

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

Civil No. 4:07cv402 SPM/WCS

FLORIDA STATE CONFERENCE OF THE  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE  
(NAACP), as an organization and  
representative of its members, et al.,

Plaintiffs,

vs.

KURT S. BROWNING, in his official  
capacity as Secretary of State for  
the State of Florida,

Defendants.

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Fort Lauderdale, Florida  
December 7, 2007  
9:30 o'clock a.m.

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DEPOSITION

OF

PROFESSOR KEVIN A. HILL

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JOB NO: 908158  
Reported By:  
Evan A. Ferguson, RPR  
Notary Public, State of Florida  
Esquire Deposition Services  
Fort Lauderdale Office  
Phone 954-331-4400

1 APPEARANCES:

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3 GREENBERG, TRAURIG, P.A.  
4 BY: GLENN T. BURHANS, JR., ESQUIRE,  
101 East College Avenue  
Tallahassee, Florida 32301  
5 850.222.6891  
6 Appearing telephonically on behalf of the  
7 Plaintiffs.

7

8 PAUL, WEISS, RIFKIND, WHARTON & GARRISON, LLP.,  
9 BY: J. ADAM SKAGGS, ESQUIRE,  
1285 Avenue of the Americas  
New York, New York 10019-6064  
10 212.373.3000  
11 Appearing telephonically on behalf of the  
12 Plaintiffs.

12

13 BRENNAN CENTER FOR JUSTICE AT NYU SCHOOL OF LAW  
14 BY: JUSTIN LEVITT, ESQUIRE,  
151 Avenue of the Americas, 12th Floor  
New York, New York 10013  
15 212.998.6730  
16 Appearing telephonically on behalf of the  
17 Plaintiffs.

17

18 GRAY ROBINSON, P.A.,  
19 BY: ANDY BARDOS, ESQUIRE,  
301 S. Bronough Street, Suite 600  
Tallahassee, Florida 32301  
20 850.222.7717  
21 Appearing telephonically on behalf of the  
22 Defendants.

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WITNESS:

PAGE:

PROFESSOR KEVIN A. HILL

DIRECT EXAMINATION BY MR. BURHANS:

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E-X-H-I-B-I-T-S

PLAINTIFF'S

FOR IDENTIFICATION

NO. 1

27

NO. 2

58

1 implementation of Subsection 6?

2 A No.

3 Q Have you interviewed anybody at the Department  
4 of State with respect to the operation of Subsection 6?

5 A No.

6 Q Have you spoken to any Supervisor of Elections  
7 in any of the counties or any of their staff members  
8 with respect to the implementation and/or operation of  
9 Subsection 6?

10 A No.

11 Q Do you think it effects voter confidence in  
12 fairness and integrity of the elections if eligible  
13 citizens are excluded from voting?

14 A It depends on what you mean by eligible  
15 citizens, you mean people who are otherwise eligible  
16 under the -- people who meet all eligibility  
17 requirements to vote who are excluded from voting?

18 Q That is correct.

19 A That's obviously a factor, yes. Obviously it  
20 would obviously be a factor in the minds of the voting  
21 public, whether people who are otherwise registered to  
22 vote either individually or as a class, particularly as  
23 a class are excluded from voting, that is to a large  
24 extent what the Civil Rights Movement was all about.

25 Q In your mind is there a distinction between

1 voter registration fraud and voter fraud?

2 A I guess voter registration fraud would be a  
3 subclass of vote fraud in general.

4 Now, vote fraud does not have to be voter  
5 fraud, it can also be perpetuated by people who are  
6 miscounting ballots could be perpetuated by the system  
7 itself obviously, by the counters; it could be  
8 perpetuated by violence and intimidation, but certainly  
9 the fraudulent registration of voters is a type of  
10 electoral fraud.

11 Q And in your view what does Subsection 6 aim to  
12 achieve with respect to election fraud, is it geared  
13 towards in your view preventing registration fraud or  
14 preventing vote fraud?

15 A It's geared towards preventing vote fraud in  
16 general by minimizing fraudulent voter registrations.

17 It's my understanding that obviously the  
18 gatekeeping part of the system of voting is the  
19 registration process, which we have had in this country  
20 for almost a hundred years now, that is a gatekeeping  
21 function to minimize the fraud on the front end by  
22 letting in as few fraudulent voters as possible.

23 We didn't always have voter registration in  
24 this country, and it was enacted in the early  
25 20th Century by most states precisely to minimize the

1 number of fraudulent voters.

2 Q I'm sorry, could you repeat that?

3 A The voter registration systems that we have in  
4 almost all of the states now, I guess all of the states  
5 now of registering voters ahead of time did not come out  
6 of a vacuum, I mean it came out of a late 19th and early  
7 20th Century experience with massive voter fraud by  
8 people who weren't otherwise eligible to vote, either  
9 voting or voting multiple times.

10 So the whole point of voter registration is to  
11 verify the -- to me as a political scientist who studies  
12 voting -- is to verify to the best extent possible the  
13 identity of voters.

14 Q Do you have Section 97.053 Subsection 6 in  
15 front of you?

16 A No, I don't.

17 Q Is it your understanding that Subsection 6  
18 speaks to verifying the identification, the identity of  
19 a person or the authenticity or nonexistence of a  
20 driver's license number, the Florida Identification Card  
21 Number, or the last four digits of the Social Security  
22 Number provided by the applicant?

23 A I'm not completely sure as I sit here right  
24 now whether the actual language of that statute talks  
25 about identity or identification verification.