

# EXHIBIT 3

## DECLARATION OF HEATHER FERGUSON

Pursuant to 28 U.S.C. § 1746, I, Heather Ferguson, declare as follows:

1. I am over 18 years old and am otherwise competent to testify. I have personal knowledge of the matters in this declaration, and I would testify thereto if I were called as a witness in Court.

2. I am a member of Common Cause. As a full-time member of Common Cause's staff, I currently serve as a Vice President, States. I have served in this role and a substantially similar role since May 2022 and have been a member of Common Cause's staff since August 2014.

3. I directly oversee seven states and support Common Cause work across the country, including in the state of Connecticut, to protect voting rights, promote ethical government, and hold power accountable. In my role as Vice President, States, I also engage with Common Cause's policy, organizing, and external affairs staff to advance pro-voter, pro-democracy policy. I work with multiple coalitions to advance pro-voter reforms and increase civic engagement, including the national Election Protection Coalition.

4. Common Cause is a nonprofit, nonpartisan membership organization incorporated under the laws of the District of Columbia and registered to do business in Connecticut. Pursuant to its bylaws, Common Cause is organized and operated as a membership organization and intervenes in this action on behalf of itself and in a representative capacity on behalf of its members.

5. Pursuant to its bylaws, Common Cause has defined who qualifies as a member. Under its definition, a "member" of Common Cause is any individual who, within the past two years, (a) made a financial contribution to the organization; or (b) has taken meaningful action in support of Common Cause's advocacy work. Such meaningful action includes, but is not limited to, signing petitions directed to government officials; participating in letter-writing or phone-banking campaigns;

attending town halls, workshops, or rallies organized by Common Cause; or otherwise engaging in activities designed to advance the organization's mission. As of this writing, there are approximately 11,500 members of Common Cause in the state of Connecticut.

6. Common Cause's mission is to uphold the core values of American democracy by creating an open, honest, and accountable government that serves the public interest, promotes equal rights, opportunity, and representation for all, and empowers people to make their voices heard in the political process.

7. In Connecticut, Common Cause ensures that Connecticut voters' voices are heard in the political process. Our members reside throughout Connecticut and include registered voters whose personal information is maintained in the statewide voter registration database held by the Connecticut Secretary of State. If the State discloses the unredacted voter registration file to the U.S. Department of Justice, these members' sensitive personal information—including driver's license numbers and portions of social security numbers—would be unlawfully released, causing an invasion of privacy, chilling participation in the electoral process, and undermining confidence in the integrity of Connecticut elections.

8. Common Cause believes the right to vote is the cornerstone of a functioning democracy. We are committed to ensuring that every Connecticut voter can register and cast their ballot. With the help of our advocacy over the last two decades, Connecticut has adopted several pro-voter reforms, including the establishment of Election Day Registration, early voting in primary and general elections and the passage of the **John R. Lewis Voting Rights Act of Connecticut**

which provides improved language assistance for voters who are non-English speakers and creates strong protections against voter intimidation and suppression.

9. Recognizing that removing barriers to voting is paramount to ensuring that every eligible voter can register and cast their ballot, we also successfully advocated for an amendment to the Constitution of the State of Connecticut which would allow Connecticut lawmakers to establish no excuse vote by mail in Connecticut.

10. As a nonpartisan democracy reform and good government organization, Common Cause assists eligible Connecticut voters in registering to vote, verifying, and/or updating their voter registration through outreach to our members. For example, on National Voter Registration Day, Common Cause members in Connecticut received notices from us urging them to register to vote and/or to verify their registration status. Hundreds of voters in Connecticut have verified their registration or registered to vote using tools embedded on our web site over the last several election cycles.

11. As a result, voters we assist are added to the official Connecticut statewide voter file. We consider it our duty to safeguard the trust Connecticut voters place in our organization and in the democratic process. We have a vested interest in protecting the integrity and privacy of that data. Any threat to the security of the voter file, especially one that could result in the misuse of personal information, directly undermines our work, damages public trust, and risks chilling voter participation.

12. We also run targeted communications campaigns, including through social media, to keep our members in Connecticut informed about key election deadlines and updates. These efforts amplify official messages from the Secretary of State, helping ensure voters have accurate and timely information to participate confidently in our democracy.

13. Disclosure of the entire, unredacted Connecticut state voter file would undermine Common Cause's work and risk harm to our members. We rely on public confidence in the security and integrity of voter data to encourage participation. If voters fear their personal information, like a partial Social Security number or driver's license number, could be misused or exposed, they may avoid registering to vote, decline to update their current voter registration record, or withdraw from civic engagement activities altogether. Such results undermine Common Cause's mission to expand access and participation, especially among historically marginalized communities. Knowing that their personal data could be used to challenge their eligibility to vote would chill participation in the democratic process. This is especially true for voters in marginalized communities who already face systemic barriers and distrust government surveillance. We currently have a state advisory board and a contract lobbyist to engage our members in Connecticut with plans to rehire full-time staff. We plan to expend significant resources on on-the-ground voter engagement and assistance efforts to register voters and involve them in the democratic process.

14. Additionally, disclosure of the complete Connecticut state voter file would facilitate unsubstantiated voter challenges, a concern especially for vulnerable

communities. Improper and flawed mass-challenge programs disproportionately target voters who lack stable housing or traditional addresses. Mass challenges, often filed in bulk by activists, can overwhelm local election officials, divert resources from voter outreach and education, and delay or obstruct legitimate registrations and ballot processing. This undermines the infrastructure that Common Cause and our partners rely upon to ensure smooth, inclusive elections. Diverting resources to address these improper activities weakens our capacity to run voter registration drives, educate voters, and mobilize communities. These sorts of challenges also work to revive historical tactics of voter suppression. Private voter challenges have roots in post-Reconstruction laws used to disenfranchise Black voters. Today, they are increasingly used to target voters of color, Indigenous Peoples, young voters, and those who are unhoused or in transient living situations; all of whom Common Cause prioritizes in our voter registration work and lobbying/advocacy supporting the inclusion of their voting rights. If voters' sensitive data is disclosed to the federal government and used to promote mass disenfranchisement, Common Cause will be forced to redirect resources to mitigate disenfranchisement among existing voters and away from its core activities of voter registration and voter engagement in the democratic process.

15. If the Connecticut Secretary of State discloses the unredacted voter file, this will work to normalize federal overreach into state-run elections, weakening local control and opening the door to future demands for even more intrusive data. It poses a grave threat to voter privacy and public confidence. This threatens the

decentralized structure of U.S. elections, which Common Cause defends as a safeguard against authoritarianism.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 15<sup>h</sup> day of January 2026 in the District of Columbia.

A handwritten signature in black ink, appearing to read "Heather Ferguson". The signature is fluid and cursive, with the first name "Heather" and the last name "Ferguson" connected by a single, sweeping line.

Heather Ferguson  
Vice President, States  
Common Cause