

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

LEAGUE OF WOMEN VOTERS OF
FLORIDA, et al.,

PLAINTIFFS,

vs. CASE NO. 08-CIV-21243 (S.D. Fla.)

KURT S. BROWNING, et al.,

DEFENDANTS.

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DEPOSITION OF BRENDA SNIPES

DATE: June 11, 2008
TIME: 11:00 a.m.
PLACE: 401 North Avenue of the Arts
Fort Lauderdale, Florida
TAKEN BY: Plaintiff
BEFORE: Laura E. Melton, Registered Merit
Reporter and Notary Public of the State
of Florida at Large

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1 THEREUPON:

2 BRENDA SNIPES

3 a witness called by the Plaintiff, being first duly
4 sworn, testified as follows:

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Q. I see. And you defeated both of them.

So what are your duties and responsibilities as supervisor of elections? Just state in general terms.

A. Well, voter registration is probably one of the biggest responsibilities. And that's not only registering voters, but it's also maintaining accurate files, notifying voters to any changes to their status as voters, there could be a change in a polling place. It could be, say, if we receive notice that there is a felony conviction or any other reason that a person may not be eligible, then it's one of my responsibilities to take whatever steps are necessary, candidate qualifying, absentee ballot processing, polling place selection, and preparation, and early voting.

Q. Uh-huh.

A. Setting up remote voter stations that are networked to our office, making sure that we have equipment for 793 precincts, have over 10,000 workers for

1 the election. We maintain 900 -- right now we have about
2 931,000 registered voters. And when the third-party
3 groups come, I am sure we are going to get well over a
4 million voters. So just -- that's what we do on a
5 day-to-day basis, in addition to speaking to every group
6 and organization in Broward County, mornings, afternoons,
7 nights and weekends.

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22 Q. And how many poll workers typically do they
23 recruit a year, a federal election year?

24 A. I can tell you how many we need. We need
25 approximately 10,000. But they're not the only ones that

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1 recruit. Sometimes a poll worker might self-recruit.
2 Maybe they will see our information somewhere and contact
3 the office and say that they would like to work.

4 Q. Now, overall, how many full-time employees are
5 there in the supervisor's office?

6 A. I think we have 81.

7 Q. And currently how many part-time employees are
8 there?

9 A. Part-timers are down right now because we haven't
10 gotten to the crunch period. So I probably have about
11 10.

12 Q. And how many do you expect to have during crunch
13 period?

14 A. Probably bring on about 50.

15 Q. 50 in addition to the 10, or 50 total including
16 the 10?

17 A. Might be 50 in addition to the 10.
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Q. Now, you mentioned before that there were boxes of forms that outside organizations brought into your office in 2004. How does your office know if an application is submitted by a third-party group or an outside organization?

A. At the time it was just based on the fact that these individuals came in, and usually they would let us know how many forms they were bringing. But I don't think we had a way of identifying the particular forms that they brought in. We would -- we knew what we received from them. They counted them out, but I don't think we had those forms marked in any particular way.

Q. Okay. And did you personally witness the third-party registration organization submitting the forms?

A. Yes, I did.

Q. And how often did you personally witness the third-party voter registration --

A. I don't know, several times a week.

Q. Okay. And can you tell me where they submitted the forms in your office?

1 A. They usually brought them to the front counter.

2 Q. And what would the front counter do when they
3 arrived at the front counter?

4 A. Call me. We had to work up to a process where we
5 got the forms in some kind of order, where we
6 got -- where we had the forms counted, where we got the
7 forms in a more timely manner. When we got forms, as we
8 started to go through the forms, we realized some of them
9 had been completed maybe two or three months in advance
10 of when we received them. So we just kind of had to work
11 through a process. And that's when I remembered we set
12 up a meeting with one of the organizations to see if we
13 couldn't put some structure in place that would help us
14 be able to better process the forms. And I remember
15 that's when I brought on some additional people. We
16 figured out about how long it would take to process the
17 form. And then I think we had a sense of how many forms
18 we had, and brought in -- I think I brought in, like, 10,
19 maybe 10 or 12 people who worked evenings to help us get
20 those done.

