voting machine recheck, pursuant to N.J.S.A. 19:52-6; and the time to prepare reports pursuant to N.J.S.A. 19:53B-21 and 19:53C-21.

19. The Secretary of State shall establish other appropriate standards for ensuring that all eligible voters, including but not limited to those voters with disabilities, are able to exercise their right to vote in the July 7, 2020 elections.

20. The Secretary of State and county election officials, as appropriate, shall coordinate with the United States Postal Service to facilitate proper delivery of ballots by the United States Postal Service.

21. The Secretary of State and county election officials, as appropriate, shall act to facilitate the public's understanding of the rules governing the July 7, 2020 elections.

22. The Secretary of State shall establish a hotline number for reports of violations of the election laws and this Order in connection with the July 7, 2020 elections.

23. Any actions taken by the Secretary of State pursuant to this Order shall not be subject to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

24. This Order shall take effect immediately.

GIVEN, under my hand and seal this
15th day of May,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXHIBIT 4

ACLU of Florida

[Menu](#)

[Donate](#)

VOTE-BY-MAIL BALLOTS CAST IN FLORIDA

SEPTEMBER 19, 2018



In our new report "**Vote-By-Mail Ballots Cast in Florida**," we found that vote-by-mail ballots cast in the 2012 and 2016 general election had a higher rejection rate than votes cast at assigned precincts on Election Day and at early voting sites. We also found that younger voters and racial and ethnic minority voters were much more likely to cast mail ballots that were rejected and were less likely to have their ballots cured.

This report contrasts the rates of rejected vote-by-mail (VBM) ballots in the 2012 and 2016 general elections—statewide broken down by age cohorts and racial and ethnic groups, and across counties.

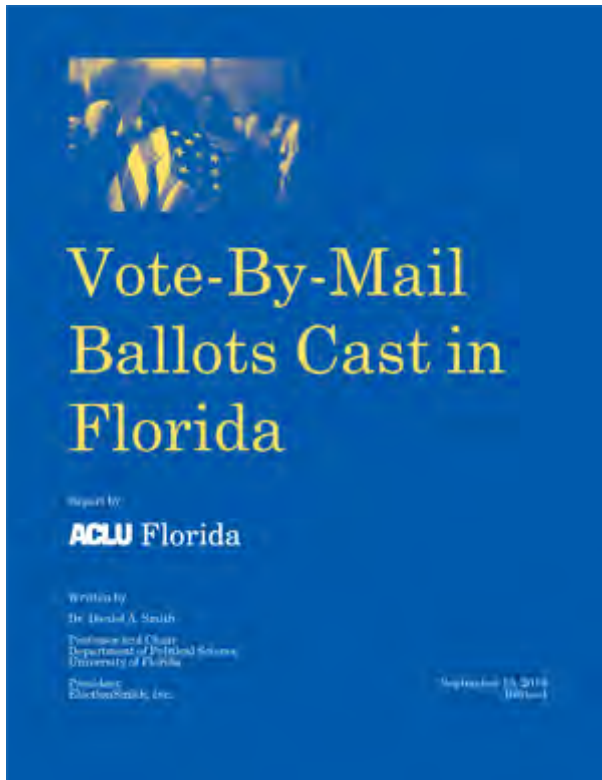
For Florida to have free and fair elections, all eligible voters must have equal opportunity to vote, including those casting (and curing) VBM ballots.

In addition, drawing on available county-level records, it highlights variations in cure rates of VBM ballots received by Supervisors of Elections in the 2016 general election that initially were deemed invalid because they were contained in return envelopes with mismatched signatures. **It finds that younger voters, as well as voters from racial and ethnic minorities, are much more likely to cast VBM ballots that are rejected, and are less likely to cure their VBM ballots if SOE staff flag them for having signature problems.**

The report also found that Florida's counties do not use standardized coding when documenting the reasons for VBM ballots to be initially rejected, processed, or cured.

All voters who choose to VBM should take the extra steps to track their mail ballot and, if there is a problem with the voter's signature, to use the cure process to ensure that their vote is counted and their voice is heard. If your ballot was rejected because your signature was missing on the return envelope or it does not match the signature on file, you are permitted to mail, fax, email, or hand-deliver to your SOE your signed affidavit, along with a copy of a permissible form of identification. **[Click here for more step-by-step instructions on how to ensure your vote-by-mail ballot counts.](https://www.aclufl.org/en/vote-mail-florida)**

<https://www.aclufl.org/en/vote-mail-florida>



(https://www.aclufi.org/sites/default/files/aclufi_-_vote_by_mail_-_report.pdf).

Download the report

(https://www.aclufi.org/sites/default/files/aclufi_-_vote_by_mail_-_report.pdf).

Summary

This report contrasts the rates of rejected vote-by-mail (VBM) ballots in the 2012 and 2016 general elections—statewide broken down by age cohorts and racial and ethnic groups, and across counties. In addition, drawing on available county-level records, it highlights variations in cure rates of VBM ballots received by Supervisors of Elections in the 2016 general election that initially were deemed invalid because they were contained in return envelopes with mismatched signatures. It finds that younger voters, as well as voters from racial and ethnic minorities, are much more likely to cast VBM ballots that are

rejected, and are less likely to cure their VBM ballots if SOE staff flag them for having signature problems.

Principal Findings

- Mail ballots (commonly referred to as “Vote by Mail” or VBM) have had a higher rejection rate than votes cast at assigned precincts on Election Day and at Early Voting sites;
- There is a lack of uniformity in the Vote by Mail process as well as procedures to cure invalid ballots across Florida’s 67 counties, leading to considerable variation in rejection rates and cure rates by counties;
- Younger and racial and ethnic minority voters were much more likely to have their VBM ballots rejected, and less likely to have their VBM ballots cured when they are flagged for a signature problem;
- Younger and racial and ethnic minority voters casting VBM ballots were at least twice as likely as older and white voters to have their VBM ballot rejected in the presidential elections of 2012 and 2016;
- The likelihood of younger and minority voters casting a mail ballot that was rejected increased in 2016 compared to 2012 while the rejection rate of VBM ballots cast by white voters decreased;
- Florida voters were more likely to have their vote tabulated and validated if they cast their ballot in person at an Early Voting site or at their assigned Election Day polling location.

Policy Recommendations

To ensure that all eligible voters have an equal access to the voting process and to have their vote processed, tabulated, and accepted as valid:

- There should be greater statewide uniformity in the design of mail ballots and the return VBM envelope;
- There should be greater uniformity in the procedures employed by Supervisors of Elections, their staff, and canvassing boards to process, validate and, if necessary, cure VBM ballots;
- The Florida statewide voter history file (the FVRS database) should include information about *why* a voter's mail ballot was rejected, including whether it was rejected because it lacked a signature or the voter's signature was mismatched, and if the voter attempted to cure the VBM ballot if it was flagged as invalid;
- The October 17, 2016 Memorandum to Supervisors of Elections (SOEs) from Secretary of State Ken Detzner should be revised to include specific procedures that county election officials should follow when notifying voters of a rejected VBM ballot and the cure process for missing and mismatched signatures;
- The Florida Division of Elections should study procedures for processing VBM ballots as well as procedures in place for voters to cure an invalid mailed ballot, promoting "best practices" from those counties with the lowest rejection and highest cure rates;
- The legislature should create guidelines for how SOEs shall notify voters of their rejected ballot status and how voters can cure their VBM ballot prior to Election Day.

Download the report

(https://www.aclufl.org/en/sites/default/files/field_documents/september_2018_-_report_-_vote-by-mail_ballots_cast_in_florida_-_aclu_of_florida_0.pdf)

ABOUT THE AUTHOR

Daniel A. Smith is Professor and Chair of Political Science at the University of Florida. He is the President of ElectionSmith, Inc., and

a former Senior Fulbright Scholar in Ghana, West Africa. He has served as an expert witness in numerous voting rights lawsuits in Florida and across the country, working closely with the ACLU, the NAACP, Demos, the Campaign Legal Center, Mi Familia, SEIU, and numerous other voting rights groups. Dr. Smith holds a M.A. and a Ph.D. from the University of Wisconsin-Madison; he went to Penn State for his undergraduate degrees in Political Science and History. Dr. Smith's research broadly examines how political institutions affect political behavior across and within the American states. In addition to publishing over 100 peer-reviewed articles, book chapters, and research reports on voting and elections in the American states, his authored and coauthored books include *Tax Crusaders and the Politics of Direct Democracy* (Routledge, 1998), *Educated by Initiative* (University of Michigan Press, 2004), and *State and Local Politics: Institutions and Reform* (4th edition, Cengage, 2015). He is widely quoted in the Florida and national media.

