

EXHIBIT 8 (part 2)

<p style="text-align: right;">Page 105</p> <p>1 A. We discussed best practices at meetings. I 2 cannot say or recall that -- if it was -- if voter 3 registration was one of those best practices. There 4 is no way for me to remember exactly how long ago. I 5 do remember Albert Delgado having -- and I'm trying 6 to think, and I can't think how long ago, it was. 7 I'm ten months away from retirement. My eyes are 8 looking forward not back. I will admit that now. So 9 that's why I'm having trouble with the past, and I 10 remember what's ten months from now. 11 So, I will say I remember having a regional 12 county directors meeting with all of the county 13 directors of this region with Albert Delgado. 14 And we were discussing why some offices had 15 higher numbers than other offices, and what each 16 office could do to improve their figures. As to how 17 long ago that was, I couldn't recall at this time. 18 Q. Other than those meetings with all of the 19 other county directors, what other kind of contact do 20 you have with your regional manager? 21 A. I have contact with my regional manager 22 throughout the week, mostly telephonically, but he 23 does come up. 24 Q. And does the regional manager regularly 25 conduct a review of your work at all?</p>	<p style="text-align: right;">Page 106</p> <p>1 A. He watches my error rates, my timeliness 2 rates, my expedited timeliness rates, the 30-day 3 timeliness rates. He oversees everything that each 4 of his county offices is actually producing, and why. 5 Q. Is there any kind of formalized review or 6 is that just an ongoing supervision? 7 A. It's pretty much ongoing supervision. 8 Q. So there's no type of formalized review of 9 your work comparable to what the Quality Assessment 10 Bureau does? 11 A. Other than my annual evaluation from 12 Mr. Delgado, no. He actually works with me on an 13 ongoing -- on a monthly basis and an on going 14 throughout the month as to where we stand on our 15 figures. 16 Q. But Mr. Delgado does do an annual 17 evaluation of your performance you said? 18 A. Yes. 19 Q. Is voter registration part of that annual 20 performance review? 21 A. No. I would say, no. 22 Q. In your ongoing discussions with 23 Mr. Delgado, as your regional manager, how often 24 would you say voter registration comes up? 25 A. I would say periodically throughout the</p>
<p style="text-align: right;">Page 107</p> <p>1 year. As to how many times, I could not say. It 2 does come up a number of times through the years, 3 through each year as he watches the reports for the 4 region. 5 Q. And is that something that Mr. Delgado will 6 bring up, or do you ever bring up voter registration? 7 A. No. These are conversations that 8 Mr. Delgado brings up with the county directors, 9 either individually or as a whole, telephonically. 10 Q. And when Mr. Delgado brings up voter 11 registration with you, does he perform any kind of 12 follow-up to that conversation? 13 A. With the ongoing numbers the next month, 14 yes, and then would ask us again -- you know, again, 15 what is the reason behind the numbers on the report 16 for your office? And what are we doing to better 17 those numbers? 18 Q. Other than an additional conversation, is 19 there any other kind of follow-up that Mr. Delgado 20 would perform? 21 A. I would say, no. 22 Q. And back within this office, do you have 23 office-wide meetings at all? 24 A. Right now, frequently. 25 Q. How frequently?</p>	<p style="text-align: right;">Page 108</p> <p>1 A. We are having them frequently, we're having 2 them two or three times a week because of the 3 transition and the confusion. And when you take 4 somebody's jar and shake it all up, and they -- so 5 you have to have meetings continuously to assure them 6 that everything's going to be fine. I know this is 7 rough, but here we go. Those kinds of things just 8 happen. So right now it's frequently. On a normal 9 basis, usually monthly. Usually it's at the end of 10 each month. With the type of assistance programs 11 that we have at the beginning of the month, it can be 12 incredible. 13 Q. Incredible in what way? 14 A. In the number of applicants, number of 15 recertifications, ARs, SRs everything is flowing in 16 all at once. The caseworkers would rather 17 concentrate on getting those people taken care of. 18 By the end of the month they've pretty much taken 19 care of those individuals for that month, and we're 20 starting to slow down, so we have more time to sit. 21 So, we actually tend to try to reschedule 22 those training sessions, and everything. On those 23 days, where -- the caseworkers will be more relaxed 24 and not think about, I have 900 things in my office 25 to do.</p>