21 Q. And did that procedure indeed help you process
22 the forms?

23 A. We got all of them done. We got them all done
24 but it was harrowing.

25 Q. If I can back up for a moment. If a third-party,

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Q. And what sort of information was taken down?

A. Probably -- I'm just guessing now because I don't remember exactly. But probably the number of forms and who was bringing the forms in, a contact number. Because early on, we didn't know anything about the organization, we didn't know who we were dealing with, where they got forms from; not that we had to know that, but we just didn't have a sense of who these people are and how long they have had the forms. But in going through them, I can well remember that some of them were two months old. Some of them came to us after a book closing deadline. So -- but we had to get to the point where we began to

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1 find out who the individuals were --

2 Q. And did you personally --

3 A. -- and who was in it.

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23 Q. Do you know when the forms were collected that
24 were submitted?

25 A. I don't know the dates. There were a lot of

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1 forms. I don't know all of the individual dates, but the
2 forms were processed by our Voter Registration office.
3 So I don't remember us doing any reports on how many were
4 before the book closing deadline. Whatever came after
5 the book closing deadline -- or whatever came incomplete
6 because some of them did come incomplete, whatever came
7 incomplete, we had to notify the voters about, though.
8 But in terms of a report for that, I don't -- I don't
9 recall a report.

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Q. And did you ever receive any complaints from any applicants for voter registration in your county who gave a completed voter registration form to a third-party group before a book closing deadline and then they attempted to vote in a federal primary or general election, and were unable vote in a federal primary or general election because the third-party registration organization did not submit their application in a timely basis?

MS. NORRIS-WEEKS: Object to the form.

MR. WINSOR: Yes, I will join.

THE WITNESS: I can't remember the

1 names of voters, but we did have voters call
2 in to say that they registered with the
3 group, and they hadn't received their
4 information. And we might ask where they
5 registered and they would indicate with
6 someone -- we knew it was not our office.
7 So I don't remember their names. I just
8 remember those calls.

9 BY MS. WEISER:

10 Q. Did you personally receive some of those calls?

11 A. I talked to some people, yes.

12 Q. And what year did you speak with people?

13 A. That would have been 2004.

14 Q. Okay. So in 2004 you received calls from
15 individuals who were inquiring about their voter
16 registration status, right?

17 MR. WINSOR: Object to the form.

18 BY MS. WEISER:

19 Q. Was this before or after an election?

20 A. That would have been before, I believe. Because
21 they're not received -- had not received a card.

22 BY MS. WEISER:

23 Q. And do you know what the basis for the
24 individual's belief that they gave the form to the
25 voter -- a third-party registration organization was?

1 MR. WINSOR: Object to the form.

2 THE WITNESS: Just based on I remember
3 one individual said they registered under a
4 tree, and we didn't have anyone registering
5 under a tree. So I'm not sure if it were --
6 say, I don't know what organization it may
7 have been.

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14 Q. Okay. And are you aware of any third-party voter
15 registration organizations that submitted voter
16 registration applications to your office that were
17 collected before a book closing, after a book closing?

18 A. Some of those in 2004 came in after book closing.

19 Q. And do you know --

20 A. I don't remember how many.

21 Q. Okay. And do you remember which -- which book
22 closing date they came in after?

23 A. I don't remember. I believe it was the -- for
24 the November presidential election.

25 Q. Was this on one occasion or more than one

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MS. WEISER: Let's mark this.

I would like to mark as Exhibit 6 a letter -- a letter from Dr. Brenda Snipes to a Ms. Thomas Campbell of ACORN.

BY MS. WEISER:

Q. Do you recognize this document?

A. Yes.

Q. You can hold on to it. Do you recognize this document?

A. Yes, I do.

Q. And does this refresh your recollection as to the incident that you were referring to earlier?

A. From four years ago, yes, this is helpful.

Q. And is this the incident you were referring to of applications that were collected before a book closing deadline and then submitted after the book closing deadline?

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1 A. I believe it is.

2 Q. And I believe you said that you received
3 the -- or did you have personal information of the fact
4 that the forms were collected before a book closing
5 deadline?

6 A. Yes, based on information I received from the
7 staff, yes.

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Q. Okay. And, but ACORN did submit a large volume of voter registration applications in 2004, is that right?

MR. WINSOR: Objection to form.