EXHIBIT 5

Exhibit 5¹

2016 Election Administration and Voting Survey (EAVS) Data By-Mail Ballots					
County	By-mail Ballots Returned	By-mail Ballots Rejected	Ballot Rejection Rate	Rejection Rate for Sig. Mismatch	Rate of Rejected Ballots Rejected for Sig. Mismatch
ATLANTIC	9537	154	1.61%	0.09%	5.84%
BERGEN	32060	1734	5.41%	0.17%	3.11%
BURLINGTON	20125	510	2.53%	0.54%	21.37%
CAMDEN	39798	410	1.03%	0.15%	14.15%
CAPE MAY	6130	126	2.06%	0.21%	10.32%
CUMBERLAND	4171	263	6.31%	0.38%	6.08%
ESSEX	16218	324	2.00%	0.23%	11.42%
GLOUCESTER	16908	212	1.25%	0.02%	1.89%
HUDSON	9716	857	8.82%	3.44%	38.97%
HUNTERDON	8779	185	2.11%	0.34%	16.22%
MERCER	13280	398	3.00%	0.23%	7.54%
MIDDLESEX	38751	944	2.44%	0.24%	9.96%
MONMOUTH	30742	782	2.54%	0.15%	6.01%
MORRIS	22340	1258	5.63%	0.31%	5.56%
OCEAN	28954	423	1.46%	0.10%	6.86%
PASSAIC	11887	352	2.96%	0.59%	19.89%
SALEM	2371	88	3.71%	0.34%	9.09%
SOMERSET	15807	484	3.06%	0.47%	15.50%
SUSSEX	6097	26	0.43%	0.18%	42.31%
UNION	16818	306	1.82%	0.21%	11.76%
WARREN	4968	121	2.44%	0.54%	22.31%
STATE-WIDE	355457	9957	2.80%	0.33%	11.66%

¹The following table compiles data on New Jersey's elections collected for the 2016 Election Administration and Voting Survey (EAVS). This data is publicly available and retrievable here: <https://www.eac.gov/research-and-data/datasets-codebooks-and-surveys>

EXHIBIT 6

Exhibit 6, Table 1²

2018 Election Administration and Voting Survey (EAVS) Data By-Mail Ballots						
County	By-mail Ballots Returned	By-mail Ballots Rejected	Ballot Rejection Rate	Rejection Rate for Sig. Mismatch	Rate of Rejected Ballots Rejected for Sig. Mismatch	By-mail Ballots Rejected for Sig. Mismatch
ATLANTIC	11808	110	0.9%	0.2%	24.5%	27
BERGEN	36288	1392	3.8%	0.2%	7.1%	99
BURLINGTON	26428	699	2.6%	0.5%	22.7%	159
CAMDEN	41726	376	0.9%	0.1%	22.9%	86
CAPE MAY	6258	111	1.8%	0.1%	9.9%	11
CUMBERLAND	5664	119	2.1%	0.2%	12.6%	15
ESSEX	22965	323	1.4%	0.3%	28.8%	93
GLOUCESTER	17537	311	1.8%	0.2%	17.0%	53
HUDSON	10497	820	7.8%	1.7%	34.9%	286
HUNTERDON	10654	153	1.4%	0.2%	13.7%	21
MERCER	17256	570	3.3%	0.6%	25.1%	143
MIDDLESEX	40030	1356	3.4%	0.3%	11.2%	152
MONMOUTH	27989	578	2.1%	0.3%	18.2%	105
MORRIS	28450	1799	6.3%	0.6%	13.5%	242
OCEAN	31366	955	3.0%	0.1%	3.1%	30
PASSAIC	15325	556	3.6%	0.7%	31.8%	177
SALEM	2909	132	4.5%	0.3%	7.6%	10
SOMERSET	19349	572	3.0%	0.5%	20.5%	117
SUSSEX	7228	135	1.9%	0.3%	23.7%	32
UNION	20521	523	2.5%	0.1%	3.3%	17
WARREN	6077	104	1.7%	0.5%	36.5%	38
STATE-WIDE	406325	11694	2.9%	0.3%	16.4%	1913

² The following table compiles data on New Jersey's elections collected for the 2018 Election Administration and Voting Survey (EAVS). This data is publicly available and retrievable here: <https://www.eac.gov/research-and-data/datasets-codebooks-and-surveys>

Exhibit 6, Table 2³

2018 Election Administration and Voting Survey (EAVS) Data Provisional Ballots							
County	Provisional Ballots: Total	Provisional Ballots Rejected: Total	Provisional Ballots Rejected: Non- matching Sig.	Provisional Ballots Rejected: No Signature	Percent of provisional ballots rejected	% of rejected provisional ballots rejected for sig. issues	% of total provisional ballots cast rejected for sig. issues
ATLANTIC	2760	199	16	4	7.2%	10.1%	0.7%
BERGEN	9212	1561	77	9	16.9%	5.5%	0.9%
BURLINGTON	4576	755	2	3	16.5%	0.7%	0.1%
CAMDEN	7556	763	75	0	10.1%	9.8%	1.0%
CAPE MAY	584	18	0	0	3.1%	0.0%	0.0%
CUMBERLAND	710	72	0	2	10.1%	2.8%	0.3%
ESSEX	7703	128	0	1	1.7%	0.8%	0.0%
GLOUCESTER	2432	214	3	0	8.8%	1.4%	0.1%
HUDSON	4748	420	0	0	8.8%	0.0%	0.0%
HUNTERDON	912	149	0	1	16.3%	0.7%	0.1%
MERCER	3140	844	0	0	26.9%	0.0%	0.0%
MIDDLESEX	8353	1750	6	12	21.0%	1.0%	0.2%
MONMOUTH	6561	965	25	8	14.7%	3.4%	0.5%
MORRIS	3389	151	0	1	4.5%	0.7%	0.0%
OCEAN	3932	499	4	1	12.7%	1.0%	0.1%
PASSAIC	5334	214	16	2	4.0%	8.4%	0.3%
SALEM	350	39	0	1	11.1%	2.6%	0.3%
SOMERSET	2957	472	5	2	16.0%	1.5%	0.2%
SUSSEX	415	10	2	0	2.4%	20.0%	0.5%
UNION	4772	806	1	6	16.9%	0.9%	0.1%
WARREN	592	94	0	0	15.9%	0.0%	0.0%
STATE-WIDE	80988	10123	232	53	12.5%	2.8%	0.4%

³ The following table compiles data on New Jersey's elections collected for the 2018 Election Administration and Voting Survey (EAVS). This data is publicly available and retrievable here: <https://www.eac.gov/research-and-data/datasets-codebooks-and-surveys>

EXHIBIT 7



NEW JERSEY COVID-19 Information Hub

Call (General COVID-19 Questions): [2-1-1](#) (24/7)

Call (Medical COVID-19 Questions): [1-800-962-1253](#) (24/7)

Text NJCOVID to [898-211](#) to receive alerts

[Select a Language](#)

Ask Your COVID-19 Questions Here

What would lead you to believe that someone



[DATA DASHBOARD](#)

[FEELING UNWELL? CHECK YOUR SYMPTOMS](#)

[WORK NJ](#)

[HELP NJ](#)

[← Back to All FAQs](#)

How can I protect myself from COVID-19/Novel Coronavirus?

Last Updated: 05/14/2020

[Copy Link to Article](#)

The U.S. Centers for Disease Control has issued a series of steps that you can take to protect yourself. The best way to prevent illness is to avoid being exposed to this virus.

The virus is thought to spread mainly from person-to-person who are in close contact with one another (within about 6 feet) and through respiratory droplets produced when an infected person coughs or sneezes.

These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.

Take steps to protect yourself:

- **Stay at home** -- except to get essentials like food and medicine.
- If you must leave home to access essential goods, please **go at non-peak times**. Retail food stores have been encouraged to maintain separate operating hours for senior citizens and other high-risk populations.
- You should **wear a face covering** whenever you leave your home and **MUST wear a face covering when shopping at essential retail businesses, entering a restaurant or bar to pick up takeout orders, or when traveling on public transportation**. For more guidance on using face coverings, [refer to this article](#).
- When shopping **keep your visit as brief as possible**, go alone if possible, and **keep six feet between yourself and other customers/staff** even when standing in line.
- **Wash your hands** often with soap and water for at least 20 seconds especially after you have been in a public place, or after blowing your nose, coughing, or sneezing.
- If soap and water are not readily available, **use a hand sanitizer that contains at least 60% alcohol**. Cover all surfaces of your hands and rub them together until they feel dry.
- **Avoid touching your eyes, nose, and mouth** with unwashed hands.
- **Clean and disinfect** frequently touched surfaces. For more, see the [CDC's guidelines](#) on how to properly clean and disinfect.
- **Avoid close contact** with people who are sick.
- **Stay home if you are sick**, except to get medical care. Learn [what to do if you are sick](#).
- If you are in a private setting and do not have your face covering on, **cover your mouth and nose with a tissue when you cough or sneeze** or use the inside of your elbow.

