

**IN THE MONTANA THIRTEENTH JUDICIAL DISTRICT COURT
YELLOWSTONE COUNTY**

Montana Democratic Party, Mitch Bohn,

Plaintiffs,

Western Native Voice, Montana Native Vote,
Blackfeet Nation, Confederated Salish and
Kootenai Tribes, Fort Belknap Indian
Community, and Northern Cheyenne Tribe,

Plaintiffs,

Montana Youth Action; Forward Montana
Foundation; and Montana Public Interest
Research Group

Plaintiffs,

v.

Christi Jacobsen, in her official capacity as
Montana Secretary of State,

Defendant.

Consolidated Case No. DV 21-0451

**DECLARATION OF MATTHEW
GORDON**

I, Matthew Gordon, declare as follows:

My name is Matthew Gordon. I am over 18 years old and am an attorney with the law firm of Perkins Coie LLP. I am admitted to practice law in the State of Montana and am an attorney for Plaintiffs Montana Democratic Party and Mitch Bohn in this matter. In connection with Montana Democratic Party and Mitch Bohn's Opposition to Defendant's Motion to Suspend Preliminary Injunction Pending Appeal, Montana Democratic Party and Mitch Bohn submit the following:

1. Exhibit 1 is a true and correct copy of the cover page and page 84 of the 2020 Montana Election Judge Handbook, which the Secretary produced to Plaintiffs as Bates No. SOS-MT017382-488. Because the full Election Judge Handbook is 107 pages long, Exhibit 1 includes only relevant excerpts.

I declare under penalty of perjury that the foregoing is true to the best of my knowledge and belief.

Dated this 14th day of April, 2022.



Matthew Gordon

Exhibit 1

MONTANA ELECTION JUDGE HANDBOOK 2020



Montana Secretary of State
Elections & Voter Services Division
1301 E. 6th Avenue
State Capitol Building, Room 260
PO Box 202801
Helena, MT 59620

soselections@mt.gov • sosmt.gov
(406) 444-9608

INACTIVE ELECTORS

([13-2-222, MCA](#))

1. An Inactive elector is someone who has not exercised their right to vote in a Federal General Election, (every even numbered year), and is someone who did not respond to confirmation mailings from the election office.

An individual can also be placed on the Inactive list because a ballot in a mail ballot election was returned to the election office undeliverable, and a subsequent forwardable notice mailed by the election office also came back as undeliverable.

2. An elector designated as Inactive in the register is eligible to vote a regular ballot in any election by reactivating the voter registration.
3. An Inactive elector may reactivate their voter registration by appearing at the polls and confirming registration information or updating registration information, and may vote a regular ballot at that time. Also, an Inactive elector may reactivate their registration by requesting an absentee ballot or providing an updated voter registration form.
4. An Inactive elector may reactivate by affirming their residential address and by signing the precinct register. An Inactive elector should fill out a new voter registration form if information in their voter registration record has changed.
5. If the elector's updated address information indicates that the elector is registered in a precinct other than the precinct in which the elector now resides, the elector may vote a regular ballot once at the old precinct.

IDENTIFICATION (ID)

Consistent with [13-13-114, MCA](#), before an elector is permitted to receive a ballot and vote, they shall present to the election judge one of the required forms of ID. "Identification" for the purpose of voting at the polling place means any of the following:

A current photo ID showing an elector's name including, but not limited to:

1. a valid Driver's License,
2. a school district or postsecondary education photo ID,
3. a tribal photo identification, or
4. a current utility bill, bank statement, paycheck, notice of confirmation of elector registration issued pursuant to [13-2-207, MCA](#), government check, or other government document that shows the elector's name and current address.

Note: Only an elector's name and photo are checked when an elector submits a photo ID. Election judges do not check picture IDs to see whether the address on the identification is current. A Driver's License or identification card is presumed to be current and valid if it is issued by any motor vehicle agency, regardless of status.

CERTIFICATE OF SERVICE

I, Matthew Prairie Gordon, hereby certify that I have served true and accurate copies of the foregoing Affidavit - Affidavit in Support to the following on 04-14-2022:

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Electronically Signed By: Matthew Prairie Gordon

Dated: 04-14-2022