

Charles T. Lester, Jr.  
DIRECT LINE: 404.853.8116  
E-mail: charles.lester@sablaw.com

November 1, 2007

VIA E-MAIL AND FACSIMILE  
VIA FEDERAL EXPRESS AND  
UNITED STATES MAIL

Mr. Reginald A. Beasley  
Bulloch County Registrar of Voters  
2 North Main Street  
Statesboro, Georgia 30458

Re: Challenges to Georgia Southern Students in Statesboro  
Municipal Elections

Dear Mr. Beasley:

In connection with my work in the Election Protection Program in Georgia, I represent students who are among the more than 900 Georgia Southern students whose voter eligibility have been challenged *en masse* in connection with November 6, 2007 municipal election in Statesboro and student organizations that registered Georgia Southern students to vote.

I understand that you chair the Board of Registrars that will ultimately determine whether any of the challenges have merit and the challenged votes will be counted. I write to you out of concern that the Board of Registrars conduct the challenge procedure in accordance with Georgia and federal law.

From media accounts and reports from local residents, I understand that the challenged students are voting "challenged" ballots that are being set aside until after Election Day. After Election Day, the Board of Registrars will determine which challenged ballots shall be counted which is allowed under Georgia law. I also understand, however, that you are considering implementing a procedure that would require that every student who voted a challenged ballot to appear before the Board of Registrars at a hearing. This procedure would violate Georgia law. Under Georgia's voter challenge law, Ga. Code Ann. § 21-2-230, a voter challenge shall be denied and the challenge ballot shall be counted unless the challenger has demonstrated probable cause based on specific, individualized proof that

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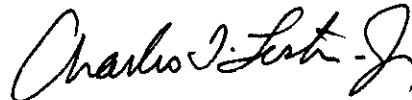
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the challenge has merit. As a result, a challenged student should not be called to answer the challenge unless the Board finds that probable cause exists in his or her individual case. Given the *en masse* nature of the challenge, I harbor serious doubts that the challengers have provided or will provide the necessary specific, individualized proof to establish probable cause that the students are not residents at the address where the students say they reside. You should also note that it is unconstitutional under the Fourteenth and Twenty-Sixth Amendments to the United States Constitution to treat students differently than other members of the community in determining residency for voting. *See United States v. Texas*, 445 F. Supp. 1245 (S.D. Tex. 1978), *aff'd sub nom. Symm v. United States*, 439 U.S. 1105 (1979).

Please let me know how you intend to proceed with the challenge procedure so that my clients and I can prepare accordingly.

Thank you for your attention in this matter and for your commitment to protecting the basic right of your city's residents to vote in this week's elections.

Sincerely yours,

A handwritten signature in black ink that reads "Charles T. Lester, Jr." with a stylized flourish at the end.

Charles T. Lester, Jr.

CTL/bew