Visit the [CDC site](#) to learn more about [how to protect yourself](#).

It's important to remember that older adults and people who have severe underlying chronic medical conditions like heart or lung disease or diabetes seem to be at higher risk for developing more serious complications from COVID-19 illness. Please consult with your health care provider about additional steps you may be able to take to protect yourself.

Source: <https://www.cdc.gov/coronavirus/2019-ncov/prepare/prevention.html>; [Executive Order No. 125](#); <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/disinfecting-your-home.html>

Stay up to date with the latest COVID-19 news and updates from the State of New Jersey.

Email Address

Subscribe

 Open Public Records Act

 New Jersey Department of Health



[Report a Correction](#) | [Legal Statement](#) | [Privacy Policy](#)

Made with
 Love
by the
NJ Office of Innovation
+
 Yext

EXHIBIT 8



Coronavirus Disease 2019 (COVID-19)

Recommendations for Election Polling Locations

Interim guidance to prevent spread of coronavirus disease 2019 (COVID-19)

Updated March 27, 2020

Summary of changes:

- Encourage moving election polling locations away from long term care facilities and facilities housing older persons to minimize COVID-19 exposure among older individuals and those with chronic medical conditions.
- Updated EPA COVID Disinfectant link.

Background

There is much to learn about the novel coronavirus (SARS-CoV-2) that causes [coronavirus disease 2019](#) (COVID-19). Based on what is currently known about SARS-CoV-2 and about similar coronaviruses, spread from person-to-person happens most frequently among close contacts (within about 6 feet). This type of transmission occurs via respiratory droplets. Transmission of SARS-CoV-2 to persons from surfaces contaminated with the virus has not been documented. Transmission of coronavirus in general occurs much more commonly through respiratory droplets than through contact with contaminated surfaces. Current evidence suggests that SARS-CoV-2 may remain viable for hours to days on surfaces made from a variety of materials. Cleaning of visibly dirty surfaces followed by disinfection is a best practice measure for prevention of COVID-19 and other viral respiratory illnesses in election polling locations.

Purpose

This guidance provides recommendations on the routine cleaning and disinfection of polling location areas and associated voting equipment (e.g., pens, voting machines, computers). It suggests actions that polling station workers can take to reduce the risk of exposure to COVID-19 by limiting the survival of the virus in the environment. This guidance will be updated if additional information becomes available.

Definitions:

- *Community settings* (e.g. polling locations, households, schools, daycares, businesses) encompass most non-healthcare settings and are visited by the general public.
- *Cleaning* refers to the removal of dirt and impurities including germs from surfaces. Cleaning alone does not kill germs. But by removing them, it decreases the number of germs and therefore any risk of spreading infection.
- *Disinfecting* kills germs on surfaces. Disinfecting works by using chemicals to kill germs on surfaces. This process does not necessarily clean dirty surfaces or remove germs. But killing germs remaining on a surface after cleaning further reduce any risk of spreading infection.

Actions for elections officials in advance of election day

- **Encourage voters to use voting methods that minimize direct contact with other people and reduce crowd size at polling stations.**
 - Encourage mail-in methods of voting if allowed in the jurisdiction.
 - Encourage early voting, where voter crowds may be smaller throughout the day. This minimizes the number of individuals a voter may come in contact with.
 - Encourage drive-up voting for eligible voters if allowed in the jurisdiction.
 - Encourage voters planning to vote in-person on election day to arrive at off-peak times. For example, if voter crowds are lighter mid-morning, advertise that in advance to the community.

crowds are lighter mid morning, advertise that in advance to the community.

- Encourage relocating polling places from nursing homes, long-term care facilities, and senior living residences, to minimize COVID-19 exposure among older individuals and those with chronic medical conditions.
- Consider additional social distancing and other measures to protect these individuals during voting.

Preventive actions polling workers can take

- **Stay at home if you have fever, respiratory symptoms, or believe you are sick**
- **Practice hand hygiene frequently:** wash hands often with soap and water for at least 20 seconds. If soap and water are not readily available, use an alcohol-based hand sanitizer that contains at least 60% alcohol.
- **Practice routine cleaning of frequently touched surfaces:** including tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks, etc.
- **Disinfect surfaces that may be contaminated with germs after cleaning:** A list of products [with EPA-approved emerging viral pathogens claims](#)  is available. Products with EPA-approved emerging viral pathogens claims are expected to be effective against the virus that causes COVID-19 based on data for harder to kill viruses. Follow the manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, use of personal protective equipment).
- **Clean and disinfect voting-associated equipment (e.g., voting machines, laptops, tablets, keyboards) routinely.** Follow the manufacturer's instructions for all cleaning and disinfection products.
 - Consult with the voting machine manufacturer for guidance on appropriate disinfection products for voting machines and associated electronics.
 - Consider use of wipeable covers for electronics.
 - If no manufacturer guidance is available, consider the use of alcohol-based wipes or spray containing at least 70% alcohol to clean voting machine buttons and touch screens. Dry surfaces thoroughly to avoid pooling of liquids.

Preventive action polling stations workers can take for themselves and the general public

Based on available data, the most important measures to prevent transmission of viruses in crowded public areas include careful and consistent cleaning of one's hands. Therefore:

- **Ensure bathrooms at the polling station are supplied adequately with soap, water, and drying materials so visitors and staff can wash their hands..**
- **Provide an alcohol-based hand sanitizer with at least 60% alcohol** for use before or after using the voting machine or the final step in the voting process. Consider placing the alcohol-based hand sanitizer in visible, frequently used locations such as registration desks and exits.
- **Incorporate social distancing strategies, as feasible.** Social distancing strategies increase the space between individuals and decrease the frequency of contact among individuals to reduce the risk of spreading a disease. Keeping individuals at least 6 feet apart is ideal based on what is known about COVID-19. If this is not feasible, efforts should be made to keep individuals as far apart as is practical. Feasibility of strategies will depend on the space available in the polling station and the number of voters who arrive at one time. Polling station workers can:
 - Increase distance between voting booths.
 - Limit nonessential visitors. For example, poll workers should be encouraged not to bring children, grandchildren, etc. with them as they work the polls.
 - Remind voters upon arrival to try to leave space between themselves and others. Encourage voters to stay 6 feet apart if feasible. Polling places may provide signs to help voters and workers remember this.
 - Discourage voters and workers from greeting others with physical contact (e.g., handshakes). Include this reminder on signs about social distancing.

Recommendations for processing mail-in ballots

- Workers handling mail in ballots should practice hand hygiene frequently

- No additional precautions are recommended for storage of ballots

References

- Community Mitigation Guidance for COVID-19 Response in the United States:
[Nonpharmaceutical Interventions for Community Preparedness and Outbreak Response](#)
- [Handwashing: Clean Hands Save Lives](#)
- [Protect Yourself & Your Family](#)

Page last reviewed: March 10, 2020

EXHIBIT 9

EXECUTIVE ORDER NO. 105

WHEREAS, in light of the dangers posed by COVID-19, I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, I issued Executive Order No. 104 (2020) on March 16, 2020, the facts and circumstances of which are also adopted by reference herein, which established statewide social mitigation strategies for combatting COVID-19 and; and

WHEREAS, as of March 18, 2020, according to the Centers for Disease Control and Prevention ("CDC"), there were more than 191,000 confirmed cases of COVID-19 worldwide, with over 7,800 of those cases having resulted in death; and

WHEREAS, as of March 18, 2020, there were more than 7,000 confirmed cases of COVID-19 in the United States, with at least 97 of those cases having resulted in death; and

WHEREAS, as of March 18, 2020, there were 427 positive cases of COVID-19 in New Jersey, spread across numerous counties; and

WHEREAS, State and Federal public health experts, including officials at CDC, believe that infections will continue to spread at exponential rates unless aggressive action is taken to minimize person-to-person contacts and to reduce any unnecessary interactions; and

WHEREAS, the COVID-19 emergency is unfolding alongside numerous contemporaneous local, State and Federal elections; and

WHEREAS, the New Jersey Secretary of State is legally obligated to ensure that all qualified voters within the State are able to fully exercise their constitutionally protected right to vote; and

WHEREAS, allowing certain upcoming elections to proceed during this unprecedented COVID-19 health crisis as they were originally planned will create hardships and health risks for voters, poll workers and candidates alike; and

WHEREAS, election officials require flexibility and sufficient lead time to adapt the State's voting infrastructure to confront the magnitude of the public health and safety risks of the COVID-19 pandemic; and

WHEREAS, social distancing measures are required for a period of as-yet-undetermined duration, and the COVID-19 outbreak may have significant effects on New Jersey's voting systems as long as social distancing measures are in place and for some time thereafter; and

WHEREAS, the full participation of voters and candidates is critical to a robust democracy; and

WHEREAS, failing to take proactive actions to mitigate the adverse impacts of the current health crisis on certain upcoming elections carries the risk of disenfranchising countless citizens; and