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<p>1 Q. And that transition from monthly meetings 2 to more frequent meetings coincided with the switch 3 from case management to – 4 A. Process, yes. 5 Q. -- process management? 6 And how often at those meetings would you 7 discuss voter registration? 8 A. Daily. We discussed it every time. 9 Q. And at the time when the office meetings 10 were more on a monthly schedule, how often would you 11 discuss voter registration? 12 A. Probably discuss voter registration about 13 every other month, depending on the numbers. If the 14 numbers are really, really high, then I have no 15 concern, but if the numbers start going down, then I 16 will ask -- I will avoid my line managers and ask my 17 staff directly what's going on. 18 Q. What, in your mind, would be really, really 19 high numbers? 20 A. I consider a hundred applications a month 21 really high. 22 Q. And what would you consider to be very low 23 and would need some corrective action? 24 MR. TERRY: I would object to the extent 25 that assumes facts not in evidence. Low numbers</p>	<p>1 doesn't necessarily indicate a need for corrective 2 action. You can go ahead and answer the question. 3 THE WITNESS: I would say none, depending 4 on the circumstances. 5 Q. (By Mr. Maloney) By "none," you mean zero 6 applications? 7 A. Yes. 8 Q. Would any number higher than zero indicate 9 to you that there was a problem? 10 A. It might pose an inquiry, but as for any 11 action it may not impose an action. 12 Q. If you had zero, that would lead to some 13 action on your part? 14 A. That would lead to further inquiry. 15 Q. Okay. Would it lead to anything further 16 than verbal discussions? 17 A. It would depend on the reason. 18 Q. Okay. What kind of reason would lead to 19 more than a verbal discussion? 20 A. That they weren't offering -- that they 21 weren't offering at all without reason. 22 Q. Has that ever happened? 23 A. Not to my knowledge, no. 24 Q. And you mentioned earlier, displaying voter 25 registration posters; is that right?</p>
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<p>1 A. Yes. 2 Q. How long has that been the practice in the 3 office? 4 A. I couldn't give you an exact date. It 5 changed over the years. So the format of them has 6 changed, so I couldn't give you an exact date. 7 Q. Okay. And we also spoke a little bit 8 earlier about the computer system that's in use in 9 the office. Have you ever requested a change be made 10 to that computer system for any reason? 11 A. No. 12 Q. Are you aware of any other county directors 13 requesting that there be a change to that system at 14 all? 15 A. I can't say request a change. There's a 16 lot because of its age, and it's -- there's a lot 17 involved in getting a change to occur. I would say 18 that I have -- I don't know if you want to call it 19 suggested different things for the system. Whether 20 or not it's able to do that, I -- because I don't 21 know everything about computers, really, I can't say. 22 So I made suggestions and/or made 23 complaints about it, but as to submitting and saying, 24 we absolutely need this change, no. I make those 25 suggestions up to my regional office manager who</p>	<p>1 would then take that request up further. But as to 2 me making the change, no. 3 Q. Okay. Have any of your suggestions to 4 change the computer system ever been implemented? 5 A. They have made some very nice changes to 6 the system. As to the parts that I would have liked 7 to have seen, probably not. 8 Q. But you mentioned that some other changes 9 that you would have liked to have been made. What 10 changes have been made? 11 A. Well, it's just the changes in the system. 12 They've added -- moving to the semiannual report gave 13 the system to take that -- an annual report and do 14 simplified reporting. Those are very nice. They 15 actually help us in a very large county such as 16 San Juan County, a very remote county, not having the 17 client to have to access the system. Like I said, 18 when I was first a caseworker, they had to access the 19 system on a monthly basis. It was much less 20 frequent. Those kinds of changes, I applaud. 21 Q. So it sounds like that's more of a change 22 with how frequently things need to be updated rather 23 than a change with the actual computer system; is 24 that right? 25 A. That's correct.</p>