THE WITNESS: Uh-huh.

BY MS. WEISER:

Q. Yeah. And do you know approximately how many they submitted altogether?

A. I don't know the exact numbers. Estimates were around 20,000, which would probably be accurate.

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Now, you testified that your office received
a -- previously that your office received something like
20 or 30,000 voter registration applications right before
book closing in 2004, is that correct?

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1 A. Yes. About 20,000.

2 Q. Okay. And do you know how many of those
3 applications came from third-party groups?

4 A. As I recall, I want to say most of them did,
5 because they -- I think those are the applications that
6 were coming in from ACORN.

7 Q. Okay. And did you personally witness the
8 delivery of the applications?

9 A. I witnessed a lot of them.

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Q. Okay. And did you inspect the voter registration cards submitted with the -- submitted by ACORN in the days leading up to book closing in 2004?

A. The registration forms?

Q. Yes.

A. I didn't inspect them all personally, but I had a general idea what was in there.

Q. Okay. And did you personally -- did you personally inspect any of them --

1 A. Yes, I did.

2 Q. Okay. And when did you inspect these voter
3 registration application forms?

4 A. When they were being processed in our conference
5 room.

6 Q. Okay. And how many of them approximately did you
7 inspect?

8 A. I don't remember. There were tons that we
9 received, so I don't remember how many I looked at.

10 Q. Okay. And of the ones that you did look at, did
11 you see any -- any applications that were dated more than
12 10 days before they were delivered to the office?

13 A. Yes, I did.

14 Q. And do you know how many days in advance?

15 A. I specifically remember some that had dates of
16 more than two months.

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Q. Does this refresh your recollection with respect to anything that occurred in -- with respect to ACORN turning applications in after the book closing date?

A. I'm aware of some of that.

Q. Okay. And you're aware that they turned in 5,000 completed voter registration applications after the book closing date?

A. I was not sure of the number, but I knew it was substantial, uh-huh.

1 Q. You testified about some applications coming in
2 months after they were -- after they were signed by the
3 applicant. Do you get a lot of incomplete applications?

4 A. We get quite a few incomplete applications, yes.

5 Q. And if you submit an incomplete application to
6 your office, your office would send the person a letter,
7 is that right?

8 A. That's correct.

9 Q. And then that applicant would have an opportunity
10 to correct?

11 A. That's correct.

12 Q. Before the book closing?

13 A. That's correct.

14 Q. And so if an incomplete application is submitted
15 to a third-party group and held by that third-party group
16 for some period of time, and then submitted to your
17 office immediately before book closing, it would make it
18 difficult, if not impossible, for that individual to
19 affect his application, is that right?

20 A. That's correct.

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6 Q. I think you also testified that the submission of
7 large volumes of applications makes it -- I believe the
8 word you used is -- a "harrowing" experience for your
9 staff?

10 A. Yes.

11 Q. Is that right?

12 A. That's correct.

13 Q. Is it fair to say that if the stream of
14 applications were made more steady, that it would be less
15 harrowing for your office?

16 A. Well, it would make it -- Yes, that's correct.

17 Q. Okay. And I believe you also testified that you
18 met with a third-party group to try to set up timelines
19 for their submission of application?

20 A. Yes.

21 Q. Was the purposes of those timelines to make -- to
22 ease the administrative burden on your office?

23 MS. WEISER: Object to the form.

24 THE WITNESS: Well, I think it wasn't
25 just timelines. We were talking about

1 procedures, how to complete the
2 applications, who the contact information
3 was, how to bring the applications in to us,
4 just in some kind of order.

5 BY MR. WINSOR:

6 Q. Okay. And if third parties in 2004 would have
7 promptly submitted all of the applications they
8 submitted, that would have made the administrative
9 burdens on your office less severe, is that correct?

10 MS. WEISER: Objection.

11 THE WITNESS: That's correct.

12 BY MR. WINSOR:

13 Q. And I believe you testified that in 2004 you
14 received approximately 20,000 applications right at the
15 book closing?

16 A. I think that's correct.

17 Q. Okay.

18 A. Yes.

19 MR. WINSOR: Thank you very much,
20 Dr. Snipes. I appreciate your patience.
21 And I don't have anything further.