WHEREAS, pursuant to N.J.S.A. 19:23-14, petitions for candidates for the June 2, 2020 primary election are due by 4:00 p.m. on March 30, 2020; and

WHEREAS, allowing candidates to submit their petitions electronically, in addition to by hand delivery, will help limit unnecessary person-to-person contact; and

WHEREAS, allowing voters to fill out and submit petitions electronically, so that candidates and campaigns need not physically gather petitions by going to individual voters in person, will help limit unnecessary person-to-person contact; and

WHEREAS, the COVID-19 emergency will significantly hinder otherwise qualified candidates from meeting the nomination requirements set forth in N.J.S.A. 19:23-7, 19:23-11, 19:23-14, 19:23-15, 19:25-3, 19:34-8, and 19:24-4; and

WHEREAS, temporarily modifying the requirements of N.J.S.A. 19:23-8, 19:23-14, 19:24-4, and 19:25-3 to allow for electronic submission of petitions is needed to keep voters engaged during this unprecedented crisis; and

WHEREAS, States generally have discretion to dictate the time, manner and place of elections in the absence of controlling federal law; and

WHEREAS, requiring voters to report to public polling locations to vote under the current circumstances will hinder public participation in the democratic process, particularly among elderly and immune-compromised voters, and undermine the legislative intent of provisions like N.J.S.A. 19:8-2 and 19:8-3.1, which are designed to ensure that such voters can exercise their right to vote; and

WHEREAS, voting by mail is already an authorized mode of voting in New Jersey pursuant to Title 19, subtitles 62 and 63; and

WHEREAS, at least 34 states and the District of Columbia already allow voters to cast their ballot via mail and five states run entirely vote-by-mail elections; and

WHEREAS, in-person voting has declined over the years, while the total number of voters who voted early, absentee or by mail has steadily increased; and

WHEREAS, New Jersey citizens are presently faced with the choice of exercising their constitutional franchise, or endangering their health and safety; and

WHEREAS, a temporary delay in certain elections that are rapidly approaching will give the county and municipal election officials enough time to send vote-by-mail ballots to all registered voters for these elections, allowing voters to exercise their constitutional franchise without jeopardizing their health and safety; and

WHEREAS, in order to prepare vote-by-mail ballots for all registered voters in the upcoming elections, state, county and municipal election officials need sufficient preparation time; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, in order to protect the health, safety and welfare of the people of the State of New Jersey and in accordance with the authority vested in me by the New Jersey Constitution and statutes of the State of New Jersey, hereby ORDER and DIRECT the following:

1. In addition to accepting hand delivery of candidate and delegate petitions that are due by 4:00 p.m. on March 30, 2020, the Secretary of State, county clerks, and municipal

clerks shall allow for these candidate and delegate petitions to be submitted electronically.

2. The Secretary of State, county clerks, and municipal clerks shall also accept petitions with signatures collected via an online form created by the Secretary of State, which shall be available for use by Thursday, March 19, 2020. Following the availability of the online form, the Secretary of State, county clerks, and municipal clerks shall require that signatures be gathered via the online form. Hand signatures obtained prior to the effective date of this Executive Order shall also be accepted.

3. The online form shall be provided to county clerks and municipal clerks as a means of accepting petitions that are due to them by 4:00 p.m. on March 30, 2020.

4. The verification requirements of N.J.S.A. 19:23-11, insofar as they are not included on the online form created by the Secretary of State, shall be suspended for petitions due by 4:00 p.m. on March 30, 2020.

5. The requirements of N.J.S.A. 19:23-7 and N.J.S.A. 19:23-15 that a candidate provide a notarized oath of allegiance with their petition shall be suspended for petitions due by 4:00 pm on March 30, 2020. Candidates who have not already signed and notarized an oath of allegiance shall attach a signed pledge of allegiance to their petitions containing the same language as prescribed in N.J.S.A. 41:1-1.

6. The special election scheduled for March 21, 2020, in the Fire District 1 for the Township of Old Bridge in the County of Middlesex, the special election scheduled for March 31, 2020, in the Township of West Amwell in the County of Hunterdon, and the special election scheduled for March 31, 2020, in the City of Atlantic City in the County of Atlantic shall be postponed

until May 12, 2020, to be held concurrently with the elections currently scheduled for that date.

7. The elections that are scheduled for April 21, 2020, shall be postponed until May 12, 2020, also to be held concurrently with the elections currently scheduled for that date.

8. Any election scheduled for a date between March 19, 2020 and May 12, 2020, not specifically referenced in Paragraph 6 and 7, shall be postponed until May 12, 2020. Further, no other elections may be held or proceed prior to May 12, 2020.

9. All elections that take place on May 12, 2020, including those previously scheduled for that date and those rescheduled as a result of this Order, shall be conducted solely via vote-by-mail ballots, which will automatically be sent to all registered voters without the need for an application to receive a vote-by-mail ballot.

10. The requirements of N.J.S.A. 19:14-25 that sample ballots be sent shall be suspended. All registered voters will be receiving vote-by-mail ballots and there will be no polling places in the May 12, 2020 elections.

11. The time restrictions of N.J.S.A. 19:63-9 shall be suspended, and vote-by-mail ballots shall be mailed in compliance with a schedule to be prepared by the Secretary of State in a manner to ensure the timely receipt and return of ballots for counting in the May 12, 2020 elections.

12. To ensure that all registered voters, whether active or inactive, are provided with the opportunity to exercise their right to vote through the use of vote-by-mail ballots in the May 12, 2020 elections, N.J.S.A. 19:63-3(f), which prohibits the county clerk from sending a vote-by-mail ballot to inactive voters, shall be suspended.

13. Vote-by-mail ballots shall be processed and canvassed in compliance with standards established by the Secretary of State and in accordance with guidelines provided by the State Department of Health and where necessary, superseding the statutory deadlines established at N.J.S.A. 19:63-17 and 19:63-22, including the allowance of the early counting of vote-by-mail ballots prior to May 12, 2020.

14. All vote-by-mail return envelopes shall have prepaid postage in order to guarantee the proper delivery of all cast vote-by-mail ballots.

15. The Secretary of State shall establish appropriate standards for ensuring that all eligible citizens are able to exercise their right to vote through the use of vote-by-mail ballots in the May 12, 2020 elections.

16. This Order shall take effect immediately.

GIVEN, under my hand and seal this
19th day of March,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXHIBIT 12

Information on

Novel Coronavirus

June 2, 2020

Have general questions about COVID-19?
The NJ Poison Control Center and 211 have partnered with the State to provide information to the public on COVID-19:
Call: **2-1-1** • Call (24/7): **1-800-962-1253**
Text: **NJCOVID** to **898-211**
Visit <https://covid19.nj.gov/> or nj.gov/health for additional information

OFFICIAL SITE OF THE STATE OF NEW JERSEY

Translate Search



[DOS](#) / [DOE](#) / [Election Information and Results Archive](#) / 2020 Election Information



2020 Election Information

- [General Election Information](#)
- [Primary Election Information](#)
- [May 12 Election Information](#)
- [Election Certifications](#)
- [Chronological Election Timelines](#)
- [Statewide Voter Registration Statistics](#)

[Covid-19 Election Resources](#)

[Register to Vote!](#)

[Am I Registered?](#)

[Vote In Your Polling Location](#)

[Find Your Polling Location](#)

[Vote By Mail](#)

[Military and Overseas Voting](#)

[County Election Officials](#)

[Candidate Information](#)

[County Information](#)

[Election Information](#)

[Publications](#)

General Election Information

Public Questions

Constitutional Amendment for a Property Tax Deduction and Exemption for Peacetime Veterans

- [Public Question \(ACR253\) - English](#)
- [Public Question \(ACR253\) - Espanol](#)
- [Public Question \(ACR253\) - Gujarati](#)
- [Public Question \(ACR253\) - Korean](#)

Constitutional Amendment to Legalize Marijuana

- [Public Question \(SCR183\) - English](#)
- [Public Question \(SCR183\) - Espanol](#)
- [Public Question \(SCR183\) - Gujarati](#)
- [Public Question \(SCR183\) - Korean](#)

Primary Election Information

Official Primary Election Candidates

Please be advised that [Executive Order 120](#) has moved the Primary Election from June 2, 2020 to July 7, 2020. Although the date of the election has been moved, the Primary Election date on the list of candidates will still reflect the original June 2, 2020 Primary Election date.

