

DECLARATION OF RICHARD BROWN

RICHARD BROWN, being duly sworn under penalty of perjury, declares that the following is true and correct:

1. I reside at 5725 North 12th Street, Philadelphia, PA, 19141.
2. I am a registered voter in the 49th Ward, 7th District in Philadelphia, PA.
3. On April 22, 2008, I arrived at my polling place at about 6:55 a.m., to vote in the primary election.
4. At that time, there were a number of individuals already waiting in line to vote.
5. When the polls opened at 7:00 a.m., both machines (there are two in the precinct) were broken and non-operational.
6. For over an hour, no repairs or replacements were made to the machines.
7. For over an hour, the election officials did not provide emergency paper ballots to the voters, despite complaints and frustration being voiced by the voters, and despite the fact that 100% of voting machines in my precinct were non-operational.
8. After about an hour and a quarter, election officials finally offered green envelopes to the voters, but when we looked inside, there were no ballots inside.
9. We explained this problem to the election officials.
10. After some more time had passed, the election officials finally distributed provisional ballots and told us that we would have to complete all the affidavits and signatures involved with those ballots.

11. Because I knew I was a registered voter, I did not believe that I should complete a provisional ballot.
12. I know that there are frequently problems with provisional ballots and that they are sometimes not counted.
13. I did not to complete a provisional ballot.
14. Instead, I simply waited on line, hoping that the voting machines would be fixed eventually.
15. The voting machines were not repaired or replaced until about 8:45 a.m., nearly two hours after the polls should have opened.
16. It was a significant hardship for me to wait for two hours to vote, as a result of the election officials' failure to provide emergency ballots.
17. I observed approximately 75 to 100 people who came to vote but left without casting a ballot in the period from 7:00 a.m. until the voting machines were repaired.
18. I believe that some of these individuals were effectively disenfranchised by the non-operational voting machines and the lack of access to emergency paper ballots.
19. I fully intend to vote in the election on November 4, 2008.
20. Based on my experience during the April 2008 primary, I am worried that the voting machines at my precinct are likely to be non-operational for at least part of the day, that there will be long lines, and that individuals including myself will not have access to emergency paper ballots.

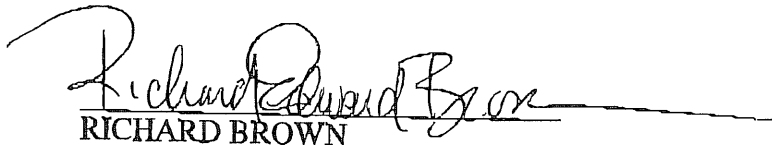
21. If the voting machines break down at my precinct on election day and if I am denied access to an emergency paper ballot, I may be denied my fundamental right to vote.

22. If even one voting machine breaks down at my precinct on election, there will be very long lines at my precinct.

23. On November 4, 2008, I may not be able to wait nearly two hours to cast my ballot due to work and family obligations.

24. I declare that the foregoing is true and correct to the best of my knowledge.

Dated: October 22, 2008
~~New York, New York~~
Philadelphia, Pennsylvania


RICHARD BROWN