

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF ANOKA

TENTH JUDICIAL DISTRICT

Minnesota Voters Alliance; Mary Amlaw;
Ken Wendling; Tim Kirk,

Petitioners,

v.

Tom Hunt, in his official capacity as
elections official for Anoka County; Steve
Simon, in his official capacity as Secretary of
State; Anoka County; the Office of the
Minnesota Secretary of State; Shannon
Reimann, in her official capacity as chief
executive officer of the Minnesota
Correctional Facility – Lino Lakes,

Respondents,

Jennifer Schroeder, an individual; and Elizer
Eugene Darris, an individual,

[Proposed] Intervenor-
Respondents.

Case Type: Civil
Court File No. 02-CV-23-3416
Hon. Thomas R. Lehmann

**AFFIDAVIT OF
ELIZER EUGENE DARRIS**

I, Elizer Eugene Darris, declare as follows:

1. I am seeking to intervene in this lawsuit in order to maintain my right to vote. I have personal knowledge of the facts stated in this affidavit.
2. I am a resident of Minneapolis in Hennepin County. I was born in Sun Valley, California on March 9, 1984. I am an African American male and am the CEO of Darris Consulting Group. We consult with local and state-level governments and non-profit organizations on matters involving community impact. I am a community organizer, leadership and personal empowerment professional and servant leader within multiple communities.
3. I was arrested for first-degree homicide in 1999 at the age of 15 years old and convicted in 2001 and sentenced to life in prison. This conviction was vacated due to lack of evidence and I was resentenced in 2003 to 25 years. I will be on probation until 2025.
4. After release from incarceration, I began serving supervised release in the community in October 2016. I have been employed and paying taxes since my release. I have

volunteered as a mentor, reentry coach, neighborhood cleaner and have worked on many political campaigns over the years including for County Commissioner, District Court Judge, Mayor and City Council. I also have worked or years as a volunteer in the movement to restore voting rights to people with a felony conviction who are living in the community on supervised release. The work that I have done to help create successfully rehabilitation and re-entry pathways for individuals on felony probation or parole has been extensive over the years.

5. Thanks to the work of the ACLU and other organizations and individuals, the state legislature has considered a number of bills to restore the voting rights of Minnesota residents with felony convictions who are living in the community under some form of supervised released. Below are a few examples of these bills.

2013 Session (HF 491/SF 107): The House version passed the Public Safety Finance and Policy committee and was re-referred to the Elections committee. The Senate version did not pass out of the Judiciary committee by the committee deadline.

2014 Session (HF 491/SF 107): The Senate bill passed the Judiciary committee, but was not heard in the Elections committee of either chamber by the committee deadline.

2015 Session: (HF 342/SF 355): The Senate bill passed the Judiciary and Elections committees and was included in both the Judiciary Policy (SF 878) and Elections (SF 455) omnibus bills that passed the full Senate. Despite bipartisan support, the bill was not heard in the House Public Safety Committee or included in either House omnibus bill.

2016 Session: (HF 342/SF 355): The Senate bill passed the Judiciary Committee and was included in a version of the Elections omnibus bill (SF 2381) that passed the full Senate.

The bill was not heard in the House Public Safety Committee or included in the House Elections omnibus bill.

2017 Session: (HF 951): The bill was reintroduced in the House this session with 33 authors, including 9 Republicans. It was not given a hearing in the House Public Safety Committee.

2018 Session: (HF 951 / SF 3736): This session, the bill had a hearing in the House Public Safety Committee but was tabled. The companion bill was introduced in the after committee deadlines.

2019 Session: (HF 40 / SF 856): The bill made it through the House committee process and was included in the House State Government omnibus bill (HF 1395), which passed the full House. The Senate did not hear the bill, and in final negotiations, this provision was stripped from the omnibus bill.

6. My life experience informs my work. It's very personal to me. I know firsthand the negative effects that a conviction can have on every area of life, including the ability to secure safe and affordable housing, gain meaningful employment, and maintain healthy relationships. I have struggled to secure housing regardless of my ability to pay 2.5 times the required rent. I have been denied jobs that were offered to me prior to background checks. All of the restrictions that I have apply to anyone who chooses to be my significant other as well. Until recently, my conviction also denied me the right to vote.

7. In 2020, I decided to become a named plaintiff in *Schroeder v. Minnesota Secretary of State*, a lawsuit that challenged the constitutionality of Minnesota's disenfranchisement scheme which prohibited people on felony probation or parole from their civil right to vote. The lawsuit resulted in a decision on February 15, 2023, by the Minnesota Supreme Court, which upheld the law denying people like me the right to vote.

8. I was disappointed by the court's decision, to say the least. At a press conference following the decision, I challenged the legislature to enact legislation to change the law, which is what the Court said the legislature could do.

9. In the 2023 Legislative Session, HF 28/SF 26 was introduced, which would allow people on felony probation or supervised release to restore their right to vote. The bill passed the House of Representatives on February 2, 2023, and it passed the Senate on March 2, 2023. The bill had already passed the House at the time of the Supreme Court decision.

10. Only 2 weeks after the Supreme Court decision, on March 3, 2023, Governor Tim Walz signed into law HF 28/SF 26, restoring voting rights to people living in the community on felony probation or supervised release.

11. Governor Walz's office reached out to me and invited me to the signing of the bill. When the bill was signed, I was ecstatic and overjoyed and felt immense relief as I watched the Governor sign the legislation protecting my right to vote into law. I was even given a signed copy of one of the bills and one of the pens that Governor Walz used.

12. The Secretary of State's office invited me to register in person on the day the bill went into effect. On the very day the law went into effect, I did a press conference with the Secretary of State where we registered to vote in real time. I was the second person to register in accordance with the newly enacted law. I felt joyful, relieved, and hopeful. It made me fully realize that I could be voting for the first time in my life in November 2023. I have been denied the right to vote since October 17, 2016.

13. The right to cast my ballot and vote for people to represent my voice and my community interest from things as simple as filling potholes, to economic development to the curriculum approved for my daughter is central and critical to me. To be enfranchised and to participate more fully as a member of my community by exercising one of the most basic aspects of citizenship is very important to me and my family.


14. Voting rights and enfranchisement has been central to my identity since my release. I have helped thousands of people get to the polls to vote and am happy that for the first time in my life, I will be able to vote this November. Before this legislation was passed, I felt almost like I was seeking a stark black and white sign that said "No Felons Allowed." It was very alienating.

15. I feel that I can more adequately and thoroughly represent my own interests than the government Defendants can in this case. I understand and appreciate that my position will likely closely align with that of the Defendants as long as they vigorously defend the law. However, if this lawsuit is successful, it is ultimately me

who will feel the substantial impact, as well as all the other people on felony probation who wish to vote.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Executed this 28th day of August 2023 in Hennepin County, Minnesota

DocuSigned by:

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Elizer Eugene Darris