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<p>1 Q. Can you recall any changes ever being made</p> <p>2 to the actual computer system?</p> <p>3 A. I can't recall at this time. I'm sure</p> <p>4 there have, but I can't recall at this time.</p> <p>5 Q. Okay. Have you ever had any interaction</p> <p>6 with the Secretary of State's office at all?</p> <p>7 A. Not that I can recall, no. Me personally?</p> <p>8 Q. Yes.</p> <p>9 A. Not that I can recall.</p> <p>10 Q. Have you ever had any interaction with any</p> <p>11 of the deputy directors or directors of the Income</p> <p>12 Support Division?</p> <p>13 A. Not that I can recall. The only</p> <p>14 interaction that I ever had with the Secretary's</p> <p>15 Office -- I take that back -- was because of -- in</p> <p>16 San Juan County, I do a lot of outreach, both to</p> <p>17 individuals in the county itself, and to the</p> <p>18 individuals in the county that are on the Navajo</p> <p>19 reservation.</p> <p>20 And I was asked to go to a meeting in</p> <p>21 Zuni -- no, no, Acoma, in regards to Medicaid. And</p> <p>22 that was the only time that I -- and that was with</p> <p>23 Pamela Hyde, but other than that, no. I had to do</p> <p>24 with Medicaid outreach on Indian reservations.</p> <p>25 Q. Has a deputy director or director ever</p>	<p>1 visited the office here?</p> <p>2 A. Yes. As to when the last time was, I can't</p> <p>3 say. I don't record those.</p> <p>4 Q. Was it while you were at the office,</p> <p>5 though?</p> <p>6 A. Yeah, I have had a number of them. Katie</p> <p>7 Falls has been here.</p> <p>8 Q. And what's her position?</p> <p>9 A. Katie Falls is now the secretary.</p> <p>10 Q. The secretary of the Income Support</p> <p>11 Division?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And what was the reason for their</p> <p>14 visits?</p> <p>15 A. They just actually just -- they come out</p> <p>16 from time to time to time to time just to see if</p> <p>17 we're still here. Fred Sandoval came out right after</p> <p>18 he was hired, and he wanted to meet the entire staff</p> <p>19 out in the field. Instead of bringing everyone in,</p> <p>20 he wanted to see them, you know, in their home</p> <p>21 communities.</p> <p>22 Q. Did they conduct any kind of review while</p> <p>23 they were here, or was it more of a personal</p> <p>24 meet-and-greet visit?</p> <p>25 A. Mostly it's meet-and-greet. Katie Falls,</p>
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<p>1 when she was here, she wasn't -- she wasn't the</p> <p>2 secretary at that time, but she was actually doing an</p> <p>3 assessment of the -- which was brand-new at the</p> <p>4 time -- the satellite offices on the Navajo</p> <p>5 reservation.</p> <p>6 Q. And, what was the nature of her review?</p> <p>7 A. Well, it's just to make sure -- we're</p> <p>8 actually co-located in federal buildings, and she</p> <p>9 was -- just wanted to make sure that the information</p> <p>10 that we have in regards to clients was safe from</p> <p>11 other individuals in the building, and that we were</p> <p>12 sole and separate, and that the clients were able to</p> <p>13 access services with being somewhat confidential.</p> <p>14 Q. Did any of those visits ever involve voter</p> <p>15 registration in any way?</p> <p>16 A. Not that I can recall.</p> <p>17 Q. And other than your annual performance</p> <p>18 review that we discussed, and the Quality Assessment</p> <p>19 Bureau's review of the office every two years, is</p> <p>20 there any other review of the offices or your work</p> <p>21 that happens?</p> <p>22 A. There is an ME audit on the EBT.</p> <p>23 Q. Could you --</p> <p>24 A. There is an ME audit on electronic benefit</p> <p>25 transfer. That's the only one that pops into mind.</p>	<p>1 We do actually carry a small card stock of SNAP EBT</p> <p>2 cards, electronic data transfer cards, in the office,</p> <p>3 and can upon emergency issue those cards to an</p> <p>4 applicant and may or may not have a mailing address</p> <p>5 or have other mailing issues, we can issue it from</p> <p>6 here instead of JPMorgan issuing it.</p> <p>7 So we have to keep very good records of</p> <p>8 who, when and why, and the date and time it was</p> <p>9 disseminated out, and what the card stock is. That</p> <p>10 report is -- actually, we have to prepare a report</p> <p>11 quarterly, but there's ME annually on that as well.</p> <p>12 Q. And when you say "ME" you mean management</p> <p>13 evaluation?</p> <p>14 A. Correct.</p> <p>15 Q. Is there any other kind of review beyond</p> <p>16 that?</p> <p>17 A. Other than the quality control records that</p> <p>18 go in and out of the record on a case on a monthly</p> <p>19 basis, but they're looking for accuracy of benefits</p> <p>20 issued and timeliness for the federal reports.</p> <p>21 Those records are pulled from us on a</p> <p>22 monthly basis for the PC month, and pulled at random</p> <p>23 actually. They have been pulled to quality control,</p> <p>24 quality control then reviews the records for its</p> <p>25 accuracy and everything in the record, and then</p>

