

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DONALD J. TRUMP FOR PRESIDENT,
INC. et al.;

Plaintiffs,

v.

KATHY BOOCKVAR, in her capacity as
Secretary of the Commonwealth of
Pennsylvania, et al.,

Defendants.

Civil Action

No.: 4:20-cv-02078-MWB

DECLARATION OF TIM STEVENS

Pursuant to 28 U.S.C. § 1746, I, Tim Stevens, hereby declare as follows:

1. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.
2. I am a 75-year-old Black man and lifelong resident (minus 9 months in DC many years ago) of Allegheny County. As a long time civil rights leader in Pittsburgh, voting is very important to me. I cannot recall the last time I missed an election. This year, concerns about contracting COVID-19 prompted me to vote by mail. Besides my age, which puts me at elevated risk of serious illness and death if I contract the coronavirus, I have seen reporting about how the disease disproportionately impacts Black people and people of color. For these reasons, I did not feel safe voting as I usually do at a polling place. Instead, I drove my mail ballot to drop it off at the East Liberty post office several weeks before election day. I do not want my vote nullified.
3. I am also the Chairman, Founder and CEO of Black Political Empowerment Project, BPEP for short. I have held this position since May 21, 2020.

4. B-PEP is a non-profit, non-partisan organization that has worked since 1986 to ensure that the Pittsburgh African-American community votes in every election.

5. B-PEP advocates that all who are eligible vote in Pennsylvania.

6. During every election cycle, B-PEP's work includes voter registration drives, get-out-the-vote activities, education outreach about the voting process, and election protection work. B-PEP focuses these activities in predominantly Black American neighborhoods in Allegheny County, with some efforts in Westmoreland and Washington Counties.

7. With respect to the 2020 election, B-PEP's voter outreach efforts have included providing education to voters on how to cast mail-in and absentee ballots. In preparation for the November 3 election, B-PEP's work has included educating voters about recent changes to Pennsylvania election procedures; and informing its members and members of the public about the signature requirement for the declarations accompanying mail-in ballots; educating voters about correcting minor mistakes on mail-in ballots; educating voters about various options provided under Pennsylvania election law including the option to vote provisionally if a voter never received a ballot, to vote provisionally if the voter was concerned that their ballot would not be timely received by the county board of elections; or to vote in person by spoiling their mail ballot at the poll.

8. B-PEP's supporters include many voters at risk of disenfranchisement in this election if mail-in ballots cast by qualified electors were discarded.

9. B-PEP has an interest in preventing the disenfranchisement of eligible voters who properly cast mail-in ballots including voters it may have assisted in navigating the mail-in voting process.

10. Discarding lawfully cast mail-in ballots cast by qualified electors, including mail in ballots accompanied by signed declarations, would effectively disenfranchise voters who cast such ballots, and would harm B-PEP's mission of promoting voting by the Pittsburgh African-American community and is substantially likely to harm individual B-PEP supporters and partners who cast mail-in ballots.

11. Discarding lawfully cast mail-in ballots would also undermine B-PEP's voter-advocacy efforts by leading some voters to believe that voting is pointless because their ballots will not be counted. This sense of futility will likely depress turnout in future elections and make it more difficult for B-PEP to carry out its mission of promoting voting by the Pittsburgh African-American community.

12. Moreover, discarding lawfully cast mail in ballots will force B-PEP to dedicate additional resources to voter education efforts, at the expense of other organizational priorities. In the short term, news that boards of elections are rejecting mail-in ballots will likely contribute to more voters asking B-PEP staff questions about whether their ballots will count and how (if at all) they can cure these errors. These questions will result in B-PEP staff spending additional time and resources responding, which could have been dedicated to other efforts.

13. Moreover, the rejection of mail-in ballots will force B-PEP, in an effort to promote the effective enfranchisement of the Pittsburgh African-American community, to dedicate a larger share of its limited sources to voter education efforts, to ensure that voters cast mail-in ballots that cannot be challenged or rejected and to education efforts on voters' rights and the severe restrictions on voting rights that Plaintiffs seek to impose. Because B-PEP's resources are limited, those efforts will necessarily come at the expense of, for example, voter registration and other efforts.

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

Executed this 10 day of November, 2020 in PITTSBURGH, Pennsylvania.



Tim Stevens