[Primary Election Candidates: U.S. President](#) - updated 04/16/20
[Candidates email: U.S. President](#)

[Candidates for Democratic District Delegates](#) - updated 04/25/20
[Candidates for Democratic Alternate District Delegates](#) - updated 04/25/20
[Candidates email: Democratic District Delegates/Alternate District Delegates - Biden](#)
[Candidates email: Democratic District Delegates/Alternate District Delegates - Sanders](#)
[Candidates email: Democratic District Delegates/Alternate District Delegates - Uncommitted](#)

[Candidates for Republican District Delegates](#)
[Candidates for Republican Alternate District Delegates](#)
[Candidates for Republican Delegates At Large](#)
[Candidates for Republican Alternate Delegates At Large](#)
[Candidates email: Republican District Delegates](#)
[Candidates email: Republican Delegates At Large](#)

[Primary Election Candidates: U.S. Senate](#) - updated 04/16/20
[Candidate email: U.S. Senate](#)

[Primary Election Candidates: U.S. House of Representatives](#)
[Candidates email: U.S. House of Representatives](#)

[Primary Election Candidates: State Senate](#)
[Candidates email: State Senate](#)

[Primary Election Candidates: General Assembly](#)
[Candidates email: General Assembly](#)



Download the Mobile App

Download the NJ Elections Mobile App on [Apple](#) or [Google Play](#).



May 12 Elections

Changes to upcoming Elections and Election procedures due to Coronavirus, as outlined by Governor Murphy’s executive order.

The following elections have been postponed and will occur on May 12, 2020. These elections will be conducted exclusively using Vote by Mail.

March 21st
Old Bridge Fire District Election

March 31st
West Amwell Special Election
Atlantic City Special Election

April 21st

Cliffside Park School Board Election	Ridgewood School Board Election	West New York School Board Election
Fairview School Board Election	Irvington School Board Election	New Brunswick School Board Election
Garfield School Board Election	Newark School Board Election	Passaic School Board Election
Hackensack School Board Election	North Bergen School Board Election	Totowa School Board Election
Oakland School Board Election	Weehawken School Board Election	

The following municipal elections scheduled for May 12, 2020 will be conducted exclusively by mail.

Ventnor	Ocean City	Allenhurst
Ridgefield Park	Belleville	Deal
Ridgewood	City of Orange	Keansburg
Teaneck	Irvington	Loch Arbor
Bass River	Montclair	Paterson
Medford Lakes	Nutley	



Election Certifications

Certification by Secretary of State

The Secretary of State shall certify the names of the persons indorsed in the petitions filed in his office to the clerks of counties. In the case of candidates for offices other than federal office, the Secretary of State shall also transmit this information to the Election Law Enforcement Commission in the form and manner prescribed by the commission and shall notify the commission immediately upon the withdrawal of a petition of nomination. N.J.S.A. 19:23-21

Primary Election Certifications

[Certification of Primary Election Nominees](#)

Please be advised that [Executive Order 120](#) has moved the Primary Election from June 2, 2020 to July 7, 2020. Although the date of the election has been moved, the Primary Election date on the list of candidates will still reflect the original June 2, 2020 Primary Election date.

Chronological Election Timelines

Download the Chronological Election Timelines

Issued On:	Description
05/22/20	2020 Primary Election Timeline
04/08/20	2020 General Election Timeline
12/20/19	2020 January Special School Board Elections Timeline
12/20/19	2020 February Fire District Election Timeline
12/20/19	2020 March Special School Board Elections Timeline
12/20/19	2020 Annual School Board Election Timeline
01/07/20	2020 May Municipal Non-Partisan Election Timeline
01/07/20	2020 September Special School Board Elections Timeline
01/07/20	2020 December Special School Board Elections Timeline



Page Last Updated: 05/22/2020

Department of State

Office of the Secretary

- About the Secretary
- Invite the Secretary
- The Secretary in the Community
- NJ Census 2020
- NJ Complete Count Commission
- NJ Ballot Bowl
- Vote for Valor

Department of State Home

- Directory
- Schedule
- Grant Information
- NJ Flag Status
- Press Releases
- Commemorative Dates
- Pay-to-Play Ordinances
- Certified Civil Celebrants
- Will Registry
- Employment Opportunities
- Statutes & Rules
- Proposed Rules
- Reports
- Request for Proposals
- e-Notification Lists

Business & Economic Development

- Business Action Center
- Business Advocates
- Small Business Advocates
- Office of Export Promotion
- Planning Advocates
- Travel & Tourism
- Motion Picture and Television Commission
- Non-Profit Portal

Civic Engagement

- Division of Elections
- Voter Registration & Voting
- NJ Census 2020
- NJ Complete Count Commission
- Volunteer and National Service
- AmeriCorps
- Senior Corps
- Center for Hispanic Policy, Research and Development
- Office of Faith Based Initiatives

Arts & Culture

- NJ State Museum
- NJ Council on the Arts
- NJ State Archives
- NJ Historical Commission
- NJ Cultural Trust
- Patriots Theater
- Martin Luther King, Jr. Commemorative Commission
- Commission on American Indian Affairs
- Israel Commission
- Hellenic American Heritage Commission
- Cultural Heritage Commissions

Statewide



- Governor Phil Murphy
- Lt. Governor Sheila Oliver
- NJ Home
- Services A to Z
- Departments/Agencies
- FAQs
- Contact Us
- Privacy Notice
- Legal Statement & Disclaimers
- Accessibility Statement



Copyright © NJ Department of State, 2001-2020

NJ Division of Electi >>



Mailing Address



NJ Division of Elections, P.O. Box 304, Trenton, NJ 08625-0304



Office Address



20 West State Street, 4th Floor, Trenton, NJ 08646

Tel: 609-292-3760 Fax: 609-777-1280 Email: Feedback@sos.nj



Voting Information & Assistance

1-877-NJ-VOTER (1-877-658-6837)

TTY/TDD 609-292-0034

This site is maintained by New Jersey Department of State

DECLARATION OF JESSICA BURNS

Pursuant to 28 U.S.C. § 1746, I, Jessica Burns, declare as follows:

1. I am the Executive Director of the League of Women Voters of New Jersey (“LWVNJ”), a statewide nonpartisan, nonprofit organization based in Trenton, New Jersey. I have been working with LWVNJ for 13 years in various roles. In my capacity as Executive Director, I manage all staff, oversee all programming, and coordinate with our more than 30 local chapters across the state.

2. The LWVNJ is a nonprofit, nonpartisan organization dedicated to protecting and advancing democracy. Our mission statement is: “Empowering voters. Defending democracy.” We use several different means to accomplish this goal. First, we provide direct assistance to voters, including by holding community service voter registration drives and voter education and candidate forums. As part of that work, we inform people of changes in election rules and make sure they understand how to apply for and fill out their ballots.

3. We also run programming through our Making Democracy Work platform. That includes running a voter assistance hotline that voters can call with questions, engaging in policy advocacy, and doing voter education around priority issues. Our advocacy work has included testifying on bills about voting and democracy issues that have come in front of the New Jersey legislature..

4. The LWVNJ is very concerned about New Jersey’s signature matching requirement for mail-in and provisional ballots. Our members and voters we work with are at significant risk of being disenfranchised. I, myself, am a 38-year-old woman, and I know my signature today does not look like the one I provided when I registered to vote twenty years ago. I feel that I am at risk of disenfranchisement, and I know that the risk increases even more for our average member, who

is a woman in her 70s. Our diverse membership also includes people with health conditions and disabilities that make producing a consistent signature difficult. The risk of disenfranchisement is higher for the upcoming July primary election because mail-in ballots are being sent to all registered, party-affiliated active voters and therefore there will be no mail-in ballot application signature for comparison for these voters; instead, the election officials will have to rely on older exemplars. The few in-person voting opportunities that will be made available will require most voters to vote provisionally. Thus, these voters' ballots will also largely be subject to signature matching for ballot verification.

5. Having done this work for 13 years, I know there has been no more urgent time than the present to ensure New Jersey's vote by mail system works as it is supposed to and counts all eligible voters' ballots. New Jersey has been increasingly moving towards voting by mail, but because of COVID-19, voters will now almost all depend on mail-in or provisional voting to exercise their constitutional right to vote safely. No one should have their ballot rejected because of technical errors. And especially as people make such extraordinary efforts to vote during a crisis, we need to do everything to ensure they can have their votes count.

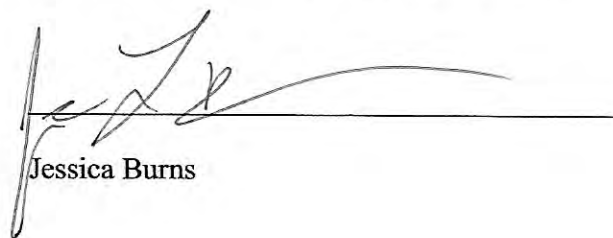
6. LWVNJ has about 1,400 members. After the May 12, 2020 local elections, voters reached out to inform us that their mail-in ballots were rejected because of signature issues. Because of this current health crisis, though, we expect most of our membership to vote by mail or provisionally in the upcoming elections. I understand that in past elections, one percent or more of mail ballots have been rejected due to signature issues. We know that at least one of our own members has been disenfranchised because of a signature issue in the past. We have also heard from members concerned about having their primary election ballots rejected because of their inability to produce consistent signatures as a result of hand tremors and other issues. Given these rejection rates, I

believe it is almost certain that at least one of our members will be disenfranchised by this system again in the future.

