

EXHIBIT C

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC., *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al.*,

Defendants.

Civil Action No. 17 Civ. 05427 (ALC)

DECLARATION OF JOAN DUVALL FLYNN

I, JOAN DUVALL FLYNN, hereby state, under penalty of perjury, that the following information is true to my knowledge, information, and belief:

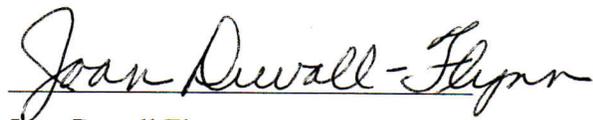
1. I reside in Glen Mills, Pennsylvania and have lived in the Commonwealth of Pennsylvania for 50 years.
2. I am the President of the NAACP Pennsylvania State Conference (“NAACP Pennsylvania”) and have served in this position since October 2015. Prior to serving as President, I served as Education Chair for approximately 12 years. I originally joined the NAACP Media Area branch of the NAACP Pennsylvania over 15 years ago; and prior to that, I had been a member of the NAACP Sandusky branch of the Ohio NAACP.
3. The NAACP Pennsylvania, a nonpartisan organization in Pennsylvania, is part of the National NAACP. Formed in 1909, its objective is to ensure the political, educational, social, and economic equality of minority groups. In keeping with that objective, the NAACP Pennsylvania works to eliminate all barriers of racial discrimination.
4. For decades, the NAACP Pennsylvania has held and sponsored voter registration and education. In furtherance of its mission to combat barriers that interfere with minorities and poor citizens seeking to vote, NAACP Pennsylvania has been involved in litigation around voting rights to ensure equal access to the franchise. This includes *Applewhite v. Pennsylvania*, a challenge to Pennsylvania’s voter ID law.
5. I have been civically engaged all of my life. Up until I retired as a middle school teacher, I made it a point to be the first in line to vote when the polls opened. My county, Delaware County, is well-known for bigotry against African Americans so I wanted to make the point that I had a right to and was committed to political participation.

6. My commitment to political participation stems from my childhood; my parents never missed an election, and when they got home from work, they took the entire family to the polls (including the children).
7. During President Trump's campaign, I heard him make speeches that, in my view, fostered racial strife throughout Pennsylvania by saying that people were voting illegally and had to be watched in places like Philadelphia. I took that to mean that he was directing his predominantly white campaign trail audiences to watch Black and Latino voters in Philadelphia, a predominately-minority city. I live near Philadelphia.
8. In fact, around the time of the President's speech in Wilkes-Barre, the FBI called the local Wilkes-Barre NAACP branch to let them know about the increased activity of the Ku Klux Klan in the Wilkes-Barre area. I learned about this when it was reported to me by the NAACP PA sectional director who resides in Wilke-Barre and who, at the time, was the first vice president of that branch.
9. I personally received phone calls from 3 individuals, around the time of the President's speeches, about increased Ku Klux Klan activity in areas throughout Pennsylvania. One person who called me did not know how to respond to the fact that flyers were being posted advertising a Ku Klux Klan meeting just north of State College, Pennsylvania. Another caller had received notice of a Ku Klux Klan rally on a farm near Lancaster, Pennsylvania. And another caller was a newspaper reporter who was concerned about discussion of a Ku Klux Klan rally near Reading, Pennsylvania.
10. I was deeply disturbed by the President's public speeches because, in my experience, Pennsylvania is a powder keg when it comes to issues of racism and discrimination. I contacted the Pennsylvania Department of Education after the election because reported incidents of overt acts of racism in schools were on the rise in Pennsylvania. Subsequently, the Pennsylvania NAACP worked with the Office of the Governor and Pennsylvania's Department of Education to address the issue. The Department formed the Task Force on Inclusion and Equity of which the NAACP PA is a part. The Task Force developed a toolkit which provides schools with resources on how to deal with overt acts of racism in school.
11. The President's statements linking minority communities with voter fraud were beyond offensive—they were untrue, incendiary, cruel and racist. His statements did more than degrade entire groups of citizens—they made minorities seem like second class citizens and more likely to commit crimes. This matters to me because it exacerbates the very bigotry, marginalization and discrimination against which I have worked all my life to protect my children as well as other victims of racism.
12. When I learned that President Trump created a Commission to study so-called voter fraud, I saw it as a logical extension of his inflammatory, unsubstantiated campaign trail speeches targeting voters of color as committing voter fraud. From my perspective, President Trump has kindled the fire of racial divide, and the Commission will continue

to keep that racial divide on low heat and intensify the racial tensions that threaten the stability of our country.

13. When the Commission first requested the voter file data from Pennsylvania in June 2017, Governor Wolf publicly denied the request in a letter. I was not aware of any public response by Governor Wolf after the Commission's second request in July 2017.
14. I later learned through this case that the Commission claims to have received the requested information from Pennsylvania. During the last week of November, 2017, the NAACP Pennsylvania reached out to the Pennsylvania Department of State to confirm whether Pennsylvania indeed had complied with the Commission's July 2017 request, as we had serious concerns about the release of the data to the Commission. If our voter data has been released, we have a right to know what steps were taken to safeguard the information and for what purpose the information would be used. I was told only that the Governor stood by his letter. I subsequently reached out to the Governor's office to see if he had more information about whether the voter data had been released. That Office informed me that it did not know whether the data was in the hands of the Commission or how it would have been accessed.
15. If my voter information has indeed been released to the Commission, I find it deeply upsetting. President Trump's statements make clear to me that the Commission is designed to further racial stereotypes about voters of color committing voter fraud, and I fear that the Commission will use the information it collects in a discriminatory manner and to stir the fires of racial tension and suspicion in the United States. I find it dehumanizing and threatening, given the demonstrated racial hostility of the President that he would use his power to have the federal government collect my personal voter information in an apparent effort to support discriminatory stereotypes that minorities are more likely to commit voter fraud. The Commonwealth of Pennsylvania has not been able to assure me that any data in the possession of the Commission will be safeguarded and not used in a discriminatory manner.
16. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of December 2017.


Joan Duvall Flynn