

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

BEAUMONT BRANCH OF THE NAACP and
JESSICA DAYE,

Plaintiffs,

v.

JEFFERSON COUNTY, TEXAS, JEFFERSON
COUNTY COMMISSIONERS COURT, LAURIE
LEISTER, in her official capacity as the JEFFERSON
COUNTY CLERK, and MARY BETH BOWLING, in
her official capacity as the PRESIDING JUDGE OF
THE JOHN PAUL DAVIS COMMUNITY CENTER,

Defendants.

Civil Action No. 22 Civ. 488

**DECLARATION OF WILMERETTA LOWE IN SUPPORT OF PLAINTIFF'S
EMERGENCY MOTION FOR A TEMPORARY RESTRAINING ORDER**

I, WILMERETTA LOWE, upon my personal knowledge, hereby submit this declaration pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the below is true and correct:

1. I am 63 years old, and I have lived in Beaumont in Jefferson County for my whole life. I am a citizen and eligible to vote in Texas.
2. I am registered to vote in Jefferson County. I have been registered to vote since I was 18 years old.
3. Voting is important to me, and I try to vote in every election.
4. I have voted at different locations in Beaumont during different election cycles.

This year, I voted on or around Sunday, October 30 at the John Paul Davis Community Center, located at 3580 E. Lucas Drive, Beaumont, Texas 77701, as part of Pews to the Polls.

5. I have been a poll worker in Jefferson County for more than ten years. I have served as a poll worker at multiple locations during both primary and general elections.

6. During the early voting period which ran from October 24 to November 4, for the 2022 November 8 general election, I served as a poll worker at the Theodore Johns Library, located at 4255 Fannett Road, Beaumont, Texas 77705, during every day of early voting in Jefferson County.

7. On the afternoon of Wednesday, October 26, I witnessed White poll watchers standing so close to voters at the polling booth that they could watch the voters marking their ballots. The poll watcher was not even two feet away from the voter. This happened twice over the course of the afternoon. On each occasion, the voter was Black and appeared intimidated by the behavior of the poll watchers. I had to ask the poll watcher to step back and stop looking at the voter's ballot as it was being completed.

8. On or around Friday, October 28, one voter who I was serving at Theodore Johns Library told me that he had previously attempted to vote at the John Paul Davis Community Center and had been instructed that he could not vote. As part of my role as a poll worker, I looked up each voter on the poll pad. Based on my knowledge and experience as a poll worker, there was no reason indicated by the poll pad that this voter could not have voted, either when I was serving them or when they attempted to vote earlier at the John Paul Davis Community Center. This voter was Black. He cast his ballot at the Theodore Johns Library polling location. I do not recall the name of the voter.

9. During the last week of early voting, two more voters who I was serving at Theodore Johns Library told me that they had previously attempted to vote at the John Paul Davis Community Center and had been unable to vote. One voter was a man and one was a woman. They

were both Black. One of these two voters informed me that they had requested a mail ballot and did not receive it in the mail. This voter told me that they were told they could vote a provisional ballot when they attempted to vote at the John Paul Davis Community Center. The other voter told me that they were not informed why they could not have voted at the John Paul Davis Community Center and did not know why they had been turned away. Based on my knowledge and experience as a poll worker, there was no reason indicated by the poll pad that these voters could not have voted. They voted at the Theodore Johns Library.

10. Throughout the early voting period at Theodore Johns Library, I witnessed the White poll workers loudly reading aloud the address of Black voters in the presence of election workers and other voters in the vicinity. This happened as a matter of course. I did not witness them do this for White voters—not even once. The White poll workers only asked White voters if their information is correct, but they loudly and publicly stated the home address of all Black voters. Black voters looked uncomfortable and intimidated by this experience.

Executed on November 6, 2022 in the City of Beaumont, Jefferson County, Texas

BY: 
Wilmeretta Lowe