7. We are an organization that is led by our members. LWVNJ operates on a consensus-based system, and our members vote on and set our organizational policy priorities. They also carry out all of our voter assistance work.

Executed on May 31, 2020 at Ocean Township, New Jersey.

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

A handwritten signature in black ink, appearing to read 'Jessica Burns', is written over a horizontal line. The signature is stylized with a large initial 'J' and a long, sweeping horizontal stroke.

Jessica Burns

DECLARATION OF RICHARD SMITH

Pursuant to 28 U.S.C. § 1746, I, Richard Smith, declare as follows:

1. I am the President of the NAACP New Jersey State Conference (“NJ NAACP”), a nonpartisan, nonprofit organization located in Trenton, New Jersey. I have been working with the NJ NAACP for over 25 years in various roles, and have served as President since October 2013. In my capacity as President, I manage statewide NJ NAACP activities, coordinate with the 41 local NJ NAACP chapters and about 7,000 active members throughout New Jersey, and am instrumental in the direction of NJ NAACP priorities.

2. The NJ NAACP is an affiliate of the National Association for the Advancement of Colored People, a non-profit corporation. The mission of the NJ NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial discrimination. NJ NAACP is the largest affinity group representing the Black community in New Jersey. Our vision is to ensure a society in which all individuals have equal rights without discrimination based on race. To achieve this, one of our primary objectives is to remove all barriers of racial discrimination through democratic processes. We are committed to voter education and to ensuring voting rights for all people in New Jersey.

3. One of our core functions is voter education, including organizing and voter registration efforts, creating and disseminating voter education materials, and providing voter assistance. We also actively engage in policy advocacy, including advocating for and testifying in support of legislation regarding voting and democracy issues before the New Jersey Legislature and to the Governor of New Jersey. This year, as the COVID-19 pandemic has spread, disproportionately impacting Black and Brown communities, we are committed to encouraging our members and the community, through voter education materials, to vote by mail for their own safety.

4. The NJ NAACP has grave concerns about New Jersey's signature matching requirements for mail-in ballots and their impact on communities of color. Hudson County, the most diverse county in New Jersey, had the highest rate of ballot rejections due to signature match issues during the 2016 election. In 2014, Essex County had the highest rate of ballots rejected because of signature match issues. Essex County has the highest Black population in New Jersey. New Jersey's signature matching law is significantly impacting the counties that have the highest populations of people of color. The NJ NAACP has a robust presence in Hudson and Essex Counties, with an active chapter in Jersey City and five chapters in Essex County, including one of our largest chapters in Newark. It is clear that our members are at greater risk of disenfranchisement in New Jersey under the current signature match requirement.

5. Our diverse membership also includes the elderly and people with health conditions and disabilities that make producing a consistent signature difficult and put them at even greater risk of disenfranchisement.

6. This is particularly concerning this year with the ongoing public health crisis caused by COVID-19. More and more people are voting by mail to protect their health and we are encouraging people to do so as well. However, due to historical suppression, many people, particularly in the Black community and among NJ NAACP members, do not trust that their vote will be counted unless they can press a button or pull a lever themselves. New Jersey's signature match law only compounds their well-founded concerns. In order to trust that their votes will be counted if they vote by mail, our members need to know that their votes will not simply be thrown out because the ballot did not match a signature on a registration form that could be decades old.

7. Many of our members also prefer to vote in person. The vast majority of our members who will choose that option for the July 7, 2020 primary election will only be able to vote by provisional ballot. Provisional ballots are subject to the same signature match policy as vote-by-mail ballots. Camden County had the highest percentage of total provisional ballots cast rejected because of signature match. The NJ NAACP has a significant presence in Camden and signature match will put our members' votes at high risks of being rejected.

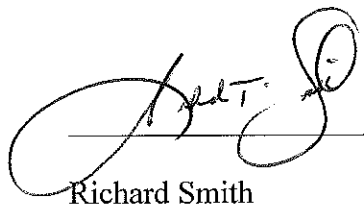
8. The NJ NAACP has approximately 7,000 members throughout New Jersey and we represent the interests of communities of color. Our members vote on every decision made by our organization, and as such, are directly responsible our direction and activities. Our members, through our local chapters, are the NJ NAACP's presence in communities. They host registration drives and engage in voter education. They advocate directly to local officials and represent the interests of the community.

9. We expect many of our members to vote by mail in the upcoming elections due to safety concerns. I understand that in past elections, one percent or more of mail ballots have been rejected due to signature issues. Most of our members who will vote in person in July will have to vote by provisional ballot and will therefore be subject to signature match. As a result, it is statistically almost certain that at least one, but more likely many, of our members will be disenfranchised by this system.

10. New Jersey's laws must reflect the interests of the people of New Jersey, foremost being that their ballots are counted.

Executed on June 2, 2020 at 11:00 AM, New Jersey.

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



Richard Smith

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LEAGUE OF WOMEN VOTERS OF
NEW JERSEY, NAACP NEW JERSEY
STATE CONFERENCE, WILLIAM M.
RIGGS, SHAMISA ZVOMA, and
DEBORAH J. RISK,

Plaintiffs,

v.

TAHESHA WAY, in her official
capacity as Secretary of the State of
New Jersey,

Defendants.

No. 20-cv-05990-MAS-LHG

DECLARATION OF PLAINTIFF WILLIAM RIGGS

Pursuant to 28 U.S.C. § 1746, I, William Riggs, declare under penalty of perjury that the following is true and correct:

1. My name is William Riggs, and I am a Plaintiff in this lawsuit.
2. I reside in Middlesex, New Jersey.
3. I am 78 years old.
4. In 2004, I was diagnosed with Essential Tremor, a nervous system disorder that causes me to experience involuntary and rhythmic

shaking. In 2016, I was diagnosed with Parkinson's Disease, a progressive nervous system disorder that affects my movement.

5. My symptoms of Parkinson's Disease include a hand tremor—which varies unpredictably in severity—as well as physical instability.

6. When I was younger, I used to have excellent handwriting—often described as beautiful. But my hand tremor has severely affected my penmanship. Because the tremor varies significantly in severity and is unpredictable, sometimes my signature is legible, and other times it is not. Sometimes, the tremor is so severe that I cannot even sign my full name, and I am only able to write “W.M. Riggs.”

7. Though I used to vote exclusively in person, I registered to vote by mail beginning in 2019. Due to my Parkinson's Disease, I am no longer able to safely drive and do not have a driver's license. It is therefore difficult for me to get to my polling location.

8. Further, it would not be safe for me to vote in person during the 2020 elections because I am at heightened risk for COVID-19 due to my age and health conditions.

9. I intend to vote by mail in the New Jersey primary election on July 7, 2020, as well as in the general election on November 3, 2020.

10. Because my signature varies so significantly due to my tremor, I fear that the signature on my mail-in ballot application will be deemed inauthentic if compared to an earlier or even contemporary example of my signature.

11. It is extremely important to me that my vote is counted in the primary and general elections this year, as well as in future elections.

Executed on June 3, 2020.*

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

/s/ William Riggs

William Riggs

*Due to his health, Mr. Riggs was physically unable to personally subscribe this declaration and instead verbally authorized his counsel to affix an electronic signature on his behalf.

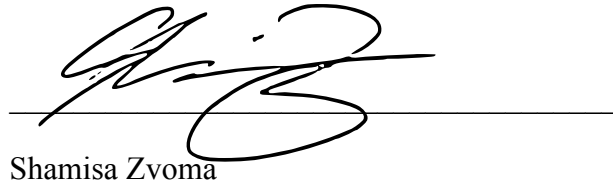
DECLARATION OF SHAMISA ZVOMA

Pursuant to 28 U.S.C. § 1746, I, Shamisa Zvoma, declare as follows:

1. I am over 18 years of age and competent to testify.
2. I live and vote in Montclair, New Jersey, and I am a member of the League of Women Voters of New Jersey. Voting is incredibly important to me. I registered to vote when I was 18 years old. Since then, I have been an active voter and voted in every election that I could for as long as I can remember. I plan to continue to vote in all future elections.
3. I voted by mail in Montclair's 2020 municipal election, which was held on May 12, 2020. I filled out my ballot, signed it by hand, and mailed it back to Essex County at least two weeks prior to the election.
4. I was shocked to receive a letter on May 22, 2020 indicating that my ballot was rejected because the signature on the ballot did not match the one that is currently on the voter roll. Ex. A. This finding was in error.
5. If I had known there was an issue with the signature on my ballot and been given an opportunity to remedy it, I would have taken whatever steps were available to me to correct the error and have my vote counted. Before receiving the letter on May 22, 2020, I had no reason to suspect that there was any issue with my signature or my ballot.
6. I am outraged that my vote did not count. I am incredulous and disheartened that in this country, which is supposed to be a beacon of democracy, I can be a law-abiding, tax-paying citizen and can have my voice taken away. I feel a sense of helplessness that my vote could be rejected again in future elections.

