

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

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LEAGUE OF WOMEN VOTERS OF SOUTH
DAKOTA; JAYSEN HILL,

4:26-CV-04162-ECS

Plaintiffs,

V.

MONAE JOHNSON, Secretary of State of the State of South Dakota, in official capacity; SCOTT D. MCGREGOR, Member of the State Board of Elections of South Dakota, in official capacity; LINDLEY HOWARD, Member of the State Board of Elections of South Dakota, in official capacity; KENT ALBERTY, Member of the State Board of Elections of South Dakota, in official capacity; JAMALIA FRANZEN, Member of the State Board of Elections of South Dakota, in official capacity; KRISTIN MATSUDA, Member of the State Board of Elections of South Dakota, in official capacity; AUSTIN HOFFMAN, Member of the State Board of Elections of South Dakota, in official capacity,

DECLARATION OF MONAE L. JOHNSON

Defendants.

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I, Monae L. Johnson, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am the South Dakota Secretary of State, and I have personal knowledge of the facts stated in this declaration.

2. My understanding is that, under South Dakota law, the Secretary of State lacks authority to promulgate binding regulations that compel local election officials to accept or reject voter-registration applications or that dictate the contents of the notices that are sent to successful

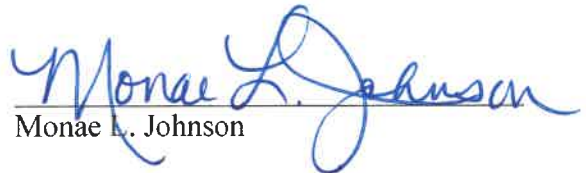
or unsuccessful registrants. However, it is also my understanding that the Secretary may offer local election officials guidance on election-related issues.

3. On the date of this declaration, my office contacted the TotalVote vendor to disable the auto-populating letter feature in the TotalVote system, which previously allowed county auditors to auto-populate a letter upon designating a voter registrant as federal-only.

4. In its place, my office has provided two template letters—one of which addresses federal-only registrations based on a noncompliant residential address and one of which addresses federal-only registrations based on inadequate or missing documentary proof of citizenship. True and correct copies of these letters are attached as **EXHIBIT 1** and **EXHIBIT 2**.

5. My office then distributed these templates and a guidance letter advising local election officials on when to use the new notice letters using an email listserv of local election officials from all South Dakota counties (which includes all county auditors and some staff). A true and correct copy of this letter to the local election officials is attached as **EXHIBIT 3**.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 14th day of September, 2026.


Monae L. Johnson