

AFFIDAVIT OF AARON FOWLES

1. My name is Aaron Fowles. I reside at 3060 Scotland Rd Memphis TN. I am a registered voter and taxpayer in Memphis.

2. I am the President of Ranked Choice Tennessee, a fiscally sponsored organization of the Proteus Action League, which itself is incorporated in Massachusetts as a 501c(4) organization. We operate solely in Tennessee and plan to eventually spin off into a separate organization. Our mission is to increase voter participation in Tennessee through Ranked Choice Voting (also sometimes referred to as Instant Runoff Voting), focusing our efforts initially in Memphis, Nashville, Knoxville, and Chattanooga. We do this by, *inter alia*, doing public advocacy through in-person appearances, email, and social media; educating voters about how to vote in RCV elections using the same methods; and working with local officials and stakeholders to ensure a smooth implementation of RCV.

3. The organization has a board of advisors and staff, all of whom are members. We also have supportive members of the public who we also consider part of our organization. Many of these members are also Memphis residents, voters, and taxpayers. Many of them voted in the 2008 and/ or 2018 referendum elections concerning RCV.

4. Our organization has a direct interest in the preservation of RCV as a legal option for election reform in Tennessee. If improper action by state or county election officials blocked October 2019 implementation of RCV in Memphis, it would undercut the work we have been doing since our creation, as well as the work that we and some of our members did last year during the referendum campaign. Our organization has been expending time, money, and staff resources on preparing for October 2019 implementation, and will continue to do so. Preventing October 2019 RCV implementation would be a serious blow to our organization's mission. It might jeopardize grant funding which we need to continue operation. A delayed ruling on the legality of RCV would also hurt our efforts at advocacy and outreach statewide, the success of which is crucial to our organization's mission and continued funding.

5. Further, a ruling that RCV was actually illegal in Tennessee could undercut our organization's *raison d'être* and would be even more likely to cause us to shut down our organization and dissolve our assets.

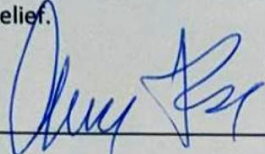
6. Based on my study of the issue, I am confident that preventing RCV implementation would also cost the taxpayer in the form of unnecessary and low turnout runoff elections. For context, the average dropoff in a runoff election is about 80%, which means that the cost per voter is much, much higher in a runoff than in a general election. Preventing RCV would also disenfranchise voters who live in poverty and suffer structural barriers to voting, including finding transportation, childcare, and time off work to vote. People in Memphis voted in 2018 to keep RCV in the charter specifically to avoid these problems. Preventing RCV implementation runs contrary to my interest as a Memphis voter and taxpayer, and contrary to the mission of Ranked Choice Tennessee.

7. If RCV were implemented (or at least upheld as legal), we would be able to continue our work. Once issues of legality and implementation were resolved, we would turn our efforts toward educating voters about how to vote in an RCV election and working with local election commission officials and others to ensure smooth implementation of RCV. We would particularly focus on making sure that

voters understood how to vote in RCV elections. This would include a special focus on outreach to voters in poor or underserved areas.

8. For the above reasons, both Ranked Choice Tennessee and I have an interest in ensuring that RCV is implemented in October 2019, that it not be declared illegal in Tennessee, and that further impediments to implementation be removed.

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



Aaron Fowles

Date: 5-21-19

AFFIDAVIT OF BRITNEY THORNTON

1. My name is Britney Thornton. I reside at 1521 Cella Memphis, TN 38114. I am a taxpayer and a registered voter in Memphis.

2. I am a declared candidate for the October 2019 City Council election, running in District 4. This is a single-member district which is due to use Ranked Choice Voting (RCV) under the current plan, absent interference from the state Coordinator of Elections.

3. I have already had a public campaign kick-off event. I plan to pull a petition to run on May 23, 2019. I have already raised money and spent money on the campaign. I have attended public events, and contacted voters through social media campaigns. I hope and plan to spend at least \$20,000 on my campaign, and possibly more.

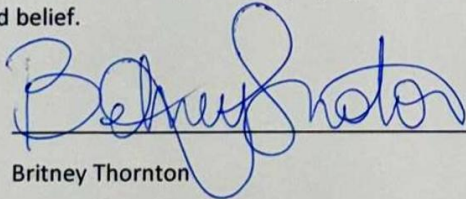
4. I have been an organizer interested in and active in Memphis politics for years. I have volunteered in other campaigns as well.

5. Based on that experience, I can say that it would be a substantial burden on my campaign to have to run under the old two-round election system. In my experience, two-round systems benefit wealthier candidates, result in low voter turnout, and create vote-splitting and "spoiler" problems which favor more established candidates. It would also burden my campaign's finances to have to raise money to run a second runoff election. As a first-time candidate with relatively low name recognition and relatively low campaign funding, I will be disadvantaged under the old system, and would benefit from Memphis following the letter of its own charter (affirmed overwhelmingly by voters in two different referendum elections) in using RCV.

6. I plan to run regardless of whether RCV is used. But I will be burdened if the local election commission is required to disregard the Memphis charter and use the old system.

7. I worked as a volunteer during the 2018 referendum campaign, advocating against repeal of RCV. I have a vested interest in preventing all that work being for naught because the local election commission is prevented from implementing RCV in October, or ever.

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

  
Britney Thornton

Date: 5-21-19