Executed on May 30, 2020 at Montclair, New Jersey.

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

A handwritten signature in black ink, appearing to be 'Shamisa Zvoma', is written over a horizontal line. The signature is stylized with a large, looping 'Z' and a small dot above the 'i' in 'Shamisa'.

Shamisa Zvoma

EXHIBIT A

ESSEX COUNTY BOARD OF ELECTIONS

Hall of Records, Room 411
465 Dr. Martin Luther King, Jr. Blvd.
Newark, New Jersey 07102
Tel: 973-621-5071 • Fax: 973-621-2540

Commissioners:

Bethany O'Toole, *Chairwoman*
Lee B. Fisher, *Secretary*
Al Barlas, *Member*
Quilla Talmadge, *Member*



Linda von Nessi
Clerk of the Board

ATTENTION VOTER

Thank you so much for taking the time to cast your vote at the May 12th, 2020 Election. As you have been advised in the enclosed letter, your signature on the voter registration file did not match with the signature on your Vote by Mail Certification. Therefore, your ballot was not eligible to be counted.

Due to COVID-19, the Presidential Primary Election being held on July 7, 2020, will also be mostly Vote by Mail Election.

Your vote is very important to us and our democracy. In order for your ballot to be counted in the upcoming election, please complete the enclosed postage paid Voter Registration Form with a legible signature and place it in a mail box for delivery to Commissioner of Registration. If due to a disability you can't sign your name, you may register with an "X".

ESSEX COUNTY BOARD OF ELECTIONS

Bethany O'Toole Chairwoman
Lee B. Fisher, Secretary
Al Barlas, Commissioner
Quilla Talmadge, Commissioner
Linda von Nessi, Clerk of the Board

DECLARATION OF DEBORAH J. RISK

Pursuant to 28 U.S.C. § 1746, I, Deborah J. Riska, declare as follows:

1. I live and vote in Ledgewood, New Jersey. I have been a registered New Jersey voter for approximately 20 years, and I vote regularly.

2. I have voted by mail a few times throughout my years as a New Jersey voter. Especially when my kids were young, I found that mail-in voting made voting more accessible for me. In 2016, I received a letter from the State informing me that I had been automatically enrolled on a permanent mail-in voter list that I could opt out of by replying to the letter. At the time, I decided not to opt out. Every time I have voted since, it has been by mail.

3. I now know that the ballots I cast in the 2016 and 2018 general elections were rejected and never counted because of signature issues. I did not learn of the issue with my 2016 ballot until a few weeks ago, which is almost four years after I cast that ballot. As far I know, the State never took any steps to contact me or notify me about that issue.

4. The State did notify me that my 2018 ballot was rejected because of a signature mismatch. They sent me a letter in January of 2019, explaining the rejection. This was more than three months after the election had passed, and there was nothing I could do fix the issue. If I had been informed there was an issue with my ballot, I would have taken whatever steps were available to me to verify my ballot and have my vote counted.

5. In 2019, I tried to vote in person to avoid this issue. However, when I arrived at my polling location I was told I could not vote in-person because I was on the mail-in voter list. I was not offered a provisional ballot. I decided not to cast a mail-in ballot in that election, because I figured my ballot would just be rejected again anyways.

6. Because of these experiences, I do not trust our system of elections. I am disheartened and angry that two of my validly cast ballots were rejected without my knowledge and without providing me any opportunity to remedy the issues election officials believed they found.

7. I would feel more comfortable voting by mail in the future if there were an opportunity to fix any issues with my signature before my ballot is rejected.

Executed on June 2, 2020 at Ledgewood New Jersey.

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

<i>Deborah Riska</i>	dotloop verified 06/02/20 11:14 AM EDT KIZZ-OHMQ-7HK6-5Z7E
----------------------	--

Deborah J. Riska

DECLARATION OF OLIVIA BRINTON

Pursuant to 28 U.S.C. § 1746, I, Olivia M. Brinton, declare as follows:

1. I am over 18 years of age and competent to testify.
2. I live and vote in Montclair, New Jersey. Voting is deeply important to me. I am 46 years old and first registered to vote when I was 18 years old. I have voted in every election I could.
3. I voted by mail in Montclair's May 12 municipal election. I received my ballot in the mail, filled it out, signed it by hand, and mailed it back in late April. Essex County received my ballot on May 2, 2020.
4. On May 22, 2020 I received a letter stating that my ballot was rejected because the signature on my ballot did not match the one in my voter file. (Ex. A).
5. The following Monday, I called the county to discuss the issue. I shared with them that signature match is an unreliable and faulty way of checking ballots and people's votes should not be rejected through this process. After initially being told that there wasn't much I could do, I was told I could provide a written complaint. I did so and again shared my views about signature match.
6. I felt blind rage when I read the May 22 letter. When I first moved to New Jersey in 2004, the Motor Vehicles Commission failed to submit my voter registration form and I was denied the right to vote in the November election that year. I spoke to the county repeatedly and went before a judge to address the issue. In early 2005, I registered again because it is important to me to always be able to vote and to have my vote counted. When I received the letter informing me that my May 12, 2020 ballot was rejected, I felt that once again New Jersey had failed me even though I had done everything right.

7. If I had been informed that there was an issue with my ballot and provided an opportunity to fix it, I absolutely would have taken it.

Executed on June 1, 2020 at 4:20^{PM}, New Jersey.

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

A handwritten signature in black ink, appearing to read "Olivia Brinton", is written over a horizontal line.

Olivia M. Brinton

ESSEX COUNTY BOARD OF ELECTIONS

Hall of Records, Room 411
465 Dr. Martin Luther King, Jr. Blvd.
Newark, New Jersey 07102
Tel: 973-621-5071 • Fax: 973-621-2540

Commissioners:

Bethany O'Toole, *Chairwoman*
Lee B. Fisher, *Secretary*
Al Barlas, *Member*
Quilla Talmadge, *Member*



Linda von Nessi
Clerk of the Board

ATTENTION VOTER

Thank you so much for taking the time to cast your vote at the May 12th, 2020 Election. As you have been advised in the enclosed letter, your signature on the voter registration file did not match with the signature on your Vote by Mail Certification. Therefore, your ballot was not eligible to be counted.

Due to COVID-19, the Presidential Primary Election being held on July 7, 2020, will also be mostly Vote by Mail Election.

Your vote is very important to us and our democracy. In order for your ballot to be counted in the upcoming election, please complete the enclosed postage paid Voter Registration Form with a legible signature and place it in a mail box for delivery to Commissioner of Registration. If due to a disability you can't sign your name, you may register with an "X".

ESSEX COUNTY BOARD OF ELECTIONS

Bethany O'Toole Chairwoman
Lee B. Fisher, Secretary
Al Barlas, Commissioner
Quilla Talmadge, Commissioner
Linda von Nessi, Clerk of the Board

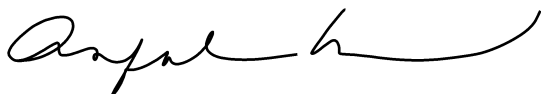
DECLARATION OF ANFAL MUHAMMAD-JENKINS

Pursuant to 28 U.S.C. § 1746, I, Anfal Muhammad-Jenkins, declare as follows:

1. I am over 18 years of age and competent to testify.
2. I live and vote in Newark, New Jersey. I am 45 years old and first registered to vote when I was 18 years old. I have voted in every election I could because voting is important to me.
3. I voted by mail in the Newark School Board and Municipal Budget election on May 12, 2020. I filled out my ballot, signed the envelope, and mailed my ballot to Essex County on or about May 7, 2020.
4. On May 22, 2020, I received a letter from Essex County stating that my ballot was rejected because the signature on my ballot did not match the one in my voter file. (Ex. A).
5. The letter was unsealed and I initially thought it may have been a prank. I could not believe it because I had voted in every election since moving to Newark three years ago and had never had a problem before. I just could not imagine that my vote would be rejected so easily. However, the letter was real.
6. It is ridiculous that my vote was not counted because of a signature mismatch and that I was informed after the races were certified.
7. If I had been provided notice that there was an issue with my ballot and been given opportunity to fix it, I definitely would have taken it. They should have reached out while they were still counting ballots. I would have done what was needed to have my ballot counted.

Executed on June 2, 2020 at Newark, New Jersey.

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

A handwritten signature in black ink, appearing to read 'Anfal h', written above a horizontal line.

