

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

THE UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO.: 09-0065 SD
)
NEW BLACK PANTHER PARTY)
FOR SELF-DEFENSE, an)
unincorporated association, MALIK ZULU)
SHABAZZ, MINISTER KING SAMIR)
SHABAZZ aka MAURICE HEATH, and)
JERRY JACKSON,)
)
Defendants.)
_____)

DECLARATION OF WAYNE BYNAM

Byman - WLB

Comes now the declarant, WAYNE BYNAM, pursuant to 28 U.S.C. § 1746, and declares the following:

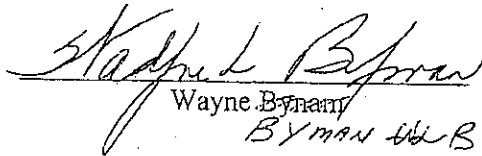
1. On November 4, 2008, I was assigned to be a credentialed poll watcher in the City of Philadelphia.
2. On the morning on November 4, 2008, I went to the polling place at 1221 Fairmount Street in the City of Philadelphia. I there observed two men wearing black uniforms with New Black Panther Party insignia, black boots and black berets. The two men were positioned directly in front of the entrance to the polling place at 1221 Fairmount Street. They attempted to give me some type of literature. The shorter of the two men possessed a weapon in the form of a billy-club or nightstick. In my opinion, the two uniformed men created a menacing

and intimidating presence at the entrance of the polls. I intentionally attempted to avoid any contact with them because of this menacing and intimidating presence.

3. I have served as a credentialed poll watcher on occasions other than on November 4, 2008. One purpose of my poll watching activity is to aid voters. For example, if somebody was denied the opportunity to vote, I could aid them. Moreover, because voter registration is by party, one can ascertain the political affiliation of a voter based on registration records. I have aided voters by introducing myself to the voter. I can call observer headquarters to assist in identifying the last precinct where the voter was registered to vote. Or, I might give the election judges at the precinct information about the voter's status in an attempt to aid the voter. I will sometimes tell the voter who encounters difficulty what they need to do to be able to cast a ballot successful. Sometimes I aid the voter by telling the voter what they should communicate to election officials to ensure that their right to vote is not impaired. In some instances, I present the matter on their behalf to the election judge. When I am a credentialed poll watcher, I contemplate that I may aid voters and one of my functions as a poll watcher.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on April 1, 2009


Wayne Byman
BYMAN W B