

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,
Plaintiff

**DECLARATION OF
DENNIS KARIUS**

v

Case No. 06-CV-0263
(GLS)

NEW YORK STATE BOARD OF ELECTIONS;
PETER KOSINSKI and STANLEY L. ZALEN,
Co-Executive Directors of the New York State
Board of Elections, in their official capacities; and,
STATE OF NEW YORK,
Defendants

Pursuant to 28 U.S.C. sec 1746, **DENNIS KARIUS**, declares as follows:

1. I am Dennis Karius, Chairman of the ARISE Voting Equipment Task Force and a Board Member of ARISE (A Regional Initiative Supporting Empowerment), www.ariseorg.net, and have been authorized to have ARISE appear as an *amicus curiae* seeking leave to accept the motion of the *amici*.
2. ARISE is comprised of thousands of members from 35 congregations and community groups <http://www.ariseorg.net/members.html> across the

three counties of Albany, Rensselaer, and Schenectady in the Capital District. We are dedicated to strengthening community and building leaders in our member organizations; mobilizing people of faith and conscience to be leaders in shaping regional public policy for smart growth and revitalization; empowering economically distressed and politically marginalized people to get involved and have a say in their own community solutions; and creating a diverse network uniting suburbs and cities in an agenda for shared prosperity and social justice.

3. The ARISE Voting Equipment Task Force (ARISE VTF) emerged in 2006 and has been holding public meetings to educate the public on the voting crisis faced by New Yorkers today. ARISE VTF is dedicated to securing a reliable, verifiable, accountable voting process for New York State. We have met with county Boards of Elections in the counties of Albany, Rensselaer, and Schenectady to voice our concern over machines being considered for voting equipment in our state. We also provided a cost analysis that compared pricing between DREs and PBOs in counties within the Capital District of NYS. We have advocated that county Boards of Elections hold public hearings prior to making their decisions on purchasing new voting equipment for their county.
4. As Chairperson of the ARISE Voting Equipment Task Force, I have

attended meetings of the NYS Board of Elections (SBOE), NYS Election Commissioners' Association (www.ntsdata.com/nyseca), New Yorkers for Verified Voting (www.nyvv.org), ARISE Board, ARISE Executive Committee and as an Executive Committee member of the NY Thruway Alliance (NYTA) which unites ARISE with our sister organizations in Syracuse, Rochester, Cortland, Niagara, and Buffalo. I have addressed formal meetings of ARISE and NYTA to raise this issue and elicit the opinions of our members.

At our annual ARISE Action Meeting on October 3, 2006, we hosted hundreds of New Yorkers who were addressed by Eliot Spitzer's spokesperson, Roger Benson, who testified:

"I'm very pleased to represent Attorney General Spitzer and Minority Leader Paterson here this evening. It's a great honor to be first because you don't know what the rest of the people are going to say, but with Eliot Spitzer, you don't have to worry because he says what he means and he stands behind it. If Eliot Spitzer and David Paterson are elected on election day, there is no question what their position is. **They are unalterably opposed to electronic voting machines (DRE's)**. They are very strongly supportive of paper ballots and optical scanning. This information is not just coming from my mouth. It is coming from Attorney General Spitzer's mouth. I encourage you to turn to the pages of the candidates response and see what his response is. Then I ask you to turn through the pages and look for his opponent's responses. You won't find it anywhere ! Thank you."

I have hosted conference calls between activists and members of the SBOE. I

have documented, through audio and video tape, meetings of the SBOE and the NYS ECA, machine testing, demonstrations, and activist events as well as hosting and arranging broadcasts on WRPI on the issue of voting in New York. Finally, I continue to conduct ongoing research, create discussion lists, and promote activism through grassroots involvement.

5. ARISE will assist in sending volunteers to help hand-count New York's elections in 2008 should the Court order same. This effort may be assisted by the SBOE's suggestion to enlist students at SUNY schools to serve as election jurors across the state while receiving Political Science credit and by the SBOE's suggestion to enact the version of "jury duty" described at the SBOE Board Meeting on 11/7/07: Pgs. 18 & 23 of transcript at: <http://www.elections.state.ny.us/NYSBOE/News/MeetingMinutes/CCTranscriptions11072007.pdf> Where there's a will there's a way and the people are willing to help our officials effect our will through the most secure, reliable, transparent electoral system that exists: hand-counted elections.

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

/s/

Executed on December 12, 2007

DENNIS KARIUS