Anfal Muhammad-Jenkins

ESSEX COUNTY BOARD OF ELECTIONS

Hall of Records, Room 411
465 Dr. Martin Luther King, Jr. Blvd.
Newark, New Jersey 07102
Tel: 973-621-5071 • Fax: 973-621-2540

Commissioners:

Bethany O'Toole, *Chairwoman*
Lee B. Fisher, *Secretary*
Al Barlas, *Member*
Quilla Talmadge, *Member*



Linda von Nessi
Clerk of the Board

ATTENTION VOTER

Thank you so much for taking the time to cast your vote at the May 12th, 2020 Election. As you have been advised in the enclosed letter, your signature on the voter registration file did not match with the signature on your Vote by Mail Certification. Therefore, your ballot was not eligible to be counted.

Due to COVID-19, the Presidential Primary Election being held on July 7, 2020, will also be mostly Vote by Mail Election.

Your vote is very important to us and our democracy. In order for your ballot to be counted in the upcoming election, please complete the enclosed postage paid Voter Registration Form with a legible signature and place it in a mail box for delivery to Commissioner of Registration. If due to a disability you can't sign your name, you may register with an "X".

ESSEX COUNTY BOARD OF ELECTIONS

Bethany O'Toole Chairwoman
Lee B. Fisher, Secretary
Al Barlas, Commissioner
Quilla Talmadge, Commissioner
Linda von Nessi, Clerk of the Board

ESSEX COUNTY BOARD OF ELECTIONS

Hall of Records, Room 411
465 Dr. Martin Luther King, Jr. Blvd.
Newark, New Jersey 07102



U.S. POSTAGE >> PITNEY BOWES

ZIP 07101 \$ 000.50⁰
02 4W
0000338139 MAY 20 2020

ANFAL I MUHAMMAD-JENKINS

DECLARATION OF SARAH KATHERINE CÉSPEDES

Pursuant to 28 U.S.C. § 1746, I, Sarah Katherine Céspedes, declare as follows:

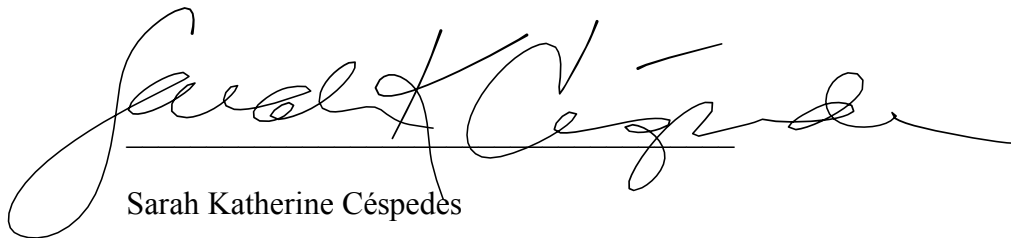
1. I am over 18 years of age and competent to testify.
2. I live and vote in Montclair, New Jersey. Voting is very important to me.
3. I am 44 years old and first registered to vote when I was 18 or 19 years old. Since then, I have been an active voter and have voted in every election that I could over the last several years.
4. I voted by mail in the May 12, 2020 municipal election in Montclair.
5. For the May 12, 2020 municipal election, a ballot was mailed to me at my address. I filled out my ballot, signed it by hand, and mailed my completed sealed ballot back to Essex County on approximately May 5, 2020.
6. I was shocked to receive a letter on May 22, 2020 indicating that my ballot was “not eligible to be counted” because the signature on the ballot did not match the one that is currently on the voter roll. In the last few years, when I have voted in person at my polling place, I have noticed that my signature in the signature book belongs to me, but it is not the same signature that I provided when I registered to vote. The signature in my voter file appears to be an electronic signature. Although I know this signature belongs to me, I do not know how it became part of my voter file.
7. If I had known there was an issue with the signature on my ballot and been given an opportunity to remedy it, I would have taken whatever steps were available to me to correct the error and have my vote counted. Before receiving the letter on May 22, 2020, I had no reason to suspect that there was any issue with my signature or my ballot. I voted by mail in the 2016 presidential election and would have expected election officials to inform me if there was a problem. I now question whether my vote counted in that election.

8. I am extremely disheartened that my vote did not count. The mayoral race in our town that was on the May 12th ballot was decided by fewer than 200 votes. I know of at least four or five other people in my community whose ballots were rejected. Because of the close race and these issues with peoples' ballots, members of our community have started to doubt the integrity of our elections system and the legitimacy of the result. I believe that this would not be the case if voters whose ballots were affected had been told of the issue and been given an opportunity to fix it before they were disenfranchised.

9. I am now being asked to return a new Voter Registration Form with a "legible signature," but this will not change the fact that my vote was discarded. I also have no confidence that this problem will not reoccur, even if I submit another signature. The signature that is in my file is my own, and my ballot was still disqualified. I believe this system needs to change to prevent people from being disenfranchised in the future.

Executed on May __, 2020 at Montclair, New Jersey.

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

A handwritten signature in black ink, appearing to read "Sarah Katherine Céspedes", is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Sarah Katherine Céspedes

EXHIBIT A

ESSEX COUNTY BOARD OF ELECTIONS

Hall of Records, Room 411
465 Dr. Martin Luther King, Jr. Blvd.
Newark, New Jersey 07102
Tel: 973-621-5071 • Fax: 973-621-2540

Commissioners:

Bethany O'Toole, *Chairwoman*
Lee B. Fisher, *Secretary*
Al Barlas, *Member*
Quilla Talmadge, *Member*



Linda von Nessi
Clerk of the Board

ATTENTION VOTER

Thank you so much for taking the time to cast your vote at the May 12th, 2020 Election. As you have been advised in the enclosed letter, your signature on the voter registration file did not match with the signature on your Vote by Mail Certification. Therefore, your ballot was not eligible to be counted.

Due to COVID-19, the Presidential Primary Election being held on July 7, 2020, will also be mostly Vote by Mail Election.

Your vote is very important to us and our democracy. In order for your ballot to be counted in the upcoming election, please complete the enclosed postage paid Voter Registration Form with a legible signature and place it in a mail box for delivery to Commissioner of Registration. If due to a disability you can't sign your name, you may register with an "X".

ESSEX COUNTY BOARD OF ELECTIONS

**Bethany O'Toole Chairwoman
Lee B. Fisher, Secretary
Al Barlas, Commissioner
Quilla Talmadge, Commissioner
Linda von Nessi, Clerk of the Board**

DECLARATION OF BELINA GRILL

Pursuant to 28 U.S.C. § 1746, I, Belina Grill, declare as follows:

1. I am over 18 years of age and competent to testify.
2. I reside in Deal, NJ and have been registered to vote in Monmouth County for over 24 years. While I initially registered when I was about 18 years old, I registered under my married name after I married my husband in 1996.
3. Because of COVID-19, the May 12, 2020 local elections for my town were held entirely by mail. I was sent a mail-in ballot by my county, Monmouth County, and there was no way for me to vote in-person. After receiving my ballot, I filled it out according to the instructions, signed it, and submitted it at least one week prior to the election.
4. On May 20, 2020—more than a week after the election and two weeks after I submitted my ballot—I received a letter from the Monmouth County Board of Elections Commissioners informing me that my ballot had been rejected because the signature on the ballot did not match the one in their records. Ex. A.
5. My husband called the County Board of Elections Commissioners to inquire further about the reason behind the rejection. In response, the Board sent us a copy of the two signatures they used for comparison.
6. I can confirm this rejection was in error. I have inspected the vote-by-mail ballot signature and signature that the County Board of Elections had on file and confirm that the signatures both belong to me. The signature that the County Board of Elections had on file was from May 30, 1996, when I registered to vote 24 years ago. My signature has changed over the last two and a half decades.

7. I have not been a frequent voter. I have been disillusioned about our election system, and often feel my vote will not count even if I cast it. I only voted this time because my husband encouraged me to. It was incredibly disheartening to take this step only to have my mail-in ballot rejected. This experience has only reaffirmed my distrust of the system.

8. I believe that we should have a system that actually counts voters' validly cast mail-in ballots. If I could be confident that my vote would count in the future, I would cast another ballot.

Executed on May 21, 2020 at Deal, New Jersey.

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

A handwritten signature in black ink, appearing to read "Belina Griffin", is written over a horizontal line. The signature is fluid and cursive.

Belina Griffin

EXHIBIT A

BOE COMMISSIONERS
MONMOUTH COUNTY
COUNTY BOARD OF ELECTIONS
300 HALLS MILL RD
FREEHOLD NJ 07728
PHONE: 732-431-7802
FAX: 732-303-7648

05/15/2020

BELINA GRILL
[REDACTED]

Dear BELINA GRILL,

The office is in receipt of your Mail-In ballot for the MAY 12TH ELECTION on May 12, 2020.
Unfortunately, your Mail-In ballot was not counted for the following reason(s):

- Signature Does Not Match.

If you have any questions, please contact this office at the above listed number.

Sincerely Yours,
BOE COMMISSIONERS
County Board of Elections