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1 returns the record.
 2 Q. And do you get a report of that review?
 3 A. Yes, I do.
 4 Q. Does that review include voter registration
 5 at all?
 6 A. Not that I recall.
 7 Q. I think maybe take another five-minute
 8 break. Is that okay? I think we're getting close to
 9 wrapping up.
 10 (Recess was taken from 11:53 a.m. to 12:01
 11 p.m.)
 12 Q. (By Mr. Maloney) Would you say that voter
 13 registration is of particular interest to the
 14 employees in this office?
 15 MR. TERRY: Object. Speculation.
 16 MR. MALONEY: He can answer, though, right?
 17 MR. TERRY: Yes, he can go ahead and
 18 speculate.
 19 THE WITNESS: I believe any part of the job
 20 is of particular interest to the individuals,
 21 especially with an 11 percent unemployment rate. So
 22 I believe everybody is interested in their job, yes.
 23 I believe these people -- the people that work for me
 24 are here because of the individuals they are serving.
 25 I would venture -- I would say that if you weren't

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1 So, I don't think that was -- I think we
 2 should celebrate the numbers that we get, and not the
 3 failures that we didn't get. So I stopped doing
 4 that, actually.
 5 (Exhibit 4 marked.)
 6 Q. So I'm handing you what's been marked as
 7 Exhibit 4. Are you familiar with that document?
 8 A. Yes, uh-huh.
 9 Q. And what is that document?
 10 A. This is the Excel spreadsheet that is
 11 distributed, that we actually turn into Rachel
 12 within -- around the first day of every month, and
 13 then she compiles the figures for the entire state,
 14 and then returns them to us. This is the voter
 15 registrations that occurred per county office and per
 16 region across the state.
 17 Q. And do you have eight pages there?
 18 A. Yes.
 19 Q. And those pages show the voter registration
 20 numbers from -- on the first page, November '04 to
 21 December '05; is that right?
 22 A. I have -- yeah, November of '04 to December
 23 of '09, correct.
 24 Q. For each of those pages? For all of those
 25 pages total; is that right?

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1 interested in serving individuals, you wouldn't be in
 2 this job. This is a very difficult, stressful,
 3 overwhelming position like you have never seen in
 4 your life. I mean, you just remain 98 percent timely
 5 on every action, and 95 percent correct, and never
 6 lower than those figures. That's incredibly
 7 stressful. The number of people that you have to see
 8 on any given day is incredibly stressful. The number
 9 of times you are told off per day is unfathomable.
 10 If these individuals weren't interested in
 11 serving people, they wouldn't be here. So do I think
 12 that they -- my personal opinion is that, yes, they
 13 are very interested in making sure that these
 14 individuals receive anything and everything,
 15 including voter registration, yes.
 16 Q. (By Mr. Maloney) Does the office, or do
 17 you set any particular goals for this office as far
 18 as offering voter registration?
 19 A. You know, I have tried that. I tried
 20 setting goals, it -- I can't say that once I did that
 21 that was the best thing that I did was -- because
 22 when the workers fell short of that goal, there was
 23 some sense of failure, and that -- believe me, in
 24 this job, you don't need any more sense of that than
 25 you already have.

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1 A. Yes.
 2 Q. Okay. And if you will flip to the last two
 3 pages. The second to the last page is titled the
 4 "Number of Registration Forms Handed Out: 2009," and
 5 the last page is titled, "Number of Registration
 6 Completed and Sent to County Clerk: Calendar Year
 7 2009"; is that right?
 8 A. That's correct.
 9 Q. If you will flip back to the first page.
 10 That page is just titled "Voter Registration"; is
 11 that right?
 12 A. That's correct.
 13 Q. It's your understanding that the first page
 14 that's just labeled, "Voter Registrations," does that
 15 correspond to the number of registration forms handed
 16 out, or the number of registrations completed and
 17 sent to the county clerk?
 18 A. I cannot say. It would be my assumption
 19 that it would be the culmination, but I can't say.
 20 Q. A culmination, you mean --
 21 A. Of both the sent and handed out.
 22 Q. I'm sorry, you're not saying that it would
 23 be the number sent, plus the number handed out, are
 24 you?
 25 A. The first form -- I didn't generate the

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1 anybody, like, they can register anybody.
 2 Q. And we had talked about earlier how the
 3 benefit applications at one point did not include the
 4 declination language, that that was a separate form,
 5 but now, by and large, those forms include that
 6 language; is that right?
 7 A. Correct.
 8 Q. In your opinion, has the incorporation of
 9 that declination language into those applications
 10 made a difference in the voter registration numbers?
 11 MR. TERRY: I would object, it's a fact
 12 witness.
 13 Q. (By Mr. Maloney) In your experience, has
 14 the incorporation of the declination language into
 15 those benefit applications made a difference in the
 16 voter registration numbers?
 17 A. As far as my opinion, my opinion says that
 18 it's more what's happening in the political playing
 19 field than what's on the application. I mean, when
 20 you have President Obama running, and the First Woman
 21 that's ever going -- going to run also. We have an
 22 African American man and a woman that have the best
 23 chance ever, of course, everybody's going to want to
 24 be part of history. What's happening in the playing
 25 field? What's happening in Arizona right now?

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1 process model, even the process model, this is not --
 2 this no longer becomes true. The clerical staff
 3 become the front lines. They see, by and large, more
 4 clients than anybody else, more than the caseworkers
 5 do, because the caseworkers normally wouldn't see the
 6 people, they wouldn't see the change reports, they
 7 wouldn't see the people that are just here to pick up
 8 an application, they wouldn't see the people that
 9 come in just for the Medicaid, they wouldn't see
 10 those people, but the clerks do.
 11 Q. So in your experience, the clerks making a
 12 verbal "ask" about voter registration made a big
 13 difference in the number of voter registrations that
 14 were handed out and completed?
 15 A. In my opinion, yes.
 16 Q. Is there anything else in your experience
 17 that you think would have an effect on -- a
 18 beneficial effect on voter registration results?
 19 MR. TERRY: I object. It calls for a
 20 narrative. You can ask him specific questions, and
 21 he can give you answers.
 22 Q. (By Mr. Maloney) Okay. Are there any
 23 procedural changes that, in your experience, would
 24 improve voter registration results?
 25 A. Not that I can think of.

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1 That's something in the political playing field.
 2 Do I think that that happened, that the
 3 form -- that the numbers increased? Personally, my
 4 opinion, no. It's whatever's happening, it's
 5 whatever's being televised, whatever's being -- like
 6 I said earlier, we are seeing larger numbers now,
 7 because the governor's race is coming out. There's
 8 now commercials coming out. There's allegations.
 9 There's lawsuits that are going on. And it's
 10 bringing attention back to it. That's affecting my
 11 numbers.
 12 Q. Have you made any recommendations at all as
 13 to changes in procedures that would improve voter
 14 registration results?
 15 A. I was asked why during -- at one point I
 16 was asked how was it that in that one year I pulled
 17 1,059, and it wasn't very difficult. We just made
 18 sure that the screener and the clerk at the front
 19 desk said, do you want to register to vote? Would
 20 you like to do it today? And because of everything
 21 that was going on in the news, it was not hard. They
 22 were filling those forms out right and left.
 23 And my suggestion was that other offices do
 24 likewise with their screeners and their clerical
 25 staff. Clerical stuff -- until you go into the

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1 MR. MALONEY: I think maybe take another
 2 short break, and maybe wrap up with a couple of
 3 things, but I'll take a short break to review and
 4 make sure I didn't miss anything.
 5 (Recess was taken from 12:25 p.m. to 12:32
 6 p.m.)
 7 Q. (By Mr. Maloney) Have you ever received
 8 any complaints about how the office provides voter
 9 registration services?
 10 A. Provides, no. I had a client frustrated
 11 because we asked him too times. But provides, no.
 12 Q. Prior to when the declination language was
 13 included in the application forms, was there ever any
 14 problem with keeping a supply of those forms?
 15 A. The declination forms?
 16 Q. Right.
 17 A. No. As we need to, we Xerox what we have
 18 to do. We've also done that with even the basic SNAP
 19 application that upon -- depending on what's in the
 20 warehouse, we may have to provide a copy off of our
 21 own applications. We do that with most every state
 22 form.
 23 Q. And is there a place in the office where
 24 supplies of all of those benefit application forms
 25 and other forms that are used are kept?